

..Title

Ordinance to Amend, Repeal or Recreate the following Subsections in Chapter 2, Subchapter I – Amend 2.02 (1), Repeal and Recreate 2.05(2); Amend 2.95(1); Repeal and Recreate 2.95(2), 2.95 (3); Repeal 2.95 (4) and 2.95 (5); Amend 2.10 (2) (a) and (b), 2.14 (1), 2.16 (1), 2.24(1); Repeal 2.29; Amend 2.30 (1), 2.32 (1) and (2); Repeal 2.34 and 2.35. Amend, Repeal, Recreate or Create the following Subsections in Chapter 2, Subchapter II – Amend 2.63(1) , 2.70(1) and (2)(a); Repeal and Recreate 2.72, 2.73; Create 2.74; Amend 2.75(1); Amend, Repeal, Recreate or Create the following Subsections in Chapter 2, Subchapter IV – Amend 4.2, 4.4(1), 4.7(1), 4.9(1) of the City of West Allis Revised Municipal Code relating to Appointive Officials and Employees, Vacancies, Appointment and Term for Executive, Managerial and Deputy-Assistant Service positions.

..Body

The Common Council of the City of West Allis do ordain as follows:

PART I. Subsections in Chapter 2, Subchapter I – Amend 2.02 (1), Repeal and Recreate 2.05(2); Amend 2.95(1); Repeal and Recreate 2.95(2), 2.95 (3); Repeal 2.95 (4) and 2.95 (5); Amend 2.10 (2) (a) and (b), 2.14 (1), 2.16 (1), 2.24(1); Repeal 2.29; Amend 2.30 (1), 2.32 (1) and (2); Repeal 2.34 and 2.35 of the Revised Municipal Code.

2.02 Appointive Officials and Employees.

(1)

Unclassified Service. Non-elective officials (Executive Service/Department Heads/~~Managerial and Deputy/Assistant Service employees~~) shall ~~hold their offices/positions for terms established by their appointing power, subject to discipline and removal as provided by the procedures of~~ be appointed and hold their positions in accordance with Policy 405 in the City of West Allis Policies and Procedures Manual and Sections 17.12 and 17.16 Wis. Stats.

2.05 Vacancies.

~~(2)~~

~~Vacancies in the Appointive Offices. Vacancies in appointive offices in this subchapter shall be filled by appointment for the residue of the unexpired term by the appointing power and in a manner prescribed by law for making regular full-term appointments. When vacancies occur in offices subject to civil service regulations, the same shall be filled in accordance with said regulations. (See Charter Ordinance No. 1 and No. 2.)~~

(2) Vacancies in the Unclassified Service Appointive Offices.

- a. In the event a position in the Executive Service becomes vacant, the Mayor or City Administrator, respectively, may appoint an acting department head, pending a permanent appointment to that position by the appointing authority. An acting department head shall have all powers and duties of the department head, except the appointment of permanent division heads. An acting department head shall enter upon the duties of his or her position immediately upon qualification and shall hold the position until the permanent department head is appointed and qualifies, or removed by the Mayor or City Administrator, whoever made the acting appointment.
- b. In the event a position in the Managerial or Deputy/Assistant Service becomes vacant, the Department Head may appoint an acting employee to such position, pending a confirmation of a permanent appointment to that position. An acting employee may be removed from the acting position at any time by the Department Head.

2.95 ~~Ci2-095~~ City Administrator (CA).

- (1) The City Administrator (CA) shall be appointed by the Common Council as recommended by the Mayor in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring and Reappointment Process for Executive/Managerial/Deputy Assistance Service Positions~~Selection, Appointment, and Confirmation for City Officials and Department Heads~~). The position of City Administrator shall be full-time and shall not be of a policy-making nature. The

City Administrator shall serve at the pleasure of the Common Council, as provided in Section 17.12(1) of the Wisconsin Statutes.

