



**CITY COUNCIL
AGENDA**

WORKSHOP MEETING

April 24, 2013 - 3:00 p.m.

Department Head Briefings

1. Police
 - a. Department of Justice Grants – COPS and Bullet Resistance
 - b. Animal Shelter Transition
 - c. Element Nightclub

2. Public Works
 - a. North Reservoir
 - b. Wastewater Treatment Plant
 - c. Archaeological Recovery
 - d. Septic to Sewer

3. Development Services
 - a. Public Art
 - b. Marina

Emerging Issues

1. Revisions to Park Code (OHMC 6.14) - Council initiated discussion of event-based alcohol permits, busker licenses and concessions, equipment rentals, Marina proposal for RFP

2. Elected Officials Salary and Benefits – Mayor initiated discussion of Council and Mayor benefit levels and reconvening Salary Commission

3. Council Agendas – Council initiated discussion on ideas to streamline meetings for efficiency

4. Fee Review – Council initiated discussion to review City fees for various services

Exhibit A

Scope of Work

City of Oak Harbor

Septic to Sewer Program

Statement of Understanding

As part of the preparation of the City's Wastewater Facility Plan, BHC was commissioned to investigate the extension of sewer systems throughout the City's Growth Management Boundary. There were a total of 13 island or pocket areas that were designated as likely candidates for sewer extensions. A preliminary alignment and routing of the sewer main was determined, a field visit was conducted verify that the parcels could be served and cost estimates were developed for each of the unsewered 13 pocket areas.

In addition to the pocket areas, there were isolated areas generally consisting of a parcel or two that, for various reasons, were not connected to the sewer system. In these cases the sewer main was adjacent or near the parcel.

The routing and cost estimates were developed in conjunction with the City staff and a final report showing the routes and costs was prepared. These findings were subsequently presented to the Public Works Standing Committee.

The following scope of services is intended to develop policies and financing options associated with the extension of sewers to unserved areas.

Scope of Services

In an effort to maximize the available information and consequently to minimize costs associated with the development of these services, the following tasks include three components:

- 1) the receivables, or those elements that will be provided by the City,
- 2) the work tasks, or those tasks that will be completed by the Consultant, and
- 3) the deliverables, or that finished product that will be delivered to the City.

Task 1 Baseline Research and Capture the Problem

Receivables:

- The City's current policies associated with mandated sewer connection, pay back agreements and conditions, sewer connection charges, deferment policies for elderly, low income or disabled (if applicable), and temporary connection policies.
- Name and contact information of the City attorney
- Name and contact information of Island County Health official

Consultant Work Tasks:

Summarize the City's current policies (if they exist) associated with the following elements:

- 1.1 Connection requirements when within a particular distance of an existing sewer system
- 1.2 Policies adopted to assist low income, elderly or disabled with connection charges, and assessments,
- 1.3 Policies that address temporary connection to the City's sewer system. This would include payment of the connection charges, future assessments, cost sharing (if any) of the temporary system,
- 1.4 City policies associated with financial contributions to general facilities installed by private interests. This would include all over-sized sewer interceptors and pump stations.
- 1.5 City policies associated with connections outside the UGA
- 1.6 City policies associated with emergency provisions and failing septic systems that result in documented health hazards. In these circumstances, does the City allow connections to their system that are outside the UGA?
- 1.7 In-City versus out-of-City charges. This applies to both the monthly sewer charges as well as the connection charges.
- 1.8 Extension of City finances to out-of-City parcels
- 1.9 Define a septic system failure.
- 1.10 Identify the locations of failed septic systems based on information from Island County Health Department.

Deliverables:

- Summary policies and issues presented above.

Task 2 Establish Matrix of Options

Receivables:

- None

Consultant Work Tasks:

The following issues need to be addressed either through new policies or enforcement of existing policies:

- 2.1 Prepare listing of policies that should be addressed and considered. Policies may include:
- 2.2 Connection requirements
 - 2.2.1 Within certain distance from existing sewer systems?
 - 2.2.2 At exchange of ownership?

