

1 RESOLUTION NO. 2014-234

2  
3 SPONSOR Mr. Pry

4 DATE June 2, 2014

COMMITTEE Rules

6  
7 **A Resolution authorizing the County Executive to execute a settlement agreement, in the**  
8 **amount of \$15,000.00 to settle all claims arising out of or concerning issues raised in a**  
9 **lawsuit, *Anthony Miller v. County of Summit, et al.*, Case No. CV 2012-09-5175, before**  
10 **Judge Tammy O'Brien in the Summit County Court of Common Pleas, for the Court of**  
11 **Common Pleas – Juvenile Division, the Prosecutor and the Executive, and declaring an**  
12 **emergency.**

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14 WHEREAS, Anthony Miller filed a lawsuit against the County of Summit and the  
15 County of Summit Court of Common Pleas - Juvenile Division, *Anthony Miller v. County of*  
16 *Summit, et al.*, Case No. CV 2012-09-5175, before Judge Tammy O'Brien in the Summit County  
17 Common Pleas Court, arising out of Mr. Miller's employment with the Court of Common  
18 Pleas—Juvenile Division; and

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20 WHEREAS, in consultation with the County Prosecutor, the County Executive and the  
21 Court of Common Pleas - Juvenile Division have reached terms of settlement with Mr. Miller  
22 through his legal counsel to settle the case in the amount of \$15,000.00; and

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24 WHEREAS, the County will pay the amount of \$15,000.00 out of the Court of Common  
25 Pleas - Juvenile Division's Contract Services Fund No. 10003-2402-45501 as its share of the  
26 settlement; and

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28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
29 that it is necessary and in the best interest of the County of Summit to settle the lawsuit filed by  
30 Mr. Miller in the amount of \$15,000.00;

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32 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
33 of Ohio, that:

34  
35 SECTION 1

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37 The County Executive is hereby authorized to execute a settlement agreement in the  
38 amount of \$15,000.00 to settle all claims arising out of or concerning issues raised in a lawsuit,  
39 *Anthony Miller v. County of Summit, et al.*, Case No. CV 2012-09-5175, before Judge Tammy  
40 O'Brien in the Summit County Court of Common Pleas. The settlement agreement shall include  
41 a release by Anthony Miller of all claims against the County of Summit and the County of  
42 Summit Court of Common Pleas - Juvenile Division.

43  
44 SECTION 2

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46 This Resolution is hereby declared an emergency in the interest of the health, safety and  
47 welfare of the citizens of the County of Summit and for the for the further purpose of  
48 immediately sparing county taxpayers further expense related to Mr. Miller's lawsuit.  
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2 PAGE TWO

3  
4 SECTION 3

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6 Provided this Resolution receives the affirmative vote of eight members, it shall take  
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
8 effect and be in force at the earliest time provided by law.

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED May 12, 2014

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21 ADOPTED June 2, 2014

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25 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

APPROVED June 3, 2014

EXECUTIVE

ENACTED EFFECTIVE June 3, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras  
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro