

# CHAPTER 2

## ADMINISTRATION\*\*

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### ARTICLE I. IN GENERAL

#### Section 2-1. Surety on Performance Bond of City Officers --- Petition for Release.

- (a) In the event any surety of any City officer believes himself/herself to be in danger of suffering by being such surety, he/she may petition the City Council for release as such surety.
- (b) Upon five (5) days' notice to the officer, the City Council shall hear the petition and may order that the officer give a new bond with sufficient sureties within such reasonable time as the City Council may direct, in a penalty not less than the first bond and conditioned according to law.

*Source: Code 1969, §2-1*

**State Law Reference** --- Bond of municipal officers, Miss. Code 1972, §21-15-3; bond conditioned for faithful discharge of duties, §21-5-9

#### Section 2-2. Same--Refusal of Officer to Execute New Bond.

If a City officer shall fail or refuse to comply with the order of the City Council to give a new bond, his office shall thereupon become vacant and the vacancy shall be filled as in other cases of vacancies in municipal offices.

*Source: Code 1969, §2-3*

**State Law Reference** --- Filling vacancy in appointive office, Miss. Code 1972, §21-5-9

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**\*EDITOR'S NOTE** --- It should be noted that the City, by Ordinance No. 1037-1985, adopted February 26, 1985, has changed from the "Commission" to the "Mayor-Council" form of government. Section 1 of said Ordinance provided:

"Section 1. That pursuant to order dated January 7, 1985 of the United States District Court for the Southern District of Mississippi, in a suit styled Marzell Clayton, et al, in the United States of America versus the City of Laurel, civil action no. H82-0202(R) in said Court, and approval having been obtained from the United States Department of Justice by letter dated February 8, 1985, the City of Laurel will operate under and be governed by the mayor-council form of government as authorized by Sections 21-8-1 through 21-8-47 and other applicable sections of the Mississippi Code of 1972, as amended."

**Cross References** --- Airport Board, §6-16 et seq.; elections, Ch. 8; emergency management, Ch. 8.1; tree ordinance, Ch. 26.1; historic preservation, Ch. 10.1; municipal court, Ch. 15; parks and recreation, Ch. 18; personnel, Ch. 19; planning and development, Ch. 20; police, Ch. 22; solid waste, Ch. 24; taxation, Ch. 26; water, Ch. 28; airport manager, §6-31; city electrician, §7-107 et seq.; board of electrical examiners, §7-126 et seq.; plumbing inspector, §21-3; plumbers examining board, §21-17, et seq.

**State Law Reference** --- Municipalities generally, Miss. Code 1972, Title 21.

**Section 2-3. Same--Discharge upon Execution of New Bond.**

Upon execution by a City officer of a new bond and approval by the City Council, the petitioner for release shall be fully discharged from further liability on the bond.

*Source: Code 1969, 12-2*

**State Law Reference** --- Similar provisions as to bonds of County and State officers, Miss. Code 1972, §25-1-27 et seq.

**Sections 2-4---2-10. Reserved.**

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## ARTICLE II. MAYOR-COUNCIL\*

### DIVISION 1. GENERALLY

#### **Section 2-11. Election of Mayor; Powers, Duties, Responsibilities.**

The Mayor shall be elected from the municipality at large in accordance with the general laws for the holding of municipal elections. The Mayor shall have all the powers, duties, responsibilities and privileges authorized by law.

*Source: Ordinance No. 1037-1985, § 2, 2-26-85*

#### **Section 2-12. Composition of Council; Powers, Duties, Responsibilities.**

The Council shall consist of seven (7) members with the municipality divided into seven (7) wards with one (1) Councilperson elected from each ward. The Council and Council members shall have all the powers, duties, responsibilities and privileges as authorized by law.

*Source: Ordinance No. 1037-1985, § 3, 2-26-85*

#### **Section 2-13. Election of Mayor and Council; Terms.**

The Mayor and Councilperson shall be elected by the votes of the municipality at the regular municipal election as provided for by State law. The terms of the Mayor and Councilperson shall be as provided for by State law.