~~(2)~~

~~The duties of the City Administrator shall be as specified in City of West Allis Policies and Procedures Manual Policy No. 403 (Shared Responsibilities of Mayor and City Administrative Officer), and as specified below in Subsections (3) and (4).~~

~~(3)~~

~~Budget. The City Administrator shall:~~

~~(a)~~

~~Discharge all duties in connection with the compilation of the annual City budget report imposed by Section 1.04.~~

~~(b)~~

~~Attend all meetings of the Administration and Finance Committee and such executive sessions as the Committee may direct to provide information called for by the Committee relative to the budget and other financial operations of the City.~~

~~(c)~~

~~Cooperate with the City Treasurer for the purpose of effecting improvements in the collection, management, and investment of City funds.~~

~~(d)~~

~~Insure maximum utilization of state and federal resources by all City Departments.~~

~~(4)~~

~~Risk Management Coordination. The City Administrator shall:~~

~~(a)~~

~~Be responsible for City risk management coordination to minimize the costs to the City of all activities related to the control of accidental loss.~~

~~(b)~~

~~Identify and evaluate all risks of accidental loss for the City.~~

~~(c)~~

~~Develop and recommend accident prevention and loss control methods, procedures, and programs for all City Departments.~~

~~(d)~~

~~Arrange appropriate insurance contracts, subject to approval of the Common Council, to the extent any risk of loss cannot reasonably be assumed by the City. The placement of insurance may be by private negotiation rather than competitive bid.~~

~~(e)~~

~~Contract for investigative and adjustment services, subject to approval of the Common Council, which can be performed more economically or efficiently by such contract.~~

~~(f)~~

~~Coordinate all such risk management activities with the City Attorney and the Safety and Training Coordinator.~~

~~(5)~~

~~All City Departments and their offices and employees shall cooperate with the City Administrator and comply with requests relative to said duties.~~

(2) The duties of the City Administrator shall be as specified in City of West Allis Policies and Procedures Manual Policy No. 403 (Shared Responsibilities of Mayor and City Administrator).

(3) The City Administrator may make the necessary rules for the conduct of his or her duties and all City Departments and their offices and employees shall cooperate with the City Administrator and comply with requests relative to said duties.

2.10 City Clerk and Treasurer.

(2) City Clerk.

(a) Appointment and Term. The City Clerk shall be appointed by the Common Council as recommended by the City Administrator in the unclassified service of the City to serve at the pleasure of the Common

~~Council, as provided in Sec. 17.12(1) of the Wisconsin Statutes. The City Clerk shall be appointed by the Common Council as recommended by the City Administrator in the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided by Section 17.12(1) of the Wisconsin Statutes.~~

~~-(3) City Treasurer.~~

~~(a) Appointment and Term. The City Treasurer shall be appointed by the Common Council as recommended by the City Administrator in the unclassified service of the City to serve at the pleasure of the Common Council, as provided in Sec. 17.12(1) of the Wisconsin Statutes. The City Treasurer shall be appointed by the Common Council as recommended by the City Administrator in the unclassified service of the City to serve at the full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in Sec. 17.12(1) of the Wisconsin Statutes.~~

2.14 City Assessor.

~~(1) Appointment and Term. The City Assessor shall be appointed by the Common Council under the unclassified service of the City to serve at the pleasure of the Common Council, as provided in Sec. 17.12(1) of the Wisconsin Statutes. The City Assessor shall be appointed by the Common Council as recommended by the City Administrator in the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in Sec. 17.12(1) of the Wisconsin Statutes.~~

2.16 City Engineer.

~~(1) Appointment and Term. The City Engineer shall be appointed by the Common Council under the unclassified service of the City from a list certified by the Civil Service Commission, in accordance with its normal recruitment procedures. The City Engineer shall serve at the pleasure of the Common Council, as provided in sec. 17.12(1) of the Wisconsin Statutes. The City Engineer shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.~~

2.24 Health Commissioner.

~~(1) Appointment. A full time local health officer shall be appointed by the Mayor, subject to confirmation by the Common Council, and shall, for ease of reference, be known as the Health Commissioner. and Term. A full time local health officer shall be appointed by the Common Council as recommended by the City Administrator under the classified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes, and shall, for ease of reference, be known as the Health Commissioner.~~

~~2.29 Director of Public Works/City Engineer.
[Ord. O-2009-0040, 12/15/2009]~~

~~(1)~~

~~Appointment. The Director of Public Works/City Engineer shall be appointed by the Common Council under the unclassified service of the City from a list certified by the Civil Service Commission, in accordance with its normal requirement procedures. The Director of Public Works/City Engineer shall serve at the pleasure of the Common Council, as provided in Sec. 17.12(1) of the Wisconsin Statutes.~~

~~(2)~~

~~Oath. Before entering upon the duties of the office, the Director of Public Works/City Engineer shall file with the City Clerk an oath for the faithful performance of the duties as Director of Public Works/City Engineer.~~

~~(3)~~

~~Powers, Duties, and Responsibilities. The Director of Public Works/City Engineer shall have all the powers and perform all the duties and responsibilities as enumerated in Section 2.16 (City Engineer) and Section 2.30 (Director of Public Works) of this Code.~~

~~(4)~~

~~Assistants. The Director of Public Works/City Engineer shall appoint such assistants and workers as may be deemed necessary in the discharge of the duties; subject, however, to such regulations respecting the number of assistants and workers to be appointed, as the Common Council may prescribe.~~

2.30 Director of Public Works.

(1) Appointment and Term. ~~The Director of Public Works shall be appointed by the Common Council under the unclassified service of the City from a list certified by the Civil Service Commission, in accordance with its normal requirement procedures. The Director of Public Works shall serve at the pleasure of the Common Council, as provided in sec. 17.12(1) of the Wisconsin Statutes.~~ The Director of Public Works shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

2.32 Director of Building Inspections ~~and Zoning.~~

~~(1)~~

~~Appointment. The Director of Building Inspections & Zoning shall be appointed by the Common Council. The Director of Building Inspections & Zoning shall have the necessary ability to supervise the general construction and the permanent equipment of buildings. The Director of Building Inspections & Zoning shall have his office in the City Hall and shall devote his entire time to the services of the City.~~

and Neighborhood Services.

(1) Appointment and Term. The Director of Building Inspections & Neighborhood Services shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

(2) Oath. The person appointed as Director of Building Inspections & Zoning and Neighborhood Services, before entering upon said duties, shall file with the City Clerk his or her oath of office for the faithful performance of his or her duties as supervisor of the building, plumbing ~~and drain laying~~ and electrical

codes of the City of West Allis.

~~2.34 Plumbing and Sewer Inspectors.~~

~~(1) Appointment. The Plumbing and Sewer Inspector shall be appointed by the Building Inspector and shall hold office for an indeterminate term, subject to removal only for cause.~~

~~(2) Qualifications and Duties. The person appointed as Plumbing and Sewer Inspector shall have the qualifications as set forth in sec. 145.05 of the Wisconsin Statutes. The Inspector, under the supervision of the Building Inspector, shall be responsible for the enforcement of the plumbing and drain laying regulations, as contained in Chapter 16 of this Code. The Plumbing and Sewer Inspectors, before entering upon the duties of their offices, shall file with the City Clerk an oath of office.~~

~~(3) Cooperation with Health Department. Unless otherwise provided, the Plumbing and Sewer Inspection Department shall cooperate with the Health Commissioner of the City in the enforcement of the rules and regulations relative to health and sanitation.~~

~~2.35 Electrical Inspector.~~

~~(1) Appointment. The Electrical Inspector shall be appointed by a majority vote of all the members of the Common Council and shall hold office for an indeterminate term, subject to removal only for cause.~~

