

Duties of City Clerks in Mayor-Council Cities

June 2010

The only non-elected officer required in all Kentucky cities (except first class cities) is the city clerk. KRS 83A.085 outlines the following duties of the city clerk:

1. Maintenance and safekeeping of the permanent records of the city;
2. Performance of the duties required of the “official custodian” or “custodian” in accordance with the Kentucky Open Records Act;
3. Possession of the seal of the city if used;
4. Filing the annual city descriptive information form with the Department for Local Government by January 31 each year;
5. Publication of legal notices; and
6. Performance of all other responsibilities required of the city clerk by statute or ordinance.

KRS 83A.085 gives cities broad authority to add powers and duties to the city clerk – including combining the position with any other non-elected city office – as long as the local ordinance establishing the office specifies them. Because of this flexibility and varying needs at the local level, cities have created many different combinations of duties for the city clerk. This brief looks at only mayor-council cities, which constitute 53 percent of all Kentucky cities.

Job Functions

Every other year the Kentucky League of Cities collects wage and benefit data from its member cities. Respondents are asked to ignore job titles and instead concentrate on job functions.

Mayor-council cities most frequently reported combining the duties of the city clerk and the city treasurer in the *2010 Wage and Salary Survey of Kentucky Cities*. In fact, over half (57 percent) of all mayor-council cities that completed this survey reported having one position that performed the duties of the clerk and the treasurer. Of those, only seven cities (4 percent) also employed a city administrator or city administrative officer (CAO). As shown below, 38 percent of all mayor-council cities reporting in the wage and salary survey did not combine another position with the job responsibilities of the city clerk. Five percent reported having a city administrator without a separate city clerk position, indicating those positions are combined.

Basic Job Functions

City Clerk – directs operations of the city clerk's office; serves as clerk of governing body and custodian of records

City Treasurer – manages city finances (accounts payable and receivable) and the budget

City Administrator/CAO – serves as the chief administrative official of the city government

Performance of City Clerk Functions

Clerk/Treasurer 57%	Clerk 38%	CAO 5%
-------------------------------	---------------------	------------------

The combination of the city clerk and the city treasurer is most common in smaller mayor-council cities. For instance, of the 28 mayor-council cities above 8,000 in population, only one combined the duties of the clerk with any financial functions (in this case, a city clerk/finance director). Sixteen of those 28 cities (57 percent) have a city administrator, but only two of those also perform the duties of the city clerk.

City Administrative Officer (CAO)

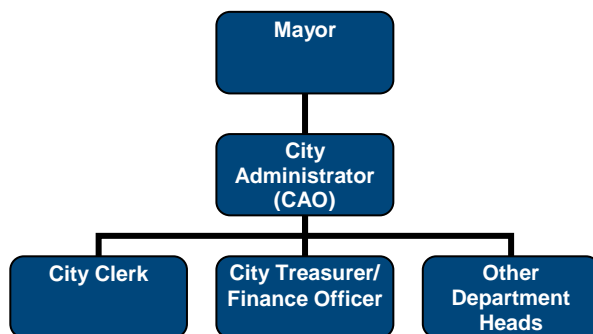
If a city wishes to create the position of city administrative officer, then KRS 83A.090 must be followed. It states:

1. Each city may create the position of city administrative officer which shall be directly responsible to the executive authority of the city. Prior to appointment of a city administrative officer, the city legislative body shall in accordance with KRS 83A.080 set qualifications, which shall include but not be limited to professional training and experience in administration sufficient to insure competence, and list duties and responsibilities of the position which shall include, but not be limited to the following:
 - (a) Advise the executive authority of the city in policy formulation on overall problems of the city;
 - (b) Have major responsibility for preparation and administration of operating and capital improvement budgets under direction of the executive authority;
 - (c) Advise the executive authority of the city in the appointment of subordinate administrative personnel if not delegated appointment authority by appropriate order; and
 - (d) Have continuing direct relationships with operating department heads on implementation and administration of programs.
2. The city administrative officer shall carry out all additional duties lawfully delegated by appropriate order of the executive authority and shall have the same powers as the executive authority in carrying out such duties.

Organizational Structures

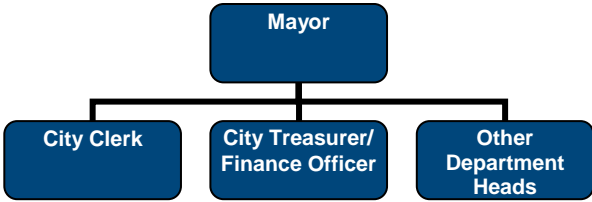
In larger, full-service mayor-council cities, there are two primary organizational structures:

Option One: With City Administrative Officer



In this structure, the CAO reports directly to the mayor. All department heads, including the city clerk, report to the CAO. The CAO is usually a public administration professional and acts very much like a city manager, except the CAO does not directly report to the city council as a city manager reports to the city commission. The mayor is still the chief executive, but most of the day-to-day management is performed by the CAO. Although not always the case, this type of structure is commonly used when the mayor is not considered full-time.

Option Two: No City Administrative Officer



In this structure, the mayor oversees day-to-day management of department heads and the city clerk. This structure favors a full-time mayor with administrative/management experience and regular office hours.

These two options are not the only organizational structures cities employ. For example, smaller cities without as many municipal services frequently combine the duties of the treasurer with the clerk. This is due mostly to the fact that they would not have enough separate duties or municipal services to require two full-time employees. A handful of other cities combine the duties of the city clerk with those of a city administrator.

Conclusion

Elected city officials are largely free to create their own personnel structure. Because the needs of each city are different, a one-size-fits-all approach is not realistic. Elected city officials need to identify their city’s needs and determine the organizational structure and combination of duties that best meets those needs.

The KLC research team has wage and salary information as well as sample job descriptions to assist member city officials. If you are interested in any of this information, contact Joseph Coleman at 1-800-876-4552 or jcoleman@klc.org.

Questions? Contact the KLC research team at 1-800-876-4552.