

CHARLES MITCHELL

v.

CITY OF BANGOR

Submitted on Briefs September 30, 2009

Decided October 20, 2009

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, MEAD,  
GORMAN, and JABAR, JJ.

#### MEMORANDUM OF DECISION

Charles Mitchell appeals from a summary judgment entered by the Superior Court (Penobscot County, *Murphy, J.*) in favor of the City of Bangor, finding that Mitchell was terminated and paid according to his employment contract. Contrary to Mitchell's contentions, the court did not err in finding that Mitchell's employment contract did not limit the authority to terminate his employment to the city manager alone. Mitchell's contract was subject to the City's Personnel Rules and Regulations, which authorized discharge by the department director or the city manager. Because the department director had the authority to terminate Mitchell, we need not reach Mitchell's additional argument that he is entitled to wages pursuant to 26 M.R.S. § 626 (2008) for the period before the city manager affirmed his termination.

The entry is:

Judgment affirmed.

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