

ORDINANCE NO. 2025-04

AN ORDINANCE  
AUTHORIZING JAMES R. O'LEARY TO BE REHIRED AS THE  
PROSECUTOR OF THE VILLAGE OF KIRTLAND HILLS  
EFFECTIVE APRIL 1, 2025 AND DECLARING AN  
EMERGENCY.

WHEREAS, James R. O'Leary ("Mr. O'Leary") has indicated that he has filed paperwork with the Ohio Public Employee Retirement Systems ("OPERS") to retire effective March 31, 2025; and

WHEREAS, Mr. O'Leary has provided exemplary service for the Village and the Mayor desires to appoint Mr. O'Leary as Police Prosecutor and Assistant Law Director after his retirement, in accordance with the law; and

WHEREAS, Council desires to confirm Mr. O'Leary's appointment and establish his compensation as Police Prosecutor and Assistant Law Director; and

WHEREAS, Mr. O'Leary has agreed to be rehired by the Village as Police Prosecutor and Assistant Law Director for the Village effective April 1, 2025, upon the terms and conditions stated below.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KIRTLAND HILLS, COUNTY OF LAKE, STATE OF OHIO:**

SECTION 1. That the Mayor's appointment of James R. O'Leary as Police Prosecutor and Assistant Law Director is confirmed.

SECTION 2. That the Police Prosecutor/Assistant Law Director shall be paid and compensated as follows:

A. Effective April 1, 2025, for prosecuting all criminal and traffic cases, said Police Prosecutor shall be paid compensation in the amount of One Thousand One Hundred Eighty-Four Dollars (\$1,184) bi-weekly.

B. Effective April 1, 2025, for prosecuting all criminal and traffic cases in excess of sixty (60) hours per quarter, the Police Prosecutor/Assistant Law Director shall be paid on an hourly basis at the rate of One Hundred Twenty-Nine Dollars (\$129) per hour.

C. The Village shall reimburse the Police Prosecutor/Assistant Law Director for reasonable out-of-pocket expenses incurred in the performance of the duties provided therein, including such items as copying charges, printing, long distance telephone calls and travel expenses. Any expense in excess of one hundred dollars (\$100) shall be approved by the Mayor before it is incurred.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this 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.

SECTION 3. That this Ordinance constitutes an emergency in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of Kirtland Hills and is further necessary to permit the retire-rehire legislation to go into effect before April 1, 2025; therefore, this Ordinance shall be in full force and effect immediately upon its passage.

PASSED: March 3, 2025

*Bernice Schreder*  
CLERK/TREASURER

*John E. Tucker*  
MAYOR