VILLAGE OF PENINSULA, OHIO
RESOLUTION NO.: 01-2020
INTRODUCED BY: Councilperson MATUSZ
DATE PASSED: 3-9-2020

A RESOLUTION REAPPOINTING BRADRIC BRYAN OF GOODWIN & BRYAN, LLP AS THE VILLAGE'S SOLICITOR AND PROSECUTOR FOR A TERM COMMENCING ON APRIL 1, 2020 AND ENDING ON MARCH 31, 2021

WHEREAS, Section 733.48 of the Ohio Revised Code provides that the Village Council may provide legal counsel for the Village; and

WHEREAS, Bradric Bryan was originally appointed as the Village's Solicitor and Prosecutor on March 21, 2016 to a term commencing on April 1, 2016, and Mr. Bryan's current term expires on March 31, 2020; and

WHEREAS, Council desires to reappoint Bradric Bryan of Goodwin & Bryan, LLP as the Village's Solicitor and Prosecutor for another one year term.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby and herein reappoints Bradric Bryan of Goodwin & Bryan, LLP as the Village's Solicitor and Prosecutor for a subsequent one year term commencing on April 1, 2020 and ending on March 31, 2021 based upon the terms of the Contract that is attached hereto and incorporated by reference. The Mayor is hereby and herein directed to execute the attached Legal Services Contract on behalf of the Village.

SECTION 2. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect and be in force after the earliest period permitted by law.

SECTION 4. Effective Date. This Resolution shall take effect on the 9 day of March, 2020.

IN WITNESS WHEREOF, we have hereunto set our hands this 9 day of March, 2020.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Trevor K. Elkins, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Trevor K. Elkins, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2020.

Trevor K. Elkins, Fiscal Officer

Posting Certificate

I, Trevor K. Elkins, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Resolution was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the 9 day of March, 2020, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Trevor K. Elkins, Fiscal Officer

LEGAL SERVICES CONTRACT FOR VILLAGE SOLICITOR AND PROSECUTOR

This Agreement is entered into this 9 day of March, 2020, by and between the Village of Peninsula, Ohio ("Village"), an Ohio municipal corporation, and Bradric Bryan of Goodwin & Bryan, LLP, 22050 Mastick Road, Fairview Park, Ohio 44126, an attorney licensed to practice law in the State of Ohio.

WHEREAS, Section 733.48 of the Ohio Revised Code provides that the Village Council may provide legal counsel for the Village; and

WHEREAS, Bradric Bryan is an attorney and partner with the law firm of Goodwin & Bryan, LLP who was first appointed as the Village's Solicitor and Prosecutor on March 21, 2016 for a term commencing on April 1, 2016, and Mr. Bryan's current term expires on March 31, 2020; and

WHEREAS, by way of Village Resolution 01-2020, the Village Council reappointed Bradric Bryan of Goodwin & Bryan, LLP as the Village's Solicitor and Prosecutor for a new one year term, effective April 1, 2020.

NOW THEREFORE, the Village, through its Mayor and as Certified by its Fiscal Officer, hereby enters into the within Agreement regarding Bradric Bryan of Goodwin & Bryan, LLP's service as the Solicitor and Prosecutor for the Village, as follows.

1. Term. This Solicitor and Prosecutor reappointment is effective April 1, 2020 for a one year term expiring March 31, 2021.

2. Scope of Work and Compensation. Mr. Bryan and Goodwin & Bryan, LLP shall regularly attend Regular and Special Council, Planning Commission, and BZA Meetings, and perform all necessary Solicitor and prosecutorial work for the Village for a fixed rate monthly retainer in the amount of $5,195 per month (a total of $62,340 for the 12 month period). During the term of this Agreement, Mr. Bryan/Goodwin & Bryan, LLP shall be required to perform at least an average of 41 hours of attorney legal work per month for the Village. The monthly retainer is payable to Goodwin & Bryan, LLP each month starting in April of 2020.

Bradric Bryan/Goodwin & Bryan, LLP

Bradric T. Bryan, Attorney and Partner

Village of Peninsula

Daniel Schneider, Jr., Mayor

Certificate of Fiscal Officer

I, the undersigned Fiscal Officer of the Village, hereby certify that the amount of money required to meet the Village's obligations under this contract for the calendar year 2020 has been lawfully appropriated for such purposes and is in the treasury of the Village or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances.

Trevor K. Elkins, Fiscal Officer