

ORDINANCE NO: 2021-12

AN ORDINANCE PROVIDING COMPENSATION AND EMPLOYING A VILLAGE SOLICITOR FOR THE VILLAGE OF DEGRAFF, LOGAN COUNTY, OHIO, FOR A ONE - YEAR TERM BEGINNING APRIL 1, 2021 AND ENDING MARCH 31, 2022

WHEREAS, the legislative authority of the Village of DeGraff, Ohio deems it necessary to employ counsel for the Village under the authority granted in Ohio Revised Code Section 733.48; and

WHEREAS, Zebulon Wagner, Attorney at Law, Bellefontaine, Ohio, has made application for employment as Village Solicitor for the Village of DeGraff, Ohio; and

WHEREAS, the council of the Village of DeGraff, Ohio, finds the above named applicant duly qualified for the position of Village Solicitor for the Village of DeGraff, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the council of the Village of DeGraff, Logan County, Ohio, that:

SECTION 1: Zebulon Wagner, Attorney at Law, Bellefontaine, Ohio, shall be, and hereby is, employed as solicitor of the Village of DeGraff, Ohio, for a one -year term beginning April 1, 2021 and ending March 31, 2022.

SECTION 2: The annual salary for the position of Solicitor of the Village of DeGraff, Ohio, shall be Twelve Thousand dollars and Zero cents (\$12,000.00), and shall be payable in twelve (12) monthly installments, in the amount of One Thousand Dollars and zero cents (\$1,000.00) per month, payable on the third Tuesday of each month. In addition to the foregoing, the Village of DeGraff shall pay all costs involved to maintain Zebulon Wagner's enrollment in the Public Employees Retirement System (OPERS). In the event the Village of DeGraff requires legal counsel beyond the usual scope of a Village Solicitor, (attending one council meeting per month, drafting Ordinances and Resolutions, and the review and drafting of basic contracts), Zebulon Wagner shall be paid his prevailing hourly rate for legal work, as an independent contractor.

The contract salary envisions the Village Solicitor providing sixty (60) hours of billable time for the Village over the course of the contract. Any time incurred beyond sixty (60) hours will be billed to the Village of DeGraff by Thompson, Dunlap & Heydinger, Ltd. ("TDH Law"), directly, as an independent contractor at the contract rate of \$200.00 per hour for all time incurred in excess of sixty (60) hours. The Village will be invoiced monthly for said time upon its accrual.

The solicitor shall be supervised by and shall coordinate through the Mayor all of his services on behalf of the Village. The Mayor shall also, arrange for the provisions of office space or equipment, if required, by the solicitor to perform his duties for the Village. The Solicitor's attendance is required at One Village council meeting per month, unless otherwise directed by the Mayor.

In the event Zebulon Wagner should become unable to perform services of Solicitor of the Village, then, in that event, the Village shall employ another attorney to complete and perform those services.

**SECTION 3:** This council finds and determines that all formal actions of this council, concerning and relating to the passage of this Ordinance, were taken in an open meeting of this Council, and that all deliberations of this council and of any committees that resulted in those formal actions, were in meetings open to the public in compliance with the law.

**SECTION 4:** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED: March 16, 2021

APPROVED: WWV

ATTEST: 6

MAYOR: Stephanie Orsborne  
STEPHANIE ORSBORNE

FISCAL OFFICER: Kassandra Staley  
KASSANDRA STALEY

PRESIDENT OF COUNCIL: Rachel I. Hall