

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

RESOLUTION NO. R13-583

A RESOLUTION AUTHORIZING THE CITY TO ACCEPT THE RESIGNATION OF CITY MANAGER DAVID MILLIRON PURSUANT TO SECTION 9 (D) OF THE CITY MANAGER'S CONTRACT AND AUTHORIZING PAYMENT OF SEVERANCE PURSUANT TO SECTION 10 OF THE SAME CONTRACT, AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION, AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY, PROVIDING FOR SEVERABILITY, REPEALING INCONSISTENT RESOLUTIONS, PROVIDING FOR AN EFFECTIVE DATE OF THIS RESOLUTION, AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, the City entered into a City Administrator Employment Agreement with David Milliron on January 14, 2013 for the provision of services as a City Administrator/City Manager for the City of Stockbridge; and

WHEREAS, said contract is binding on both the City and Mr. Milliron as of December 30, 2013; and

WHEREAS, Mr. Milliron has fully performed the services required of him under the contract and is not in breach of said contract; and

WHEREAS, Section 9 (D) of the City Administrator Employment Agreement provides that Mr. Milliron may declare a termination of the contract as of the date of the

suggestion if Milliron resigns following an offer to accept resignation, whether formal or informal, by the employer as representative of the majority of the governing body; and

WHEREAS, the Mayor and City Council acknowledge that Section 9 (D) of the contract has been fully triggered under the circumstances herein, thus allowing Mr. Milliron to declare a termination of the contract as of today's date; and

WHEREAS, under Section 10 of the contract, a termination event allows Mr. Milliron to collect four months' salary plus all accrued paid sick and vacation leave as severance; and

WHEREAS, under Section 10 of the contract and for a period of four months following termination, the City shall pay the cost to continue health insurance for Mr. Milliron and his dependents, life insurance, short-term disability, out placement services in an amount not to exceed \$15,000, plus any other available benefit provided to other full-time City employees; and

WHEREAS, the Mayor and City Council wish to accept Mr. Milliron's resignation pursuant to Section 9 (D) of his contract with the City, and further wish to approve full severance to Mr. Milliron under Section 10 of the City Administrator Employment Agreement; and

WHEREAS, the Mayor and City Council deem it in the best interest of the City of Stockbridge to authorize the City to accept Mr. Milliron's resignation and to approve full severance payment and benefits to Milliron pursuant to the terms of his contract, and find that the City will be best served by giving its approval for the above stated purpose.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE
HEREBY RESOLVES AS FOLLOWS;

Section 1. **Approval** - The Mayor and City Council of the City of Stockbridge, pursuant to Sections 9 (D) and 10 of the City Administrator Employment Agreement with David Milliron dated January 14, 2013, hereby authorize the City to formally accept David Milliron's resignation from City

employment and approve the payment of full severance and benefits to Mr. Milliron pursuant to the terms of Section 10 of his contract with the City.

Section 2. **Approval of Execution** - The Mayor is hereby authorized to sign all documents and to perform all other acts necessary to effectuate this Resolution on behalf of the City of Stockbridge. The City Clerk is authorized to execute, attest to, and seal any document which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 3. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 4. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

Section 5. **Effective Date** - This Resolution shall be effective on the date of its approval by the City Council and Mayor as provided in the City Charter.

SO RESOLVED, this the 30th day of December, 2013.

CITY OF STOCKBRIDGE, GEORGIA

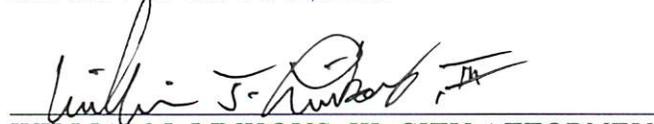


MARK A. ALARCON, MAYOR

ATTEST:


RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:


WILLIAM J. LINKOUS, III, CITY ATTORNEY
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