

RESOLUTION 2015-34

A RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF A CONTRACT WITH FROST BROWN TODD LLC FOR LEGAL REPRESENTATION RELATING TO DEVELOPMENT AND DECLARING AN EMERGENCY

WHEREAS, the Village of Minerva Park Code seeks legal representation in connection with the proposed annexation, zoning, and tax increment financing associated with the Minerva Lake Golf Course development; and,

WHEREAS, the Village Council approved a contract (Resolution 2014-30) with Frost Brown Todd LLC to service as legal counsel for the Village, such legal counsel to be known as the Director of Law; and

WHEREAS, the contract provided for additional projects at a on an hourly basis to be agreed upon;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, OHIO, THAT:

- Section 1.** The Mayor and Fiscal Officer of the Village of Minerva Park are hereby authorized and directed to enter into an agreement for legal representation in connection with the proposed annexation, zoning, and tax increment financing associated with the Minerva Lake Golf Course.
- Section 2.** The cost of the legal services relating to the Minerva Lake Golf Course development are to be paid solely from the 10 percent fee defined in Section 1218.06 of the Codified Ordinances of the Village of Minerva Park and amended by Ordinance 04-2014, which is intended to cover among other expenses the legal services directly related to the development.
- Section 3.** Upon receipt of the fee from the developer in Section 2, the fiscal officer shall amend the appropriations of the General Fund in a like amount to pay cost of legal and engineering services.
- Section 4.** The services render under this agreement are from August 19, 2015, forward and the initial representation of the Village to the developer shall be included as part of the monthly fee for services as Law Director/Solicitor.
- Section 5.** The cost of such representation shall not exceed \$20,000, which amount may be amended from time to time with the approval of the Mayor and Fiscal Officer and within the amount of the fee received in Section 2.
- Section 6.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

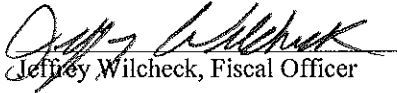
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Section 7. That this resolution is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare and specifically for the purpose of securing legal services for the development that has commenced; WHEREFORE, this resolution shall take effect and be in force from and after its passage.

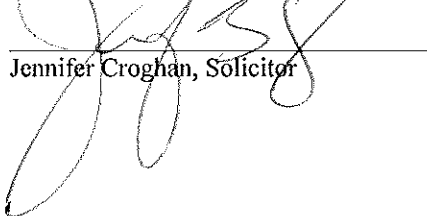

Lynn Eisentrout, Mayor

First Reading: August 24, 2015
Second Reading: September 14, 2015
Third Reading: September 21, 2015
Passed: September 21, 2015

ATTEST


Jeffrey Wilcheck, Fiscal Officer

APPROVED AS TO FORM


Jennifer Croghan, Solicitor