

## D. Renewable Contract for Manager and other Conditions for employment.

### 1.) Suggested Charter Changes

**Section 3.1 "Town Manager"** There shall be a town manager (the "town manager") who shall be the chief administrative officer of the town. The town manager shall be responsible to the council for the administration of all town affairs and for carrying out policies adopted by the council. The term, conditions, method of evaluation, and compensation of the town manager shall be established by the council.

Notwithstanding the above, the Town Manager is an employee at will and may be terminated with or without cause at any time unless the Town Manager has a written individual employment contract with the Council, which specifically provides to the contrary. However, no such individual employment contract entered into between the Council and the Town Manager shall be binding upon the Council beyond the end of the term of the Council Member having the shortest remaining time in their term among the members of Town Council who were serving on Town Council at the time the contract was approved.

With respect to any provision in an individual employment contract that would impose a penalty for termination of the Town Manager, no such contract provision shall be binding upon the Council beyond the end of the term of the Council Member having the shortest remaining time in their term among the members of Town Council who were serving on City Council at the time the contract was approved.

If the Council intends to change or amend termination policies for the Town Manager to reduce the termination compensation to which he is entitled, the Council shall, at least twenty-two days prior to such changes becoming effective, give written notice the Town Manager of such intent. The Town Manager shall within twenty-one days of such notice deliver to the Council, in a written memorandum of election, a selection by the Town Manager of one of the following two options: (1) the Town Manager may elect to accept the new termination policies; or (2) the Town Manager may elect to voluntarily terminate employment with such termination of employment considered to be at the request of the Council. If option number two is selected, the employee's employment with the City shall terminate seven days from the date of delivery to the Mayor of the notice of election. In all such cases where the Town Manager chooses option number two, the Town Manager will receive termination compensation in accordance with the termination policy in effect on the date the Town Manager's memorandum of election was delivered to the Council.

**Section 3.2 Town Manager: Appointment, Qualifications and Removal.** The town manager shall be appointed by a majority vote of the council. The town manager shall be appointed on the basis of education and professional experience in the accepted competencies and practices of local government management. The town manager shall be removed by a majority vote of the council. Any council member may nominate or move the hiring or firing of the town manager. The Town Manager shall be a resident of the city within one year of appointment and a United States citizen.

### 2.) Precedents

a.) **St. Petersburg, FL Sec. 3.13. Employees:** Employees of the City shall be designated as being in either a classified or exempt position. Employees in a classified position shall be governed by applicable