RESOLUTION NO. 2012-396  

SPONSOR Mr. Pry  

DATE October 22, 2012

COMMITTEE Public Safety  

A Resolution authorizing the County Executive and County Prosecutor to execute agreements with the City of Akron for the Akron Municipal Court district and the Cities of Barberton, Norton and New Franklin and the Township of Copley, being communities within the Barberton Municipal Court district not already served by the County Sheriff's direct indictment officer, whereby the County Prosecutor will provide direct indictment services for a period of five years, for a total cost to those communities of $345,191.00 annually, and appropriating said funds, for the Prosecutor and the Executive's Department of Law – Division of Public Safety, and declaring an emergency.

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

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

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

WHEREAS, the County desires to continue its current agreement with the City of Akron whereby the County, through the Prosecutor, will provide direct indictment services within the Akron Municipal Court district for a period of five years, for a cost not to exceed $295,191.00 annually; and

WHEREAS, the County desires to continue its current agreement with the Cities of Barberton, Norton and New Franklin and the Township of Copley, being the communities within the Barberton Municipal Court district not already served by the County of Summit Sheriff, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of five years for a cost not to exceed $50,000.00 annually (said individual contract amounts being set forth below); and

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

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County to authorize the aforementioned agreements for the provision of direct indictment services and to appropriate the funds received pursuant to said agreements;

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of Ohio, that:
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SECTION 1

The County Executive and the County Prosecutor are hereby authorized to execute an agreement with the City of Akron whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for all communities within the Akron Municipal Court district for a period of five years, commencing October 27, 2012, for a total cost not to exceed $295,191.00 annually.

SECTION 2

The County Executive and the County Prosecutor are hereby authorized to execute agreements with the Cities of Barberton, Norton and New Franklin and the Township of Copley, being the communities within the Barberton Municipal Court district not already served by the County of Summit Sheriff, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of five years, commencing October 21, 2012, not exceeding the following annual amounts:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barberton</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>Norton</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>New Franklin</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Copley</td>
<td>$9,000.00</td>
</tr>
</tbody>
</table>

SECTION 3

Funds are hereby appropriated as follows:

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

SECTION 4

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

SECTION 5

This Resolution is hereby declared an emergency in the health, safety and welfare of the citizens of the County of Summit, and for the further purpose to allow the County Prosecutor to provide direct indictment services for five years commencing October 27, 2012, to the City of Akron and for five years commencing October 21, 2012 to the cities of Barberton, Norton and New Franklin and Copley Township.
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SECTION 6

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

SECTION 7

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

INTRODUCED October 1, 2012
ADOPTED October 22, 2012

CLERK OF COUNCIL

ADOPTED October 22, 2012

PRESIDENT OF COUNCIL

APPROVED October 23, 2012

EXECUTIVE

ENACTED EFFECTIVE October 23, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro