

## CHAPTER 15

### MAYOR

15.01 Term of Office  
15.02 Powers and Duties  
15.03 Appointments

15.04 Compensation  
15.05 Voting

**15.01 TERM OF OFFICE.** The Mayor is elected for a term of four years.  
(*Code of Iowa, Sec. 376.2*)

**15.02 POWERS AND DUTIES.** The powers and duties of the Mayor are as follows:

1. Chief Executive Officer. Act as the chief executive officer of the City and have the powers and duties provided in this Code of Ordinances and by law except to the extent that any of such powers or duties are specifically delegated to another officer of the City by ordinance or resolution.

(*Code of Iowa, Sec. 372.14[1]*)

2. Proclamation of Emergency. Have authority to take command of the police and govern the City by proclamation, upon making a determination that a time of emergency or public danger exists. Within the City limits, the Mayor has all the powers conferred upon the Sheriff to suppress disorders.

(*Code of Iowa, Sec. 372.14[2]*)

3. Special Meetings. Call special meetings of the Council when the Mayor deems such meetings necessary to the interests of the City.

(*Code of Iowa, Sec. 372.14[1]*)

4. Mayor's Veto. Sign, veto, or take no action on an ordinance, amendment, or resolution passed by the Council. The Mayor may veto an ordinance, amendment, or resolution within fourteen days after passage. The Mayor shall explain the reasons for the veto in a written message to the Council at the time of the veto.

(*Code of Iowa, Sec. 380.5 & 380.6[2]*)

5. Reports to Council. Make such oral or written reports to the Council as required. These reports shall concern municipal affairs generally, the municipal departments, and recommendations suitable for Council action.

6. Negotiations. Represent the City in all negotiations properly entered into in accordance with law or ordinance. The Mayor shall not represent the City where this duty is specifically delegated to another officer by law, ordinance, or Council direction.

7. Contracts. Whenever authorized by the Council, sign contracts on behalf of the City.

8. Professional Services. Upon order of the Council, secure for the City such specialized and professional services not already available to the City. In executing the order of the Council, the Mayor shall act in accordance with the Code of Ordinances and the laws of the State.

9. Licenses and Permits. Sign all licenses and permits which have been granted by the Council, except those designated by law or ordinance to be issued by another municipal officer.

10. Nuisances. Issue written order for removal, at public expense, any nuisance for which no person can be found responsible and liable.

11. Absentee Officer. Make appropriate provision that duties of any absentee officer be carried on during such absence.

**15.03 APPOINTMENTS.** The Mayor shall appoint and/or remove the following officials:  
(Code of Iowa, Sec. 372.4)

1. Mayor Pro Tem
2. Police Chief, subject to approval of the Council.

**15.04 COMPENSATION.** Beginning with calendar year 2008, the annual salary of the Mayor is \$7,000.00. Each calendar year the Mayor's compensation amount is increased by a percentage equal to the increase in the Consumer Price Index (CPI) for the calendar year immediately preceding the increase in compensation, rounded to the closest \$100.00. If there is no increase in the CPI in a given year, the Mayor's compensation remains the same in the subsequent year.

**15.05 VOTING.** The Mayor is not a member of the Council and shall not vote as a member of the Council.

(Code of Iowa, Sec. 372.4)

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## CHAPTER 16

### MAYOR PRO TEM

16.01 Vice President of Council  
16.02 Powers and Duties

16.03 Voting Rights  
16.04 Compensation

**16.01 VICE PRESIDENT OF COUNCIL.** The Mayor shall appoint a member of the Council as Mayor Pro Tem, who shall serve as vice president of the Council.

*(Code of Iowa, Sec. 372.14[3])*

**16.02 POWERS AND DUTIES.** Except for the limitations otherwise provided herein, the Mayor Pro Tem shall perform the duties of the Mayor in cases of absence or inability of the Mayor to perform such duties. In the exercise of the duties of the office the Mayor Pro Tem shall not have power to appoint, employ, or discharge from employment officers or employees that the Mayor has the power to appoint, employ, or discharge without the approval of the Council.