- 2.2.3 At issuance of a building permit?
 - 2.2.4 At refinancing of mortgage?
 - 2.2.5 Island Health mandated connections?
 - 2.2.6 At septic system failure?
 - 2.2.7 At conversion from temporary to permanent sewer service?
 - 2.2.8 Collective requirement or should there be exemptions 94915for elderly, disabled or low income?
 - 2.2.9 If a parcel has a large enough reserved area for a new or expanded drain field, would such a parcel be obligated to connect, or would they be allowed to modify the drain field to accommodate the change in use?
- 2.3 Septic Systems Inspections. Should the City mandate that existing septic systems should be routinely inspected and reported to the City or Health Department? Review current inspection policies.
- 2.4 Laterals and Side Sewers:
- 2.4.1 Ownership and maintenance requirements of Side Sewers (on private property) and Laterals (within right-of-way).
 - 2.4.2 Joint side sewers allowed?
 - 2.4.3 New construction requires separate connection?
 - 2.4.4 Clean outs at property line? At building? At alignment changes?
 - 2.4.5 Internal inspections of side sewers at ownership changes? On a routine basis?
- 2.5 Monthly Sewer Charges
- 2.5.1 Flat rate or volume based charges for single family? For commercial accounts?
 - 2.5.2 Frequency of Rate Analyses
- 2.6 Service beyond City Limits or Urban Growth Areas
- 2.6.1 Under what conditions, if any, would the City consider extending sewer service outside the City Limits or Urban Growth Area? Documented health hazard? Schools?
 - 2.6.2 Is there a surcharge (both connection charges and monthly sewer charges) for serving parcels outside the City Limits or UGA?
- 2.7 Contribution to General Facilities
- 2.7.1 What is the City's contribution to General Facilities installed by a Developer or through a ULID/LID? If a pump station or over-sized sewer main is installed should the City make a cash contribution, and/or a credit against the connection charges, for these improvements?
 - 2.7.2 If a City-contribution to General Facilities is made to a Developer, should the Developer be required to relinquish all payback options? Or should a proportionate share of the late comer's payback be split between the Developer and the City?

- 2.8 Sewer Connection Agreement for new Single-family Unit (SFU) or for a Temporary Sewer Service to an existing SFU
 - 2.8.1 If a new SFU is constructed and sewer service is not available, should conditional approval for a septic system include an obligation to connect to the sewer system when it is available?
 - 2.8.2 If temporary sewer service is granted to an existing SFU, should such temporary service require the owner to sign a Sewer Connection Agreement that stipulates that the owner will connect to the sewer and/or support a future ULD/LID?

Task 3 Financing Alternatives

Various financing options are available to the City. Each of these options will be described and discussed with the committee and Council:

- 3.1 ULID or LID Formation. Resolution or petition method of formation
- 3.2 Developer extension. Describe the conditions associated with payback to the developer. This would include the payback period and terms.
- 3.3 Low Income/Elderly/Disabled financial assistance. Does the City currently or want to establish a low income/elderly or disabled financing program? This might include a discussion about 1) connection charges, 2) monthly sewer charges, 3) temporary sewer service and 4) deferment of assessments
- 3.4 Federal, State, and Local grants and low interest loans
- 3.5 City Financed improvements. This alternative has been described as the City of Kirkland model where the City designs and constructs a public sewer system. When triggering events occur the residents are required to connect to the system. These triggering events might include those listed in 2.2 above.
- 3.6 City financing of connection charges and private on-site improvements.
- 3.7 City financing of private development in the form of a Developer Extension?
- 3.8 Extension of City based financing beyond City Limits? Beyond UGA Boundaries?

Task 4 Workshops and Meetings

- 4.1 Meeting with City Attorney and City Finance Director to discuss current policies and advisability of the options presented in Tasks 2 and 3. At the City's direction, this meeting perhaps should be expanded to include a discussion with Steve DiJulio who is a recognized name in municipal financing and legal issues.
- 4.2 Meeting with Island County Health Department to discuss failing systems, inspection requirements, enforcement actions, and other Health Department regulations.
- 4.3 Attend and present at three workshops with City.
 - 4.3.1 First Workshop: Present issues that will be investigated. This will include the issues that are specifically germane to Oak Harbor and discuss challenges that other communities have wrestled with. Solicit additional topics from the committee.
 - 4.3.2 Second Workshop: Summarize the issues arising from Workshop #1 and present an array of potential solutions. Present solutions that other

communities have implemented. These potential solutions will be vetted with the City Attorney. Solicit preferences from committee

