

ORDINANCE NO. 2231

ORDINANCE AMENDING SELAH MUNICIPAL CODE CHAPTER 1.10

WHEREAS, City staff has recommended that Chapter 1.10 of the Selah Municipal Code (SMC) be amended in various regards, so as to conform with changes that have been recently implemented by City management; and

WHEREAS, the City Council finds that good cause exists;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does hereby ordain as follows:

Section 1. Enactment of New SMC Section 1.10.018. That a new SMC section 1.10.018 be and is enacted to read and provide as shown below:

1.10.018 Finance director.

(a) There is created the office of finance director, which shall be filled by appointment by the mayor. The finance director shall have the authority, duties and qualifications specified – whether for a treasurer, finance director, or any similar position – by state law, the Selah Municipal Code, and the job description of such position as approved by the city council, each in its presently-existing form and any future form following any amendment, replacement or recodification.

(b) The person appointed to the office of finance director shall execute a bond, upon beginning performance and whenever necessary to effectuate renewal, as set forth in SMC Chapter 1.18.

Section 2. Enactment of New SMC Section 1.10.019. That a new SMC section 1.10.019 be and is enacted to read and provide as shown below:

1.10.019 Consolidated clerk-treasurer position abolished.

The consolidated position of clerk-treasurer, which previously existed, is now abolished. The authority and duties of such previously-existing consolidated position are now segregated, with the clerk authority and duties now assigned to the city clerk under SMC section 1.10.020 and the treasurer authorities and duties now assigned to the finance director under SMC 1.10.018.

Section 3. Amendment of SMC Section 1.10.020. That the title and body of SMC section 1.10.020 be and are amended to read and provide as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifiers publish the official updated version of SMC 1.10.020 on the internet):

1.10.020 City clerk treasurer.City clerk.

(a) *Consolidation.* The office of city treasurer shall be consolidated with the office of city clerk on the effective date of the ordinance codified herein and the clerk thereafter shall exercise all the powers and perform all the duties required by statute or ordinance to be performed by the city treasurer.

(b) *Effective Date of Consolidation.* The effective date of the ordinance codified herein shall be the first day of the calendar month immediately following three months from the date of publication of the ordinance codified herein. From the former date, the office of treasurer shall be abolished.

(c) *Penal Bond.* The person appointed to the office of clerk treasurer shall execute a bond approved by the council in the penal sum of thirty thousand dollars prior to the performance of any duties to the appointed office.

There is created the office of city clerk, which shall be filled by appointment by the mayor. The city clerk shall have the authority, duties and qualifications specified – for a city clerk – by state law, the Selah Municipal Code, and the job description of such position as approved by the city council, each in its presently-existing form and any future form following any amendment, replacement or recodification.

Section 4. Amendment of SMC Section 1.10.021. That the title and body of SMC section 1.10.021 be and are amended to read and provide as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifiers publish the official updated version of SMC 1.10.021 on the internet):

1.10.021 Compensation for councilmen.Compensation and reimbursement for councilmembers.

Councilmembers shall each receive the sum of three hundred twenty-five dollars as a flat monthly amount. Councilmembers shall be reimbursed for actual expenses incurred in the discharge of their official duties upon presentation of that claim and its allowance and approval.

(a) Each councilmember shall be paid three hundred twenty-five dollars gross per calendar month, and a lesser prorated gross sum for any portion of a calendar month, that the councilmember holds office. This compensation amount may not be increased or diminished for a councilmember after he/she is elected or during his/her term of office, due to the restriction set forth in the presently-existing form of Article XI, section 8 of the state constitution and such restriction is permanently incorporated within this section by this reference. Each councilmember may also be provided coverage under the city's vision insurance, if any.

(b) Each councilmember shall be reimbursed for actual expenses reasonably incurred in the discharge of his/her official duties upon presentation of a corresponding claim and approval thereof by a vote of the city council.

