

ORDINANCE NO. 2026-1362

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOAP LAKE, WASHINGTON, PROVIDING FOR COMPENSATION FOR THE MAYOR TO BE PAID BASED UPON THE SATISFACTORY COMPLETION OF EXECUTIVE DUTIES AND RESPONSIBILITIES; AMENDING SECTION 2.48.020 OF THE SOAP LAKE MUNICIPAL CODE SETTING COMPENSATION OF THE MAYOR IN ABSENCE OF A SALARY COMMISSION; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Soap Lake ("City Council") is the duly elected legislative body of the City of Soap Lake, Washington ("City"), vested with authority to represent the interests of the residents and taxpayers of the City of Soap Lake; and

WHEREAS, the Mayor of the City of Soap Lake ("Mayor") is an elected official entrusted with the executive duties of the City and is obligated to act within the scope of authority granted by the laws of the State of Washington, and the ordinances, resolutions, and policies of the City; and

WHEREAS, the City Council previously adopted Ordinance No. 2025-1350, which authorized establishment of a salary commission for the City ("Salary Commission") to fix salaries applicable to the Mayor and City Council; and

WHEREAS, the adoption of Ordinance No. 2025-1350 resulted in amendments to Chapter 2.48 of the Soap Lake Municipal Code ("SLMC"), and upon the adoption of said ordinance, the previously established salary for the office of Mayor was entirely eliminated, subject to future determination by the Salary Commission; and

WHEREAS, as of the commencement of the Mayor's current term of office, the Salary Commission has not been formed, and there is presently no salary associated with the position of Mayor; and

WHEREAS, pursuant to RCW 35A.12.070, in absence of a Salary Commission, the City Council of a code city is authorized by ordinance to fix the compensation of all City officers, including the Mayor, and may amend or adjust such compensation from time to time as it deems appropriate in the exercise of its legislative authority; and

WHEREAS, the City Council has a duty and responsibility to the residents and taxpayers of the City to ensure that all elected officials act lawfully, ethically, transparently, and within the limits of their duly authorized powers; and

WHEREAS, it has come to the attention of the City Council that the Mayor has been absent from City Hall for extended periods, has failed to attend required meetings with auditors, has refused to provide required documentation necessary to respond to public records requests and to complete grant reporting obligations, has failed to use established City email accounts for official communications, and has failed to timely respond to calls, texts, and emails from City staff, City Council members, and members of the public; and

WHEREAS, such failures to perform the essential duties and responsibilities of the office of Mayor constitute a pattern of neglect and dereliction of the executive functions entrusted to the Mayor, to the detriment of the orderly administration of City government and the interests of its residents; and

WHEREAS, the Mayor's persistent failure to fulfill the duties and responsibilities of the office of Mayor constitutes a breach of the obligations owed by the Mayor to the City and its taxpayers; and

WHEREAS, the Mayor's failure to attend required meetings with auditors and refusal to provide requested documentation has impaired the City's ability to comply with state audit requirements and has hindered the proper oversight of City finances; and

WHEREAS, the Mayor's refusal to provide required documentation has impeded the City's ability to timely respond to public records requests as required by the Washington Public Records Act, Chapter 42.56 RCW, and to complete grant reporting obligations, placing the City at risk of legal liability and loss of grant funding; and

WHEREAS, the Mayor's failure to use established City email accounts for official communications, failure to timely respond to calls, texts, and emails, and prolonged absence from City Hall have created significant disruptions to the operations of City government and have impaired the ability of City staff and the City Council to carry out essential governmental functions; and

WHEREAS, the City Council finds that the Mayor's persistent failure to perform the duties of the office has undermined public trust in City government, damaged the reputation and credibility of the City of Soap Lake, and created significant uncertainty regarding the proper administration of City affairs; and

WHEREAS, the City Council has previously declared a formal vote of no confidence in the Mayor, finding that the Mayor has exceeded his lawful authority with respect to City expenditures, has subjected the City to scrutiny by multiple investigative agencies, and has demonstrated conduct inconsistent with the trust placed in the office of Mayor by the residents of the City, as set forth in Resolution No. 2026-1038, adopted on March 18, 2026; and

WHEREAS, the City Council subsequently adopted a further resolution establishing policies and procedures for the protection and preservation of public records and City funds, further requesting and directing the City Attorneys to seek legal relief available to prevent the Mayor from engaging in conduct detrimental to the City; and

WHEREAS, the City Council finds that it is contrary to the public interest and inconsistent with the responsible stewardship of public funds to compensate the Mayor when the Mayor has failed to satisfactorily perform the executive duties and responsibilities of the office, and that the Mayor's compensation should be conditioned upon the satisfactory completion of such duties and responsibilities; and

WHEREAS, the compensation of members of the City Council is tied to performance insofar as Council members are compensated only for meetings actually attended, and the City Council finds that it is fair, equitable, and consistent with principles of accountable governance to require that the Mayor's compensation be similarly conditioned upon the satisfactory performance of the executive duties and responsibilities of the office; and

WHEREAS, the City Council reaffirms its commitment to transparent, accountable, and lawful governance on behalf of the residents and taxpayers of the City, and pledges to take all lawful measures available to it to protect the public interest and the integrity of City government; and

WHEREAS, the City Council has reviewed this Ordinance and determined that the provisions herein are in the best interests of the public health, safety, and welfare of the citizens of the City of Soap Lake;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOAP LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings and Purpose. The foregoing recitals are hereby adopted and incorporated by reference as findings of fact supporting this Ordinance. The purpose of this Ordinance is to ensure accountability in the office of the Mayor and provide that compensation for the Mayor is contingent upon satisfactory completion of the executive duties and responsibilities of the office of Mayor.