4.3.3 Third Workshop: Summary of options and recommendations.

4.4 Attend City Council Meeting and present final recommendations arising out of the previous workshops.

Task 5 Project Management

5.1 Prepare monthly invoices and the associated project update report

CITY OF OAK HARBOR

TO: CITY COUNCIL
FROM: CAC KAMAK, SENIOR PLANNER
SUBJECT: PIONEER WAY ART – 4TH PIECE AT CITY BEACH STREET AND PIONEER WAY
DATE: 4/22/2013
CC: ARTS COMMISSION
LARRY CORT, CITY ADMINISTRATOR
STEVE POWERS, DEVELOPMENT SERVICES DIRECTOR

Background: The Pioneer Way reconstruction project was originally designed to meet the criteria for Greenroads designation. The Greenroads Rating System is a sustainability rating system that allocates points to sustainability best practices that relate to roadway design and construction. Part of the sustainability points are designated to the inclusion of cultural elements such as art. Therefore the Pioneer Way reconstruction plans included 4 locations to incorporate art into the street design.

The four locations included in the design were Midway Blvd and Pioneer Way, Ireland Street and Pioneer Way, Dock Street and Pioneer Way and City Beach Street and Pioneer Way.

The Arts Commission was tasked with the selection of art pieces for these sites. The Arts Commission issued a request for proposals and received approximately 30 proposals for the various locations. The proposals were evaluated with input from the public through surveys and open houses.

Budget constraints at that time allowed for only two pieces to be commissioned. The Arts Commission made a recommendation and the City Council approved the Mermaid and the Moon Waves to be the first two art pieces along Pioneer Way. The Mermaid is a bronze life size art piece created by Larry Marcell and is installed at the Dock Street location. The Moon Waves was created by Kevin Pettelle and is installed at the Midway Blvd intersection.

Shortly after the installation of the first two pieces, the City had an opportunity to consider the Stumbly Ducklings as the third piece of art along Pioneer Way. The piece was created by artist Georgia Gerber and funds to consider the project were accruing in the Arts Acquisition Fund. The Arts Commission recommended and the City Council approved the Stumbly Ducklings which is installed at the Ireland Street location.

Proposal: The Arts Commission would like to start the process for considering the fourth piece of art along Pioneer Way at the City Beach Street location (see attached map). The initial thoughts are to use the existing pool of artists that initially submitted proposals for Pioneer Way. Since the location identified for the fourth piece is close to the entryway into Downtown, the Commission is looking at scale and proportion to catch the attention of visitors and residents. The Arts Commission is also proposing a budget of \$30,000 for the piece which was the target budget for each of the currently installed pieces along Pioneer Way.

Funding: The Arts Acquisition Fund is accruing approximately \$2600 per month from its allocations and as of April 18, 2013 that fund has a balance of approximately \$28,000. The Arts Commission feels that the process of selecting, awarding and constructing a piece can take 9-12 months or longer and that the Fund will have adequate resources to pay for the piece in that time frame.

