RESOLUTION NO. 2014-234

SPONSOR Mr. Pry

DATE June 2, 2014

COMMITTEE Rules

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

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

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

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

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

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

SECTION 1

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

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the for the further purpose of immediately sparing county taxpayers further expense related to Mr. Miller’s lawsuit.
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SECTION 3  

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

SECTION 4  

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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.  

INTRODUCED May 12, 2014  

ADOPTED June 2, 2014  

CLERK 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