

ORDINANCE NO. O-2010-19

**AN ORDINANCE AUTHORIZING THE EMPLOYMENT AND PAYMENT TO
THOMAS SICURO AS AN INDEPENDENT CONTRACTED SPECIAL
ASSISTANT SOLICITOR, SETTING THE TERMS OF HIS COMPENSATION
AND DECLARING AN EMERGENCY**

WHEREAS, the Council, through Ordinance O-2009-14 has previously authorized a contract with Attorney Thomas Reitz as the Village Solicitor; and

WHEREAS, paragraph six of said agreement with Thomas Reitz contains a provision whereby an Assistant Solicitor can be hired by the Village, and setting forth the rate of compensation for an Assistance Solicitor; and

WHEREAS, because of a conflict of interest, a matter or matters have arisen whereby the current Village Solicitor, Thomas Reitz, cannot represent the Village; and

WHEREAS, the Council of the Village of Windham has determined that a Special Assistant Solicitor is needed, and has determined that the terms offered to the Village by Attorney Thomas Sicuro is either preferential to or the same as that offered to other clients of Attorney Thomas Sicuro in similar situations.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Windham, Portage County and State of Ohio, two thirds (2/3) or more of its members elected thereto concurring that:

SECTION 1. Attorney Thomas Sicuro is hereby hired as a Special Assistant Solicitor for those matters where the present Solicitor has a conflict of interest.

SECTION 2. The terms and conditions of payment to Attorney Thomas Sicuro as a Special Assistant Solicitor shall be paid Ninety Dollars (\$90.00) per case for pretrial prosecution appearances in the Portage County Municipal Court, and at an hourly rate of One Hundred Twenty Dollars (\$120.00) per hour if a motion hearing or trial is involved. All of the payments authorized under this Ordinance shall be payments as an independent contractor and not as an employee of the Village.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution is declared to be an emergency measure, effective immediately upon its passage by the Council and approval by the Mayor, in order to ensure the continued and uninterrupted legal representation of the Village of Windham.

PASSED IN COUNCIL this 24th day of June, 2010.

Vote of Council: Ayes: Mrs. Meszaros, Mr. Garrett, Mrs. Rininger, Mr. Snyder,
Mrs. Miranda Nays: Mrs. Barrett.

ATTEST:

Lloyd Billman, Fiscal Officer

APPROVED:

Robert Donham, Mayor

I hereby certify that the above Ordinance was duly published by public posting at
predesignated posting places.

APPROVED AS TO FORM:

Lloyd Billman, Fiscal Officer

Thomas Reitz, Solicitor