

ORDINANCE NO. 2011-23

INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY ORDINANCE
CONFIRMING THE APPOINTMENT OF SPECIAL
COUNSEL TO REPRESENT THE VILLAGE
IN UPCOMING POLICE AND FIRE NEGOTIATIONS
AND ESTABLISHING THE TERMS, CONDITIONS,
AND COMPENSATION OF SUCH APPOINTMENT.**

WHEREAS, the Mayor has appointed David J. Matty, as special counsel, pursuant to Article V, Section 4 of the Village's Charter; and

WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of all Village residents to confirm this appointment and establish the terms, conditions and compensation for David J. Matty, as special counsel to handle labor negotiations with the Police and Fire Unions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. The Mayor's renewed appointment of David J. Matty, as special counsel to handle labor negotiations with the Police and Fire Unions, is hereby confirmed, effective retroactively from January 1, 2011 subject to all applicable Village Ordinances and on the same terms and conditions as set forth in the initial engagement letter attached to Ordinance 2009-50 dated September 29, 2009, a copy of which is also attached hereto and incorporated herein as Exhibit "A".

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

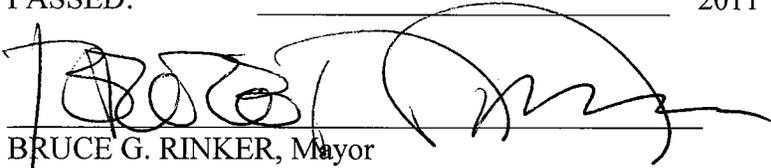
SECTION 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the health, safety and welfare of the residents of Mayfield Village, Ohio. It shall, therefore, take effect immediately upon the passage by the affirmative vote of

not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

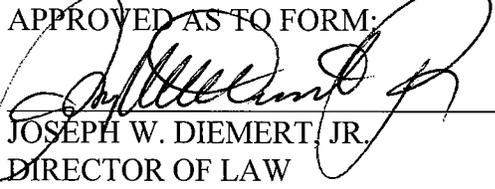


WILLIAM BUCKHOLTZ
Council President

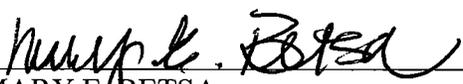
First Reading: May 16, 2011 2011
Second Reading: Suspended 2011
Third Reading: Suspended 2011
PASSED: May 16, 2011 2011



BRUCE G. RINKER, Mayor

APPROVED AS TO FORM:


JOSEPH W. DIEMERT, JR.
DIRECTOR OF LAW

ATTEST: 

MARY E. BETSA,
Clerk of Council

ORDINANCE NO. 2009-50

INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY ORDINANCE
CONFIRMING THE APPOINTMENT OF SPECIAL COUNSEL
TO REPRESENT THE VILLAGE
IN UPCOMING POLICE AND FIRE NEGOTIATIONS
AND ESTABLISHING THE TERMS, CONDITIONS, AND
COMPENSATION OF SUCH APPOINTMENT.**

WHEREAS, the Mayor has appointed David J. Matty, as special counsel, pursuant to Article V, Section 4 of the Village's Charter; and

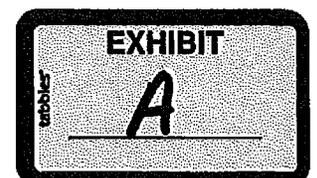
WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of all Village residents to confirm this appointment and establish the terms, conditions and compensation for David J. Matty, as special counsel to handle labor negotiations with the Police and Fire Unions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

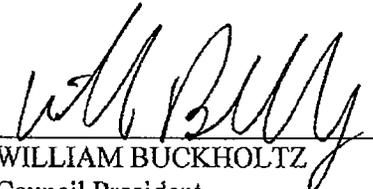
SECTION 1. The Mayor's appointment of David J. Matty, as special counsel to handle the labor negotiations with the Police and Fire Unions for the remaining part of 2009 and, if necessary in 2010, is hereby confirmed effective immediately, subject to all applicable Village Ordinances and to the terms, conditions and compensation hereinafter established and in accordance with the engagement letter attached hereto and incorporated herein as Exhibit "A".

