

CITY OF OBERLIN, OHIO

ORDINANCE No. 22-25 AC CMS

AN ORDINANCE AMENDING THE TERMS OF THE EMPLOYMENT AGREEMENT, AS AMENDED, BETWEEN THE CITY OF OBERLIN AND THE FINANCE DIRECTOR AS AN EMERGENCY MEASURE

WHEREAS, Pursuant to Ordinance No. 16-48 AC CMS, this Council approved an Employment Agreement between the City and the Finance Director, I. Salvatore Talarico; and

WHEREAS, said Employment Agreement was amended by Ordinance 21-74 AC CMS; and

WHEREAS, Section 19 of the Employment Agreement provides that the parties may by mutual written agreement, amend any provision of the agreement during its term and that such amendments shall be incorporated and made a part of the agreement; and

WHEREAS, the City and the Finance Director desire to amend and restate certain provisions contained in the Employment Agreement

THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. That the Amendments to the Employment Agreement attached hereto as **Exhibit A** are hereby approved and the Council President is hereby authorized to execute the same on behalf of the City of Oberlin.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

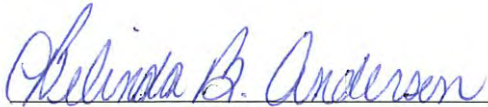
SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: to amend an existing Employment Agreement between the City and the Finance Director to clarify and restate the terms thereof to conform to the intent of the parties without delay, and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect at the earliest date allowed by law.


PASSED: 1st Reading: April 18, 2022

2nd Reading: _____

3rd Reading: _____

ATTEST:


BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL


HEATHER ADELMAN
PRESIDENT OF COUNCIL

POSTED: 04/19/2022

EFFECTIVE DATE: 04/18/2022

**Amendment to an
Employment Agreement, as Amended, Between
The City of Oberlin, Ohio
and
I. Salvatore Talarico**

WHEREAS, Pursuant to Ordinance No. 16-48 AC CMS, as amended, Council approved an Employment Agreement between the City of Oberlin, referred to therein as the "Employer" and I. Salvatore Talarico, referred to therein as the "Employee" to govern the terms and conditions of the Employee's employment with the Employer, ("Initial Agreement" as amended); and

WHEREAS, the Employer and the Employee desire to amend and restate certain provisions contained in the Initial Agreement in accordance with the terms set forth herein; and

WHEREAS, Section 19 of the Initial Agreement provides that the parties by mutual written agreement may amend any provision of the Agreement during its term and that such amendments shall be incorporated and made a part of the Initial Agreement.

NOW THEREFORE, the parties hereto agree to amend the Initial Agreement, as amended, effective as of April 19, 2022 as follows:

- A. The following first paragraph of Section 14 of the Initial Agreement is hereby amended to read as follows:**

The Employee agrees to serve as the Finance Director of the Employer while employed by the Employer. This Section or the term "employed" shall not be construed to prohibit occasional teaching, writing, speaking, or consulting services, etc. for which compensation may or may not be provided or for part employment when compensated by another employer. Said activities are expressly permitted provided that no such activity would present a conflict of interest with Employee's responsibilities pursuant to this Agreement. De minimis use of City equipment for such purposes is hereby authorized.

- B. Incorporation and Survival of Terms:**

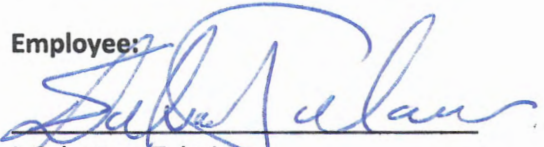
The terms and conditions set forth in this Amendment are hereby incorporated into the Initial Agreement, as amended. The amendments contained herein shall supersede and replace the provisions that are amended herein. All of the terms and conditions contained in the Initial Agreement, as amended, that are not in conflict with this Amendment shall continue to be in full force and effect.

Adopted and approved by the Oberlin City Council on this 18th day of April, 2022.

Employer:

By: 
Heather Adelman, Council President

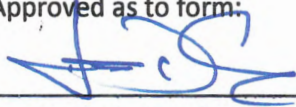
Employee:


I. Salvatore Talarico

Date: 4/24/22, 2022

Date: 4/24, 2022

Approved as to form:



Jon D. Clark, Law Director