

City Manager..... (802) 334-5136
City Clerk/Treasurer 334-2112
Public Works/Parks 334-2124
Zoning Adm./ Assessor 334-6992
Recreation 334-6345
Fax..... 334-5632



City of Newport
222 Main Street
Newport, Vermont 05855
www.newportvermont.org

The Charter Task Force is pleased to share the working draft that has been used throughout the review and update of the current City Charter.

Please note that this document is a **draft** and will be revised as needed following public input at the public hearings (to be scheduled).

We sincerely appreciate the thoughtful input provided by residents who have attended our meetings, and we encourage continued participation at the public hearings.

Residents who are unable to attend the public hearings may share their feedback with Task Force Co-Chairs **Sharon Pare** (sharon.pare@newportvermont.org) or **Charlie Pronto** (charliepronto@rocketmail.com).

Recordings of Charter Task Force meetings are available on the NEK-TV YouTube channel for anyone who would like to follow the discussion and progress. The public hearings will also be available.

We hope the residents of Newport will participate in this important process as we work together to shape the future governance of our city.

**Draft-Clean Copy
Updated Newport City Charter
Charter Task Force
As of 8/13/263**

Title 24 Appendix: Municipal Charters

Chapter 7: City of Newport

§ 1. Establishment of City

Out of the territory heretofore existing within the limits of the Towns of Newport and Derby is established the City of Newport, embracing all the territory included within the limits described in this charter; and the remainder of the territory of the Town of Newport is established as a new town to be the Town of Newport and the remaining territory of the Town of Derby is established as a new town to be the Town of Derby. The Villages of Newport and West Derby are hereby abolished as soon as this charter shall go into operation, and all property, rights, funds, taxes, rights of action, etc., belonging to said Villages of Newport and West Derby, respectively, shall at once be transferred and belong to said City of Newport; and said City of Newport shall assume and have all the duties, rights, and obligations and debts of the said Villages of Newport and West Derby, respectively, except as herein otherwise provided.

§ 2. [Transitional provisions relating to the governance of the Towns of Newport and Derby; the City of Newport and the process for acceptance of the charter; § 2 of No. 273 of the Laws of 1917.]

§ 3. City boundaries and corporate powers

The inhabitants of that portion of the Towns of Newport and Derby included within the following boundaries, to wit: Beginning at the southeast corner of land of J. C. Roby, and southwest corner of land of William Buck in the Town of Derby on the north line of the Town of Coventry, and following the lot line between the lands of the said Roby and said Buck northerly, which said lot line is the easterly line of the new municipality, and continuing that line between the lands of the following persons: E. Miller, Fred Blake, Will Halley, Frank O. Hill, J. H. Gaines, Will Rann, Charles Lemorey, Henry Lahar, and Mrs. Benj. Hinman, on the westerly side of said lot line, and A. R. Hudon and wife, Theophile Moeykins, and Isaac Labounty on the easterly side of said lot line follow said lot line to a point which is N. latitude 44 degrees 55' 56" and W. longitude 72 degrees 11' 46" and 467 feet southerly of the southerly boundary of Pine Hill road so-called; thence S. 81 degrees E. following the present New England Telephone & Telegraph Company's trunk line 506 feet to an iron pin corner at an angle in said telephone line;

