

## **ORDINANCE # 0-19-2016**

### **AN ORDINANCE AMENDING ORDINANCE O-3-2016, AN ORDINANCE PROVIDING FOR THE CONTRACTUAL SERVICES OF LEGAL COUNSEL FOR THE VILLAGE OF BOLIVAR AND DECLARING IT AS AN EMERGENCY**

**WHEREAS**, Bolivar's Solicitor, Jillian L. Armstrong, has changed law firms and the Village's previous ordinance was with Attorney Armstrong's previous law firm, Fitzpatrick, Zimmerman & Rose;

**WHEREAS**, the Village wishes to continue to retain Ms. Armstrong as Solicitor and keep Fitzpatrick Zimmerman & Rose and more specifically Steven A. Anderson as its Prosecutor;

**WHEREAS**, Fitzpatrick Zimmerman & Rose Co., L.P.A. has consented to this change;

**WHEREAS**, there shall be no change in the rate charged to the Village for these services and no other change of representations;

**WHEREAS**, to achieve this, the Village must amend Ordinance O-3-2016, and it is hereby amended to state:

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Bolivar Ohio as follows:

SECTION 1. That legal counsel shall be provided for this Village and Jillian L. Armstrong is hereby contracted as such counsel and shall be known as "Legal Counsel of the Village of Bolivar". Said Legal Counsel is hereby contracted for a term beginning July 5, 2016 and ending December 31, 2016. Fitzpatrick Zimmerman & Rose and Steven A. Anderson in particular shall be the Prosecutor for the Village, and is contracted for a term beginning July 5, 2016 and ending December 31, 2016.

SECTION 2. Said Village Legal Counsel shall be the legal advisor for the Village and the officers thereof in their official capacity and as such, shall draft all ordinance and regulations for the Village, prosecute and defend all civil actions by or against the said Village or any department or officer thereof, during the term of its contract; render legal opinions to the said Council or any department or officer of the Village during the term of its contract upon the request in writing. Notwithstanding the foregoing, it is expressly understood and agreed by Council that the firm of Fitzpatrick, Zimmerman & Rose, and Steven A. Anderson in particular, shall be the prosecuting attorney for the Village in all criminal matters.

SECTION 3. Said Legal Counsel shall be compensated at the rate of \$60.00 per hour for all work and services performed on behalf of said Village. Said Legal Counsel shall attend council meetings of the Village as it shall be requested to do so and shall prepare legislation therefore; said fee shall be payable at the end of each month when the services were rendered and statements submitted therefore to the said Village Clerk.

SECTION 4. All prior ordinances inconsistent herewith are hereby repealed.

SECTION 5. This ordinance is hereby declared to be an emergency measure necessary to the health, safety and welfare of the citizens of the Village of Bolivar, Ohio, for the reason that legal counsel must be retained by the said Village and in order to continue to provide said legal counsel without a break in coverage, and therefore this ordinance shall take effect and be in force immediately upon its passage and approval.

**PASSED:** this 5th day of July, 2016

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Rebecca S. Hubble, Mayor

ATTEST:

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Maria A. App, Fiscal Officer