

CHAPTER 2 ADMINISTRATIVE POLICY AND PROCEDURE

1.31. City Manager. The City Manager shall see that all laws, Ordinances, rules, regulations adopted by the City Council, and the provisions of this Code, are properly enforced. He shall attend all meetings of the City Council, regular and special. During the absence or disability of the Manager, the City Council shall designate some qualified person to temporarily perform the duties of the Manager.

1.32. Department Heads. All administrative officers are responsible to the City Manager for the effective administration of their respective departments and offices, and all activities assigned to them. He shall employ or appoint all officers and employees except as otherwise provided by the City Charter or this Code. The City Manager may set aside any action taken by any administrative officer and may supersede him in the functions of his office, but, as to officers appointed by the City Council, such action shall be subject to approval by the City Council.

1.33. Vacancies. In case of 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.

1.34. 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 as he shall direct.
- (3) Each department head 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. No public records, reports, correspondence or other data relative to the business of any department shall be destroyed or removed permanently from the files without the knowledge and approval of the City Council.

1.35. 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.

1.36. Payment of Monies. All monies belonging to the City shall be paid out in accordance with the Charter, by checks drawn by the City Clerk and countersigned by the City Treasurer.

1.37. 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, Ordinances or the provisions of this Code.

1.38. Bonds. Surety bonds, conditioned as required by section 3.10 of the Charter, shall be filed by the following officers of the City in not less than the amounts indicated:

Treasurer	\$ 50,000.00
Manager	\$ 25,000.00
Deputy Treasurer	\$ 25,000.00
Clerk	\$ 10,000.00
Deputy Clerk	\$ 10,000.00

All other officers of the City and employees (except the Mayor and Councilmen), a Blanket Bond of two thousand five hundred (\$2,500.00) dollars.

1.39. Sale of Real Property. Whenever any City-owned real property is no longer needed for corporate or public purposes as determined by the City Manager, whether initiated by request of a private party, or by action of the City Council or Manager, the same may be declared surplus by resolution of the City Council and subsequently offered for sale. Prior to sale of aforesaid surplus real properties the City Council by resolution, may require formal sealed bids or written purchase proposals from prospective bidders. A newspaper advertisement soliciting invitations to bid may be printed in a paper of local distribution approximately ten (10) days prior to the closing of the bid process.

1.40. Sale of Personal Property. Whenever any City personal property is no longer needed for corporate or public purposes, the same may be offered for sale. Personal property not exceeding one thousand (\$1,000.00) dollars in value, may be sold by the City Manager for the best cash price obtainable after receiving quotations or competitive bids. Personal property exceeding a value of one thousand (\$1,000.00) dollars may be sold after advertising and receiving competitive bids subsequent to the prior approval of the sale by the City Council.

1.41. Appraisal Requirement Property Transaction Procedure. All property, not having its sale price previously established by Ordinances, yet offered for sale by the City of Bessemer, shall be appraised by the City Assessor or other competent appraiser. The appraisal statement containing a report on property value and date appraised shall constitute the minimum acceptable bid, unless the City Council, by resolution, establishes an alternative price. This resolution shall state in detail the reasons and basis for the determination of such price, and why it was determined in the best interest of the City. Additionally, in the case of real property, the statement will contain the highest and best use of the property.

1.42. Bid Opening; Bid Deposit. The bid opening shall be scheduled for fourteen (14) days after the appearance of the newspaper advertisement. Bona fide bids must contain a

check for ten (10%) per cent of the appraised value. The highest bidder meeting the bid requirements shall be notified. The amount of the total bid minus the ten (10%) per cent deposit shall be collected from the purchasing bidder and the property shall be transferred to him. The ten (10%) per cent deposit checks will be returned to the unsuccessful bidders. Payment in full must be made within sixty (60) days and before transfer of title. Bid deposit will be forfeited in case of nonpayment of sale price within sixty (60) days.

1.43. City Costs Incurred Are Reimbursable. All direct and incidental costs incurred by the City in transacting a property sale including title search, administrative costs, property acquisition costs, unpaid liens and outstanding taxes, as well as appraisal and surveyor's costs may be collected from the purchasing bidder. These costs shall be collected in addition to the bid price.

1.44. Land Exchanges. In case of land exchanges, both subject properties will be appraised.

ARTICLE 2 - LOCAL ELECTED OFFICERS COMPENSATION COMMISSION

1.47. Members, Terms, Appointments. A Local Officers Compensation Commission is created which shall determine the salaries of all local elected officials. The Commission shall consist of five (5) members who are registered electors of the City, appointed by the Mayor, subject to confirmation by a majority of the members elected and serving in as the City Council. The terms of office shall be five (5) years except that, of the members first appointed, one (1) each shall be appointed for terms of 1, 2, 3, 4, and five (5) years. All first members shall be appointed on July 1 of the year of appointment. Vacancies shall be filled for the remainder of the unexpired term. No member or employee of the legislative, judicial, or executive branch of any level of government or members of the immediate family of such members or employees shall be eligible to be a member of the Commission.

1.48. Powers and Duties. The Commission shall determine the salaries of such local elected officials which

determination shall be the salaries unless the City Council, by resolution adopted by not less than two-thirds (2/3) of the members elected to and serving on the City Council reject them. The determinations of the Commission shall be effective thirty (30) days after their filing with the City Clerk unless rejected by the City Council. In case of rejection, the existing salaries shall prevail. Any expense allowance or reimbursement paid to elected officials in addition to salary shall be for expense incurred in the course of City business and accounted for the City.

1.49. Meetings and Time of Determination. The Commission shall meet for not more than fifteen (15) session days in 1974 and every odd numbered year thereafter and shall make its determination within forty-five (45) calendar days of its first meeting. A majority of the members of the Commission constitute a quorum for conducting the business of the Commission. The Commission shall take no action to make determinations without a concurrence of members appointed and serving on the Commission. The Commission shall elect a chairman from among its members. "Session days" means any calendar day on which the Commission meets and a quorum is present. The members of the Commission shall receive no compensation but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

1.50. Implementation by Resolution, Change of Procedure, Time and Method. The City Council shall implement this provision by resolution. After one (1) year following the date the Ordinance goes into effect the procedure for establishing the compensation of elected officials may be changed by Charter amendment or revision.

1.51. Referendum or Other Petitions; Signatures of Electors; Conduct of Election; Effectiveness of Determination. Within sixty (60) days after the effective date of the Ordinance, a petition for a referendum on the Ordinance may be filed in accordance with the procedure provided in the Charter or otherwise by filing a petition with the City Clerk containing the signatures of at least five (5%) per cent of the registered electors of such City on the effective date of the Ordinance in which case the election shall be conducted in the same manner as an election on a Charter amendment. If a petition for

referendum is filed, any determination of the Commission shall not be effective until the Ordinance has been approved by the electors.

1.52. Effective Date. This Article is adopted pursuant to Act 8 of P.A. of 1972 (being Section 5.2084 (3) of Michigan Statutes Annotated) and shall become effective immediately upon publication.
