

RESOLUTION NO. 2020-66

Introduced by: _____

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO INCREASE THE LEGAL BUDGET TO PERMIT SEELEY, SAVIDGE, EBERT & GOURASH, CO., LPA TO CONTINUE WITH PENDING LEGAL ACTION TO QUIET TITLE ON ERIE COUNTY PERMANENT PARCEL NO. 42-01077.000 (COMMONLY KNOWN AS THE “SHOWBOAT” LANDS)

WHEREAS, the law firm of Seeley, Savidge, Ebert & Gourash, Co., LPA, (hereafter known as SSE&G) entered into an agreement with the City of Huron to represent the City as authorized by City of Huron Resolution 2020-41 (such representation and obligations are set out in the Contract attached as Exhibit “A” to said Resolution); and,

WHEREAS, by way of City of Huron Resolution 2020-43, the City authorized SSE&G to proceed with an action to quiet title on Erie County Permanent Parcel No. 42-01077.000, with estimated legal fees to be in the range of \$7500-\$10,000, and which legal fees were stated to possibly be higher depending on whether additional parties and/or additional claims are involved;

WHEREAS, SSE&G initiated said quiet title action on August 4, 2020, and the matter is currently pending in the Erie County Court of Common Pleas;

WHEREAS, from June 23, 2020 through August 30, 2020, SSE&G has expended legal fees totaling \$7,800 relating to the quiet title action, and SSE&G recommends and proposes an increase in the legal budget in an amount not to exceed an additional \$10,000 (equating to \$20,000 in the aggregate) for said quiet title action, which may be higher depending on the future course of the pending litigation;

WHEREAS, the City Council for the City of Huron finds that it is in the best interest of the City and residents of the City to enter permit SSE&G to continue the aforementioned legal action,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1: The Huron City Council authorizes the Interim City Manager to permit SSE&G to continue the pending quiet title action (and related ancillary claim(s)) for and on behalf of the City of Huron on the Showboat lands, the legal fees for which shall not exceed an additional \$10,000 (equating to \$20,000 in the aggregate) and, should accrued legal fees approach \$20,000 in the aggregate for the pending quiet title action, SSE&G shall be required to seek additional approval from the City of Huron prior to any additional legal fee expenditures beyond \$20,000 in the aggregate.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST: Gerri Welkener
Clerk of Council

Sam Artino
Sam Artino, Mayor

ADOPTED: 13 OCT 2020

