

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: October 22, 2024

Agenda Item: 2	Prepared by: Chris Noury, City Attorney
Agenda Section: Business: Resolution	Date: October 21, 2024
Subject: Resolution	Division: Legal

Resolution:

A RESOLUTION OF THE NORTH MYRTLE BEACH CITY COUNCIL TO APPROVE THE TRANSITION AND RELEASE IN FULL AGREEMENT BETWEEN CITY MANAGER MIKE MAHANEY AND THE CITY OF NORTH MYRTLE BEACH AND TO AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY.

Recommended Action:

Adoption of the Resolution

Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:
Motion By _____ 2nd By _____ To _____

A RESOLUTION

**A RESOLUTION OF THE NORTH MYRTLE BEACH CITY COUNCIL
TO APPROVE THE TRANSITION AND RELEASE IN FULL AGREEMENT
BETWEEN CITY MANAGER MIKE MAHANEY AND THE CITY OF NORTH
MYRTLE BEACH AND TO AUTHORIZE THE MAYOR TO SIGN THE
AGREEMENT ON BEHALF OF THE CITY.**

WHEREAS, the City of North Myrtle Beach and City Manager Mike Mahaney have worked together for the betterment and advancement of the City of North Myrtle Beach since 2010;

WHEREAS, the City of North Myrtle Beach and City Manager Mike Mahaney have been in discussions for some time regarding City Manager Mike Mahaney's eventual departure from employment with the City;

WHEREAS, City Manager Mike Mahaney has submitted his conditional resignation from employment with the City, and the City of North Myrtle Beach must vote to accept City Manager Mike Mahaney's conditional resignation;

WHEREAS, the City of North Myrtle Beach wishes to fulfill and will fulfill the terms of City Manager Mike Mahaney's Employment Agreement;

WHEREAS, the City of North Myrtle Beach desires to provide City Manager Mike Mahaney with additional valuable consideration in exchange for City Manager Mike Mahaney's execution of a general release and waiver which is intended to bring finality to the conclusion of the employment relationship between the City of North Myrtle Beach and City Manager Mike Mahaney.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH:

- (1) City Council for the City of North Myrtle Beach wishes to express thanks and appreciation to City Manager Mike Mahaney for his fourteen (14) years of service and his many contributions to the City during that time period;
- (2) City Council for the City of North Myrtle Beach accepts City Manager Mike Mahaney's conditional resignation from employment as City Manager for the City of North Myrtle Beach, which has an effective date of October 22, 2024;
- (3) City Council for the City of North Myrtle Beach wishes to fulfill and will fulfill the terms of City Manager Mike Mahaney's employment agreement by ratifying those terms and by authorizing the payment of the gross amount of One Hundred and Ninety-Three Thousand and Three Hundred Seventy-Nine Dollars and NO/100 (\$193,379.00), less required withholdings, to City Manager Mike Mahaney.

- (4) City Council for the City of North Myrtle Beach, as additional and valuable consideration, wishes to provide and will provide to City Manager Mike Mahaney an additional payment of the gross amount of One Hundred Twenty-Six Thousand Five Hundred and Five Dollars and NO/100 (\$126,505.00), less required withholdings, in exchange for City Manager Mike Mahaney’s execution of a general release and waiver agreement.
- (5) City Council for the City of North Myrtle Beach has reviewed and hereby approves the terms of the Transition Resources and Release In Full Agreement between the City of North Myrtle Beach and City Manager Mike Mahaney, which necessarily includes a general release and waiver provision.
- (6) City Council for the City of North Myrtle Beach hereby authorizes Mayor Marilyn Hatley (or another member of City Council who she may designate) to execute, on behalf of the City of North Myrtle Beach and City Council, the above referenced Transition Resources and Release In Full Agreement, a copy of which is attached to this resolution.

RESOLVED THIS TWENTY-SECOND DAY OF OCTOBER, 2024.

Yes	No	Abstain	Not Present	Councilmember	Signature
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Marilyn Hatley, Mayor	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JO Baldwin, Mayor Pro Tem	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clarence ‘Bubba’ Collins	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jon ‘Fred’ Coyne	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nicole ‘Nikki’ Fontana	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ray ‘Trey’ Skidmore	_____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Harry ‘Hank’ Thomas	_____

ATTEST:

Allison K. Galbreath, City Clerk

Resolution: RES 24-10