

PASSED: January 11, 2010
BY: Katz

ORDINANCE NO. 2010-03

ORDINANCE APPOINTING ATTORNEY ROBERT P. MALLOY, ESQ., AS SOLICITOR
FOR THE VILLAGE, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF AMBERLEY VILLAGE, STATE OF OHIO, five (5) members elected thereto concurring:

SECTION 1: That Robert P. Malloy, Esq., is hereby appointed as legal counsel for the Village, to handle or oversee all legal work performed on behalf of the Village, and shall be known as the “Solicitor of Amberley Village” except as provided in Section 3 herein.

SECTION 2: Robert P. Malloy, Esq., shall be the legal advisor of and attorney and counsel for the Village and for all the officers and departments thereof in all matters relating to their official duties; and shall when requested, give legal opinions in writing. He shall represent the Municipality in all litigation to which it may be a party, except as to litigation in which representation is provided by legal counsel for an insurance company providing coverage for the Village, or in litigation or any other matters in which Council determines that special legal counsel should be employed and except as to prosecution of all offenses against the ordinances of the Village and all offenses against the State of Ohio. Robert P. Malloy, Esq., shall perform all duties of a legal nature imposed by any measure of Council or imposed upon the chief legal officers of municipalities by applicable general law.

SECTION 3: All offenses against the ordinances of the Village, and all offenses against the laws of the State of Ohio which are prosecuted in Mayor’s Court and those transferred to or appealed to Hamilton County Municipal Court, may and shall be prosecuted by Stacy B. Lefton, Esq., or where it becomes necessary because of a conflict, by an attorney licensed to practice law in the State of Ohio who is assigned by Stacy B. Lefton, Esq., to prosecute said offense.

SECTION 4: Compensation for all legal work performed for the Village by Robert P. Malloy and Stacy B. Lefton, Esq., or any attorney assigned by him/her to so perform shall be compensated at the rate of compensation having been established by Council, and charges for such work plus costs and expenses advanced on behalf of the Village shall be invoiced monthly, with payment due upon receipt of such invoices.

SECTION 5: This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety, and it shall go into effect forthwith. The reason for such emergency is the necessity of maintaining continuity of legal representation for the Village.

Passed this 11th day of January, 2010.

Mayor Merrie Stillpass

Attest:

Nicole Browder, Clerk of Council

Ordinance Vote:

Moved: Katz Second: Conway

Stillpass	<u>Aye</u>
Chaiken	<u>Aye</u>
Cohen	<u>Nay</u>
Conway	<u>Aye</u>
Hattenbach	<u>Aye</u>
Katz	<u>Aye</u>
McIntosh	<u>Abstain</u>

I, Clerk of Council of Amberley Village, Ohio, certify that on the _____ day of _____, 2010, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designated by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council