

CITY OF TWINSBURG, OHIO

ORDINANCE 40-2008

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT RETAINING KASTNER WESTMAN & WILKINS ATTORNEYS AT LAW AS THE REPRESENTATIVE OF THE CITY OF TWINSBURG IN LABOR ARBITRATION HEARINGS, PROVIDING FOR COMPENSATION AND DECLARING AN EMERGENCY

WHEREAS, Ohio law provides that the Mayor of the City of Twinsburg, Ohio, is the official authorized to represent the city in labor negotiations; and

WHEREAS, the Mayor is authorized to designate one or more representatives to act on behalf of the city in said labor negotiations; and

WHEREAS, it is determined that it is appropriate to employ the services of a professional legal representative to represent the city in certain labor arbitration hearings.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Twinsburg, County of Summit and State of Ohio:

SECTION I: That Kastner, Westman & Wilkins LLC, Attorneys at Law, is hereby designated as legal representative of the Mayor in certain labor and employment law actions involving the City of Twinsburg.

SECTION II: That the Mayor be and she is hereby authorized to enter into an agreement with Kastner, Westman & Wilkins LLC, setting forth terms and compensation for labor consultation, said agreement to be in substantially the form of a letter dated February 12, 2008, from Lisa A. Kainec attached hereto incorporated by reference herein and identified as Exhibit A.

SECTION III: That the Finance Director be, and she is hereby authorized to make disbursement in an amount not to exceed Twenty Thousand dollars (\$20,000.00) from the general fund in accordance with the terms of the agreement and upon the submittal of invoices approved by the Mayor.

SECTION IV: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION V: That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the citizens of the City of Twinsburg, and for the further reason it is necessary to begin labor negotiations, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

Robert L. McDermott, President of Council

Submitted to the Mayor for approval this
_____ day of _____, 2008

Approved by the Mayor _____, 2008

Katherine A. Procop, Mayor

ATTEST:

Marie K. Weaver
Clerk of Council

1st Rdg. _____

2nd Rdg. _____

3rd Rdg. _____

Passed: _____

Yes _____ No _____

CERTIFICATE OF POSTING

I, Marie K. Weaver, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the _____ day of _____, 2008

Marie K. Weaver
Clerk of Council
City of Twinsburg