

## **Resolution 21-114**

### **Resolution Amending the City Manager's Contract for 2022**

Whereas, the purpose of this Resolution is to adjust the City Manager's Contract for 2022; and

Whereas, the position of City Manager is a position appointed by the City Council; and

Whereas, the City Council has determined it is appropriate to increase the City Manager's salary \_\_\_\_\_%, resulting in a total annual salary of \$\_\_\_\_\_; and

Whereas, the City Council has determined it is appropriate to also amend Section 12 (Pension) of the City Manager's Contract as follows:

In addition, the City shall also contribute \_\_\_\_\_% of the City Manager's compensation to a deferred compensation plan selected by the City Manager; and

Whereas, the City Council has determined it is also appropriate to amend Section 19 of the City Manager's Contract by adding the following:

E. Limitation on Without Just Cause Termination Following Seating of New Council Member(s). Notwithstanding any other provision of this Agreement, the Employer may not take any action to terminate this Agreement without cause during the period of sixty (60) days following the seating of a new city council member elected in a city election or appointed by the City Council to fill a vacancy. The purpose of this provision is to allow any newly elected or appointed member(s) of the City Council or a reorganized City Council to have sufficient time to observe the actions and ability of the Employee in the performance of the powers and duties of their office. After the expiration of the aforementioned sixty (60) day period, there shall be no limitation on the Employer's ability to terminate without cause. Nothing herein shall limit the Employer's ability to terminate this Agreement for cause.

Now, Therefore, It Is Hereby Resolved by the City Council of the City of Brookings, South Dakota, as follows:

(1) That the City Manager's salary shall increase by \_\_\_\_\_% for 2022, resulting in a total annual salary of \$\_\_\_\_\_; and

(2) That Section 12 of the City Manager's Contract shall be amended to include the following provisions:

In addition, the City shall also contribute \_\_\_\_\_% of the City Manager's compensation to a deferred compensation plan selected by the City Manager; and

(3) That the City Manager's Contract shall also be amended to include Section 19 (E), as set forth above.

Passed and approved this 14<sup>th</sup> day of December, 2021.

CITY OF BROOKINGS

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Oepke G. Niemeyer, Mayor

ATTEST:

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Bonnie Foster, City Clerk