

City of Scottsbluff, Nebraska

Monday, November 21, 2022

Regular Meeting

Item Resolut.3

Council to consider action on the first reading of the Ordinance to merge offices with City Manager and Police Chief and set forth residency requirements with the offices.

Staff Contact: City Council

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF, NEBRASKA, AMENDING THE SCOTTSBLUFF MUNICIPAL CODE TO INCLUDE §6-2-15 MERGING THE OFFICES OF THE CITY MANAGER AND POLICE CHIEF, AMENDING CHAPTER 6, ARTICLE 2 OF THE SCOTTSBLUFF MUNICIPAL CODE DEALING WITH THE RESIDENCE OF THE CITY MANAGER, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE, PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

Section 1. Section 6-2-15 of the Scottsbluff Municipal Code is now included in the Municipal Code to read as follows:

“6-2-15. OFFICES OF CITY MANAGER AND POLICE CHIEF; MERGER.

The City Council of the City of Scottsbluff, exercising its discretion, has decided, by Ordinance, to combine and merge the office of the City Manager and the office of Police Chief. The two offices are now combined with duties of the office of City Manager and the office of Police Chief to be held by the same officer or employee at the same time. The offices merged and combined shall always be construed to be separate, and the effect of the merger shall be limited to the consolidation of the official duties only. The salary or compensation of the officer or employee holding the merged and combined offices shall not be in excess of the maximum amount provided by law for the salary or compensation of the office, or offices so merged and combined”. (Ord. _____)

Section 2. Section 6-2-2 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-2-2. SAME; RESIDENCE.

The City Manager and Assistant City Manager must reside within the City of Scottsbluff, the City of Gering, the City of Terrytown, or of an unincorporated area within 5 miles of the city limits of the City of Scottsbluff.” (Ord. No. 3282, passed 1993; Ord. No. 4256, passed 01/21/2021; Ord. _____)

Section 3. Section 6-2-35 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-2-35. CITY MANAGER; ESTABLISHED; APPOINTMENT; QUALIFICATIONS; RESIDENCE; OR DISABILITY.

There is hereby established the office of City Manager. The City Manager shall be the Chief Executive Officer of the City. The City Manager shall be appointed by the City Council and shall be chosen solely on the basis of administrative qualifications. The City Manager need not be a resident of the City or state prior to appointment, but shall become a resident of the City of Scottsbluff, the City of Gering, the City of Terrytown, or of an unincorporated area within 5 miles of the city limits of the City of Scottsbluff before assuming the duties of office. He or she shall hold office at the pleasure of the City Council. The City Council shall designate by name or by job title the individual who shall perform the duties of the office of the City Manager during the absence or disability of the City Manager and, if one has been appointed, the Assistant City Manager. The City Council shall also designate at least two other individuals to serve in succession in the event of the absence or disability of both the City Manager and the individual designated by the City Council to serve in his or her absence.” (Ord. 3378, passed – 1994; Ord. 4256, passed 1/19/2021; Ord. _____, passed _____, 2022)

Section 4. Any prior Section 6-2-15, and previously existing Sections 6-2-2 and 6-2-35 and all other ordinances and parts of ordinances that are in conflict herewith are repealed.

Section 5. This ordinance shall become effective upon its passage, approval and publication shall be in pamphlet form.

PASSED AND APPROVED on _____, 2022.

Mayor

ATTEST:

City Clerk

(Seal)

Approved as to form:

City Attorney