*(Code of Iowa, Sec. 372.14[3])*

**16.03 VOTING RIGHTS.** The Mayor Pro Tem shall have the right to vote as a member of the Council.

*(Code of Iowa, Sec. 372.14[3])*

**16.04 COMPENSATION.** If the Mayor Pro Tem performs the duties of the Mayor during the Mayor's absence or disability for a continuous period of fifteen (15) days or more, the Mayor Pro Tem may be paid for that period the compensation as determined by the Council, based upon the Mayor Pro Tem's performance of the Mayor's duties and upon the compensation of the Mayor.

*(Code of Iowa, Sec. 372.13[8])*

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# CHAPTER 17

## CITY COUNCIL

17.01 Number and Term of Council  
17.02 Powers and Duties  
17.03 Exercise of Power  
17.04 Council Meetings

17.05 Appointments  
17.06 Compensation  
17.07 Expectations

**17.01 NUMBER AND TERM OF COUNCIL.** The Council consists of five Council members elected at large for overlapping terms of four years.

*(Code of Iowa, Sec. 372.4 & 376.2)*

**17.02 POWERS AND DUTIES.** The powers and duties of the Council include, but are not limited to the following:

1. General. All powers of the City are vested in the Council except as otherwise provided by law or ordinance.

*(Code of Iowa, Sec. 364.2[1])*

2. Wards. By ordinance, the Council may divide the City into wards based upon population, change the boundaries of wards, eliminate wards, or create new wards.

*(Code of Iowa, Sec. 372.13[7])*

3. Fiscal Authority. The Council shall apportion and appropriate all funds, and audit and allow all bills, accounts, payrolls and claims, and order payment thereof. It shall make all assessments for the cost of street improvements, sidewalks, sewers and other work, improvement, or repairs which may be specially assessed.

*(Code of Iowa, Sec. 364.2[1], 384.16 & 384.38[1])*

4. Public Improvements. The Council shall make all orders for the construction of any improvements, bridges, or buildings.

*(Code of Iowa, Sec. 364.2[1])*

5. Contracts. The Council shall make or authorize the making of all contracts. No contract shall bind or be obligatory upon the City unless approved by the Council.

*(Code of Iowa, Sec. 26.10)*

6. Employees. The Council shall authorize, by resolution, the number, duties, term of office and compensation of employees or officers not otherwise provided for by State law or the Code of Ordinances.

*(Code of Iowa, Sec. 372.13[4])*

7. Setting Compensation for Elected Officers. By ordinance, the Council shall prescribe the compensation of the Mayor, Council members, and other elected City officers, but a change in the compensation of the Mayor does not become effective during the term in which the change is adopted, and the Council shall not adopt such an ordinance changing the compensation of any elected officer during the months of November and December in the year of a regular City election. A change in the compensation of Council members becomes effective for all Council members at the beginning of the term of the Council members elected at the election next following the change in compensation.

*(Code of Iowa, Sec. 372.13[8])*

**17.03 EXERCISE OF POWER.** The Council shall exercise a power only by the passage of a motion, a resolution, an amendment, or an ordinance in the following manner:

*(Code of Iowa, Sec. 364.3[1])*

1. Action by Council. Passage of an ordinance, amendment, or resolution requires a majority vote of all of the members of the Council. Passage of a motion requires a majority vote of a quorum of the Council. A resolution must be passed to spend public funds in excess of one hundred thousand dollars (\$100,000.00) on a public improvement project, or to accept public improvements and facilities upon their completion. Each Council member's vote on a measure must be recorded. A measure which fails to receive sufficient votes for passage shall be considered defeated.

*(Code of Iowa, Sec. 380.4)*

2. Overriding Mayor's Veto. Within thirty (30) days after the Mayor's veto, the Council may pass the measure again by a vote of not less than two-thirds of all of the members of the Council.