thence N. 40 degrees E. 160 feet to the southerly line of said Pine Hill road; thence following the Pine Hill Road southeasterly on the southerly side thereof until it strikes the land owned by Mrs. Hitchcock on the northerly side of said road and following the southerly line of the Charles Noyes Farm and the southerly line of the Frank Hayward farm to the southeasterly corner of the said Hayward Farm where it strikes the road to Arnold's Mills, so called; thence following said road on the easterly side thereof northerly across Clyde River to Clyde Street; thence following Clyde Street on the northerly side thereof westerly to the east line of Dr. George F. Adams' land; thence northerly on said Adams' east line and on the east line of land owned by Aaron Grout to the road running from Derby Center to West Derby village; thence following said Derby Center Road on the northerly edge thereof to the east line of land owned by Fortunat Dubuc and wife and known as the Colby farm thence northerly on the east line to the northeast corner of said farm; thence following westerly on the north line of said farm to the north line of the present village of West Derby; thence following said village line westerly to Sias Avenue, or Beebe Road, so called, following said Sias Avenue northerly on the westerly side thereof to Austin Beebe's north line; thence westerly following Austin Beebe's north line to Elijah Leavitt's east line; thence northerly following Elijah Leavitt's east line to the road that runs from Sias Avenue to the railroad track, following said road a few rods on the northerly side thereof to the east line of the farm owned by Charles and Myrtie A. Marsh, on the north side of said road; thence following the east line of said Marsh Farm to its northeast corner; thence westerly following its north line to the railroad right of way; thence following said right of way on the easterly side thereof to the railroad culvert (No. 91) crossing what is known as Meadow Brook; thence following said brook to the shore of Lake Memphremagog, following the shore of Lake Memphremagog southwesterly to Indian Point near the cottage now owned by Charles F. Bigelow, and including in the limits of the City Horse Neck Island, which lies a few rods from the said lake shore and is owned by F. E. Miles; thence westerly across the lake from Indian Point in a straight line to the northeast corner of the farm formerly owned and occupied by Tarrant S. Cummings and now owned by Joseph Bouchard; thence westerly on said Bouchard's north line to the easterly side of the poor farm road; thence southerly on the easterly side of said road to the south line of said Bouchard's Farm; thence easterly to William Hyer's west line; thence southerly on the west lines of lands owned by said Hyer, Richmond and son and Arthur Wells to the west line of land owned by O. D. Hancock; thence southerly on said Hancock's west line and in a straight line to the Coventry Town line; thence following said Coventry Town line to the point begun at in Derby, are hereby incorporated and made a body corporate and politic under the name of the City of Newport, and by that name may sue and be sued, prosecute and defend in any court, may have a common seal and alter it at pleasure, may take, hold, purchase, and convey such property, real and personal, as the purposes of the corporation may require, may borrow money on the credit of the City in the mode and under the restrictions hereinafter provided, may elect a representative to the General Assembly and the same number of justices of the peace as a town of equal population may elect, shall exercise and enjoy all such rights, immunities, powers and privileges as are conferred upon or are incident to towns in this State and shall be subject to like duties, liabilities, and obligations,

except as otherwise provided in this charter.

§ 4. Form of government and voter qualifications

(a). The municipal government provided by this Charter shall be known as a Council-Manager form of government. Pursuant to its provisions and subject only to the limitations imposed by the Vermont Constitution and by this Charter, all powers of the City of Newport shall be vested in an elected City Council which shall include four Council Members and a Mayor, and which shall enact ordinances, codes, and regulations; adopt budgets; determine policies; and appoint the City Manager, who shall enforce the laws and ordinances and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this Charter or prescribed by ordinance. The fiscal year for all departments of said City shall begin on July 1st and end on the following June 30th.

(b). Unless otherwise provided by law, the qualifications of a voter in City meetings shall be the same as are required of voters in town meetings. Voters must:

- (1) be a citizen of the United States.
- (2) be a resident of the State of Vermont; and domiciled in the town where they are registered.
- (3) have taken the voter's oath.
- (4) be 18 years of age or more on or before the meeting date.

§ 5. Warning and convening of annual meeting

(a) The annual City meeting shall be held on the first Tuesday in the month of March, at which time the voters shall vote for the election of officers, the voting on the City budget, and any other business included in the warnings for the meeting.

(b) The agenda and all ballot items for the annual meeting shall be warned not less than 30 nor more than 40 days before the meeting. Warnings shall be posted in at least two public places within the municipality and in or near the City Clerk's office door. The warning shall be published in a local newspaper of general circulation at least five days before the meeting. If the City has an active updated website, the warning shall also be posted there.

(c) Special City meetings shall be called either by petition of 50 registered voters of the City or in the manner provided by the laws of

the State of Vermont, except as provided in this Charter with respect to recall petitions and special elections.

