

**CITY OF ALBION  
ORDINANCE #2020-03**

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, DIVISION I TO AMEND  
SECTION 2-27, EMPLOYMENT AGREEMENTS

**Purpose and Finding:**

Presently Section 2-27 of the City of Albion Code of Ordinances requires all employment agreements entered into by the City Manager with subordinate employees to conform to a form agreement adopted by ordinance. To the best of the staff's knowledge, no such form agreement was ever adopted by ordinance. An employment agreement template has been prepared by the City Attorney and that template has been utilized by the City for employment of non-union employees in the City for nearly a decade. This ordinance modifies two aspects: (1) it modifies the ordinance such that a modification to the template may be done via resolution as opposed to an ordinance; (2) it modifies the ordinance such that the City Manager may vary the terms after consultation with the City Attorney only as opposed to the Attorney and the Council. As long as the agreement substantially conforms to the template, the City Manager is free to vary the terms as he deems appropriate for each employee, which is within his purview. The Council should not be involved in the same as it could potentially impede the City Manager's ability to enter into contracts with subordinate employees.

THE CITY OF ALBION ORDAINS:

Section 1. Chapter 2, Article II, Division I, of the Codified Ordinances of the City of Albion, is hereby amended, by amending Section 2-27 as follows:

**ARTICLE II: OFFICERS AND EMPLOYEES**

**DIVISION I: GENERALLY**

- a. The city manager, on behalf of the city, shall enter into an employment agreement with any person whom the city manager appoints.
- b. The mayor, on behalf of the city, after council confirmation, shall enter into an employment agreement with the city manager.
- c. Any such agreements executed pursuant to this section shall be in substantially the same form as the council has approved by resolution; provided, however, that the city manager or mayor may vary the terms of such agreement after consultation with the city attorney.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

This Ordinance shall take effect on May 6, 2020 after publication.

First Reading:

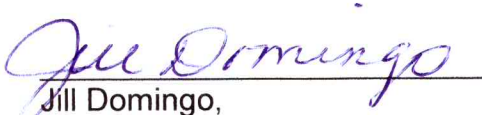
Second Reading & Adoption:

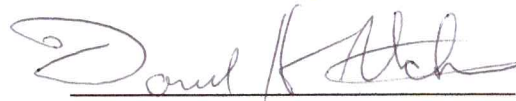
March 16, 2020

April 6, 2020

Ayes 7  
Nays 0  
Absent 0

Ayes 4  
Nays 2 (Clark & Lawler)  
Absent 1 (Spicer)

  
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Jill Domingo,  
Clerk

  
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David Atchison,  
Mayor.