

## Chapter 1-6

### CITY OFFICERS

#### Sections:

|               |                                   |
|---------------|-----------------------------------|
| <b>1-6-1</b>  | <b>Officers Elected</b>           |
| <b>1-6-2</b>  | <b>Tenure of Office</b>           |
| <b>1-6-3</b>  | <b>Appointment by Council</b>     |
| <b>1-6-4</b>  | <b>Appointments by Mayor</b>      |
| <b>1-6-5</b>  | <b>Qualification</b>              |
| <b>1-6-6</b>  | <b>Bonds</b>                      |
| <b>1-6-7</b>  | <b>Bond of Clerk</b>              |
| <b>1-6-8</b>  | <b>Bonds of Other Officers</b>    |
| <b>1-6-9</b>  | <b>Filing and Recording Bonds</b> |
| <b>1-6-10</b> | <b>Refusal to Furnish Bond</b>    |
| <b>1-6-11</b> | <b>Vacancy in Office</b>          |
| <b>1-6-12</b> | <b>Eligibility</b>                |

#### **Section 1-6-1 Officers Elected**

There shall be elected, commencing with the regular municipal election in 1969, a Mayor and five (5) Councilmembers at large.

#### **Section 1-6-2 Tenure of Office**

The term of office for Mayor and Councilmembers, commencing with the regular municipal election in 1969, will be for a term of four (4) years.

As of the date of the 1985 election, the terms of Mayor and three Councilmembers expire in 1987. As a special exception to the four (4) year term provided above, of the three (3) Councilmembers elected in 1985, the candidate receiving the lowest vote total shall serve a two (2) year only term. Beginning with the regular election of 1987 and every four (4) years thereafter, three (3) Councilmembers shall be elected for the regular four (4) year term. Beginning with the regular election of 1989 and every four (4) years thereafter, the Mayor and two (2) Councilmembers shall be elected for the regular four (4) year term.

All officers elected at any regular municipal election shall qualify and take office on or before noon of the first (1st) working day of January following their election. All officers shall hold office as above provided and until their successors are elected and qualified.

#### **Section 1-6-3 Appointment by Council**

At the first meeting of the new Council, after the regular municipal election, the Council shall appoint a City Clerk, and a City Attorney, who shall serve thereafter at the pleasure of the Council.

#### **Section 1-6-4 Appointments by Mayor**

At the first meeting of the new Council after the regular municipal election, the Mayor shall appoint the Mayor Pro Tempore and such other employees as may now or hereafter be determined by the Council, and for such time and under such terms as is by law provided.

#### **Section 1-6-5 Qualification**

All elected officers shall qualify as required by the laws of the State by taking and subscribing to an oath to support the Constitution of the United States and of the State of Iowa and the provisions of this Code.

#### **Section 1-6-6 Bonds**

All municipal officers required by the law to give bond shall, before entering upon the duties of their respective offices, be provided with a blanket bond purchased by the City, said bond to be approved by the Council, conditioned for the faithful performance of the officers' duties as such officers except as hereinafter provided. The Council shall have the power to purchase a position surety bond running to the municipal corporation and covering all municipal officers and members except as hereinafter provided for the purpose of indemnifying the municipal corporation against any loss occasioned through embezzlement of municipal funds by any municipal officer or employee.

#### **Section 1-6-7 Bond of Clerk**

The bond of the City Administrator, Finance Director and City Clerk shall be in an amount as determined by the Council and shall be not less than two hundred fifty thousand dollars (\$250,000.00). This bond shall be a separate bond from the position surety referred to in Section 1-6-6.

#### **Section 1-6-8 Bonds of Other Officers**

Bonds of other officers where not fixed by the provisions of this Code shall be in such amount as the Council shall fix by Resolution providing that any officer whose election or appointment is provided for by law shall have the amount of his/her bond fixed by Ordinance.

#### **Section 1-6-9 Filing and Recording Bonds**

All bonds when duly executed shall be filed with the Clerk.

#### **Section 1-6-10 Refusal to Furnish Bond**

On the failure, refusal or neglect of any officer mentioned to subscribe to his/her oath of office and file his/her bond, if bonds be required of him/her, at or before the first regular meeting of the Council which comes at least ten (10) days after the said person shall have been notified of his/her election to office, the Council may declare said office vacant and proceed as in other cases of vacancy.

### **Section 1-6-11 Vacancy in Office**

In case of a vacancy in any elective office caused by resignation, death or otherwise, the Council may appoint any qualified elector to fill such vacancy, or the Council may cause a special election to be held to fill the vacancy. If the Council desires to fill the vacancy by appointment, it shall follow the procedures of Section 372.13(2)(a) of the 1993 Code of Iowa and as the same may hereafter be amended and any proposal to appoint to fill a vacancy is subject to the right of the electorate to petition to have the vacancy filled by special election as provided in the State Code. If the appointment procedure is followed, the Council shall vote by ballots which shall be open to public inspection, and the person receiving the majority of the votes of the whole Council shall be declared elected to fill such vacancy. Any officer appointed in this fashion shall serve only until the next regular election. If the office filled by appointment would not normally have been subjected to election at the next regular election, the election for that office shall be considered a special election for a two (2) year term only so as to maintain the staggered terms provided for by 1-6-2, and this elective position on the ballot shall be considered a separate, distinct and additional elective position as compared to the regular four (4) year term elective offices subject to election as previously provided in Section 1-6-2.

A vacancy in any appointive office shall be filled in the same manner as the original appointment was made.

### **Section 1-6-12 Eligibility**

No person who shall have resigned or vacated any municipal office shall be eligible for the same office during the time for which he/she was elected or appointed, when, during the same time, the emoluments of such office have been increased.