

1 RESOLUTION NO. 2017-546

First Reading Passage Requested
(C. Croft)

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 12, 2017

COMMITTEE Public Safety

6
7 **A Resolution authorizing the County Prosecutor to continue to provide direct indictment**
8 **services to the cities of Akron and Barberton on a month-to-month basis and appropriating**
9 **funds, in the amount of \$76,817.69, to be received from Akron and Barberton for**
10 **November through December 2017, for the Prosecutor, and declaring an emergency.**

11
12 WHEREAS, the Akron Municipal Court district encompasses the cities of Akron and
13 Fairlawn and the villages of Mogadore, Lakemore, Richfield, and the townships of Bath,
14 Richfield and Springfield; and

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16 WHEREAS, the Barberton Municipal Court district encompasses the cities of Barberton,
17 Green, Norton and New Franklin, the Village of Clinton and the townships of Copley and
18 Coventry; and

19
20 WHEREAS, County Council previously adopted Resolution No. 2012-396, which
21 authorized the County Executive and County Prosecutor to execute agreements with the City of
22 Akron for the Akron Municipal Court district and the cities of Barberton, Norton and New
23 Franklin and the Copley Township for the Barberton Municipal Court district for the County
24 Prosecutor to provide direct indictment services for a period of five years, for a total cost to those
25 communities of \$345,191.00 annually; and

26
27 WHEREAS, pursuant to Resolution No. 2012-396, the County entered into an agreement
28 with Akron for direct indictment services to be provided by the County Prosecutor, for a five-
29 year term, from 10/27/12 through 10/26/17, for a cost to Akron not to exceed \$295,191.00
30 annually; and

31
32 WHEREAS, pursuant to Resolution No. 2012-396, the County entered into an agreement
33 with Barberton, Norton, New Franklin and Copley Township for direct indictment services to be
34 provided by the County Prosecutor, for a five-year term, from 10/21/12 through 10/20/17, for a
35 combined total cost for all of the aforementioned communities not to exceed \$50,000.00
36 annually and said contracts include an month-to-month option until a new agreement can be
37 reached; and

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39 WHEREAS, both the Akron and Barberton contracts include a month-to-month option
40 until a new agreement can be reached; and

41
42 WHEREAS, the County and Akron and the County and Barberton have decided to
43 exercise the month-to-month option; and

44
45 WHEREAS, it is necessary to authorize the County Prosecutor to continue to provide
46 direct indictment services to Akron and Barberton on a month-to-month basis and to appropriate
47 funds received from Akron and Barberton, in the amount of \$76,817.69, for the months of
48 November through December 2017; and

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50 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
51 that it is necessary and in the best interest of the County to authorize the County Prosecutor to

3
4 continue providing direct indictment services to the cities of Akron and Barberton on a month-to-
5 month basis and to appropriate funds received from Akron and Barberton from November
6 through December 2017;

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

10 SECTION 1

11
12 The County Prosecutor is hereby authorized to continue providing indictment services to
13 the cities of Akron and Barberton on a month-to-month basis until new agreements between the
14 parties may be reached.

15 SECTION 2

16 Funds are hereby appropriated as follows for the Direct Indictment Program:

Account	Description	Amount
PR Direct Indictment Program (DIP)		
10171-2605-20501	Salaries – Pool Budget	\$55,995.99
10171-2605-25501	Benefits – Pool Budget	<u>\$20,821.70</u>
Total PR Direct Indictment Program (DIP) Funds		<u>\$76,817.69</u>

17 SECTION 3

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19 The County Fiscal Office is hereby authorized and directed to effect the within
20 appropriations.

21 SECTION 4

22
23 This Resolution is declared an emergency in the interest of the health, safety and welfare
24 of the citizens of the County of Summit and for the further purpose of immediately allowing for
25 the appropriation of funds and payment for the Direct Indictment Program.

26 SECTION 5

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

31 SECTION 6

32
33 It is found and determined that all formal actions of this Council concerning and relating
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
35 deliberations of this Council and of any of its committees that resulted in such formal action,
36 were in meetings open to the public, in compliance with all legal requirements, including Section
37 121.22 of the Ohio Revised Code.

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2 PAGE THREE

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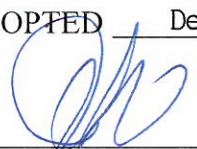
5 INTRODUCED December 12, 2017

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7 ADOPTED December 12, 2017

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10  _____

11 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

13 APPROVED December 13, 2017

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17  _____

18 EXECUTIVE

December 13, 2017 _____

ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite