

Leslie Seefried

From: John D. Motley [jdmotley@emprize.com]
Sent: Monday, February 07, 2011 8:24 PM
To: Leslie Seefried
Subject: Statement Before Council

To: Strongsville City Council

The decision to appoint Councilman Patrick Coyne to several committees without first clearing him of allegations and accusations of involvement in the Cuyahoga County corruption scandal is in error and a disservice to the citizens of Strongsville.

It's been said that Councilman Coyne should be given the benefit of the doubt and that public opinion should not have undue influence over his responsibilities as a councilman. However, there are several realities and facts that the City Council must consider before appointing Mr. Coyne to additional positions of leadership in this city.

FACT : On September 3, 2010, Real estate developer David Terry was charged with bribing an individual identified as Public Official #17 (PO#17) with \$20,000 for "influence and reward". PO#17 was identified by the FBI as a Strongsville City Councilman who was also an employee of the County Coroner's office at the time. The FBI has the four \$5,000 checks made out to PO#17 in its possession.

FACT : The only individual that matches the FBI's description of PO#17 is Patrick Coyne -- a member of Strongsville City Council and a former employee of the County Coroner's office and County Prosecutor's office.

FACT : David Terry has had several dealings with the City of Strongsville over the years including a recent agreement to pay Terry's company Pearl Drake LLC more than \$48,000 for land needed for a project to widen Pearl Road.

FACT : On September 7, 2010, Coyne was removed from various Strongsville City Council committees. Council President Gallagher stated that: "As long as the allegations against you exist, there will be a cloud over any acts you undertake in an official capacity and will likely be a detriment as you seek to carry out your elected function. I must act to remove even the appearance of any impropriety relating to Council members and the discharge of their duties".

FACT : On September 17, 2010 David Terry pleaded guilty to bribing PO#17. He faces 12 to 18 months in federal prison. Gerald Gold, Terry's attorney, stated that Terry has made campaign contributions to Strongsville City Councilman Patrick Coyne in the past but that that wasn't what he was doing in 2008 when he gave Coyne four checks, each for \$5,000 and written on the accounts of four separate companies. According to Gold, Coyne solicited the money from Terry and others because he was having financial trouble. The money was given in return for past and future political influence Coyne was able to provide including quick access to certain individuals. Gold said Coyne's help to Terry over the years also included helping relatives find jobs with the county.

FACT : At least two of David Terry's immediate family are or have been recently employed by Cuyahoga County. One in the Prosecutor's office and another in the HR Department of the Coroner as Patrick Coyne's secretary.

FACT : On October 9, 2010, Cuyahoga County Coroner Frank Miller said that County Prosecutor Bill Mason and his chief trial lawyer, Steve Dever, told him to place Strongsville City Councilman Patrick Coyne on his payroll in 2007, the year Miller took office in exchange for help with Miller's election campaign.

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FACT : On October 9, 2010, County Coroner Frank Miller accused Coyne of pocketing thousands of dollars in cash campaign donations solicited from co-workers after getting the job with his office. Miller notified the FBI and subsequently fired Coyne from his position with the Coroner's office.

FACT : The Strongsville city charter states (in part) that city council may "expel or remove any member for gross misconduct, malfeasance, nonfeasance, misfeasance". The council member in question is required to receive 10 days notice of a hearing concerning such a charge.

FACT : The City of Strongsville has not conducted any investigation into the allegations and accusations made against Councilman Coyne nor has anything transpired to remove the cloud of suspicion and appearance of any impropriety that existed previously.

FACT : As Strongsville City Council members, you have a fiduciary responsibility to protect and preserve the assets, reputation and good will of the City of Strongsville and prevent any corrupt or unethical practice from being committed by a member of this body.

Withholding appointments from a council member does not equate to punishment. But, awarding appointments to a member under suspicion of corrupt and unethical behavior is the equivalent of sanctioning this behavior and an insult to the good citizens of our city. This action flies in the face of all of the efforts to reform Cuyahoga County and bring good government back to Northeast Ohio.

Regardless of any potential impending action by the FBI or other law enforcement agency, this City Council must investigate the allegations of corruption and unethical behavior made against Councilman Coyne.

And, until this investigation is completed and he is cleared of these allegations, he must be removed from his positions on any committee. If evidence is found that Councilman Coyne has committed any gross misconduct, malfeasance, nonfeasance or misfeasance he must be removed from this Council swiftly and permanently.

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