

Village of Mantua, Ohio
ORDINANCE 2016-44

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF PORTAGE COUNTY COURT OF COMMON PLEAS CASE NUMBER 2015-CV-739, CAPTIONED DAVID M. GREEN VS. PORTAGE COUNTY BOARD OF COMMISSIONERS ET AL., AND DECLARING AN EMERGENCY.

WHEREAS, David Green has initiated legal action against the Village of Mantua and Portage County relative to the provision of sanitary sewer services; and

WHEREAS, as a result of a mediation hearing held on August 5, 2016, a settlement proposal has been submitted to this Council for consideration.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, two-thirds or more of the members elected thereto concurring, that:

SECTION 1: This Council hereby approves and accepts the proposed settlement of Portage County Common Pleas Court Case Number 2015-CV-739, as summarized in “Exhibit A”, attached hereto and incorporated herein by reference, including any changes, additions, and/or corrections required by this Council and noted on said Exhibit.

SECTION 2: The Mayor, Village Solicitor and the law firm of O’Toole, McLaughlin, Dooley & Pecora Co. are hereby authorized and directed take all steps necessary formalize the settlement of the herein referenced legal action in substantial conformity with the terms set forth in the attached “Exhibit A”.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure, in order to permit resolution of the aforementioned legal action at the earliest possible time, and shall become effective immediately upon its passage by two-thirds or more of the members elected to the Mantua Village Council.

Passed in Council this 16th day of August, 2016.

ATTEST:

Linda Clark, Mayor

Jenny August, Clerk of Council

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I hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on the _____ day of _____, 2016.

Jenny August, Mantua Village
Clerk-Treasurer

Approval as to legal form by:

Michele Stuck, Village Solicitor