

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0003

Sponsored by: County Executive FitzGerald	A Resolution authorizing Settlement and Release Agreements with various plaintiffs in the total amount of \$143,257.00 in connection with <i>Teel et al. v. Cuyahoga County</i> , U.S.D.C. Case No. 11cv2582; authorizing the County Executive to execute said agreements; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has been named in a lawsuit filed in the United States District Court, Northern District of Ohio, in *Teel et al. v. Cuyahoga County*, U.S.D.C. Case No. 12cv2582, by current and former employees of the Cuyahoga County Coroner's Office, maintaining that their rights to overtime compensation under the federal Fair Labor Standards Act were violated; and,

WHEREAS, pursuant to Ordinance No. O2011-0033, Section 1, subsection (c), the Cuyahoga County Executive is authorized to settle or compromise any lawsuit against the County except that any settlement resulting in the County's expenditure of an amount in excess of \$100,000.00 shall require the prior approval of the Council; and,

WHEREAS, the County's legal representatives have recommended settlement of the claims of these Plaintiffs in the amounts set forth below, the total amount of which is One Hundred Forty Three Thousand, Two Hundred Fifty Seven Dollars (\$143,257.00); and,

WHEREAS, the Plaintiffs have executed Settlement and Release Agreements for specified amounts contingent upon the approval of the County Council; and,

WHEREAS, it is necessary that this Resolution become effective immediately to authorize immediate processing of the settlement of these claims and closure of the case.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the County Executive is hereby authorized to execute the Settlement and Release Agreements with the following Plaintiffs in *Teel et al. v. Cuyahoga County*, for the following amounts:

1.	Teel, Terry	\$2,188.00
2.	Gaul, Kevin	\$10,555.00
3.	McCollins, Gloria	\$9,266.00
4.	Cahal, Karen	\$10,393.00
5.	Celinski, Pamela	\$15,535.00
6.	Teel, Charles	\$15,128.00
7.	Baran, Alex	\$7,294.00
8.	Bolger, Roger	\$17,858.00
9.	Ciula, Thomas	\$10,740.00
10.	Csank, Jackelyn	\$9,379.00
11.	Dean, Mary Ann	\$3,893.00
12.	Dornback, James	\$500.00
13.	Fischer, Anjanette	\$6,833.00
14.	Hengoad, Melissa	\$500.00
15.	Kilcoyne, Blythe	\$3,714.00
16.	Kolb, Christine	\$4,737.00
17.	Smith, Lawrence	\$3,733.00
18.	Taliano, Michaelene	\$6,913.00
19.	Treece, Melanie	\$2,770.00
20.	Wallace, Paula	\$1,328.00

SECTION 2. That the County Executive is authorized to execute all other necessary documents required to provide for the payments set forth in the settlement agreements.

SECTION 3. It is necessary that this Resolution become immediately effective in order that the proceedings in *Teel et al. v. Cuyahoga County* may proceed as directed by the Court and to continue the usual and daily operations of the County Departments affected by matter. Provided that this Resolution receives the affirmative vote of eight members of the Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were adopted in an open meeting of the 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 Ohio Revised Code.

On a motion by Mr. Miller, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

Yeas: Gallagher, Schron, Conwell, Jones, Rogers, Greenspan, Miller, Brady, Germana and Connally

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

No Action Taken by Council: January 8, 2013

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