*Source: Ordinance No. 1037-1985, § 6, 2-26-85*

**Cross References** --- Elections, Ch. 8; ward boundaries, § 8-16 et seq.

#### **Sections 2-14---2-17. Reserved.**

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\* **EDITOR'S NOTE** --- Former Art. II, §§2-21---2-24 and 2-36---2-39, pertaining to the Mayor, Mayor Pro Temp and Commission form of government, derived from Code 1969, §§ 2-4, 2-15, 2-17, 2-18, 2-29---2-32, 17-31; Ordinance No. 614-1972, §I, enacted April 27, 1972; and Ordinance No. 670-1973, §I, enacted July 31, 1985, was treated as being superseded by the provisions of Ordinance No. 1037-1985, §§ 2, 3, 6, adopted February 26, 1985, and Ordinance No. 1049-1985, Art. I, §§ 1---13, adopted July 9, 1985, which provisions were codified to read as herein set out at §§ 2-11---2-13 and 2-18---2-30, respectively. In addition, §7 of said Ordinance No. 1037-1985 provides:

“Section 7. This ordinance shall take effect within thirty (30) days after its passage, but the present mayor and commissioners will continue to serve out their regular terms through June 30, 1985.”

## DIVISION 2. COUNCIL PROCEDURES

### **Section 2-18. Placement of Matters to be Considered on Agenda.**

No matter may be considered by the Council for Council action at regular or recessed regular meeting unless it has been placed on the official agenda as prescribed herein.

*Source: Ordinance No. 1049-1985, Art. I, § 1, 7-9-85*

### **Section 2-19. Adoption of Rules of Order.**

The proceedings of the Council shall be governed by *Robert's Rules of Order*, latest edition.

*Source: Ordinance No. 1049-1985, Art. I, § 2, 7-9-85*

### **Section 2-20. Arrangement.**

The agenda as presented by the President of the Council shall be arranged as follows:

- (1) *The agenda order.* The confirmation of the agenda order is the first matter on the agenda and shall constitute the only period during which the agenda order may be adjusted. Any member of Council may move to adjust the agenda order. To change the order, this motion must receive a unanimous vote of the Council present and voting. The Mayor or Council President may request the Council to add an item to the agenda that is essential for the administration of City government provided that the need for action on the matter arises after the 12:00 noon Friday deadline or that conditions beyond their control made it impossible to meet the deadline requirements.
- (2) *Presentation agenda.* The presentation agenda shall be considered second and shall consist of all routine and non-routine presentations and reports, proclamations, certificates, awards and other like items to be presented to or by the Council or the Mayor but not requiring Council action. Whenever possible, all presentation agenda items will be scheduled for the Council's regular monthly meeting.
- (3) *Public agenda.*
  - a. Citizens hearing. Any citizen of the City of Laurel may be placed on the agenda for the purpose of bringing a matter before the Council, provided that the citizen submit a written and signed request to the Council Clerk or Council President, including name, physical city address and phone number, and describe the nature of his or her request. Presentation of citizens' requests shall be limited to fifteen (15) minutes each. The Council President shall have the discretion of determining of such request shall be considered at the City Council meeting. The President's decision on consideration of the request, whether negative or affirmative, may be overridden by a majority vote of the Council. On certain occasions it may be necessary to allow comments from individuals who are not residents of the City of Laurel. The President shall have the discretion of allowing or

disallowing these comments and the President's decision may be overridden by a majority of the Council. The citizen shall be informed no later than 5:00 p.m. on the Friday preceding the Council meeting, if the request has been approved or denied and the for denial. Any action desired as a result of such citizen hearing must subsequently be introduced by a Council member or the Mayor as otherwise provided herein. Whenever possible, all public agenda items will be scheduled for the Council's regular monthly meeting.

- b. Citizens forum. Thirty (30) minutes shall be allotted at each Council meeting for input from citizens of the City of Laurel. Comments from citizens shall be limited to five (5) minutes individually. Each citizen must identify himself or herself by name and place of residence. On certain occasions it may be necessary to allow comments from individuals who are not residents of the City of Laurel. The President shall have the discretion of allowing or disallowing these comments and the President's decision may be overridden by a majority of the Council. The Council shall not take official actions on any new item presented during the citizen input portion of the agenda but may recommend that a matter discussed during the session be placed on a future agenda for future official deliberation and action.
- c. Demeanor. During both the Citizens Hearing and Citizens Forum, there shall be no verbal exchange between Council and citizens. All remarks shall be addressed to the Council as a body and not to any member thereof, or any other individual. No person shall make personal, impertinent, profane, or slanderous remarks; make threats of physical violence; engage in violent or disruptive behavior; speak on issues other than those pertaining to City business or concerns; refuse to obey the order of the Council's president officer; nor otherwise disturb the order and decorum of any Council meeting. The Council President may summon the proper authorities to have removed any person violating the provisions of this section.

*Source: Ordinance No. 1364-2000, Ch. 2, Div. 2, §2-20(3), 3-7-00*

- (4) *The policy issues agenda*. The agenda of policy issues shall be considered fourth and shall consist of all Ordinances, Resolutions and other matters of business determined by the Council President or the Mayor upon submission to constitute a major policy item. The initial order of policy issues within this part of the agenda shall be set by the President of the Council.
- (5) *The routine agenda*. The agenda of routine items shall be considered fifth and shall consist of all routine and administrative matters for which the policy already exists, and all other matters determined by the Council President or the Mayor upon submission to be non-policy related matters. All matters to be considered on the routine agenda shall nevertheless be listed separately on the routine agenda by title. Any Council member may move to have any item on the routine agenda considered by separate and independently debated action as prescribed in subsection (1) of this Section. Passage of

the motion for such separate action shall require a majority vote of the Council present and voting. All matters on the routine agenda shall be adopted in one action of the Council except those removed for separate action. Any Council member may register a dissenting or abstaining vote on one (1) or more of the items on the approved routine agenda by announcing to the Clerk of the Council at the time the vote is taken on the routine agenda that he or she wishes his or her vote to be recorded on a specific item or items on the routine agenda.

- (6) *The study agenda.* The study agenda shall consist of all motions and study of drafts of legislation submitted to the President of the Council or for any information requested from the Administration to formulate proposed legislation. The study agenda will be presented at the first available council meeting be it an agenda meeting, a regularly scheduled council meeting or an emergency meeting. Information motions will show: (1) the information requested (2) it's degree of availability (3) any legal confidentiality requirements (4) the purpose of the information (5) how the information will be used and (6) the councilman requesting such information.

*Source: Ordinance No. 1049-1985, Art. I, § 3, 7-9-85; Ordinance No. 1274-1996, April 2, 1996; Ordinance No. 1280-1996, 7-2-96; Ordinance No. 1327-1998, §3, Paragraph 6, 10-6-98*

### **Section 2-21. Responsibility and Authority of Council President and Mayor; Finalizing of Agenda.**

The Council President shall be responsible for determining the initial order of each part of the agenda (each sub-agenda) for each meeting. All matters to be placed on the agenda by any member of the City Council shall be authorized by the President of the Council as provided herein. The Council President shall be required to place all matters presented by a Council member as prescribed herein on the agenda at the earliest possible opportunity for Council action; but not later than two (2) regular scheduled meetings of the Council or one (1) regular scheduled meeting and one (1) recessed meeting of the Council, whichever is earlier. All matters to be placed on the agenda by any member of the executive branch of government shall be authorized by the Mayor as prescribed herein. The Council President and Mayor shall finalize the agenda for submission to the Clerk of Council no later than 2:00 p.m. on the Friday immediately prior to the next regular or recessed Council meeting.

*Source: Ordinance No. 1049-1985, Art. I, § 4, 7-9-85*

### **Section 2-22. Responsibility of Clerk of Council.**

The Clerk of the Council shall be responsible for posting the agenda in a public place at City Hall, preparing and assembling the agenda package, and delivering the agenda package to the Council, the Mayor and other appropriate persons as soon as practical after receipt of the agenda.

*Source: Ordinance No. 1049-1985, Art. I, § 5, 7-9-85*

### **Section 2-23. Requests for Legislative Action.**

All members of the City Council wishing to place a matter on the agenda shall provide a draft of his/her request for legislative action to the Council President during the submission phase of the agenda. A minimum of one (1) vote of a Council member shall be required to submit a Council matter and shall thereafter be placed by the President of the Council on the agenda for official action. Nothing in this Section is intended to prevent any member of the Council from informally seeking the assistance of the executive branch, through the Mayor, in preparation of draft legislation for the Council member. All items initiated by a Council member shall appear on the agenda by title and initiating member.

*Source: Ordinance No. 1049-1985, Art. 1, § 6, 7-9-85*

### **Section 2-24. Item Fact Sheet.**

An agenda item fact sheet shall be prepared by the Mayor and/or Council President or their designee for any item appearing on the agenda.

*Ordinance No. 1049-1985, Article 1, § 7, 7-9-85*

### **Section 2-25. Reserved.**

### **Section 2-26. Agenda Cycle.**

The agenda cycle shall consist of the submission phase, the publication phase, the review phase and the executive phase.

(1) *Submission phase.* The submission phase shall begin at the opening of business on Wednesday following each regular scheduled Council meeting and ending at 5:00 p.m., Thursday, prior to the next regular scheduled Council meeting. Matters may be submitted for placement on the Agenda only during the submission phase.

*Source: Ordinance No. 1173-1990, 10-17-90*

(2) *Publication phase.* The publication phase shall begin at the end of the Agenda Meeting on Wednesday and end at the close of business on Thursday. The Council President, the Clerk of the Council, and the Mayor shall be responsible for finalizing, publishing and initiating delivery of the final Agenda during the publication phase.

*Source: Ordinance No. 1075-1986, § 1, 7-22-86*

(3) *Review phase.* The review phase shall begin with the delivery of the agenda packet and end at the close of business on Monday before the Council meeting on Tuesday. The review phase is provided to give each Council member adequate time to study the agenda package before opening of the official City Council meeting.

*Source: Ordinance No. 1075-1986, § 1, 7-22-86*

(4) *Execution phase.* The execution phase shall begin with the opening of business of the Council meeting and end with adjournment of the meeting.

*Source: Ordinance No. 1049-1985, Art. 1, § 9, 7-9-85*

## **Section 2-27. Ordinance Adoption Procedure.**

Except as hereinafter provided, a first and second vote shall be required for the adoption of all ordinances. A minimum of six (6) calendar days shall separate the first and second vote. A second vote shall not be required for the adoption of any ordinance if such ordinance was the subject of a previously held and properly noticed public hearing. All amendments to proposed ordinances must be introduced prior to the meeting for the second vote. After the amendments to the ordinance, the ordinance shall be placed for action for final disposition at that meeting.

In addition to complying with the requirements of Chapter 13 of Title 21, Mississippi Code of 1972, all Ordinances introduced for final adoption by the City Council shall not require the complete reading of an Ordinance by the Council Clerk or Deputy Clerk at a regular meeting, prior to a vote being taken on the passage of the Ordinance, unless requested by one or more members of the governing authority pursuant to Section 21-13-3, MS Code of 1972.

As used in this Section, the term *Ordinance* shall include only those matters required to be entered on the City of Laurel Ordinance Book pursuant to §21-13-13, Mississippi Code of 1972.

*Source: Ordinance No. 1049-1985, 7-9-85; Ordinance No. 1191-1992, 4-7-92; Ordinance No. 1547-2009, § 2-27, 11-3-09*

## **Section 2-28. Emergency Matters.**

Upon recommendation by the Mayor or upon motion duly adopted by the City Council by a two-thirds (2/3's) majority of members present and voting, emergency matters not appearing on the regular agenda in the manner provided herein may be considered by the Council at any regular or recessed meeting.

Emergency matters shall constitute those matters which threaten the immediate safety and well-being of citizens of the community and/or employees of the City, would potentially disrupt the delivery of essential services, would result in substantial, increased cost of operations of City government or increased cost in the purchase of necessary items for the administration of City government or would, if delayed, result in the loss of an opportunity for significant economic development in the City.

*Source: Ordinance No. 1049-1985, Art. I, § 11, 7-9-85*

## **Section 2-29. Special Meetings Exempt from Article Requirements.**

Special called meetings shall not be subject to this article in any way, and Ordinances or amendments to Ordinances considered at such special meetings shall not be subject to the requirements of Section 2-38 of this article.

Special meetings of the Council may be called at any time by the Mayor or a majority of the members of the Council. A notice of such meetings shall be reduced to writing and posted in a public place in City Hall. Such notice shall include the time, place and general subject matter of such meetings.



Members of the Council shall be notified in the most expedient manner available, whether in writing or not, provided however, that where possible the Clerk shall give Council members forty-eight (48) hours' notice of such meeting. The forty-eight (48) hour notice may be waived by the Council when the Council deems that an adequate notice has been given and when a quorum is present at the special meeting.

*Source: Ordinance No. 1049-1985, Art. 1, § 12, 7-9-85; Ordinance No. 1058-1985, § 1, 9-3-85*

### **Section. 2-30. Article to Supersede in Cases of Conflict.**

Where in conflict, this article supersedes rules of order previously adopted by the Council.

*Ordinance No. 1049-1985, Art. 1, § 13, 7-9-85*

## **DIVISION 3. REIMBURSEMENT OF COUNCILPERSON'S EXPENSES\***

### **Section 2-31. Types of Expenses Eligible for Reimbursement.**

- (A) Members of the Council of the City of Laurel shall be reimbursed for the reasonable and necessary expenses incurred in the performance of the duties of their office, subject to the upper limit in Section 2-33 of this Code. Only those expenses which are directly necessary and required for the performance of each Councilman's duties shall be eligible for reimbursement.
- (B) The types of expenses which are eligible for reimbursement include the reasonable costs of (1) long distance travel, (2) long distance telephone usage, (3) meals at official Council or City functions, (4) necessary educational activities and supplied required for the performance of official duties, and (5) other reasonable and necessary types of expenses which receive prior approval by the Council.

*Source: Ordinance No. 1087-1986, § 1, 12-16-86*

### **Section 2-32. Procedure for Approval of Reimbursement Requests.**

- (A) Each member of the Council, when requesting reimbursement, shall provide appropriate receipts and/or other evidence of each expenditure, and shall certify that the expenditure was reasonable, necessary and required for the proper performance of official duties.
- (B) The President of the Council shall approve all requests for reimbursement. The President of the Council may, however, elect to have the Council by majority vote, exercise the right of approval on any or all request for reimbursement.

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\* **Editor's Note** --- Ordinance No. 1087-1986, §§ 1---3, adopted December 16, 1986, did not specifically amend the Code, but was included in Art. II, and added as Div. 3, §§ 2-31 --- 2-33, at the editor's discretion.

**State Law Reference** --- Election of Mayor and Councilmen; reapportionment; vacancies; offices, Miss. Code 1972, §21-8-7(6)

*Source: Ordinance No. 1087-1986, §2, 12-16-86*

**Section 2-33. Limit on Reimbursements Equal to Annual Salary.**

During each fiscal year, each Councilperson's total reimbursed expenses shall not exceed an amount equal to the Councilperson's annual salary.

*Source: Ordinance No. 1087-1986, §3, 12-16-86*

**Sections 2-34 --- 2-35. Reserved.**

**ARTICLE III. CITY DEPARTMENTS\***

**Section 2-36. Established.**

Departments for the City of Laurel shall be six (6) and consist of Police, Fire, Public Works, Finance/City Clerk, Human Resources, and Parks, Recreation & Facilities. The attached organization chart, made a part hereof the same as if fully copied in words and figures, identifies the function assigned to each Department. No change shall be made in the organization and function of any Department except by the specific approval of the Council.

*Source: Ordinance No. 1255-1995, § 1, 4-4-95; Ordinance No. 1315-1998, §1, 6-2-98;; Ordinance No. 1360-2000, §1, 1-4-00; Ordinance No. 1464-2005, § 1, 11-22-05; Ordinance No. 1470-2006, § 1., 5-16-06; Ordinance No. 1663-2017, 8-22-2017*

**State Law Reference** --- Municipal departments; surety bond, Mississippi Code 1972, §21-8-23 et seq.

**Section 2-37. Each Department Headed by Director.**

Each Department shall be headed by a Director, who shall be appointed by the Mayor and confirmed by an affirmative vote of a majority of the Council present and voting at any such meeting. The Director of Finance will also serve as the City Clerk. The Director of the Police and Fire Departments will be the Chief of each Department. Each Director shall serve during the term of office of the Mayor appointing him or her and until the appointment and qualification of his or her successor. The Mayor may, in his or her discretion, remove the Director of any Department.

*Source: Ordinance No. 1255-1995, § 2, 4-4-95; Ordinance No. 1315-1998, §2, 6-2-98; Ordinance No. 1360-2000, §2, 1-4-00; Ordinance No. 1464-2005, 11-22-05; Ordinance No. 1470-2006, 5-16-06*

**State Law Reference** --- Municipal departments; surety bond, Mississippi Code 1972, §21-8-23 et seq.

**Section 2-38. Department Heads Excluded from Civil Service Coverage.**

Directors of Departments shall be excluded from the coverage of the City's Civil Service system, provided, however, all individuals appointed to serve as heads of newly created Departments who are currently covered by the Civil Service system shall continue to be covered by the provisions of the Civil Service system until such time as their replacement is appointed, and their said replacement shall no longer be covered by the provisions of the Civil Service

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\* **State Law Reference** --- Municipal departments; surety bond, §21-8-23 et seq.

System. The Departments of Police, Fire, Public Works, Finance and Parks, Recreation, and Facilities are presently established and existing departments and their directors are excluded from coverage of the Civil Service System.

