

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	<u>February 22, 2016</u>
Subject:	<u>Ordinance No. 2016-4 Combining the</u> <u>Offices of the Town Treasurer and the</u> <u>Town Clerk</u>	Prepared by:	<u>Gregory A. Jacoby</u> <u>Town Attorney</u>
	_____	Atty Routing No:	_____
	_____	Atty Review Date:	<u>February 17, 2016</u>

Summary: The recent resignation of the town treasurer has caused elected officials to again consider whether to combine the offices of the town treasurer and clerk (this was previously considered by the council in 2011). The finance committee met to discuss this issue and after considering the workload and job responsibilities of the two offices recommends that the office of the treasurer be combined with that of the town clerk.

Combining these two offices is permitted under RCW 35.27.180, subject to the following procedural requirements: 1) the ordinance shall not be voted on until the next regular meeting after its introduction; and 2) approval of the ordinance requires the vote of at least two-thirds of the council. Also, pursuant to state law, the effective date of the consolidation of the two offices shall be not less than three months after the effective date of the ordinance, which in this case would dictate an effective date of June 14, 2016.

Recommendation: Staff recommends approving the first reading of Ordinance No. 2016-4 combining the offices of the town treasurer and town clerk, amending chapter 2.08 of the Eatonville Municipal Code, and repealing chapter 2.12.

Motion for consideration: I move to approve the first reading of Ordinance No. 2016-4 combining the offices of the town treasurer and town clerk, amending chapter 2.08 of the Eatonville Municipal Code, and repealing chapter 2.12.

Fiscal Impact:

Attachments: Ordinance No. 2016-4

ORDINANCE 2016-4

**AN ORDINANCE OF THE EATONVILLE TOWN COUNCIL,
COMBINING THE OFFICES OF TOWN CLERK AND TOWN
TREASURER, AMENDING CHAPTER 2.08 OF THE EATONVILLE
MUNICIPAL CODE AND REPEALING EMC CHAPTER 2.12**

Whereas, as set forth in Chapters 2.08 and 2.12 of the Eatonville Municipal Code, the offices of town clerk and town treasurer are currently separate positions; and

Whereas, RCW 35.27.180 allows the Town Council to combine the offices of town clerk and town treasurer; and

Whereas, the Town Council finds that given the responsibilities and work load of the two offices, the Town will be better served if the office of the treasurer is combined with the office of the town clerk; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE
AS FOLLOWS:**

Section 1. A new section is added to Chapter 2.08 of the Eatonville Municipal Code to read as follows:

2.08.005 Office of Treasurer Combined with Office of Clerk.

The office of the treasurer is combined with the office of the town clerk as per RCW 35.27.180. As per RCW 35.27.190, the clerk shall exercise all the powers and perform all the duties required by statute or ordinance to be performed by the treasurer, and in the execution of any papers his or her designation as clerk shall be sufficient.

Section 2. Eatonville Municipal Code section 2.08.010 is hereby amended to read as follows:

2.08.010 Recordkeeping and account-dDuties and compensation.

A. The duties of the town clerk include the following:

1. To comply with all duties required by statutes found in RCW Title 35 and other applicable laws, presently in effect or subsequently enacted, including those duties normally reserved for the office of the treasurer;

2. To keep the records of the council and the accounts of the town in such books as may be prescribed by the town or as required by the State Auditor and state law;
3. To make and certify to the town council all assessments and assessment rolls as required;
4. To render to the council a monthly report of the records in the form and manner requested by the town;
5. May administer oaths or affirmations and certify to them;
6. May countersign warrants signed by the mayor for demands against the town;
7. May accept service of all claims against the town;
8. May make a monthly statement in writing showing the receipt and expenditures of the proceeding month and the amount remaining in the treasury;
9. At the end of every fiscal year, make a full and detailed statement of receipts and expenditures of the preceding year and assist the council in preparing a full statement of the financial condition of the town;
10. File and certify all original resolutions or ordinances passed by the town council;
11. Perform the financial administration of grants received by the town by properly accounting for monies received and spent.
12. Receive and safely keep by depositing in an account approved by the town, all money of the town;
13. Disburse money only on checks approved and signed by the Mayor;
14. Invest excess or inactive LID funds in U.S. Government bonds, notes, bills, certificates of indebtedness, Local Government Investment Pool or interim financing warrants of a local improvement district which is within the protection of the local improvement guaranty fund law for the benefit of the general current expense fund;
15. Hold all sales of local improvement district lots, tracts, or parcels of land or other property, upon which a judgment of foreclosure and sale has been entered, if so ordered by a judge of the Superior Court;
16. Pay all warrants and bonds in the order of their number and date of issue whenever there are sufficient funds in the treasury applicable to the payment in accordance with RCW 35.21.320, 35.45.050 and 35.45.060;
17. When so instructed by a majority vote of the council to designate one or more banks in Pierce County as the depository of the money required to be kept by the treasurer in accordance with RCW 39.58.080;
18. Apply money placed in the "town assessment redemption fund" in payment of any unpaid assessment liens on any lands belonging to the town;
19. Collect all assessments for local improvements and keep them in a fund designated "local improvement fund, district No. _____";

20. Annually before August 15th, certify to the council the assessments for any local improvement districts according to the requirements of RCW 35.49.060; and

21. Such further duties as may be required by law or by the town council.

B. Records to Be Kept. The clerk shall:

1. Keep a full and true account of all the proceedings of the council in a book marked "Minutes of the Council";

2. Keep accounting records of town accounts which include all revenue and expenses;

3. Keep records of all licenses issued, including the date thereof, to whom issued, for what, the time they expire, and the amount paid;

4. Keep and properly maintain the official town files;

5. In each of the foregoing records and files, maintain the records accurately and in order, to enable a person readily to ascertain matters contained therein;

6. Keep records of all invoices and warrants with written documentation of the number, date, and disposition of the warrant;

7. Keep a book marked "ordinances," which may be duplicated by electronic means, which shall contain all original town ordinances. The clerk shall in writing attest to the date and manner of publication of the ordinances, or a summary thereof as required by law, which document shall be placed in the ordinance book. True copies of all ordinances shall be forwarded for codification in the Eatonville Municipal Code by the clerk.

C. Compensation. The compensation for the town clerk shall be set by ordinance at the time of adoption of the annual budget, or by resolution of the town council.

Section 3. Repealer. Eatonville Municipal Code Chapter 2.12 "Treasurer" is hereby repealed in its entirety, effective on the date the consolidation of offices occurs as set forth below in Section 5.

Section 4. If any clause, sentence, paragraph, section, or part of this ordinance of the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 5. Effective Date. This ordinance takes effect five days following the date of final adoption, PROVIDED that the date on which the office of the treasurer is

deemed consolidated with the office of the town clerk shall be June 14, 2016, as required by RCW 35.27.180.

Section 6. In accordance with RCW 35.27.180, this ordinance does not become effective unless passed by a two-thirds majority of the town council at the first regular meeting after the meeting in which it is introduced.

1ST READING: 02/22/2016

2ND READING: 03/ /2016

PASSED by two-thirds of the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this ____ day of March, 2016.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney