

NANCY E. FELLOWS  
President of Council

JOHN PLECNIK  
Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
DAVID M. FIEBIG  
CHRISTOPHER HALLUM  
JANET R. MAJKA  
LAURA PIZMOHT

## **ORDINANCE NO. 2017-64** **(AS AMENDED)**

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**AN ORDINANCE AUTHORIZING THE ACTING LAW DIRECTOR TO REQUEST THAT THE OHIO ETHICS COMMISSION INVESTIGATE ALLEGATIONS RELATED TO THE UNAUTHORIZED USAGE OF MUNICIPAL PROPERTY BY MUNICIPAL OFFICIALS AND THE FAILURE TO ACCOUNT PROPERLY FOR ABSENCES FROM WORK BY MUNICIPAL EMPLOYEES, AND DECLARING AN EMERGENCY.**

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**WHEREAS**, this Council has been made aware of the alleged use of municipal property by City officials and others without proper authorization, and without remuneration to the City, which actions may have conferred a benefit on private parties at the expense of the City, in violation of Ohio law; and

**WHEREAS**, this Council is also aware of allegations that one or more municipal employees may have been campaigning for public office during periods of time when they were being compensated by, and supposed to be doing work for, the City, in violation of Ohio law; and

**WHEREAS**, this Council also has evidence that a City employee may have received compensation or gratuities from senior citizens who were subjects of the W.H.I.S.P.E.R. program, which may have violated the Ohio Ethics Laws; and

**WHEREAS**, this Council finds and determines that an investigation of the alleged wrong-doing is necessary in order to clear the persons who are alleged to have engaged in unlawful conduct, if no unlawful acts were performed, or hold the responsible public officials and employees accountable if Ohio's ethics laws have been broken; and

**WHEREAS**, the Acting Law Director has recommended that these matters be referred to, and investigated by, an outside agency that is charged with the enforcement of Ohio's ethics laws, specifically the Ohio Ethics Commission; and

**WHEREAS**, this Council has determined it to be in the best interest of the City of Willoughby Hills to request the Ohio Ethics Commission to: 1. investigate the use of municipally owned property by municipal officials or others without proper authorization by, or remuneration to, the City; 2. investigate whether one or more municipal employees campaigned for public office during the time they were being compensated by the City and should have been performing work for the City; and 3. investigate whether any employee or official of the City has used his or her position to enrich himself or herself.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO, THAT:**

**SECTION 1.** The Acting Law Director be and is hereby authorized and directed to request the Ohio Ethics Commission to investigate actions by certain City officials and employees to determine whether there have been any violations of Ohio's Ethics Laws.

**SECTION 2.** The actions of this Council concerning and relating to the passage of legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the codified ordinances of the City of Willoughby Hills.

**SECTION 3.** This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, and further provides for the usual daily operation of a municipal department, to wit: allow the Acting Law Director to request an immediate investigation and thereby possibly prevent the commission of crimes, which would protect individuals and the public; wherefore this Ordinance shall be in full force and effect from and after its approval by the Mayor, or as otherwise provided by the Charter of the City of Willoughby Hills.

PASSED: December 19, 2017

Nancy E. Fellows  
Nancy E. Fellows  
President of Council

Submitted to the Mayor for his approval  
on this 20 day of December 2017

Approved by the Mayor  
December 20, 2017

ATTEST:  
Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

Robert M. Weger  
Robert M. Weger  
Mayor