

ORDINANCE NO. 2018-1

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH STEPHEN L. BYRON AND SINGERMAN MILLS DESBERG & KAUNTZ, CO. L.P.A., FOR LEGAL SERVICES BEGINNING JANUARY 1, 2018, AND ENDING DECEMBER 31, 2018, CONFIRMING THE APPOINTMENT OF STEPHEN L. BYRON AS LAW DIRECTOR, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Waite Hill wishes to engage Stephen L. Byron and the law firm of Singerman, Mills, Desberg & Kauntz Co. L.P.A. to perform general legal services for a one year period beginning January 1, 2018, and ending December 31, 2018; and

WHEREAS, the Council also wishes to confirm the Mayor's appointment of Stephen L. Byron as Director of Law for that same period of time.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:

SECTION 1. (a) That the Mayor is hereby authorized and directed to enter into an agreement to engage Stephen L. Byron and the law firm of Singerman, Mills, Desberg & Kauntz Co. L.P.A ("Singerman Mills"), in substantially the form as attached hereto as "Exhibit A," to represent the Village in connection with various routine matters, for a retainer of Two Thousand Twenty-Six Dollars (\$2,026.00) per month, from January 1, 2018, through December 31, 2018. Such routine matters shall include:

- (i) Attending all regular and special Council meetings, except as otherwise directed by the Mayor;
- (ii) Attending other board and commission meetings upon the request of the Mayor;
- (iii) Drafting ordinances and resolutions upon request of the Mayor, Council, or Village Directors;
- (iv) Researching and drafting legal memoranda as requested by the Mayor or Council;
- (v) Providing legal advice to Village officials as necessary;
- (vi) Responding to Village inquiries;
- (vii) Attending meetings and discussions with Village, County, State, and Federal officials and other governmental officials;
- (viii) Reviewing and approving contracts and any other written documents, as requested by the Mayor, Council, or other Directors. This shall not encompass significant revision of such documents.

(b) For work outside the scope of routine matters as outlined above, the hourly rate therefor, and reimbursement for out-of-pocket expenses shall be approved by the Village.

(c) Singerman Mills shall also be reimbursed for out-of-pocket expenses incurred in connection with services performed, including but not by way of limitation, long-distance

telephone and cellular phone charges, computer-assisted research, copying charges, telegrams, messenger services, and long-distance travel.

(d) Singerman Mills shall, on a monthly basis, provide the Mayor and the Clerk-Treasurer with a written accounting of all time spent by members of its firm on Village business pursuant to this section. Such accounting shall include an itemization of time spent on Village matters, a description of the work performed, and an identification of the person performing the work.

SECTION 2. That in addition to the Agreement for Routine Services set forth above, Stephen L. Byron shall be employed as the Law Director for the Village at a salary of One Thousand Five Hundred Dollars (\$1,500.00) per month, which shall be earnable salary for PERS purposes and reported as W-2 (or equivalent) wages, payable to Byron or his designee. Five hours per month of Routine Services, as described above, shall be provided by the Law Director.

SECTION 3. The Village formally requests Walter Haverfield LLC to transfer all of paper and electronic files of the Village of Waite Hill to Singerman Mills Desberg & Kauntz, Co. L.P.A.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that the legal services provided herein are needed for the current operation of the Village and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor, provided that the commencement date of the agreement authorized herein shall be February 1, 2018.

PASSED: _____, 2018

Council President

Submitted to the Mayor for
his approval on this
_____ day of _____, 2018

Approved by the Mayor

ATTEST:

_____, 2018

Clerk-Treasurer

Mayor