

ORDINANCE NO. 96-26 AC CMS

**AN ORDINANCE APPROVING JOB DESCRIPTIONS FOR
THE CITY MANAGER, CITY SOLICITOR, CITY AUDITOR
AND CLERK OF COUNCIL**

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the updated job descriptions for the City Manager, City Solicitor, City Auditor and Clerk of Council for the City of Oberlin, Ohio, copies being attached hereto and incorporated herein by reference, are hereby approved, and any previously approved job descriptions for said positions are hereby amended accordingly.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading: 3/4/96
2nd Reading: 3/18/96
3rd Reading: 4/1/96

ATTEST:


CLERK OF COUNCIL


CHAIRMAN OF COUNCIL

POSTED: 4/2/96

EFFECTIVE DATE: 5/1/96

CITY MANAGER

CHARTER SECTION XIV - THE CITY MANAGER

- A. Qualifications - The City Manager shall be chosen by Council solely on the basis of his or her executive and administrative qualifications, with special reference to his or her actual experience in, or his or her knowledge of, accepted practice in respect to the duties of his or her office as hereinafter set forth.
- B. Powers and Duties - The City Manager shall be the chief executive officer and the head of the administrative branch of the municipal government. He or she shall be responsible to Council for the proper administration of all affairs of the Municipality, and to that end, subject to the civil service provisions of this Charter, he or she shall be required to: (1) appoint, and when necessary for the good of service, remove all officers and employees of the Municipality except those officers appointed by Council (and their employees) and except as he or she may authorize the head of a department or office to appoint and remove subordinates in such department or office; (2) prepare the budget annually and submit it to the Council and be responsible for its administration after adoption; (3) prepare and submit to Council as of the end of the fiscal year a complete report on the finances and administrative activities of the Municipality for the preceding year; (4) keep Council advised of the financial condition and future needs of the Municipality and make such recommendations as may seem to him or her desirable; (5) perform such other duties as may be prescribed by this Charter or required of him or her by Council, not inconsistent with this Charter; (6) attend all meetings of Council except as excused by Council.

The City Manager shall not serve as a member of any board or commission of the Municipality except in an advisory capacity. He or she may attend any or all meetings of such boards and commissions and may enter into the discussions of those boards and commissions but may not vote.

- C. Salary, Oath, Bond, Seal - The City Manager shall receive such salary as fixed by the Council. Such part of the salary of the City Manager as the Council deems proper shall be paid from the income of any publicly owned utility operated by the Municipality. Before entering upon the duties of the City Manager, he/she shall take the oath required and shall execute bond in favor of the Municipal Corporation for the faithful performance of his/her duties, such bond to be fixed and paid by the Municipality. The City Manager shall be furnished with the corporate seal of the Municipal Corporation.

GENERAL STATEMENT OF DUTIES

Serves as Chief Administrative Officer for the City of Oberlin. Responsible for the day-to-day operation of all municipal functions as provided by Charter.

SUPERVISION RECEIVED

Holds office at the pleasure of City Council and receives supervision and direction from Council.

SUPERVISION EXERCISED

Directly supervises the staff of department heads. Responsible for the hiring, evaluation, and dismissal of all City employees except those officers appointed by Council and their employees.

JOB DUTIES

1. Prepare in consultation with the Auditor and present annual operating budget to City Council.
2. Implement and monitor operating budget as approved by Council.
3. Advise City Council of City's financial condition.
4. Make recommendations to City Council on policy and programmatic matters.
5. Attend all meetings of City Council.
6. Prepare the bi-monthly Council agenda and present supporting documentation on legislative matters.
7. Implement programs to reflect City Council approved policy.
8. Track departmental activity through department heads.
9. Manage City's physical plan and infrastructure.
10. Establish administrative policy with consent of City Council.
11. Make recommendations pertaining to the future direction of the City. Devise new methods and recommend legislation for City Council approval. Engage in long-range planning.