(d) The election of City officers, the voting on budgets, and the voting on all questions at annual and special meetings shall be by Australian ballot system. The City Clerk and Board of Civil Authority shall conduct elections in accordance with laws of the State of Vermont.

§ 6. Election, Term, Appointment, Recall and Removal of City Officers

(a) The election and term of all city officers shall be as follows:

1. City Council shall be two years. Terms shall be staggered, so that two City Council Members and the Mayor are elected in odd-numbered years, and the remaining two City Council Members are elected in even-numbered years.
2. School Trustees shall be elected for a term of 3 years.
3. The city voters may vote at any annual or special meeting to establish a term limit for any elected office.

(b) The City Council may appoint an eligible person to fill a vacancy in an elective City office, including the Board of School Trustees pursuant to section 27(b), until the next annual meeting or special meeting is held. Upon a petition of twenty-five (25) registered voters, or a vote by City Council, a special election to fill the vacancy in an elective office shall be called and held within 60 days of receipt.

(c). Any elected officer of the City may be recalled from office as follows:

1. A petition signed by not less than fifteen percent (15%) of the registered voters of the City shall be filed with the City Clerk requesting a vote on whether the elected officer shall be removed from office.
2. The City Council shall call a special City meeting to be held within 60 days of receiving the petition to vote on whether the elected officer shall be removed.
3. If the City votes for removal of an elected officer, the office shall thereupon become vacant.

(d) Elected officials shall be removed from office if at any time during the term of office:

1. They lack any qualification required of them by this Charter
2. Are convicted of any felony
3. Are convicted of a misdemeanor involving the affairs or property of the

City,

4. Fail to attend in person or virtually three consecutive meetings without being excused by the Mayor or City Council.

§ 7. Mayor and council members as City Council

The administration of all fiscal, prudential, and municipal affairs of said City, and the government thereof, shall be vested in the Mayor and Council Members. There shall be four Council Members, who shall elect one of their number President of said Council. The Mayor and the Council Members in their joint capacity, shall be called the City Council. The Mayor and Council Members shall be sworn to the faithful performance of their duties. The Mayor and Council Members shall receive compensation as follows: Mayor - \$5000, President of the council - \$3500 and each Council Member - \$3000. Such compensation shall be increased annually according to the Vermont Cost of living (COLA).

§ 8. Powers and duties of the Mayor

(a) The Mayor shall be the head and chief executive officer of the City Government and shall have all powers and authority necessary or advisable therefore, except for the authority granted solely to the City Manager by the provisions in this Charter to the City Manager. The Mayor, in conjunction with the City Manager, shall ensure that the laws and the City ordinances are enforced. The Mayor shall take care that the finances of the City are properly managed and shall bring before the City Council public issues relevant to the affairs of the City. The Mayor shall preside at all City Council meetings with the powers of moderator, shall have a voice in City Council meetings in accordance with City Council rules and procedures, and shall be entitled to a vote only in the instances where the mayor's vote is necessary to attain the quorum of 3 votes or in those instances where it is necessary to break a tie vote among the Council Members. In the mayor's absence, the President of the Council Members shall act as Mayor.

(b) The Mayor may veto any action passed by the City Council as described in section 9 of this charter.

(c) The Mayor with advice from the City Manager will set the agenda for each month's city council meeting.

§ 9. Mayoral approval and Council Members reconsideration of vetoed actions

The action of the Council Members shall require the approval of the Mayor, except as herein otherwise provided, for the enacting of all ordinances and bylaws and the awarding of any contracts, the appointment of any officers or committees, or the passing of any resolution. If the Mayor shall approve any ordinance, bylaw, resolution, appointment, or contract made or voted by the City Council, the same shall be reduced to writing and the Mayor shall sign the same. If he or she does not sign the same he or she shall return it with his or her objections in writing to the Council Members at their next regular meeting, provided he or she shall have not less than one week to consider such ordinance, bylaw, resolution, appointment, or contract. Council Members shall then proceed to consider such ordinance, bylaw, resolution, contract, or appointment, and if, upon such reconsideration, three-fourths of the whole number of Council Members shall vote in favor of the same it shall be valid and take effect, notwithstanding the objection of the Mayor. If any such ordinance, bylaw, resolution, appointment, or contract shall not be returned by the Mayor to the Council Members at their next regular meeting after the period of one week has elapsed after he or she shall have received it, the same shall be valid and take effect without his or her approval.

