

1 RESOLUTION NO. 2014-456

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3 SPONSOR Mr. Pry

4  
5 DATE October 27, 2014 COMMITTEE Public Safety

6  
7 **A Resolution appropriating funds in accordance with the agreements with the City of**  
8 **Akron for the Akron Municipal Court district, the Cities of Stow and Tallmadge 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 **\$367,191.00, for the period 1/1/14 to 10/26/15, for the Prosecutor and the Executive's**  
14 **Department of Law, Insurance and Risk Management - Division of Public Safety, and**  
15 **declaring an emergency.**

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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

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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 Cities of Stow and Tallmadge;  
26 and

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

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34 WHEREAS, the County Executive and the County Prosecutor have entered into an  
35 agreement with the Cities of Stow and Tallmadge, whereby the County of Summit, through the  
36 County Prosecutor, will provide direct indictment services for those communities; and

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38 WHEREAS, the County desires to continue its current agreement with the City of Akron  
39 whereby the County, through the County Prosecutor, will provide direct indictment services  
40 within the Akron Municipal Court district for a period of five years, 10/27/12 through 10/26/16,  
41 for a cost not to exceed \$295,191.00 annually, and it is necessary to appropriate funds for the  
42 third year, for the period 10/27/14 through 10/26/15; and

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44 WHEREAS, the County desires to continue its current agreement with the cities of  
45 Barberton, Norton and New Franklin and the Township of Copley, being the communities within  
46 the Barberton Municipal Court district not already served by the County of Summit Sheriff,  
47 whereby the County of Summit, through the County Prosecutor, will provide direct indictment  
48 services for a period of five years, 10/21/12 through 10/20/16, for a cost not to exceed  
49 \$50,000.00 annually, said individual contract amounts being set forth below, and it is necessary  
50 to appropriate funds for the third year, for the period 10/21/14 through 10/20/15; and

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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 one year, commencing 1/1/14, at the rate of \$1,000.00 per month, and it is  
7 necessary to appropriate funds for a total of \$12,000.00; and

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9 WHEREAS, the County has entered into an agreement with the City of Tallmadge,  
10 whereby the County of Summit, through the County Prosecutor, will provide direct indictment  
11 services for a period of one year, commencing 1/1/14, at the rate of \$837.00 the first month and  
12 \$833.00 per month for the remainder of the term, and it is necessary to appropriate funds for a  
13 total of \$10,000.00; and

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

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

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

25  
26 SECTION 1

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

33  
34 SECTION 2

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36 The County Executive and the County Prosecutor have entered into agreements with the  
37 cities of Barberton, Norton and New Franklin and the Township of Copley pursuant to  
38 Resolution No. 2012-396, being the communities within the Barberton Municipal Court district  
39 not already served by the County Sheriff's direct indictment officer, whereby the County of  
40 Summit, through the County Prosecutor, will provide direct indictment services for a period of  
41 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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4 SECTION 3

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6 The County Executive and the County Prosecutor have entered into an agreement with  
7 the City of Stow, whereby the County of Summit, through the County Prosecutor, will provide  
8 direct indictment services for a period of one year, commencing on 1/1/14, at the rate of  
9 \$1,000.00 per month, for a total of \$12,000.00.

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11 SECTION 4

12  
13 The County Executive and the County Prosecutor have entered into an agreement with  
14 the City of Tallmadge, whereby the County of Summit, through the County Prosecutor, will  
15 provide direct indictment services for a period of one year, commencing on 1/1/14, at the rate of  
16 \$837.00 the first month and \$833.00 per month for the remainder of the term, for a total of  
17 \$10,000.00.

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19 SECTION 5

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21 Funds are hereby appropriated for the current direct indictment program agreements as  
22 follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
PR Direct Indictment Program (DIP)		
10171-2605-20501	Salaries – Pool Budget	\$261,250.00
10171-2605-25501	Benefits – Pool Budget	<u>\$105,941.00</u>
Total PR Direct Indictment Program (DIP) Funds		<u>\$367,191.00</u>

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31 SECTION 6

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

35  
36 SECTION 7

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

41  
42 SECTION 8

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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.

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RESOLUTION NO. 2014-456

PAGE FOUR

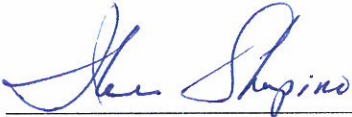
SECTION 9

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 6, 2014

ADOPTED October 27, 2014

  
\_\_\_\_\_  
CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED October 28, 2014

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE October 28, 2014

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