

1 RESOLUTION NO. 2021-247

First Reading Passage Requested
(D. Matz)

2 SPONSOR Executive Shapiro

3
4 DATE August 16, 2021

COMMITTEE Rules

6
7 **A Resolution confirming the award by the Board of Control of professional service**
8 **agreements with Mazanec, Raskin & Ryder Co., L.P.A., in an amount not to exceed**
9 **\$75,000.00, and Roetzel & Andress, LPA, in an amount not to exceed \$75,000.00, for a total**
10 **amount not to exceed \$150,000.00, toward the costs of legal representation and services on**
11 **behalf of the County, in the matter of Antonio Williamson v. Sheriff Kandy Fatheree, et al.,**
12 **for the Executive and the Sheriff, and declaring an emergency.**

13
14 WHEREAS, this lawsuit, Antonio Williamson v. Sheriff Kandy Fatheree, et al., Case No.
15 5-21-cv-00565-JRA, before Judge John R. Adams in the United States District Court, Northern
16 District of Ohio (the "Lawsuit"), arises out of an incident concerning former Lieutenant Antonio
17 Williamson that is alleged to have occurred on March 19, 2017 and the subsequent criminal
18 prosecution of Mr. Williamson, State of Ohio v. Antonio Williamson, Case No. CV-2017-03-
19 1047, before Judge Mary Margaret Rowlands in the County of Summit Court of Common Pleas;
20 and

21
22 WHEREAS, Mr. Williamson has brought suit against the County alleging among other
23 counts, malicious and selective prosecution, civil rights violations, and discrimination; and

24
25 WHEREAS, due to multiple allegations made against both the County and the Sheriff's
26 Office, the Executive has retained legal counsel with Mazanec, Raskin & Ryder Co., L.P.A. and
27 Roetzel & Andress, LPA to provide legal representation and services on behalf of the County in
28 the Lawsuit; and

29
30 WHEREAS, the Board of Control, at its meeting held April 7, 2021, awarded
31 professional service agreements with Mazanec, Raskin & Ryder Co., L.P.A. and Roetzel &
32 Andress, LPA, as a Professional Service Contracts exempt for competitive bidding pursuant to
33 Section 177.08 of the Codified Ordinances of the County of Summit, toward the costs of legal
34 representation and services on behalf of the County in the Lawsuit, in the amount of \$75,000.00
35 for each agreement, for a total amount not to exceed \$150,000.00, subject to confirmation by this
36 Council; and

37
38 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
39 that the aforementioned professional service agreements with Mazanec, Raskin & Ryder Co.,
40 L.P.A. and Roetzel & Andress, LPA are necessary and in the best interest of the County of
41 Summit;

42
43 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
44 of Ohio, that:

45
46 SECTION 1

47
48 The award by the Board of Control of professional service agreements with Mazanec,
49 Raskin & Ryder Co., L.P.A., in an amount not to exceed \$75,000.00, and Roetzel & Andress,
50 LPA, in an amount not to exceed \$75,000.00, for a total amount not to exceed \$150,000.00,
51 toward the costs of legal representation and services on behalf of the County, in the matter of
52 Antonio Williamson v. Sheriff Kandy Fatheree, et al., Case No. 5-21-cv-00565-JRA, before

1 RESOLUTION NO. 2021-247

2 PAGE TWO

3
4 SECTION 1 (Continued)

5
6 Judge John R. Adams in the United States District Court, Northern District of Ohio (the
7 "Lawsuit") are hereby confirmed, and the Executive is hereby authorized to execute said
8 professional service agreements and any other necessary related documents.

9
10 SECTION 2

11
12 This Resolution is hereby declared an emergency in the interest of the health, safety and
13 welfare of the residents of the County of Summit and for the further purpose of immediately
14 obtaining legal representation and services by legal counsel in the Lawsuit.

15
16 SECTION 3

17
18 Provided this Resolution receives the affirmative vote of eight members, it shall take
19 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
20 effect and be in force at the earliest time provided by law.

21
22 SECTION 4

23
24 It is found and determined that all formal actions of this Council concerning and relating
25 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
26 deliberations of this Council and of any of its committees that resulted in such formal action,
27 were in meetings open to the public, in compliance with all legal requirements, including Section
28 121.22 of the Ohio Revised Code.

29
30
31 INTRODUCED August 16, 2021

32 August 16, 2021
33 ADOPTED _____

34
35
36
37 *for* CLERK OF COUNCIL

38
39
40
41
42
43 PRESIDENT OF COUNCIL

44 APPROVED August 17, 2021

45 EXECUTIVE

ENACTED EFFECTIVE August 17, 2021

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio,
Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite