

Chapter 4 - Administrative Policy and Procedure

1. City Manager. The City Manager shall see that all laws, ordinances, rules, regulations adopted by the Council and the provisions of this Code, are properly enforced. He shall attend all meetings of the Council. He is empowered to delegate to the several department heads his supervisory and personnel powers, within such regulations as may be promulgated by him. During the absence or disability of the Manager, the Council may designate some qualified person to temporarily perform the duties of the Manager.

(Rev. 05-15-1978)

- 1.132 Department Heads. All department heads, other than the Attorney, are responsible to the Manager for the effective administration of their respective departments and all activities assigned to them. As to department heads other than the City Attorney, the Manager may set aside any action by them taken and may supersede them in the functions of their respective offices.

- 1.133 Vacancies. In case of a vacancy in office or during the absence of any administrative officer, the City Manager may designate an interim acting head or perform personally the functions of the office, until such vacancy is filled in accordance with the Charter.

- 1.134 All Departments. All departments of the City shall comply with the following:

- 1) All department heads shall keep informed as to the latest practices in their particular field and shall inaugurate, with the approval of the City Manager in the case of departments responsible to him or in the case of other departments, with the approval of the officer or body to whom the department head is responsible, such new practices as appear to be of benefit to the service and to the public.
- 2) Reports of the activities of each department shall be made to the Manager at the end of each fiscal quarter and an annual report shall also be filed with the Manager within sixty (60) days after the end of the fiscal year. A summary of all such reports shall be made by the Manager and submitted to the Council. Each department head shall establish a system of records and reports in sufficient detail to furnish all information necessary for proper control of departmental activities and to form a basis for the periodic reports to the Manager. The City Manager shall keep the Council fully advised at all times as to the financial condition and needs of the City.

(Rev. 05-15-1978)

- 3) Each department shall be held responsible for the preservation of all public records under his jurisdiction and shall provide a system of filing and indexing the same.

Chapter 4 - Administrative Policy and Procedure

- 4) All members of the administrative staff and employees of the City of Troy appointed to membership on an advisory committee, commission or board shall serve as ex officio members only, and shall not vote on any matter considered by that committee, commission or board unless otherwise provided for by statute or City Charter.

(Rev. 07-21-1975)

- 5) The conditions and prohibitions contained in Subsection 4) above, shall not apply to the following existing regulatory committees, to-wit:
- a. Board of Electrical Examiners.
 - b. Building Code Board of Appeals.
 - c. Election Commission.
 - d. Retirement Board of Trustees.
 - e. Building Authority.
 - f. Historic District Commission

(Rev. 08-25-1975)

1.135 Administrative Manual. The City Manager is authorized to adopt such administrative regulations in addition to, but not inconsistent with, the Charter and this Code, as he shall deem necessary and proper to provide for the adequate functioning of all departments. Such regulations shall comprise the Administrative Manual.

1.136 Payment of Monies. All monies belonging to the City shall be paid out upon presentation of a valid warrant of the Clerk, and countersigned by the Manager, issued in accordance with the Charter, by checks drawn by the City Treasurer.

1.137 Approval of Legal Documents. The Mayor shall sign, the City Clerk shall attest to, the City Manager shall approve as to substance, and the City Attorney shall approve as to form, all contracts and agreements requiring the assent of the City, unless otherwise provided for by law, the Charter, ordinance or the provisions of this Code.

8. Bonds. Surety bonds, conditioned as required by section 6.11 of the Charter, shall be filed by the following officers of the City in not less than the amounts indicated:

Treasurer, \$10,000.00

Municipal Judge and Associate Municipal Judge, each, \$5,000.00. All other officers of City and employees (except the Mayor and Council) Blanket Bond, \$10,000.00 (\$100,000.00 aggregate).

(Rev. 05-15-1978)

Chapter 4 - Administrative Policy and Procedure

9. Code of Conduct.

- 1) The following policy shall be applied for all employees and violations thereof shall subject that employee to disciplinary action up to and including discharge:
 - a) An employee shall not solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action or judgment of the employee would be influenced thereby.
 - b) An employee shall not use his/her position of employment or any confidential information received through the holding of that employment to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.
 - c) An employee shall not use City personnel, resources, property or funds for personal gain of more than a de minimus nature.
 - d) An employee shall not represent a personal opinion as that of the City Council.
 - e) An employee shall not accept outside employment or render services for any private or public interest when that employment or service is incompatible with, in conflict with, or would impair independence or judgment in the discharge of that employee's official duties.
 - f) An employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates or other regulation or supervision of a business enterprise in which that employee or a member of his or her immediate family has a financial interest of more than a de minimus nature.
 - g) An employee shall not make or participate in making a decision, having knowledge that the decision will provide that employee, a member of the employee's immediate family, or a business with which the employee is associated, financial benefits of more than a de minimus nature.
- 2) An employee shall avoid making a decision or taking action which will provide a financial benefit for that employee, a member of his or her

Chapter 4 - Administrative Policy and Procedure

immediate family, or a business with which that employee is associated, by reporting the situation to his or her supervisor who shall then forward the information to the City Manager. The City Manager shall then take whatever administrative action is necessary to continue the implementation of municipal services without placing that employee in a conflict of interest situation.

(Rev. 05-10-1976)

10. INSURANCE AND INDEMNIFICATION OF OFFICIALS AND EMPLOYEES OF THE CITY OF TROY

Each elected and appointed official and employee of the City of Troy now or hereafter serving as such, shall be indemnified by the City of Troy against any and all claims and liabilities to which he has or shall become subject by reason of serving or having served as such official or employee, or by reason of any action alleged to have been taken, omitted, or neglected by him as such official or employee which occurred in the course of his employment and within the scope of his authority; and the City of Troy shall provide legal representation for or reimburse each such person for all legal expenses reasonably incurred by him in connection with any such claim or liability, provided, however, that no such person shall be indemnified against, or be reimbursed for any expense incurred in connection with any claim or liability arising out of his own willful misconduct or gross negligence.

The amount paid to any official or employee by way of indemnification shall not exceed his actual, reasonable and necessary expenses incurred in connection with the matter involved, and such additional amount as may be fixed by the Council for the City of Troy and any determination so made shall be prima facie evidence of the reasonableness of the amount fixed or binding on the indemnified official or employee.

The right of indemnification hereinabove provided for shall not be exclusive of any rights to which any official or employee of the City of Troy may otherwise be entitled by law.

(Rev. 11-14-1977)