

1 RESOLUTION NO. 2016-415

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE November 14, 2016 COMMITTEE Public Safety

6  
7 **A Resolution authorizing the County Executive to execute agreements with Cuyahoga**  
8 **Falls, Stow and Tallmadge for direct indictment services to be provided by the County**  
9 **Prosecutor and authorizing the appropriation of funds received pursuant to agreements**  
10 **with the cities of Akron, Barberton, Cuyahoga Falls, Norton, New Franklin, Stow and**  
11 **Tallmadge and Copley Township for direct indictment services, in the amount of**  
12 **\$387,191.00, for the Prosecutor, and declaring an emergency.**

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

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

21  
22 WHEREAS, the Stow Municipal Court district encompasses communities the cities of  
23 Cuyahoga Falls, Hudson, Macedonia, Munroe Falls, Stow, Tallmadge, Twinsburg, the villages of  
24 Boston Heights, Northfield, Peninsula, Reminderville and Silver Lake and the townships of  
25 Boston, Northfield Center, Sagamore Hills and Twinsburg; and

26  
27 WHEREAS, County Council previously adopted Resolution No. 2012-396, which  
28 authorized the County Executive and County Prosecutor to execute agreements with the City of  
29 Akron for the Akron Municipal Court district and the cities of Barberton, Norton and New  
30 Franklin and the Copley Township for the Barberton Municipal Court district for the County  
31 Prosecutor to provide direct indictment services for a period of five years, for a total cost to those  
32 communities of \$345,191.00 annually; and

33  
34 WHEREAS, pursuant to Resolution No. 2012-396, the County entered into an agreement  
35 with Akron for direct indictment services to be provided by the County Prosecutor, for a five-  
36 year term, from 10/27/12 through 10/26/17, for a cost to Akron not to exceed \$295,191.00  
37 annually; and

38  
39 WHEREAS, it is necessary to appropriate funds received from Akron for the fifth year of  
40 the agreement, from 10/27/16 through 10/26/17, in the amount of \$295,191.00; and

41  
42 WHEREAS, pursuant to Resolution No. 2012-396, the County entered into agreements  
43 with Barberton, Norton, New Franklin and Copley Township for direct indictment services to be  
44 provided by the County Prosecutor, for a five-year term, from 10/21/12 through 10/20/17, for a  
45 combined total cost for all of the aforementioned communities not to exceed \$50,000.00  
46 annually; and

47  
48 WHEREAS, it is necessary to appropriate funds received from Barberton, Norton, New  
49 Franklin and Copley Township for the fifth year of the agreement, from 10/21/16 through  
50 10/20/17, in the amount of \$50,000.00; and

51

3  
4 WHEREAS, the County and the City of Cuyahoga Falls wish to enter into an agreement  
5 for direct indictment services to be provided by the County Prosecutor, for a one-year term, from  
6 9/1/16 through 8/31/17, at the rate of \$1,674.00 for the first month and \$1,666.00 per month for  
7 the remainder of the term, for a total cost to Cuyahoga Falls not to exceed \$20,000.00; and  
8

9 WHEREAS, it is necessary authorize the County Executive to execute the  
10 aforementioned agreement with Cuyahoga Falls and to appropriate funds received from  
11 Cuyahoga Falls pursuant to said agreement, in the amount of \$20,000.00; and  
12

13 WHEREAS, the County and the City of Stow wish to enter into an agreement for direct  
14 indictment services to be provided by the County Prosecutor, for a one-year term, from 1/1/17  
15 through 12/31/17, at the rate of \$1,000.00 per month, for a total cost to Stow not to exceed  
16 \$12,000.00; and  
17

18 WHEREAS, it is necessary to authorize the County Executive to execute the  
19 aforementioned agreement with Stow and to appropriate funds received from Stow pursuant to  
20 said agreement, in the amount of \$12,000.00; and  
21

22 WHEREAS, the County and the City of Tallmadge wish to enter into an agreement for  
23 direct indictment services to be provided by the County Prosecutor, for a one-year term, from  
24 1/1/17 through 12/31/17, at the rate of \$837.00 for the first month and \$833.00 per month for the  
25 remainder of the term, for a total cost to Tallmadge not to exceed \$10,000.00; and  
26

27 WHEREAS, it is necessary to authorize the County Executive to execute the  
28 aforementioned agreement with Tallmadge, and to appropriate funds received from Tallmadge  
29 pursuant to said agreement, in the amount of \$10,000.00; and  
30

31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
32 that it is necessary and in the best interest of this County to authorize the County Executive to  
33 execute the aforementioned agreement with Cuyahoga Falls, Stow and Tallmadge for direct  
34 indictment services and to appropriate funds, in the amount of \$387,191.00, received pursuant to  
35 said agreements for the provision of direct indictment services;  
36

37 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
38 of Ohio, that:  
39

40 SECTION 1

41  
42 The County Executive is hereby authorized to execute an agreement with the City of  
43 Cuyahoga Falls for direct indictment services to be provided by the County Prosecutor, for a  
44 one-year term, from 9/1/16 through 8/31/17, at the rate of \$1,674.00 for the first month and  
45 \$1,666.00 per month for the remainder of the term, for a total cost to Cuyahoga Falls not to  
46 exceed \$20,000.00.  
47  
48  
49  
50  
51  
52

1 RESOLUTION NO. 2016-415

2 PAGE THREE

3  
4 SECTION 2

5  
6 The County Executive is hereby authorized to execute an agreement with the City of  
7 Stow for direct indictment services to be provided by the County Prosecutor, for a one-year term,  
8 from 1/1/17 through 12/31/17, at the rate of \$1,000.00 per month, for a total cost to Stow not to  
9 exceed \$12,000.00.

10  
11 SECTION 3

12  
13 The County Executive is hereby authorized to execute an agreement with the City of  
14 Tallmadge for direct indictment services to be provided by the County Prosecutor, for a one-year  
15 term, from 1/1/17 through 12/31/17, at the rate of \$837.00 for the first month and \$833.00 per  
16 month for the remainder of the term, for a total cost to Tallmadge not to exceed \$10,000.00.

17  
18 SECTION 4

19  
20 Funds are hereby appropriated as follows for the Direct Indictment Program:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
21		
22		
23		
24	PR Direct Indictment Program (DIP)	
25	10171-2605-20501 Salaries – Pool Budget	\$281,150.00
26	10171-2605-25501 Benefits – Pool Budget	<u>\$106,041.00</u>
27	Total PR Direct Indictment Program (DIP) Funds	<u>\$387,191.00</u>
28		

29 SECTION 5

30  
31 The County Fiscal Office is hereby authorized and directed to effect the within  
32 appropriations.

33  
34 SECTION 6

35  
36 This Resolution is hereby declared an emergency in the interest of the health, safety and  
37 welfare of the citizens of the County of Summit and for the further reason to immediately  
38 authorize the Executive to execute agreements with Cuyahoga Falls, Stow and Tallmadge for  
39 direct indictment services to be provided by the County Prosecutor and to immediately  
40 appropriate funds for the Direct Indictment Program.

41  
42 SECTION 7

43  
44 Provided this Resolution receives the affirmative vote of eight members, it shall take  
45 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
46 effect and be in force at the earliest time provided by law.

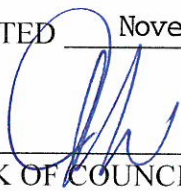
1 RESOLUTION NO. 2016-415  
2 PAGE FOUR

3  
4 SECTION 8

5  
6  
7 It is found and determined that all formal actions of this Council concerning and relating  
8 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
9 deliberations of this Council and of any of its committees that resulted in such formal action,  
10 were in meetings open to the public, in compliance with all legal requirements, including Section  
11 121.22 of the Ohio Revised Code.

12  
13  
14 INTRODUCED October 31, 2016

15  
16 ADOPTED November 14, 2016

17  
18  
19   
20 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

21  
22 APPROVED November 15, 2016

23  
24  
25   
26 EXECUTIVE November 15, 2016  
27 ENACTED EFFECTIVE

Voice Vote: 9-0 YES: Crawford, Dickinson, Feeman, Kostandaras,  
Prentice, Rodgers, Schmidt, Walters, Wilhite  
ABSENT: Donofrio, Lee