



Legislation Details (With Text)

File #: O-306-21 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 5/24/2021 **In control:** Law Department
On agenda: 6/8/2021 **Final action:** 6/8/2021
Title: Authorizing the settlement of the lawsuit of Jeremy Spiess in Case No. 3:19 cv-01031 captioned *Jeremy Spiess v. City of Toledo et. al.*, pending in the United States District Court, Northern District of Ohio, Western Division before the Honorable Judge Zouhary for the total sum of \$20,000 in settlement of the claims of Plaintiff; authorizing the expenditure of \$20,000 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review June 1, 2021, 2. Audio: City Council June 8, 2021

Date	Ver.	Action By	Action	Result
6/8/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
6/8/2021	1	City Council	declare emergency	Pass
6/8/2021	1	City Council	passage	Pass

Jeremy Spiess
Department of Law
Ted Mohler (x2408)
Revised

Authorizing the settlement of the lawsuit of Jeremy Spiess in Case No. 3:19 cv-01031 captioned *Jeremy Spiess v. City of Toledo et. al.*, pending in the United States District Court, Northern District of Ohio, Western Division before the Honorable Judge Zouhary for the total sum of \$20,000 in settlement of the claims of Plaintiff; authorizing the expenditure of \$20,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Mr. Spiess filed a lawsuit in the United States District Court on May 8, 2019 alleging injury as a result of his arrest here in Lucas County Ohio.

A proposed agreement has been reached in the amount of \$20,000 to settle all claims stemming from the incident described above 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 payment of \$20,000 to Jeremy Spiess and the law offices of Christopher Trainor & Associates in settlement of the claims in Case No. 3:19cv-01031 captioned *Jeremy Spiess v. City of Toledo et. al.* against the City of Toledo and its individual police officers is approved.

SECTION 2. That payment of these claims is contingent upon the execution of a proper release.

SECTION 3. That the expenditure of \$20,000 is authorized from the Risk Management Fund Account Code 7095-12000-1157001STDSTD for settlement of the claims authorized in Section 1.

SECTION 4. That the Director of Finance is authorized to draw warrant or warrants in the amount of \$20,000 against the Account Code above in payment of the above authorized obligations upon presentation of the proper vouchers therefore.

SECTION 5. That this, ordinance being an emergency measure, shall be in force and effect from and after its passage. The reason for this 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 administrator.

Vote on emergency clause: yeas 11, nays 0.

Passed: June 8, 2021, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Cerssandra McPherson
President Pro Tempore of Council

Approved:

June 8, 2021
Wade Kapszukiewicz
Mayor