12. Represent the City at non-ceremonial public functions, before citizen's groups, with business and industry groups, and between governments.
13. Serve in an advisory capacity between City Council and all Boards, Commissions and Committees.
14. Seek federal and state grants and loans and seek outside sources of funds. Handle rate negotiations with the various public utilities.
15. Keep informed and seek out the latest information on state and national trends and policies as they affect the City of Oberlin.
16. Perform other related duties as assigned by Council.

CITY SOLICITOR

CHARTER SECTION XVIII - SOLICITOR

Council shall appoint a City Solicitor to serve at Council's pleasure who shall act as the legal advisor to and attorney for the Municipal Corporation, and for all officers, boards and commissions of the Municipal Corporation in matters relating to their official duties. He/she shall prepare all contracts, bonds and other instruments in writing in which the Municipal Corporation is concerned, and shall endorse on each his/her approval of the form and correctness thereof. No contract with Municipal Corporation shall take effect until such approval of the Solicitor is endorsed thereon.

He/she or his/her assistants shall be the prosecutor in any police or municipal court of the City of Oberlin, and shall perform such other duties and have such assistants and clerks as are required or provided.

GENERAL STATEMENT OF JOB DUTIES

The City Solicitor, when required to do so by resolution of the legislative authority of the City, shall prosecute or defend on behalf of the City, all complaints, suits and controversies in which the City is a party, and such other suits, matters, and controversies as he/she is, by resolution or ordinance, directed to prosecute.

When an officer of the City entertains doubts concerning the law in any matter before him/her in his/her official capacity, and desires the opinion of the City Solicitor, he/she shall clearly state to the Solicitor, in writing, the question upon which the opinion is desired; and thereupon the Solicitor shall, within a reasonable time, reply orally or in writing to such inquiry. The right conferred upon such officers extends to the legislative authority of such City, collectively, and to each board and commission.

The City Solicitor shall pay to the City Treasurer all monies which come into his/her hands belonging to the City all by way of fines, forfeitures, costs, or otherwise, and shall take the Treasurer's duplicate receipt therefore, one of which he/she shall file with the City Auditor.

The Solicitor shall apply, in the name of the municipal corporation, to a Court of competent jurisdiction for an order of injunction to restrain misapplication of funds of the municipal corporation, the abuse of its corporate powers, or the execution or performance of any contract made in behalf of the municipal corporation in contravention of the laws or ordinances governing it, or which was procured by fraud or corruption.

When an obligation or contract made on behalf of the City, granting a right or easement or creating a public duty is being evaded or violated, the Solicitor shall apply for the forfeiture or the specific performance thereof as the nature of the case requires.

CITY SOLICITOR'S JOB DESCRIPTION

CITY OF OBERLIN, OHIO

The Solicitor shall apply, in the name of the municipal corporation, to a Court of competent jurisdiction for an order of injunction to restrain misapplication of funds of the municipal corporation, the abuse of its corporate powers, or the execution or performance of any contract made in behalf of the municipal corporation in contravention of the laws or ordinances governing it, or which was procured by fraud or corruption.

When an obligation or contract made on behalf of the City, granting a right or easement or creating a public duty is being evaded or violated, the Solicitor shall apply for the forfeiture or the specific performance thereof as the nature of the case requires.

In case an officer or board of a municipal corporation fails to perform any duty expressly enjoined by law or ordinance, the Solicitor shall apply to a Court of competent jurisdiction for a writ of mandamus to compel the performance of such duty.

The City Solicitor shall make a report to the City Council at its first regular meeting in January of the business of his office, the monies collected by him/her during the year preceding, and such other matters as he/she deems proper to promote the good government and welfare of the City.

The City Solicitor is the parliamentarian of City Council and shall give direction to facilitate a matter of procedure.

The City Solicitor or his/her assistant shall attend all regular and special meetings of Council unless excused by Council. When directed by a majority of Council either in writing or in a public session, he/she or his/her assistant shall attend meetings of Municipal Boards, Commissions and Committees. Attendance at such Board, Commission or Committee meetings shall be compensated as extraordinary expense.

CITY AUDITOR

CHARTER SECTION XVI - AUDITOR

Council shall appoint an Auditor who shall act as the City's chief accountant and auditor, preparing financial statements and budget in consultation with the City Manager. The Auditor shall issue warrants to the Treasurer for paying out municipal funds and shall keep an accurate account of all taxes and assessments, and of all money due, all receipts and disbursements by, and of all assets and liabilities of the Municipal Corporation and of all appropriations made by Council. The Auditor shall at the end of each fiscal year, and more often if required by Council, audit the accounts of the several departments and officers and shall audit all accounts in which the Municipal Corporation is interested. The Auditor may prescribe the form of reports to be rendered to his or her department, and the method of keeping accounts by all other departments, and he or she shall require daily reports, showing all money received and disposition thereof, to be made to him or her by each department. The Auditor shall, upon the death, resignation, removal or expiration of the term of any officer, audit the accounts of such officer, and if such officer is found indebted to the Municipal Corporation, the Auditor shall immediately give notice to Council and the Solicitor.

GENERAL STATEMENT OF DUTIES

Serve as Chief Fiscal Officer for the City of Oberlin. Responsible for the operations of the Auditor's Office.

SUPERVISION RECEIVED

Holds office at the pleasure of City Council and receives supervision and direction from Council

SUPERVISION EXERCISED

Hires, directs and removes the staff in the Auditor's Office. Prescribes the forms and reports to be submitted to the Finance Department from other departments. Directs all activities with regard to the computer system.

JOB DUTIES

Prepare monthly financial reports for department heads.

Prepare quarterly financial reports for City Council.

In consultation with the City Manager, prepares the annual appropriation budget.

Prepares the annual tax budget which is filed with the County Budget Commission.

Prepare all vouchers drawn on City Funds.

Certify the availability of funds for City checks.

Certify the availability of funds for purchase orders.

Make all investment of City funds.

Oversight of all City bank accounts.

Prescribe forms, reports and methods of keeping accounts of other departments that make collection of funds which are turned over to the Finance Department.

Maintain bond and coupon registers for all City bonded debt issues.

Instruct the staff of the Auditor's office in the use of the computer system.

Advise and give direction to other departments in the use of the computer system.

Insure proper backup procedures on the computer system.

Direct programming firm on computer implementation.

Serve as a member on the Records Retention Committee.

Attend all Council meetings.

Recommend, advise and/or consult with the City Manager, department heads, and others regarding the City's financial activities of the past, present, and future.

Prepare the annual financial report which is submitted to the State Auditor's office.

Administer the Workman's Compensation Program, the Liability Insurance Program, Medical Benefits, Accounts Payable, Utilities Payroll and Income Tax.

Perform other related duties as assigned by Council.

CLERK

CHARTER SECTION XV-CLERK

Council shall appoint a Clerk who shall act as secretary of the Council, keep its records, make annual report on Council proceedings and perform such other duties as are required by ordinance or resolution. The duties and office of Clerk may be combined by ordinances with that of Treasurer or Auditor.

SUPERVISION RECEIVED

Holds office at the pleasure of City Council and receives supervision and direction from Council.

DUTIES AS SET FORTH BY CHARTER

1. Attend agenda-setting meetings with City Manager, City Solicitor, Chair and Vice-Chair of Council. Research ordinances, etc., invite people to meetings and confirm attendance.
2. Coordinate Council packet information. Type all correspondence, ordinances and resolutions. Copy, collate and distribute Council packets.
3. Attend all Council meetings; take and transcribe minutes.
4. Perform all follow-up work from meetings:
 - a.) Update ordinances and minutes, make any corrections or amendments.
 - b.) Post ordinances in log, update permanent log periodically.
 - c.) Make copies for postings and for the permanent ordinance, resolution, and minutes books. File originals in fire file to await transfer to College Archives.
 - d.) Coordinate the execution of various actions authorized by ordinance.
 - e.) Maintain cross-reference for ordinances and resolutions.
 - f.) Compose and send all correspondence as directed by Council during a council meeting or if directed by the Chair.

