

RESOLUTION 2024-20

A RESOLUTION RATIFYING THE PAST ACTIONS OF COUNCIL RELATING TO THE SETTLEMENT AGREEMENT WITH DEVIN BROWN AND AUTHORIZING THE FISCAL OFFICER OF THE VILLAGE OF HIRAM TO ADVANCE PAYMENT OF FUNDS TO DEVIN BROWN AND THE SPITZ LAW FIRM AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Hiram Council passed a motion at the April 9, 2024 Council meeting to enter into a settlement agreement with Devin Brown resolving all claims filed in *Devin Brown v. Village of Hiram, et al*, Portage County Common Pleas Court Case Number 2023CV00641; and

WHEREAS, since April 9, 2024, a Settlement Agreement, Release and Waiver, attached as Exhibit "A", (the "Settlement Agreement") was prepared and reviewed by counsel for the Village; and

WHEREAS, the terms of the Settlement Agreement are consistent with the terms of the settlement as approved by Council by motion at the April 9, 2024 meeting; and

WHEREAS, to effectuate and expedite the final settlement of all claims filed by Devin Brown against the Village of Hiram, all parties to the Settlement Agreement, including Mayor Anne Haynam on behalf of the Village of Hiram; Former Mayor Lou Bertrand; Police Chief Brian Gregory; Council Members Christopher Szell, Beth Greenwood, David Smith, and Christopher McCreight; and former Council Members Paul Spencer and Frank Hemphill, reviewed and executed the Settlement Agreement; and

WHEREAS, pursuant to the terms of the Settlement Agreement, the Village of Hiram agreed to advance payment and be reimbursed in full by JWF Specialty Insurance Company.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the Village of Hiram, Ohio, two-thirds or more of the members elected thereto concurring that:

SECTION 1: The actions of Mayor Anne Haynam; Former Mayor Lou Bertrand; Police Chief Brian Gregory; Council Members Christopher Szell, Beth Greenwood, David Smith, and Christopher McCreight; and to the extent required by the Village of Hiram Council, of former Council Members Paul Spencer and Frank Hemphill in executing the Settlement Agreement are hereby ratified and approved.

SECTION 2: The actions of the Fiscal Officer in creating purchase orders and making payments from the General Fund, according to the terms of the Settlement Agreement, which will be reimbursed to the Village of Hiram by the JWF Specialty Insurance Company, are hereby ratified and approved.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

SECTION 4: This Resolution is hereby declared to be an emergency measure necessary to preserve the public, health, morals, general welfare of the residents of the Village and for further reason that it is essential that the Village pay all of its financial obligations in a timely manner and for this reason this Resolution shall go into effect immediately if passed by Council.

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WHEREAS, pursuant to the terms of the Settlement Agreement, the Village of Hiram agreed to advance payment and be reimbursed in full by **JFS Insurance Company**.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Council of the Village of Hiram, Ohio, two-thirds or more of the members elected thereto concurring that:


SECTION 1: The actions of Mayor Anne Haynam; Former Mayor Lou Bertrand; Police Chief Brian Gregory; Council Members Christopher Szell, Beth Greenwood, David Smith, and Christopher McCreight; and to the extent required by the Village of Hiram Council, of former Council Members Paul Spencer and Frank Hemphill in executing the Settlement Agreement are hereby ratified and approved.

SECTION 2: The actions of the Fiscal Officer in creating purchase orders and making payments from the General Fund, according to the terms of the Settlement Agreement, which will be reimbursed to the Village of Hiram by **JFS Insurance Company**, are hereby ratified and approved.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

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PASSED IN COUNCIL as an emergency on May 14, 2024.



Mayor Anne Haynam

ATTEST:


Fiscal Officer Susan J. Skrovan-DeYoung

Approved as to Form:


Village Solicitor Jennifer Kangas Berendt

I SUSAN DEYOUNG, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution ~~or Ordinance~~ No. 2024-20 has been duly posted in the required 5 places.
5/15/2024 Susan J. Skrovan-DeYoung
Date Fiscal Officer, Village of Hiram