

CITY OF DERBY

**ORDINANCE REVIEW ADVISORY BOARD
REGULAR MEETING
March 15, 2011
6:00 P.M.**

APPROVED MINUTES

ROLL CALL

Betty Wilken
Thane Rockhill
Bob Bean

ABSENT

Gunter Hansen
Rick Brown

Also Present: Stephanie Knebel, Assistant City Manager
Janae' Prunier-Billman, Secretary

Agenda Item #1 – Public Forum

No one present to speak, public forum was closed.

Agenda Item #2 – Approve Minutes of January 18, 2011

There was not a quorum present; minutes will be voted on at a future meeting..

Agenda Item #3 – Review proposed revisions to Chapter 2.08 of the Municipal Code concerning city administrative structure

Stephanie Knebel, reviewed the proposed ordinance with the board.

Background:

- The City has a mayor-council-manager form of government in which the city manager is responsible directly to the City Council, and all other employees are under the direct or indirect supervision of the city manager.
- In 1996, the administrative structure then existing was codified in Title 2 of the City Code. Since that time, several structural changes have been implemented, and the City Code no longer accurately reflects the City's administrative structure.

- All structural changes have been approved by the City Council, either through changes in the pay matrix or as a part of annual budgets.
- It is now appropriate to amend Chapter 2.08 of the City Code to accurately reflect the City's current structure. Such amendment was reviewed by the Ordinance Review Advisory Board and is recommended for Council approval.

Legal Considerations:

- While the City's administrative structure – departments, divisions and the like – need not be incorporated into the City Code, any provisions in the municipal code addressing organizational concerns should be accurate.

Policy Considerations:

- This ordinance effectively is technical in nature meant to enhance the accuracy of the City Code.
- City Code provisions prescribing the City's administrative organization should be general in nature to allow the city manager to modify the structure or change duties to be performed in response to changing conditions.
- Inclusion of provisions describing the duties of employees under the supervision of the city manager in the City Code conveys a false impression that the duties of such employees are not subject to change at the discretion of the city manager. In addition, such duties are more appropriately listed in job descriptions.
 - Article III about municipal court that is recommended for removal from the City Code is duplicative with state law and is not needed to define the role of the court.
 - Article VII about the reserve police force is recommended for removal since the reserve force is the responsibility of the chief of police.
 - Article X about an emergency management plan is recommended for removal because it conflicts with various state statutes as well as current practices.
 - The proposed ordinance eliminates Law as a separate department which, along with Human Resources, Economic Development, Senior Services, Municipal Court, Public Information, and Community Marketing functions, will be folded into the Administration Department.

Mr. Rockhill asked if “to serve at the pleasure of” is standard language.

Ms. Knebel advised it is.

Ms. Knebel explained that the proposed ordinance eliminates law and economic development, which along with human resources and community marketing functions would be folded into the administration department.

Mr. Bean clarified that this would not eliminate job descriptions they would just fall in a different department.

Ms. Knebel agreed.

MOTION: Thane moved to recommend the ordinance be presented to the council.
Bob seconded.

VOTE: Motion carried 3-0

Ms. Knebel advised the board that in an upcoming meeting they will be discussing redrawing ward boundaries.

ADJOURNMENT:

MOTION: Rockhill moved to adjourn at 6:30 p.m. Bean seconded.

VOTE: Motion carried 3-0.