

RECORD OF ORDINANCE

Date Presented 01/09/2024

Sponsor Mayor Sandine Ordinance No. 04-23 Date Passed January 9, 2024

AN ORDINANCE EMPLOYING JON M. BROWNING, ATTORNEY AT LAW, AS VILLAGE SOLICITOR, MAYOR'S COURT PROSECUTOR AND GENERAL LEGAL ADVISOR FOR THE VILLAGE OF LITHOPOLIS;

WHEREAS, the Village of Lithopolis requires the need of various legal services; and

WHEREAS, attorney Jon M. Browning has ably served this Village in the past with legal services;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

SECTION 1. The Council of the Village of Lithopolis employs Jon M. Browning, Attorney at Law, as the Village of Lithopolis Solicitor commencing January 23, 2024 and continuing through January 23rd 2026. In the event the Village terminates the contract without cause, the Village shall pay Jon M. Browning the monthly salary based on the number of months remaining on the contract.

SECTION 2. The Village shall pay Jon M. Browning a monthly salary of \$3,100.00. The Village shall pay Jon M. Browning an hourly fee of \$300.00/hour for extraordinary legal services, should the need for those services be necessary and desirable, as determined and approved by the Village Council.

SECTION 3. The ordinary legal services shall be those services enumerated in the Ohio Revised Code for a Village Solicitor and Mayor's Court Prosecutor, and shall generally include preparing contracts, applications, agreements, and other written instruments in which the Village is concerned, giving oral or written opinions to any officer of the Village, prosecuting matters that come before the Village's mayor's court or prosecuting cases in other courts on the Village's behalf, and providing legal counsel and advice for the Village and its officers.

SECTION 4. The extraordinary legal services that may be required generally include litigation before all courts or judicial or quasi-judicial forums or other legal matters beyond the scope of ordinary legal matter, as determined and approved by the Village Council.

SECTION 5. As a term and condition of employment, Jon M. Browning shall participate in the Ohio Public Employees Retirement System, also known as OPERS. Jon M Browning may participate in the group health insurance but will be responsible for the entire premium costs. Jon M. Browning agrees that he shall not seek and shall not participate in other benefits afforded Village employees.

SECTION 6. The Village and Jon M. Browning agree that his employment with the Village is nonexclusive. Jon M. Browning shall not, during the term of employment with the Village, accept representation of any client on any matter that conflicts with the best interests of the Village.

SECTION 7. The Village acknowledges Jon M. Browning's authority to appoint, subject to approval by the Mayor, an assistant village solicitor, at Jon M. Browning's own expense.

SECTION 8. This ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, and welfare in that the village needs to maintain competent legal counsel.

Attest/Date: Jane Flowers Clerk Signed/Date: [Signature] Mayor 1/9/24

Approved as to form: J. M. Browning Jon M. Browning

First Reading 1/9/24 Second Reading —
Revised Second Reading — Third Reading —

VOTE FOR 5 AGAINST 0