

AN ORDINANCE PROVIDING FOR LEGAL REPRESENTATION ON BEHALF OF THE CITY OF AVON LAKE IN AN ACTION FILED BY PARKPLAY SOLUTIONS, LLC, AND THE MEDIATION OF A JOINT ACTION WITH THE CITY OF BAY VILLAGE BETWEEN MARKS CONSTRUCTION AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Avon Lake has instructed Seeley, Savidge, Ebert & Gourash Co., LPA to represent the City of Avon Lake in an action filed by ParkPlay Solutions, LLC, and to mediate a joint action with the City of Bay Village between Marks Construction of Valley View, Ohio.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Seeley, Savidge, Ebert & Gourash Co., LPA be, and they are hereby authorized and directed to represent the City of Avon Lake and its departments and employees in all legal proceedings necessary in connection the action filed by ParkPlay Solutions, LLC and the mediation with the City of Bay Village between Marks Construction.

Section No. 2: That the necessary expenses for said representation be paid upon approval voucher submitted therefore, in an amount not to exceed \$25,000.00.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of preparing and filing the necessary legal proceedings in a timely manner to represent the City and uphold the laws and regulations of the City, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: 1/09/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 1/13/2023

APPROVED: 1/10/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor