

1 RESOLUTION NO. 2011-432

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3 SPONSOR Mr. Pry

4 DATE October 24, 2011 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 10/21/11, for a total cost to those communities of \$345,191.00**  
13 **collectively, and appropriating \$345,191.00, for the Prosecutor and Executive's**  
14 **Department of Law-Division of Public Safety, and declaring an emergency.**

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

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

23  
24 WHEREAS, the consolidation of the direct indictment services under the County  
25 Prosecutor's office began in 2008 and the County of Summit, along with the County  
26 Prosecutor's office and the Cities of Akron, Barberton, Norton and New Franklin and the  
27 Township of Copley desire to continue these agreements in order to continue to provide efficient  
28 direct indictment services for the communities involved; and

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30 WHEREAS, the County wishes to continue its current agreement with the City of Akron,  
31 with a contract start date of 10/27/11, whereby the County, through the County Prosecutor, will  
32 provide direct indictment services within the Akron Municipal Court district for a period of one  
33 year for a cost not to exceed \$295,191.00; and

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35 WHEREAS, the County wishes to continue its current agreement with the Cities of  
36 Barberton, Norton and New Franklin and the Township of Copley, being the communities within  
37 the Barberton Municipal Court district not already served by the County of Summit Sheriff,  
38 whereby the County of Summit, through the County Prosecutor, will provide direct indictment  
39 services for a period of one year, commencing 10/21/11, for a cost not to exceed \$50,000.00  
40 collectively (said individual contract amounts being set forth below); and

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42 WHEREAS, it is necessary to appropriate the funds that are received by the County  
43 pursuant to said agreements; and

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45 WHEREAS, this Council finds and determines that it is necessary and in the best interest  
46 of this County to authorize the aforementioned agreements for the provision of direct indictment  
47 services and to appropriate the funds received pursuant to said agreements.

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49 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
50 of Ohio, that:

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3  
4 SECTION 1

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6 The County Executive is hereby authorized to execute an agreement with the City of  
7 Akron whereby the County of Summit, through the County Prosecutor, will provide direct  
8 indictment services for all communities within the Akron Municipal Court district for a period of  
9 one year, commencing on October 27, 2011, for a cost not to exceed \$295,191.00.

10  
11 SECTION 2

12  
13 The County Executive is hereby authorized to execute agreements with the Cities of  
14 Barberton, Norton and New Franklin and the Township of Copley, being the communities within  
15 the Barberton Municipal Court district not already served by the County of Summit Sheriff,  
16 whereby the County of Summit, through the County Prosecutor, will provide direct indictment  
17 services for a period of one year, commencing on October 21, 2011, not exceeding the following  
18 amounts:

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Barberton	\$27,000.00
Norton	\$10,000.00
New Franklin	\$ 4,000.00
Copley	\$ 9,000.00

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25 SECTION 3

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27 Funds are hereby appropriated as follows:

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<u>Account</u>	<u>Description</u>	<u>Amount</u>
PR Direct Indictment Program (DIP)		
10171-2605-20501	Salaries – Pool Budget	\$252,691.00
10171-2605-25501	Benefits – Pool Budget	<u>\$92,500.00</u>
Total PR Direct Indictment Program (DIP) Funds		\$345,191.00

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35 SECTION 4

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37 The County Fiscal Office is hereby authorized and directed to effect the within  
38 appropriations.

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40 SECTION 5

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42 This Resolution is hereby declared an emergency in the interest of the health, safety and  
43 welfare of the citizens of the County of Summit, and for the further purpose to allow the County  
44 Prosecutor to provide direct indictment services for one year commencing 10/21/11 to the  
45 aforementioned communities.

46 SECTION 6

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

1 RESOLUTION NO. 2011-432

2 PAGE THREE

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4 SECTION 7

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6 It is found and determined that all formal actions of this Council concerning and relating  
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
8 deliberations of this Council and of any of its committees that resulted in such formal action,  
9 were in meetings open to the public, in compliance with all legal requirements, including Section  
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED October 3, 2011

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15 ADOPTED October 24, 2011

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19 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

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21 APPROVED October 24, 2011

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25 EXECUTIVE

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27 ENACTED EFFECTIVE October 24, 2011

Voice Vote: 8-0 YES: Comunale, Feeman, Kostandaras, Lee, Kurt, Rodgers,  
Roemer, Schmidt ABSENT: Crawford, Prentice, Shapiro