

**AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY OF MT. JULIET,
TENNESSEE AND KENNETH D. MARTIN**

WHEREAS, the Board now desires to amend the City Manager's Employment Agreement by adding a new section related to an annual performance evaluation to be discussed in a publicly noticed work session of the Board of Commissioners; and

WHEREAS, the Board recognizes that any decision, action, amendment to compensation, contract amendment, termination, reprimand, or other binding Board action that results from the evaluation work session shall be taken in open session at a publicly noticed meeting and shall be the subject of a public vote.

WHEREAS, the City of Mt. Juliet and Kenneth D. Martin wish to amend the Agreement by adding a Section 17 – Annual Performance Evaluation, to read as follows:

Each member of the Board of Commissioners shall independently complete an annual performance evaluation of the City Manager. The evaluation form, as approved by the Board of Commissioners, will be provided by the City's Human Resources Department and returned to the Department no later than July 1 of each year. All completed evaluations shall be maintained by the Department and shall be a public record.

The annual performance evaluations shall be reviewed by the Board of Commissioners and the City Manager during a publicly noticed work session held at the second regularly scheduled Board of Commissioners meeting in July of each year. Should circumstances prevent a work session on that date, the work session shall occur during the next regularly scheduled meeting.

WHEREAS, the performance evaluation form has been approved by the Board of Commissioners by Resolution.

All other terms of the Agreement shall remain the same.

James Maness, Mayor

Kenny Martin, City Manager

APPROVED AS TO FORM:

Samantha A. Burnett, City Attorney