

1st reading 10-12-22
2nd reading 11-2-22
3rd reading 12-7-22
Voted On 12-7-22
Ayes: 7 Nays: 0
PASSED DEFEATED

09/27/2022

ORDINANCE NO. 2022-16

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH STEPHEN L. BYRON AND SINGERMAN MILLS DESBERG & KAUNTZ, CO. L.P.A., FOR LEGAL SERVICES BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023, CONFIRMING THE APPOINTMENT OF STEPHEN L. BYRON AS LAW DIRECTOR, AND DECLARING AN EMERGENCY.

WHEREAS, Stephen L. Byron intends to retire from the employment of Orange Village effective December 31, 2022; and

WHEREAS, the Mayor and Council of Orange Village wish to retain the services of Stephen L. Byron and Singerman Mills Desberg & Kauntz, effective January 1, 2023; and;

WHEREAS, the Council of Orange Village gave more than 30 days public notice and held a hearing, open to the public, pursuant to Ohio law, regarding this matter.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, STATE OF OHIO:

SECTION 1. (a) That the Mayor is hereby authorized and directed to enter into an agreement to engage Stephen L. Byron and the law firm of Singerman, Mills, Desberg & Kauntz Co., L.P.A (“Singerman Mills”), in substantially the form as attached hereto as “Exhibit A,” to represent the Village in connection with various routine matters, for a retainer of Four Thousand Forty-Three Dollars (\$4,043) per month, from January 1, 2023, through December 31, 2023. Such routine matters shall include:

- (i) Attending all regular and special Council meetings, except as otherwise directed by the Mayor;
- (ii) Attending other board and commission meetings upon the request of the Mayor;
- (iii) Drafting ordinances and resolutions upon request of the Mayor, Council, or Village Department Heads;
- (iv) Researching and drafting legal memoranda as requested by the Mayor or Council;
- (v) Providing legal advice to Village officials as necessary;
- (vi) Responding to Village inquiries;
- (vii) Attending meetings and discussions with Village, County, State, and Federal officials and other governmental officials;
- (viii) Reviewing and approving contracts and any other written documents, as requested by the Mayor, Council, or other Department Heads. This shall not encompass significant revision(s) of such documents.

(b) For work outside the scope of routine matters as outlined above the hourly rate of compensation and reimbursement for out-of-pocket expenses shall be reimbursed as approved by the Village.

(c) Singerman Mills shall also be reimbursed for out-of-pocket expenses incurred in connection with services performed, including but not by way of limitation, computer-assisted research, copying charges, messenger services, and long-distance travel.


(d) Singerman Mills shall, on a monthly basis, provide the Mayor and the Treasurer with a written accounting of all time spent by members of its firm on Village business pursuant to this section. Such accounting shall include an itemization of time spent on Village matters, a description of the work performed, and an identification of the person performing the work.

SECTION 2. That in addition to the Agreement for Routine Services set forth above, Stephen L. Byron shall be employed as the Law Director for the Village at a salary of Three Thousand Two Hundred Sixty-Two Dollars (\$3,262) per month, which shall be subject to withholding for the OPERS Money Purchase Plan and regular tax withholding and reported as W-2 (or equivalent) wages, payable to Byron or his designee. Ten hours per month of Routine Services, as described above, shall be provided by the Law Director.

SECTION 3. That the actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings 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 105 of the Codified Ordinances of Orange Village.

SECTION 4. That 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 Orange Village and, further, provides for the usual daily operation of a municipal department and allows for the continuation of work by the Orange Village Law Department, under contract, without interruption; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: Dec 7, 2022

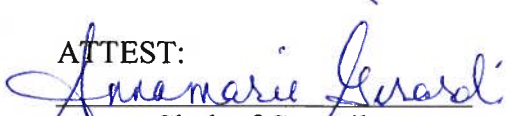


Council President

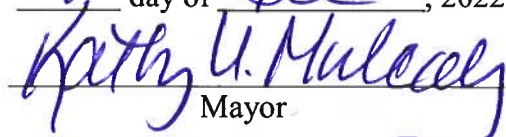
Submitted to the Mayor for

approval on this 7th day of DEC., 2022

Approved by the Mayor this
7th day of Dec, 2022

ATTEST:


Clerk of Council



Mayor