

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF ORDINANCES  
BY AMENDING §§ 30.35, 30.36 30.37, 30.39, AND 30.40 OF TITLE III:  
ADMINISTRATION; CHAPTER 30: VILLAGE OFFICIALS; VILLAGE MANAGER**

**The Village of Pinckney ordains:**

**Section 1.** Title III, *ADMINISTRATION*, Chapter 30, *VILLAGE OFFICIALS; VILLAGE MANAGER*, §§ 30.35, 30.36, 30.37, 30.39, and 30.40 of the Village of Pinckney Code of Ordinances is hereby amended to read as follows:

**§ 30.35 ESTABLISHMENT OF OFFICE.**

In accordance with the authority for the appointment of the Village officers as the Council shall deem necessary for the execution of the powers granted to the Village contained in § 2 of Ch. 11 and § 8 of Ch. V of Public Act 3 of 1895, as amended, being MCL §§ 61.1 through 75.12, which is the Charter of the Village, there is hereby established the Office of Village Manager.

**§ 30.36 APPOINTMENT OF VILLAGE MANAGER.**

(A) The Council may appoint a Village Manager for an indefinite term and the Council may, by contract, enter into other terms and conditions as the Manager and Council deem appropriate. The Manager shall serve at the pleasure of the Council and may be removed by the affirmative vote of four or more Council members, but only after a hearing before the Council. The President may, for cause, suspend the Manager with full pay until the hearing. The action of the Council in removing the Manager shall be final.

(B) The Manager shall be selected solely on the basis of administrative and executive abilities with special reference to training and experience.

(C) When the Council has authorized employment of a Village Manager, the Council shall, within 180 days of the effective date of such authorization or within 180 days after a vacancy exists in the position, employ a Village Manager.

(D) When the Council has not authorized the employment of a Village Manager, the Village President shall assume the duties of the Village Manager as provided under Charter §§ 64.1, 64.2, and 64.3 (MCL §§ 64.1 — 64.3), including expressly the duties and responsibilities of the Village Manager as established within the Code of Ordinances, Village of Pinckney, Michigan. The Village President may, with the concurrence of the Village Council, delegate some of these responsibilities to other Village employees or contractors.

**§ 30.37 VACANCIES; ACTING VILLAGE MANAGER.**

(A) When a vacancy exists in the office of Village Manager and the Village Council has authorize the employment of a Village Manager, the Manager's responsibilities shall be assumed by the Village President until the position is filled. The Village President may, with the concurrence of the Village Council, delegate some or all of these responsibilities to other Village employees or contractors during the period of vacancy.

(B) The Village Council may appoint or designate an acting Manager during the period of a vacancy in the office of Village Manger or during the absence of the Manager from the Village.

### **§ 30.39 DUTIES.**

(A) The Village Manager shall be the Chief Administrative Officer of the Village and shall be responsible to the Village Council for the efficient administration of all affairs of the Village, all departments and over all public property belonging to the Village.

(B) The Manager shall have the following functions and duties:

(1) Attend all meetings of the Village Council and committees thereof and take part therein but without a vote;

(2) Be responsible for personnel management and shall issue, subject to Council approval, personnel rules applicable to all Village employees. The Manager shall have the following responsibilities:

(a) To appoint, suspend or remove all appointed administrative officers and department heads, subject to Council approval. The Manager shall recommend to the Council the salary of wages to be paid each official; and

(b) To appoint, suspend or remove all other employees of the Village. All the action shall be based on merit and taken pursuant to personnel rules approved by the Council. The Manager shall fix the salaries or wages of all employees;

(3) Exercise administrative control over all departments including the Police Department and the Department of Public Works. The Chief of Police and the head of the Department of Public Works shall be subject to the direction of the Manager;

(4) Exercise administrative responsibility over the accounting, budgeting, personnel, purchasing and related management functions of the Village Clerk and Village Treasurer;

(5) Shall be required to attend all meetings of Village boards and commissions, including the Village Planning Commission with the right to take part therein but without a vote, and may be appointed to also serve as the Zoning Administrator;

(6) Prepare and administer the budget as provided for in the Uniform Budgeting and Accounting Act, Public Act 2 of 1968, as amended, being MCL §§ 141.421 through 144.440a;

(7) Be the Purchasing Agent of the Village;

(8) Prepare and maintain an administrative code defining the duties and functions of the several officers and departments of the Village, subject to approval by the Council;

(9) Investigate all complaints concerning the administrative of the Village, and shall have authority at all times to inspect the books, records and papers of any agent, employee or officer of the Village;

(10) Make recommendations to the Council for the adoption of the measures as may be deemed necessary or expedient for the improvement or betterment of the Village; and

(11) Perform other duties required from time to time by the Village Council.

#### **§ 30.40 PURCHASING RESPONSIBILITIES.**

(A) The Village Manager shall act as the Purchasing Agent for the Village offices and departments. The Manager may delegate some or all of the duties as Purchasing Agent to other officers or employees, provided that the delegation shall not relieve the Manager of the responsibility for the proper conduct of those duties.

(B) The Village Manager shall have the authority to purchase any product or service the cost of which does not exceed \$5,000 provided that funds have been appropriated. The cost of the product or service shall not exceed the unencumbered balance of the appropriation for that account. Except as herein after provided, the Village Manager shall not purchase any product or service the cost of which exceeds the above dollar amount without prior approval of the Village Council. The Village Manager may promulgate rules governing the purchase of products or services.

(C) The Village Manager shall have the authority to purchase any product or service regardless of its cost when the purchase is necessitated by an emergency condition. EMERGENCY CONDITION is defined to mean any event which presents an imminent threat to the public health or safety, or any event which would result in the disruption of a Village service which is essential to the public health or safety.

**Section 2. Repealer Clause.** Any ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 3. Savings Clause.** This ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts thereof, hereby repealed.

**Section 4. Validity and Severability.** Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

**Section 5. Effective Date.** This Ordinance shall be effective from and after its publication.

\_\_\_\_\_  
Jeffrey Buerman, Village President

\_\_\_\_\_  
Andrea McCall, Village Clerk

Village Council Member \_\_\_\_\_ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Jeffrey Buerman, President	_____
Justin Bierman, Trustee	_____
Stacy Conquest, Trustee	_____
Joseph Hartman, Trustee	_____
Nick Kane, Trustee	_____
Rob Coppersmith, Trustee	_____
Jeffrey Spencer, Trustee	_____

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this \_\_\_\_ day of \_\_\_\_\_, 2025.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. \_\_\_\_ adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Andrea McCall, Village Clerk

## VILLAGE MANAGER

### § 30.35 ESTABLISHMENT OF OFFICE.

In accordance with the authority for the appointment of the ~~village~~Village officers as the Council shall deem necessary for the execution of the powers granted to the ~~village~~Village contained in § 2 of Ch. 11 and § 8 of Ch. V of Public Act 3 of 1895, as amended, being M.C.L.A.MCL §§ 61.1 through 75.12, as amended, which is the Charter of the ~~village~~Village, there is hereby established the Office of Village Manager.

### § 30.36 APPOINTMENT OF VILLAGE MANAGER.

~~(A) — (A) The President shall, with the concurrence of four or more Trustees, The Council may~~ appoint a Village Manager for an indefinite term and the Council may, by contract, enter into other terms and conditions as the Manager and Council deem appropriate. The Manager shall serve at the pleasure of the Council and may be removed by the affirmative vote of four or more ~~Trustees~~Council members, but only after a hearing before the Council. The President may, for cause, suspend the Manager with full pay until the hearing. The action of the Council in removing the Manager shall be final.

~~(B) — (B) The Manager shall be selected solely on the basis of administrative and executive abilities with special reference to training and experience. The Manager need not be a resident of the village at the time of appointment but shall become a resident within 180 days from the date of the appointments with extensions permitted upon approval of the Council.~~

### ~~§ 30.37 ACTING VILLAGE MANAGER.~~

~~(C) — The President, with the concurrence of four or more Trustees, shall appoint or designate an acting Manager during a vacancy in the Office of~~ When the Council has authorized employment of a Village Manager and, the Council shall make a permanent appointment, within 180 days from of the effective date of the vacancy. A such authorization or within 180 days after a vacancy exists in the position, employ a Village Manager.

~~(D) When the Council has not authorized the employment of a Village Manager, appointed in accordance with § 30.36, the Village President shall assume the duties of the Village Manager as provided under Charter §§ 64.1, 64.2, and 64.3 (MCL §§ 64.1 — 64.3), including expressly the duties and responsibilities of the Village Manager as established within the Code of Ordinances, Village of Pinckney, Michigan. The Village President may, with the concurrence of the Village Council, delegate some of these responsibilities to other Village employees or contractors.~~

**§ 30.37 VACANCIES; ACTING VILLAGE MANAGER.**

(A) When a vacancy exists in the office of Village Manager and the Village Council has authorize the employment of a Village Manager, the Manager's responsibilities shall be deemed to be the acting Manager from the date of the appointment assumed by the Village President until the appointee becomes a resident, if residency position is deemed filled. The Village President may, with the concurrence of the Village Council, delegate some or all of these responsibilities to be a qualification for the appointment, other Village employees or contractors during the period of vacancy.

(B) The Village Council may appoint or designate an acting Manager during the period of a vacancy in the office of Village Manger or during the absence of the Manager from the Village.

**§ 30.38 COMPENSATION.**

The Village Manager shall receive compensation as the Council shall determine annually by resolution or contract.

**§ 30.39 DUTIES.**

(A) The Village Manager shall be the Chief Administrative Officer of the ~~village~~Village and shall be responsible to the Village Council for the efficient administration of all affairs of the ~~village~~Village, all departments and over all public property belonging to the ~~village~~Village.

(B) The Manager shall have the following functions and duties:

(1) Attend all meetings of the Village Council and committees thereof and take part therein but without a vote;

(2) Be responsible for personnel management and shall issue, subject to Council approval, personnel rules applicable to all ~~village~~Village employees. The Manager shall have the following responsibilities:

(a) To appoint, suspend or remove all appointed administrative officers and department heads, subject to Council approval. The Manager shall recommend to the Council the salary of wages to be paid each official; and

(b) To appoint, suspend or remove all other employees of the ~~village~~Village. All the action shall be based on merit and taken pursuant to personnel rules approved by the Council. The Manager shall fix the salaries or wages of all employees.;

(3) Exercise administrative control over all departments including the Police Department and the Department of Public Works. The Chief of Police and the head of the Department of Public Works shall be subject to the direction of the Manager;

(4) Exercise administrative responsibility over the accounting, budgeting, personnel, purchasing and related management functions of the Village Clerk and Village Treasurer;

(5) Shall be required to attend all meetings of ~~village~~Village boards and commissions, including the Village Planning Commission with the right to take part therein but without a vote, and may be appointed to also serve as the Zoning Administrator;

(6) Prepare and administer the budget as provided for in the Uniform Budgeting and Accounting Act, Public Act 2 of 1968, as amended, being M.C.L.A. MCL §§ 141.421 through 144.440a, as amended;

(7) Be the Purchasing Agent of the ~~village~~Village;

(8) Prepare and maintain an administrative code defining the duties and functions of the several officers and departments of the ~~village~~Village, subject to approval by the Council;

(9) Investigate all complaints concerning the administrative of the ~~village~~Village, and shall have authority at all times to inspect the books, records and papers of any agent, employee or officer of the ~~village~~Village;

(10) Make recommendations to the Council for the adoption of the measures as may be deemed necessary or expedient for the improvement or betterment of the ~~village~~Village; and

(11) Perform other duties required from time to time by the Village Council.

### **§ 30.40 PURCHASING RESPONSIBILITIES.**

(A) The Village Manager shall act as the Purchasing Agent for the ~~village~~Village offices and departments. The Manager may delegate some or all of the duties as Purchasing Agent to other officers or employees, provided that the delegation shall not relieve the Manager of the responsibility for the proper conduct of those duties.

(B) The Village Manager shall have the authority to purchase any product or service the cost of which does not exceed \$5,000 provided that funds have been appropriated. The cost of the product or service shall not exceed the unencumbered balance of the appropriation for that account. Except as herein after provided, the Village Manager shall not purchase any product or service the cost of which exceeds the above dollar amount without prior approval of the Village Council. The Village Manager may promulgate rules governing the purchase of products or services.

(C) The Village Manager shall have the authority to purchase any product or service regardless of its cost when the purchase is necessitated by an emergency condition. EMERGENCY CONDITION is defined to mean any event which presents an imminent threat to the public health or safety, or any event which would result in the disruption of a ~~village~~Village service which is essential to the public health or safety.

**§ 30.41 DEALING WITH EMPLOYEES.**

Neither the Council nor the Village President shall attempt to influence the employment of any person by the Village Manager or in any way interfere in the management of departments under the jurisdiction of the Manager. Except for purpose of inquiry, the President, Council and its members shall deal with departments under the jurisdiction of the Village Manager through the Manager.