

ARTICLE IV. DEPARTMENTS AND OFFICES

DIVISION 1. IN GENERAL

Sec. 401. Departments and offices established.

(a) ~~Departments required. Establishment of departments.~~ There shall be established the following The City Council will provide for departments or offices ~~to perform functions as provided in this Charter or by ordinance:~~

- ~~(1) Aviation~~
- ~~(2) Finance~~
- ~~(3) Fire~~
- ~~(4) Health~~
- ~~(5) Human Resources~~
- ~~(6) Law~~
- ~~(7) Parks and Recreation~~
- ~~(8) Public Works~~
- ~~(9) Water Services~~

for the organization of the administrative staff of the City.

(b) ~~Departments required.~~ To insure the adequate and appropriate support of the administrative functions of the City there shall be a Finance Department under the direction of a director of finance/chief financial officer, and a Law Department under the direction of a city attorney. To reflect the unique nature of the management of the parks and boulevard systems there shall be a Parks and Recreation Department under the supervision of the Board of Parks and Recreation Commissioners and under the management of a Director of Parks and Recreation as provided in Article X of this Charter.

(c) ~~Organization of departments.~~ The Council, City Manager, or department directors may establish divisions or other units within departments.

Sec. 402. Delegation of duties and rulemaking authority.

(a) ~~Delegation – between departments.~~ Except for the Finance and Law Departments, the Council may delegate to the City Manager the authority to transfer obligations of departments between departments to provide for greater efficiency and effectiveness of the City's workforce.

(b) ~~Delegation – divisions.~~ The Council may delegate to the City Manager the authority to organize departments into divisions or other units.

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- (e) *Delegation by directors.* A Director is **hereby** authorized to exercise and perform any of their powers or duties through any other City employee, including qualified City employees of other departments with the permission of the employees' Director.
- (dc) *Rulemaking.* A Director shall have power to prescribe rules and regulations for the conduct of the officers and employees of the department; for the distribution and performance of its functions and business; for the efficient operation of its functions and business; and for the custody and preservation of the books, records, papers and property under the Director's control.

**Sec. 403 – Sec. 405. Reserved.**

### DIVISION 2. DEPARTMENTS

**Sec. 406. ~~Aviation.~~**

- ~~(a) *Duties.* There will exist an Aviation Department, under the supervision of a Director of Aviation, to administer the operations of the City's airports and associated activities of the City, including:
  - ~~(1) *Management of airports.* Management and operation of all the buildings and fields owned and operated by the City for the purpose of serving aviation;~~
  - ~~(2) *Property management.* Negotiate all leases for the facilities under control of the Aviation Department;~~
  - ~~(3) *Development of future aviation facilities.* Study and make recommendations to the City Manager concerning the regulation and development of aviation, including proposals for the enlargement of existing or the addition of new facilities to serve the aviation industry adequately;~~
  - ~~(4) *Promotion of aviation.* Make recommendations to the City Manager of programs for the promotion and growth of aviation;~~
  - ~~(5) *Miscellaneous duties.* Perform such other related duties as required by the City Manager or by ordinance.~~~~
- ~~(b) *Appointment.* The Director of Aviation shall be appointed by the City Manager based on executive ability, qualifications and experience in the aviation industry.~~

**Sec. 407. Finance.**

- (a) *Duties.* There will exist a Finance Department, under the supervision of a Director of Finance, to administer the financial affairs of the City, including:

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- (1) ***Accounts and financial records.*** Installation, maintenance and supervision of all accounts and financial records;
  - (2) ***Collection, custody and disbursement of funds.*** Supervision of the collection, custody and disbursement of all City monies and taxes, however, the Council may authorize the keeping of utility accounting records by any department operating as a public utility, and may authorize the collection by any such department of all monies due the City from the operation of any such utility;
  - (3) ***Business licenses.*** Issuance of business or occupational licenses;
  - (4) ***Expenditure control.*** Control over expenditures; and
  - (5) ***Debt management.*** Supervision and management of the issuance of debt by the City; and
  - (6) ***All other assigned duties.*** Perform such other duties as may be prescribed by law.
- (b) ***Appointment.*** The Director of Finance shall be appointed by the City Manager based on executive ability, qualifications and experience in finance and accounting.

