

Richard Trojanski, President

Stafford L. Shenett, Sr., Dist 1

Toni Jones, District 2

Ebony Miller, District 3



Ron Jackson, District 4

Tanglyn Madden, District 5

Sharri Thomas, District 6

Edwina Agee, District 7

## PUBLIC NOTICE

DATE: September 21, 2016

TO: Members of City Council  
Mayor Annette M. Blackwell

FROM: Council President Richard Trojanski

RE: **Special Meeting of Council**

In accordance with Article VII, Section 3, of the Charter of the City of Maple Heights a **Special Meeting of Council** will be held on **Thursday, September 22, 2016, at 6:30 p.m.** at the Maple Heights Senior Center, 15901 Libby Road, Maple Heights, Ohio, to consider the following:

- **2016-84 Appointment of Consolo Law Firm, Ltd and John E. Thomas an Assistant Prosecutor and Law Director  
Second Reading**
- **2016-85 Re-appointment of Tracy Martin Peebles an Assistant Prosecutor And Law Director  
Second Reading**
- **2016-86 Appointment of D. William Weber as Part-time Interim Finance Director  
First Reading**
- **2016-87 Appointment of Thomas F. Greve, Esq. as Special Prosecutor  
First Reading**

*Richard Trojanski / 27c*

Richard Trojanski, Council President  
Maple Heights City Council

cc: Directors, Chiefs, Department Heads



**RESOLUTION NO.: 2016-84**

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

**A RESOLUTION PROVIDING FOR THE APPOINTMENT OF THE CONSOLO LAW FIRM LTD. AND JOHN E. THOMAS AN ASSISTANT PROSECUTOR AND LAW DIRECTOR FOR THE CITY OF MAPLE HEIGHTS COMMENCING OCTOBER 1, 2016 AND AUTHORIZING A CONTRACT FOR SUCH PROFESSIONAL SERVICES AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Law Director desires to designate an Assistant Prosecutor and Law Director according to Article IX of the Charter of City.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**Section 1.** The Law Director's appointment of the Consolo Law Firm Ltd. and John E. Thomas an Assistant Prosecutor and Law Director for the City of Maple Heights commencing October 1, 2016, be and the same is hereby approved and ratified.

**Section 2.** That the City shall enter into a professional services contract for said services and the Mayor is hereby directed to accept said contract on behalf of the City, a copy of which is on file in the Office of the Clerk of Council.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, 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.

**Section 4.** This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary for the daily operation of municipal departments, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2016

\_\_\_\_\_  
Richard Trojanski, Council President

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

\_\_\_\_\_  
Annette M. Blackwell, Mayor

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

## AGREEMENT

This Agreement is entered into effective October 1, 2016 by and between Consolo Law Firm Ltd. and its employee, John E. Thomas, and the City of Maple Heights for the position of Assistant Prosecutor and Law Director.

1. Consolo Law Firm Ltd., and its employee, John E. Thomas is appointed by the Director of Law as an Assistant Prosecutor and Law Director of the City of Maple Heights, Ohio, effective October 1, 2016. His duties and compensation shall be as follows:

2. Consolo Law Firm Ltd. shall receive a monthly retainer amount of \$1,666.67 (\$20,000.00 per annum) effective October 1, 2016 through December 31, 2017 as compensation for the services of its employee, John E. Thomas, as an Assistant Prosecutor and Law Director of the City of Maple Heights, Ohio. He shall not be eligible for OPERS, compensatory, sick time, longevity pay or health insurance from the City. This amount shall also cover the compensation of any other employees of Consolo Law Firm Ltd. who shall perform legal services for, or on behalf of the City. Consolo Law Firm Ltd. shall be entitled to hourly billing for jury trials at the rate of \$125.00 per hour.

3. Consolo Law Firm, Ltd. and John E. Thomas, shall perform the following services under the direction of the Director of Law:

- (a) advise the Police Department on all administrative issues relating to Police operations, protocol, procedure, records and policies of the Department.
- (b) review and advise when requested any report or recitation of facts regarding conduct that gives rise to potential wrongdoing, criminal activity or criminal charges, including the implementation and review of appropriate procedure.
- (c) appear in Mayor's court and municipal court on behalf of the City in misdemeanor prosecutions and felony preliminary hearings.
- (d) cooperate with any and all other police agencies in joint operations as required.
- (e) periodically meet with any and all Police personnel to review all procedures, operations and functions of the police department as needed.
- (f) he shall have the authority to initiate, modify or otherwise dispose of all cases within the jurisdiction of the Maple Heights Mayor's Court and Garfield Heights Municipal Court involving criminal violations of the Codified Ordinances of the City of Maple Heights and the Revised Code of the State of Ohio, including Building and Zoning Code violations.
- (g) he shall have the responsibility of representing the City of Maple Heights, its subdivisions and the State of Ohio in the Maple Heights Mayor's Court if requested and Garfield Heights Municipal Court on the dates appointed for the Traffic and Appearances Docket, on the dates appointed for pretrials and other related motions on the dates appointed for trial, whether

before a judge and/or jury; on the dates appointed for preliminary hearing in felony cases, and in all appellate matters related to the exercise of these duties.

(h) It shall be his collateral duty to aid, assist and counsel the Police Department, the Fire Department and Building Department in criminal investigations and in the preparation of affidavits and warrants relating thereto.

(i) he shall have the further authority to initiate and carry out all administrative functions and procedures necessary for implementing the proper operation of this office.

(j) he shall be available at City Hall for the purpose of representing the City in Mayor's Court if the Law Director is unavailable, for conducting of general business related to court and/or police operations.

(k) he shall perform such other and further duties as may be directed by the Director of Law and shall confer with him pertaining to the conduct of the legal business of the City at such times as the Director of Law may require.

(l) If no action be taken upon expiration of said term it shall continue on a month to month basis upon the same terms.

CITY OF MAPLE HEIGHTS

CONSOLO LAW FIRM LTD.

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Mayor Annette Blackwell

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Frank Consolo

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John E. Thomas

**RESOLUTION NO.: 2016-85**

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

**A RESOLUTION PROVIDING FOR THE RE-APPOINTMENT OF TRACY MARTIN PEBBLES AN ASSISTANT PROSECUTOR AND LAW DIRECTOR FOR THE CITY OF MAPLE HEIGHTS COMMENCING OCTOBER 1, 2016 AND AUTHORIZING A CONTRACT FOR SUCH PROFESSIONAL SERVICES AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Law Director desires to designate an Assistant Prosecutor and Law Director according to Article IX of the Charter of City.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**Section 1.** The Law Director's re-appointment of Tracy Martin Peebles, an Assistant Prosecutor and Law Director for the City of Maple Heights commencing October 1, 2016, be and the same is hereby approved and ratified.

**Section 2.** That the City shall enter into a professional services contract for said services and the Mayor is hereby directed to accept said contract on behalf of the City, a copy of which is on file in the Office of the Clerk of Council.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, 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.

**Section 4.** This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary for the daily operation of municipal departments, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2016

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Richard Trojanski, Council President

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

\_\_\_\_\_  
Annette M. Blackwell, Mayor

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

## AGREEMENT

This Agreement is entered into effective October 1, 2016 by and between Tracy Martin Peebles (“Peebles”) and the City of Maple Heights for the position of Assistant Prosecutor and Law Director.

1. Peebles has been re-appointed by the Director of Law as an Assistant Prosecutor and Law Director of the City of Maple Heights, Ohio, effective October 1, 2016. Her duties and compensation shall be as follows:

2. Peebles shall receive a salary for services in the amount of \$769.23 paid on bi-weekly basis effective October 1, 2016 through December 31, 2017 (\$20,000.00 annualized). Peebles’ salary shall be subject to the contribution by the City and her to PERS. She shall be entitled to hourly billing for jury trials at the rate of \$125.00 per hour.

3. Peebles shall perform the following services under the direction of the Director of Law:

(a) She shall have the authority to initiate, modify or otherwise dispose of all cases within the jurisdiction of the Maple Heights Mayor’s Court and Garfield Heights Municipal Court involving criminal violations of the Codified Ordinances of the City of Maple Heights and the Revised Code of the State of Ohio, including Building and Zoning Code violations.

(b) She shall have the responsibility of representing the City of Maple Heights, its subdivisions and the State of Ohio in the Maple Heights Mayor’s Court if requested and Garfield Heights Municipal Court on the dates appointed for the Traffic and Appearances Docket, on the dates appointed for pretrials and other related motions on the dates appointed for trial, whether before a judge and/or jury; on the dates appointed for preliminary hearing in felony cases, and in all appellate matters related to the exercise of these duties.

(c) It shall be her collateral duty to aid, assist and counsel the Police Department, the Fire Department and Building Department in criminal investigations and in the preparation of affidavits and warrants relating thereto.

(d) She shall have the further authority to initiate and carry out all administrative functions and procedures necessary for implementing the proper operation of this office.

(e) She shall be available at City Hall for the purpose of representing the City in Mayor’s Court if the Law Director is unavailable, for conducting of general business related to court and/or police operations.

(f) She shall perform such other and further duties as may be directed by the Director of Law and shall confer with him pertaining to the conduct of the legal business of the City at such times as the Director of Law may require.



(g) If no action be taken upon expiration of said term she shall continue on a month to month basis upon the same terms.

