

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2020-05

January 23

20

Ordinance No. _____

Passed _____, 20_____

AN ORDINANCE TO CONTRACT ATTORNEY LAURA GIBSON AS VILLAGE SOLICITOR, AND DECLARING AN EMERGENCY

WHEREAS, LAURA GIBSON IS APPOINTED TO SERVE AS Solicitor for the Village of Sabina, Clinton County, Ohio; and

WHEREAS, the solicitor contract shall start on February 1, 2020 and end on January 31, 2021.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF SABINA, CLINTON COUNTY, OHIO, that:

Section 1. Laura Gibson, Attorney at Law, is appointed as the Solicitor for the Village of Sabina, Ohio.


Section 2. The duties of the Village Solicitor shall be those pursuant to the terms and conditions of the employment contract attached hereto and incorporated herein as Exhibit "A";

Section 3. In accordance with O.R.C. 731.17 (A) (2), the requirement that this Ordinance be read on three (3) different days is dispensed with by affirmative vote of at least ¾ of the members of Council.

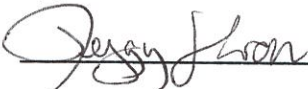
Section 4. In accordance with O.R.C. 731.30, this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village and shall therefore be in full force and effect from and immediately upon affirmative vote of at least ¾ of the members of Council. This ordinance is declared an emergency to appoint a Village Solicitor as the prior Village Solicitor has resigned.

Passed this 23rd of January, 2020


Attest:


Fiscal Officer, Nancy L. Cornell

Approved:


Council President, Peggy Sloan

Approved:


Mayor, James L. Mongold

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EXHIBIT "A"

PROFESSIONAL SERVICES CONTRACT EMPLOYEE

This agreement is made and concluded at Sabina, Ohio, by and between the Village of Sabina, Clinton County, Ohio and Laura Gibson, Attorney at Law.

WHEREAS, the Village of Sabina, County of Clinton, Ohio, through legislative authority, desires to provide legal counsel for the Village concerning specified legal matters; and

WHEREAS, Attorney Laura Gibson, is licensed to practice law in the State of Ohio; and

WHEREAS, the Council of the Village of Sabina, County of Clinton, Ohio has authorized and directed the Mayor to enter into a professional services contract on behalf of the legislative authority with Attorney Laura Gibson;

NOW THEREFORE BE IT ORDAINED, BY THE VILLAGE OF SABINA, CLINTON COUNTY, OHIO, THE PARTIES AGREE AS FOLLOWS:

- 1) Attorney shall represent the Village in certain legal matters, subject to the exceptions set forth below, including providing legal advice to the Village in matters relating to the official duties; rendering legal opinions for and requested in writing by Village officers; preparing legislations, contracts, and other written instruments in which the Village is concerned, and prosecuting or defending on behalf of the Village in complaints, suits and controversies to which the Village is a party, unless the Village is provided legal representation by their insurance carrier or by the Clinton County Prosecutor's Office.
- 2) It is further agreed by and between the parties hereto, that the Attorney, for the considerations stated herein, shall attend Council meetings and other meetings as may be requested, meetings or conferences with Village Officials and/or employees as may be requested, and prepare ordinances, resolutions, agreements, contracts, notes, deeds, leases, easement agreements, and other documents as necessary. It is further agreed between the parties hereto that the Attorney shall represent and advise the Village in all suits and controversies filed in the courts of the State of Ohio in which the Village is a party and that such representation by the Attorney shall be billed at a rate agreeable by the parties in addition to the compensation stated herein, unless the Village is provided legal representation by their insurance carrier or by the Clinton County Prosecutor's Office.
- 3) It is further mutually agreed that the Attorney shall not represent the Village in any matter that constitutes a conflict of interest pursuant to the Ohio Rules of Professional Conduct. In all matters, the Attorney shall determine at sole discretion and judgement if a conflict of interest exists pursuant to the Ohio Rules of Professional Conduct.
- 4) It is further mutually agreed that either party may terminate this contract on or before January 31, 2021, at which point this contract shall become null and void

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~~as to all terms and conditions as stated herein, with neither party being liable to~~
 the other.

- 5) In consideration of the services provided as outlined herein, the Village shall pay the Attorney an annual salary in the amount of Twelve Thousand Dollars (\$12,000) with monthly payments of One Thousand Dollars (\$1000) for service applying as follows:
- a) Six Thousand Dollars (\$6000) for Council Meeting attendance and participation
 - b) Three Thousand One Hundred and Twenty Dollars (\$3,120) to be paid annually for attending normal court dates and handling all court cases therein.
 - c) Two Thousand Eight Hundred and Eighty Dollars (\$2,880) for all other services listed herein.
- 6) Salary is to be paid in equal installments of twelve (12) months at the last Council meeting of each month through the Village Contract System (1099 Misc. Tax Form), less any unexcused absence or instance of non-compliance as follows:
- a) Each missed Council Meeting shall, upon vote of Council to NOT excuse, result in a loss of Two Hundred and Fifty Dollars (\$250) of pay.
 - b) Each missed Court date shall, upon vote of Council to NOT excuse, result in the loss of Sixty Dollars (\$60) of pay.
- 7) This agreement shall be in effect for a period of twelve (12) months, commencing February 1, 2020 and ending January 31, 2021.
- 8) The Village Solicitor shall be given an option for Public Employee Retirement System benefits in accordance to the Ohio Revised Code.

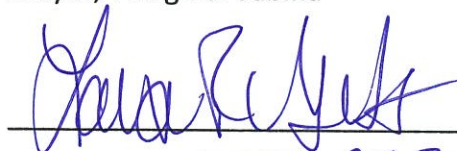
Date: 01-24-2020



 James L. Mongold

Mayor, Village of Sabina

Date: 1/29/2020



 S.C. Reg.No 0083953

Attorney at Law