Section 2. Performance-Based Compensation. Effective upon adoption of this Ordinance and publication as required by law, the compensation of the Mayor of the City of Soap Lake shall be established and paid as follows:

A. Compensation Amount. The Mayor shall be eligible to receive compensation in an amount ranging from zero dollars (\$0.00) to six hundred dollars (\$600.00) per month, as determined by the City Council based upon the Mayor's satisfactory performance of the executive duties and responsibilities set forth in subsection B of this Section.

B. Full payment of compensation will only be approved upon a finding of satisfactory completion of the executive duties and responsibilities of the office of Mayor, as determined by the City Council.

1. The Mayor's executive duties and responsibilities for purposes of this Ordinance shall include, but not be limited to: (i) maintaining a regular and consistent presence at City Hall during normal business hours (~~at least 2-3 hours day, or 10-15 hours per week~~); (ii) attending all required meetings, including meetings with auditors, unions, department heads, committees, and the City Council; (iii) providing all required documentation necessary to respond to public records requests and to complete grant reporting obligations in a timely manner; (iv) using established City email accounts for all official City communications; (v) cooperating with requests for documents and information from City consultants (i.e. Engineers, Planners, and Attorneys), and (vi) timely responding to calls, texts, and emails from City staff, City Council members, and members of the public regarding City business.
2. In the event the City Council determines that the Mayor has failed to satisfactorily perform the executive duties and responsibilities set forth in subsection B(1) of this Section, the City Council shall, by majority vote at a regular or special meeting, determine the value of services actually rendered by the Mayor during the applicable month and authorize payment of only such amount as the City Council deems appropriate for the services rendered. The remaining balance of the Mayor's monthly compensation shall, at the option of the City Council, be either (i) forfeited in its entirety, or (ii) withheld, with payment of any such withheld amount contingent upon a subsequent determination by the City Council that the Mayor has demonstrated satisfactory performance of the executive duties and responsibilities set forth in subsection B(1) of this Section, or (ii) official notice by the Mayor of an extended absence from or vacancy in the office of Mayor (thereby allowing the Mayor Pro Tem to assume Mayoral responsibilities in full).

Section 3. Duration and Review. This Ordinance shall remain in effect until the City Council affirmatively acts by separate ordinance to repeal; amend, or otherwise modify the provisions hereof.

The City Council shall review the Mayor's performance of executive duties and responsibilities on a monthly basis and may consider modification or repeal of this Ordinance upon, but not limited to, the following conditions:

- A. A demonstrated and sustained period of satisfactory performance by the Mayor of the executive duties and responsibilities set forth in Section 2(A) of this Ordinance, as determined by the City Council; and/or
- B. A formal determination by the City Council that the circumstances which gave rise to this Ordinance have been resolved to the satisfaction of the City Council and that modification or repeal of this Ordinance is in the best interest of the City and its residents.

Section 4. Amendment to SLMC. Section 2.48.020 of the Soap Lake Municipal Code is hereby amended to read as follows:

§ 2.48.020 Mayor.

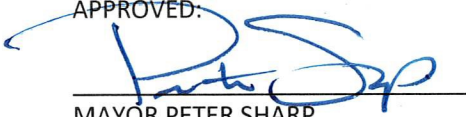
The mayor shall receive such compensation as may be fixed by the City Council of the City of Soap Lake pursuant to RCW 35A.12.070 in absence of a Salary Commission. Once a Salary Commission has been formed pursuant to Chapter 2.47 SLMC, the compensation of the Mayor shall be fixed by the Soap Lake Salary Commission and adopted by the city council by resolution, but any reduction in the compensation attaching to an office shall not be applicable to the term then being served by the incumbent.

Section 5. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 6. Codification. With the exception of Section 4 (above), which sets forth changes to Section 2.48.020 of the Soap Lake Municipal Code, this ordinance shall not be codified.

Section 7. Effective Date. This Ordinance shall take effect five (5) days following approval by the City Council and publication as required by law.

APPROVED:


MAYOR PETER SHARP

ATTEST:


JODY SIEBERT, ADMINISTRATIVE ASSISTANT

APPROVED AS TO FORM:


JULIE K. NORTON
CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

May 7, 2026
May 6, 2026
May 13, 2026
May 20, 2026
2026-1362