

VILLAGE OF GRAFTON
ORDINANCE NO. 19-024

INTRODUCED BY:

MOTION BY: STRAH

SECONDED BY: SAUER

AN ORDINANCE APPOINTING THE LAW DIRECTOR AND LAW DEPARTMENT FOR THE VILLAGE OF GRAFTON AND PROVIDING FOR COMPENSATION AND DECLARING AN EMERGENCY

WHEREAS, the Mayor and Village Council are authorized, pursuant to the Village Charter, to appoint and approve the appointment of a Law Director and a Law Department; and

WHEREAS, the Mayor and the Village Council have determined that it is in the interest of the Village of Grafton and its residents to herein appoint the Law Director and Law Department for the Village of Grafton and to set Compensation therefor as set forth herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF GRAFTON, COUNTY OF LORAIN, AND STATE OF OHIO;

Section 1. That, Gretchen A. Holderman, Attorney at Law, be and hereby is appointed Law Director of the Village of Grafton, Ohio, for a term commencing January 01, 2020. The Law Director is deemed an "employee" of the Village of Grafton solely by virtue of rendering legal services to the Village.

Section 2. That, Gretchen A. Holderman (the "Law Director"), shall be paid a retainer of Twenty-Seven Thousand Five Hundred and no/100 Dollars (\$27,500.00) per annum, as earnable salary, payable monthly. The Village shall issue the Law Director a W-2 for those wages earned pursuant to this section. In consideration of such retainer, the Law Director shall:

- (A) attend regular meetings of Council and such special and adjourned meetings as Council may request;
- (B) prepare routine legislation, contracts and legal documents (subject to modifications hereinafter provided) and furnish routine legal advice and services to Village officials, Departments, Boards and/or Commissions; and

- (C) Gretchen A. Holderman may delegate some of these ordinary duties to members of her law firm, Lillie & Holderman, or other employees thereof (at no additional cost to the Village).

Section 3. That the Law Director and the law firm of Lillie & Holderman are engaged to perform legal services, as the Law Department of the Village of Grafton, as follows:

- (A) When approved by Council, for preparation and supervision of proceedings for the construction and financing of all improvements of the Village; services in connection with planning and zoning; work on the Code of Ordinances of the Village; attendance at meetings and Hearings of the various boards and commissions of the Village and for the extraordinary services not contemplated by Section 1 and 2 hereof, the Village shall pay the Law Director and/or Law Department for legal and paralegal services compensation at a rate not to exceed One Hundred Dollars (\$100.00) per hour.
- (B) For work and time expended on legal proceedings and litigation in which the Village is involved including, but not limited to, appeal to the State Board of Building Standards, or Administrative Appeal to the Court of Common Pleas, or any other matter in which additional compensation at this rate is deemed warranted by Council, the Village shall pay the Law Director and/or Law Department for legal and paralegal services compensation at a rate not to exceed One Hundred Twenty-Five Dollars (\$145.00) per hour.
- (C) For reasonable out-of-pocket expenses incurred by the Law Department in the performance of the duties provided herein including, but not limited to, such items of expense as printing, photocopying, long distance telephone calls, postage, telegrams, express mail or delivery charges, and out-of-town travel the Village shall pay the Law Department such amounts as are reasonable, payable monthly.

Section 4. At the conclusion of the tax year provided for herein, the Village of Grafton shall issue the law firm of Lillie & Holderman the tax form known as Form 1099 or equivalent tax reporting form as provided by law and will issue the Law Director a W-2 for those wages earned pursuant to Sections 2 and 3 of this Ordinance.

Section 5. That, all ordinances or parts thereof inconsistent with the terms and provisions of this ordinance be, and the same hereby are, repealed.

Section 6. That, it is found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 7. That, this Ordinance be, and hereby is, declared to be an emergency measure, the emergency being the continued necessity to provide for the public health, peace and welfare of the citizens of the Village of Grafton by providing legal advice and services to the Village to protect its rights and assist in its operations.


Section 8. That, this Ordinance shall be in full force and effect from and immediately after the earliest date allowed by law.



PRESIDENT OF COUNCIL

12-17-19


DATE PASSED



MAYOR

12-17-19

DATE APPROVED



CLERK-TREASURER

12-17-19

DATE ATTESTED

APPROVED AS TO FORM BY: 

GRETCHEN A. HOLDERMAN,
DIRECTOR OF LAW

MOTION TO WAIVE 3 READINGS; STRAH
SECONDED; SAUER