

Chapter 115

CITY OFFICIALS

ARTICLE I

General Provisions

Section 115.010. Elective Officers.

The following officers shall be elected by the qualified voters of the City and shall hold office for the term of two (2) years, except as otherwise provided in this Section, and until their successors are elected and qualified, to wit: Mayor and Board of Aldermen.

Section 115.020. Appointive Officers.

[Ord. No. 133 §2, 4-10-1975]

The Mayor, with the consent and approval of the majority of the members of the Board of Aldermen, shall have power to appoint a City Treasurer, City Attorney, Assistant City Attorney, City Assessor, City Collector, City Health Officer, City Administrator, Code Enforcement Officer and Court Bailiff and such other officers as he/she may be authorized by ordinance to appoint, and if deemed for the best interests of the City, the Mayor and Board of Aldermen may, by ordinance, employ special counsel to represent the City, either in a case of a vacancy in the office of City Attorney or to assist the City Attorney, and pay reasonable compensation therefor.

Section 115.030. Removal of Officers.

The Mayor may, with the consent of a majority of all the members elected to the Board of Aldermen, remove from office, for cause shown, any elective officer of the City, such officer being first given opportunity, together with his/her witnesses, to be heard before the Board of Aldermen sitting as a Board of Impeachment. Any elective officer, including the Mayor, may in like manner, for cause shown, be removed from office by a two-thirds ($\frac{2}{3}$) vote of all members elected to the Board of Aldermen, independently of the Mayor's approval or recommendation. The Mayor may, with the consent of a majority of all the members elected to the Board of Aldermen, remove from office any appointive officer of the City at will, and any such appointive officer may be so removed by a two-thirds ($\frac{2}{3}$) vote of all the members elected to the Board of Aldermen, independently of the Mayor's approval or recommendation. The Board of Aldermen may pass ordinances regulating the manner of impeachments and removals.

Section 115.040. Officers to Be Voters and Residents — Exceptions.

All officers elected to offices or appointed to fill a vacancy in any elective office under the City Government shall be voters under the laws and Constitution of this State and the ordinances of the City except that appointed officers need not be voters of the City. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid City taxes or

forfeiture or defalcation in office. All officers, except appointed officers, shall be residents of the City.

Section 115.050. Officers' Oath — Bond.

Every officer of the City and his/her assistants and every Alderman, before entering upon the duties of his/her office, shall take and subscribe to an oath or affirmation before some court of record in the County, or the City Clerk, that he/she possesses all the qualifications prescribed for his/her office by law; that he/she will support the Constitution of the United States and of the State of Missouri, the provisions of all laws of this State affecting Cities of this class, and the ordinances of the City, and faithfully demean himself/herself while in office; which official oath or affirmation shall be filed with the City Clerk. Every officer of the City, when required by law or ordinance, shall, within fifteen (15) days after his/her appointment or election and before entering upon the discharge of the duties of his/her office, give bond to the City in such sum and with such sureties as may be designated by ordinance, conditioned upon the faithful performance of his/her duty, and that he/she will pay over all monies belonging to the City, as provided by law, that may come into his/her hands. If any person elected or appointed to any office shall fail to take and subscribe such oath or affirmation or to give bond as herein required, his/her office shall be deemed vacant. For any breach of condition of any such bond, suit may be instituted thereon by the City, or by any person in the name of the City, to the use of such person.

Section 115.060. Salaries of Officers and Employees.

[Ord. No. 347, 9-14-2015]

The Board of Aldermen shall determine from time to time by ordinance the compensation of all the officers and employees of the City.

Section 115.070. Vacancies in Certain Offices — How Filled.

If a vacancy occurs in any elective office, the Mayor or the person exercising the duties of the Mayor shall cause a special meeting of the Board of Aldermen to convene where a successor to the vacant office shall be selected by appointment by the Mayor with the advice and consent of a majority of the remaining members of the Board of Aldermen. If the vacancy is in the office of Mayor, nominations of a successor may be made by any member of the Board of Aldermen and selected with the consent of a majority of the members of the Board of Aldermen. The Board of Aldermen may adopt procedures to fill vacancies consistent with this Section. The successor shall serve until the next regular municipal election. If a vacancy occurs in any office not elective, the Mayor shall appoint a suitable person to discharge the duties of such office until the first (1st) regular meeting of the Board of Aldermen thereafter, at which time such vacancy shall be permanently filled.

