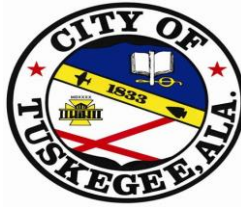


CITY OF TUSKEGEE, ALABAMA
OFFICIAL MINUTES: SPECIAL CITY COUNCIL MEETING HELD ON MONDAY, MAY 3, 2021



The City Council of the City of Tuskegee met in **Special Session on Monday, May 3, 2021** at 1:00 PM in the LM Gregg Auditorium at the Municipal Complex located at 101 Fonville Street, Tuskegee, Alabama.

1. **CALL TO ORDER.** Mayor Lawrence F. Haygood, Jr.
2. **INVOCATION.** Recited the Lord's Prayer in Unison.
3. **PLEDGE OF ALLEGIANCE.** Repeated in Unison.
4. **ROLL CALL.** Fartima B. Clark, City Clerk.

PRESENT

Mayor Lawrence F. Haygood, Jr.
Council Member-at-Large Frank Christopher Lee, II
Council Member Norma McGowan Jackson
Council Member Johnny Ford
Council Member Orlando R. Whitehead

5. **APPROVAL OF AGENDA.**

Motion was made by Council Member-at-Large Lee to accept the agenda as circulated with the following amendments: table the matter regarding Red Tails Scholarship Foundation and add an executive session. Council Member Jackson seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

6. **DISCUSSIONS:** Derrick E. Swanson, City Manager / Tony Haygood, Mayor.

- A. Red Tails Scholarship Foundation. (tabled until May 11, 2021 Council Meeting)
- B. Resolution Establishing the Employment Agreement for the City Manager.

7. **EXECUTIVE SESSION:**

- 1:21 PM Motion was made by Council Member Whitehead for council to enter executive session. Council Member Jackson seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.
- 1:58 PM Motion was made by Council Member Ford for council to end executive session. Council Member Whitehead seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

8. **RESOLUTIONS:**

- A. Resolution No. 2021-64. A resolution establishing the Employment Agreement for the City Manager

Motion was made by Council Member Ford to accept and approve resolution no. 2021-64 as stated Establishing the Employment Agreement for the City Manager. Council Member-at-Large Lee seconded the motion and all members voted aye. Mayor Haygood declared the motion carried.

RESOLUTION NO. 2021-64

A Resolution establishing the Employment Agreement for the City Manager

WHEREAS, the City of Tuskegee through its City Council desires to secure the services of Derrick E. Swanson as City Manager; and

WHEREAS, the City Council of the City of Tuskegee appointed Derrick E. Swanson as the City Manager on March 23, 2021; and

WHEREAS, as an appointed Officer of the City of Tuskegee, the City Manager is directly responsible to and supervised by the City Council of the City of Tuskegee and shall perform all duties and responsibilities established under the Code of the State of Alabama and under all Ordinances, Resolutions and actions of the City Council of the City of Tuskegee establishing the duties and responsibilities of the Office of the City Manager; and

WHEREAS, in order to establish and clarify the compensation and benefits package of the Office of City Manager as authorized by the City Council of the City of Tuskegee.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Tuskegee as follows:

1. The basic annual monetary compensation of the City Manager shall gross One Hundred Fourteen Thousand Five Hundred Fifty Dollars and 00/100 (\$114,550.00) until changed by an action of this Council. The City Manager shall be subject to and receive all routine and standard increases in salary and stipends as authorized by the City Council of the City of Tuskegee under its policies and budgets. Compensation for the City Manager shall be retroactive from the appointed date of March 23, 2021.
2. The City Manager shall receive full benefits for medical, cancer, vision, and dental insurance through as otherwise established and approved for the Officers of the City of Tuskegee.
3. The City Manager shall receive all benefits available to other Officers of the City of Tuskegee in regard to life insurance and worker's compensation insurance.
4. The City Manager shall also be granted annual leave and sick leave using the formula and practices established for other Officers based on years of service contributed to the RSA.
5. The City shall pay for or provide the City Manager reimbursement for all actual business expenses. The City shall provide the City Manager a credit card to charge appropriate and lawful business expenses.
6. The City agrees to pay the professional dues and subscriptions on behalf of the City Manager for participation in national, regional, state, or local associations and organizations, as necessary and desirable for the good of the City, and for the City Manager's continued professional participation and advancement.
7. The City agrees to pay the travel and subsistence expenses of the City Manager for purposes such as official functions, meetings, occasions, short courses, and seminars that are necessary for the good of the City or for the professional development of the City Manager.
8. The City Manager is an exempt employee as defined in the Fair Labor Standards Act, without set hours of work. It is recognized that the City Manager may be called upon twenty-four (24) hours a day, seven (7) days of the week to discharge his duties. The City Manager shall spend sufficient time needed to perform the duties of the appointment and shall exercise discretion over his work schedule and location as he performs his duties.
9. Employer shall bear full cost of any bonds required of Employee under any law or ordinance.

10. Employer shall pay twenty five percent match of whatever sum Employee puts in an RSA-1 Account if applicable.
11. Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claims or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Contractee's duties as City Manager.
12. In the event City Manager is terminated without cause by the Mayor and City Council, the Council may in its discretion provide the City Manager with a severance allowance of a minimum of one month's full salary to a maximum of six months full salary. Cause shall be defined as the reason and justifications for which any permanent employee of the City may be terminated under the provisions of the City of Tuskegee Personnel Policies.
13. The City Council shall review and evaluate the performance and compensation of the City Manager annually following the adoption of the annual operating budget or at any other time the City Council shall so determine. The performance review and evaluation shall be in accordance with specific goals and performance objectives as determined necessary for the proper operation of the City and agreed to in writing by the City Council and the City Manager.

This Agreement is accepted and executed in consideration of the foregoing this 3rd day of May, 2021.

CITY OF TUSKEGEE, ALABAMA

/s/ Lawrence F. Haygood, Jr.
Lawrence F. Haygood, Jr., Mayor

/s/ Frank Christopher Lee, II
Frank Christopher Lee, II, Mayor Pro-Tempore

/s/ Norma M. Jackson
Norma M. Jackson, Council Member

/s/ Johnny Ford
Johnny Ford, Council Member

/s/ Orlando Whitehead
Orlando Whitehead, Council Member

/s/ Derrick E. Swanson
Derrick E. Swanson, City Manager

ATTEST:

/s/ Fartima B. Clark
Fartima B. Clark, City Clerk

9. ADJOURNMENT.

There being no further matters to come before the Council at this time, Council Member Whitehead moved to adjourn at 2:00 PM. Mayor Haygood declared the meeting adjourned.

CITY OF TUSKEGEE, ALABAMA

Lawrence F. Haygood, Jr., Mayor

ATTEST:

Fartima B. Clark, City Clerk