§ 10. Police officers

The City of Newport shall provide for police services and law-enforcement coverage within the City. Such services may be provided through a City-operated police department or through a contract, intermunicipal agreement, or other lawful arrangement with another qualified law-enforcement agency, including the Vermont State Police or a county sheriff's department. All police officers shall be qualified as per state statute and shall have the authority to serve anywhere within the state.

§ 11. Board of Civil Authority and Board of Abatement

The City Council, City Clerk, and the Justices of the Peace residing in the City shall constitute the Board of Civil Authority for the City. In conjunction with the City Assessor they shall constitute a Board for the Abatement of Taxes, and shall be governed by the general laws of the State in respect to the abatement of taxes. The Board of Civil Authority shall perform all the duties imposed by law upon the board of civil authority of towns, except as hereinbefore provided. All meetings of the Board of Civil Authority shall, on application, be set by and notified by the City Clerk in the manner provided by law for setting and notifying the meetings of the Board of Civil Authority.

§ 12. City Clerk

The City Clerk shall be appointed by the City Council and shall have the duties, rights and authority of City Clerks as provided by law, unless otherwise provided for in this charter, including:

1. The City Clerk shall charge fees as provided by law and remit said fees to the City Treasurer. The City Clerk shall receive such compensation from the City for their services as the City Council shall allow.
2. The City Clerk shall be Clerk of the City Council and shall keep a record of their proceedings.
3. The City Clerk shall be sworn to the faithful performance of their duties, and their records, copies, and certificates shall be legal evidence in all courts and for all purposes.
4. The City Clerk shall have the exclusive charge and custody of the records and papers of the City, which shall not be taken out of the City Clerk's office unless upon the order or process of a court of competent jurisdiction.
5. The City Clerk shall ensure availability of public records as provided by law.
6. The City Clerk shall serve as a member of and clerk to the Board of Civil Authority and the Board of Abatement.
7. The City Clerk shall manage city elections and administer oaths of office.
8. The City Clerk may appoint and remove and shall direct and supervise one or more Assistant City Clerks subject to the approval of the council.
9. The City Clerk will perform any other duties required by the City Council.
10. The City Clerk may also be appointed as City Treasurer.
11. Transitional Clause: The incumbent elected City Clerk shall continue to serve in that capacity through the expiration of the term of office on March 7, 2028. In the event that the currently serving City Clerk either chooses to or must leave office prior to completion of his term of office on March 8, 2028, the City Council shall appoint a City Clerk to serve

out the remainder of the respective terms of office.

§ 13. City Treasurer

The City Treasurer shall be appointed by the City Council and have the duties, rights and authority, and be subject to the same liabilities, of City Clerks as provided by law, unless otherwise provided for in this charter, including:

1. The City Treasurer shall keep a running account of all income and expenses of all City departments and subdivisions. Any irregularities or financial issues shall be reported to the City Manager and the City Council immediately.
2. The City Treasurer shall keep accurate, uniform records of all City accounts, including municipal and school taxes, bonds, notes, grants, short- and long-term debt, and other funds.
3. The City Treasurer shall serve as the collector of taxes, fees and penalties.
4. The City Treasurer shall invest and reinvest City funds with City Council approval.
5. The City Treasurer shall process payroll, employee benefits and tax withholdings.
6. The City Treasurer shall prepare financial reports as requested by the City Manager or City Council.
7. The City Treasurer shall assist the City Manager and City Council in formulating the City budget, including capital budgeting and grants.
8. The City Treasurer may appoint, and remove and shall direct and supervise one or more Assistant City Treasurers subject to the approval of the Council.
9. The City Treasurer shall certify that there are sufficient funds available to pay all warrants presented to the council for approval and that the warrants conform to the adopted budget. The City Treasurer shall notify the City Council when the City Treasurer needs to access the approved Line of Credit to cover warrants and expenditures.
10. The City Treasurer shall be eligible to hold the office of City Clerk

11. Transitional Clause: The incumbent elected City Treasurer shall continue to serve in that capacity through the expiration of the term of office on March 7, 2028. In the event that the currently serving City Treasurer either chooses to or must leave office prior to completion of his term of office on March 8, 2028, the City Council shall appoint a City Treasurer to serve out the remainder of the respective terms of office.

§ 14. City Assessor

The city council shall contract with, as needed, a city assessor who is a certified real estate appraiser or an independent appraisal firm headed by a certified real estate appraiser. They shall carry out the duties of the City assessor in the same manner, and shall be subject to all of the same liabilities prescribed for listers under the laws of the State of Vermont in assessing property within the City of Newport. They shall assist if needed to establish the grand list and shall return such list to the City Clerk within the time required by Vermont law.

§ 15. Powers and duties of the City Council

The City Council shall have power to make, establish, alter, amend, or repeal ordinances, regulations, and bylaws not inconsistent with this charter or with the Constitution or laws of the United States or of this State.

The City Council may establish, appoint, modify the charge of or terminate other boards, departments, offices, committees, commissions and task forces, as may be necessary or beneficial for the administration of the affairs of the City unless specifically provided otherwise by this charter. Other duties of the City Council shall include:

- (1) General oversight and control of City owned property and affairs not inconsistent with this charter.
- (2) Appoint, direct, supervise and remove the City Manager, City Clerk, and City Treasurer.
- (3) The City Council shall, in consultation with the City Manager, approve the appointments and termination of City department heads as well as approve the job descriptions of each position.
- (4) Contract with a certified public accountant for an annual independent audit of all municipal funds as required by law. This report shall be included in the annual report for the annual City meeting.
- (5) Review and approve the proposed annual City budget and adopt and

approve the annual City tax rate. In addition the City Council ensures the expenditure initiatives adhere to the adopted budget and charter.

- (6) The City Council shall serve as the Board of Water and Sewer Commissioners.
- (7) The City Council shall fix the time and place for holding a public meeting to present the proposed budget for public input.
- (8) The City Council shall fix a time and place for a regularly scheduled meeting to be held at least once a month.
- (9) The City Council shall have sole authority to approve contracts and may authorize the City Manager or the Mayor to sign approved contracts.
- (10) The City Council shall retain a city attorney and may retain additional legal counsel as needed. The City Council shall approve all contacts with any City Attorney for city related matters.
- (11) The City council shall appoint a Collector of Delinquent Taxes who shall have the powers, duties and be subject to the liabilities provided by state laws.
- (12) The City Council shall have authority to approve the laying out, acquisition, construction, maintenance, repair, regulation and discontinuance of public ways, including streets, highways, sidewalks and related infrastructure as provided by law.
- (13) The City Council, without special direction of the voters of the City, shall not draw, sign, or approve warrants to pay expenditures or appropriations in excess of current revenues. The City Treasurer, without special direction of the voters of the City, shall not honor or pay warrants in excess of current revenues.

§ 16. Water and Sewer systems

The City Council shall serve as the Board of Water and Sewer Commissioners. The governance, powers, and responsibilities for water and sewer systems shall be vested in these commissioners. Powers include operating and managing water and sewer systems, setting rates and ensuring compliance with state water and sewer laws and environmental standards.

Such service rates shall be and are hereby made a lien in the nature of a tax upon the real estate so serviced by water or sewer systems and shall be

collected and enforced under such regulations and ordinances as the City Council shall prescribe.

The Water and Sewer Enterprise Funds shall be maintained as financially independent enterprise operations. The City shall not allocate or assign general governmental expenses to the Water Fund or Sewer Fund except where such costs represent the actual and proportionate cost of services, personnel, facilities, or resources provided for the direct benefit of the respective utility. All such allocations shall be supported by a documented cost allocation methodology.