*(Code of Iowa, Sec. 380.6[2])*

3. Measures Become Effective. Measures passed by the Council become effective in one of the following ways:

A. An ordinance or amendment signed by the Mayor becomes effective when the ordinance or a summary of the ordinance is published, unless a subsequent effective date is provided within the ordinance or amendment.

*(Code of Iowa, Sec. 380.6[1a])*

B. A resolution signed by the Mayor becomes effective immediately upon signing.

*(Code of Iowa, Sec. 380.6[1b])*

C. A motion becomes effective immediately upon passage of the motion by the Council.

*(Code of Iowa, Sec. 380.6[1c])*

D. If the Mayor vetoes an ordinance, amendment or resolution and the Council repasses the measure after the Mayor's veto, a resolution becomes effective immediately upon repassage, and an ordinance or amendment becomes a law when the ordinance or a summary of the ordinance is published, unless a subsequent effective date is provided within the ordinance or amendment.

*(Code of Iowa, Sec. 380.6[2])*

E. If the Mayor takes no action on an ordinance, amendment or resolution, a resolution becomes effective fourteen (14) days after the date of passage, and an ordinance or amendment becomes law when the ordinance or a summary of the ordinance is published, but not sooner than 14 days after the date of passage, unless a subsequent effective date is provided within the ordinance or amendment.

*(Code of Iowa, Sec. 380.6[3])*

"All of the members of the Council" refers to all of the seats of the Council including a vacant seat and a seat where the member is absent, but does not include a seat where the Council member declines to vote by reason of a conflict of interest.

*(Code of Iowa, Sec. 380.4)*

**17.04 COUNCIL MEETINGS.** Procedures for giving notice of meetings of the Council and other provisions regarding the conduct of Council meetings are contained in Section 5.06 of this Code of Ordinances. Meetings of the Council shall be as follows:

1. Regular Meetings. The time and place of the regular meetings of the Council shall be fixed by resolution of the Council.

2. Special Meetings. Special meetings shall be held upon call of the Mayor or upon the written request of a majority of the members of the Council submitted to the Clerk. Notice of a special meeting shall specify the date, time, place, and subject of the meeting and such notice shall be given personally or left at the usual place of residence of each member of the Council. A record of the service of notice shall be maintained by the Clerk.

*(Code of Iowa, Sec. 372.13[5])*

3. Quorum. A majority of all Council members is a quorum.

*(Code of Iowa, Sec. 372.13[1])*

4. Rules of Procedure. The Council shall determine its own rules and maintain records of its proceedings.

*(Code of Iowa, Sec. 372.13[5])*

5. Compelling Attendance. Any three members of the Council can compel the attendance of the absent members at any regular, adjourned, or duly called meeting, by serving a written notice upon the absent members to attend at once.

6. Rules of Conduct. The following rules are hereby adopted for the conduct of those attending regular and special meetings of the City Council in the Council Chamber in the City Hall:

*(Code of Iowa, Sec. 21.7)*

A. No person shall be permitted to stand in the Council Chamber during Council sessions between the audience seats and the Council members except the persons addressing the Council, who shall do so from the speaker's stand, and except City officials and employees on City business.

B. No person shall enter the raised area at the east and west ends of the Council table except upon invitation of the Council or a member thereof, and except City officials and employees on City business.

C. Any person desiring to address the Council may do so when recognized by the presiding officer, but the Council reserves the right to limit the speaker's time and the order in which the speakers may address the Council.

D. No person shall be interrupted while addressing the Council except by a member of the Council.

E. No member of the public shall be permitted to sit or lean upon the Council table during sessions of the Council.

F. No person shall use unreasonably loud or abusive language or any other language in the Council Chamber which disrupts or is intended to disrupt the peace, quiet, and good order of a Council meeting.

G. Those having business before the Council shall have the right to speak to items as they appear on the Council agenda, subject to the foregoing constraints; those wishing to address matters not on the Council agenda must

wait until the agenda is completed and until recognized to speak by the presiding officer.

H. Any person violating any of the foregoing rules shall be guilty of a disorderly conduct and disturbing a public assembly and upon conviction shall pay a fine of not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00).