~~(2) Qualifications and Duties. The person appointed as Plumbing and Sewer Inspector shall have the qualifications as set forth in Sec. 145.05 of the Wisconsin Statutes, and be certified by the Department of Health and Social Services to perform plumbing inspections for one- and two-family dwellings constructed under the Wisconsin Uniform Dwelling Code, Wisconsin Administrative Code, Ch. IND 25. The Inspector, under the supervision of the Director of the Department of Building Inspections and Neighborhood Services, shall be responsible for the enforcement of the plumbing and drain laying regulations, as contained in Chapter 16 of this Code.~~

Part II. Amend, Repeal, Recreate or Create the following Subsections in Chapter 2, Subchapter II – Amend 2.63(1) , 2.70(1) and (2)(a); Repeal and Recreate 2.72, 2.73; Create 2.74; Amend 2.75(1) of the Revised Municipal Code.

2.63 Finance Director.

(1) Appointment. ~~The Finance Director shall be appointed by the Common Council as recommended by the City Administrator in the unclassified service of the City in accordance with Policy No. 404 (Recruitment, Selection, Appointment, and Confirmation for City Officials and Department Heads). The Finance Director shall be full-time and serve at the pleasure of the Common Council as provided in Sec. 17.12(1) of the Wisconsin Statutes, and Term.~~ The Finance Director shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

2.70 Director of Information Technology/~~Communications.~~

(1) Appointment: and Term. ~~The Director of Information Technology/Communications shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City in accordance with Policy No. 404 (Recruitment, Selection, Appointment, and Confirmation for City Officials and Department Heads). The Director of Information Technology/Communications shall be full time and serve at the pleasure of the Common Council, as provided in Sec. 17.12(1) of the Wisconsin Statutes.~~ The Director of Information Technology shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy

Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

(2) Duties and Responsibilities. The Director of Information Technology/~~Communications~~ shall:

(a) Direct and supervise the functions of the Information Technology/~~Communications~~ Department.

2.72 Office of Video~~Communications~~ Services~~Department~~.

~~(1) Established. There is established the Office of Video Communications Services within the Information Technology/Communications Departmentthe Communications Department.~~

~~(2) Power and Duties. The Office shall:~~

~~(a) Review the operation of all video and cable television systems within the City to insure compliance with applicable regulatory ordinances, rules and regulations.~~

~~(b) Provide technical and clerical assistance to the License and Health Committee of the Common Council, as may be required by such body in the exercise of its regulatory responsibilities over video and cable television operations.~~

~~(c) Develop and implement policy, standards, procedural guidelines and programs to insure the maximum use of governmental access channels.~~

~~(d) Assist City departments, agencies and commissions in planning, coordinating, and use of video and telecommunication activities.~~

The Communications Department shall clearly and accurately communicate information of City services, programs, messages and values.

(1) To foster civic engagement through an informed citizenry.

(2) To provide leadership in further strengthening and promoting West Allis as a benchmark for superior municipal government service through all City communications tools.

(3) To support the Common Council and City management in planning, communicating and implementing programs, services and goals that promote and/or impact overall quality of life, healthy economy, development and the safety and welfare of citizenry.

(4) To service as a resource to City departments, agencies and commissions in planning, coordinating and delivery of their specific communication needs and activities.

(5) Review the operation of all video and cable television systems within the City to insure compliance with applicable regulatory ordinances, rules and regulations.

(6) Provide technical and clerical assistance to the License and Health Committee of the Common Council, as may be required by such body in the exercise of its regulatory responsibilities over video and cable television operations.

(7) Develop and implement policy, standards, procedural guidelines and programs to insure the maximum use of governmental access channels.

2.73 Human Resources Department~~Director of Communications~~.

~~The Human Resources Department shall administer and carry out the purposes of Section 2.76 and such policies of the Common Council and Civil Service Commission to effectuate such ordinances and policies:~~

~~(1) To provide City departments with competent personnel to furnish City services as fairly, efficiently and effectively as possible.~~

~~(2) To maintain a system of personnel management to fill positions in the classified service through methods which apply the merit principle with adequate Civil Service safeguards.~~

~~(3) To insure equal employment opportunity in all personnel actions, including hire, tenure or term and conditions or privilege of employment based on ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, handicap, sex, national origin and national ancestry or political affiliation.~~

(1) Appointment and Term. The Director of Communications shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures

Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

(2) Duties and Responsibilities. The Director of Communications shall:

(a) Direct and supervise the functions of the Communications Department.

