

SPONSOR: Heath Colby

ORDINANCE NO. 84-07

AN ORDINANCE AUTHORIZING THE CITY TO SETTLE A LAWSUIT AND OTHER ISSUES WITH PAUL SEXTON, AND DECLARING AN EMERGENCY.

WHEREAS, the City is currently involved with litigation with Paul Sexton, concerning various matters, said litigation including lawsuits pending in the Jackson County Common Pleas Court, the Ohio Department of Workers Compensation, and arbitration issues; and

WHEREAS, the City of Jackson, its officers and employees, deny any and all liability and wrongdoing concerning the matters currently in litigation; and

WHEREAS, a settlement has been proposed wherein the City denies any and all liability in these matters, but will pay Paul Sexton a monetary amount in order to avoid further litigation and expenses; and

WHEREAS, the Jackson City Council finds that the settlement of all litigation and issues between Paul Sexton and the City is in the best interests of the City of Jackson, Ohio, and the settlement of this matter will serve the public health, safety, and welfare of the City of Jackson, Ohio.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section One. The Jackson City Council hereby accepts and approves a settlement of all issues and matters between the City of Jackson, Ohio and Paul Sexton, including litigation in the Jackson County Common Pleas Court, litigation involving workers compensation claims, and all issues which have been or are anticipated to be arbitrated. As part of this settlement the City of Jackson denies any and all liability, but agrees to settle the matters in order to avoid further litigation. As part of the settlement the City of Jackson agrees to pay Paul Sexton the sum of \$ 140,000.00, and in return the City shall receive dismissals of actions involving the City of Jackson, Ohio and Paul Sexton, and the City shall also receive a signed release from Paul Sexton releasing the City from any and all liability from any and all matters pending or which could be brought against the City, whether past or present.

Section Two. This Ordinance is hereby declared to be an emergency ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, in that it is necessary to enter into this settlement immediately as the trial in these matters is scheduled in the next three weeks. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section Three. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

Section Four. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Date: 6-15-07

Brett Reed Pro Tem.
PRESIDENT OF COUNCIL

Jess Brown
CLERK OF COUNCIL

Approved:

Date: _____

MAYOR

Went into effect w/out Mayor's signature.