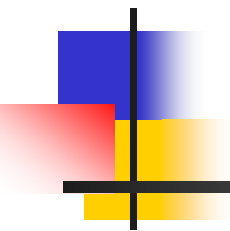


Syracuse City, are we ruled
by Passion or Governed by
Law?





Goals

- Bring our form of government in line with state law.
- Clearly define the roles, powers, and responsibilities of the mayor, city council, and city manager.
- Ensure that there are checks and balances which promote the effective and efficient operation of Syracuse City.



What Really Changed?

- We defined our form of government.
- We changed the title of “City Administrator” to “City Manager.”
- We transferred the title of “Chief Executive Officer” from the mayor to the city manager.
- We required that the city manager report to the “governing body” where he previously reported directly to the Mayor, even though he performed duties at the direction of the “mayor and council.”



Forms of Government

- Nontraditional Forms
 - Mayor Council
 - Council Manager
- Traditional Forms
 - Five Member Council
 - Six Member Council



Nontraditional Forms

- Mayor Council
 - Salt Lake City
 - Provo
 - Ogden
- Council Manager
 - West Jordan

*These forms are typically used by cities with populations over 65,000



Size and voting rights under the **nontraditional form**

- The size of the governing body can be increased, i.e. Syracuse could have six or seven council members and a mayor, instead of five council members and a mayor like we currently have.
- The mayor can be given some veto powers and increased voting rights.
- These forms of government require a vote of the people, because the size of the government, and the voting rights of the members, differ from options under the traditional form.



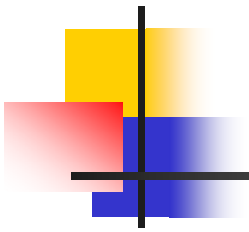
Traditional Forms of Government

- Five Member Council – The governing body consists of five council members, one of which is the mayor. This form is for towns.
- Six Member Council – The governing body consists of six council members, one of which is the mayor. This form is used by the majority of cities in Utah, (including Syracuse).

What changes require a vote?



- Changes to one of the nontraditional forms of government must be approved by popular vote.
- Changes within the traditional forms of government can be changed legislatively by the city council.



Six Member Council – There are four Subcategories

1. Mayor has exclusive control over all administrative and executive powers
2. Mayor and council share administrative and executive powers
3. An administrative assistant is hired to assist the mayor, a “City Administrator”
4. A “City Manager” is hired, and the administrative and executive powers are defined by ordinance to fit the needs of the city



The Mayor has exclusive control (First Option)

- Mayor has all of the administrative and executive powers of the city and he oversees all departments within the city. Usually in smaller cities where they cannot afford, or need, professional management.



The Mayor and Council share control (Second Option)

- The mayor and council divide up departments within the city and spread administrative and executive authority among elected officials for specific departments.
- Syracuse Fire Department has been delegated to the city council's control since 1971. Ordinance 7-5-4
- Example – The Riverdale Mayor oversees the Department of Public Safety and council oversees other departments.



Syracuse Fire Department

- **CHIEF ACCOUNTABLE TO CITY COUNCIL.** The Chief shall be held accountable to the City Council only, and shall make written and verbal reports thereto as the Council may require. All other Department and Company officers shall be accountable to the Chief only. (1971)



The City Administrator (third Option)

- The city can hire an administrative assistant for the mayor. In this form the assistant is called the “City Administrator.” Administrative and Executive duties are held by the mayor and the assistant works under the mayor’s direction and control.
- An example of this form is Holladay, where the Mayor can remove department heads and exercise control over all departments within the city.



The City Manager (fourth Option)

- The city can create the position of “City Manager.” In this situation, the administrative and executive powers are divided between these positions to fit the needs of the city.
- This is the most common form in Utah, and all of the cities in Davis County operate with this position except West Bountiful and Sunset.



So did we have an administrative assistant or a city manager?

