

**ORDINANCE NO. 040-16**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE CITY OF NAPOLEON, OHIO AND TREVOR M. HAYBERGER, ESQ., TO PROVIDE SERVICES TO THE CITY OF NAPOLEON, OHIO AS INTERIM LAW DIRECTOR; AND DECLARING AN EMERGENCY**

**WHEREAS**, the current Law Director for the City of Napoleon, Lisa L. Nagel, will resign her position as Law Director effective at midnight on October 7, 2016;

**WHEREAS**, the City of Napoleon is currently in the process of hiring a full-time Law Director to replace Ms. Nagel, but has not yet completed the hiring process;

**WHEREAS**, Section 4.01 of the Charter of the City of Napoleon requires a Department of Law to be in place for the City of Napoleon;

**Now Therefore,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That the City Manager of the City of Napoleon, Ohio is hereby authorized to enter into a professional services agreement by and between the City of Napoleon and Trevor M. Hayberger to provide services to the City as Interim Law Director beginning at 12:01a.m. on October 8, 2016, and continuing pursuant to the terms of said personal services agreement.

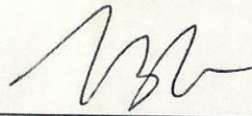
Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that the City of Napoleon must have a Law Director in place pursuant to Section 4.01 of the Charter of the City of Napoleon; therefore, provided the Ordinance receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

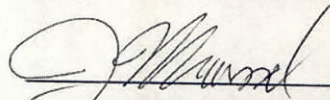


Passed: October 3, 2016



Travis B. Sheaffer, Council President

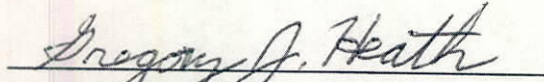
Approved: October 3, 2016



Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay      Abstain

Attest:

  
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 040-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

\_\_\_\_\_  
Gregory J. Heath, Clerk/Finance Director