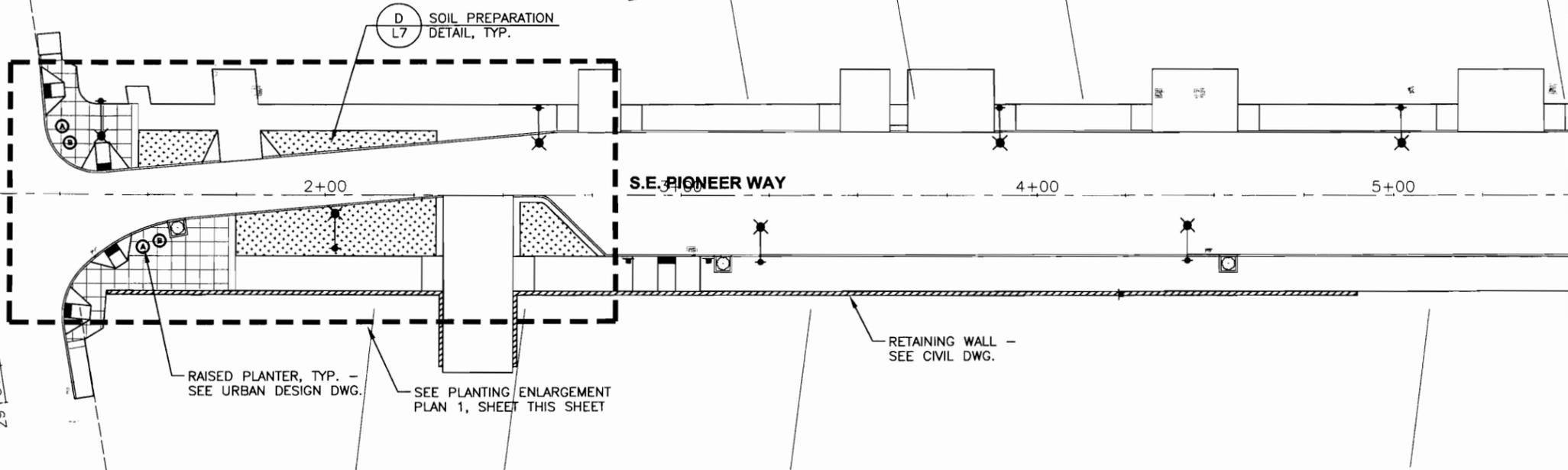
Please note that there is a separate proposal for an art piece by artist Wayne Lewis that is being donated to the City for locating along Pioneer Way. Though the piece is donated, the artist has requested approximately \$6500 towards casting and molding the art. The Arts Commission has reviewed the proposal and the item will be scheduled for City Council action shortly. It is the Arts Commission's belief that there will be sufficient funds in the Arts Acquisition Fund if both the entryway piece and Wayne Lewis's piece were approved by the City Council.

This memo is intended to keep the City Council apprised of the endeavors by the Arts Commission. If the City Council is not opposed to the Arts Commissions' efforts in this proposal, they will move forward and start contacting some of the artists to determine if there is still interest in designing a piece for Pioneer Way. If there is interest, they will initiate a process to choose an artist and craft a scope of work for a piece that will bring attention to the entryway through scale and proportion.

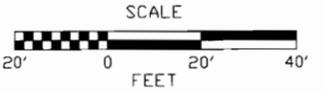
S.E. CITY BEACH ST.