- An administrative assistant is hired and fired by the mayor.
- A manager is hired and fired by the governing body.
- Syracuse's "City Administrator" was hired and fired by the governing body (since 1993).
- In this sense, we have had a city manager position since 1993, but it was called a city administrator.



Syracuse had multiple six member governing personalities

- First, we had delegated control over the fire department to the city council.
- Second, we hired and fired our city administrator like a city manager.
- Lastly, and most importantly, the powers, duties and control which defined the previous city administrator position likened those associated with a city manager position, (since 1993).



Powers and Duties

- Cities define the roles of elected officials, and upper level employees, by ordinance using the terminology:
 - Powers
 - Duties
 - Responsibilities
 - Control



Why did we change?

- To conform with state law – Prior to the change, most of our ordinances dated back to 1971 and 1993.
- Greater accountability
 - The Mayor as the CEO is held accountable once every 4 years.
 - The City manager as the CEO is held accountable every day.
- Reduce role confusion – everyone deserves to know who their boss is.



City Administrator vs. City Manager - Voter Accountability

- **City Administrator**

- Reports directly to the mayor
- Mayor is held accountable to the voters once every four years

- **City Manager**

- Reports to the entire governing body
- 3 out of the 6 governing body members are held accountable once every two years



Did our elected officials agree about updating the ordinance?

- Yes, Syracuse City Council Meeting
September 26, 2006



Mayor Panucci

- Mayor Panucci agreed it is time for the City to update its ordinances and clarify duties of the Mayor, Council, and City Administrator. He stated that the City Code currently does not clarify which form of government the City operates under and it is important to update that information. He reiterated the City operates under a six member Council form of government with the Mayor acting as one of those Councilmembers. He stated it is important to clearly define how Syracuse City operates.



Councilman Peterson

- Councilmember Peterson stated he had heard from many members of the public regarding their concerns about the City possibly changing the form of government. He stated he is glad that so many people actually care about what is happening in their city. He agreed with the Mayor that the City's ordinances need to be updated because the City is currently straddling a fence and that needs to be changed.



Who had the authority?

- Mayor Panucci stated he was comfortable with defining the duties of the City Administrator and Mayor. He stated that current City Administrator Hubler reports to him and is responsible for the day to day operations of the City and has authority over City employees. Mayor Panucci stated that he, himself, has complete authority and double checks decisions made in the City. (Minutes from 9-26-06 work session)



Who had the authority cont.

- Mayor Panucci stated the council is not real clear on which person is responsible to ensure that purchasing protocol is followed. He stated the City's purchasing agent, who is the City Administrator, was responsible and should be held accountable; not the Mayor. (November 14th City Council meeting minutes).



Purchasing City Administrator

- **1-19-6: PURCHASES.** The City Administrator shall be general purchasing agent of the City, and **except where specific provision to the contrary is made by law or by the City Council**, he/she shall authorize all purchases of supplies, materials, and equipment approved by the Council, in the manner prescribed by and subject to the limitations imposed by law and the City Council. **No purchases shall be made or obligations incurred except upon authorization by the Council**, and no expense shall be incurred for a purpose requiring a prior appropriation unless the amount of such purchase is covered by an unexpended appropriation for such purpose. (1993)



Purchasing Mayor

- 3-8-8(B)(3) No purchase or payment made in excess of \$1,000.00 shall be approved by the City Administrator. Any such claim shall be approved by the Mayor prior to payment.

Who should the city manager or administrator report to? October 10th minutes



- He, (Mayor Panucci), stated that currently the City Administrator reports to the Mayor and the Mayor, in turn, reports to the Council. He stated that he has no concerns or qualms about that process and he wants the City Administrator to keep the Council informed because they are the body that makes decisions for the City.
- He, (Mayor Panucci), stated Councilmember Hammon claimed that there would be little difference between the current operating procedures and those that are being proposed, but he feels there is a big difference in that instead of the City Manager reporting to the Mayor, he will report directly to the Council.



Disenfranchising the vote?

