

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 110 OF THE CITY OF CLAYTON, MISSOURI, CITY CODE PERTAINING TO THE CITY MANAGER

WHEREAS, the City of Clayton (“City”) has recently undertaken efforts to simplify and organize the City’s Charter; and

WHEREAS, the City’s City Council aims to establish an accessible and all-encompassing Code of Ordinances; and

WHEREAS, recent revisions to the City’s Charter necessitate corresponding updates to the City’s Code of Ordinances; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1.

Sections 110.010 and 110.020 of Article I of Chapter 110 of the Code of Ordinances of the City of Clayton, Missouri, are hereby repealed and six new Sections, initially to be designated as Sections 110.010, 110.012, 110.104, 110.016, 110.018 and 110.020 of Article I, are hereby enacted in lieu thereof, to read as follows:

CHAPTER 110. City Officials

ARTICLE I. City Manager

Section 110.010. Appointment and removal of City Manager.

Article II, Section 12 of the Clayton Charter provides as follows:

The city council shall by resolution appoint an officer who shall have the title of city manager and shall have the powers and perform the duties provided in this charter. Neither the mayor nor any other member of the city council shall receive such appointment during the term for which they shall have been elected nor within one year after the expiration of their term. The city manager shall be employed for an indefinite term. The city manager may be suspended by a resolution which shall set forth the reasons for suspension and proposed removal. A copy of such resolution shall be served immediately upon the city manager by the city clerk. The city manager shall have ten days in which to reply in writing, and if the city manager so requests in their reply, they shall be afforded a public hearing not earlier than ten days nor later

than fifteen days after the hearing is requested. After the public hearing, if one has been requested, and after full consideration the city council by a vote of a majority of its members may adopt a final resolution of removal.

Section 110.012. Prohibition of Interference

Article II, Section 13 of the Clayton Charter provides as follows:

Neither the city council nor any of its members shall direct or request the appointment of any person to office, or the removal of any person from office by the city manager, or by any of their subordinates, or in any way interfere with the appointment or removal of officers or employees of any administrative service of the city. Except for the purpose of inquiry, unless specifically otherwise provided in this charter, the city council and its members shall deal with the administrative officers and employees solely through the city manager, and neither the city council nor any member thereof shall give orders to the subordinates of the city manager, either publicly or privately. Any member of the city council violating the provisions of this section shall forfeit their office. Whether a violation has occurred shall be determined by the members of the city council, and their decision shall be final.

Section 110.014. Office of City Manager

Article III of the Clayton Charter provides as follows:

Section 1. Qualifications and Term of Office.

The city manager shall be chosen by the city council on the basis of executive and administrative qualifications with special reference to experience in, or knowledge of, municipal administration. The city manager shall be appointed for an indefinite term, subject to removal as herein provided, and shall devote full time to the duties of their office. The city manager shall designate in writing, filed with the city clerk, one of the department heads or administrative assistants to perform the duties of the city manager in the event of the city manager's temporary absence from the city or temporary disability. If the city manager should fail to make such designation, the city council shall do so.

Section 2. Compensation.

The city manager shall receive compensation as determined by the city council.

Section 3. Powers and Duties.

The city manager shall be the chief executive and administrative officer of the city, and shall be responsible to the city council for the proper administration of the affairs of the city. To that end the city manager shall have power and be required to:

(1) Appoint and, when necessary for the good of the service, remove any officer or employee of the city, except as otherwise provided in this charter and except as the city manager may authorize the head of a department or office to appoint and remove subordinates.

(2) Prepare and submit to the city council the annual budget and appropriation bill and be responsible for the administration thereof.

(3) Prepare and submit to the city council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year.

(4) Keep the city council advised of the financial condition of the city, and make recommendations concerning its future needs.

(5) See that all laws and ordinances are enforced and that all contracts and franchises are faithfully performed.

(6) Prescribe the powers and duties of officers and employees of the city not otherwise prescribed by this charter or by ordinances. The city manager may assign particular officers and employees to one or more departments, require an officer or employee to perform duties in two or more departments, and make such other administrative rules and regulations as the city manager may deem necessary or proper for the efficient and economical conduct of the business of the city.

(7) Attend all meetings of the city council and, insofar as possible, of its committees, except when the council may be considering the city manager's removal.

(8) Perform such other duties as may be prescribed by this charter or required of them by the city council if not inconsistent with this charter.

Section 110.016. Subordinate Officers

Article IV, Section 3 of the Clayton Charter provides as follows:

At the head of each administrative department there shall be a director who shall be an officer of the city and who shall have supervision and control of the

department, subject to the authority of the city manager. Two or more departments may be headed by the same person; directors of departments may serve as chiefs of divisions; and, with the consent of the city council, the city manager may head one or more departments.

Section 110.018. Supervision of City Affairs.

The city manager shall exercise general supervision over all the officers and affairs of the city and shall take care that there is compliance with the ordinances of the city and the laws of the state relating thereto.

Section 110.020. Dealing with Subordinate Officers.

The city manager shall cause all subordinate officers to be dealt with promptly for any neglect or violation of duty and they shall have power, as often as they may deem necessary, to require any such officer of the city to exhibit their accounts or other papers or records and to make reports to the City Council, in writing, concerning any matter relating to their office.

Section 2.

The Chapter, Article, Division and/or Section assignments designated in their Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 3.

It is hereby declared to be the intention of the City Council that each and every part, section and subsection of their Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of their Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section 4.

Their Ordinance shall be in full force and effect both from and after its passage by the City Council.

Passed by the City Council this _____ day of _____, 2025.

Mayor

Attest:

City Clerk