

Sponsor: Elliott/Born

ORDINANCE NO. 50-12

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO RETAIN THE SERVICES OF BAKER & MILLER, PLLC, ATTORNEYS AT LAW AND DECLARING AN EMERGENCY.

WHEREAS, in response to continued litigation involving the City's railway, the City requires the professional services of Baker & Miller, PLLC, to assist with the Surface Transportation Board (STB); and

WHEREAS, the legislative authority of the City of Jackson finds the terms of engagement contained in the attached letter dated October 8, 2012 (a copy of which is attached hereto) are acceptable; and

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

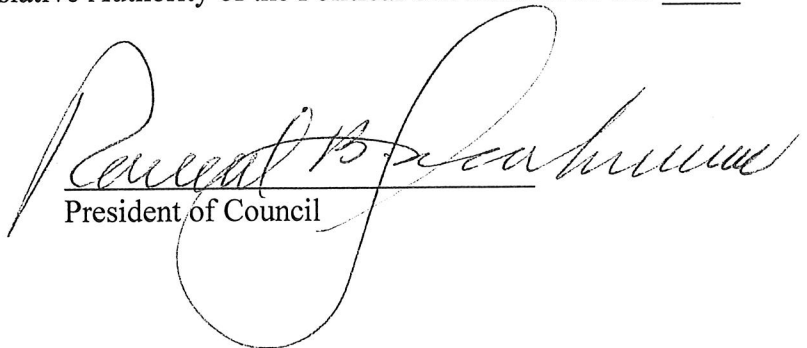
Section 1. The legislative authority of the City of Jackson hereby authorizes the Mayor of the City of Jackson, Ohio, or his designee, to accept the terms of engagement and to return the signed Terms of Engagement to Baker & Miller, PLLC.

Section 2. This matter is hereby declared to be an emergency necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, Ohio in order to advise the City as to legal issues related to its operation of its railroad.

Section 3. 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.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, wherein meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 22nd day of October, 2012.


President of Council

ATTEST:

Ann Brown

Clerk of the Legislative Authority

Approved this 24th day of October, 2012.

Randy R. Hunt
Mayor

