

1 RESOLUTION NO. 2016-006

First Reading Passage Requested

(C. Simms)

2 SPONSOR Mr. Pry

3 DATE January 4, 2016

COMMITTEE Rules

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7 **A Resolution authorizing the County Executive to execute a settlement agreement, in an**
8 **amount not to exceed \$40,000.00, to settle all claims arising out of or concerning issues**
9 **raised in a lawsuit, *Conley v. Steve Barry, et al.*, Case No. CV 2014-08-3592, before Judge**
10 **David Reinbold, Jr. in the County of Summit Court of Common Pleas, for the Executive,**
11 **the Prosecutor and the Sheriff, and declaring an emergency.**

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13 WHEREAS, Michael Conley filed a lawsuit against County Sheriff Steve Barry and the
14 County of Summit, *Conley v. Steve Barry, et al.*, Case No. CV 2014-08-3592, before Judge
15 David Reinbold, Jr. in the County of Summit Court of Common Pleas, arising out of alleged
16 malicious prosecution, abuse of process and other claims; and

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18 WHEREAS, in consultation with the County Prosecutor, the County Executive and the
19 County Sheriff have reached terms of settlement with Mr. Conley through their legal counsel to
20 settle the case for an amount not to exceed \$40,000.00; and

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22 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
23 that it is necessary and in the best interest of the County of Summit to settle the lawsuit filed by
24 Mr. Conley for an amount not to exceed \$40,000.00;

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

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29 SECTION 1

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31 The County Executive is hereby authorized to execute a settlement agreement, in an
32 amount not to exceed \$40,000.00, to settle all claims arising out of or concerning issues raised in
33 a lawsuit, *Conley v. Steve Barry, et al.*, Case No. CV 2014-08-3592, before Judge David
34 Reinbold, Jr. in the County of Summit Court of Common Pleas, related to alleged malicious
35 prosecution, abuse of process and other claims. The settlement agreement shall include a release
36 by Michael Conley of all claims against the County Sheriff Steve Barry and the County of
37 Summit.

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39 SECTION 2

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41 This Resolution is hereby declared an emergency in the interest of the health, safety and
42 welfare of the citizens of the County of Summit and for the further purpose of immediately
43 sparing county taxpayers further expense related to Mr. Conley's lawsuit against County Sheriff
44 Steve Barry and the County of Summit.

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46 SECTION 3

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

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RESOLUTION NO. 2016-006

PAGE TWO

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.

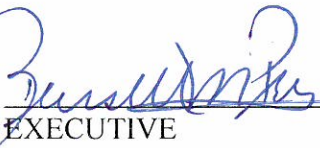
INTRODUCED January 4, 2016

ADOPTED January 4, 2016


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED January 5, 2016


EXECUTIVE

ENACTED EFFECTIVE January 5, 2016

Voice Vote: 9-0 YES: Crawford, Donofrio, Feeman,
Kostandaras, Kurt, Prentice, Rodgers, Schmidt, Shapiro
ABSENT: Comunale, Lee