SECTION 2. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the health, safety and welfare of the residents of Mayfield Village, Ohio. It shall, therefore, take effect immediately upon the passage by the



affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.



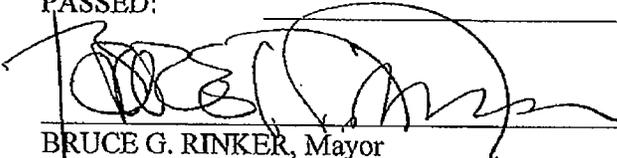
WILLIAM BUCKHOLTZ
Council President

First Reading: October 19 2009

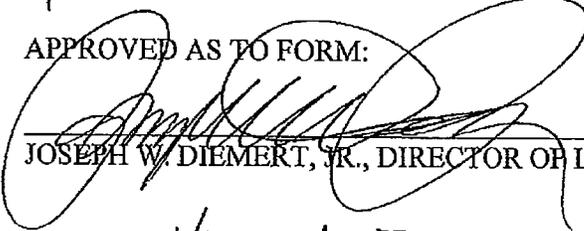
Second Reading: Suspended 2009

Third Reading: Suspended 2009

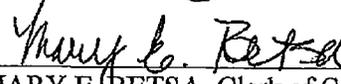
PASSED: October 19, 2009



BRUCE G. RINKER, Mayor

APPROVED AS TO FORM:


JOSEPH W. DIEMERT, JR., DIRECTOR OF LAW

ATTEST: 

MARY E. BETSA, Clerk of Council

RADEMAKER, MATTY, McCLELLAND & GREVE

ATTORNEYS AT LAW

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DAVID J. MATTY

ROBERT C. McCLELLAND

MAS F. GREVE

EMIL R. HENRIKSON

*ALSO ADMITTED IN FLORIDA

September 29, 2009

Mayor Bruce Rinker
Mayfield Village
6622 Wilson Mills Road
Mayfield Village, Ohio 44143

RE: Labor Negotiations

Dear Mayor Rinker:

Please consider this correspondence as a proposal to represent Mayfield Village in its upcoming Police and Fire Negotiations in the remaining part of 2009 and, if necessary in 2010. Procedurally, Mayfield Village has the right and has initiated its request to modify the existing Collective Bargaining Agreement with the Fraternal Order of Police Lodge #57. Mayfield Village has also asked Fire Local #2169 to mutually agree to modify the remaining portion of the current Collective Bargaining Agreement set to expire December 31, 2010. If Local #2169 does not so agree, its Collective Bargaining Agreement can be revised after December 31, 2010.

As with all current public labor negotiations underway in neighboring communities, compensation and additional benefits, including health care, are and remain primary issues. As with all communities I represent, our firm would charge the following hourly rates:

Partners or Members	\$140.00/ hour
Associate Attorneys	\$125.00/hour
Paralegals	\$ 95.00/hour

I would be the lead negotiator present at all negotiations, at fact-finding, arbitration or conciliation hearings, if so hired by Mayfield Village. My staff would assist me in preparing some of the filings and briefs necessitated by the S.E.R.B. process which may involve fact-finding, arbitration or, if applicable, conciliation.

Should you or your Village Council wish to discuss the specifics of how I would propose we proceed, I would be more than glad to attend an executive session of your Village Council to discuss same.

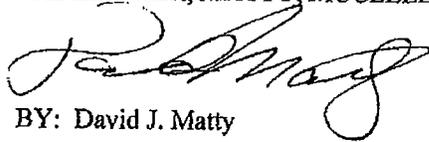
EXHIBIT A

Mayor Bruce Rinker
September 29, 2009
Page 2 of 2

Thank you for the opportunity to at least begin the process of labor negotiations for Mayfield Village. Should you have any questions, please advise.

Very truly yours,

RADEMAKER, MATTY, MCCLELLAND & GREVE, LLC



BY: David J. Matty

DJM/cas