The Board of Water and Sewer Commissioners shall meet at least quarterly to review current expenditures and to alter rates as necessary or desirable to sufficiently fund the expense budgets. Such rates will be charged only to users of the water, or water and sewer systems. The Board of Water and Sewer Commissioners shall meet annually to review the prior year's audit and the coming year's budgets. The Commissioners can set rates, plan system expansions, and address service issues, but must act within statutory limits.

§ 17. Sale or lease of City owned property

(a) The City Council shall **not** authorize the sale of City owned real estate without voter approval.

(b) The sale of personal property belonging to the City shall be approved by the City Council for property with a fair market value over \$50,000. The City Manager shall approve sale of personal property up to \$50,000.

(c) The City Council may lease city real estate for a term not exceeding 5 years.

(d) The City may not purchase any real estate with a purchase value over \$100,000 without voter approval.

§ 18. City expenditures

Except as herein otherwise provided, no money shall be paid out of the City Treasury except upon warrant, signed by the Mayor and approved by the Council Members such approval to be authenticated by the City Clerk. A full record of all expenditures shall be kept, and a clear statement of all receipts and disbursements of City monies, and of the affairs of the City generally,

shall be annually published under the direction of the City Council, at least two weeks before the annual City election. No City official shall be directly or indirectly interested in any contract with the City.

§ 19. Assessment of taxes on grand list

Upon passage of the budget by the voters, the amounts stated therein as the amount to be raised by taxes shall constitute a determination of the amount of the levy for the purposes of the City in the corresponding tax year, and the City Council shall levy such taxes on the grand list as prepared by the assessor for the corresponding tax year. All of the aforesaid taxes may be included in one rate bill.

§ 20. Revenues credit and appropriations

The current revenues of the City shall consist of money raised by taxation, fines and other lawful sources. These revenues shall constitute the amount from which appropriations and payments are to be made, according to law, by or under the authority of the City Council. All appropriations for specific purposes made at any annual or special meeting in the City shall, unless otherwise directed by the voters, be paid out of current revenues for that year and shall be deemed as expenditures by the City Council. The City Council shall not exceed in expenditures the current revenues of the City during the fiscal year. The City Council, without special direction of the voters of the City, shall not draw, sign, or approve warrants to pay expenditures or appropriations in excess of current revenues. If the current revenues of the City have been expended before the end of the fiscal year, and necessary or desirable expenditures need to be met, additional expenditures shall not take effect unless approved by a majority vote at a duly warned special meeting. At least seven days prior to the special meeting, the City Council shall hold at least one publicly warned informational meeting to present the proposed expenditure, explain the reasons for the deficit, and provide an opportunity for public questions and comment. The City Council may authorize and incur short-term indebtedness without voter approval when such indebtedness is incurred in anticipation of the receipt of taxes and and is fully repaid within the same fiscal year in which it is issued.

- (a) No long-term indebtedness or other obligation extending beyond the fiscal year shall be incurred unless first approved by a majority of the legal voters voting thereon at a duly warned meeting or election.
- (b) Notwithstanding subsection (a) of this section, in the case of all-hazard events as defined by state statute, the City Council may borrow for up to five years of debt service to fund emergency infrastructure or service restoration.

(c) The total indebtedness of the City shall not exceed 10% of the grand list.

§ 21. [Transitional provisions related to the financial obligations of the Villages of Newport and West Derby; 1917 Acts and Resolves No. 273, § 31.]

§ 22. Bonds of City officers

The City Council shall require any elected or appointed officer, employee or other person entrusted with City funds or property to be covered by a fidelity bond, blanket fidelity bond or comparable insurance coverage, in such amounts and upon such terms as the City Council determines appropriate. In addition, the City Council shall require Public Officials liability and errors and omission insurance. The cost of such coverage shall be paid by the City. Should any of the elected or appointed officers or employees or other persons, entrusted with City funds or property required to be covered, be found ineligible for bonding or insurance through the City's provider and upon written notice of non-eligibility, the individual within 10 days, shall obtain and submit their own bond or insurance equivalent to the City policies at their own expense or that position shall thereupon become vacant.

