

(3). **Special Positions.** The Mayor, with the approval of City Council, may establish and fill "Special" positions to perform necessary projects or other work deemed necessary for the City to provide public services or to manage and administer City operations. The Mayor, with the approval of the City Council, shall determine whether a Special position will be covered under the *PSP*, in whole or in part, and shall establish the duration, qualifications and job duties for the Special position.

(4). **Appointed City Officials.** The following City officials shall be appointed by the City Council: **City Clerk, Finance Director/City Treasurer, Police Chief, Fire Chief, City Administrator, Assistant City Administrator/HR Director, City Engineer, and City Planner.** Unless designated otherwise by the City Council, these appointed official positions are full-time positions. These officials are covered under the *PSP* and are eligible for benefits as described in the *PSP*. These appointed officials shall, after appointment, have a term of office that shall continue until the next general election and thereafter until a successor is elected by the City Council and qualified.

If the positions are established by the City Council, the City Council shall appoint the **Municipal Judge, Assistant Municipal Judge, and Alternate Municipal Judge** (*for convenience, referred to collectively as Municipal Judge.*). A *full-time* Municipal Judge shall have a four year term of office that coincides with that of the City Council. After appointment, the term shall continue until the next general election and thereafter until successors are appointed by the City Council and qualified. A *part-time* Municipal Judge shall have a two-year term of office. The City Council shall designate whether a Municipal Judge is a *part-time* or *full-time* position and shall establish the term of office accordingly. A *full-time* **Municipal Judge** shall be covered by the *PSP* and is eligible for benefits as described in the *PSP*. A *part-time* Municipal Judge shall not be covered under the *PSP* and is not eligible for benefits unless otherwise authorized by the City Council.

Appointed City Officials may be issued a verbal or written warning by the Mayor as provided under *PSP* § 5.9. An Appointed City Official may be demoted from his or her official position, suspended without pay or dismissed during his or her term of office "for cause" by a two-thirds (2/3) vote of the elected members of the City Council after a hearing before the City Council. "Cause" includes, but is not limited to, incompetence, malfeasance, misfeasance or non-feasance in office and conduct detrimental to the good order and discipline, including habitual neglect of duty. **Appointed City Officials** do have access to the **Pre-Determination Hearing** under *PSP* § 5.10 but do *not* have access to the **Post-Disciplinary Hearing Procedure** in *PSP* § 5.11.

(5). **Probationary Employees.** **Regular Full-Time and Regular Part-Time Employees** are "Probationary Employees" during the probationary period under Section 3.4(5) of the *PSP*. Probationary Employees are covered under the *PSP* to the extent defined in the *PSP* for these positions. However, during the Probationary Period, Probationary Employees may be dismissed by the Mayor at any time and for any reason the Mayor deems sufficient. The *PSP* does not: (i) obligate the City to continue a Probationary Employee's employment for any particular length of time; (ii) create a contract of employment between the Probationary