

**AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON APRIL 4, 2023, A PROPOSED AMENDMENT TO SUBSECTION (b) OF SECTION 5.4 OF THE CHARTER OF THE CITY OF WILDWOOD, MISSOURI, AS IT RELATES TO THE APPOINTMENT AND REMOVAL OF CITY EMPLOYEES AND ADMINISTRATIVE OFFICERS**

**WHEREAS**, pursuant to Article VI, Section 20 of the Missouri Constitution, amendments to the City’s Charter may be proposed by the City Council;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:**

**Section One.** That the following proposition shall be placed on the ballot and submitted to the qualified voters of the City at the General Municipal Election to be held on the 4th day of April 2023:

**PROPOSITION 1**

Shall subsection (b) of Section 5.4 of the City Charter of the City of Wildwood be amended to authorize the City Administrator to appoint and remove City directors of departments, in consultation with the City Council, on and after January 1, 2024, all as set forth in Section Two of Ordinance #2767?

Yes

No

If you are in favor of the question, mark the box opposite “Yes”. If you are opposed to the question, mark the box opposite “No”.

**Section Two.** The amendment to Subsection (b) of Section 5.4 of the City Charter proposed in Section One of this Ordinance shall read as follows:

Section 5.4 Powers and Duties.

The City Administrator shall be the chief administrative officer of the City. He or she shall be responsible to the Council for the administration of all City affairs placed in his or her charge. The City Administrator shall have the following powers and duties:

[...]

(b) Appointment And Removal Of City Employees And Administrative Officers. The City Administrator shall appoint and, when he or she deems it necessary for the good of the City, suspend or remove all administrative officers/employees who are subject to the direction and supervision of the City Administrator. The City Administrator may, only with approval of a majority of the members of the City Council, appoint or remove directors of departments;

provided, however, notwithstanding the foregoing, on and after January 1, 2024, the City Administrator may, in consultation with the City Council, appoint or remove directors of departments. The City Administrator may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency. All appointments and promotions of City administrative officers and employees shall be on the basis of merit and fitness demonstrated by examination or other evidence of competence.

**Section Three.** The City Clerk is hereby authorized and directed to submit a certified copy of this Ordinance to the Board of Election Commissioners of St. Louis County, Missouri, and shall notify the Board of Election Commissioners of St. Louis County, Missouri, that the City is calling for an election within the City at the municipal general election to be held on the 4th day of April, 2023, specifying the purpose of the election, the date of the election, the legal notice to be published, and the sample ballot language as set forth in this Ordinance, and to take such other action as may be required so this election may be lawfully conducted.

**Section Four.** That said election shall be held and conducted by the Board of Election Commission of St. Louis County, Missouri, and the results thereof canvassed and returned in all respects in accordance with the laws of the State of Missouri and the Charter and Ordinances of the City of Wildwood, Missouri.

**Section Five.** Nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof, unless expressly set forth herein.

**Section Six.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid, is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

**Section Seven.** This Ordinance shall be in full force and effect from and after its final passage and approval.

This Bill was passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2023, by the Council of the City of Wildwood, Missouri, after having been read by title, or in full, two (2) times prior to its passage.

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Presiding Officer

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James R. Bowlin, Mayor

**ATTEST:**

**ATTEST:**

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City Clerk

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City Clerk