

ORDINANCE NO. 2005-11

AUTHORIZING THE EXPENDITURE OF FUNDS BY THE MASON MUNICIPAL COURT FOR THE RETENTION OF OUTSIDE LEGAL COUNSEL, AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY PURCHASE ORDERS AND DECLARING AN EMERGENCY

WHEREAS, Judge George M. Parker, Mason Municipal Court, has issued an Order regarding the retention of outside legal counsel for the court; and

WHEREAS, the Ohio Supreme Court has held that the retention of outside legal counsel is an appropriate expense of the municipal court where a conflict exists that would prevent the Law Director from counseling the court; and

WHEREAS, said funds are to be expended from the City's General Fund.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the Mason Municipal Court is hereby authorized to expend funds for the retention of outside legal counsel.

Section 2. That the City Manager is hereby authorized to execute the necessary purchase orders in a total amount not to exceed \$30,000.00 for the retention of outside legal counsel.

Section 3. That the City Council determines that there is a real and present emergency.


Section 4. That the Finance Director is hereby authorized to pay a total amount not to exceed \$30,000.00 for said legal services.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the immediate need of the Court to retain outside legal services in order to preserve the separation of powers among and between the co-equal branches of government.

Passed this 14th day of February, 2005.

Attest:


Clerk of Council


Mayor