*Source: Ordinance No. 1255-1995, § 3, 4-4-95; Ordinance No. 1315-1998, §3, 6-2-98; Ordinance No. 1360-2000, §3, 1-4-00; Ordinance No. 1464-2005, 11-22-05; Ordinance No. 1470-2006, 5-16-06*

**State Law Reference** --- Municipal departments; surety bond, Mississippi Code 1972, §21-8-23 et seq.

### **Section 2-39. Duties of Director of Finance/City Clerk.**

The Director of Finance/City Clerk will discharge all the duties of the City Clerk as required by law under Title 21 of the Mississippi Code of 1972, as amended. Pursuant to § 21-15-23 Miss. Code Ann. (1972), one or more Deputy City Clerks may be appointed, each of whom shall have all the power and authority that is vested in the City Clerk. Where more than one Deputy City Clerk is appointed, the Director of Finance/City Clerk may designate one of the Deputy City Clerks to serve as Chief Deputy City Clerk. The Director of Finance/City Clerk will assign duties among the Deputy City Clerks as he/she determines is necessary.

*Source: Ordinance No. 1360-2000, §4, 1-4-00*

### **Section 2-40. Compensation---Department Heads.**

Compensation for existing Department Heads shall be the same as currently paid and no changes shall be made unless approved by the Council. Compensation for any new hires shall be set by the Council.

*Source: Ordinance Nos. 1152-1989 and 1152A-1989, § 5, 7-25-89*

### **Sections 2-41 --- 2-43. Reserved.**

### **Section 2-44. Chief Administrator---Established.\***

The position of Chief Administrator is hereby established to coordinate and direct the operations of the various departments and functions of municipal government.

*Source: Ordinance Nos. 1153-1989 and 1153A-1989, § 1, 7-25-89\*\**

### **Section 2-45. Chief Administrator Not Covered by Civil Service.**

The position of Chief Administrator shall not be covered by Civil Service.

*Source: Ordinance Nos. 1153-1989 and 1153A-1989, § 2, 7-25-89*

### **Section 2-46. Reserved.**

### **Section 2-47. Compensation for Chief Administrator.**

Compensation for the Chief Administrator shall be as subsequently set by the Council and adjusted from time-to-time as the Council may deem desirable.

*Source: Ordinance Nos. 1153-1989 and 1153A-1989, § 4, 7-25-89*

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\* **State Law Reference** --- Chief Administrative Officer, Miss. Code 1972, §21-8-25 et seq.

\*\* Ordinance No. 1153A-1989 was vetoed by the Mayor on 7-17-89; however, on 7-25-89 the Council President declared the Ordinance adopted and the veto overridden.

**Sections 2-48 --- 2-50. Reserved.**

### **ARTICLE III. CITY CLERK\***

#### **Section 2-51. Office Created.**

There is hereby created the Office of City Clerk.

*Source: Code 1969, § 2-43; Ordinance No. 1464-2005, 11-22-05; Ordinance No. 1470-2006, § 1, 5-16-06*

#### **Section 2-52. Appointment; Term; Bond.**

The Director of Finance/City Clerk shall be appointed by the Mayor and ratified by the City Council. He/she shall enter into bond conditioned for the faithful discharge of his/her duties with sufficient surety in the sum Fifty Thousand Dollars (\$50,000.00).

*Source: Code 1969, § 246; Ordinance No. 1380-2001, 2-2-01; Ordinance No. 1464-2005; 11-22-05; Ordinance No. 1470-2006, 5-16-06*

**State Law Reference** --- Bond for municipal officers, Miss. Code 1972, §21-15-3

#### **Section 2-53. Compensation.**

The City Clerk shall receive such compensation for his/her services as may be fixed by Resolution of the City Council.

*Source: Code 1969, § 2-45; Ordinance No. 1464-2005; 11-22-05; Ordinance No. 1470-2006, 5-16-06*

**State Law Reference** --- Fixing of Salaries, Miss. Code 1972, § 21-5-16

#### **Section 2-54. Duties.**

The City Clerk shall discharge all the duties required by law of City Clerk under Title 21 of the Mississippi Code of 1972, as amended and recompiled, and other laws. He/she shall perform such other duties as may be required of him/her by the City Commission.

