



Legislation Details (With Text)

File #: O-405-18 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 9/27/2018 **In control:** Law Department
On agenda: 10/9/2018 **Final action:** 10/9/2018
Title: Authorizing the settlement of the claims of Stephen Leggett in Case No. 3:16-cv-1750 captioned Stephen Leggett v. City of Toledo pending in the United States District Court for the Northern District of Ohio for the sum of \$120,000; authorizing the expenditure of \$120,000 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Dept. of Law memo

Date	Ver.	Action By	Action	Result
10/9/2018	1	City Council	Dispense with the rules of Council requiring...	Pass
10/9/2018	1	City Council	declare emergency	Pass
10/9/2018	1	City Council	passage	Pass

Leggett
Department of Law
T. Green (x1037)
(Revised)

Authorizing the settlement of the claims of Stephen Leggett in Case No. 3:16-cv-1750 captioned *Stephen Leggett v. City of Toledo* pending in the United States District Court for the Northern District of Ohio for the sum of \$120,000; authorizing the expenditure of \$120,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

In 2016, Stephen Leggett brought suit against the City of Toledo alleging that he was unlawfully terminated from his position with the City as a Manager at the Division of Parks, Recreation & Forestry. While the City has steadfastly denied liability as to his allegations; a settlement agreement resolving Mr. Leggett's claims against the City has been reached conditioned on the approval of City Council and the Mayor.

A proposed agreement has been reached in the amount of \$131,200, with \$80,000 being paid to Stephen Leggett, \$40,000 paid to Mr. Leggett's attorneys, Greenfield, Killam & Frank, Ltd., and \$11,200 paid to OPERS for the employer contribution on behalf of Mr. Leggett, to settle all claims, including back wages and attorney fees resulting from the incident described herein without constituting an admission of liability for any violation of state or federal law.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That an expenditure in an amount not to exceed \$131,200 is authorized from the Risk Management Fund, Account Code 7095-12000-1157001STDSTD in settlement of the claims against the City in Case No. 3:16-cv-1750 captioned *Stephen Leggett v. City of Toledo* pending in the United States District Court for the Northern District of Ohio.

SECTION 2. That payment of these claims is contingent upon the execution of the proper releases by the claimant.

SECTION 3. That the Director of Finance is authorized to draw her warrant or warrants to Stephen Leggett in the amount of \$80,000, to his attorneys, Greenfield, Killam & Frank, Ltd., in the amount of \$40,000, and to OPERS for the benefit of Stephen Leggett in the amount of \$11,200 against Account Code 7095-12000-1157001STDSTD in payment of the obligations authorized above upon presentation of the proper voucher or vouchers.

SECTION 4. That this Ordinance being an emergency measure shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this ordinance must be immediately effective in order to implement the settlement in accordance with the conditional agreement of the administration.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council