

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: MIENTKIEWICZ

DRAFT NO. 1-18

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS FOR INDIGENT LEGAL SERVICES; AND DECLARING AN EMERGENCY

WHEREAS, the City of Niles has a responsibility under the laws of the State of Ohio and the Constitution of the United States of America to provide legal counsel to indigent persons charged with serious offenses and "jailable" offenses in its municipal court; and,

WHEREAS, in furtherance of the fulfillment of this responsibility, the City desires that legal services be provided by the public defender's office of Trumbull County to indigent persons who are charged with violations of the City's ordinances; and,

WHEREAS, the City's current contract for such representation by the public defender's office expired December 31, 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That the Mayor and Safety Director are hereby authorized to enter into an Agreement with the Trumbull County Commissioners for the provision of legal representation for all indigent defendants charged under the City's ordinances where there is a possibility of incarceration. The agreement shall commence January 1, 2018 and end on December 31, 2018 for the cost of Seven Thousand Three Hundred Seventy-five Dollars (\$7,375.00).

SECTION 2: That Council further authorizes the cost for these services be designated in the budget for the year 2018.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure in the interest of the public health, safety and welfare to allow for a new agreement to be executed pursuant to law to assure that said new agreement will be effective on January 1, 2018. As such an emergency measure, this Ordinance shall become effective upon passage by Council and approval by the Mayor.

PRESIDENT OF COUNCIL

PASSED: _____

ATTEST: _____
CLERK OF COUNCIL

Filed with the Mayor of the City of Niles, Ohio on the _____ day of _____, 2018 and signed by me as such Mayor on the _____ day of _____, 2018.

MAYOR

City of Niles, Ohio

SPONSORED BY: FINANCE COMMITTEE
AUTHORIZED BY: MIENTKIEWICZ

DRAFT NO. 02-18

RESOLUTION NO. _____

A RESOLUTION APPROPRIATING AND TRANSFERRING FUNDS FROM THE UNAPPROPRIATED BRT CLEAN UP FUND TO THE GENERAL FUND; AND DECLARING AN EMERGENCY

WHEREAS, Resolution No. 107-17 passed on December 20, 2017 authorized a cash advance in the amount of Twenty Nine Thousand Four Hundred Nine Dollars and Eighty-Five Cents (\$29,409.85) from the General Fund to the BRT Clean Up Account; and

WHEREAS, the City has received Twenty Nine Thousand Four Hundred Nine Dollars and Eighty-Five Cents (\$29,409.85) for the BRT Clean Up Fund; and,

WHEREAS, Section 1 of Resolution No. 107-17 states the intention of Council to reimburse the General Fund, upon the receipt of the funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NILES, STATE OF OHIO:

SECTION 1: That Council hereby authorizes the appropriation of Twenty Nine Thousand Four Hundred Nine Dollars and Eighty-Five Cents (\$29,409.85) from the unappropriated BRT Clean Up Fund to the BRT Clean Up Fund Transfer Account, Account No.402-4747-59000.

SECTION 2: That Council hereby authorizes the transfer of Twenty Nine Thousand Four Hundred Nine Dollars and Eighty-Five Cents (\$29,409.85) from the BRT Clean Up Fund Transfer Account, Account No. 402-4747-59000 to the General Fund.

SECTION 3: This Resolution is hereby declared to be an emergency measure in the interests of the public health, safety and welfare for the reason that the General Fund is to be promptly reimbursed as directed in Section 1 of Resolution No. 107-17. As such an emergency measure, this Resolution shall be effective upon passage by Council and approval by the Mayor.

President of Council

Passed: _____

Attest: _____
Clerk of Council

Received by the Mayor of the City of Niles this _____ day of _____, 2018,
and approved by me as such Mayor this _____ day of _____, 2018.

Mayor