

ORDINANCE NO. 780

AN ORDINANCE AMENDING AND REPUBLISHING  
TITLE 2  
ON ADMINISTRATON AND PERSONNEL

WHEREAS, The City of Mills, Wyoming has had the occasion to review its recently updated Title 2 of its Ordinances and to revise the same; and

WHEREAS, after said review and deliberation, certain amendments there to were seen to be in order; and

WHEREAS, certain provisions which were previously amended constituted amendments that are Charter Ordinances providing for exemptions, and are not now being changed, but none the less are being referenced in this updated Ordinance as the Ordinance is being republished.

WHEREAS, The city is exempted by the Charter ordinances previously codified in this chapter from the provisions of Wyoming Statutes WS 15-5-101 15-11-103, 15-11-202, 22-23-103, 22-23-503, 22-23-602 and 15-3-104 (1977, as amended.) These statutory provisions shall not apply to the city.

NOW THEREFORE, The City Council of the City of Mills hereby amends its existing Title 2 such the the attached text shall reflect Title 2 as amended.

This ordinance shall be in full force and effect upon passage on three readings and publication.

PASSED on 1<sup>st</sup> reading the 10 day of May, 2022.

PASSED on 2<sup>nd</sup> reading the 24 day of may, 2022.

PASSED, APPROVED AND ADOPTED on 3<sup>rd</sup> and final reading this 14 day of June, 2022

CITY OF MILLS, WYOMING

  
Seth Coleman, Mayor

  
Sara McCarthy, Council

  
Darla R. Ives, Council

  
James Hollander, Council



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CITY MILLS

*Brad Neumiller*

Brad Neumiller, Council

ATTESTED:

*Christine Trumbull*

Christine Trumbull, City Clerk



## **TITLE 2 ADMINISTRATION AND PERSONNEL**

### Chapters:

- 2.04 City Council
- 2.08 Ordinances and Resolutions
- 2.12 City Administrator
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### **CHAPTER 2.04** **CITY COUNCIL**

#### **2.04.010 - Organization.**

(a) The municipal officers of the City shall consist of a Mayor and four councilmen, who shall be a body corporate and politic, and shall constitute the governing body of the City.

(b) Everywhere in the City ordinances for the City of Mills, the use of the word “City” or “city” shall be deemed to have the same meaning, and shall refer to the municipality.

#### **2.04.020 - Mayor.**

The Mayor shall preside at meetings of the governing body and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by the Constitution of the state of Wyoming, statutes, or the provisions of this code. He shall be recognized as the head of the City government for all ceremonial purposes, by the courts for

serving civil processes and by the government for the purposes of military law. The Mayor shall be the manager of the Departments and their personnel and may do so through such designees as he may appoint.

#### **2.04.030 - Election of president.**

At the first meeting of the official year following the election, the governing body shall elect from its membership a president of the council, who shall conduct the meetings in the absence of the Mayor, and perform such other duties as shall be conferred and imposed upon him by ordinance or statute in the event the Mayor is rendered unable to act by reason of absence or disability. The president of council shall, in that capacity, be authorized to sign official documents for the City and checks, in the absence of the Mayor.

The president of the council shall also serve as the Mayor pro tem.

#### **2.04.040 - Powers and duties—Generally.**

The corporate authority of the City shall be vested in the council, as the governing body of the City. The governing body shall have and shall exercise the powers, privileges and duties granted and conferred by statute.

#### **2.04.050 - Power to make regulations, ordinances, and resolutions.**

The governing body shall have the power to make and publish ordinances, resolutions, and regulations not inconsistent with the laws of the state for carrying into effect or discharging the powers and duties conferred by statute; and to enforce obedience to such ordinances by municipal court fines not exceeding seven hundred fifty dollars (\$750.00), and where appropriate and provided by Ordinance, levy and enforce such civil penalties as provided by ordinance or statute

#### **2.04.060 - Appointment of city officials.**

(a) The Mayor shall appoint a city administrator, city clerk, city treasurer, city judge, chief of police, fire chief, assistant fire chief, city engineer, city attorney, community development director, and fix their salaries or compensation. The Mayor shall also appoint members of the Planning and Zoning Board, and all members of all other boards and committees created in code. The City Council shall vote to confirm or reject any said appointment, with a majority of the City Council being required in order to approve the appointment. The salary or compensation may be changed from year to year and these appointed officials may be discharged and their employment terminated at any time at the discretion of the Mayor provided, however, that no such termination may occur within the first thirteen (13) months of the term of a new Mayor who did not serve in the prior term without the permission of the City Council.

(b) All other City positions shall be made by the Mayor or his designee. Said positions may be terminated at any time at the discretion of the Mayor or his designee, after the 13<sup>th</sup> month of his first term. The Mayor may consult the Governing Body on personnel matters when he deems prudent or necessary.

(c) Unless otherwise specifically provided for, all City appointments shall be for a period of four (4) years.

**2.04.070 - Power to make laws relating to health and welfare.**

In addition to all other powers, the governing body may make any provisions or regulations not in conflict with state law and deemed necessary for the health, safety, or welfare of the City.

**2.04.080 - Filling vacancies in position of councilperson.**

(a) A vacancy exists in the office of councilperson in the event of removal from the City, conviction of a felony, or any other reason specified in Wyoming Statutes 1977, as amended, Section 22-18-101.

(b) If a vacancy occurs, the City council shall appoint an eligible person to the office who shall serve until his successor is elected at the next general municipal election and qualified.

(c) The procedure for appointment to fill a vacancy in the office of councilperson shall include:

- (i) Application in writing to the City clerk on a form prepared by the City clerk;
- (ii) Interviews of applicants, conducted by the City council in executive session, at a regular meeting of the City council or at a special meeting of the City council following notice as required by law;
- (iii) Appointment by motion and vote of the City council at a regular meeting of the City council or at a special meeting of the City council following notice as required by law.

(d) The procedure for appointment to fill a vacancy in the office of councilperson may include consideration and deliberation of the appointment in executive session, if approved by a majority of the members of the City council present.

**2.04.70 Conduct of Members of the Governing Body**

(a) Members of the City's elected Governing body, made up of the City Council and the Mayor, shall all times conduct themselves with the decorum required of the office. No member shall disparage City employees, the Council, individual Councilpersons or the Mayor at any time. Members of the Governing body shall:

- (i) Attend all Council meetings of which they have notice unless a matter of sufficient importance precludes them from doing so, in which case they shall provide notice to the City Clerk of their anticipated absence as soon as practical. In no case shall a Councilperson or the Mayor miss more than 25% of regular City Council work session and general sessions in any one year.

- (ii) Excuse themselves from matters in which they have a direct financial interest or personal conflict.
- (iii) Make reasonable efforts to remain informed of City Council business and City official business and matters at all times.
- (iv) Accept such appointments as the City Council or Mayor shall make of individual Councilpersons.
- (v) Perform those duties ordinarily and customarily incumbent upon a member of the Governing body.
- (vi) Members of the Governing Body shall submit to the same drug testing policies and procedures as City of Mills employees with it a positive test indicating illegal or impairing drug use being deemed improper conduct in office.

