

VILLAGE OF BUCKEYE LAKE, OHIO

ORDINANCE 2020-03

AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF A NEW VILLAGE PROSECUTOR/SOLICITOR AND AUTHORIZING/DIRECTING THE MAYOR AND CLERK/TREASURER TO EXECUTE A PERSONAL SERVICE CONTRACT FOR LEGAL SERVICES WITH BRAD NICODEMUS OF NICODEMUS LAW OFFICE AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Buckeye Lake's existing contract for Prosecutor/Solicitor legal services has ended; and

WHEREAS, Council for the Village of Buckeye Lake understands and recognizes the need to retain an individual and law firm with a peculiar skill, aptitude, and experience to serve as Village Prosecutor/ Solicitor; and

WHEREAS, the law firm of Nicodemus Law Office provided the Village with a detailed contract proposal and resume that describes his experience in municipal law and the terms of the contract; and

WHEREAS, the Mayor met with Brad Nicodemus on December 23, 2019 to discuss the vacant Village Prosecutor/Solicitor position; and

WHEREAS, Mayor Wells chose to appoint Brad Nicodemus of Nicodemus Law Office as the Prosecutor/Solicitor for the Village; and

WHEREAS, pursuant to Village Charter Section 6.06 Council must confirm the appointment of the position of Prosecutor/Solicitor by a majority vote of its members.

THEREFORE, FOLLOWING AN AFFIRMATIVE VOTE OF AT LEAST TWO THIRDS (2/3) OF THE COUNCIL TO DISPENSE WITH THE REQUIREMENT OF THE BUCKEYE LAKE VILLAGE CHARTER SECTION 4.04 TO READ AN ORDINANCE ON THREE SEPARATE DAYS WITH AT LEAST ONE WEEK BETWEEN READINGS,

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

SECTION I: Council for the Village of Buckeye Lake hereby confirms Mayor Well's appointment of Brad Nicodemus of Nicodemus Law Office to serve as its Village Prosecutor/Solicitor.

SECTION II: The Mayor and Clerk/Treasurer are hereby authorized and directed to execute a personal service contract for legal services, in substantially the same format and content, as the document attached hereto as Exhibit "A" and incorporated herein by reference, on behalf of the Village of Buckeye Lake.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of Council and any of the decision-making bodies of the Village of Buckeye Lake which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION IV: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION III: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that Village Council needs to approve and enter into this Agreement at the earliest possible opportunity in order to continue providing the Village with uninterrupted legal services. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

ADOPTED this 6th day of January, 2020

Attest: Valerie L. Hans
Valerie L. Hans, Council Clerk

John Geiger
John Geiger, Council President

Date filed with Mayor: 1-6, 2020 Date Approved by Mayor: 1-6, 2020

Peggy A. Wells
Mayor, Peggy A. Wells