

1 RESOLUTION NO. 2013-416

2
3 SPONSOR Mr. Pry

4
5 DATE September 30, 2013

COMMITTEE Public Safety

6
7 **A Resolution authorizing the appropriation of funds in accordance with the agreements**
8 **with the City of Akron for the Akron Municipal Court district, the City of Stow for the**
9 **Stow Municipal Court district, and the Cities of Barberton, Norton and New Franklin and**
10 **the Township of Copley, being communities within the Barberton Municipal Court district**
11 **not already served by the County Sheriff's direct indictment officer, whereby the County**
12 **Prosecutor will provide direct indictment services, for a total cost to those communities of**
13 **\$349,191.00, for the period 9/1/13 to 10/26/14, for the Prosecutor and the Executive's**
14 **Department of Law, Insurance and Risk Management - Division of Public Safety, and**
15 **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 Barberton,
22 Green, Norton and New Franklin, the Village of Clinton and the townships of Copley and
23 Coventry; and

24
25 WHEREAS, the Stow Municipal Court encompasses the City of Stow; and

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

32
33 WHEREAS, the County Executive and the County Prosecutor have entered into an
34 agreement with the City of Stow, whereby the County of Summit, through the County
35 Prosecutor, will provide direct indictment services for that community; and

36
37 WHEREAS, the County desires to continue its current agreement with the City of Akron
38 whereby the County, through the County Prosecutor, will provide direct indictment services
39 within the Akron Municipal Court district for a period of five years, 10/27/12 through 10/26/16,
40 for a cost not to exceed \$295,191.00 annually, and it is necessary to appropriate funds for the
41 second year, for the period 10/27/13 through 10/26/14; and

42
43 WHEREAS, the County desires to continue its current agreement with the cities of
44 Barberton, Norton and New Franklin and the Township of Copley, being the communities within
45 the Barberton Municipal Court district not already served by the County of Summit Sheriff,
46 whereby the County of Summit, through the County Prosecutor, will provide direct indictment
47 services for a period of five years, 10/21/12 through 10/20/16, for a cost not to exceed
48 \$50,000.00 annually, said individual contract amounts being set forth below, and it is necessary
49 to appropriate funds for the second year, for the period 10/21/13 through 10/20/14; and

3
4 WHEREAS, the County has entered into an agreement with the City of Stow, whereby
5 the County of Summit, through the County Prosecutor, will provide direct indictment services
6 for a period of four months, commencing 9/1/13, at the rate of \$1,000.00 per month, and it is
7 necessary to appropriate funds for a total of \$4,000.00; and

8
9 WHEREAS, it is necessary to appropriate the funds that are received by the County
10 pursuant to said agreements; and

11
12 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
13 that it is necessary and in the best interest of this County to authorize the aforementioned
14 appropriation of funds received pursuant to said agreements for the provision of direct
15 indictment services;

16
17 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
18 of Ohio, that:

19
20 SECTION 1

21
22 The County Executive and the County Prosecutor have entered into an agreement with
23 the City of Akron pursuant to Resolution No. 2012-396, whereby the County of Summit, through
24 the County Prosecutor, will provide direct indictment services for all communities within the
25 Akron Municipal Court district for a period of five years commencing 10/27/12, in an amount
26 not to exceed \$295,191.00 annually.

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28 SECTION 2

29
30 The County Executive and the County Prosecutor have entered into agreements with the
31 cities of Barberton, Norton and New Franklin and the Township of Copley pursuant to
32 Resolution No. 2012-396, being the communities within the Barberton Municipal Court district
33 not already served by the County Sheriff's direct indictment officer, whereby the County of
34 Summit, through the County Prosecutor, will provide direct indictment services for a period of
35 five years commencing 10/21/12, not exceeding the following annual 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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42 SECTION 3

43
44 The County Executive and the County Prosecutor have entered into an agreement with
45 the City of Stow, whereby the County of Summit, through the County Prosecutor, will provide
46 direct indictment services for a period of four months, commencing on 9/1/13, at the rate of
47 \$1,000.00 per month, for a total of \$4,000.00.
48

Voice Vote: 10-0 YES: Komunale, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro
Absent: Crawford

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2 PAGE THREE

3
4 SECTION 4

5
6 Funds are hereby appropriated for the current direct indictment program agreements as
7 follows:

8 Account	Description	Amount
9 PR Direct Indictment Program (DIP)		
10 10171-2605-20501	Salaries – Pool Budget	\$247,161.20
11 10171-2605-25501	Benefits – Pool Budget	<u>\$102,029.80</u>
12 Total PR Direct Indictment Program (DIP) Funds		\$349,191.00

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16 SECTION 5

17
18 The County Fiscal Office is hereby authorized and directed to effect the within
19 appropriations.

20
21 SECTION 6

22
23 This Resolution is hereby declared an emergency in the interest of the health, safety and
24 welfare of the citizens of the County of Summit and for the further reason to immediately
25 appropriate funds for the Direct Indictment Program.

26
27 SECTION 7

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

32
33 SECTION 8

34
35 It is found and determined that all formal actions of this Council concerning and relating
36 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
37 deliberations of this Council and of any of its committees that resulted in such formal action,
38 were in meetings open to the public, in compliance with all legal requirements, including Section
39 121.22 of the Ohio Revised Code.

40
41 INTRODUCED September 16, 2013

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43 ADOPTED September 30, 2013

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46 CLERK OF COUNCIL

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49 PRESIDENT OF COUNCIL

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51 APPROVED October 3, 2013

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