§ 23. [Transitional provisions related to the financial assets and liabilities of the Villages of Newport and West Derby; 1917 Acts and Resolves No. 273, § 33.]

§ 24. [Transitional provisions related to the financial liabilities and assets of the Towns of Newport and Derby; 1917 Acts and Resolves No. 273, § 35.]

§ 25. [Transitional provisions related to the books and records of the Town of Newport; 1917 Acts and Resolves No. 273, § 36.]

§ 26. [Transitional provisions related to the books and records of the Town of Derby; 1917 Acts and Resolves No. 273, § 37.]

§ 27. Public schools and school property

- a. The management and control of the public schools and all school property is vested in a board of five school trustees. Said trustees shall be bona fide residents of the City and qualified voters.
- b. In the event of a vacancy on the Board of School Trustees, the remaining Trustees shall, by majority vote of those present and voting, appoint a qualified person to fill a vacancy on the Board of School Trustees. If after 60 days of the creation of the vacancy the Board of School Trustees fails to fill the vacancy, the vacancy may be filled pursuant to section 6c of this charter.

If there are vacancies in a majority of the Board of School Trustees, the vacancies shall be filled by a special city meeting called for that purpose. The remaining Trustees are authorized to draw orders for payment of continuing obligations and necessary expenses until a majority of the vacancies are filled.

- c. The Board of School Trustees shall make an annual report of their revenue and expenditures to the City Council and City Clerk no later than the beginning of the last week of January in each year for the last preceding fiscal school year, and in this report they shall make estimates of the necessary expenditures for the support of schools for the ensuing fiscal year, the amount of school income to be derived from sources other than taxation and the amount of money to be raised by taxation for the support of said schools, which report shall be published with the report of the City officials, as herein provided. The school trustees shall provide proof of bonding or comparable insurance coverage to the City pursuant to Section 22 of this charter.

§ 28. City Manager

- a. The City Manager shall be the chief administrative officer of the City of Newport under the direction and supervision of the City Council. The City Manager shall be responsible to the City Council for the administration of all City affairs. The City Manager shall have the following powers and duties:
 1. to ensure, in conjunction with the mayor, that the laws and city ordinances are faithfully executed;
 2. to attend all meetings as required by the City Council;
 3. to recommend for adoption to the City Council such measures as they may deem necessary or expedient;
 4. to appoint, unless as otherwise provided for by this act, all employees of the municipality, and to ensure that the duties of department heads and employees are performed as the City Council may designate. The City Manager is empowered to suspend or terminate any municipal employee or staff member under their oversight. The City Manager may delegate this supervisory authority to department heads regarding personnel within their respective departments or offices. All personnel actions, including hiring, layoffs, and promotions, shall be conducted in accordance with any active collective bargaining agreements and personnel policies, and based on the individual's training, proficiency, and job performance. Prior to

the dismissal of any department head, the City Manager shall consult with and obtain approval from the City Council.

5. to prepare and submit to the City Council reports as may be required or as the city manager may deem advisable;
6. to keep the City Council fully advised of the financial condition of the municipality and its future needs;
7. in consultation with the mayor and department heads, to prepare and submit to the City Council a tentative budget for the next fiscal year by a date specified by the City Council.
8. and to perform such other duties as the City Council may determine by ordinance or resolution.
9. The City Manager shall direct and supervise the administration of all departments and offices of the City of Newport except as otherwise provided by this Charter or by law.
10. The City Manager need not be a voter in or a resident of the City of Newport.

(b) The City Manager shall receive such salary as may be fixed by the City Council. Before entering upon the duties of the office, the City Manager shall take the official oath required of other officers by this charter and shall execute a bond or insurance in favor of the municipality subject to bond requirements laid out in section 22 of this charter for the faithful performance of their duties in such sum as may be fixed by the City Council.

§ 29. [Transitional provisions related to effective date.]

§ 30 Harbor Commission

There shall be a Harbor Commission, and its powers, obligations and operation shall be under and in accordance with the laws of the State of Vermont, as amended. Members will be appointed by the City Council for three-year terms pursuant to the process set forth in existing ordinances, as the same may be subsequently amended from time to time.

