

North Canton City Council
Finance and Property Committee

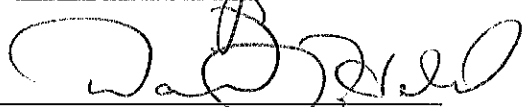
Ordinance No. 7 - 2018

An ordinance amending ordinance 100 - 2017 authorizing the Mayor of the City of North Canton to enter into a contract by and between the City of North Canton and the City of Canton for the purpose of providing legal representation in the Canton Municipal Court for the prosecution of criminal cases, by increasing the total cost not to exceed from \$19,500 per year, to \$22,000 per year, for a period of two years beginning January 1, 2018 through December 31, 2019, amending appropriations to cover the increased costs, and declaring the same to be an emergency.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

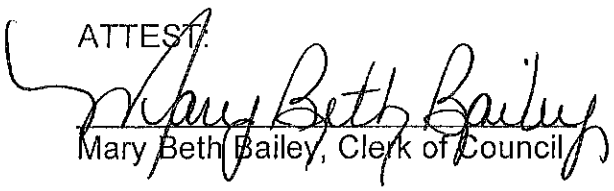
- Section 1. That ordinance 100 - 2017 is hereby amended to permit the Mayor of the City of North Canton to enter into a contract by and between the City of North Canton and the City of Canton for the purpose of providing legal representation by the City of Canton through its Law Department and Prosecutor's Office with regard to the prosecution of criminal cases and other related matters as provided for therein in the Canton Municipal Court, and increasing the amount from a total cost not to exceed of \$19,500 per year, to \$22,000 per year, payable in eight equal payments to be made on the first day of each quarter.
- Section 2. That the agreement by and between the City of North Canton and the City of Canton shall be effective for a period of two years beginning January 1, 2018 through December 31, 2019, and reflects the increased number of cases sent from Canton's Municipal Court as a result of abolishing North Canton's Mayor's Court.
- Section 3. That the Director of Finance of the City of North Canton, Ohio, be, and is hereby authorized to draw funds necessary for the payment of the above specified agreement from the following appropriation, which includes an increase over the original appropriation for 2018:
- | | | |
|--------------|--------------------------------|--------------|
| 622 | DIRECTOR OF LAW | |
| 101.622.5225 | Professional Services (Canton) | \$22,000/yr. |
- upon receipt of vouchers duly approved by the proper departmental authority.
- Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely renewal of the contract without a loss of service; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this 12th day of February, 2018.



David Held, Mayor

Signed: 2 / 12, 2018

ATTEST:


Mary Beth Bailey, Clerk of Council

CONTRACT

THIS AGREEMENT is entered into this 21 day of April, 2018, by and between the City of Canton, Ohio, and the City of North Canton, Ohio.

WITNESSETH:

WHEREAS, the City of Canton, through the City Law Department and the City Prosecutor's Office, provides legal representation to the City of North Canton with regard to the prosecution of criminal cases and related matters; and

WHEREAS, the parties wish to enter into contractual agreement for a period of two (2) years effective January 1, 2018 thru December 31, 2019, specifying the services to be provided by the Canton City Prosecutor's Office and the amount of compensation to be paid the City of Canton by the City of North Canton for its services;

NOW, THEREFORE, the parties do mutually agree as follows:

1. The City of Canton, Ohio, through the Law Department and City Prosecutor's Office, shall provide the following listed services in representation of the City of North Canton, Ohio, for the prosecution of criminal cases:

- a. Acceptance for prosecution of transfers pursuant to Ohio Revised Code Section 2937.08 from the Mayor's Court;
- b. Private affidavits;
- c. Unofficial prosecutor's hearings involving bad checks, domestic disputes, neighborhood disturbances and other similar problems;
- d. Preliminary hearings on felonies;
- e. Advising the municipality's police officers and its police department;
- f. Preparation of search warrants;
- g. Preparation of misdemeanor and felony summons and warrants;
- h. Issuances of trial subpoenas;
- i. Attendance at criminal court arraignments and criminal pretrials;
- j. Representation at all trials to the court and jury trials;
- k. Representation on points and refusal hearings;
- l. Representation in the appeals of any of the foregoing matters.

2. The City of North Canton shall pay to the City of Canton as and for full compensation, the sum of \$44,000.00. This amount is for services rendered from the period of January 1, 2018 thru December 31, 2019, and shall be divided into eight (8) equal payments to be made on the first day of each quarter.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the date first above written.

WITNESSES:

CITY OF CANTON, OHIO

BY: *Kristen Bates Agnew*
Joseph Martuccio
Law Director

CITY OF NORTH CANTON

BY: *David Held*
David Held
Mayor

Approved as to Form:

Kristen Bates Agnew
Joseph Martuccio
Canton Law Director

Approved as to form & content,

T. L. Fox
Timothy L. Fox, North Canton
Director of Law