(b) Should 35% of the registered voters in the City of Mills sign a petition to have a member of the Governing body removed the Council must have a hearing on the same within thirty (30) days of the petition being received and the signatures verified. Any vote to remove the member shall be by unanimous consent. A vote to remove a member under this section shall take effect immediately.

(c) No member of the Governing body may be removed through these provisions except through a hearing in which the member has a right to participate and provide testimony and evidence.

(d) At all times all members of the Governing body shall present themselves with the physical attire and grooming appropriate for their station and the circumstances in which they are appearing and in such a manner as to present a professional appearance. The members of the Governing body shall at all times present themselves in such a manner that sets the standard for the department heads of the City and shall never be less professional than that which is expected of department heads and administrative employees or less professional than expected or anticipated of any member of the community who may present themselves to the governing body. In keeping to this policy, the following items shall be minimum guidelines to which members of the Governing body shall adhere:

- (i) Members of the Governing body shall not wear clothing items bearing the logos of businesses or organizations, other than the City of Mills, while conducting City business, nor shall the Members wear clothing items with slogans or phrases, except to the extent that they promote the City of Mills and are authorized by the City of Mills.
- (ii) Members may wear shirts that bear the City of Mills' logo
- (iii) Members shall be issued name tags reflecting their positions and shall wear them during official functions unless impractical.
- (iv) iv. All clothing must be clean, in good repair, and appropriate for the setting.
- (v) v. Except when appropriate for an outdoor setting, t-shirts and jerseys shall be discouraged.
- (vi) Caps and hats shall not be worn indoors except in circumstances in which they reflect a religious observance or custom.

- (vii) To the extent practical and applicable, members of the public shall be encouraged to observe these rules during meetings of the City Council during which members of the Governing Body are expected to observe them.

(f) Should 75% of the City Council judge that a member of the Governing body has failed in to perform in accordance with the provisions set forth above, the City Council may make such censure of the Members as the City Council sees fit, including fining said member an amount not in excess of \$750.00. Should the Council, by unanimous consent, view an action as warranting removal, the City Council may vote to remove a member with the removal taking effect immediately upon the City Council so voting.

#### **2.04.090 - Meetings—Regular.**

Regular meetings of the governing body shall be held at City Hall on a date set by the City Council by resolution, and subject to modification from time to time by the City Council. In the event of a conflict or other need, the Mayor may cancel the meeting and call a new time and date as provided by law or choose to not hold any meeting until the next scheduled meeting.

#### **2.04.100 - Meetings—Special.**

(a) The Mayor or any two Council members shall have power to call special meetings of the city council, the object of which shall be submitted to the council in writing, and the call and object, as well as the disposition thereof, shall be made a matter of record upon the journal.

(b) It is the duty of the city clerk to notify the governing body, the public, and post on the website of the City and at the City Hall, Mills Police Department, Mills Public Library and the United States Post Office in Mills Wyoming of any special meeting, which notices shall give the time and place of such special meeting and indicate the business to be transacted at such meeting. No other business shall be considered at a special meeting.

#### **2.04.110 - Meetings—Executive session.**

When the nature of the business falls within Wyoming Statutes 1977, Section 16-4-405, the governing body may, by a majority vote of the members present, go into executive session and exclude the public thereon. Such sessions shall be held:

(a) With the attorney general, county attorney, district attorney, city attorney, sheriff, chief of police or their respective deputies or other officers of the law, on matters posing a threat to the security of public or private property, or a threat to the public's right of access.

(b) To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer. The governing body may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being

investigated. Following the hearing or executive session, the governing body may deliberate on its decision in executive sessions.

- (c) On matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party;
- (d) On matters of national security.
- (e) To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price.
- (f) To consider acceptance of gifts, donations, and bequests.
- (g) To consider or receive any information classified as confidential by law.
- (h) To consider accepting or tendering offers concerning wages, salaries, benefits, and terms of employment during all such negotiations.
- (i) No votes shall be conducted or taken during an Executive Session.

**2.04.115 – Meetings—Electronic or Remote Participation**

Members may join a meeting by phone or video but at least one (1) member and the Clerk must be present at the physical meeting location and the meeting must be open to the public, except where otherwise restricted by law.

**2.04.120 - Meetings—Adjourned or recessed.**

Adjourned or recessed meetings may be reconvened at such time as the council may determine.

**2.04.130 – Work sessions.**

The governing body may hold public study sessions in order to study, discuss or analyze matters which have been, are, or may be subject to the consideration of the governing body. No "action" as defined by Wyoming Statutes 2007, Section 16-4-402, may be taken at a study session. Work sessions shall be consist of three work sessions by month on a date set by the City Council by resolution and subject to modification from time to time by the City Council.

**2.04.140 - Rules of order—Generally.**

The rules of parliamentary practice contained in "Robert's Rules of Order" shall guide the conduct of regular and special meetings of the governing body of the city on all matters where same are applicable and in which same are not inconsistent with the provisions of state law; in which case the provisions of state law shall prevail.



**2.04.150 - Call to order—Quorum.**

(a) At the hour appointed for its meeting, the governing body shall be called to order by the presiding officer.

(b) A majority of the governing body constitutes a quorum for the transaction of business at any meeting.

**2.04.160 - Record of proceedings.**

(a) The City clerk or designated person shall attend all regular and special meetings of the governing body and make an accurate record of all business transacted at each meeting. The manner in which each member of the governing body votes upon any proposition or upon the passage of any bylaw, resolution or ordinance shall be entered in the minutes. The name of the member making a motion shall also be entered in the minutes.

(b) The minutes of the proceedings shall be open for inspection at any reasonable time.

(c) The governing body shall publish to the City's website the minutes of all its regular and special meetings and the titles of all ordinances passed. The minutes shall include every bill presented to the governing body showing the amount of the bill, the amount allowed, what the bill was for, and by whom claimed. Publication shall be made once.

**2.04.170 - Preservation of order.**

The Mayor or presiding officer at council meetings shall preserve order, prevent personal reflections, confine members in debate to the question and shall decide who shall be first heard when two members arise at the same time. Any member of the council when called to order by the presiding officer shall at once suspend his remarks.

**2.04.180 - Minutes of executive sessions.**

Minutes of executive sessions of the City council, as authorized by Wyoming Statutes 1977, as amended, Section 9-11-105, shall be sealed and entered in an official journal of the City in the appropriate fashion, subject to production by appropriate legal process.. The minutes of executive sessions shall contain the following:

(a) A record of the vote approving the executive session.. The vote having been taken before discussion of the executive matter.

(b) The location of the executive session.

(c) The names of the members of the City council present at the executive session.

(d) The names of the members of the City council absent from the executive session.

(e) The time that the executive session was called to order and the time adjourned.

(f) The topic of the executive session, as described by the appropriate subsection of Wyoming Statutes 1977, as amended, Section 16-4-405, or the appropriate portion thereof.

## **CHAPTER 2.08**

### **ORDINANCES AND RESOLUTIONS**

#### **ARTICLE I. - ORDINANCES**

##### **2.08.010 - Required for legislation.**

All municipal legislation shall be by ordinance, unless provided otherwise by law.

##### **2.08.020 - Form.**

All ordinances shall be in writing and passed pursuant to rules and regulations adopted by the governing body. No ordinance, except one making appropriations or one for the codification or general revision of ordinances, may contain more than one (1) subject which shall be expressed clearly in the title. Ordinances making appropriations and ordinances relating to codification or general revision of ordinances shall be limited to those respective subjects.

##### **2.08.030 - Ordaining clause.**

The style of all ordinances shall be: "Be it ordained by the City Council of the City of Mills, Wyoming ..."

##### **2.08.040 - Public reading.**

Every ordinance shall be publicly read on three (3) different days. Public reading may be by title only. At least ten (10) days shall elapse between the introduction and final passage of every ordinance. For an emergency ordinance, the requirements of this section may be suspended by the affirmative vote of three-fourths ( $\frac{3}{4}$ ) of the elected and qualified members of the governing body. No franchise may be granted by emergency ordinance.

##### **2.08.050 - Vote required for passage.**

Passage of an ordinance requires the affirmative vote of the majority of the elected members of the governing body. The passage of an emergency ordinance requires the affirmative vote of three-fourths ( $\frac{3}{4}$ ) of the elected and qualified members of the governing body.

**2.08.060 - Effective date.**

Every ordinance before becoming effective shall be published on the City website. An ordinance shall become effective after passage, approval, and publication by the governing body.

**2.08.070 - Signature and attestation.**

Every ordinance shall, within seven (7) days after passage, be signed by all members of the governing body, and attested by the clerk, who shall affix the seal of the City thereto and record the ordinance in the book of ordinances. The attestation of the clerk shall show the ordinance was duly published. The ordinance shall subsequently recorded with the County Clerk of Natrona County Wyoming, in accordance with the applicable provisions of law and procedures of the County Clerk.

**2.08.080 - Emergency ordinances.**

Emergency ordinances shall become effective upon proclamation of the Mayor, and as soon thereafter as is practicable, they shall be published to the City website.

**2.08.100 - Amendment and repeal.**

Amendments and repeals of ordinances, or sections thereof, shall be by ordinance. An amending ordinance shall set forth the entire ordinance or section as amended.

**2.08.110 - Charter ordinances.**

(a) Except for statutes uniformly applicable to all cities and Citys and statutes prescribing limits of indebtedness, the City may by charter ordinance exempt itself from the effects of all or any part of a statute that otherwise would apply to it.

(b) Such charter ordinance shall be titled and may provide that the whole or any part of any statute, which would otherwise apply to the City, as specifically designated in the ordinance shall not apply to the City. Such ordinance may provide other provisions on the same subject.

(c) Passage of a charter ordinance requires the affirmative vote of two-thirds ( 2/3 ) of the elected members of the governing body.

(d) Every charter ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper. No charter ordinance shall take effect until the sixtieth (60th) day after its final publication. Referendum procedures may be initiated prior thereto as provided for in Article 13, Section 1(c) of the State of Wyoming Constitution.

(e) An approved charter ordinance, after becoming effective, shall be recorded by the City clerk in a book maintained for that purpose with a certificate of the procedures of adoption. A certified copy of the ordinance shall be filed with the Secretary of State.

**Article II**

## Resolutions

### 2.08.120 - When used.

A resolution shall be used when the order of the governing body is of a special or temporary character or an expression or opinion concerning some particular business and is not intended to permanently direct and control matters.

### 2.08.130 - Form.

All resolutions shall be in writing and passed pursuant to rules and regulations adopted by the governing body.

### 2.08.140 - Style.

The style of all resolutions shall be: "Be it resolved by the City Council of the City of Mills, Wyoming ..."

### 2.08.150 - Vote required for passage.

Passage of a resolution requires the affirmative vote of the majority of the elected members of the governing body.

### 2.08.160 - Effective date.

A resolution shall become effective after it has been publicly read and approved by the governing body.

### 2.08.170 - Signature and attestation.

After a resolution has been approved, the same shall be signed by every member of the Governing body and attested to by the City clerk who shall attach the seal of the City thereto and record the resolution in the book of resolutions.

## CHAPTER 2.12 CITY ADMINISTRATOR

### 2.12.010 - Exemption from state statute.

The city shall not be governed by the provisions of Wyoming Statutes 2007, as amended, Sections 15-3-204, 15-1-108, and 15-1-103 (a) (xxxvii).

### **2.12.020 - Employment—Salary.**

The governing body shall retain a city administrator, city attorney and municipal judge, and fix their respective salaries. The city administrator is an employee and serves at the pleasure of the Mayor. The salary may be changed from year to year, and the city administrator may be discharged, and that employment terminated at any time by the Mayor as long as such complies with 2.04.060. The City Administrator may also serve as a department head of any of the various departments of the City while also serving as the City Administrator. His salary will be set by the Mayor taking into account the responsibilities and functions he performs. The salary shall not exceed the appropriations made by the annual budget set by the Governing Body.

The city attorney and the municipal judge may be contractors and shall serve at the pleasure of the Mayor. Fees for the city attorney and municipal judge shall be as authorized by the City Council.

### **2.12.025 - Duties of Mayor.**

The Mayor shall:

- (a) Preside at all meetings of the governing body, and in the Mayor's absence a council President shall act as Mayor pro tem;
- (b) Have superintending control of all officers and affairs of the city.
- (c) Oversee compliance with the ordinances and laws;
- (d) Sign commissions and appointments and all bonds, contracts and other obligations required to be signed in the name of the city; and
- (e) Have one (1) vote on all matters coming before the governing body upon which a vote is taken, except a vote:
  - (i) To override a veto;
  - (ii) To confirm an appointment other than a vote to break a tie vote of the governing body; and
- (f) Pursuant to a hearing for removal or discharge as provided in W.S. Sections 15-2-102(b)(iv)(C) or 15-3-204(b)(iv)(C) (2007).

### **2.12.040 - Expert services.**

The Mayor may employ experts to perform unusual or special services.

## **2.12.045 – Duties of City Administrator**

A. The City Administrator shall report to the Mayor and shall take all direction from the office of the Mayor. The City Administrator shall be the conduit of information of the operations of the City to the governing body. Members of the governing body shall direct all questions and requests for information or data through the City Administrator so he may insure all of the governing body receives such information and remains appropriately informed on all relevant issues. The City Administrator shall be responsible for the day to day administration of the application of the City's budget and authorized spending.

The City Administrator in addition shall:

(a) Oversee the operation of the day to day administration of the city. The Mayor shall provide the City Administrator direction and set the policies for the operation and administration of the city. The governing body shall direct any questions, issues, or concerns regarding the operation and/or administration of the city through the City Administrator. The City Administrator or his designee shall investigate and provide clear, complete, and unbiased information in response to such questions, issues, or concerns to the entire governing body to assist the governing body in making policy decisions for the city. The Mayor shall also provide input and recommendation to the governing body on such requests.

(b) Attend all meetings of the governing body and may recommend to the governing body adoption of such measures as the City Administrator deems necessary for the health, safety, and welfare of the community or for the improvement of municipal services.

(c) Perform all duties imposed on the position consistent with state laws or ordinances.

(d) Supervise the enforcement of all laws, ordinances, rules, regulations, policies, and procedures of the city adopted by the governing body.

(e) Be responsible to the Mayor for the administration of all departments of the city and supervise the administrative functions of such departments.

(f) Prepare and submit to the governing body reports that are required or that the administrator or governing body may consider advisable.

(g) Keep the governing body fully advised of the financial status of the city, presenting a monthly report on the financial condition and future needs.

(h) Prepare a proposed budget annually, submit it to the Mayor and be responsible for its administration after adoption by the governing body.

(i) Perform all duties imposed on the position by ordinances adopted by the governing body which is not inconsistent with state laws.

(j) Prepare annually recommendations to the governing body on the compensation plan and fringe benefits package for all city positions and shall also make recommendations to the governing body concerning the personnel manual position descriptions and position classification changes.

**2.12.050 - Appointment powers.**

(a) All employees shall be appointed, suspended, transferred, and removed by the Mayor or appointee, subject to the personnel regulations of the city as adopted by the governing body.

(b) All of the appointees of the Mayor shall report to the city administrator for issues concerning the day to day operations of the City so he may stay informed on those issues he is to report to the Mayor and Governing Body.

(c) The City Administrator when acting as the designee of the Mayor may appoint and remove all subordinates, clerks, assistants, laborers, and servants and fix the compensation of those appointed by him within the limits fixed by the governing body and the law, consistent with the city's ability to pay. Appointment shall be on the basis of merit. He shall seek the advice of the governing body on personnel matters as he deems necessary.

**2.12.060 - Management of utilities.**

(a) The city administrator shall manage any utility owned and operated by the city. Subject to the laws relating to public utilities, the governing body shall fix all rates and compensation to be paid by consumers of water, sewer, sanitation, or any service furnished by any other public utility owned or operated by the city.

(b) All utilities servicing the City or existing in the City, to include water, sewer, sanitation, shall be required to have a franchise agreement, irrespective of whether they are providing those services within the City itself and pursuant to the authority granted to municipalities under WS 15-1-101 et seq.

**CHAPTER 2.16**  
**CITY OFFICES—GENERALLY**

**2.16.010 - Departments and department heads enumerated.**

The administrative services of the city shall be divided in the following department and offices and shall be under the control and supervision of a department head who shall have the title indicated:

Office of the City Clerk	City Clerk
Community Development Office	Community Development Director
Finance Office	City Treasurer
Emergency Services Office A. Police Department B. Fire Department	Director of Emergency Services Chief of Police Fire Chief
Public Works Department	Public Works Director
Municipal Court	City Clerk

**2.16.020 - Responsibilities of department and office heads.**

(a) Each department and office heads shall perform all duties required of his office by state law, the charter, this code and ordinances of the City, and such other duties not in conflict therewith as may be required by the City administrator.

(b) The heads of the various administrative departments and offices shall be immediately responsible to the City Administrator for the effective administration of their respective departments and all activities assigned thereto. The Administrator may set aside any action taken by a department head and may supersede him in the functions of his office if doing so advances the directives he has been given by the Mayor. Two (2) or more departments may be headed by the same individual. In the case of a vacancy in any office or during the absence of any department head, the administrator may designate an interim acting head of the department or may perform, personally, the functions of the office.

(c) Department heads to be salaried positions.

**2.16.030 - Department authority over employees.**

Each department head shall have the authority to appoint and remove, subject to the personnel regulations and the approval of the Administrator, all subordinates under him. Each department head may, subject to the approval of the administrator, promulgate rules and regulations for the orderly management of their respective departments. Department heads shall consult with the City Administrator, and or Mayor, before terminating a subordinate in an effort to have peer review to ensure City policies, and best employment practices are followed and that the subordinate's rights are not infringed. All department heads are authorized to communicate with the city attorney on personal matters when the need arises. In doing so they shall also inform the Mayor and City Administrator of such communication, unless doing so would likely create a conflict of interest.



**CHAPTER 2.20**  
**OFFICE OF EMERGENCY SERVICES**

**2.20.010—Office Established.**

There shall be an Office of Emergency Services which shall contain the Police Department and the Fire Department. The purpose of the Office of Emergency Services shall be to coordinate, organize and direct the overall emergency and safety response for the City of Mills.

**2.20.020---Director of Emergency Services.**

The Office of Emergency Services shall be presided over by the Director of Emergency Services. The Director of Emergency Services shall be the Chief of Police unless the Mayor determines that a separate Director of Emergency Services is necessary, and the City Council approves the hiring a separate Director.

**Chapter 2.20.030 – Police Department Established**

There shall be a Police Department which shall be charged with enforcing the laws and ordinances of the City of Mills, Natrona County, the State of Wyoming and the United States, as appropriate and as authorized for a municipal police department under the laws of the State of Wyoming. The police department shall consist of a police chief appointed by the Mayor and so many police officers as are authorized by the council, who have been appointed by the director of emergency services.

**2.20.040 – Police Chief—Duties.**

The police department shall be headed by the Police Chief who shall be the commanding officer of the police force. He shall have the following responsibilities and powers:

- (a) To direct the police work of the City and be responsible for the enforcement of the law and order throughout the City.
- (b) To prescribe such policies and procedures for the orderly management and general governance of the city police department, as shall be approved by the city council.
- (c) The performance of other related duties as directed by the City Administrator or City Council.
- (d) The administration of the community service division consisting, animal control and code enforcement.

### **2.20.050 - Powers of police officers.**

(a) The Chief of Police and any sworn officer shall have all the powers granted to peace officers by the laws of this state.

(b) Police officers shall have power to arrest all persons found in the act of violating any law or provisions of this code or law of the state or aiding or abetting in any such violation, and shall arrest any person found under circumstances which would warrant a reasonable man in believing that such person had committed a crime.

(c) Police officers shall have the power and authority, and it shall be their duty to serve and execute warrants and other process for the summoning, apprehension and commitment of any person charged with a violation of any provision of this code.

### **Chapter 2.20.060 – Fire Department Established**

There shall be a Combination Fire Department which shall be charged with providing for qualified full-time and paid volunteer fire fighters and such associated emergency service personnel as appropriate and as authorized for a municipality under the laws of the State of Wyoming. At all times the Mills Fire Department shall be organized as a Combination Fire Department featuring both full-time and paid volunteer fire fighters.

### **2.20.070 - Fire Chief—Powers and duties.**

The fire department shall be headed by the Fire Chief who shall be the commanding officer of the fire department. He shall have the following responsibilities and powers:

(a) The Fire Chief shall be responsible for the administration and enforcement of the Uniform Fire Code, adopted by the City, all ordinances relating to fire prevention and suppression and all applicable state statutes as well as all duties prescribed by Wyoming State Statute.