- Keep in mind that there are two sides to this argument. To understand both sides, we need to view the two proposals from Oct 10th that would have brought us inline with state law.



City Manager Control

- Previous – The powers, duties and functions of the office of City Administrator shall be subject to the control of the **governing body**.
- Council – The powers, duties and functions of the office of City Manager shall be subject to the control of the **governing body**.
- Mayor – The powers, duties and functions of the office of City Manager shall be subject to the control of the **Mayor**.



City Manager Powers and Duties

- Previous - Have and exercise all powers and duties assigned to him/her from time to time by the **Governing Body**.
- Council - Have and exercise all powers and duties assigned to him/her from time to time by the **Governing Body**. (same as above)
- Mayor - Have and exercise all powers and duties assigned to him/her from time to time by the **Mayor**.

City Manager Hiring and Firing of Employees - Council

- The City Manager shall have and exercise all powers which are now or may hereafter be conferred by law upon the City of Syracuse with respect to the employment and removal of employees in all departments of the City, except elected officials of the City, and shall hire and discharge personnel in said departments subject to the approval of the **Mayor and City Council**, and exercise general supervision over such employees.

City Manager Hiring and Firing of Employees - Mayor

- With approval from the **Mayor**, the City Manager may hire and discharge employees pursuant to the adopted personnel policies adopted by the **Governing Body**. He/she shall also hire employees at such compensation as may be set or authorized by the **Governing Body**. The Manager, with approval from the **Mayor**, shall discipline any employee as necessary pursuant to the personnel policies of the City. All employees shall perform their duties subject to the direction of the City Manager or that of the superior to whom such Manager may assign such employee. The hiring and firing of department level employees shall be **discussed** with the **Governing Body** prior to any action being taken.



City Manager Contract Signing – Old Ordinance

- The City Administrator shall examine all proposed contracts to which the City may be a party, and shall, with the **Mayor**, sign on behalf of the City any contract authorized and approved by the **City Council**, except where the **City Council** directs that some other officer or officers shall do so. It shall be the duty of the City Administrator to see that all terms of any contract to which the City is a party are fully performed by all parties thereto.



City Manager Contract Signing - Council

- The City Manager shall review and sign all proposed contracts to which the City may be a party and shall make recommendations concerning the same to the Governing Body. It shall be the duty of the City Manager to see that all terms of any contract to which the City is a party are fully performed by all parties thereto.



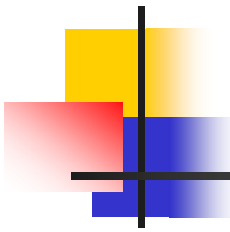
City Manager Contract Signing - Mayor

- **CONTRACTS.** The City Manager shall review and sign all proposed contracts to which the City may be a party and shall make recommendations concerning the same to the Mayor. It shall be the duty of the City Manager to see that all terms of any contract to which the City is a party are fully performed by all parties thereto.



City Manager - Absence from the city

- Previous - Additional personnel may from time to time be employed within the office of City Administrator as the **City Council** may determine.
- Council - Additional personnel may from time to time be employed within the office of City Manager as the **City Council** may determine. (same as above except title change)
- Mayor - Additional personnel may from time to time be employed within the office of City Manager as the **mayor** may determine.



So Which Proposal Would Have Disenfranchised the Vote?

- There was a total of 2198 votes cast in the 2005 November Election
- Mayor Panucci received 1,502 votes
- Councilman Knight received 1,549 votes
- Councilman Orton received 1,202 votes



What to expect in the future

- The governing body will continue to work together.
- City ordinances will continue to be updated and brought in compliance with state law.
- We will openly, and candidly, discuss your concerns and questions.



The recent change in ordinance was a vote FOR law and order.

- The vote helped to bring us inline with state law.
- The vote helped to reduce role confusion.
- The vote helped to ensure that elected officials are not removed from important decisions.
- The vote helped to maintain checks and balances and voter accountability.
- The vote will ensure that Syracuse is GOVERNED by law and not ruled by passion.