*Source: Code 1969, § 2-44; Ordinance No. 1464-2005; 11-22-05; Ordinance No. 1470-2006, 5-16-06*

**State Law Reference** --- Municipal Clerk to serve as Auditor, Miss. Code 1972, § 21-15-21

**Sections 2-55---2-65. Reserved.**

### **ARTICLE IV. CLAIMS AND ACCOUNTS\***

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\* **Cross References** --- Municipal Clerk and Deputies, §§2-37 -- 2-39; Clerk of City Council, §2-45.  
**State Law Reference** --- Municipal Clerk, Miss. Code 1972, §21-15-17 et seq.

\* **State Law Reference** -- Contracts and Claims, Miss. Code 1972, §21-39-1 et. Seq.

## **Section 2-66. Applicability to Salaries.**

The provisions of this article shall not be applicable to the salaries or other compensation of officers or employees of the City where the amount of such salary or other compensation shall have been previously fixed by the City Council in its approval of the payroll or payrolls on which the name appears, and in case of such allowance, it will be sufficient to enter on the claims docket the total of such payroll, followed by reference to the said payroll upon which such allowance may be found.

*Source: Code 1969, § 10-2*

**State Law Reference** --- Similar provisions, Miss. Code 1972, § 21-39-7

## **Section 2-67. Deposit of Funds.**

All funds of the City shall be deposited to the credit of the City in the properly designated City depositories, or paid to the City Clerk for deposit by him/her accordingly. There shall be no expenditure or disbursement of City funds except in the manner provided in this article. If a check for payment is not honored upon the first presentation to the bank, a fee will be charged to the customer. This fee shall be the standard and customary fee as used by the State District Attorney's office. The customer shall be notified and must submit to City Hall the amount of the dishonored check plus the return check fee. Should City Hall not be able to make contact with the customer, said bad check shall be turned over and reported to the District Attorney's Bad Check Unit.

*Source: Code 1969, § 10-6; Ordinance No. 1533-2009, 3-17-09; Ordinance No. 1579-2011, 7-6-11.*

**State Law Reference** --- Municipal depositories, Miss. Code 1972, § 27-105-353 et seq.

## **Sections 2-68 --- 2-69. Reserved.**

## **Section 2-70. Warrants for Payment.**

The City Clerk shall draw all warrants for claims and accounts allowed and approved by the City Council, which warrants shall be signed by the Mayor and attested by the Clerk, and to which there shall be affixed the seal of the City. All such warrants shall be drawn against the proper fund, and all such warrants shall be drawn in the order of their allowance. No warrant shall be signed, removed from the warrant book or delivered by the Clerk until there is sufficient money in the fund upon which it is drawn to pay the same and all prior unpaid warrants drawn upon that fund, whether delivered or not. A standard check signing machine may be used in lieu of the manual signing of said warrants only under all of the following terms and conditions:

- (1) All warrants regardless of amount will be signed with facsimile signatures of the Mayor and attested by the City Clerk and/or Chief Deputy City Clerk and the city seal be laser printer or standard check signer. Various funds of the City will be transferred to accounts payable and payroll accounts by warrant or electronic wire. These warrants and warrants to the Laurel Separate Municipal School District may be mechanically signed without regard to the amount or amounts thereof.

- (2) The use of such machine shall have been previously authorized by order of the City Council, specifying the serial numbers of the warrants on which it is to be used.
- (3) Payment of the specific claims and/or accounts shall have been previously authorized in the manner prescribed for such payments.

*Source: Code 1969, § 10-4; Ordinance No. 680-1974, § 1, 1-8-74; Ordinance No. 1449-2004, § 2-70, 9-7-04.*

**State Law Reference** --- Similar provisions, Miss. Code 1972, §21-39-13

### **Section 2-71. Expenditures.**

All expenditures of money from the treasury of the City for any purpose whatsoever shall be in pursuance of the allowance of a claim as specified in this article, or in pursuance of a specific appropriation made by Order, which such appropriation shall be specific as to each separate expenditure insofar as may be practical. Every warrant drawn on the treasury shall express on its face to whom issued and for what purpose allowed, and the Ordinance, Resolution or Order authorizing its issuance shall be cited, by Minute Book and Page, in or upon it.

*Source: Code 1969, § 10-5*

**State Law Reference** --- Similar provisions, Miss. Code 1972, §§ 21-39-13, 21-39-17.

### **Sections 2-72 --- 2-85. Reserved.**

## **ARTICLE V. PURCHASES\***

### **Section 2-86. Conformity to State Law.**

Notwithstanding any provision of this article, all purchases made and contracts let by the City shall be in accordance with the applicable law of the State from time-to-time made and promulgated, and when so made same shall be construed as conforming to the requirements of this article.