(b) The Chief of the fire department shall be the administrative officer of the department, subject to the rules and regulations prescribed and the orders and ordinances made from time to time by the governing body and shall have the following powers and duties:

- (i) To be responsible for all property belonging to the department and all firemen and fire companies in the service of the department, in the proper discharge of their duties;
- (ii) To see that the ordinances of the City applicable to the fire department are faithfully observed;
- (iii) To have sole command at all fires over all officers and all persons who may be present, and to take all proper measures for the extinguishment of fires, the protection of lives and property and the preservation of law and order;
- (iv) To examine into the condition of the apparatus, buildings and other property belonging to the City and used by the fire department and see that all fire

- hydrants are in good working order at all times. Under his supervision, all hose belonging to the department must be tested at least once a year;
- (v) To keep a complete and correct inventory of all property belonging to the department;
  - (vi) To keep a roll of members showing attendance at all monthly meetings and fires and report the same to the governing body. The fire chief shall present a monthly written report to the governing body showing all fires and shall, in addition to showing the fires, show the number of meetings held, and, upon request of the governing body, shall include any other information or data that may be necessary or required.

#### **2.20.080 - Fire Chief—Emergency powers.**

(a) The Chief of the fire department, or any assistants in command, may prescribe limits in the vicinity of any fire within which no persons excepting those who reside therein, firemen and policemen, and those admitted by any order of any officer of the fire department shall be permitted to come.

(b) The Fire Chief or any assistant in command shall have the power to cause the removal of any property, whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire or to protect adjoining property.

(c) The Fire Chief shall have the power to issue appropriate citations in performing their duties under the Uniform Fire Code.

(d) The Fire Chief shall ensure that adequate fire department personal and apparatus are available for deployment in the City of Mills before allocating such resources to medical transports, or mutual aid deployments.

(e) The Fire Chief shall ensure every member of the City of Mills Combination Fire Department displays attitudes and actions that promote the service of paid volunteer Mills firefighters, and shall dismiss from employment any member of his department who does not promote such attitudes and actions.

(f) The fire chief shall have the power to issue appropriate citations in performing their duties under the Uniform Fire Code.

#### **2.20.090 - Appointment of Firemen.**

The fire department shall be composed of the Chief, one (1) assistant full-time fire chief, and such other subordinate officers and firemen as may be approved by the governing body. All firemen shall be appointed by the director of emergency services. The fire chief shall have the authority to suspend from duty any fireman for cause. The department shall be a combination fire department meaning that it shall consist of one full time Chief, seven (7) full time firefighters consisting of three (3) captains, and four (4) engineers or firefighters. These shall be arranged into three (3) two-man shifts consisting of a captain and either an engineer or firefighter. The seventh

position shall join the shift of the Chiefs determination but shall fill in for vacation and sick time for other members of the department. All other fire personal shall be paid volunteer fire department personal.

#### **2.20.110 - Duties of Members.**

All members of the fire department shall perform such duties as may be required of them by the Fire Chief or other authorized officials.

#### **2.20.120 - Fire Chief—Additional Powers and Duties.**

The Fire Chief, or his designee, shall:

(a) To inspect, as often as may be necessary, all buildings and premises for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any other violation of the purpose or provisions of the Uniform Fire Code and of any other law or standard affecting fire safety;

(b) To investigate promptly the cause, origin and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury or destruction or damage to property and, if it appears that such fire is of suspicious origin, he shall take immediate charge of all physical evidence relating to the cause of the fire and shall pursue the investigation to its conclusion.

#### **2.20.130 - Compensation.**

The Chief of the fire department and the full time and volunteer firemen shall receive such pay as may be from time to time established by the governing body for each fire and department meeting attended, or as set by resolution.

#### **2.20.160 - Lost and found property.**

(a) The police department will book into the property room, safeguard, and properly dispose of all property which comes into its custody. The department shall strive to maintain property in the same condition as received for possible presentation as evidence in court. Unless property is contraband or must be used as evidence in court, every reasonable effort shall be made to insure its return to its rightful owner. Property which cannot be returned to its rightful owner shall be disposed of in accordance with the procedure as set forth in subsection B of this section.

(b) Lost and found property, other than contraband, turned into the police department shall be disposed of in the following manner:

(i) If the owner of the property is known, or the name of the owner can be discovered, the owner shall be notified by certified mail, return receipt requested, that the property must be claimed within thirty (30) days of receipt of the letter. The letter will specifically point out that if the property

is not claimed within thirty (30) days, and if no extension has been granted by the police department, the property shall be sold at public auction.

- (ii) If the identity of the owner is not known and cannot be established, the property shall be held by the police department for a period of not less than ninety (90) days and posted to City website. If at the end of ninety (90) days the property is still unclaimed, the property shall be disposed of as the City sees fit.

**2.20.170 – Disposal of lost and found property.**

(a) Notice of sale shall be published on the City's website for at least ninety (90) days. Such notice shall contain a full description of the property to be disposed of, and the time, date, and place of such disposal.

(b) The sale of abandoned motor vehicles shall be in accordance with Wyoming Statutes 1977, as amended, Sections 31-14-101 through 31-14-110, inclusive.

(c) Contraband and property having no value shall be destroyed in accordance with departmental procedures.

(d) Proceeds of any sale of property shall be turned into the City treasurer for deposit into the general fund. All expenses incurred in such a sale shall be paid from the general fund.

(e) Auctions shall be conducted by a disinterested party who shall be appointed by the chief of police. In no case shall the auctioneer or member of the auctioneer's family be permitted to bid on items that are to be sold. No auctioneer shall enter into any agreement to have a friend bid on any item with the intent to obtain the item from the friend at a later time. All sales will be recorded to include an item description and amount received. The funds shall be turned over to the City treasurer and a receipt shall be given by the treasurer, which receipt shall be placed in the police department's permanent records with a record and description of the property sold.

**CHAPTER 2.32**  
**PUBLIC WORKS DEPARTMENT**

**2.32.010 - Functions and responsibilities.**

The public works department shall be headed by the Public Works Director who shall have the following responsibilities:

- (a) The maintenance of all streets, the cleaning of improved streets, the removal of snow and the maintenance of alleys;
- (b) The planning, development, maintenance and operation of all parks and cemeteries in the City and the planting of trees throughout the City in any public area;
- (c) The repair, maintenance and inventory control of all municipal equipment and vehicles;
- (d) The performance of other related duties as directed by the City Administrator or governing body.

**2.32.020 – Divisions of Public Works Department**

The public works department shall consist of streets, parks, sanitation, water treatment, water distribution, and sewer.

**CHAPTER 2.36**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

**2.36.010 - Functions and responsibilities.**

The community development department shall be headed by the Community Development Director. The Community Development Director shall be responsible for:

- (a) The preparation of comprehensive reports or presentations on community development projects to boards and commissions.
- (b) The review of all preliminary development proposals, site plans and maps, petitions for rezoning, special reviews, conditional use permits, annexation, and subdivision maps.
- (c) The development and maintenance of the city land use plan and other applicable local laws.
- (d) The supervision of the building safety division, which shall be headed by the building official.

(e) The performance of other related duties as directed by the City Administrator or the governing body.

**2.36.020 – Divisions of Community Development Department**

The community development department shall consist of economic development, building division and planning division.

**2.36.030 - Building Official duties and responsibilities.**

The Building Official shall be the designated building inspector and shall have the powers and duties to administer and enforce all provisions of the International Building, Residential, Energy Conservation, Plumbing, Fuel Gas, and Mechanical Codes, the National Electrical Code, the Uniform Code for the Abatement of Dangerous Buildings, the Uniform Code For Building Conservation, the city zoning code and all other building regulations of the city, presently enacted or which may be amended from time to time.

