

## ORDINANCE NO. 1031

**AN ORDINANCE ADDING SECTIONS 1.01.05 AND 2.12.080 AND AMENDING SECTIONS 2.12, 2.12.020, 2.12.025(B), 2.12.030, 2.12.050, 2.12.060, 2.12.070 OF THE DOUGLAS MUNICIPAL CODE PERTAINING TO UPDATING ALL REFERENCES OF TOWN TO CITY AND THE RENAMING OF THE CITY ADMINISTRATOR POSITION TO CITY MANAGER**

**WHEREAS**, the City of Douglas (City) Council finds and determines that the following changes and clarifications need to be made in regard to the City of Douglas Municipal Code; and

**WHEREAS**, on 25 June 1985, by virtue of population and in accordance with Wyoming Statute § 15-3-101, the municipality of Douglas ceased being a "town" and became a "city;" and

**WHEREAS**, the Douglas Municipal Code still reflects many references to "town" and "town administrator," and

**WHEREAS**, recognizing the need for accurate and contemporary terminology, the following amendments to the City of Douglas Municipal Code are proposed to replace the terms "town administrator" and "city administrator" with "city manager" to better reflect the widely accepted nomenclature for this position and its actual duties and responsibilities; and

**WHEREAS**, these amendments are stylistic only and shall not affect the form of government of the City of Douglas, Wyoming, which shall continue to be the mayor-council form of government.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DOUGLAS, WYOMING:**

**Section 1.** Douglas Municipal Code section 1.01.05 is created to read as follows:

All references in the Douglas Municipal Code to "Town of Douglas" or "Town" shall mean "City of Douglas" or "City."

**Section 1.** The title of Chapter 2.12 of the Douglas Municipal Code shall be amended as follows:

**Chapter 2.12 CITY MANAGER**

**Section 2.** Douglas Municipal Code section 2.12.020 is amended as follows:

The governing body shall employ a city manager, city attorney and municipal judge, and fix his salary. The city manager shall receive no other or additional salary for the performance of any duties required of him as city manager. The city manager is an employee and serves at the pleasure of the governing body. The salary may be changed from year to year, and the city manager may be discharged and that employment terminated at any time by a majority vote of the governing body, with a minimum of thirty (30) days severance pay.

**Section 3.** Douglas Municipal Code section 2.12.025(B) is amended as follows:

Have superintending control of all officers and affairs of the city except as delegated to the city manager in Section 2.12.060 of the city code.

**Section 4.** Douglas Municipal Code section 2.12.030 is amended as follows:

2.12.030 Notice of resignation—Interim manager.

The city manager shall give at least 30-days' notice in writing to the governing body before resigning the position. If the position becomes vacant for any reason, the governing body shall immediately proceed to employ another person. If there is a delay in securing a new city manager, the mayor and council shall appoint an interim city manager at a salary to be determined. The interim city manager shall be vested with

limited authority as defined by council and charged with the duties and responsibilities of the city manager until a city manager is hired and qualified.

**Section 5.** Douglas Municipal Code section 2.12.050 is amended as follows:

- A. Except for the city manager, attorney and municipal judge, all employees shall be appointed, suspended, transferred and removed by the city manager, subject to the personnel regulations of the city as adopted by the governing body.
- B. The city manager shall appoint a city clerk, city treasurer/finance director, community development director, chief of police, public works director, and fire chief. The city manager shall make appointments to these positions and removal from these positions, when necessary, with the concurrence of the governing body.
- C. The city manager may appoint and remove all subordinates, clerks, assistants, laborers and servants and fix the compensation of those appointed by him within the limits fixed by the governing body and the law, consistent with the city's ability to pay. Appointment shall be on the basis of merit. Nothing herein shall be construed as affecting or superseding the provisions of Wyoming Statutes 1997, Sections 15-5-101 through 15-5-301, relating to the police and fire departments. Except as otherwise provided, he shall prescribe the powers and duties of all employees. He shall file with the clerk a list of the names of all employees, together with a statement of the salary or compensation each is to receive. He shall seek the advice of the governing body on personnel matters as he deems necessary.

**Section 6.** Douglas Municipal Code section 2.12.060 and subsections (A), (B), (C), (H), and (I) are amended as follows:

The city manager shall:

- A. Oversee the operation of the day to day administration of the city. The governing body shall provide the city manager direction and set the policies for the operation and administration of the city. The governing body shall direct any questions, issues or concerns regarding the operation and/or administration of the city through the city manager. The city manager shall investigate and provide clear, complete and unbiased information in response to such questions, issues or concerns to the entire governing body to assist the governing body in making policy decisions for the city. City manager shall also provide input and recommendation to the governing body on such requests.
- B. Attend all meetings of the governing body and may recommend to the governing body adoption of such measures as the city manager deems necessary for the health, safety, and welfare of the community or for the improvement of municipal services.
- C. Perform all duties imposed on the position consistent with state laws or ordinances. The city manager shall be the purchasing agent for the city and subject to the requirements of statutes and ordinances, in accordance with rules and regulations now or hereafter promulgated by the governing body, shall purchase materials and authorize expenditures of funds on behalf of the city.
- H. Prepare and submit to the governing body reports that are required or that the city manager or governing body may consider advisable.
- I. Or the designee of the city manager shall; issue, deny or revoke all permits and licenses as provided by ordinances.

**Section 7.** Douglas Municipal Code section 2.12.070 is amended as follows:

The city manager shall manage any utility owned and operated by the city. Subject to the laws relating to public utilities, the governing body shall fix all rates and compensation to be paid by consumers of water, sewer, sanitation or any service furnished by any other public utility owned or operated by the city. The city manager shall enforce all necessary rules, regulations and penalties to enforce their collection or for the protection of the property and rights pertaining to public utilities.

**Section 8.** Douglas Municipal Code section 2.12.080 is created to read as follows:

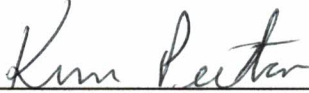
Any reference in the Douglas Municipal Code to city administrator or town administrator shall mean city manager.

**Section 9.** Douglas Municipal Code Sections 1.04.050, 1.04.060 and 2.08.060, by reference, are incorporated herein and made a part hereof.

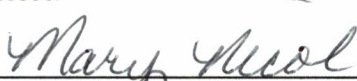
**PASSED AND APPROVED ON FIRST READING this 11th day of September, 2023.**

**PASSED AND APPROVED ON SECOND READING this 25th day of September, 2023.**

**PASSED, APPROVED, AND ADOPTED ON THIRD AND FINAL READING this 9th day of October, 2023.**

  
\_\_\_\_\_  
Kim Pexton, Mayor

**Attest:**

  
\_\_\_\_\_  
Mary Nicol, Deputy City Clerk



Published: \_\_\_\_\_

**ATTESTATION**

I, \_\_\_\_\_, the Interim Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

\_\_\_\_\_  
Mary Nicol, Deputy City Clerk