

## **ORDINANCE NO. 638-08**

### **AN ORDINANCE OF THE TOWN OF FOWLER ESTABLISHING THE OFFICE OF TOWN ADMINISTRATOR**

WHEREAS, the Board of Trustees desires to provide the Town with professional management through the services of a town administrator; and

WHEREAS, Colorado law provides that a town administrator is an officer of the Town and that the office must be established by ordinance; and

WHEREAS, it is necessary to set forth the duties and responsibilities of the office of Town Administrator.

**NOW, THEREFORE, BE IT ORDAINED** by the Town of Fowler Board of Trustees as follows:

- a. There is hereby created and established the position and office of Town Administrator of the Town.
- b. The purposes of the office of the Town Administrator is to provide the centralization of the administrative responsibilities of the Town, to be the administrative head of the Town government under the direction and control of the Mayor and Board of Trustees and to be responsible to the Mayor and Board of Trustees for the efficient and effective conduct of the office.
- c. The Town Administrator shall be appointed by a majority of the Town Board of Trustees, including the Mayor. The Town Administrator shall be appointed on the basis of training, experience and merit alone, and need not be a resident of the Town or the State when appointed. The Town Administrator shall devote full time to the diligent prosecution of the office and shall have no other employment without the express consent of the Town Board of Trustees.
- d. The Town Administrator shall serve for an indefinite term, shall serve at the pleasure of the Mayor and Board of Trustees and may be removed by a majority vote of the entire Board of Trustees and the Mayor.
- e. The Town Administrator shall be compensated for services as the Mayor and Board of Trustees may from time to time determine.
- f. The Town Administrator shall report to and be responsible to the Mayor and Board of Trustees.
- g. The office shall be considered a professional position. No elected official of the Town shall be appointed Town Administrator during the term of office for which the person was elected nor within one (1) year thereafter.
- h. Following appointment to the office of Town Administrator, the Town Administrator shall become a resident of the Town within ninety days and shall maintain said residency during the term of office.

- i. The Town Administrator shall be the chief administrative officer of the Town government. The duties and authority of the Town Administrator shall be:
  1. To enforce the laws, ordinances and policies of the Town and contracts to which the Town is a party;
  2. To be responsible to the Mayor and Board of Trustees for the efficient administration of all departments of the Town;
  3. To superintend and generally manage all Town departments and their personnel;
  4. To superintend and generally manage all Town personal property including, but not limited to, appliances, vehicles and equipment used in connection therewith so that the personal property is properly maintained, ready for service and appropriately scheduled for replacement.
  5. To superintend and generally manage all Town real property and improvements thereon so that the real property and improvements are properly maintained and ready for appropriate use;
  6. To prepare and submit to the Mayor and Board of Trustees at each bi-monthly meeting such reports as the Mayor and Board of Trustees may require.
  7. To recommend to the Mayor and Board of Trustees the adoption of such measures and policies as the Town Administrator deems necessary;
  8. To develop written procedures for administering and executing Town policies;
  9. To attend Town Board of Trustee meetings with the right to take part in discussions in an advisory capacity but shall not vote;
  10. To recommend an annual budget to the Board of Trustees, to administer the budget as finally adopted, and to keep the Board of Trustees fully advised at all times as to the financial condition of the Town;
  11. To establish, subject to approval of the Mayor and Board of Trustees, appropriate personnel rules and regulations governing officers and employees of the Town including the Town Administrator but excluding the Town Attorney and Municipal Judge;
  12. To administer and be responsible for all departments and divisions of the Town which are under the direction of the Mayor and Board of Trustees, including, but not limited to, the administration department, public works department, water department, sewer department and the police department. The offices of the Town Attorney and Municipal Judge shall be responsible to the Mayor and Board of Trustees;
  13. To appoint, discipline and remove all officers and employees in the service of the Town, except the Town Attorney and Municipal Judge, pursuant to the Town's personnel rules and regulations, state law and federal law;

14. To provide written reviews of the employee performance for each employee not less frequently than annually. Each employee review shall contain both numerical ratings and written comments on various performance categories. Changes in employee compensation shall be approved by the Mayor and Board of Trustees based on, but not limited by, such reviews and any other relevant information including the Town Administrator's recommendations.
  15. To administer the Town's municipal planning;
  16. To seek out Town grant opportunities, coordinate grant-writing for the Town, obtain all permits and information required to obtain the various grants and loans, and assure proper administration of all grants and loans obtained by or on behalf of the Town so as to meet all required schedules;
  17. To coordinate and oversee the Town's economic development;
  18. To develop and disseminate appropriate public information regarding the Town and its various activities;
  19. To receive, investigate and respond to public inquiries, complaints and concerns in a tactful, timely and respectful manner that recognizes the dignity of each individual and seeks fair and just resolutions;
  20. To receive continuing education so as to keep abreast of current trends in municipal management;
  21. To maintain good working relationships with state and federal agencies and their various representatives;
  22. To assure that the Town remains compliant with state and federal water and wastewater regulations;
  23. To perform such other duties as may be prescribed by ordinance, resolution, motion or by direction of the Mayor and by the Board of Trustees as a whole.
- j. The Town Administrator shall nominate a department head or other employee of the Town to serve as Acting Town Administrator during the temporary disability or absence from the Town of the Town Administrator. Such nominee, when confirmed and approved by the Mayor and Board of Trustees, shall perform all the duties and exercise all the powers of the Town Administrator, but shall receive no additional compensation therefore.
- k. The Mayor and Board of Trustees shall provide the Town Administrator with a written review not less than annually providing both numerical ratings and written comments on various performance categories.
- l. Neither the Mayor nor any member of the Board of Trustees shall in any way interfere with the Town Administrator in the exercise of the powers and duties granted by this ordinance. Except for the purpose of inquiry, the Mayor and members of the Board shall deal with the Town Administrator solely through the Town Board, and neither the Mayor nor any member of the Board shall give orders to any of the subordinates of the Town Administrator.

- m. Nothing in this Section is to be interpreted so as to impair the responsibility of the Mayor and Board of Trustees for the overall operation of the Town as required by state law.
- n. Emergency Clause. The Town of Fowler Board of Trustees hereby finds, determines, and declares that an emergency exists and that the preservation of the public health, safety, and welfare of the residents of the Town of Fowler requires the immediate passage of this Ordinance and that this Ordinance shall be and become effective immediately after its final passage and publication.

INTRODUCED, READ IN FULL, PASSED AND ORDERED PUBLISHED on the first reading the \_\_\_\_\_ day of \_\_\_\_\_, 2008

ADOPTED and approved the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**TOWN OF FOWLER**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

BY: \_\_\_\_\_  
Mayor Town of Fowler

**ATTEST:**

\_\_\_\_\_  
Town Clerk