### **Sec. 408. Fire.**

- ~~(a) ***Duties.*** There will exist a Fire Department, under the supervision of a Fire Chief, to perform the following duties when not otherwise assigned to another department:~~
- ~~(1) ***Fire protection.*** To suppress fires, inspect buildings and property and enforce fire protection laws.~~
  - ~~(2) ***Emergency medical services.*** Participate in the pre-hospital emergency medical services system;~~
  - ~~(3) ***Hazardous materials.*** Participate in regulation, clean up and public safety measures relating to hazardous materials.~~
  - ~~(4) ***Rescue.*** Assist in the rescue of persons at risk of injury or death, and property at the risk of damage or destruction.~~
  - ~~(5) ***Training.*** The Fire Chief, or one acting for the Fire Chief, shall provide for the proper training of Fire Department personnel.~~
  - ~~(6) ***Other assigned duties.*** Perform such other duties as may be prescribed by law.~~
- ~~(a) ***Authority to destroy property to stop fire.*** The Fire Chief, or one acting for the Fire Chief, shall have power to order the destruction of any building, structure, fence or thing~~

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~~if the Fire Chief shall deem it necessary for the purpose of checking the progress of any fire.~~

- ~~(c) **Appointment.** The Fire Chief shall be appointed by the City Manager based on executive ability, qualifications and experience in the fire service.~~

### ~~Sec. 409. Health.~~

- ~~(a) **Duties.** There will exist a Health Department, under the supervision of a Director of Health, to perform the following duties:~~

~~(1) **Regulation of the public health.**~~

~~(A) **Enforce laws.** Enforce all laws relating to public health, and may make rules and regulations for preserving and promoting the public health, provision of indigent health care; including taking all measures necessary to avoid, suppress or mitigate disease and relieve distress caused by disaster or acts of terrorism.~~

~~(B) **Nuisance abatement.** The Director of Health shall have power to cause any nuisance detrimental to health to be abated or removed. The cost of abatement may be assessed and collected as a special tax and be a lien on the property affected thereby, in the manner provided by ordinance.~~

~~(C) **Entry into property.** The Director of Health may enter all property necessary to enforce all laws relating to public health and for purposes of providing for the avoidance, suppression or mitigation of disease, and abatement of nuisances and other unhealthy conditions.~~

~~(2) **Other assigned duties.** Perform such other duties as may be prescribed by law.~~

- ~~(b) **Appointment.** The Director of Health shall be appointed by the City Manager and have special training and experience in public health work and be a graduate of a recognized school of public health.~~

### ~~Sec. 410. Human Resources.~~

- ~~(a) **Duties.** There will exist a Human Resources department, under the supervision of a Director of Human Resources, to perform the following duties:~~

~~(1) **Human Resources planning.** Develop a Human Resources plan for the City, including the establishment of rules, subject to City Manager approval, on classification of positions, performance standards, eligibility requirements, hiring, compensation, disciplining, training and development, and record-keeping;~~

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- ~~(2) **Classify positions.** Classify all positions in the classified service based upon and graded according to duties and responsibilities and so arranged as to allow the filling of higher grades through promotion;~~
  - ~~(3) **Maintain records.** Keep records of efficiency and seniority of all officers and employees of the classified service;~~
  - ~~(4) **Recruitment and hiring.** Assist in the recruitment and hiring of employees to the classified service, and upon request of the City Manager, the unclassified service;~~
  - ~~(5) **Training.** Provide training and assistance in areas of Human Resources management;~~
  - ~~(6) **Employee discipline.** Insure that employee discipline is administered fairly and appropriately;~~
  - ~~(7) **Investigations.** Make investigations to ascertain whether provisions of the Human Resources system and rules of the department are being executed, to ascertain the general condition and efficiency of the service of the City;~~
  - ~~(8) **Recommendations to improve efficiency.** Recommend standards of efficiency and recommend to the City Manager and Council measures for coordinating the operation of the various departments and for increasing individual, group or departmental efficiency;~~
  - ~~(9) **Other assigned duties.** Perform such other duties as may be prescribed by law.~~
- ~~(b) **Appointment.** The Director of Human Resources shall be appointed by the City Manager based on executive ability, qualifications and experience in human resources management.~~