30+00

29+39

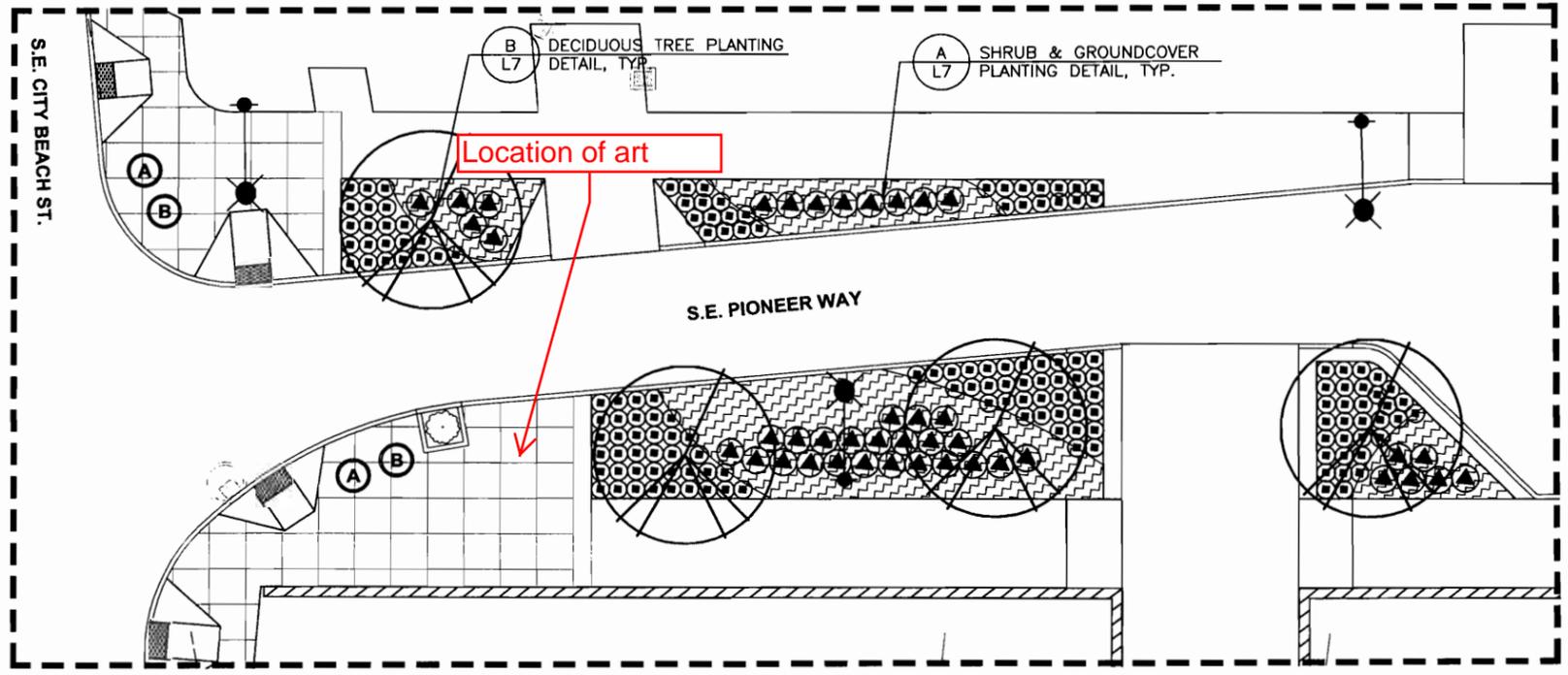


MATCH LINE STA 5+50
SEE DWG. NO. L2



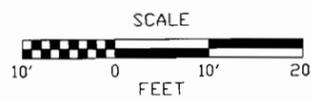
SCALE

FEET



PLANTING ENLARGEMENT PLAN 1

NOTE:
SEE SHEET L6 FOR PLANTING
SCHEDULE, PLANTING LEGEND,
PLANTING ABBREVIATIONS &
PLANTING NOTES.



SCALE

FEET



STATE OF WASHINGTON
LICENSED
LANDSCAPE ARCHITECT
JULIET B. VONG
LICENSED NO. 857
EXPIRES ON 2/2012

No.	Date	Revision	By	Appr.

Perteet Inc.
425-252-7700 | 1-800-615-9900
2707 Colby Avenue, Suite 900
Everett, Washington 98201

HBB
LANDSCAPE ARCHITECTURE
215 WEST AVE. SUITE 400 NORTH
SEATTLE, WA 98108



Drawn By	CV	Date	12/14/10
Designed By	JH	Date	12/14/10
Checked By	FLB	Date	12/14/10
Approved By			

SCALE	
Horiz	x
Vert	x
Project Number	20090013

CITY OF OAK HARBOR
S.E. PIONEER WAY RECONSTRUCTION
STA 1+00.00 TO STA 5+50.00
PLANTING PLAN

Drawing No.	L1
Sheet No.	76 of 91

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**Chapter 6.14
PARK CODE**

Sections:

- [6.14.010](#) Title.
- [6.14.020](#) Construction.
- [6.14.030](#) Definitions.
- [6.14.040](#) Erection of signs unlawful.
- [6.14.050](#) Tampering with property unlawful.
- [6.14.060](#) Animals in the park.
- [6.14.070](#) Firearms and fireworks.
- [6.14.080](#) Soliciting and sound trucks.
- [6.14.090](#) Selling articles or distributing literature.
- [6.14.100](#) Special events permit.
- [6.14.110](#) Operating or landing watercraft.
- [6.14.120](#) Riding vehicles or animals.
- [6.14.130](#) Camping areas.
- [6.14.140](#) Game play areas.
- [6.14.145](#) Windjammer Park kitchen and gazebo reservation system.
- [6.14.160](#) Testing motor vehicles unlawful.
- [6.14.170](#) Speed, endurance competitions unlawful.
- [6.14.180](#) Building fires.
- [6.14.190](#) Liquor sale prohibited.
- [6.14.200](#) Severability.
- [6.14.210](#) Rules noncompliance unlawful.
- [6.14.220](#) Reward posting.
- [6.14.230](#) Prosecution of principal violator.
- [6.14.240](#) Violation – Penalties.

