

**MADEIRA CITY COUNCIL
PUBLIC MEETING
REGARDING CITY MANAGER RE-EMPLOYMENT
March 9, 2020
7:00 PM
Council Chambers, 7141 Miami Avenue, Madeira, OH 45243**

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. NOTICE OF PUBLIC MEETING READ

On January 27, 2020, the City of Madeira provided the following public notice in accordance with Ohio law:

- “Pursuant to Section 145.381 of the Ohio Revised Code, the City of Madeira, Ohio hereby provides notice that (i) City Manager Tom Moeller will be retiring from his employment with the City of Madeira, Ohio effective as of April 1, 2020, and (ii) Mr. Moeller, after retiring, is seeking to be rehired as City Manager for the City of Madeira, Ohio effective as of April 2, 2020. On Monday, March 9, 2020, City Council will hold a public meeting at 7:00 PM in Council Chambers to discuss the issue of Mr. Moeller’s reemployment as City Manager. For those interested in attending the meeting, Council Chambers are located at 7141 Miami Avenue, Madeira, OH 45243.”

Then again, on March 6, 2020, the City of Madeira provided public notice of this meeting, supplying the time, place, and purpose of this meeting by posting a copy of this agenda.

IV. COMMENTS/QUESTIONS FROM AUDIENCE

V. COMMENTS/QUESTIONS FROM COUNCIL

VI. DISCUSSION/DELIBERATION/VOTE REGARDING

- **ORDINANCE NO. 20-05** Approving Re-Employment and Appointment of Thomas W. Moeller as City Manager and Establishing His Compensation in Connection therewith, Pursuant to Article IV, Sections 1 and 6 of the Madeira City Charter.

VII. EXECUTIVE SESSION

- Personnel

VIII. ADJOURNMENT OF PUBLIC MEETING

ORDINANCE NO. 20-05

APPROVING RE-EMPLOYMENT AND APPOINTMENT OF THOMAS W. MOELLER AS CITY MANAGER AND ESTABLISHING HIS COMPENSATION IN CONNECTION THEREWITH, PURSUANT TO ARTICLE IV, SECTIONS 1 AND 6 OF THE MADEIRA CITY CHARTER

WHEREAS, on March 6, 1989, Thomas W. Moeller was appointed as Deputy City Manager until such time as City Manager William Toth retired from the position, and

WHEREAS, on July 10, 1989, Thomas W. Moeller was appointed as Acting City Manager for the City of Madeira, Ohio as he had not yet taken residence in the City per the requirements of the Madeira Home Rule Charter; and

WHEREAS, upon establishing residence in the City of Madeira and pursuant to Ordinance 90-40, Thomas W. Moeller was appointed as Madeira's City Manager; and

WHEREAS, in performing his duties as Madeira's City Manager, Thomas W. Moeller has executed upon his tasks in a commendable manner and significantly contributed to the efficient operation of city services; and

WHEREAS, Thomas W. Moeller indicated to Madeira's City Council his desire to retire as Madeira's City Manager, effective as of April 1, 2020; and

WHEREAS, Thomas W. Moeller also indicated his desire to be reemployed as Madeira's City Manager, effective as of April 2, 2020, and City Council now desires to reemploy and appoint Thomas W. Moeller as Madeira's City Manager consistent with Article IV, Section 1 of Madeira's City Charter; and

WHEREAS, in accordance with Section 145.381 of the Ohio Revised Code, not less than sixty days prior to April 2, 2020, City Council provided public notice that Thomas W. Moeller was retiring as the City Manager, effective as of April 1, 2020, and is seeking reemployment with Madeira as its City Manager, effective as of April 2, 2020; and

WHEREAS, in accordance with Section 145.381 of the Ohio Revised Code, between 15 and 30 days prior to April 2, 2020, the effective rehire date, City Council held a public meeting on the issue of Thomas W. Moeller being reemployed as Madeira's City Manager with an effective rehire date of April 2, 2020; and

WHEREAS, Article IV, Section 6 of the Madeira City Charter provides, "Council shall establish the salary of the Manager by Ordinance."

NOW, THEREFORE, BE IT ORDAINED by the City Council of Madeira, Ohio as follows:

Section 1. Thomas W. Moeller is hereby reemployed by the City and appointed to serve as Madeira's City Manager, effective as of April 2, 2020, until otherwise removed as provided in the Madeira City Charter or permitted under applicable law.

Section 2. The salary and compensation for Thomas W. Moeller, City Manager, which was most recently established in Ordinance 14-15, shall be as is set forth in Section 3 through Section 10 of this Ordinance, effective as of April 2, 2020.

Section 3. Salary: That the salary of the City Manager, Thomas W. Moeller, shall be at the rate of \$120,000.00 per year, payable in twenty-six (26) equal installments made every two weeks or at such other payroll schedule as may be determined by the City for its employees. The salary shall be effective as of the 2nd day of April, 2020. Salary for any partial year shall be paid on a pro-rated basis.

Section 4. Dental Insurance: The City Manager shall have available to him dental care benefits. The City shall pay up to \$94.08 for the individual or family plan premium for those electing to accept such coverage, with the balance of the premium to be paid by the employee.

Section 5. Vacation: The City Manager shall be entitled to four (4) weeks of vacation per year. Vacation for any partial year shall be pro-rated.

Section 6. Accrual of Sick Leave: Sick leave shall be earned and credited at a rate of ten (10) hours for each completed month in active pay status, including paid vacations and sick leave, but not during leave of absence without pay.

If the City Manager does not use any of his sick leave in any three (3) month period, he will be granted eight (8) hours extra time off (personal day/time) for each three (3) month period, not to exceed twenty-four (24) hours per calendar year. Each three (3) month period begins with the first day of the month and ends with the last day of the third month. All hours earned must be used within twelve (12) months from the date earned.

Section 7. Holidays: The City Manager shall receive eleven (11) paid holidays per year as follows:

New Year's Day	Thanksgiving Day
Presidents' Day	Day after Thanksgiving
Good Friday	Birthday
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day
Labor Day	

Section 8. Professional Associations Dues and Expenses: The City agrees to pay customary dues for membership in the International City Management Association, the Ohio City Manager's Association, plus the cost of attending meetings and conferences.

Section 9. Severance Pay: In the event of involuntary termination of Mr. Moeller by the City of Madeira, the City shall continue the compensation of Mr. Moeller to him for a period of up to three (3) months or until Mr. Moeller accepts new employment, whichever comes first. This section shall not apply in the event separation is due to malfeasance in office. Mr. Moeller agrees to give the City ninety (90) days' notice prior to leaving employment with the City.

Section 10. That this Ordinance shall take effect on the earliest date allowed by law.

This Ordinance is not subject to referendum per Article XII, Section 3 of the Madeira Home Rule Charter.