

Village Hall closed 7/5/24.  
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- Harold Webb

FILED  
MARY L. SWAIN  
BUTLER COUNTY  
CLERK OF COURTS  
07/05/2024 03:31 PM  
CV 2024 07 1295

Stephen S. Lazarus (00041368)  
Attorney for Appellant

**IN THE COURT OF COMMON PLEAS  
BUTLER COUNTY, OHIO**

HAROLD WEBB,  
c/o Stephen S. Lazarus, Lazarus Law LLC  
525 Vine Street, Suite 2210  
Cincinnati, Ohio 45202

Appellant,

vs.

VILLAGE OF NEW MIAMI, OHIO,  
c/o Mayor Jewel Hensley  
268 Whitaker Avenue  
Hamilton, Ohio 45011

Appellee.

: CASE No.: \_\_\_\_\_  
: Judge: \_\_\_\_\_

: **NOTICE OF APPEAL**  
: **(SERVE BY CERTIFIED MAIL)**


Now comes Harold Webb (“Appellant”), by and through his attorney, and files his notice of appeal of his termination from the Village of New Miami, Ohio, pursuant the applicable provisions of Ohio Revised Code Section 119.12, O.R.C. Chapter 2505 and O.R.C. Chapter 2506. Appellant is adversely affected by the June 27, 2024 Decision of the Village of New Miami, Ohio Village Council to terminate Appellant’s employment (Attached hereto and made apart hereof “Appendix 1”).

Appellant files this appeal of the June 27, 2024 Decision on questions of law and fact to the Court of Common Pleas, Butler County, Ohio. The June 27, 2024 Decision is not supported by reliable, probative, and substantial evidence and is not in accordance with law. This appeal includes, but is not limited to, the Village’s failure to follow the mandatory provisions of ORC

737.17, including failure to file with the legislative authority written charges against Appellant as well as failure to serve a true copy of any charges on Appellant.

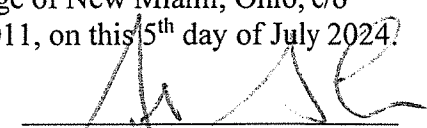
Appellant requests that the Court order his reinstatement to the position of Chief with the Village of New Miami, Ohio, together with backpay and all other benefits of office to which Appellant is entitled.

Respectfully Submitted,

  
Lazarus Law LLC (00041368)  
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Phone: (513) 607 4455  
stevelazarus@hlmlaw.com  
*Attorney for Appellant*

**CERTIFICATE OF SERVICE**

I, Stephen S. Lazarus, attorney for Harold Webb, do hereby certify that I have this day mailed a true and accurate copy of the above Notice of Appeal to the Village of New Miami, Ohio, c/o Mayor Jewel Hensley 268 Whitaker Avenue, Hamilton, Ohio 45011, on this 5<sup>th</sup> day of July 2024.

  
Stephen S. Lazarus, Esq.  
Lazarus Law LLC

Appendix 1

VILLAGE OF NEW MIAMI, OHIO  
COUNCIL RESOLUTION 2024-31

A RESOLUTION TERMINATING HAROLD WEBB FROM THE NEW MIAMI  
POLICE DEPARTMENT

WHEREAS, Harold Webb is hereby terminated from the New Miami Police Department effective June 27, 2024.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW MIAMI, OHIO THAT:

SECTION 1: Council hereby accepts the termination of Harold Webb from the New Miami Police Department

SECTION 2: This Resolution shall go into effect June 27, 2024.

SECTION 3: It is found and determined that all formal actions of this Council concerning or relating to the adoption of this resolution were adopted in an open meeting of the Council and any of its committees that resulted in such formal actions, said meetings were open to the public, and in compliance with the legal requirements, including § 121 of the Ohio Revised Code.

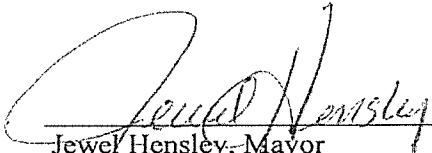
Council member **Victoria Hall** made a motion that the requirement that the Resolution be read on three different dates as required by R.C. §731.17 be suspended pursuant to R.C. §731.17 (A)(2). Council member **Ken Flick** seconded the motion, and a call of the roll on the question was held. The following vote resulted:

Ayes   4                        Nays   0  

Council member **Ken Flick** made a motion that the Resolution be adopted. Council member **Victoria Hall** seconded the motion, and a call of the roll on the question of its adoption, the following votes resulted:

Ayes   4                        Nays   0

COUNCIL MEMBER	VOTE
Ken Flick	Yes
Victoria Hall	Yes
Barbara Schick	Yes
Matthew Stephens	Yes
Vacant	Vacant
Vacant	Vacant

  
Jewel Hensley, Mayor

ADOPTED: June 27, 2024

I, Belinda Ricketts, Fiscal Officer for the Village of New Miami, Butler County Ohio, do hereby certify that Resolution No. 2024-31 will be posted in accordance with New Miami Ordinance No. 1691 on the 28<sup>th</sup> day of June, 2024.

  
Belinda Ricketts, Fiscal Officer