*Ordinance No. 799-1977, § 2, 11-1-77*

**State Law Reference** --- Purchases and contracts, Miss. Code 1972, §§ 21-17-1, 21-39-1, et seq.

### **Section 2-87. Purchases for Vehicles.**

All vehicles and motorized equipment owned by the City shall be numbered and any purchases or charges made by the City for such vehicles or equipment shall bear the appropriate number.

*Source: Code 1969, § 35-10*

**Cross Reference** --- Motor vehicles and traffic, Ch. 14.

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\* **Charter Reference** --- Payment for supplies, etc., § 5.

**Cross Reference** --- Purchasing by Superintendent of Waterworks, § 28-20.

**State Law Reference** --- Preference to resident contractors in the letting of public contracts, Miss. Code 1972, §31-7-47.

**Section 2-88. Reserved.**

**Section 2-89. Purchase Order; Invoice.**

Prior to the purchase of any goods, supplies or services, the department head or such person as he shall designate shall obtain a purchase order, a copy of which shall be delivered to the supplier prior to or at the time of purchase. All items received by the City shall be checked by the person receiving the same and if in order, he shall sign the invoice or receiving report; provided, however, the department head shall not receipt for goods, supplies or services for which he issued the purchase order. Thereafter the invoice shall likewise be approved by the department head before it is placed on the claims docket by the City Clerk.

*Source: Code 1969, § 35-8*

**Sections 2-90 --- 2-100. Reserved.**

**Article VI. MAINTAINING FIXED ASSETS RECORDS**

**Sec. 2-101. Conformity to State Law.**

The City of Laurel shall maintain a record of Fixed Assets in accordance with the applicable law of the State from time to time made and promulgated and specified in the Property Accounting System of the *Mississippi Municipal Audit and Accounting Guide*

**Sec. 2-102. Fixed Assets Defined**

Fixed Assets are those assets of a long-term nature intended to be held or used by the municipality. Real and personal property belonging to the municipality must be accounted for in the Fixed Assets records.

**Sec. 2-103. Fixed Assets to Be Recorded**

- A. All municipalities are required to have and maintain a complete and current inventory list of each property item with a cost to the municipality of \$500 or more.
- B. Some equipment should be included on the inventory list, regardless of price paid by the municipality including but not limited to weapons, audio visual equipment, power tools, refrigerators, televisions, lawn maintenance machinery, chain saws, air compressors, welders, generators, and similar type items.
- C. All items purchased having a useful life expectancy of more than one year shall be tagged and included on the Fixed Asset report regardless of acquisition price
- D. All items purchased from City of Laurel Disbursements for Capital Outlay (.900 - .949) accounts shall be included on the Fixed Asset report. These items are considered Capital Assets which are major assets that benefit more than a single fiscal period.

**Sec. 2-104. Fixed Assets Record Maintenance**

- A. Each Fixed Asset will be assigned a unique inventory control number by the City Clerk/Finance Office.
  - 1. It shall be the responsibility of the department to submit proper paperwork to the City Clerk/Finance office when any fixed asset as listed in §2-103 is acquired
  - 2. The department head shall be responsible for making sure that all required items are tagged upon receiving control number.

- B Discarded Items must be removed from inventory
  - 1 All deleted/disposed items, regardless of method, shall be entered on the minutes of the governing council.
  - 2 It shall be the responsibility of the department head to report to the City Clerk/Finance Department any item that is discarded or deleted from his/her department's inventory.
  
- C At the end of each fiscal year, a thorough inventory of all fixed assets owned by the City of Laurel shall be made. The City Clerk will also check each department inventory periodically throughout the fiscal year.

**Section 2-105-116. Reserved.**

## **ARTICLE VII. TRUSTEES OF COUNTY PUBLIC HEALTH BUILDING\***

**Section 2-116. Reserved.**

**Section 2-117. Duties.**

The duties and responsibilities of the Trustees under this article shall be the same as the duties and responsibilities outlined in the Official County Public Health Building Trustees By-Laws, approved by the State Board of Health and the County Health Officer.

*Source: Code 1969, § 19-16*

**Section 2-118. Reserved.**

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\***State Law References** --- Construction of public health buildings and clinics, Miss. Code 1972, §19-5-47; power of cities to establish hospitals, Miss. Code 1972, §21-19-5; general duties of State Board of Health, Miss. Code 1972, §41-3-15; jurisdiction of County Health Departments, §41-3-43; municipal regulation of health, §41-3-57.



