RESOLUTION 2011-02
INTRODUCED BY: Mayor Rinker and Council as Whole

AN EMERGENCY RESOLUTION RE-ESTABLISHING TERMS, CONDITIONS AND COMPENSATION FOR THE SERVICES OF THE PROSECUTOR FOR MAYFIELD VILLAGE, OHIO.

BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. The Mayor's appointment of Vincent A. Feudo as Prosecutor for Mayfield Village, Ohio is hereby confirmed subject to the terms, conditions and compensation hereinafter established.

SECTION 2. Effective January 1, 2011 through December 31, 2011, the Prosecutor shall be compensated at the rate of One Thousand Four and 94/100 Dollars ($1,004.94) biweekly, for all services rendered to the Municipality in such capacity for the following duties:

a) Preparation of all cases in the Lyndhurst Municipal Court;
b) Meetings with persons having complaints with the Village, residents, or others as are customarily handled by the Prosecutor;
c) Meetings with Police Officers of the Village as the same are necessary to aid the Prosecutor in the preparation of a case; and
d) In-house consultation with the Chief of Police and his designees.

In addition to the compensation set forth above, while in attendance at all trials and pretrials in the Lyndhurst Municipal Court on criminal charges brought by Mayfield Village either under its own Codified Ordinances or under the Revised Code of the State of Ohio, and including preliminary hearings in the Lyndhurst Municipal Court on felony charges arising out of Mayfield Village, and including all appellate work and appearances, the Prosecutor shall be compensated at the rate of One Hundred, Fifty-Four and 28/100 Dollars ($154.28) per hour, payable upon submission of reasonably detailed billings indicating the name of the case, the date and nature of the proceedings and the time spent, not to exceed a maximum of Twenty Three Thousand Eight Hundred Seventy One and 56/100 Dollars ($23,871.56) for all such billings in the year 2011.

SECTION 3. This contract shall be effective until December 31, 2011, or until the appointment of a successor Prosecutor, whichever is later, providing that either party may cancel this contract upon providing thirty (30) days written notice to the other.

SECTION 4. The Prosecutor shall be responsible directly to the Mayor and shall not be under the supervision or control of the Director of Law.

SECTION 5. The Council finds and determines that all formal actions of the Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mayfield Village for the reason that it provides for necessary governmental services. It shall, therefore, take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

WILLIAM BUCKHOLTZ
Council President

First Reading: January 18, 2011

Second Reading: Suspended, 2011

Third Reading: Suspended, 2011

PASSED: January 18, 2011

BRUCE G. RINKER, Mayor

DATE: 1/27, 2011

APPROVED AS TO FORM:

JOSEPH W. DIEMERT, JR., Director of Law

ATTEST:
MARY E. BETSA, Clerk of Council