6.14.010 Title.

This chapter shall constitute the park code of the city of Oak Harbor and may be cited as such. (Ord. 214 § 1, 1965).

6.14.020 Construction.

Chapters [6.12](#), [6.13](#) and [6.14](#) OHMC are hereby declared to be an exercise of the police power of the state of Washington and the city of Oak Harbor for the public peace, health, safety and welfare, and its provisions shall be liberally construed. The council specifically finds that there have been increases in improper conduct such as vandalism, lewd conduct, harassment of others reducing the ability of people to enjoy the parks and use the adjacent sidewalk areas and that these are the minimum measures necessary to improve those situations. Reference to any statute, Oak Harbor Municipal Code title, chapter or section, ordinance or resolution shall refer to the statute, Oak Harbor Municipal Code title,

chapter or section or ordinance in effect at the time of passage of the ordinance codified in this section or as hereafter amended, whichever comes later. (Ord. 1039 § 6, 1996; Ord. 214 § 2, 1965).

6.14.030 Definitions.

The terms used in this chapter and other chapters concerning parks, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

- (1) "Administrator" means the public works superintendent or his or her designee in charge of the parks department except for the marina in which case, the harbormaster is the administrator. During absences from the city for whatever reason, the mayor may designate an alternative "administrator" to carry out the duties under this chapter. The person appointed need not be the same person as the one to take over other duties of the public works superintendent in charge of the Oak Harbor park system.
- (2) "Chief of police" means the chief of police of the Oak Harbor police department or his or her designee.
- (3) "Council" means the members of the city council of the city of Oak Harbor.
- (4) "Parks" means all parks and well sites maintained by the city, public squares, park drives, parkways, boulevards, bathing beaches, play and recreation grounds owned by or under the jurisdiction of the city, and marine facilities. Most but not necessarily all parks as defined herein are identified and described in the comprehensive plan as is now in effect or hereafter amended.
- (5) Wherever consistent with the context of this chapter, words in the present, past or future tenses shall be construed to be interchangeable with each other and words in the singular number shall be construed to include the plural. (Ord. 1166 § 3, 1999; Ord. 1039 § 7, 1996; Ord. 214 § 4, 1965).

6.14.040 Erection of signs unlawful.

It is unlawful to use, place or erect any signboard, sign, billboard, bulletin board, post, pole or device of any kind for advertising in any park; or to attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, railing, post or structure within any park; or without the written consent of the council, to place or erect in any park, a structure of any kind; provided, that the council may permit the erection of temporary directional signs or decorations on occasions of public celebration and picnics. (Ord. 214 § 5, 1965).

6.14.050 Tampering with property unlawful.

It is unlawful to remove, destroy, mutilate or deface any structure, monument, statue, vase, fountain, wall, fence, railing, vehicle, bench, shrub, tree, fern, plant, flower, lighting system, or sprinkling system or other property lawfully in any park. (Ord. 214 § 6, 1965).

6.14.060 Animals in the park.

(1) It is unlawful to allow or permit any dog or other animal to run at large in any park, or enter any lake, pond, pool, fountain or stream therein, with the exception of off-leash parks.

(2) The owner or handler of any animal is responsible for cleanup and disposal of animal waste and must possess the tools required for such a task when in the public park.

(3) It is unlawful to allow or permit any dog or other animal except a qualified service animal, which must be under the control of the owner or handler, in any playground in any park. (Ord. 1489 § 1, 2007; Ord. 214 § 7, 1965).

6.14.070 Firearms and fireworks.

It is unlawful to shoot, fire or explode any firearm, fireworks, firecrackers, torpedo or explosive of any kind or to carry any firearm or to shoot or fire any air gun, bows and arrows, B.B. gun or use any slingshot in any park without the written permission of the council. (Ord. 214 § 8, 1965).

6.14.080 Soliciting and sound trucks.

It is unlawful to take up collections, or to act as or ply the vocation of solicitor, agent, peddler, fakir, mendicant, beggar, strolling musician, organ grinder, exhorter, barker, showman or bootblack, or to operate or use any loudspeaker without written permission of the council; provided, sound amplification may be authorized for use subject to conditions of a special events permit. (Ord. 1490 § 16, 2007; Ord. 214 § 9, 1965).

6.14.090 Selling articles or distributing literature.

It is unlawful to sell refreshments or merchandise, or to distribute literature in any park, without a written permit, or a concession contract with the council. (Ord. 214 § 10, 1965).

6.14.100 Special events permit.

It is unlawful to hold a meeting of more than 30 people in an Oak Harbor park without obtaining a special events permit from the city. (Ord. 1490 § 15, 2007; Ord. 214 § 11, 1965).

6.14.110 Operating or landing watercraft.

It is unlawful to have, keep or operate any boat, float, raft or other watercraft in or upon any bay, lake, slough, river or creek, within the limits of any park, or to land the same at any point upon the shores thereof bordering upon any park, except at places set apart for such purposes by the council and so designated by signs. (Ord. 214 § 12, 1965).

6.14.120 Riding vehicles or animals.

It is unlawful to ride or drive any bicycle, motorcycle, motor vehicle, horse or pony over or through any park except along and upon the park drives, parkways, park boulevards, or at a speed in excess of 15 miles per hour, or to stand or park any vehicle, except in areas designated by the council. (Ord. 214 § 13, 1965).

6.14.130 Camping areas.

It is unlawful to camp in any park except at places set aside for such purposes by the council and so designated by signs. (Ord. 214 § 14, 1965).

6.14.140 Game play areas.

It is unlawful to practice or play golf, baseball, cricket, lacrosse, polo, archery, hockey, tennis, badminton or other games of like character or to hurl or propel any airborne or other missile, including the flying of model airplanes, except at places set apart for such purposes by the council. (Ord. 214 § 15, 1965).

6.14.145 Windjammer Park kitchen and gazebo reservation system.

(1) Windjammer Park kitchens and the gazebo (hereafter called a "facility") may be reserved for day use by an individual or group under terms and conditions specified by the administrator.

(2) The fee for reservation for a single day's use of a facility shall be \$25.00. As part of the reservation, the person or group reserving the facility shall assure that the facility is left in as good a condition as it was at the time of beginning occupancy.

(3) Reservations shall usually be first come, first served, provided an individual or group may not be first in line for a facility more than once every six months to assure the widest public use of facilities.

(4) When a facility is not reserved, the facility's use is available on a first come, first served basis for use by occupants that day without payment of a fee.

(5) The administration may refuse to reserve the facility for certain dates and for events inconsistent with the purposes of Windjammer Park.

(6) Signs shall be posted noting the reservation system and who has reserved for a date certain.

(7) The administrator for this section is the person designated by the mayor to administer this facility reservation system.

(8) Oak Harbor police may terminate the use of a facility when its use is part of a public disturbance or is causing a noise violation or there is threatened damage to persons or property.

(9) The mayor may issue such additional regulations as are necessary to implement this system.

(10) The privilege of using a facility shall not be construed as a lease or rental, but simply a license terminable at will by the administrator or his or her designee as he or she determines to be the city's best interests. (Ord. 1489 § 2, 2007; Ord. 1142 § 1, 1998).

6.14.160 Testing motor vehicles unlawful.

It is unlawful to operate any motor vehicle or motorcycle for the purpose of testing it, or ascertaining its fitness for service, along or upon any park drive, parkway or park boulevard. (Ord. 214 § 17, 1965).

6.14.170 Speed, endurance competitions unlawful.

It is unlawful to engage in, conduct or hold any trials or competitions for speed, endurance or hill climbing involving any vehicles, power boat, aircraft or animal in any park without council permission to do so. (Ord. 214 § 18, 1965).

6.14.180 Building fires.

It is unlawful to build any fires in any park except in areas designated by the council. (Ord. 214 § 19, 1965).

6.14.190 Liquor sale prohibited.

No concession or privilege shall be granted for the sale or dispensing of any intoxicating liquors on any property under the control of the council. (Ord. 214 § 20, 1965).

6.14.200 Severability.

If any part, provision or section of this chapter is held to be void or unconstitutional all other parts not expressly so held shall continue in full force and effect. (Ord. 214 § 3, 1965).

6.14.210 Rules noncompliance unlawful.

It is unlawful to violate or fail to comply with any park rule or regulation duly adopted and posted by the council. (Ord. 214 § 21, 1965).

