

ORDINANCE NO. 820

AN ORDINANCE RELATING TO ADMINISTRATION,
CHANGING THE MEETING TIME OF THE CITY
COUNCIL AND THE SIZE OF THE MEMBERSHIP OF
THE CIVIL SERVICE COMMISSION, AMENDING
SECTIONS 2.04.010 AND 2.56.020 OF THE
MUNICIPAL CODE, PROVIDING FOR THEIR
IMMEDIATE EFFECTIVENESS AND SEVERABILITY.

R E C I T A L S:

1. The regular meetings of the City Council have commenced at 7:00 p.m. on the second and fourth Wednesdays of the month.

2. To enhance citizen participation, it is the belief of the Mayor and Council that modifying the commencement time of the meetings to an earlier time would make it easier for citizens to attend.

3. Concurrently with this matter, the Mayor and Council have been informed one of the three members of the Police Department is retiring shortly. It has been confirmed that currently the Commission does not have membership due to the lapse of terms of three members and the fact the other two members now serve on the City Council which automatically ended their ability to serve concurrently on the Commission.

4. It has been indicated that previously, given the size of the Commission and the commitments of members to other

areas of service, too often it was impossible to obtain a quorum. Thus, the Mayor had recommended reducing the size of the Commission.

5. Given the requirements of the provisions of RCW 41.12 relating to mandated use of the civil service system to select officers and the importance of a fully staffed Department to the City's citizens, it is found necessary to implement these changes immediately so the selection process for both members of the Commission and thus the police officer may go forward as promptly as is possible.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: Section 2.04.010 MMC and Section 1, Ordinance 458, as last amended by Section 1, Ordinance 608, shall be amended to read as follows:

A. The council shall hold regular meetings on the second and fourth Wednesday of each month, such meetings to convene at six-thirty ((seven)) p.m.; provided, that the council shall have the authority to cancel, continue, or recess such meetings as it deems appropriate. These meetings shall be subject to the following conditions:

1. As to the council, the same shall be regular sessions and final action on any particular item may be taken.

2. As to the committees of the city council, to the extent that such committee meetings are required by the Open

Meetings Law of the state to be held at such regularly scheduled meetings, then the committees shall so meet; provided that nothing established in this chapter shall prevent or hinder a committee of the city council from meeting at another time to the extent that such meeting is not subject to the provisions of the Open Meetings Law of the state in relation to scheduling and notice. A committee shall have the right at meetings held pursuant to the schedule established by this section, to take any and all action which may be authorized under the Open Meetings Law of the state, as it may from time to time exist.

B. Nothing within this section shall in any way restrict the right of the city council or a committee thereof to call and/or hold special meetings in the manner allowed by the laws of the state as those laws may from time to time exist or from taking such action or carrying forth such discussions or receiving such information as may be allowed by the laws of the state.

SECTION II: Section 2.56.020 MMC and Ordinance 351 § 1 as last amended by Ordinance 682 § 1, is amended to read as follows:

There is established in the city, pursuant to RCW Chapter 41.12, a police civil service commission, which shall be composed of ((five)) three persons appointed by the mayor and subject to confirmation by a vote of the city council.

SECTION III: Severability: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

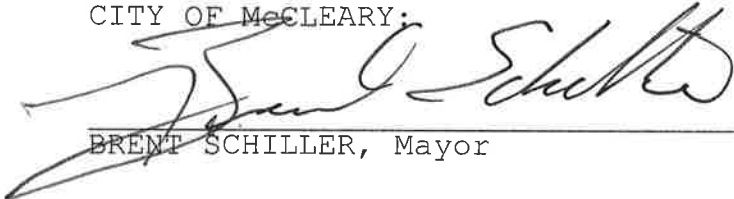
SECTION IV: Immediate Effectiveness: Based upon the facts surrounding the adoption of this Ordinance, including the recitations contained herein, there is found to be a situation requiring immediate action and thus an emergency is hereby declared; and this Ordinance shall become effective immediately upon passage: PROVIDED THAT, to insure public knowledge a synopsis shall be published in the usual manner.

SECTION V: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal

laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS 10th DAY OF August,
2016, by the City Council of the City of McCleary, and signed in
approval therewith this 10th day of August,
2016.

CITY OF McCLEARY:


BRENT SCHILLER, Mayor

ATTEST:


WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:


DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number 820 and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number 820, as it was published, is on file in the appropriate records of the City of McCleary.


WENDY COLLINS

SIGNED AND SWORN to before me this 10th day of August, 2016, by WENDY COLLINS.



Lindsay Blumberg
NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, Residing at: Grays Harbor
My appointment expires: May 6, 2017

SYNOPSIS OF ORDINANCE NO. 820

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2.56.020 OF THE MUNICIPAL CODE, PROVIDING
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SEVERABILITY**

On August 10, 2016, the City Council of the City of McCleary adopted Ordinance Number 820. The intent and purpose of the Ordinance was change the commencement time for regular council meetings to 6:30 pm and to adjust the size of the Civil Service Commission member from five members to three.

A complete copy of this Ordinance is available during regular business hours at the Office of the Clerk-Treasurer, City Hall, McCleary, Washington. The Ordinance will be made available for review without cost; a copy will be provided upon request without cost if such request is timely made. This Synopsis is published pursuant to the laws of the State of Washington.

DATED this 10th day of August, 2016.


WENDY COLLINS, Clerk-Treasurer