**CHAPTER 2.40**  
**FINANCE DEPARTMENT**

**2.40.010 - Functions and responsibilities.**

The finance department shall be headed by the City Treasurer Director who shall have the following responsibilities:

(a) To receive any money derived for the benefit of the City from any and all sources and to credit such money to the proper funds.

(b) To disburse money for the City only on proper orders signed by the City Clerk or the City Treasurer and countersigned by the Mayor.

(c) To keep permanent, accurate and complete accounts and records of all receipts, orders, and warrants.

(d) To endorse upon or attach to every bond or other evidence issued by the City pursuant to law a certificate that the same is within the lawful debt of the City and is issued pursuant to law.

(e) To perform such other duties as may be directed by the City Administrator or governing body or by law.

**CHAPTER 2.44**  
**OFFICE OF THE CITY CLERK**

**2.44.010 - Functions and responsibilities.**

The office of the City Clerk shall be headed by the City Clerk who shall have the following responsibilities:

- (a) To attend the meetings of the governing body and record the minutes thereof, which minutes, after approval, shall be signed by the Mayor and attested by the City Clerk;
- (b) To safely keep the corporate seal, papers, records, and books belonging to the City;
- (c) To preserve consecutive records of all resolutions and ordinances passed by the governing body;
- (d) To attest the signature of the Mayor and affix the City seal to all resolutions and ordinances passed, all bonds and business licenses issued, and such other documents as may require the same;
- (e) To attest all orders and warrants upon the City Treasurer, keeping an accurate permanent record thereof;
- (f) To issue business licenses, liquor licenses, cemetery permits and deeds and other permits in accordance with City code or state statute;
- (g) To perform other related duties as directed by the City Administrator, the governing body or by law.

**CHAPTER 2.46**  
**CITY ENGINEER**

**2.46.010 - Appointment.**

A City Engineer shall be appointed according to the provisions of Section 2.12.050. The City Engineer shall be a registered professional engineer licensed to do business in the state of Wyoming. Nothing in these ordinances shall be read to preclude the appointment of a City Engineer who is a contractor to the city, rather than a full-time employee of the city. The City Engineer shall have the authority to designate an employee or employees subordinate to him to perform tasks under his direction and control.



**2.46.020 - Duties.**

The City Engineer shall be responsible for:

- (a) Preparation of plans, specifications, contract documents, estimates, reports, inspections, construction supervision, construction surveying and property surveys for all construction, changes, and improvements in the physical properties of the city.
- (b) The performance or supervision of the survey of all streets, alleys, avenues, public ways and all other such places as shall be required by the governing body.
- (c) The review of subdivision public improvement plans with city staff and developers.
- (d) The approval of engineering plans prepared by other engineers for conformance with city standards.
- (e) The performance of related duties as directed by the governing body.

**2.46.030 - Specialty projects.**

The City may, upon the recommendation of the City Engineer, City Council, and/or the City Administrator, request proposals from other engineers, architects or surveyors that possess expertise to perform services for city projects that require expertise outside of the registered abilities and/or expertise of the city engineer.

**CHAPTER 2.48**  
**CITY ATTORNEY**

**2.48.010 - Appointment.**

The Mayor shall appoint a City attorney as provided in Section 2.04.060. The City attorney shall be the legal representative of the City and shall advise the governing body and City officials in matters relating to their official powers and duties. The City attorney shall be an attorney at law admitted to practice in Wyoming. The Mayor may appoint such deputy attorneys and assistants as they may deem necessary. Nothing in this ordinance shall be read to preclude the appointment of a City attorney who is a contractor rather than an employee of the City. The City attorney shall have the authority to designate an employee or employees subordinate to him to perform tasks under his direction and control.

**2.48.020 - Duties.**

- (a) The City attorney or his deputy shall represent the City in legal proceedings, supervise the drafting of all ordinances and the preparation of all legal documents. The attorney or his deputy shall prosecute violations of the provisions of this code in municipal court. He or his deputy shall

attend all council meetings and shall perform all services incident to his position as may be required by law or municipal ordinance.

(b) Nothing shall preclude the City from appointing deputy attorneys who are not full time employees of the City and who are not employees of the City Attorney, provided however that they shall remain a deputy of the City Attorney in his official capacity.

**2.48.030 - Special counsel.**

The governing body may, on its own motion or upon request of the City attorney, in special cases employ special counsel to represent the City.

**CHAPTER 2.52**  
**MUNICIPAL COURT**

**2.52.010 - Created and established.**

There is created and established in the City a municipal court for the trial of all offenses arising under the ordinances of the City. The office of police justice (municipal judge) is established to preside over the municipal court.

**2.52.020 - Jurisdiction—Venue change.**

(a) The municipal court and the municipal judge presiding therein shall have exclusive jurisdiction to hear and determine all cases arising under this code and the ordinances of the City for a violation thereof, and no change of venue shall be granted in any case.

(b) The municipal judge shall have jurisdiction to fine, enter judgment, and hear, try, and determine all cases arising under any provision of this code or the ordinances of the City.

**2.52.030 - Appointment—Qualifications.**

The municipal judge and alternate municipal judges shall be appointed by the Mayor with the consent of the City council, shall be a resident of the County, and meet the criteria set forth for Circuit Court Judges set forth at WS Section 5-9-111 and shall become vacant at that age for mandatory vacancy set by Wyoming Const. Art 5 Section 5..

**2.52.040 - Term of office—Compensation.**

The governing body shall set the salary of the municipal judge. The salary may be changed from year to year and the municipal judge may be discharged and his employment terminated at any time by a majority vote of the governing body. The regular term of the municipal judge shall be as otherwise set forth in these statutes.

**2.52.050 - Bond.**

The municipal judge shall give a bond to the City in the amount set by resolution conditioned for the performance of all his duties in accordance with law and the ordinances of the City and that he will turn over to the parties entitled thereto or as may be prescribed by the ordinances of the City, all moneys collected by him by virtue of his office as municipal judge.

**2.52.060 - General court procedure.**

The procedure of the municipal court shall, as nearly as possible, conform to that provided by the general laws of the state in courts of the justice of the peace. In addition, the City may, by ordinance, provide such additional rules of procedure as may be found necessary for the proper conduct of the municipal court; provided, that the same do not conflict with the general laws of the state and appeals to the district court from the judgments and decisions of the police justice shall be allowed, in all cases, such appeals to be taken in the manner now provided by law for appeals from justices of the peace.

**2.52.070 - Postponement of trial—Recognizance generally.**

Whenever a person charged with a violation of a city ordinance is held to appear for examination or trial before the police justice, the police justice may postpone the trial or the case to a certain day, in which case he may require the defendant to enter into a recognizance, with sufficient sureties, conditioned that he will appear before the police justice at the time and place appointed, then and there to answer the complaint alleged against him.

