

83A.150 City manager plan -- Powers and duties of mayor, board of commissioners, and city manager -- Conduct of board meetings.

- (1) The form of government provided in this section shall be known as the city manager plan and this section shall together with KRS 83A.010 to 83A.120 govern any city declared to be under the city manager plan by KRS 83A.020 or which has adopted the city manager plan pursuant to KRS 83A.160.
- (2) Each city under this section shall be governed by an elected officer who shall be called mayor and by elected legislative body members who shall be called city commissioners and which together shall be known as the board of commissioners and by such other officers and employees as may be provided for by statute or city ordinance.
- (3) All legislative and executive authority of the city shall be vested in and exercised by the board. The mayor shall preside at all meetings of the board and may vote in all proceedings. The mayor shall be recognized as the head of the city government by the Governor for purposes of military law, but shall have no regular administrative duties. The board shall designate one (1) city commissioner to serve as mayor pro tem. The mayor pro tem shall act for the mayor whenever the mayor is unable to attend to the duties of his office and he shall then possess all rights, powers and duties of mayor. If the disability of the mayor to attend his duties continues for sixty (60) consecutive days, the office of mayor may be declared vacant by a majority vote of the board membership and the provisions of KRS 83A.040 shall apply.
- (4) In addition to the requirements of KRS 61.805 to 61.850, the board shall conduct meetings as follows:
 - (a) Regular meetings of the board shall be held at least once each month at such times and places as are fixed by ordinance;
 - (b) Special meetings of the board may be called by the mayor or upon written request of a majority of the city commissioners. In the call, the mayor or commissioners shall designate the purpose, time and place of the special meeting with sufficient notice for the attendance of board members and for compliance with KRS Chapter 61. At a special meeting no business shall be considered other than that set forth in the designation of purpose;
 - (c) The minutes of every meeting shall be signed by the person responsible for maintaining city records provided under KRS 83A.060 and the officer presiding at the meeting; and
 - (d) Notwithstanding KRS 61.810, the board may meet in a closed session no more than two (2) times per calendar year for the purposes of conducting a performance evaluation of the city manager. The board shall follow KRS 61.815 in conducting the closed session. Any public records related to that performance evaluation shall be subject to the provisions of KRS 61.870 to 61.884.
- (5) The board shall by ordinance establish all appointive offices and the duties and responsibilities of those offices and codes, rules, and regulations for the public health, safety, and welfare. The board shall by ordinance provide for sufficient

revenue to operate city government and shall appropriate the funds of a city budget which shall provide for the orderly management of city resources.

- (6) The board may require any city officer or employee to prepare and submit to it sworn statements regarding his performance of his official duties and may otherwise inquire into the conduct of duties of any department, office, or agency of the city.
- (7) The board shall in accordance with KRS 83A.080 create the office of city manager and set qualifications for the office, which shall include, but not be limited to professional training or administrative qualifications with special reference to actual experience in or knowledge of accepted practice regarding duties of the office and list duties and responsibilities of the office which shall include, but not be limited to:
 - (a) Being responsible to the board for the proper administration of all duties imposed upon him by ordinance;
 - (b) Recommending to the board, subject to any statute, ordinance, or contract which relates to the appointment, tenure, or removal of any employee, the appointment, and when necessary for the good of the service, the removal of subordinate employees and officers of the city. No officer or employee of the city shall be appointed or removed except through action by the board, except that the city manager may fill vacancies in the classified service pending the appointment by the board and may employ personnel for temporary positions subject to such conditions as may be imposed by the board;
 - (c) Preparing the budget and submitting it to the board and being responsible for its administration after adoption;
 - (d) Preparing and submitting to the board as of the end of each fiscal year a complete report on the finances and administrative activities of the city for the preceding year;
 - (e) Keeping the board advised of the financial condition and future needs of the city and making recommendations as he deems desirable;
 - (f) Maintaining liaison with related units of local government respecting interlocal contracting and joint activities;
 - (g) Supervising all departments of city government and the conduct of all city officers and employees under his jurisdiction and requiring each department to make reports to him required by ordinance or as he deems desirable; and
 - (h) Performing other duties required of city executive authorities by statute or required of him by the board not inconsistent with this section.
- (8) The board shall appoint a city manager by a majority vote of all its members. The city manager shall be appointed for an indefinite term and may be removed only by a majority vote of all board members. At least thirty (30) days before such removal shall become effective, the board shall by a majority vote of all its members adopt a preliminary resolution stating the reasons for his removal. The city manager may reply in writing and may request a public hearing which shall be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of the request. After the public hearing, if requested, and after full consideration, the board by

majority vote of all its members may adopt a final resolution of removal. By the preliminary resolution, the board may suspend the city manager from duty, but shall in any event cause to be paid to him any unpaid balance of his compensation and compensation for the next calendar month following adoption of the preliminary resolution.

- (9) The city manager shall be the chief administrative officer and exercise those executive powers and duties delegated to him by ordinance and statute. He shall enforce the city manager plan, city ordinances and all applicable statutes. Subject to approval of the board, the city manager shall promulgate procedures to insure orderly administration of the functions of city government and compliance with statute or ordinance. Any delegation of the city manager's duties or responsibilities to subordinate officers and employees shall be made by municipal order except that all bonds, notes, contracts, and written obligations of the city according to ordinance or resolution shall be made and executed by the mayor on behalf of the city.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 37, sec. 3, effective July 14, 2022. -- Amended 1982 Ky. Acts ch. 434, sec. 6, effective July 15, 1982. -- Created 1980 Ky. Acts ch. 235, sec. 15, effective July 15, 1980.