

ORIGINAL



ORDINANCE 2019 - 02

AN ORDINANCE OF THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY, AMENDING VARIOUS SECTIONS OF THE CITY CODE OF ORDINANCES, IN ORDER TO MODIFY THE BONDING REQUIREMENTS FOR CITY OFFICIALS AND EMPLOYEES, AND TO MAKE OTHER TECHNICAL CORRECTIONS.

BE IT ORDAINED BY THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

SECTION 1: Section 31.36 of the City Code of Ordinances is hereby amended as follows:

§ 31.36 CITY CLERK, CITY CLERK/TREASURER AND ASSISTANT CITY CLERK.

(A) The city hereby establishes the offices of the City Clerk and the Assistant City Clerk.

(B) The City Clerk and the Assistant City Clerk shall be appointed by the Mayor with the approval of City Council, and may be removed by the Mayor at will unless otherwise provided by statute, tenure, contract, or ordinance.

(C) The City Clerk and the Assistant City Clerk shall be required to execute the oath of office as set forth in Section 228 of the Constitution of the Commonwealth of Kentucky prior to the assumption of the duties of that office.

(D) The City Clerk shall:

- (1) Serve as the Clerk of Council and the city.
- (2) Attend all regular and special meetings of the Council.
- (3) Record all proceedings and prepare minutes of all regular and special meetings of the Council.
- (4) Publish ordinances after adoption.
- (5) Organize and care for the records of the city.
- (6) Handle correspondence for the city.
- (7) Possess all necessary powers and authority to carry out the functions of this office as conferred upon the City Clerk by law.

(8) No later than January 31 of each year, mail to the Department for Local Government a list containing current city information including but not limited to the following:

(a) The correct name of the Mayor, legislative body members, and the following appointed officials who are serving as of January 1 of each year:

- 1. City Clerk;
- 2. City Treasurer;
- 3. City Manager;
- 4. City Attorney;
- 5. Finance Director;
- 6. Police Chief;
- 7. Fire Chief; and
- 8. Public Works Director;

(b) The correct name of the city, mailing address for city hall, and telephone number of the city hall; and

(c) The name and telephone number of either an elected or appointed official to serve as a contact person that may be reached during normal business hours of 8:00 a.m. to ~~4:00~~ **[4:30]** p.m.

(9) In the event that an elected official of the City of Alexandria is incapable of serving in his or her seat as elected (such as inability to attend meetings and perform other required duties) due to an accident, health, legal or otherwise, the City Clerk shall notify immediately, upon knowledge of said fact, all other elected city officials. In no case shall the specifics of an elected official's medical condition be disclosed, unless authorized in writing by that city official.

(10) Perform all other duties and functions assigned to the office of City Clerk by the City Council.

(11) The City Clerk shall provide immediate supervision and direction of the Accounting Clerk pursuant to § 31.50(C), unless the Mayor shall delegate such immediate supervision and direction of the Accounting Clerk to another.

(E) The Assistant City Clerk shall perform all other duties and functions assigned to the office of Assistant City Clerk by the Clerk, the Mayor and the City Council. Pursuant to § 31.37(G), the duties of the Treasurer may be delegated to the City Clerk by executive order of the Mayor, in which case the officer shall be referred to as the "City Clerk/Treasurer."

(F) Bond for the City Clerk and Assistant City Clerk shall be required in the amount **AS SET FORTH IN KRS 65.067** ~~[of ten thousand dollars (\$10,000.00)]~~.

(G) Compensation for the City Clerk and the Assistant City Clerk shall be as established or set by separate ordinance or by the city's fiscal year budget.

(H) Pursuant to KRS 241.160, the duties of the City Alcoholic Beverage Control Administrator (the "City ABC Administrator") are assigned to the office of City Clerk.

(1) The City ABC Administrator shall take an oath prescribed in Section 228 of the Constitution and shall execute a bond with a good corporate surety in the penal sum of not less than **AS REQUIRED BY KRS 65.067** ~~[one thousand dollars (\$1,000.00)]~~ before entering upon his/her duties. The cost of this bond shall be borne by the city.

(2) The function of the City ABC Administrator shall be the same with respect to city licenses and regulations as the functions of the State Alcoholic Beverage Control Board, created by KRS 241.030, with respect to state licenses and regulations, except that no regulation adopted by a City ABC Administrator may be less stringent than the statutes relating to alcoholic beverage control of than the regulations of the State Alcoholic Beverage Control Board.

(3) The City ABC Administrator is authorized to examine and inspect, at any reasonable time, all books and records required to be maintained by licenses under KRS 244.150. The licensee shall submit to the City ABC Administrator a copy of all reports which the licensee is required or elects to submit to or file with the State Alcoholic Beverage Control Board.

