

ORDINANCE NO.: 33-2022

VILLAGE OF SILVER LAKE
INTRODUCED BY: The Administration

AN ORDINANCE AUTHORIZING THE MAYOR TO APPOINT PATRICIA AMBROSE RUBRIGHT AS SOLICITOR OF THE VILLAGE OF SILVER LAKE AND ENTER INTO A CONTRACT FOR SERVICES, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Silver Lake, County of Summit, State of Ohio:


Section 1. That the Mayor is hereby authorized to appoint Patricia Ambrose Rubright as Village Solicitor with consent of Council and enter into a contract with Patricia Ambrose Rubright on behalf of the Village of Silver Lake, Ohio, under the terms and conditions of the contract appended hereto as "Exhibit 1," effective May 4, 2022, to fill the vacant position of Village Solicitor.

Section 2. That any and all parts of ordinances and resolutions of the Village of Silver Lake which are inconsistent herewith be, and the same are hereby, repealed; but if not inconsistent herewith, the same are hereby ratified and confirmed.

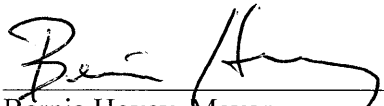
Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, by reason that the Village is in urgent need of a Solicitor, and provided it receives the necessary affirmative votes as required by the Village Charter, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

PASSED: *May 4, 2022*


William M. Church, President of Council

APPROVED: *May 5, 2022*


Bernie Hovey, Mayor

APPROVED AS TO FORM:

Solicitor

Silver Lake, Ohio *May 5, 2022*
I, hereby certify that Resolution or Ordinance No. *33-2022* was published by title or in full in the local newspaper, or designated by Council resolution on the date or dates of

ATTEST:


Sean M. Housley, CPA, Clerk-Treasurer

May 15, 2022

Clerk of Council

EXHIBIT 1
SERVICE AND FEE AGREEMENT

THIS AGREEMENT is made May 4, 2022, by and between the Village of Silver Lake, Ohio, hereinafter designated as the client, and Patricia Ambrose Rubright, hereinafter designated as the Attorney, and reads as follows:

1. The client employs the Attorney to act for and on behalf of the client as Village Solicitor in representation of the Village and all its officers and divisions thereof. Attorney shall attend all Council meetings, all Planning Commission meetings, all Board of Zoning Appeals meetings and other established Council meetings when requested to do so by the Mayor, prepare legislation, contracts, and other instruments as necessary, advise Council and the Mayor with respect to legal questions and legislation pending before Council, review and negotiate contracts involving the Village, and attempt to settle disputes before suit. The Attorney shall also respond to outside authorities for matters, which include but are not limited to, employees or administrative problems prior to suit, arbitration, or alternative dispute resolution proceedings. The Mayor, or the Mayor by the direction of Council, shall determine the necessity of the above duties, where such duties or tasks are not routine but consistent with the Village Charter.

2. In consideration of services rendered and to be rendered by the Attorney, the client agrees to pay to the Attorney \$3,200 per month through December 31, 2022. Thereafter, the Mayor shall make a recommendation for the Attorney's salary for subsequent time periods, such salary to be approved by Council. Attorney shall be included in the Ohio Public Employees Retirement System (OPERS) as part of the basic compensation.

3. For such other services not included in Paragraph 1, above, required by the Charter, or required by the Mayor or Council which are consistent with the Charter, the client shall pay the Attorney at the rate of \$200 per hour, billed monthly, and payable upon receipt. All billable hours must first be approved by the Mayor.

Examples of such work include, but are not limited to: lawsuits, and attendance at meetings other than Council or Council Committee meetings.

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4. The Attorney shall not, in any event, be liable for costs or expenses of any kind. Client shall pay for filing fees, court costs, depositions, expert witness, and the like.

5. Either party may cancel the contract at any time during this contract period by giving a sixty (60) day notice to the other party in writing unless a shorter period of notice is permitted by mutual agreement of the parties. However, no provision of this section shall be applied in a manner inconsistent with the Charter of the Village of Silver Lake. This writing contains the entire agreement of the parties, and any changes hereto must be made in writing and signed by both parties.

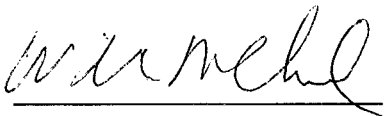
6. Notices shall be given to the parties by regular United States mail to:

Client – 2961 Kent Road, Silver Lake, OH 44224

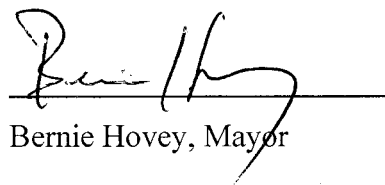
Attorney – Patricia Ambrose Rubright, 2849 Valley Road, Cuyahoga Falls, OH 44223

This agreement is signed at Silver Lake, Ohio, in two original parts.

WITNESSES:



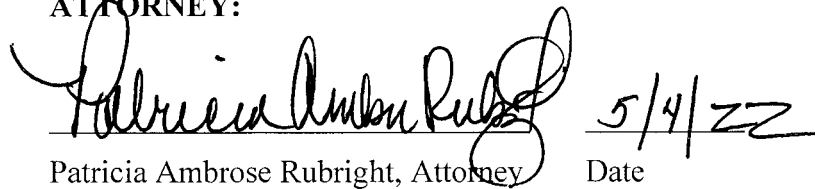
CLIENT:



Bernie Hovey, Mayor

5/4/22
Date

ATTORNEY:



Patricia Ambrose Rubright, Attorney

5/4/22
Date