

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

DAVID M. FIEBIG
CHRISTOPHER HALLUM
LAURA LENZ
JANET MAJKA
LAURA PIZMOHT

ORDINANCE NO. 2018-6

AN ORDINANCE APPROPRIATING FUNDS NECESSARY TO ENGAGE THE SERVICES OF JOSEPH N. GROSS AND BENESCH, FRIEDLANDER, COPLAN AND ARONOFF, LLP, AS SPECIAL COUNSEL FOR THE CITY OF WILLOUGHBY HILLS, FOR THE PURPOSE OF PAYING SPECIAL COUNSEL FOR PERFORMING THE SERVICES AUTHORIZED AND DIRECTED IN ORDINANCE NO. 2017-88, RATIFYING ACTIONS TAKEN PURSUANT TO ORDINANCE NO. 2017-88, DIRECTING THAT SUCH APPROPRIATION BE PUT IN THE 2018 APPROPRIATION ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, on January 8, 2018, Council enacted Ordinance No. 2017-88, which engaged the services of Joseph N. Gross and Benesch, Friedlander, Coplan and Aronoff to represent the City in matters related to the formation of and negotiation with a certain collective bargaining unit, and to take such actions as are necessary to set aside that collective bargaining agreement if it is determined that municipal officials colluded with union representatives, and/or to pursue a claim of legal malpractice against the City's former Law Director if evidence establishes cause therefor, and authorizing the Council President to serve as Acting Mayor in order to administer the provisions of said agreement; and

WHEREAS, Mayor Robert M. Weger vetoed Ordinance No. 2017-88; and

WHEREAS, on January 11, 2018, the Council of the City of Willoughby Hills set aside the Mayor's veto of Ordinance No. 2017-88, making that ordinance the law of the City; and

WHEREAS, in order to maintain fiscal discipline and proceed with the engagement of special legal counsel, Council deems it necessary and proper to formally appropriate \$25,000 for such services; and

WHEREAS, Council desires to place a cap on the cost of such legal services, while reserving the authority to amend such appropriation by further ordinance of Council; and

WHEREAS, Council desires to authorized and direct the Acting Mayor and Finance Director to execute the modified agreement, which incorporates the spending cap of \$25,000.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

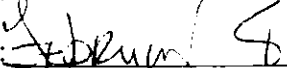
SECTION 1. Council hereby appropriates twenty-five thousand dollars (\$25,000) to pay for the legal services authorized by Ordinance No. 2017-88, and authorizes the Acting Mayor and Finance Director to sign the agreement with Benesch, Friedlander, Coplan and Aronoff, which agreement is appended hereto.

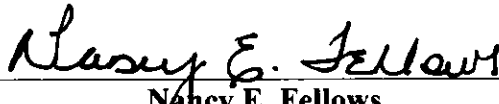
SECTION 2. The engagement of Joseph N. Gross and Benesch, Friedlander, Coplan and Aronoff, LLP, for the purposes identified in Ordinance No. 2017-88 is hereby ratified, and all actions taken by City officials pursuant to Ordinance No. 2017-88 are ratified.

SECTION 3. Council directs the Finance Director to incorporate the appropriation identified in this ordinance into the 2018 budget and the 2018 appropriation ordinance.

SECTION 4. 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 held in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, and further, so that the City's interests may be immediately protected by an investigation that is being performed by special legal counsel; wherefore, this Ordinance shall take effect and be in force effective immediately, after its passage by Council and signature of the Mayor, or as otherwise provided by the Charter of the City of Willoughby Hills.

PASSED: , 2018


Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this 10 day of February, 2018

Approved by the Mayor

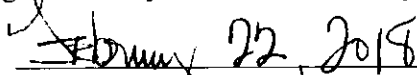
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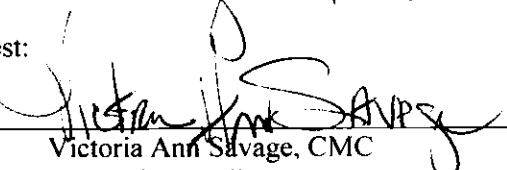
ATTEST:

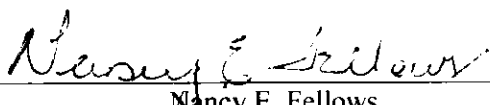
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor

On February 21, 2018, Council received the Mayor's veto of Ordinance No. 2018-6. Thereupon, at the Regular Council Meeting of February 22, 2018, Council by a 6-1 vote, set aside the Mayor's veto and enacted Ordinance No. 2018-6.

Date:  February 22, 2018

Attest:

Victoria Ann Savage, CMC
Clerk of Council


Nancy E. Fellows
Council President