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**File Number: O-2017-0053**

**Final Action:**

**Sponsor(s): Ald. Probst**

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.

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. <<http://www.ecode360.com/27394438>>

(1) <<http://www.ecode360.com/27394447>>Unclassified Service. Non-elective officials (Executive Service/Department Heads/Managerial and Deputy/Assistant Service employees) shall 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 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 City Administrator (CA). <<http://www.ecode360.com/27394438>>

(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). 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 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) <<http://www.ecode360.com/29057118>> 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 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) <<http://www.ecode360.com/29057128>> 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 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. <<http://www.ecode360.com/27394438>>

(1) <<http://www.ecode360.com/27394512>> Appointment and Term. 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. <<http://www.ecode360.com/27394438>>

(1) <<http://www.ecode360.com/27394537>> Appointment and Term. 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. <<http://www.ecode360.com/27394547>>

(1) <<http://www.ecode360.com/27394586>> Appointment 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.

2.30 Director of Public Works. <<http://www.ecode360.com/27394547>>

(1) <<http://www.ecode360.com/27394625>> Appointment and Term. 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 Neighborhood Services. <<http://www.ecode360.com/27394547>>

(1) <<http://www.ecode360.com/27394633>> 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) <<https://www.ecode360.com/27394634>> Oath. The person appointed as Director of Building Inspections 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 electrical codes of the City of West Allis.

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. <<http://www.ecode360.com/27394930>>

(1) <<http://www.ecode360.com/29057145>>Appointment 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 <<http://www.ecode360.com/27394930>>.

(1) <<http://www.ecode360.com/27395028>>Appointment and Term. 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) <<https://www.ecode360.com/27395029>>Duties and Responsibilities. The Director of Information Technology shall:

(a) <<https://www.ecode360.com/27395030>>Direct and supervise the functions of the Information Technology Department.

2.72 Communications Department. <<http://www.ecode360.com/27394930>>

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

(1) <<http://www.ecode360.com/29057191>>To foster civic engagement through an informed citizenry.

(2) <<http://www.ecode360.com/29057192>>To provide leadership in further strengthening and promoting West Allis as a benchmark for superior municipal government service through all City communications tools.

(3) <<http://www.ecode360.com/29057193>>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) <<http://www.ecode360.com/29057188>> Develop and implement policy, standards, procedural guidelines and programs to insure the maximum use of governmental access channels.

2.73 Director of Communications.

(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) <<http://www.ecode360.com/27395058>>Duties and Responsibilities. The Director of Communications shall:

(a) <<http://www.ecode360.com/27395059>>Direct and supervise the functions of the Communications Department.

(b) <<http://www.ecode360.com/27395060>>Establish rules for the effective administration of the Department.

(c) <<http://www.ecode360.com/29057194>>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 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) <<https://www.ecode360.com/29057191>>To provide City departments with competent personnel to furnish City services as fairly, efficiently and effectively as possible.

(2) <<https://www.ecode360.com/29057192>>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) <<https://www.ecode360.com/29057193>>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. <<http://www.ecode360.com/27394930>>

(1) <<http://www.ecode360.com/27395053>>Appointment 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 <<https://www.ecode360.com/27395261>> 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 & Neighborhood Services shall also provide coordination in its activities and programming with the Department of Development.

4.4 Director.

(1) <<http://www.ecode360.com/27395269>>Appointment and Term. 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. <<http://www.ecode360.com/27395268>>

(1) <<http://www.ecode360.com/27395282>>Appointment. 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. <<http://www.ecode360.com/27395268>>

(1) <<http://www.ecode360.com/27395297>>Appointment. 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.

**PASSED** \_\_\_\_\_

**APPROVED** \_\_\_\_\_

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**Monica Schultz, City Clerk**

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**Dan Devine, Mayor**