

RESOLUTION NO. 67-05
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Doug Cline ON THE 5th
DAY OF December, 2005.

**A RESOLUTION RE-APPOINTING GREGORY B. HORN CITY MANAGER
FOR THE CITY OF CENTERVILLE AND TO AMEND RESOLUTION
NUMBER 39-03 BY RENEWING THE CITY MANAGER'S EMPLOYMENT
CONTRACT FOR AN ADDITIONAL FIVE YEAR TERM COMMENCING
JANUARY 1, 2006**

WHEREAS, Gregory B. Horn, having completed more than thirty (30) years of public employment, is retiring on December 31, 2005; and

WHEREAS, this Council has given public notice as required by law of its intent to re-hire Mr. Gregory B. Horn as City Manager for the City of Centerville effective January 1, 2006; and

WHEREAS, a public meeting to consider the re-hiring of Gregory B. Horn as City of Centerville's City Manager was conducted on December 5, 2005 in the Council chambers of the Centerville Municipal Building at 8:00 p.m. during a Special Council Meeting; and

WHEREAS, this Council considers it to be in the best interest of the City of Centerville to retain his experience, qualifications and leadership, and has decided to re-appoint Mr. Horn to City Manager; and

WHEREAS, this Council previously entered into a contract of employment with Gregory B. Horn to act as the City Manager for a three year term which was renewed for a term of four years, for five years and again for five years; and

WHEREAS, said contract was not to expire until June 30, 2009; and

WHEREAS, this Council now wishes to renew the City Manager's Employment Contract for a term of five years, beginning January 1, 2006;.

NOW THEREFORE, BE IT RESOLVED:

Section 1: That Mr. Gregory B. Horn be re-appointed City Manager of the City of Centerville, Ohio, effective January 1, 2006.

The terms for Mr. Horn's re-appointment are as follows:

- a) base pay shall be frozen at the 2005 base pay level for two years up through December 31, 2007;
- b) payment of 2005 bonus before December 31, 2005; and
- c) allow Mr. Horn to convert an additional two weeks of vacation in 2005.

Mr. Horn's salary and benefits shall be set forth pursuant to the City's Pay Ordinance, as amended.

Section 2:

That the proposed amendment marked Exhibit "A" attached hereto and made a part hereof is hereby accepted, and the Mayor is hereby authorized to execute same on behalf of the City.

Section 3:

This Resolution shall become effective at the earliest date allowed by law.

PASSED THIS 5th day of December, 2005

C Mark Kenzler
Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 67-05, passed by the Council of the City of Centerville, Ohio on the 5th day of December, 2005

Debra A. James
Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions.
Department of Law
Scott A. Liberman, Municipal Attorney

AMENDMENT TO CITY MANAGER AGREEMENT

This Agreement entered into at Centerville, Ohio, on the ____ day of December, 2005, by and between the City of Centerville, an Ohio municipal corporation (hereinafter "City") and Gregory B. Horn (hereinafter "City Manager").

WITNESSETH:

WHEREAS, by Resolution No. 67-05, passed by a majority vote of all members of the Council of the City of Centerville on the 5th day of December, 2005, the CITY MANAGER AGREEMENT of Gregory B. Horn's is continued, but the CITY MANAGER AGREEMENT authorized by Resolution 1-95 and Resolution 82-97 and as amended as authorized by Resolution 48-98, and Resolution 39-03 is hereby authorized to be amended in accordance with the provisions of Section 1 thereof; and

WHEREAS, the parties wish to amend Sections 1 and 6 of said Agreement;

NOW THEREFORE, in consideration of the foregoing recitations and pursuant to the terms of Resolution No. 67-05, the parties agree as follows:

Section 1. That effective January 1, 2006, Section 1 of said Agreement is amended as follows:

That portion of Section 1 of said Agreement which specifies length of term and term commencement and expiration shall be changed to read a five (5) year term commencing on January 1, 2006 and ending on the 31st day of December 2010, subject, however to the provisions set forth in Article VI of the Centerville Charter. In all other respects Section 1 shall remain in full force as written.

Section 2. That effective January 1, 2006, Section 6 of said Agreement is amended as follows:

That portion of Section 6 of said Agreement which specifies a twelve (12) month prior notice of termination and compensation shall be changed to read six (6) months. In all other respects, Section 6 shall remain in full force as written.

Section 3. That in all other respects said existing CITY MANAGER AGREEMENT, as amended is hereby ratified and restated as if fully rewritten herein.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT TO CITY MANAGER AGREEMENT on the date first above written.

WITNESS:

CITY OF CENTERVILLE

By: _____
C. Mark Kingseed, Mayor

Gregory B. Horn
City Manager