



CITY OF PATASKALA

RESOLUTION 2021-031

Passed June 21, 2021

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO EMPLOYMENT AGREEMENT WITH TIMOTHY O. HICKIN

WHEREAS, on April 6, 2020, the Mayor of the City of Pataskala appointed Timothy O. Hickin to serve as its City Administrator, pursuant to Section 5.03 of the Charter of the City of Pataskala. This appointment became effective upon approval by Council on April 20, 2020; and

WHEREAS, contemporaneous with this appointment, the City of Pataskala entered into an employment agreement with Mr. Hickin to serve as its City Administrator. Nothing in this agreement was meant to, nor will it be interpreted to, supersede the City Charter governing the appointment, power, duties, term, and/or removal of the City Administrator. This agreement was meant to, and will be interpreted to, supplement those provisions; and

WHEREAS, in acknowledgment of his dedication and outstanding performance, Council for the City of Pataskala would like to amend Tim Hickin's employment agreement and thereby increase his salary, increase the percentage of his OPERS pickup, and give him an additional week of vacation.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

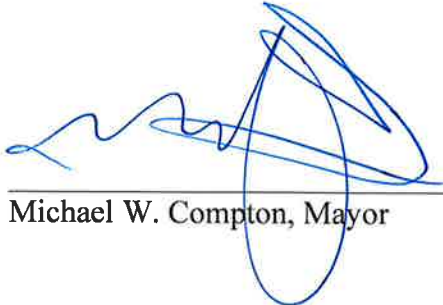
Section 1: The Mayor is hereby authorized and directed to execute a First Amendment to Employment Agreement, in the same form and content as the Amendment attached hereto as Exhibit A and incorporated herein by reference, with Timothy O. Hickin.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

Section 3: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:


Kathy M. Hoskinson, Clerk of Council


Michael W. Compton, Mayor

APPROVED AS TO FORM:


Brian M. Zets, Law Director

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT

This First Amendment to Employment Agreement is made and entered into, by and between the City of Pataskala, Ohio, a Municipal Corporation (hereinafter referred to as “Employer”) and Timothy O. Hickin (hereinafter referred to as “Employee”). The Employer and Employee are collectively referred to herein as “the Parties”.

RECITALS

WHEREAS, with Resolution 2020-035, adopted on April 20, 2020, Council for the City of Pataskala confirmed Mayor Compton’s appointment of Timothy Hickin to serve as city administrator. Once confirmed, the City and Timothy Hickin executed an Employment Agreement; and

WHEREAS, since then, Timothy Hickin has worked hard for the City and its residents. His outstanding performance has helped the City move forward, despite the many challenges created by the COVID-19 pandemic; and

WHEREAS, in acknowledgment of his dedication and performance, Council for the City of Pataskala would like to amend Tim Hickin’s employment agreement and thereby increase his salary, increase the percentage of his OPERS pickup, and give him an additional week of vacation.

NOW THEREFORE, in consideration of the exchange of valuable consideration, the sufficiency of which the Parties agree exists, the City of Pataskala and Tim Hickin hereby agree to amend the following sections of the Employment Agreement entered into between them to read as follows:

Section 3: Compensation:

Unless terminated in accordance with Section 6 or Employee resignation, Employer agrees to pay Employee:

- ❖ From July 1, 2021 to December 31, 2021, an annual prorated salary of \$100,000.00, payable in bi-weekly installments and in the manner defined in the Employee Handbook and Policy Manual or non-bargaining unit employees
- ❖ From January 1, 2022 to December 31, 2022, an annual salary of \$110,000.00, payable in bi-weekly installments and in the manner defined in the Employee Handbook and Policy Manual or non-bargaining unit employees
- ❖ From January 1, 2023 to December 31, 2023, an annual salary of \$120,000.00, payable in bi-weekly installments and in the manner defined in the Employee Handbook and Policy Manual or non-bargaining unit employees

Section 4: Retirement:

The Employer shall pay the employer's share of Ohio Public Employees Retirement System (OPERS) contributions (currently 14.5% of earnable wages) per all applicable Ohio Revised Code sections. In addition, the Employer shall also 'pick-up and pay' (pay directly) all of the Employee's legally required contribution to OPERS (currently 10% of earnable wages). The OPERS 'pick-up' will continue so long as the Internal Revenue Service Code and OPERS allow it, and the Employee is employed as the City Administrator. The City shall withhold Employee's portion of the contribution from Employee's bi-weekly payroll, and remit both of the aforementioned retirement contributions to OPERS on behalf of Employee.

Section 5: Other Benefits:

- (1) **Vacation Leave.** Employee shall be entitled to earn and use five (5) weeks/twenty-five (25) business days of paid vacation during each year of employment as City Administrator, with such vacation accrued in the same manner as other non-bargaining unit employees of the City. The Employee Handbook and Policy Manual shall govern all other terms and conditions related to vacation leave, not otherwise in conflict with this section.

IN WITNESS WHEREOF the parties have executed this Agreement on the day last written below.

CITY OF PATASKALA, OHIO

TIMOTHY O. HICKIN

By: _____
MAYOR OF CITY OF PATASKALA

Date: _____

Date: _____

Approved as to form:

Brian M. Zets, Esq.
Law Director

CERTIFICATE OF AVAILABLE FUNDS

I certify that the money required to meet this contract has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from any previous obligation or certification as required by Ohio Revised Code § 5705.01 to § 5705.47.

Date

James M. Nicholson
Finance Director