### Sec. ~~411~~407. Law.

- (a) **Duties.** There will exist a Law Department, under the supervision of the City Attorney, to perform the following duties.
  - (1) **Manage litigation.** Direct the management of all litigation in which the City is a party or is interested;
  - (2) **Representation of the City.** Represent the City in all legal matters and proceedings in which the City is a party or interested;
  - (3) **Prosecution of ordinance violations.** Represent the City in the prosecution of all ordinance violations;

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- (4) ***Counsel to officials.*** Advise the Mayor, Council or any committee or member thereof and the City Manager, heads of all departments, boards, commissions and offices concerning any legal questions affecting the City's interest;
  - (5) ***Contract approval.*** Approve, as to form, all contracts, deeds, bonds and other documents to be signed in the name of, or made to, or with the City, unless excused by ordinance;
  - (6) ***Review initiative petitions.*** When requested by a committee of petitioners providing a copy of a petition to be distributed, review a petition for initiative to provide comments on the lawfulness of the proposed legislation and the petition. An initial review should be completed within thirty days, and any subsequent reviews within fifteen days;
  - (7) ***All other assigned duties.*** Perform such other duties as the Council may by ordinance or resolution require.
- (b) ***Appointment.*** The City Attorney shall be appointed by the City Manager and be an attorney licensed to practice law in the State of Missouri.
  - (c) ***Assistants.*** The City Attorney may act through assistants, and shall, in accordance with the personnel rules and regulations of the City, appoint Assistant City Attorneys as may be authorized by ordinance.
  - (d) ***Removal.*** The City Attorney may be removed by the Mayor and Council upon the recommendation of the City Manager.

### **MOVE TO NEW §1011:**

#### **Sec. ~~412~~ 1011. Parks and Recreation Department.**

- (a) ***Duties.*** There will exist a Parks and Recreation Department. The Parks and Recreation Department shall be under the direct control of a Board of Parks and Recreation Commissioners, who shall employ a Director of Parks and Recreation to perform the following duties, when not otherwise assigned:
  - (1) ***Management of park system.*** Plan, develop, extend, maintain and operate a system of public parks, parkways, boulevards, and facilities for the use of the City and its inhabitants;
  - (2) ***Recreational programs.*** Operate and regulate public playgrounds, swimming pools, athletic fields, community centers and other recreational facilities for games, sports and recreational activities.
  - (3) ***Other assigned duties.*** Perform such other duties as may be prescribed by law.

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- (b) *Appointment.* The Director of Parks and Recreation shall be appointed by the Board of Parks and Recreation Commissioners based on executive ability, qualifications and experience in parks and recreation administration. The Director's salary will be established by the Board within the scope of authorized ranges for other department directors of the City. Salary ranges for all other employees assigned to the Department will be established in the same manner as ranges for all other employees of the City are established.
- (c) *Public works functions.* Unless otherwise provided, the Parks and Recreation Department shall perform the functions of the Director of Public Works for all buildings or facilities, boulevards, parkways and other streets under the jurisdiction of the Parks and Recreation Department.

