**ORDINANCE NO. 12-2020**

**PROVIDING FOR THE EMPLOYMENT OF LEGAL COUNSEL**

 **BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio that:

 **SECTION I:** The law firm of Dinsmore & Shohl LLP (“Dinsmore & Shohl”) is hereby employed as legal counsel for the Village of Fairfax (the “Village”) for the period commencing June 1, 2020 and ending May 31, 2022. Alan H. Abes shall be known as the Solicitor of the Village of Fairfax, but any of the partners and associates of Dinsmore & Shohl are also authorized to perform such services for the Village as may be requested by the Solicitor.

 **SECTION II:** It shall be the duty of the Solicitor to act as attorney and counsel for the Village and the officers thereof in their official capacity, and to prosecute and defend all actions by and against the Village or any department or office thereof in all litigation in the Village Mayor’s Court, Hamilton County Municipal Court or Court of Common Pleas, or any other court, to attend all meetings of Council, and to prepare or review all ordinances and resolutions. It shall further be the duty of the Solicitor, upon request of the Mayor or Administrator, to render written legal opinions to them or to the Council. Any member of the Village Council may request the services of the Solicitor, but any Councilperson making such a request must first discuss the request with the Mayor or make a reasonable effort to do so under the circumstances. The Solicitor shall not provide services to any member of the Village Council without prior approval of the Mayor except in any emergency or other exigent circumstances.

 **SECTION III:** For rendering such services as set forth in Section II above, Dinsmore & Shohl shall be compensated $60,000 per year, payable $5,000 monthly (the “Retainer”); provided, however, that if the total hours in the contract year exceed 480 hours, additional compensation for such time shall be at the hourly rate of $120. Matters in civil or criminal litigation, including preparation for or winding down of the same, and any other matters specifically designated by Council, shall be compensated at a rate of $250 per hour, and shall not count against the 480 hour Retainer to be compensated out of the $60,000 amount set forth above. Criminal litigation does not include cases in the first Village Mayor’s Court of a month, which shall be paid by the Retainer, but does include cases transferred or appealed to the Hamilton County Municipal Court or higher courts of review, and the second Village Mayor’s Court of a month. The Retainer also does not include services provided by Mercantile Title Agency. When those services are requested by the Village, Dinsmore & Shohl shall be compensated for Mercantile’s services at Mercantile’s then prevailing rate.

 **SECTION IV:** Ordinance No. 21-2018 is hereby repealed.

 **SECTION V:** This Ordinance is shall take effect at the earliest period allowed by law.

 Passed this 18th day of May, 2020

Mayor

ATTEST:

Fiscal Officer

**CERTIFICATE**

I hereby certify this to be a true and correct copy of Ordinance No. 12-2020 passed at a regular meeting of the Council of the Village of Fairfax this 18th  day of May, 2020.

 Fiscal Officer