Section 115.080. Powers and Duties of Officers to Be Prescribed by Ordinance.

The duties, powers and privileges of officers of every character in any way connected with the City Government, not herein defined, shall be prescribed by ordinance. Bonds may be required of any such officers for faithfulness in office in all respects.

ARTICLE II
City Clerk

Section 115.090. City Clerk — Election — Duties.

The Board of Aldermen shall elect a Clerk for such Board to be known as "the City Clerk" whose duties and term of office shall be fixed by ordinance. Among other things, the City Clerk shall keep a journal of the proceedings of the Board of Aldermen. He/she shall safely and properly keep all the records and papers belonging to the City which may be entrusted to his/her care; he/she shall be the general accountant of the City; he/she is hereby empowered to administer official oaths and oaths to persons certifying to demands or claims against the City.

Section 115.095. Duties of the City Clerk.

[Ord. No. 40 §6, 1-12-1961]

It shall be the duty of the City Clerk for attend all sessions of the Board of Aldermen and Police Court. He/she shall keep the minutes of the Board of Aldermen and the records of the Police Department. He/she shall keep such other records as are required by law and as may be from time to time ordered kept and preserved by the Board of Aldermen. He/she shall be the custodian of all the records kept by him/her of all contracts and other written documents of the City, all maps, plats, and surveys of the public improvement work of the City. He/she shall keep an office at a place to be designated by the Board of Aldermen and shall devote such of his/her time as is necessary for the proper performance of the duties not specified herein as may reasonably come within the work of a City Clerk. He/she shall not allow any of the City records in his/her custody to be removed from his/her designated office. He/she shall make copies of City records kept by him/her called for by any person interested, providing that such person pays a reasonable charge therefor. All funds collected from such sources are to be paid to the Collector. He/she shall also conduct the correspondence required to be handled on behalf of the City except as properly come within the duties of other officials of the City. He/she shall keep a copy of all correspondence carried on by him/her and shall file same for ready reference.

ARTICLE III
City Treasurer

Section 115.100. Treasurer — Duties — Bond.

The Treasurer shall receive and safely keep all monies, warrants, books, bonds and obligations entrusted to his/her care and shall pay over all monies, bonds or other obligations of the City on warrants or orders duly drawn, passed or ordered by the Board of Aldermen and signed by the Mayor and attested by the City Clerk and having the Seal of the City affixed thereto and not otherwise and shall perform such other duties as may be required of him/her by ordinance. Before entering upon the duties of his/her office, he/she shall give bond in the amount of one hundred dollars (\$100.00).

ARTICLE IV
City Collector

Section 115.110. Appointment — Duties.

[Ord. No. 40 §11, 1-12-1961; Ord. No. 133 §2, 4-10-1975]

- A. *Appointment.* The Mayor with the approval of a majority of the members of the Board of Aldermen shall appoint a City Collector.
- B. *Duties.* The Collector shall perform all duties imposed upon him/her by the laws of the State.

Section 115.120. Duties Generally.

- A. The Collector shall perform all the duties specified in this Code and shall perform such other duties as may be directed by the City Clerk and/or Mayor.
- B. *Compensation.* The City Collector shall receive as compensation for his/her services a fee or percentage as may be fixed by ordinance.

Section 115.130. Collector to Make Annual Report.

The Collector shall annually, at such times as may be designated by ordinance, make a detailed report to the Board of Aldermen stating the various monies collected by him/her during the year, and the amounts uncollected, and the names of the persons from which he/she failed to collect, and the causes therefor.

Section 115.140. Deputy Collector.

The Mayor may appoint a Deputy Collector to be approved by the Board of Aldermen, and when such Deputy Collector shall have taken and subscribed to the oath provided by this Code, he/she shall possess all the qualifications and powers and be charged with the same duties as the Collector.

ARTICLE V
City Attorney

Section 115.150. Appointment — Term — Duties.

[Ord. No. 40 §9, 1-12-1961]

- A. The Mayor, with the advice and consent of the Board of Aldermen, at the first (1st) meeting after each annual City election shall appoint a suitable person as City Attorney who shall hold office until his/her successor is appointed and qualified.
- B. *Qualifications.* No person shall be appointed to the office of City Attorney unless he/she be a licensed and practicing attorney at law in this State.
- C. *Duties.* The City Attorney shall act as counselor for the Mayor and Board of Aldermen on all City matters. He/she shall represent the City in all matters of a civil or Police nature in which the City may be interested, draw all ordinances and legal documents.

ARTICLE VI
Codes Enforcement Officer

Section 115.160. Codes Enforcement Officer.

- A. *Primary Purpose.* The Codes Enforcement Officer shall plan, coordinate and manage the nuisance code enforcement program and the animal code enforcement program within the City of Houston Lake to protect public health, safety and welfare, prevent and prohibit conditions on property within the City which reduce the value and degrade the character of public and private property by enforcing Municipal Ordinances set forth by the City of Houston Lake, Missouri.
- B. *Supervision.* The Codes Enforcement Officer shall be under the direct supervision of the Mayor and the Board of Aldermen.
- C. *Description Of Work.* The following shall be a description of the various duties of the Codes Enforcement Officer:
1. Receives filed reports of Municipal Code Violations from citizens and City Officials and initiates independently observed violations.
 2. Investigates and verifies the existence of reported violations through knowledge and research of State Law and Municipal Codes and procedures. Obtains evidence of said violations.
 3. Researches property ownership through available resources: City utility listings, County tax records, permits and title searches, etc.
 4. Communicates with the public, mortgage lenders, financial institutions as well as City Officials and the Municipal Court.
 5. Corresponds with responsible parties, complainants and property owners via certified mail, telephone and in person.
 6. Issues deadlines for compliance, records, deadlines and activities of abatement efforts and performs scheduled compliance inspections of properties.
 7. Prepares and serves court summons to individuals for non-compliance of abatement orders within specified time frames.
 8. Communicates with court and City Attorney regarding property and ownership status, abatement efforts or violation status and provides documentation and evidence to support prosecution or as ordered by the Municipal Judge.
 9. Represents the City in public hearings, meetings and legal actions involving violation status and compliance proceedings and activities.
 10. Maintains detailed records and statistics relating to all reported code violations, enforcement efforts and abatement actions from the initial receipt of complaint to the final abatement of the violation.
 11. Deals effectively and courteously with fellow employees and the general public.

- D. *Qualifications Required.* Any combination of education, training or experience providing the following knowledge, skills and abilities:
1. Must be a high school graduate or equivalent.
 2. Must possess a valid Missouri drivers license.
 3. Must possess solid investigative and research techniques, attention to detail and accurate record keeping skills, the ability to document case investigations using accurate written and photographic records that are legally admissible for prosecution.
 4. Must have the ability to work with and communicate effectively with the public and with courtesy, fairness and tact, often dealing with situations that can be emotionally charged or controversial while professionally representing the City in public hearings, meetings or court actions involving compliance activities.
 5. Must be able to perform as a member of a team in carrying out the City's mission. "The City of Houston Lake exists to provide services to the citizens of the community." The quality of life in the City of Houston Lake depends upon the services provided by the City, and the quality of the City's service depends on how well we do our jobs. Employee is required to present themselves in a professional manner, displaying the utmost integrity, discretion, courtesy, cooperation, discipline and behavior.
- E. This position description is a general outline for work behavior and is not intended to be a comprehensive listing of all job duties, therefore, it is also not, nor can it be implied to be a contract of employment. The contents of this position description may be changed without notice, and employment may be terminated by either party, at will.

ARTICLE VII
City Administrator

Section 115.170. City Administrator.

[Ord. No. 165 §§2 — 6, 10-14-1986]

- A. *Appointment And Tenure.* A qualified person shall be appointed City Administrator for the City of Houston Lake by the Mayor; such appointment shall be approved by a majority of the Board of Aldermen. The person so appointed shall serve a one (1) year term.
- B. *Qualifications.* The person appointed to the office of City Administrator shall be at least twenty-five (25) years of age and shall be a resident of the City of Houston Lake at the time of the effective date of such appointment.
- C. *Removal Of City Administrator.* The City Administrator shall serve at the pleasure of the appointing authority. The Mayor, with the consent of a majority of the Board of Aldermen, may remove the City Administrator from office at will, and such City Administrator may also be removed by a (local preference) vote of the Board of Aldermen independently of the Mayor's approval or disapproval. If requested, the Mayor and Board of Aldermen shall grant the City Administrator a public hearing within thirty (30) days following notice of such removal. During the interim, the Mayor, with the approval of a majority of the Board

of Aldermen or by (local preference) vote of the Board of Aldermen without the Mayor's approval, may suspend the City Administrator from duty.

D. *Duties.*

1. *Administrative office.* The City Administrator shall be the chief administrative assistance to the Mayor and as such shall be the Administrative Officer of the City Government, except as otherwise specified by ordinance or by the law of the State of Missouri.
2. *Budget.* The City Administrator shall be the Budget Officer of the City of Houston Lake and shall assemble estimates of the financial needs and resources of the City for each ensuing year and shall prepare a program of activities within the financial power of the City, embodying in it a budget document with proper supporting schedules and an analysis to be proposed to the Mayor and Board of Aldermen for their final approval.
3. *Annual report.* The City Administrator shall prepare and present to the Mayor and Board of Aldermen an annual report of the City's affairs and such other reports as the Mayor and Board of Aldermen may require.
4. *Policy formation.* The City Administrator shall recommend to the Mayor and Board of Aldermen adoption of such measures as he/she may deem necessary or expedient for the health, safety or welfare of the City or for the improvement of administrative services for the City.
5. *Boards and committees.* The City Administrator shall work with all City boards and committees to help coordinate the work of each.
6. *Attend Board of Aldermen meetings.* The City Administrator shall attend all meetings of the Board of Aldermen.
7. *State and Federal aid programs.* The City Administrator shall coordinate Federal and State programs which may have application to the City of Houston Lake.
8. *Record keeping.* The City Administrator shall keep full and accurate records of all actions taken by him/her in the course of his/her duties, and he/she shall safely and properly keep all his/her records and papers belonging to the City of Houston Lake and entrusted to his/her care; all such records shall be and remain the property of the City of Houston Lake and be open to inspection by the Mayor and Board of Aldermen at all times.
9. *Miscellaneous.* In addition to the foregoing duties, the City Administrator shall perform any and all other duties or functions prescribed by the Mayor and Board of Aldermen.

E. *Powers.*

1. *Set administrative policies.* The City Administrator shall have the power to prescribe such rules and regulations as he/she shall deem necessary or expedient for the conduct of administrative agencies subject to his/her authority, and he/she shall have the power to revoke, suspend or amend any rule or regulation of the administrative

service except those prescribed by the Board of Aldermen.

2. *Appear before the Board of Aldermen.* The City Administrator shall have the power to appear before and address the Board of Aldermen at any meeting.
3. At no time shall the duties or powers of the City Administrator supersede the action by the Mayor and Board of Aldermen.

ARTICLE VIII
Miscellaneous Provisions

Section 115.180. Officers to Report Receipts and Expenditures.

It shall be the duty of all the officers of the City to report annually to the Board of Aldermen, such reports to embrace a full statement of the receipts and expenditures of their respective offices and such other matters as may be required by the Board of Aldermen by ordinance, resolution or otherwise.

Section 115.190. Mayor or Board May Inspect Books and Records of Officers.

The Mayor or Board of Aldermen shall have power, as often as he/she or they may deem it necessary, to require any officer of the City to exhibit his/her accounts or other papers or records and to make report to the Board of Aldermen, in writing, touching any matter relating to his/her office.