CITY OF MAPLE HEIGHTS

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Mayor Annette Blackwell

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Tracy Martin Peebles

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Law Director Frank Consolo

**86RESOLUTION NO.: 2016-86**

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

**A RESOLUTION CONFIRMING THE APPOINTMENT OF D. WILLIAM WEBER AS PART-TIME INTERIM FINANCE DIRECTOR FOR THE CITY OF MAPLE HEIGHTS COMMENCING SEPTEMBER 26, 2016 AND AUTHORIZING A CONTRACT FOR SUCH PROFESSIONAL SERVICES AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor desires to appoint D. William Weber as part-time Interim Finance Director of the City Of Maple Heights pursuant to Article V, Section 4 of the Charter of City.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**Section 1.** The Mayor's appointment of D. William Weber as part-time Interim Finance Director for the City of Maple Heights commencing September 26, 2016, be and the same is hereby approved and ratified.

**Section 2.** That the City shall enter into a professional services contract for said services and the Mayor is hereby directed to accept said contract on behalf of the City, a copy of which is on file in the Office of the Clerk of Council.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, 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.

**Section 4.** This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary for the daily operation of municipal departments, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2016

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Richard Trojanski, Council President

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

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Annette M. Blackwell, Mayor

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

## AGREEMENT

This Agreement is entered into effective September 26, 2016 by and between D. William Weber, and the City of Maple Heights for the position of part-time Interim Finance Director.

1. D. William Weber (“Weber”) is appointed by the Mayor as part-time Interim Finance Director for the City of Maple Heights, Ohio, effective September 26, 2016. His duties and compensation shall be as follows:

2. Weber shall be a part-time employee working at City Hall no less than 24 hours per week. Absence from the 24 hour minimum, such as sick leave, shall be approved by the Mayor.

3. Weber shall perform the duties of Finance Director as required by the laws of the State of Ohio and Charter and Ordinances of the City Of Maple Heights.

4. Weber shall attend Council meetings, Finance meetings, staff meetings and other meetings as requested by the Mayor.

5. Weber shall assist the Mayor in the search for a full-time Finance Director.

6. Weber shall be compensated Sixty Thousand Dollars (\$60,000.00) per year or the equivalent of 1/26<sup>th</sup> of \$60,000.00 per pay period.

7. This Agreement may be terminated by either party upon thirty (30) days written notice.

CITY OF MAPLE HEIGHTS

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Mayor Annette Blackwell

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D. William Weber

**RESOLUTION NO.: 2016-87**

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

**A RESOLUTION CONFIRMING THE APPOINTMENT OF THOMAS F. GREVE, ESQ. AS SPECIAL PROSECUTOR FOR THE CITY OF MAPLE HEIGHTS COMMENCING SEPTEMBER 22, 2016 AND AUTHORIZING A CONTRACT FOR SUCH PROFESSIONAL SERVICES AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor desires to appoint Thomas F. Greve, Esq. as Special Prosecutor for the City Of Maple Heights pursuant to Article V, Section 6 of the Charter of City.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**Section 1.** The Mayor's appointment of Thomas F. Greve, Esq. as Special Prosecutor for the City of Maple Heights commencing September 22, 2016, be and the same is hereby approved and ratified.

**Section 2.** That the City shall enter into a professional services contract for said services and the Mayor is hereby directed to accept said contract on behalf of the City, a copy of which is on file in the Office of the Clerk of Council.

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, 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.

**Section 4.** This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary for the daily operation of municipal departments, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2016

\_\_\_\_\_  
Richard Trojanski, Council President

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

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Annette M. Blackwell, Mayor

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

## AGREEMENT

This Agreement is entered into effective September 22, 2016 by and between Thomas F. Greve Esq. and the City of Maple Heights.

1. Thomas F. Greve, Esq. ("Greve") is appointed by the Mayor as Special Prosecutor for the City of Maple Heights, Ohio, effective September 22, 2016.
2. Greve shall coordinate with the Ohio State Auditor to initiate and monitor an investigation into the financial affairs and accounting of the City's handling of public funds, including an investigation into the accounting and control procedures utilized in the City's Finance and Building Departments and Mayor's Court.
3. Greve shall, upon the issuance of any findings by the Ohio State Auditor of loss of public funds or other criminal activity, perform all acts necessary to conduct a prosecution based on such findings on behalf of the City.
4. To the extent possible, Greve shall provide the Mayor and/or Law Director with periodic status reports on the Auditor's investigation. Should any prosecution arise from the investigation, Greve shall provide the Mayor, Law Director and Council, with a projected budget for the costs of such prosecution, as well as monthly status reports on any prosecution.
5. The City shall pay Greve an initial retainer amount of \$2,500.00. Upon exhaustion of the retainer the City shall pay Greve for his services as Special Prosecutor at the rate of \$125.00 per hour.

CITY OF MAPLE HEIGHTS

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Mayor Annette Blackwell

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Thomas F. Greve, Esq.