

ORDINANCE # O-38-2016

AN ORDINANCE PROVIDING FOR THE CONTRACTUAL SERVICES OF LEGAL COUNSEL FOR THE VILLAGE OF BOLIVAR AND DECLARING IT AS AN EMERGENCY

WHEREAS, the Village of Bolivar needs to provide for legal services for the Village in both the law director and prosecutorial roles;

WHEREAS, the Village of Bolivar is permitted to enter into a contract to provide for legal services for the Village under Ohio Revised Code Section 733.48.

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 “Village Solicitor of the Village of Bolivar” and Fitzpatrick Zimmerman & Rose and Steven A. Anderson in particular shall be known as the “Prosecutor for the Village of Bolivar”. Said Legal Counsel is hereby contracted for a term beginning January 1, 2017 and ending December 31, 2017.

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, attorneys to prosecute and defend all actions by or against the said Village or any department or officer thereof, during the term of its contract; to 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 have, Jillian L. Armstrong, or another licensed attorney, 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. The said Legal Counsel may in its judgment select another employee of it to attend the council meetings of the Village or to perform work for the Village.

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 All prior ordinances inconsistent herewith are hereby repealed.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 to prevent a lack of coverage, and therefore this ordinance shall take effect and be in force immediately upon its passage and approval.

PASSED: this 7th of November, 2016

Rebecca S. Hubble, Mayor

ATTEST:

Maria A. App, Fiscal Officer