(b) Establish rules for the effective administration of the Department.

(c) Having recommending authority with regard to all personal appointed to the Department in accordance with Civil Service Procedures.

(d) Act as public information officer for the City with the responsibility of assuring that the news media are kept informed about the operations of the City.

2.74 (Reserved) Human Resources Department.

The Human Resources Department shall administer and carry out the purposes of Section 2.76 and such policies of the Common Council and Civil Service Commission to effectuate such ordinances and policies:

(1) To provide City departments with competent personnel to furnish City services as fairly, efficiently and effectively as possible.

(2) To maintain a system of personnel management to fill positions in the classified service through methods which apply the merit principle with adequate Civil Service safeguards.

(3) To insure equal employment opportunity in all personnel actions, including hire, tenure or term and conditions or privilege of employment based on ability to perform the duties and responsibilities assigned to the particular position without regard to age, race, creed or religion, color, handicap, sex, national origin and national ancestry or political affiliation.

2.75 Human Resources Director.

(1) Appointment. The Human Resources Director shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City in accordance with Policy No. 404 (Recruitment, Selection, Appointment, and Confirmation for City Officials and Department Heads). The Human Resources Director shall be full-time and serve at the pleasure of the Common Council as provided in Sec. 17.12(1) of the Wisconsin Statutes and Term. The Human Resources Director shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

Part III. Amend 2.75(1); Amend, Repeal, Recreate or Create the following Subsections in Chapter 2, Subchapter IV – Amend 4.2, 4.4(1), 4.7(1), 4.9(1) of the Revised Municipal Code.

4.2 ~~Organization~~ Department of Development.

The Department of Development shall be responsible for providing and coordinating the planning/zoning, community and economic development programs and activities of the City. The Department of Building Inspections & Zoning-Neighborhood Services shall also provide coordination in its activities and programming with the Department of Development.

4.4 Director.

(1) Appointment and Term. The Director shall be appointed by the Common Council under the Unclassified Services of the City from a list certified by the Civil Service Commission. The Civil Service Commission shall prepare and conduct an examination for the position of Director according to the requirements of the Classified Service. The Director shall serve at the pleasure of the Common Council as provided in sec. 17.12(1) of the Wisconsin Statutes. The Director shall be appointed by the Common Council as recommended by the City Administrator under the unclassified service of the City to serve full time at the pleasure of the Common Council, in accordance with City of West Allis Policies and

Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions), Policy No. 405 (Discipline for Non-Elective Officials (Executive Service/Department Heads)), and as provided in sec. 17.12(1) of the Wisconsin Statutes.

4.7 Planning and Zoning Manager.

(1) Appointment. The Planning and Zoning Manager shall be appointed by the Director in the Unclassified Service of the City from a list certified by the Civil Service Commission. The Civil Service Commission shall prepare and conduct an examination for the position of Planning and Zoning Manager consistent with the procedure and the requirements for examinations in the Classified Service. The Planning and Zoning Manager shall be appointed by the Director, subject to approval by the Safety and Development Committee in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions).

4.9 Manager of Economic Development.

(1) Appointment. The Manager of Economic Development shall be appointed by the Director under the Unclassified Service of the City from a list of candidates certified by the Civil Service Commission. The Civil Service Commission shall prepare and conduct an examination for the position of Manager of Economic Development consistent with the procedure and the requirements for examination in the Classified Service. The Manager of Economic Development shall be appointed by the Director subject to approval by the Safety and Development Committee in accordance with City of West Allis Policies and Procedures Manual Policy No. 404 (Recruitment, Hiring, and Reappointment Process for Executive/Managerial/Deputy Assistant Service Positions).

Part IV. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part V. This ordinance shall take effect and be in force from and after its passage and publication.