

RESOLUTION 2020-26

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR EMPLOYMENT OF LEGAL COUNSEL FOR THE YEAR 2021.

WHEREAS, the Village of Ada desires to enter into an agreement for employment of Jane Napier as legal counsel for the year 2021,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF ADA, OHIO:

Section 1. That the Mayor be and is hereby authorized to enter into an agreement with Jane Napier upon the terms agreed upon between the Village and said contractor consistent with the form attached hereto, marked as Exhibit A, and by this reference incorporated herein.

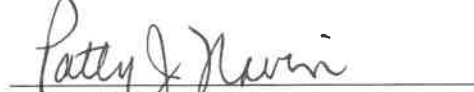
Section 2. This Resolution shall go into force and effect from and after the earliest period allowable by law.

Passed: 12/01/2020



Mayor

Attest:



Fiscal Officer

VILLAGE LEGAL COUNSEL EMPLOYMENT CONTRACT

The Village of Ada, hereinafter referred to as the Employer, hereby agrees to hire Jane Napier, and said Jane Napier, hereinafter referred to as the Village Legal Counsel, agrees to be employed, as Village Legal Counsel from January 1, 2021, through December 31, 2021, based upon the promises and covenants of the parties:

ITEM I

The Village Legal Counsel shall receive an annual salary of \$18,000.00 payable monthly during the period of her service.

ITEM II

There is a fiduciary relationship between the Village Legal Counsel and her Employer and said Employer is entitled to the faithful performance of all the duties contained in such a relationship as well as the faithful observance of the Code of Professional Responsibility and all canons of legal ethics concerning the attorney/client relationship.

ITEM III

It shall be the duty of the Village Legal Counsel to render legal opinions to the Council and to any department or officer of the Village, including but not limited to, the Planning Commission and Zoning Inspector. Unless an informal opinion is requested, all opinions shall be in writing and submitted to the requesting party, when feasible, within two weeks of the request. All written opinions shall follow the standard form for a legal memorandum and cover the following items:

1. Issue presented
2. Explanation - Applicable law with citations (i.e. statutes, cases, etc.)
3. Analysis - Application of applicable law to issue presented
4. The conclusion should contain not only an answer to the issue presented but possible consequences of following different courses of action.

ITEM IV

It shall be the duty of the Village Legal Counsel to attend all regular and special Council and Planning Commission meetings, as well as committee meetings when requested and to prepare all necessary Ordinances, Resolutions, and Legal Documents when requested. All such items requested, should be presented to the requesting party by the next regularly scheduled meeting of the body unless the request specifies otherwise.

ITEM V

It shall be the duty of the Village Legal Counsel to act as Attorney and Counsel for said Village and Officers thereof in their official capacity. This means the Village Legal Counsel shall file suits on behalf of the Village for:

1. Collection of funds
2. Eminent Domain Actions
3. Annexation Procedures
4. Injunctions
5. Mandamus Action
6. Quite Title Actions
7. Nuisance Actions
8. Prosecutions (i.e. Income Tax Evasion, Zoning Violations, etc.)

ITEM VI

It shall be the duty of the Village Legal Counsel to defend all Ordinances that are challenged and the Village itself or any department or officer thereof for any actions taken during the term of her employment.

ITEM VII

The Village Legal Counsel shall also be entitled to mileage of the standard rate allowed by federal law for the current year for the use of her automobile on all Village business outside the Village boundaries, as well as reimbursement for all court expenses incurred on behalf of the Village and other minor expenses incurred on Village business such as telephone tolls and paper expenses.

ITEM VIII

The Village Legal Counsel may request additional compensation of one hundred dollars (\$100.00) per hour for additional legal work such as title searches, real estate negotiations, union matters and lawsuits of an unusual nature and complexity. Said additional compensation may be paid upon approval of Council.

In the event the Village Legal Counsel's attendance at Court hearings, meetings, or other business functions on behalf of the Village results in a loss of work time from the Village Legal Counsel's primary employment, the Village shall reimburse the Village Legal Counsel at the rate of one hundred dollars (\$100.00) per hour.


Signed in the presence of:



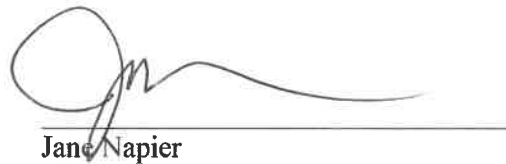
Witness



Mayor



Fiscal Officer



Jane Napier