I. The Police Chief shall enforce the provisions of this section and upon request shall provide sufficient officers therefor.

**17.05 APPOINTMENTS.** The Council shall appoint the following officials and prescribe their powers, duties, compensation, and term of office:

1. City Administrator/Clerk
2. City Attorney
3. City Treasurer
4. Planning and Zoning Commission
5. Zoning Board of Adjustment

**17.06 COMPENSATION.** Beginning with calendar year 2008, each member of the Council is paid as compensation the sum of \$51.00 for each meeting of the Council which he or she attends, plus the sum of \$584.00 for each calendar quarter. Each calendar year, the compensation amount is increased by a percentage equal to the increase in the Consumer Price Index (CPI) for the calendar year immediately preceding the increase in compensation. Meeting pay is rounded up to the closest one dollar (\$1.00). Quarterly pay is rounded to the closest ten dollars (\$10.00). If there is no increase in the CPI in a given year, then the Council compensation shall remain the same in the subsequent year.

*(Code of Iowa, Sec. 372.13[8])*

**17.07 EXPECTATIONS.** A Council member is expected to be dedicated to the concepts of effective and democratic local government by responsible elected officials. Additionally, the following ethical expectations are set forth. A Council member will:

1. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant;
2. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the other officials and of the general public;
3. Recognize that the chief function of local government at all times is to serve the best interests and greater good of all people;
4. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service;
5. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern decisions, pertaining to appointments and pay adjustments;

6. Keep confidential all employee records and any other information that is not yet available to the general public;
7. Seek no personal favor and seek no favors for those with whom the Council member has a personal relationship.

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# CHAPTER 18

## CITY CLERK

18.01 Appointment and Compensation  
18.02 Powers and Duties: General  
18.03 Publication of Minutes  
18.04 Recording Measures  
18.05 Publication  
18.06 Authentication  
18.07 Certify Measures

18.08 Records  
18.09 Attendance at Meetings  
18.10 Issue Licenses and Permits  
18.11 Notify Appointees  
18.12 Elections  
18.13 City Seal

**18.01 APPOINTMENT AND COMPENSATION.** The City Administrator serves ex officio as City Clerk at the pleasure of the Council and has the duties, powers, and functions prescribed in this chapter, by State law, and other ordinances of the City. The Council shall specify by resolution the compensation to be paid for such services.

*(Code of Iowa, Sec. 372.13[3])*

**18.02 POWERS AND DUTIES: GENERAL.** The Clerk or, in the Clerk's absence or inability to act, the Deputy Clerk has the powers and duties as provided in this chapter, this Code of Ordinances, and the law.

**18.03 PUBLICATION OF MINUTES.** Within fifteen (15) days following a regular or special meeting, the Clerk shall cause the minutes of the proceedings thereof to be published. Such publication shall include a list of all claims allowed and a summary of all receipts and shall show the gross amount of the claims.

*(Code of Iowa, Sec. 372.13[6])*

**18.04 RECORDING MEASURES.** The Clerk shall promptly record each measure considered by the Council and record a statement with the measure, where applicable, indicating whether the Mayor signed, vetoed or took no action on the measure, and whether the measure was repassed after the Mayor's veto.

*(Code of Iowa, Sec. 380.7[1 & 2])*

**18.05 PUBLICATION.** The Clerk shall cause to be published all ordinances, enactments, proceedings, and official notices requiring publication as follows:

1. Time. If notice of an election, hearing, or other official action is required by this Code of Ordinances or law, the notice must be published as provided in the *Code of Iowa*.