Section 5. Amendment of SMC Section 1.10.022. That the title and body of SMC section 1.10.022 be and are amended to read and provide as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifiers publish the official updated version of SMC 1.10.022 on the internet):

1.10.022 Compensation and reimbursement for the mayor.

~~The mayor shall receive the sum of one thousand dollars as a flat monthly amount, provided the council may amend the compensation before the oath is administered to any person assuming the position of mayor. The mayor shall be reimbursed for actual expenses incurred in the discharge of their official duties upon presentation of that claim and its allowance and approval.~~

(a) The mayor shall be paid one thousand dollars gross per calendar month, and a lesser prorated gross sum for any portion of a calendar month, that he/she holds office. This compensation amount may be increased only in accordance with the state constitution, including the presently-existing form of Article XXX, section 1 which is permanently incorporated within this section by this reference. This compensation amount may not be diminished after the mayor is elected or during his/her term of office, due to the restriction set forth in the presently-existing form of Article XI, section 8 of the state constitution and such restriction is permanently incorporated within this section by this reference. The mayor may also be provided coverage under the city's vision insurance, if any.

(b) The mayor shall be reimbursed for actual expenses reasonably incurred in the discharge of his/her official duties upon presentation of a corresponding claim and approval thereof by a vote of the city council.

Section 6. Amendment of SMC Section 1.10.031. That the title and body of SMC section 1.10.031 be and are amended to read and provide as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifiers publish the official updated version of SMC 1.10.031 on the internet):

1.10.031 Full-time regular nonunion employees – Nonexclusive list – Discretion to ~~E~~combine – Salary restrictions.

(a) The list set forth in subsection (f) of this section is an illustrative and not exhaustive list of the full-time regular nonunion employee positions that presently exist and that are contemplated to be potentially occupied in future years. The city may, at the discretion of the mayor, hire and employ full-time regular nonunion employees in additional or different positions beyond those recited in subsection (f) of this section; provided, however, in each such circumstance the salary payable to any such employee shall not exceed the maximum amount specified on the then-applicable salary ordinance for the lowest-paid position in the department (as

specified in subsection (f) of this section) where such employee is employed unless the city council validly approves a higher salary for such employee.

(b) No employee may ever be paid a salary that exceeds the maximum amount specified on the then-applicable salary ordinance for the position held by such employee.

(c) The city may, at the discretion of the mayor, combine multiple positions for any period of time; provided, however, in each such circumstance the salary payable to any employee for performing combined positions shall not exceed the maximum amount specified on the then-applicable salary ordinance for the highest-paid of the combined positions unless the city council validly approves a higher salary for such employee; and provided further, any permanent assignment of the city attorney position shall require valid approval by the city council pursuant to Section 1.10.012 and any permanent assignment of the city administrator position shall require valid approval by the city council pursuant to Section 1.10.015(a).

(d) The city is not obligated to fill each position recited in subsection (f) of this section. The list recited in subsection (f) of this section is a list of positions by general label and not, by contrast, a designation of job duties or obligations.

(e) Positions recited in subsection (f) of this section that are preceded by asterisk (*) are nonexclusive positions and thus multiple employees may be simultaneously and separately employed in those positions at the same time. By contrast, positions recited in subsection (f) of this section that are not preceded by an asterisk (*) are exclusive positions and thus shall only be held by one employee at a time; provided however, a new or current employee may serve on an interim basis for a period not exceeding sixty-two calendar days in a position that is “exclusive” while a previously-appointed employee continues to serve in such position.

(f) For purposes of this section (and consistent with the city's salary and wage ordinance), the respective departments where full-time nonunion regular employees may be employed are labeled as “Administration,” “Community Development,” “Community Services,” “Public Works: Administration and Utilities,” “Public Works: Wastewater Treatment Plant,” “Police Department” and “Fire Department.” “Administrative,” “Community Services,” “Public Works: Administration and Utilities,” “Public Works: Community Development,” “Public Works: Wastewater Treatment Plant,” “Police Department” and “Fire Department.” The current illustrative and not exhaustive list of positions, which is set forth in no particular order of rank or importance, is the following:

Administrative:Administration:

City administrator;

Clerk-treasurer:Finance director:

City attorney;

Human resources manager; City clerk;
Public records officer; Human resources and community outreach specialist;
*Administrative assistant (aka/a/k/a executive assistant);
Payroll and accounts payable specialist;
Utility billing specialist;
Court clerk and administrator.

Public Works: Community Development:
Community development supervisor (a/k/a community planner or code drafter);
Building and code inspector;
Code enforcement and stormwater management officer;
*Planning and building permit specialist.

Community Services:
Community services manager;
Recreation coordinator – Youth sports;
Recreation coordinator – Civic center.

Public Works: Administration and Utilities:
Public works director;
Public works utility supervisor;
*Public works administrative assistant;
Engineering technician.

Public Works: Community Development:
Community development supervisor (aka community planner or code drafter);
Building and code inspector;
Code enforcement and stormwater management;
*Planning and building permit specialist.

Public Works: Wastewater Treatment Plant:
Wastewater treatment plant supervisor;
Wastewater treatment plant operator IV;
*Wastewater treatment plant operator III;
*Wastewater treatment plant operator II;
*Wastewater treatment plant operator I;
*Wastewater treatment plant operator trainee;
*Wastewater treatment plant mechanic.

Police Department:
Chief of police; Police chief;
Deputy chief of police; Deputy police chief;
Police Lieutenant.

Fire Department:
Fire chief;

Deputy fire chief (Step 3, Step 2 or Step 1);
Captain (Step 3, Step 2 or Step 1);
Lieutenant (Step 3, Step 2 or Step 1);
*Firefighter – Step 3;
*Firefighter – Step 2;
*Firefighter – Step 1;
*Firefighter – Probationary;
*Fire department administrative assistant.

Section 7. Amendment of SMC Section 1.10.040. That the title and body of SMC section 1.10.040 be and are amended to read and provide as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifiers publish the official updated version of SMC 1.10.040 on the internet):

1.10.040 ~~Classification for city of Selah union members.~~Union employees and compensation.

Union employee classifications shall be listed in the current teamster contracts. The position and compensation amount for each employee who is a member of a union shall be specified within a collective bargaining agreement or memorandum of understanding between the city and the union.

Section 8. Amendment of SMC Section 1.10.130. That the title and body of SMC section 1.10.130 be and are amended to read and provide as shown in the following editing marks (which are included in this Ordinance for ease of reference, but which shall be removed when the codifiers publish the official updated version of SMC 1.10.130 on the internet):

1.10.130 ~~City clerk treasurer appointed as agent for receipt of damage claims.~~City clerk and city attorney appointed as agents for receipt of damage claims.

(a) *Appointment.* The city clerk treasurer is hereby appointed and designated as the city of Selah's agent for purposes of damage claims against the city.

(b) *Identity, Address, and Regular Business Hours.*

— (1) *Identity.* The city clerk treasurer is identified as Dale Novobielski, (or his successor to the position of city clerk treasurer for the city of Selah), or his or her designee.

— (2) *Address.* City of Selah City Hall, currently located at 115 W. Naches Avenue, Selah, Washington, 98942 or as City Hall may be relocated in the future.

— (3) *Normal Business Hours.* Normal business hours are eight a.m. to five p.m. Monday through Friday, except for legal holidays.

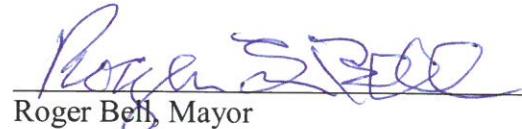
The city clerk and city attorney are, jointly and severally, appointed as the city's agents for purposes of receiving any claim for damages (a/k/a tort claims) made under RCW Chapter 4.96 or its replacement. The identities of such officeholders, the address(es) where they may be reached and the normal business hours of the city shall be recorded with the Yakima County Auditor's Office, and updated when necessary, pursuant to RCW 4.96.020(2) or its replacement.

Section 9. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 10. Corrections. The City Attorney and the codifiers of the SMC are authorized to make any necessary or desirable clerical or formatting changes – including but not limited to correcting scrivener errors; changing formatting; eliminating bold, italic and underscore emphasis; changing numbering; and correcting references – when publishing or republishing the official text of any section(s), Chapter(s), title(s) or other portion(s) of the SMC due to any amendment, addition, alteration, change, impact or enactment effectuated by this Ordinance.

Section 11. Publishing & Effective Date. Consistent with RCW 35A.12.130 (3rd ¶) and .160 (1st and 2nd ¶¶), this Ordinance or a summary of it shall be published at least once in the City's official newspaper prior to the Ordinance taking effect.

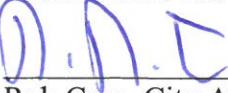
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 9th day of July, 2024.


Roger Bell, Mayor

ATTEST:


Kimberly Grimm, Finance Director (a/k/a Clerk/Treasurer)

APPROVED AS TO FORM:


Rob Case, City Attorney