

RESOLUTION NO. 116-02  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER C. Mark Kingseed ON THE  
15<sup>th</sup> DAY OF April, 2002.

A RESOLUTION RATIFYING THE ACTION TAKEN BY  
THE CITY MANAGER TO EXECUTE AN AGREEMENT  
BETWEEN THE CITY OF CENTERVILLE AND  
ROBERT N. FARQUHAR, ESQ.

WHEREAS, The City of Centerville has agreed to withdraw its appeal to the Public Employment Retirement System (PERS) with respect to the October 3, 2001, determination that Robert N. Farquhar performed services as an employee of the City for the period of February 1, 1969 to June 30, 1991, and

WHEREAS, Robert N. Farquhar has agreed to withdraw his appeal to the Public Employment Retirement System (PERS) with respect to the October 3, 2001 determination of noncontributing service after July 1991 with certain conditions as outlined in the agreement.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY  
RESOLVES:

Section 1. That the action taken by the City Manager to execute an agreement between the City of Centerville and Robert N. Farquhar, Esq., be and is hereby ratified, a copy of said Agreement which is marked as Exhibit "A", attached hereto and incorporated herein.

Section 2. That this Resolution shall become effective immediately upon passage.

PASSED this 15<sup>th</sup> day of April, 2002.

Sally D. Beale  
Mayor of the City of Centerville, Ohio

ATTEST:

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

**CERTIFICATE**

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 16-02, passed by the Council of the City of Centerville, Ohio, on the 15<sup>th</sup> day of April, 2002.

Debra A. James, Assistant  
Clerk of Council

Approved as to form, consistency  
with the Charter and Constitutional Provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney



EXHIBIT "A"

*Sally D. Beals*  
*Mayor*

# *City of Centerville*

*Gregory B. Horn*  
*City Manager*

*100 W. Spring Valley Rd.*  
*Centerville, Ohio 45458-3759*

March 26, 2002

Robert N. Farquhar, Esq.  
1700 One Dayton Center  
1 South Main Street  
Dayton, OH 45402-1201

Dear Mr. Farquhar:

The purpose of this letter is to memorialize the mutual promises, agreements and commitments reached between the City and you.

The City has agreed to withdraw its appeal to the Public Employment Retirement System ("PERS") with respect to the October 3, 2001, determination that you performed services as an employee of the City for the period of February 1, 1969 to June 30, 1991. The City will complete the necessary forms and pay the employee and employer contributions due plus interest, if any, determined by PERS for this period of time.

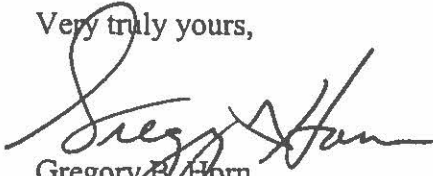
In exchange for the City's agreement to pay PERS as set forth in the above paragraph, you have agreed to: (1) withdraw your appeal to PERS with respect to the October 3, 2001, determination of noncontributing service after July 1991; and (2) contribute Fifty Thousand Dollars and Zero Cents (\$50,000.00), payable to the City, to be paid in five (5) equal installments of \$10,000.00. The first installment shall be due thirty (30) days after the date of acceptance of



*An Architectural Preservation District City*  
*(937) 433-7151*

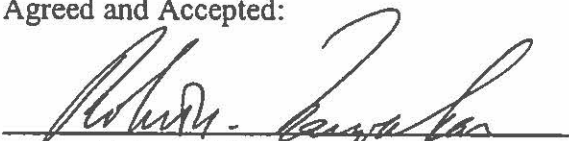
this letter and the subsequent installments due annually thereafter on the anniversary date of acceptance of this letter. The \$50,000 contribution shall be secured by a second mortgage of real property from Robert N. and Carol A. Farquhar to the City of Centerville, recorded in Montgomery County, Ohio.

Very truly yours,



Gregory B. Horn  
City Manager

Agreed and Accepted:



Robert N. Farquhar

March 26, 2002  
Date