

## **Ordinance #373**

### **AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA GEORGIA TO AMEND THE CHARTER OF THE CITY OF MONTEZUMA AND ALSO THE CODE OF ORDINANCES BY CREATING THE POSITION OF CITY ADMINISTRATOR AND SETTING FORTH THE DUTIES THEREOF.**

An Ordinance of the Mayor and Council of the City of Montezuma, Georgia to amend the Code of Ordinances by adding new Sections for the purpose of creating a new position to be known as "City Administrator" and setting forth the duties and responsibilities of that position as follows:

#### **Section 2.065 City Administrator**

The city council shall appoint a city administrator for an indefinite term and shall fix the city administrator's compensation. The city administrator shall be appointed solely on the basis of that person's executive and administrative qualifications.

#### **Section 2.066 Removal of the City Administrator**

(a) The city council shall remove the city administrator from office in accordance with the following procedures:

- (1) The city council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the city administrator from duty for a period not to exceed 45 days. A copy of the resolution shall be delivered promptly to the city administrator.
- (2) Within five days after a copy of the resolution is delivered to the city administrator, that person may file with the city council a written request for a public hearing. This hearing shall be held within 30 days after the request is filed. The city administrator may file with the city council a written reply not later than five days before the hearing.
- (3) If the city administrator has not requested a public hearing within the time specified in paragraph (2) of this subsection, the city council may adopt a final resolution for removal, which may be made effective immediately, by an affirmative vote of a majority of all its members. If the city administrator has requested a public hearing, the city council may adopt a final resolution for removal, which may be made effective immediately upon its passage by a majority vote of all its members after the public hearing.

(b) The city administrator shall continue to receive the city administrator's salary until the effective date of a final resolution of removal.

**Section 2.067 Powers and duties of the city administrator**

The city administrator shall be the chief administrative officer of the city and position may be combined with the office of city clerk or may be two separate positions occupied by two separate individuals. The city administrator shall be responsible to the city council for the administration of all city affairs placed in the city administrator's charge by or under this charter. The city administrator:

- (1) Shall direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this charter or by law;
- (2) Shall attend all city council meetings and shall have the right to take part in discussion, but the city administrator may not vote;
- (3) Shall see that all laws, provisions of this charter, and acts of the city council, subject to enforcement by the city administrator or by officers subject to the city administrator's direction and supervision, are faithfully executed;
- (4) Shall prepare and submit the annual operating budget and capital budget to the city council.
- (5) Shall submit to the city council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year;
- (6) Shall make other such reports as the city council may require concerning the operations of city departments, offices, and agencies subject to the city administrator's direction and supervisions;
- (7) Shall keep the city council fully advised as to the financial condition and future needs of the city, and make such recommendations to the city council concerning the affairs of the city as the city administrator deems desirable; and
- (8) Shall perform other such duties as are specified in this charter or as may be required by the city council.

**This amendment is effective upon date of passage.**

**CITY OF MONTEZUMA, GEORGIA**

By: Willie J. Larry  
Willie J. Larry - Mayor

Attest: Joyce H. Hardy  
Joyce H. Hardy - City Clerk

I hereby certify that the above Ordinance was tentatively approved by the Mayor and Council by unanimous vote at a regularly held meeting on June 9, 2009, notice of intent to amend the Charter was advertised in the Citizen & Georgian Newspaper, a newspaper of general circulation in Macon County, Georgia, on \_\_\_\_\_ and \_\_\_\_\_, and said Ordinance amending the Charter was unanimously passed and approved at the regularly held meeting on July 14, 2009, same having been approved by unanimous vote.

I also hereby certify that a copy of this Amendment to Charter with Affidavit of Publisher of the Citizen & Georgian Newspaper attached thereto has been filed with the Secretary of State and also with the Clerk of Superior Court for Macon County, Georgia, as provided by O.C.G.A. 36-35-5.

# PUBLISHER'S AFFIDAVIT

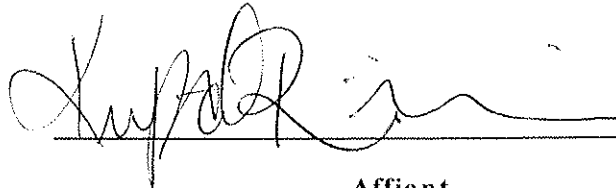
STATE OF GEORGIA

COUNTY OF MACON

Personally appeared before the undersigned, Krystal Riner, who having been duly sworn, says on oath that she is the Editor of The Citizen Georgian, and that the attached legal advertisement was published in The Citizen Georgian on the following dates:

July 8, 2009

Amending the Charter



Affiant

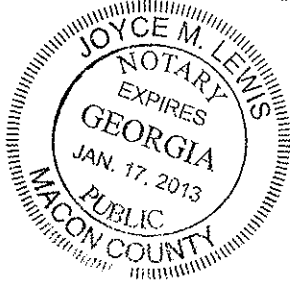
Sworn to and subscribed before me this

16<sup>th</sup> Day of July, 2009.

Notary Public:

Joyce M. Lewis

My Commission Expires: 01-17-2013



(Notary Seal)

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA

COUNTY OF MACON

Personally appeared before the undersigned, **Krystal Riner**, who having been duly sworn, says on oath that she is the Editor of The Citizen Georgian, and that the attached legal advertisement was published in The Citizen Georgian on the following dates:

July 1, 2009  
Amending the Charter  
Krystal Riner  
Affiant

Sworn to and subscribed before me this

16<sup>th</sup> Day of July, 2009.

Notary Public Joyce M. Lewis  
My Commission Expires: 01-17-2013

