

**RESOLUTION NO. 37 , 2011**

**A RESOLUTION DESIGNATING ACTING MANAGER**

**WHEREAS**, Section 4.05 of the Charter of the City of Montgomery, Ohio provides that Council may designate an Acting Manager to assume the duties, powers and functions of the City Manager in the event there is a vacancy in the office of the City Manager until a permanent appointment is made; and

**WHEREAS**, by Resolution No. 30, 2011, during the absence of the City Manager, Council did designate Wayne S. Davis as Acting City Manager on an interim basis reserving the right to take appropriate action in the future should a vacancy in the office occur; and

**WHEREAS**, Cheryl A. Hilvert, the current City Manager, has informed the City Council that she is vacating the position of City Manager effective November 1, 2011 and assuming the role of Advisor to the City Manager; and

**WHEREAS**, as a result of such vacancy, Council does desire to affirm the appointment of Wayne S. Davis as Acting Manager consistent with Section 4.05 of the Charter.

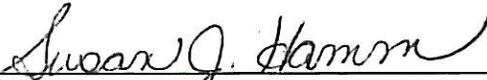
**NOW THEREFORE, BE IT RESOLVED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

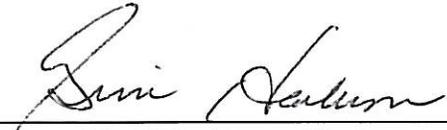
**SECTION 1.** Consistent with Section 4.05 of the Charter, effective November 1, 2011, Council does hereby designate Wayne S. Davis as Acting Manager and he shall assume all duties, powers and functions as City Manager until Council shall appoint a permanent City Manager consistent with Section 4.01 of the Charter.

**SECTION 2.** This Resolution shall be in full force and effect from and after

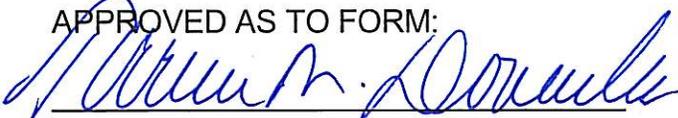
its passage.

PASSED: October 19, 2011

ATTEST:   
Susan J. Hamm, Clerk of Council

  
Gerri Harbison, Mayor

APPROVED AS TO FORM:

  
Terrence M. Donnellon, Law Director