(4) The City ABC Administrator shall have the power and duty to suspend or revoke for cause, a license granted pursuant to the procedures set forth in KRS 243.480 through 243.590. The City ABC Administrator, on his/her own initiative or on complaint of any person, may institute proceedings to suspend or revoke any license issued.

SECTION 2: Section 31.37 of the City Code of Ordinances is hereby amended as follows:
§ 31.37 CITY TREASURER.

- (A) The city hereby establishes the office of City Treasurer.
- (B) The City Treasurer shall be appointed by the Mayor with the approval of City Council, and may be removed by the mayor at will unless otherwise provided by statute, tenure, contract, or ordinance.
- (C) The City Treasurer shall be required to execute the oath of office as set forth in Section 228 of the Constitution of the Commonwealth of Kentucky prior to the assumption of the duties of that office.
- (D) The City Treasurer shall:
- (1) Implement and maintain the financial affairs of the city relating to the receipt, deposit, custody and disbursements of city funds.
 - (2) **UPON THE REQUEST OF THE MAYOR**, attend all regular meetings of the Council.
 - (3) Make a monthly report to the Mayor who shall then inform Council as to the financial position of the accounts of the city.
 - (4) Pay all bills and expenses of the city.
 - (5) Prepare all property tax bills and garbage bills, and collect all property tax bills and garbage bills.
 - (6) Possess all the necessary powers and authority to carry out the functions of this office as conferred upon the Treasurer by law.
 - (7) Perform all other duties and functions assigned to the office of Treasurer by the City Council.
- (E) Bond for the Treasurer shall be required in the amount **AS SET FORTH IN KRS 65.067 [of ten thousand dollars (\$10,000.00)]**.
- (F) Compensation for the Treasurer shall be as established or set by separate ordinance or by the city's fiscal year budget.
- (G) The duties of the Treasurer may be delegated to the City Clerk, or other, by executive order of the Mayor.

SECTION 3: Section 35.17 of the City Code of Ordinances is hereby amended as follows:
§ 35.17 POLICE CHIEF; POLICE OFFICERS.

(A) The following positions within the Police Department are hereby established: Police Chief, Assistant Police Chief, Lieutenant, Sergeant, Detective, police officer, non-sworn police investigative assistant, Police Social Services Coordinator, and administrative support staff. There shall be only one Police Chief and only one Assistant Police Chief. The number of persons to fill the remaining positions shall be determined by the Mayor, upon recommendation of the Police Chief. All promotions in rank shall be made by the Mayor. Each position within the Police Department shall be subject to review each year. Each appointee to a position within the Police Department shall be subject to dismissal either with cause or without cause by the Mayor, subject to the rules and regulations of the Police Department and subject to all laws of the Commonwealth of Kentucky.

(B) The Police Chief shall be the head of the Police Department and shall have supervision, under direction of the Mayor, over all officers, employees and members of the Department. He or she shall keep such records and make such reports concerning the activities of the Department as may be required by the Mayor who shall then report to Council. He or she shall be responsible for the performance of the Department of its functions, and shall direct and coordinate the activities of the Department. He or she shall attend the regular meetings of the Council and all other meetings as requested by the Mayor and Council. He or she shall prescribe the duties and schedules of other

members of the Department, and shall be responsible for the performance of those duties. The Chief of Police shall fulfill his or her duties in accordance with the personnel rules of the city and as directed by the Mayor. The Chief of Police shall possess all necessary powers and authority to carry out the functions of this office as conferred by law and as assigned to the office of Police Chief by the Mayor and Council.

(C) It shall be the duty and responsibility of all members of the Police Department to enforce the ordinances of the city and the laws and statutes of the Commonwealth of Kentucky, to perform all duties associated with their position as directed by the Chief or the Mayor, and to follow the rules and regulations of the Department.

(D) ~~[Each police officer shall be bonded as required by the Council.]~~ **The Police Chief shall be bonded IN THE AMOUNT AS SET FORTH IN KRS 65.067 [for two thousand dollars (\$2,000.00) and each officer shall be bonded for one thousand dollars (\$1,000.00)].** No police officer shall have the authority to perform his or her duties and responsibilities until he or she is given the oath of office required under Section 228 of the Kentucky Constitution.

SECTION 4: All ordinances or parts of any ordinances in conflict herewith are, to the extent of such, conflict hereby repealed.

SECTION 5: If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION 6: This ordinance shall be effective upon its adoption and approval according to law, and publication thereafter.

SECTION 7: This ordinance may be read and published in summary form.

SECTION 8: The foregoing Ordinance was introduced by Council Member Tom Baldrige, was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in regular sessions on the 18th day of April, 2019, and on the 16th day of May, 2019, with 5 yes votes, 0 no votes, and 0 abstentions, and was thereafter approved by the Mayor and ordered published in summary according to law.

APPROVED:


MAYOR ANDY SCHABELL

ATTEST:


CITY CLERK JAN JOHANNEMANN

Published: _____