

CITY OF TALLMADGE BOARD OF CONTROL

Minutes of Regular Meeting Scheduled For: September 12, 2019

Members Present: Mayor Kline, Law Director Raber, Finance Director Gilbride, President of Council Kilway, Service Director Rorar

Meeting Chaired By: Mayor Kline **Minutes:** Karen Morgan

Item 1) Call To Order and Approval of Minutes From the August 22nd meeting.

The Mayor called the meeting to order at 7:16 p.m. The Finance Director moved to approve the minutes from the August 22nd meeting; seconded by Pres. of Council. Vote to approve: 5/0.

Item 2) Consideration and approval of settlement of disputed legal claim in the amount of \$4,000.00 payable to “Augustin F. O’Neil Atty at Law IOLTA client trt fund” in accordance with T.C.O. 155.03.

Law Director: Occasionally we’ll have incidents where people sue the city pursuant to Chapter 155 and I as the Law Director will assess those and determine whether it’s a moral claim or a legal claim. In this particular case, I assessed this to be a legal claim because there was a potential threat of litigation. I do not believe that our city employees acted inappropriately at all however it’s really a matter of dispute. There’s some potential for the challenge to proceed in court and even at minimum if we have to try to file a motion for a summary judgement, \$4,000.00 would be incurred very quickly with the outside legal counsel. Our insurance deductible is \$10,000.00 so for me this is just a cost benefit analysis and although it’s a disputed claim, it’s just more cost effective to go ahead and approve. Mayor: I move to approve the settlement of \$4,000.00 supporting the explanation the Law Director has just given; seconded by Pres. of Council. Vote to approve: 5/0.

Item 3) Additional Items? None.

Item 4) Adjournment. The meeting was adjourned at 7:18 p.m.