*(Code of Iowa, Sec. 362.3[1])*

2. Manner of Publication. A publication required by this Code of Ordinances or law must be in a newspaper circulated in the City, except that ordinances and amendments may be published by posting in the following places:

A. Windsor Heights City Hall  
1133 66<sup>th</sup> Street  
Windsor Heights, Iowa

- B. Bankers Trust  
70<sup>th</sup> & University Avenue  
Windsor Heights, Iowa
- C. Hy-Vee Food Store  
7101 University Avenue  
Windsor Heights, Iowa

The Clerk is hereby directed to post promptly such ordinances and amendments, and to leave them so posted for not less than ten (10) days after the first date of posting. Unauthorized removal of the posted ordinance or amendment prior to the completion of the ten days shall not affect the validity of said ordinance or amendment. The Clerk shall note the first date of such posting on the official copy of the ordinance and in the official ordinance book immediately following the ordinance.

*(Code of Iowa, Sec. 362.3[2])*

**18.06 AUTHENTICATION.** The Clerk shall authenticate all measures except motions with the Clerk's signature, certifying the time and manner of publication when required.

*(Code of Iowa, Sec. 380.7[4])*

**18.07 CERTIFY MEASURES.** The Clerk shall certify all measures establishing any zoning district, building lines, or fire limits and a plat showing the district, lines, or limits to the recorder of the County containing the affected parts of the City.

*(Code of Iowa, Sec. 380.11)*

**18.08 RECORDS.** The Clerk shall maintain the specified City records in the following manner:

1. Ordinances and Codes. Maintain copies of all effective City ordinances and codes for public use.

*(Code of Iowa, Sec. 380.7[5])*

2. Custody. Have custody and be responsible for the safekeeping of all writings or documents in which the City is a party in interest unless otherwise specifically directed by law or ordinance.

*(Code of Iowa, Sec. 372.13[4])*

3. Maintenance. Maintain all City records and documents, or accurate reproductions, for at least five (5) years except that ordinances, resolutions, Council proceedings, records and documents, or accurate reproductions, relating to the issuance, cancellation, transfer, redemption or replacement of public bonds or obligations shall be kept for at least eleven (11) years following the final maturity of the bonds or obligations. Ordinances, resolutions, Council proceedings, records and documents, or accurate reproductions, relating to real property transactions shall be maintained permanently.

*(Code of Iowa, Sec. 372.13[3 & 5])*

4. Provide Copy. Furnish upon request to any municipal officer a copy of any record, paper or public document under the Clerk's control when it may be necessary to such officer in the discharge of such officer's duty; furnish a copy to any citizen when requested upon payment of the fee set by Council resolution; under the direction of the Mayor or other authorized officer, affix the seal of the City to those public

documents or instruments which by ordinance and Code of Ordinances are required to be attested by the affixing of the seal.

*(Code of Iowa, Sec. 372.13[4 & 5] and 380.7[5])*

5. Filing of Communications. Keep and file all communications and petitions directed to the Council or to the City generally. The Clerk shall endorse thereon the action of the Council taken upon matters considered in such communications and petitions.

*(Code of Iowa, Sec. 372.13[4])*

**18.09 ATTENDANCE AT MEETINGS.** The Clerk shall attend all regular and special Council meetings, and at the direction of the Council, the Clerk shall attend meetings of committees, boards, and commissions. The Clerk shall record and preserve a correct record of the proceedings of such meetings.

*(Code of Iowa, Sec. 372.13[4])*

**18.10 ISSUE LICENSES AND PERMITS.** The Clerk shall issue or revoke licenses and permits when authorized by this Code of Ordinances, and keep a record of licenses and permits issued which shall show date of issuance, license or permit number, official receipt number, name of person to whom issued, term of license or permit and purpose for which issued.

*(Code of Iowa, Sec. 372.13[4])*

**18.11 NOTIFY APPOINTEES.** The Clerk shall inform all persons appointed by the Mayor or Council to offices in the City government of their positions and the time at which they shall assume the duties of their offices.

*(Code of Iowa, Sec. 372.13[4])*

**18.12 ELECTIONS.** The Clerk shall perform the duties relating to elections and nominations in accordance with Chapter 376 of the *Code of Iowa*.

**18.13 CITY SEAL.** The City seal is in the custody of the Clerk and shall be attached by the Clerk to all transcripts, orders, and certificates which it may be necessary or proper to authenticate. The City seal is circular in form, in the center of which are the words "WINDSOR HEIGHTS, IOWA," and around the margin of which are the words "CITY SEAL."

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## CHAPTER 19

### FINANCE DIRECTOR/TREASURER

19.01 Appointment  
19.02 Compensation

19.03 Duties of Treasurer

**19.01 APPOINTMENT.** The Council shall appoint by majority vote a City Treasurer to serve for a term of two years.

**19.02 COMPENSATION.** The Treasurer is paid such compensation as specified by resolution of the Council.

**19.03 DUTIES OF TREASURER.** The duties of the Treasurer are as follows:  
(*Code of Iowa, Sec. 372.13[4]*)

1. Custody of Funds. Be responsible for the safe custody of all funds of the City in the manner provided by law and Council direction.
2. Record of Fund. Keep the record of each fund separate.
3. Record Receipts. Keep an accurate record of all money or securities received by the Treasurer on behalf of the City and specify the date, from whom, and for what purpose received.
4. Record Disbursements. Keep an accurate account of all disbursements, money, or property, specifying date, to whom, and from what fund paid.
5. Special Assessments. Keep a separate account of all money received by the Treasurer from special assessments.
6. Deposit Funds. Upon receipt of moneys to be held in the Treasurer's custody and belonging to the City, deposit the same in depositories selected by the Council, in amounts not exceeding monetary limits authorized by the Council.
7. Reconciliation. Reconcile depository statements with the Treasurer's books and certify monthly to the Council the balance of cash and investments of each fund and amounts received and disbursed.
8. Debt Service. Keep a register of all bonds outstanding and record all payments of interest and principal.
9. Depository Declaration. Determine the anticipated level of bank deposits for making the depository declaration to the State Treasurer as required by Chapter 453 of the *Code of Iowa*, and make such filings and comply with such rules as required by Chapters 452A, 452B and 453 of the *Code of Iowa*.
10. Other Duties. Perform such other duties as specified by the Council by resolution or ordinance.
11. Reconciliation with Clerk. Reconcile the Treasurer's books with the Clerk's every month.

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## CHAPTER 20

### CITY ATTORNEY

20.01 Appointment and Compensation  
20.02 Attorney for City  
20.03 Power of Attorney  
20.04 Ordinance Preparation

20.05 Review and Comment  
20.06 Provide Legal Opinion  
20.07 Attendance at Council Meetings  
20.08 Prepare Documents

**20.01 APPOINTMENT AND COMPENSATION.** The Council shall appoint by majority vote a City Attorney to serve for an indefinite term. The City Attorney shall receive such compensation as established by resolution of the Council.

**20.02 ATTORNEY FOR CITY.** The City Attorney shall act as attorney for the City in all matters affecting the City's interest and appear on behalf of the City before any court, tribunal, commission, or board. The City Attorney may obtain assistance from an assistant city attorney, subject to approval by the Council.

*(Code of Iowa, Sec. 372.13[4])*

**20.03 POWER OF ATTORNEY.** The City Attorney shall sign the name of the City to all appeal bonds and to all other bonds or papers of any kind that may be essential to the prosecution of any cause in court, and when so signed the City shall be bound upon the same.

*(Code of Iowa, Sec. 372.13[4])*

**20.04 ORDINANCE PREPARATION.** The City Attorney shall prepare those ordinances which the Council may desire and direct to be prepared and report to the Council upon all such ordinances before their final passage by the Council and publication.

*(Code of Iowa, Sec. 372.13[4])*

**20.05 REVIEW AND COMMENT.** The City Attorney shall, upon request, make a report to the Council giving an opinion on all contracts, documents, resolutions, or ordinances submitted to or coming under the City Attorney's notice.

*(Code of Iowa, Sec. 372.13[4])*

**20.06 PROVIDE LEGAL OPINION.** The City Attorney shall give advice or a written legal opinion on City contracts and all questions of law relating to City matters submitted by the Mayor, Council as a whole, or the City Administrator.

*(Code of Iowa, Sec. 372.13[4])*

**20.07 ATTENDANCE AT COUNCIL MEETINGS.** The City Attorney shall attend one regular meeting of the Council each month, when it is requested that he or she be present, and shall attend those special meetings of the Council at which he or she is requested to be present. The City Attorney shall also attend those meetings of City boards and commissions at which he or she is requested to be present.

*(Code of Iowa, Sec. 372.13[4])*

**20.08 PREPARE DOCUMENTS.** The City Attorney shall prepare those contracts, forms, and other legal documents and writings which may be required for the use of the City. The City Attorney shall examine and render an opinion upon the legality and form of and

recommended alterations for any legal document which binds or obligates the City prior to the time that such documents become binding or obligatory upon the City.

*(Code of Iowa, Sec. 372.13[4])*

## CHAPTER 21

# CITY ADMINISTRATOR

21.01 Appointment and Compensation  
21.02 Term  
21.03 Chief Administrative Officer

21.04 Combined Offices  
21.05 Powers and Duties

**21.01 APPOINTMENT AND COMPENSATION.** The City Administrator shall be appointed by majority vote of the Council and receive such compensation as shall be established by resolution.

*(Code of Iowa, Sec. 372.13[4])*

**21.02 TERM.** The City Administrator shall serve at the pleasure of the Council.

*(Code of Iowa, Sec. 372.13[4])*

**21.03 CHIEF ADMINISTRATIVE OFFICER.** The City Administrator shall be the chief administrative officer of the City.

**21.04 COMBINED OFFICES.** The Council may, by resolution passed by a majority of the entire Council, combine the office of City Administrator with the offices of City Clerk, Building Official, and/or Zoning Administrator, and so long as the duties of any of those offices are performed by the City Administrator, there shall be no appointment to those offices.

**21.05 POWERS AND DUTIES.** The City Administrator shall have the following powers and duties:

1. Administration. Supervise and direct the administration of the City government.
2. Supervise Officers. Supervise and direct the official conduct of all appointed officers of the City except the Mayor Pro Tem and City Attorney.
3. Personnel. Appoint, promote, reassign, reclassify, discipline, demote, and discharge all employees in compliance with law and ordinance.
4. Compensation of Employees. Fix the compensation of all employees appointed by him or her, subject to the approval of the Council.
5. Investigation. Investigate, summarily and without notice, the conduct and affairs of any department, agency, officer, or employee of the City.
6. Law Enforcement. Supervise the enforcement and execution of all laws and ordinances within the City.
7. Contracts. Supervise the performance of all contracts for work to be done for the City.
8. Purchasing. Supervise the purchase and receipt of all materials, services, and supplies for and on behalf of the City.
9. Public Works. Supervise the construction, improvement, repair, maintenance, and management of all City property, capital improvements, and undertakings of the

City, including the making and preservation of all surveys, maps, plans, drawings, specifications, and estimates for capital improvements.

10. Attend Meetings. Attend all meetings of the Council and City administrative agencies.
11. Recommendations. Recommend to the Council any measures as are necessary or expedient for the good government and general welfare of the City.
12. Cooperation. Cooperate with any administrative agency of the City.
13. Accounting. Supervise the City Treasurer/Finance Officer and ensure that the business affairs of the City are conducted by modern and efficient accounting methods and cause accurate records to be kept.
14. Budget. Prepare and submit to the Council annually the required budgets.
15. Financial Reports. Submit a written, itemized financial report to the Council not later than the fifteenth day of each month, showing receipts, disbursements, and investments for the preceding month.
16. Licenses. Provide for the issuance, suspension, and revocation of all licenses and permits authorized or required by law or ordinance.
17. Oaths. Administer oaths.
18. Powers Assumed. Assume the powers and duties of the City Clerk and Zoning Administrator.
19. Other. Exercise such other powers and perform such other duties as may be directed by the Council.

