

RESOLUTION NO. 2855

RESOLUTION AUTHORIZING THE MAYOR AND CLERK/TREASURER
TO PAY CONTINUED SALARY AND PROVIDE CONTINUED FRINGE
BENEFITS TO AND FOR FORMER EMPLOYEE DONALD C. WAYMAN
THROUGH THE DATE OF JUNE 30, 2021, DESPITE MR. WAYMAN'S
FINAL DAY OF EMPLOYMENT BEING MAY 25, 2021

WHEREAS, the employment of Donald C. Wayman was terminated on May 25, 2021, on an effective-immediately basis; and

WHEREAS, Mr. Wayman's written Employment Agreement includes multiple paragraphs under the heading "Termination"; and

WHEREAS, if termination of Mr. Wayman's employment occurs due to "misconduct" – which term is specifically defined in the Agreement – then the city is not required to provide any advance written notice of the forthcoming (or potential) termination; and

WHEREAS, if termination of Mr. Wayman's employment occurs "for any other reason" (i.e., not due to something fitting the contractual definition of misconduct), then the city is presumptively supposed to provide thirty days advance written notice of the forthcoming (or potential) termination; and

WHEREAS, Mr. Wayman was not provided with any advance written notice, even though the Mayor's decision to termination Mr. Wayman's employment was not based on a finding of misconduct (again, as such term is contractually defined); and

WHEREAS, in order to make Mr. Wayman whole due to the lack of advance written notice, the Mayor believes that Mr. Wayman should receive one month (i.e., through the end of June, thus constituting roughly 30 days) of continued salary and continued benefits; and

WHEREAS, if such continued salary and continued benefits are paid and provided, it will effectively be a wash from a financial standpoint (as to these issues), as Mr. Wayman will receive the same amount of salary and fringe benefits that he would have received if he had been provided with thirty days advance written notice and then had remained actually employed during such thirty-day period;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON that the Mayor and Clerk/Treasurer are authorized to pay continued salary and provide continued benefits to and for former employee Donald C. Wayman through the date of June 30, 2021, despite Mr. Wayman's final day of employment being May 25, 2021.

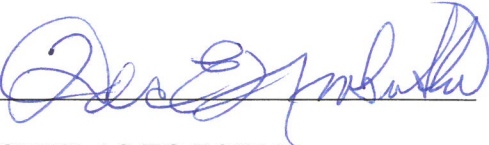
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 8th day of June, 2021.



Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski Clerk/Treasurer



APPROVED AS TO FORM:



Rob Case, City Attorney

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