**2.52.080 - Postponement of trial—Deposit—Breach of recognizance.**

When a person is ordered by the police justice to enter into a recognizance, he may, at the discretion of the police justice, be permitted to sign his own recognizance, or furnish sureties, or deposit with the police justice or his designee the amount named in the bond, in cash, and should said person so recognized fail to appear and comply with all of the requirements of the bond, the police justice having cognizance of the same shall, if there are no mitigating circumstances, at once declare the bond forfeited and order the cash so deposited to be turned into the general fund of the treasury of the City. If in the progress of any trial before the police justice, it should appear that the accused ought to be put on trial for an offense not cognizable before the justice, he shall immediately stop all further proceedings before him, and proceed as in other cases exclusively cognizable before the district court.

**2.52.090 - Punishment by fine—Contempt.**

Any person convicted before the police justice shall be punished by such fine as may be provided by ordinance and bond schedule; provided, that no such fine shall be greater than seven hundred fifty dollars (\$750.00) as authorized by Wyoming Statutes 1980, Section 15-1-103(a)(xli). The police justice shall have the same power to punish for contempt as justices of the peace have in like cases.

**2.52.100 - Appeals from municipal court.**

Appeals from the judgment or sentence of the police justice may be taken to the district court in the same manner as is now provided by law for appeals from justice courts in criminal cases and shall be dealt with by the courts as criminal cases.

**2.52.110 - Disposition of fines.**

All fines and penalties collected, arising from a breach of the ordinances of the City, shall be paid into the City treasury.

**2.52.120 - Monthly reports to council.**

The clerk of courts shall make monthly reports, in writing, to the governing body of all cases which may have come before him, the disposition of the same and all fines collected during the preceding month.

**2.52.130 - Powers and duties under direction of court.**

**2.52.130 - Powers and duties under direction of court.**

The clerk of the court shall exercise the powers conferred and perform the duties enjoined upon the clerk by statute, municipal ordinance, the common law and as assigned to the clerk by the Mayor or the Mayor's designee and in the performance of the clerk's duties the clerk shall be under the direction of the Mayor or the Mayor's designee and City Clerk, in the service first of the Municipal Court, and then in the service of the City Clerk.

**2.52.140 - Duties designated.**

**2.52.140 - Duties designated.**

The clerk shall file together and carefully preserve all papers delivered to the clerk for that purpose in every action or proceeding. The clerk shall not permit the papers to be taken from the clerk's office except to be used at a session of the court or upon legal process, and the clerk shall be liable upon the clerk's official bond to a party suffering injury on account of any violation of this section. Upon the order of a judge of competent jurisdiction or of this court, the clerk may transmit by express or registered mail to an attorney of the state appearing in the action or proceeding, who resides in a different county or away from the City, such original files as are not represented by copies in the clerk's office, and the clerk shall take the attorney's receipt for each paper in each case.

**2.52.150 - Endorsement of papers.**

The clerk shall endorse upon every paper filed with him the date of the filing thereof, and upon every order for a provisional remedy, and upon every undertaking given under the same, the date of its return to his office.

**2.52.160 - Recordkeeping.**

The clerk shall keep the journals, records, books, and papers appertaining to the court, and record its proceedings.

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**CHAPTER 2.56**  
**BOARDS AND COMMISSIONS—GENERALLY**

**2.56.010 - Appointment.**

Unless otherwise provided by ordinance, all boards and commissions shall be appointed by the Mayor and all such boards and commissions shall be advisory in character unless otherwise provided. Any vacancy occurring in the membership of any board or commission shall be filled by the Mayor by appointment. Governing body members may be members of Board of Commissioners.

**2.56.020 - Expenses.**

Except as otherwise provided in this chapter and Chapters 2.60 through 2.72, all members of boards and commissions shall serve with compensation at an amount to be determined by the City Council on a per meeting basis but shall be paid necessary expenses incurred in the discharge of their official duties.

**2.56.030 - Selection of chairman—Adoption of rules of procedure.**

Each board and commission shall provide and choose its own chairman from its membership and shall have powers to make and adopt such rules of procedure and regulations not inconsistent with other provisions of this code, as may be necessary for the proper conduct of its business and the effective accomplishment of its functions and duties. A copy of such rules of procedure and regulations shall be filed with the City clerk.

**2.56.040 - Boards and commissions enumerated.**

The following boards and commissions having been duly created in accordance with this chapter are continued and vested with all powers and duties conferred upon such boards by statute or municipal ordinance:

- (a) Board of adjustment, with the Planning and Zoning Committee sitting in this role;
- (b) Board of appeals; with the Governing Body plus the City Engineer sitting in this role;
- (c) Planning and zoning commission; and
- (d) Other advisory boards as needed.

## Chapter 2.72 - DISASTER AND CIVIL DEFENSE UNIT

### **2.72.010 - Established.**

The Mayor and all elected officials and all appointed officers and employees of the City are authorized and directed to join with the board of county commissioners and all other elected officials and appointed officers of the county for the purpose of establishing a City-county disaster and civil defense unit under the provisions of Wyoming Statutes 1977, as amended, Sections 19-5-101 through 19-5-116.

### **2.72.020 - Duties of officials.**

The Mayor and other duly elected officials and the appointed officers of the City are authorized and directed to do and perform every act that may be lawfully required of them by the Director of Disaster and Civil Defense for the state under the provisions of Wyoming Statutes 1977, as amended, Sections 19-5-101 through 19-5-116.

## **CHAPTER 2.76** **ELECTION AND TERMS OF MAYOR AND COUNCILMEN**

### **2.76.010 - Elective offices established—Term.**

The elective officers of the city shall be a Mayor and four councilmen. The term of office of the Mayor and the councilmen shall be four years and until successors are qualified. The Mayor shall be elected at large. Pursuant to the provisions found at Article 13, Sec 1, of the Wyoming Constitution the, the City of Mills shall provide that councilmen shall be elected at large and not by wards or districts, and therefore the provisions of WS § 15-11-103 and WS 22-23-103 pertaining to wards shall not apply to the city

### **2.76.020 - Coordination of municipal and primary elections.**

The city municipal primary and general elections shall be held at the same time, in the same manner, at the same polling places, and conducted by the same precinct officials, using the same poll lists, as the statewide primary and general elections.

### **2.76.030 - Candidates for municipal and primary elections.**

All candidates for municipal office shall be nominated at the municipal primary election. Candidates equal to twice the number to be elected to each office who receive the highest number of votes at the primary election are nominated to run for the office at the next general election.

**2.76.040 - Commencement of term.**

The term of office of a person elected at the municipal general election commences on the first regularly scheduled City Council meeting in January following the general election.

**2.76.050 - Terms on which existing offices expire upon a Councilperson's successor being sworn in.**

A person shall hold their appointment to the City Council until their successor is sworn in at the January meeting following the general election.

**2.76.060 - Residency requirements.**

All elective municipal officers shall be qualified electors resident in the city.

**2.76.070 - Exemption of certain state statutes.**

The city is exempted by the Charter ordinance codified in this chapter from the provisions of Wyoming Statutes WS 15-5-101 15-11-103, 15-11-202, 22-23-103, 22-23-503, 22-23-602 and 15-3-104 (1977, as amended.) These statutory provisions shall not apply to the city.

**CHAPTER 2.80**  
**OATH OF OFFICE AND BONDS**

**2.80.010 - City administrator, department heads and other officials.**

The City administrator, each department head, law enforcement officer and elected official shall, before entering upon the performance of the duties of such office, subscribe an oath to honesty and faithful performance and discharge the duties of such office to the best of his ability.

**2.80.020 - Officers having custody of money.**

Each City officer, or clerk of the City, having custody of money belonging to the City shall, before entering upon the performance of his respective duties, be required to furnish a bond in the amount prescribed in this chapter for such office, which bond shall be conditioned upon the following:

- (a) The faithful performance by such officer or clerk of all the duties of his office as prescribed by law;
- (b) The safekeeping of all money which may come into his hands by virtue of his office;



(c) The prompt payment thereof to those persons who are legally authorized to receive the same in the manner provided by law; and

(d) The delivery by him to his successor in office of all money then held by him as such officer.

Each of such officers and his sureties, respectively, shall be responsible for the safekeeping and paying over according to law of all funds which shall come into his hands by virtue of his office.

**2.80.030 - Minimum amounts.**

The bonds of the various City officers and clerks shall be in minimum amounts as follows:

City Clerk / City Treasurer	Set by Resolution.
Blanket bond all employees	Set by Resolution.

When approved, such bonds shall be filed in the City clerk's office.

The governing body may, by resolution, increase the amounts of such bonds, and may also require similar bonds to be furnished by any employee having custody of City funds.

**2.80.040 - Premiums due to surety company.**

When the bond of any officer of the City shall be furnished by a surety or guaranty company, the premium due such company for furnishing such bond shall be paid out of the public funds of the City.

**2.80.050 - Sureties—Qualifications.**

Whenever any bond, recognizance or other obligation is by law, ordinance, rules or regulations of the City required or permitted to be tendered or filed with sureties, and whenever the performance of any act or obligation or the refraining from any act or obligation is required or permitted to be guaranteed, such bond, undertaking, obligation, recognizance or guarantee may be executed either by a guaranty or surety company qualified to act as surety or guarantor under the laws of the state.

**CHAPTER 2.84**  
**COMPENSATION OF OFFICERS AND EMPLOYEES**

**2.84.010 - Salary structure.**

The salary structure shall be established by council action during the annual budget process, or at such other times as may be appropriate. No employee shall be assigned to a salary grade or step not in accordance with the salary structure.

**2.84.030 - Compensation for elected officials.**

The Mayor shall be paid Two Thousand and no/100 dollars (\$2,000.00) per month for his or her services. Each councilmember shall be paid One Hundred Fifty and no/100 dollars (\$150.00) per actual regular meeting attended. In addition, members of the governing body shall be reimbursed for expenses incurred in the performance of their official duties.

**2.84.040 - Fringe benefits.**

(a) All full-time permanent employees of the City shall be provided employee benefits as may be established by the governing body by resolution.

(b) The City may, by resolution of the City Council, provide benefits to permanent part time employees.

(c) The City treasurer is authorized to deduct any participating employee's share for the benefits from the employee's paycheck.

**CHAPTER 2.88**  
**PERSONNEL RULES AND REGULATIONS**

**2.88.010 - Rules and regulations established.**

The City administrator shall establish comprehensive rules and regulations providing for the recruitment of employees, terms of employment, disciplinary action, grievance procedures and such other matters relating to personnel management as the City administrator may deem necessary. These rules and regulations shall be compiled in a manual of personnel rules and regulations which is to be adopted by the governing body by resolution. Such manual shall be made available to all employees. The manual shall include a pay plan which shall apply to all positions in the City service except elected officials and council-appointed positions. The pay plan shall provide for job descriptions, position classification, performance evaluation, job evaluation and salary structure.

**2.88.020 - Equal employment opportunity policy.**

(a) It shall be the policy of the City to provide equal employment opportunity for employment and advancement to all qualified applicants and employees. It shall be the responsibility and duty of all City officials and department heads to carry out the policies, guidelines and corrective measures as set forth in the manual of personnel rules and regulations.

(b) Contractors, subcontractors, and suppliers conducting business with the City shall affirm and subscribe to the fair practices and nondiscrimination policies as set forth by the City.

**2.88.030 – Civil service Commission Not Required.**

Under the provisions of Article 13, Sec 1 of the Wyoming Constitution, the City of Mills exempts itself from the requirement of having a Civil Service Commission under WS 15-5-101 et seq.

**2.88.040 – Fund Raising and Representation of the City**

(a) No City Office, City Official, City Councilman or City Employee shall use a personal website, publication, or electronic media in a fashion which purports to represent the City of Mills or any of its subdepartments or branches.

(b) No City Employee shall appear in a uniform or part of a uniform associated with his office as part of an effort to solicit funds or participation in any matter except as authorized by the City of Mills through the City Council.

(c) No official symbols or insignia of the City of Mills shall be used by any employee in an effort to solicit funds or participation in any matter except as authorized by the City of Mills through the City Council.

(c) Any funds solicited in violation of this provision shall be deemed to belong to the City of Mills and shall be turned over to the City of Mills upon the City providing notice to any party violating this section. Upon providing such notice, said party shall account for said funds and their whereabouts within forty-eight (48) hours of having received notice.

(d) Any fundraising that is in any way related to an employee's employment, an official's position, or a Councilman's office with the City shall require said individual to complete an annual financial disclosure form to the City clerk that details expenditures and revenues. This shall include the submission of the same that are associated with political campaigns, fund raising efforts by entities that are associated with the City or its subdivisions or employees. Unions or associations of City employees that represent City employees in any capacity shall likewise submit annually a financial disclosure as set forth in this subsection.

### **2.88.040 – Handbook not a contract**

Should the City of Mills choose to issue an Employee Handbook, that handbook shall not be deemed to constitute a Contract of Employment. The City may elect to change the provisions of said handbook, without notice, at any time. All City Employee Handbooks issued after the adoption of this provision shall include a notice of this provision.

## **CHAPTER 2.90** **Miscellaneous Provisions**

### **2.90.10 – Appeals by Contractors.**

All appeals of matters by licensed Contractors or those seeking to be licensed Contractors that relate to their licensure or work performed under their licenses shall be to the City Council of the City of Mills which shall sit, in that capacity, in place of a Board of Appeals for the purpose of hearing said appeals.

### **2.90.20 – Pay for Commissions and Boards**

The City Council may set, where otherwise not set by State Statute, such pay for members of City Boards and Commissions as it sees fit. Pay in such instances shall be set by Resolution and shall remain in place until such time as it is altered or rescinded by Resolution.

### **2.90.30 – Legal Advertisements.**

Pursuant to the Provisions found at Article 13, Sec. 1, of the Wyoming Constitution, in all instances in which there exists a Statute requiring the City of Mills to advertise or place notices in a newspaper, the City of Mills shall instead place said notice or advertisement, except where it elects to do the same in a newspaper, on the City's website and three designated public places in the City of Mills. Unless provided for otherwise, the public places will be the Mills City Hall, the Mills Library, and the United States Post Office in the City of Mills. All such notices shall remain in place for that period specified by State Statute for running an advertisement or a notice in a newspaper.

Nothing in this provision shall preclude the City from running an advertisement or notice in a newspaper should it choose to do so.