

Sec. 2. [When mayor, councilmen elected.]

Except for 1970, elections for mayor and councilmen shall be held in odd numbered years. A mayor shall be elected at the elections of 1970, who shall serve for three years. Thereafter, commencing with the elections held in 1973, and at the biennial elections held every four years thereafter, a mayor shall be elected who shall serve for a term of four years.

Six councilmen shall be elected at the 1970 elections, three of whom shall serve for three years and three of whom shall serve for one year. In 1971, and at each biennial election thereafter, three councilmen shall be elected, each of whom shall serve for a term of four years.

At the primary election held in 1970, any candidate for councilman, not to exceed six, who shall receive a majority of all the votes cast at such election shall be declared elected, and no further election shall be held as to such candidate. The candidate or candidates for councilman declared elected, not to exceed three, receiving the highest number of votes shall each serve for three years and the candidate or candidates for councilman declared elected, not to exceed three additional, receiving the next highest number of votes shall each serve for one year. A tie for the third highest number of votes in each instance shall be resolved by lot. All terms or periods of service shall commence on January 1 succeeding the day of election, and the officers shall serve until their successors are elected and qualified.

If at such primary election of 1970, held as provided in this Charter, there be any office to which the required number of persons were not elected, then as to such offices the first election shall be considered to have been a primary election for the nomination of candidates and a second or general municipal election shall be held to vote for the candidates to fill such offices as provided in Article IV of this Charter.

If less than the required number of councilmen were not declared elected in said primary election, the candidates for councilman, not to exceed **three, in said second or general municipal election receiving the highest number of votes shall be declared elected to any of the three offices of**

councilman for the term of three years to which a candidate was not declared elected in said primary election, and the candidates for councilman receiving the next highest number of votes, not to exceed three additional, shall be declared elected to any of the three offices of councilman for the term of one year to which a candidate was not declared elected in said primary election.

Sec. 3. Appointive officers.

(a) *City administrator.* There shall be a city administrator, who shall be appointed in accordance with Article VIII of this Charter.

(b) *City clerk.* From on and after January 1, 1971, there shall be a city clerk who shall be appointed and his compensation fixed by the city administrator with the approval of the city council. The city clerk shall give notice of formal council meetings to its members and to the public, keep a journal of its proceedings and perform such other duties as are assigned to him by charter, by city council, or by the city administrator. The city clerk shall serve at the pleasure of the city administrator.

(c) *City attorney.* From on and after January 1, 1971, there shall be a city attorney who shall be appointed and his compensation fixed by the city administrator with the approval of the city council. The city attorney shall serve as the chief legal advisor to the council, the city administrator, and all city departments, offices and agencies. He shall represent the City in all legal proceedings, and shall perform any other duties prescribed by this charter, law or ordinance. **The council shall have control of all litigation of the city, and may employ other attorneys to take charge of any litigation or to assist the city attorney therein,** and may provide for the payment for such additional legal services and all proper service or work done on behalf of the city in connection with its legal matters. The city attorney shall serve at the pleasure of the city administrator.

(d) *Finance director.* From and after January 1, 1994, there shall be a city Finance Director who shall be appointed and his compensation fixed by the city administrator with the approval of the city council. The duties shall be prescribed and carried out as provided by ordinance. The finance