

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-181
Series of 2008

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A RESOLUTION APPROVING THE AGREEMENT WITH CITY CLERK JOHANNA SMALL

WHEREAS, the City Council and the City Council desire to confirm the terms and conditions of the City Clerk's appointment pursuant to Section 6.4 of the City of Northglenn Home Rule Charter.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Agreement between the City of Northglenn, Colorado and City Clerk Johanna Small attached hereto as **Exhibit A** is hereby approved by the City Council of the City of Northglenn and the Mayor is authorized to execute same on behalf of the City.

DATED at Northglenn, Colorado, this ____ day of _____, 2008.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 2008, by and between the City Council of the City of Northglenn, State of Colorado, a municipal corporation, (the "City") and Johanna Small, (the "City Clerk" or "Ms. Small"), both of whom understand as follows:

RECITALS

A. The City desires to confirm the terms and conditions of the City Clerk's appointment pursuant to the terms and conditions of the City of Northglenn Home Rule Charter (the "Charter") and the City of Northglenn Municipal Code (the "Code").

B Johanna Small desires to confirm acceptance of employment as the City Clerk of the City.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. Duties. The City Clerk shall perform those functions and duties specified in Section 6.4 the Charter, Article 4 of Chapter 2 of the Code, and such other ordinances and direction of the City Council as may be authorized by law.

2. Term. The term of this Agreement shall be indefinite pursuant to Section 2-4-1(a) of the Code.

3. Salary and Benefits. The salary to be paid to Ms. Small shall be determined by Resolution of the City Council pursuant to Section 2-4-1(c) of the Northglenn Municipal Code. In addition, Ms. Small shall have the rights, benefits and responsibilities of a classified employee of the City, except insofar as her appointment is indefinite and at will in accordance with this Agreement and Section 6.4 of the Charter.

4. Other Terms and Conditions of Employment.

a. The City Council and City Clerk shall mutually agree to any such other terms and conditions of employment as they may determine from time to time, relating to the performance of the City Clerk, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter and ordinances of the City, or any other law.

b. The City Council shall conduct a performance evaluation with the City Clerk not less than annually on the anniversary date of this Agreement.

- c. Professional Development. Subject to such amounts as may be budgeted, the City Council, in its sole discretion, agrees to allocate the time and pay the membership dues and conference expenses of the City Clerk to continue the professional development of the City Clerk, including expenses of the City Clerk for short courses, institutes, and seminars which in the sole opinion of the City Council are necessary for her professional development and for the good of the City.

5. General Provisions.

- a. The text herein shall constitute the entire agreement between the parties.
- b. This Agreement shall be effective retroactive to October 23, 2008.
- c. If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable, shall not be affected, and shall remain in full force and effect.

**CITY COUNCIL OF THE CITY
OF NORTHGLENN**

By: _____
KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

JOHANNA SMALL