6.14.220 Reward posting.

The council may offer, post and pay a suitable reward not exceeding \$25.00 for information leading to the arrest and conviction of anyone violating the provisions of this chapter. (Ord. 214 § 22, 1965).

6.14.230 Prosecution of principal violator.

Anyone concerned in the violation of this chapter, whether directly committing the act or omitting to do the thing constituting the offense, or who aids or abets the same, and whether present or absent; and anyone who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such offense, is and shall be a principal under the terms of this chapter and shall be proceeded against and prosecuted as such. (Ord. 214 § 23, 1965).

6.14.240 Violation – Penalties.

(1) Intentional violations of or failure to comply with the provisions of this chapter shall subject the offender to a fine in any sum not exceeding \$300.00 or to imprisonment in the city jail for a term not exceeding 90 days, or to both such fine and imprisonment.

(2) Other violations of this chapter shall be infractions punishable as set out in Chapter [1.20](#) OHMC, as now in effect or hereafter amended. (Ord. 1014 § 4, 1995; Ord. 214 § 24, 1965).

Chapter 2.02
SALARY COMMISSION

Sections:

- [2.02.005](#) Purpose.
- [2.02.010](#) Created – Membership, appointment, compensation, term.
- [2.02.020](#) Vacancies.
- [2.02.030](#) Removal.
- [2.02.040](#) Duties.
- [2.02.050](#) Referendum.

2.02.005 Purpose.

The purpose of this chapter is to utilize Chapter 73, Laws of 2001, effective July 22, 2001, and codified as RCW [35.21.015](#), which authorizes the city to establish by ordinance an independent salary commission with authority to set the salary of the members of the council and of other elected city officials, and provides that the commission's action fixing such salaries shall supersede any provision in a city ordinance related to fixing salaries. (Ord. 1429 §§ 1, 2, 2005).

2.02.010 Created – Membership, appointment, compensation, term.

(1) There is created a salary commission for the city. The commission shall consist of seven members, to be appointed by the mayor with the approval of the city council.

(2) A member of the commission shall serve for a three-year term without compensation, and shall be a resident of the city. The initial members shall be appointed for staggered terms.

(3) No member of the commission shall be appointed to more than two terms.

(4) A member of the commission shall not be an officer, official, or employee of the city or an immediate family member of an officer, official, or employee of the city. For purposes of this section, "immediate family member" means the parents, spouse, siblings, children, or dependent relatives of an officer, official, or employee of the city, whether or not living in the household of the officer, official, or employee. (Ord. 1429 §§ 1, 3, 2005).

2.02.020 Vacancies.

In the event of a vacancy in office of commissioner, the mayor shall appoint, subject to approval of the city council, a person to serve the unexpired portion of the term of the expired position. (Ord. 1429 §§ 1, 4, 2005).

2.02.030 Removal.

A member of the commission shall only be removed from office for cause of incapacity, incompetence, neglect of duty, or malfeasance in office, or for a disqualifying change of residence. (Ord. 1429 §§ 1, 5, 2005).

2.02.040 Duties.

(1) The independent salary commission shall have the duty, at such intervals as determined by the commission, to review the salaries paid by the city to each elected city official. If after such review the commission determines that the salary paid to any elected city official should be increased or decreased, the commission shall file a written salary schedule with the city clerk indicating the increase or decrease in salary.

(2) Any increase or decrease in salary established by the commission shall become effective and incorporated into the city budget without further action of the city council or the commission.

(3) Salary increases established by the commission shall be effective as to all city elected officials, regardless of their terms of office.

(4) Salary decreases established by the commission shall become effective as to incumbent city elected officials at the commencement of their next subsequent terms of office. (Ord. 1429 §§ 1, 6, 2005).

2.02.050 Referendum.

Any salary increase or decrease established by the independent salary commission pursuant to this chapter shall be subject to referendum petition by the voters of the city, in the same manner as a city ordinance, upon filing of a referendum petition with the city clerk within 30 days after filing of a salary schedule by the commission. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by a vote of the people. Referendum measures under this section shall be submitted to the voters of the city at the next following general or municipal election occurring 30 days or more after the petition is filed, and shall otherwise be governed by the provisions of the State Constitution and the laws generally applicable to referendum measures. (Ord. 1429 §§ 1, 7, 2005).