5. Maintain records of Council proceedings:
Chairman's correspondence file, ordinances, resolutions, minutes, hearings, petitions, appeals, actions taken, levy certifications, etc.
6. Maintain Council appointed Board, Commission and Committee list and minutes of each:
Compose and send letters of appointment, thanks and acceptance of resignation. Provide information as to the nature of the appointments and the responsibilities of the Commission.
7. Communication to Council-Appointed Boards and Commissions:
Compose and send referrals to Boards and Commissions as procedures to follow; prepare purchase orders; perform copying and do mailings.
8. Write proclamations for Council (except when done by Chair).
9. Publish meeting dates for all boards, committees and commissions and City Council in accordance with the Sunshine Law.
10. Prepare Annual Report of Council proceedings.

DUTIES AS SET FORTH BY ORDINANCE

1. Annexation Proceedings
Provide and certify three copies of transcripts of proceedings and distribute to Lorain County Auditor, Lorain County Recorder and Secretary of State.
2. Appeals of Zoning Board Decisions
The transcript is filed with the City Clerk. Clerk provides copies to Council along with section of Codified Ordinances on how to proceed. Once a public hearing date has been set by Council, Clerk must publish that date and notify involved property owner by mail. Once action has been taken, official notification of that action is sent to involved property owner.
3. Solicitor's Permits
Answer questions regarding the ordinance, distribute applications and process, decide whether or not the permit will be issued and deal with applicant, type identification cards, take ID pictures and make badges. Keep file on all permits issued. Take complaints regarding solicitors. Collect fees.

4. **Planned Residential Developments**

Once Council sets public hearing date, must advertise in two newspapers on two different dates the public hearing date, plus must send notice to all property owners within 200 feet of property in question. Must make sure publication dates are in accordance with ordinance. Planned Development plans stay on file in Clerk's office, and are available for inspection.

5. **Bond and Note Ordinance Paperwork**

General obligation note and bond ordinances: coordinate execution of all paperwork and gather necessary support material.

Special Assessment ordinances: Send by certified mail notice to property owners regarding passage of legislation determining it "Necessary to Proceed" with improvements. Receive all complaints regarding assessments and refer to Council. Send certified copies of Hearing Notice (Board of Equalization) to those filing complaints and advertise hearing date. Send letters to property owners regarding assessment amounts. Accept payments. Execute all related paperwork to satisfy bond counsel.

6. **Send out annual notices regarding Oberlin's Nuclear Weapon Free status.**

OTHER DUTIES PERFORMED AS CLERK OF COUNCIL

1. Prepare draft budget for City Clerk's office, go over with City Manager, present to Council. Track and authorize expenditures from City Clerk's budget. Insure compliance with MBE ordinance.
2. Gather information for codification process. Work with representative from codification firm.
3. Research historical deeds, easements, agreements, etc., and maintain files of same.
4. Receive notices of Liquor Permit Applications and forward to Council. Follow up with action specified by Council.
5. Receive Ohio Department of Mental Retardation Notices regarding group homes and forward to Council. Perform the follow up work required.

6. Receive applications for Placement of Land in Agricultural Districts and forward to Council. After Council sets public hearing date, prepare and publish legal notice regarding hearing. Inform property owner of hearing date and of final action taken. Provide property owner with certified copy of resolution, and file certified copy of resolution with Lorain County Auditor's Office.
7. Establish and maintain central filing system for general administration files. Prepare record retention schedules in accordance with the Ohio Historical Society guidelines. Maintain records, both active and inactive, in accordance with same. Work with Oberlin College Archives personnel in the storing of archival materials.
8. Distribute Ohio Ethics Commission information, answer and/or research questions.
9. Fill out rosters for various groups and organizations, i.e., County agencies, Board of Elections, State agencies, etc.
10. Interface with the public, i.e., answer questions, provide information, research data, etc.
11. Analyze current practices and procedures in Clerk's office. Recommend and/or institute changes (i.e., numbering system for ordinances, copying ordinances and resolutions on tear-proof paper, cross-reference system, indexing minutes.)
12. Provide copies of city records to state Auditor when requested.
13. Set up Council chambers and clean up afterwards.
14. Perform other related duties as assigned by Council.