### ~~Sec. 413. Public Works.~~

- ~~(a) *Duties.* There shall exist a Public Works Department, under the supervision of a Director of Public Works, to perform the following duties, when not otherwise assigned to another department or to the City Manager:~~
- ~~(1) *Public buildings and facilities.* When not under the control of any other department or official, design, construction, repair, maintenance, and providing for the safe and clean operations of all municipal buildings, bridges, viaducts, subways, canals, waterways, levees, tunnels and structures, including alterations, replacements, additions and appurtenances;~~
  - ~~(2) *Streets and public places.* Grading and improvement of all streets, alleys, sidewalk spaces and public ways and keeping them open as well as safe and clean;~~
  - ~~(3) *Pavements, curbs, sidewalks.* Construction, reconstruction, repair and maintenance of all pavements, curbs and sidewalks;~~
  - ~~(4) *Lighting, excavations.* Lighting of public grounds and highways, laying of conduits, the location, erection and construction of poles and all structures in, on or over public grounds and highways, and granting all permits to excavate into or disturb any street or public property;~~
  - ~~(5) *Utilities, franchises.* Exercise such powers of the City relative to privately owned or operated public utilities as may be prescribed by ordinance;~~
  - ~~(6) *Other assigned duties.* Perform such other duties as may be prescribed by law.~~
- ~~(b) *Appointment.* The Director of Public Works shall be appointed by the City Manager based on executive ability, qualifications and experience in engineering, architecture or public works administration.~~

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~~(c) — **Parks and Recreation.** Unless otherwise provided, the Parks and Recreation Department shall perform the functions of the Director of Public Works for all buildings or facilities, boulevards, parkways and other streets under the jurisdiction of the Parks and Recreation Department.~~

### ~~Sec. 414. Water Services.~~

~~(a) — **Duties.** There will exist a Water Services Department, under the supervision of the Director of Water Services, to perform the following duties, when not otherwise assigned to another department or to the City Manager:~~

~~(1) — **Waterworks.** To build, acquire by purchase or otherwise, operate, maintain, improve, enlarge and extend a waterworks system for the City and its inhabitants, or to any other person or legal entity within or without the corporate limits of the City or of the State of Missouri, under such terms and conditions as may be prescribed by ordinance or by federal or state law;~~

~~(2) — **Sewerage.** To build, acquire by purchase or otherwise, operate, maintain, improve, enlarge and extend a sewerage system for the City and its inhabitants, or to any other person or legal entity within or without the corporate limits of the City of the State of Missouri, under such terms and conditions as may be prescribed by ordinance or by federal or state law. The term “sewerage system” shall mean and include any or all of the following: sewerage systems and sewerage treatment plants, with all appurtenances necessary, useful and convenient for the collection, treatment, purification and disposal in a sanitary manner of liquid waste or sewage, and shall include combined storm water and sanitary sewer systems;~~

~~(3) — **Storm water.** To build, acquire by purchase or otherwise, operate, maintain, improve, enlarge and extend a system of storm water collection and protection, which may include storm water sewers, canals, waterways, levees and any other device;~~

~~(4) — **All other assigned duties.** To perform such other duties as may be prescribed by law.~~

~~(b) — **Appointment.** The Director of Water Services shall be appointed by the City Manager based on executive ability, qualifications and experience in engineering or in the operation and management of public utilities.~~

~~(c) — **Revenues to be kept separate.** All revenues derived from the operation of any waterworks, sewerage or storm water system operated by the Water Services Department shall be segregated from all other revenues or funds of the City, and shall be devoted to the payment of the expenses of operating and maintaining such system, to the payment of any and all bonds or other obligations payable from such revenues, to the establishment of a proper depreciation reserve for the benefit of such system, to fulfillment of any~~



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~~covenants or agreements contained in any ordinance which may have authorized outstanding revenue bonds issued for the benefit of such system, and for the payment of the cost of improvements, enlargements and extensions to such system.~~

### ~~Sec. 415. Additional departments.~~

~~The Council may establish additional departments, including enterprise departments, to be under the administrative control of the City Manager.~~

### ~~Sec. 416 Neighborhood matters.~~

~~It is recognized that neighborhood concerns change, reflecting the issues of importance at a particular point in time. It is also recognized that simply because specific items of concern change, there will always be concerns for residents and neighborhoods. The Council shall provide by ordinance for at least one department whose duties include, in whole or in part, the development and maintenance of healthy neighborhoods.~~

**Section ~~417~~ 408 – Sec. 499. Reserved.**