## CHAPTER 22

# SUPERINTENDENT OF PUBLIC WORKS

22.01 Superintendent of Public Works Appointed  
22.02 Superintendent Duties

22.03 Water Service  
22.04 Removal of Trees

**22.01 SUPERINTENDENT OF PUBLIC WORKS APPOINTED.** The Superintendent of Public Works shall be appointed and/or discharged by the City Administrator, with approval of the Council. Discharge becomes effective upon Council approval.

*(Code of Iowa, Sec. 372.13 [4])*

**22.02 SUPERINTENDENT DUTIES.** The Superintendent shall be responsible for the direction and control of all operations and affairs of the Public Works Department and shall be vested with all powers and duties for managing public works in the City, including maintenance of public property in the City. The Superintendent's responsibilities include but are not limited to the following:

1. Supervise the installation of water service pipes and their connection to the water main and enforce regulations pertaining to water services.
2. Inspect sidewalks and driveways.
3. Supervise the upkeep and repair of streets, their markings, and traffic signs.
4. Maintain the City's property, park facilities, sewer system, and water system.
5. Perform such other duties as may be directed by the City Administrator.

**22.03 WATER SERVICE.** This chapter applies to all replacements of existing water service pipes as well as to new pipes. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Council. In the event of an emergency, the Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

*(Code of Iowa, Sec. 372.13 [4])*

**22.04 REMOVAL OF TREES.** The Superintendent shall remove, on the order of the Council, any tree on the streets of the City which interferes with the making of improvements or with travel thereon. The Superintendent shall, additionally, remove any trees on the street, not on private property, which have become diseased, or which constitute a danger to the public, or which may otherwise be declared a nuisance.

*(Code of Iowa, Sec. 364.12[2c] & 372.13[4])*

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## CHAPTER 23

# PLANNING AND ZONING COMMISSION

23.01 Planning and Zoning Commission  
23.02 Term of Office  
23.03 Vacancies

23.04 Compensation  
23.05 Powers and Duties

**23.01 PLANNING AND ZONING COMMISSION.** The City Planning and Zoning Commission, hereinafter referred to as the Commission, consists of seven members appointed by the Council. The Commission members shall be residents of the City and shall not hold any elective office in the City government.

*(Code of Iowa, Sec. 414.6 & 392.1)*

**23.02 TERM OF OFFICE.** The term of office of the members of the Commission shall be five years. The terms of not more than one-third of the members will expire in any one year.

*(Code of Iowa, Sec. 392.1)*

**23.03 VACANCIES.** If any vacancy exists on the Commission caused by resignation, or otherwise, a successor for the residue of the term shall be appointed in the same manner as the original appointee.

*(Code of Iowa, Sec. 392.1)*

**23.04 COMPENSATION.** All members of the Commission shall serve without compensation, except their actual expenses, which shall be subject to the approval of the Council.

*(Code of Iowa, Sec. 392.1)*

**23.05 POWERS AND DUTIES.** The Commission shall have and exercise the following powers and duties:

1. Selection of Officers. The Commission shall choose annually at its first regular meeting one of its members to act as Chairperson and another as Vice Chairperson, who shall perform all the duties of the Chairperson during the Chairperson's absence or disability.

*(Code of Iowa, Sec. 392.1)*

2. Adopt Rules and Regulations. The Commission shall adopt such rules and regulations governing its organization and procedure as it may deem necessary.

*(Code of Iowa, Sec. 392.1)*

3. Zoning. The Commission shall have and exercise all the powers and duties and privileges in establishing the City zoning regulations and other related matters and may from time to time recommend to the Council amendments, supplements, changes or modifications, all as provided by Chapter 414 of the *Code of Iowa*.

*(Code of Iowa, Sec. 414.6)*

4. Review and Comment on Plats. All plans, plats, or re-plats of subdivision or re-subdivisions of land embraced in the City or adjacent thereto, laid out in lots or plats with the streets, alleys, or other portions of the same intended to be dedicated to

the public in the City, shall first be submitted to the Commission and its recommendations obtained before approval by the Council.

*(Code of Iowa, Sec. 392.1)*

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