

1 RESOLUTION NO. 2009-466

2  
3 SPONSOR Mr. Pry

4  
5 DATE November 30, 2009

COMMITTEE Public Safety

6  
7 **A Resolution authorizing the County Executive to execute agreements with the City of**  
8 **Akron for the Akron Municipal Court district and the Cities of Barberton, Norton and**  
9 **New Franklin and the Township of Copley, being communities within the Barberton**  
10 **Municipal Court district not already served by the County Sheriff's direct indictment**  
11 **officer, whereby the County Prosecutor will provide direct indictment services for a period**  
12 **of one year, commencing on 10/21/09, for a total cost to those communities of \$345,191.00**  
13 **collectively, and appropriating funds in the amount of \$55,000.00 for the period 10/21/09**  
14 **through 12/31/09, for the Prosecutor and the Executive's Department of Law-Division of**  
15 **Public Safety, and declaring an emergency.**

16  
17 WHEREAS, the Akron Municipal Court district encompasses the cities of Akron and  
18 Fairlawn and the Villages of Mogadore, Lakemore, Richfield, and the Townships of Bath,  
19 Richfield and Springfield; and

20  
21 WHEREAS, the Barberton Municipal Court District encompasses the Cities of  
22 Barberton, Green, Norton and New Franklin, the Village of Clinton and the Townships of  
23 Copley and Coventry; and

24  
25 WHEREAS, the consolidation of the direct indictment services under the County  
26 Prosecutor's office began in 2008 and the County of Summit, along with the County  
27 Prosecutor's office and the Cities of Akron, Barberton, Norton and New Franklin and the  
28 Township of Copley desire to continue these agreements in order to continue to provide efficient  
29 direct indictment services for the communities involved; and

30  
31 WHEREAS, the County desires to continue their current agreement with the City of  
32 Akron whereby the County, through the County Prosecutor, will provide direct indictment  
33 services within the Akron Municipal Court district for a period of one year for a cost not to  
34 exceed \$295,191.00; and

35  
36 WHEREAS, the County desires to continue their current agreement with the Cities of  
37 Barberton, Norton and New Franklin and the Township of Copley, being the communities  
38 within the Barberton Municipal Court district not already served by the County of Summit  
39 Sheriff, whereby the County of Summit, through the County Prosecutor, will provide direct  
40 indictment services for a period of one year for a cost not to exceed \$50,000.00 collectively (said  
41 individual contract amounts being set forth below); and

42  
43 WHEREAS, it is necessary to appropriate the funds that are received by the County  
44 pursuant to said agreements, in the amount of \$55,000.00, for the period 10/21/09 through  
45 12/31/09; and

46  
47 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
48 necessary and in the best interest of this County to authorize the aforementioned agreements for  
49 the provision of direct indictment services and to appropriate the funds received pursuant to said  
50 agreements.

3  
4 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
5 of Ohio, that:

6  
7 SECTION 1

8  
9 The County Executive is hereby authorized to execute an agreement with the City of  
10 Akron whereby the County of Summit, through the County Prosecutor, will provide direct  
11 indictment services for all communities within the Akron Municipal Court district for a period of  
12 one year, commencing on 10/21/09, for a cost not to exceed \$295,191.00.

13  
14 SECTION 2

15  
16 The County Executive is hereby authorized to execute agreements with the Cities of  
17 Barberton, Norton and New Franklin and the Township of Copley, being the communities within  
18 the Barberton Municipal Court district not already served by the County of Summit Sheriff,  
19 whereby the County of Summit, through the County Prosecutor, will provide direct indictment  
20 services for a period of one year, commencing on October 21, 2009 for the following amounts:

21		
22	Barberton	\$27,000.00
23	Norton	\$10,000.00
24	New Franklin	\$ 4,000.00
25	Copley	\$ 9,000.00
26		

27 SECTION 3

28  
29 Funds are hereby appropriated, for the period of 10/21/09 through 12/31/09, as follows:

31	<u>Account</u>	<u>Description</u>	<u>Amount</u>
32			
33	PR Direct Indictment Program (DIP)		
34	10171-2605-20501	Salaries – Pool Budget	\$40,000.00
35	10171-2605-25501	Benefits – Pool Budget	<u>\$15,000.00</u>
36	Total PR Direct Indictment Program (DIP) Funds		<u>\$55,000.00</u>
37			

38 SECTION 4

39  
40 The County Fiscal Office is hereby authorized and directed to effect the within  
41 appropriations.

42  
43 SECTION 5

44  
45 This Resolution is hereby declared an emergency in the interest of the health, safety and  
46 welfare of the citizens of the County of Summit and for the further purpose of immediately  
47 authorizing the Executive to immediately execute direct indictment agreements with the City of  
48 Akron for the Akron Municipal Court district and the Cities of Barberton, Norton and New  
49 Franklin and the Township of Copley for the Barberton Municipal Court district.

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2 PAGE THREE

3  
4 SECTION 6

5  
6 Provided this Resolution receives the affirmative vote of eight members, it shall take effect  
7 immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and  
8 be in force at the earliest time provided by law.

9  
10 SECTION 7

11  
12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.

17  
18  
19 INTRODUCED November 16, 2009

20  
21 ADOPTED November 30, 2009

22  
23  
24 Shirley F. Greer  
25  
26 CLERK OF COUNCIL

Nick Kostandaras  
PRESIDENT OF COUNCIL

27  
28 APPROVED November 30, 2009

29  
30  
31 James M. Rodgers  
32  
33 EXECUTIVE

34  
35 ENACTED EFFECTIVE November 30, 2009

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith