

**ORDINANCE 2022- 24****AN ORDINANCE TO ADOPT AND APPROVE CONTRACT  
WITH METZ, BAILEY AND MCLOUGHLIN, LLP FOR PROFESSIONAL LEGAL  
SERVICES AS VILLAGE SOLICITOR AND TO DECLARE AN EMERGENCY**

**WHEREAS**, Section 733.48 of the Ohio Revised Code provides for the appointment of legal counselors for the Village; and

**WHEREAS**, the law firm of Metz, Bailey & McLoughlin, LLP has acted as Village Solicitor to the Village for over 25 years and the Village and Metz, Bailey & McLoughlin, LLP desire to continue their relationship; and

**WHEREAS**, pursuant to Section 733.48, it is necessary and appropriate that Village Council authorize the Mayor and Village Administrator to enter into an agreement for legal services; and

**WHEREAS**, Village Council further desires to appoint Kyle J. Stroh as the Village Solicitor and the primary attorney responsible for the Village legal affairs;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE  
OF CENTERBURG THAT;**

**Section 1.** That Village Council hereby authorizes and directs the Mayor and Village Administrator to enter into an Agreement for Legal Services with Metz, Bailey & McLoughlin, LLP, in a form substantially similar to the agreement attached hereto as Exhibit A and incorporated herein by reference.

**Section 2.** That Village Council hereby appoints Kyle J. Stroh as the Village Solicitor of the Village of Centerburg.

**Section 3.** That upon passage, this Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

DATE PASSED 12/05/22

ATTEST

Signature on file

CLERK OF COUNCIL

Signature on file

PRESIDENT OF COUNCIL

Signature on file

MAYOR

APPROVED AS TO FORM:

Signature on file

LEGAL COUNSEL

I hereby certify that the Resolution or a summary of the Resolution was published once a week for two consecutive weeks on 12/10, 2022 and 12/17, 2022 in the *Mount Vernon News* in conformance with the Ohio Revised Code.

Signature on file

FISCAL OFFICER

## AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT, entered effective this 1<sup>st</sup> day of January 2023, by and between METZ, BAILEY & MCLOUGHLIN, LLP, hereinafter called "VILLAGE SOLICITOR", and the VILLAGE OF CENTERBURG, hereinafter called "VILLAGE", pursuant to Ordinance 2022-24, passed by Village Council on Dec. 5, 2022. In consideration of the mutual promises contained herein, the VILLAGE SOLICITOR and VILLAGE agree as follows:

1. That VILLAGE SOLICITOR shall from the time when called upon by members of the Council of VILLAGE and Village Officials, render any and all such legal services as may be required of VILLAGE SOLICITOR, including ordinance and document preparations and providing legal advice.
2. That VILLAGE SOLICITOR shall attend any and all regular and special meetings of Council of VILLAGE, and other public meetings when requested to do so by VILLAGE.
3. That VILLAGE SOLICITOR shall compile an itemized statement of services rendered, funds advanced and expenses incurred to VILLAGE and shall submit same to the Clerk of VILLAGE on a monthly basis following the month in which such services were rendered and funds advanced and expenses incurred for and on behalf of said VILLAGE, or as soon thereafter as reasonably practical.
4. That VILLAGE will pay VILLAGE SOLICITOR, at fixed fee of \$400.00 for Regular monthly council meetings and at an hourly rate of \$135.00 per hour for all other solicitor work, which fees starting January 1, 2023 shall be payable monthly. The hourly rate shall increase to \$155 per hour effective January 1, 2024. The Village shall further reimburse VILLAGE SOLICITOR for any and all costs advanced and expenses incurred, on behalf of said VILLAGE.
5. It is agreed that the annual budget for the legal services of the VILLAGE SOLICITOR shall be \$45,000.00 and that this sum shall not be exceeded without further authorization by Village Council.
6. It is agreed and understood by and between the parties that the term of this Agreement shall be a one-year term, and the Agreement shall automatically renew for successive one-year terms unless or until, a party provides a 90-day written notice of said termination to the other party.
7. Kyle J. Stroh, partner of METZ, BAILEY & MCLOUGHLIN, LLP shall be designated as the Village Solicitor and shall be the primary contact person for the VILLAGE, and Josh Plieninger, of METZ, BAILEY & MCLOUGHLIN, LLP shall be the Assistant Village Solicitor.

**VILLAGE OF CENTERBURG**

By: Signature on file  
Greg Sands, Mayor  
By: Signature on file  
\_\_\_\_\_, Village Administrator

**METZ, BAILEY & MCLOUGHLIN, LLP**

By: Signature on file  
Kyle J. Stroh