

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK-TREASURER OF THE VILLAGE OF MINERVA PARK TO ENTER INTO CONTRACT FOR PROFESSIONAL SERVICES FOR A MAYOR'S COURT MAGISTRATE, AND DECLARING AN EMERGENCY

WHEREAS, under Section 1905.05 of the Ohio Revised Code, the mayor of a municipal corporation that has a Mayor's Court may appoint a person as Mayor's Court Magistrate; and

WHEREAS, the Village of Minerva Park operates a full-time police department that regularly files charges in the Minerva Park Mayor's Court and requires the services of a Magistrate to hear said cases; and

WHEREAS, Council deems it necessary to provide of a Mayor's Court Magistrate;

NOW, THEREFORE, be it resolved by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

- Section 1. The Village of Minerva Park shall provide for the services of a Magistrate to preside over Mayor's Court, in that Ohio Revised Code §1905.05 states that "the mayor may appoint a person as mayor's court magistrate to hear and determine prosecutions and criminal causes in the mayor's court that are within the jurisdiction of the mayor's court."
- Section 2. The Mayor and Clerk-Treasurer of the Village of Minerva Park are hereby authorized to enter into a contract with Donald Breckenridge for professional services for a mayor's court Magistrate for the period beginning January 1, 2009 and ending December 31, 2009, at a fee of \$250 per court session.
- Section 3. Such Magistrate shall meet all requirements and have all powers and duties as prescribed in the Ohio Revised Code and shall be reimbursed for reasonable and necessary expenses incurred in the performance of duties as outlined in the contract/agreement. A copy of this agreement is marked Exhibit A and is made a part hereof as if fully rewritten herein.
- Section 4. All prior resolution(s) or any part thereof, which is(are) inconsistent with this resolution is(are) hereby repealed as to the inconsistent part(s) thereof, and the remainder of said resolution(s) not inconsistent with this resolution shall remain in full force and effect.
- Section 5. Council declares this to be an emergency measure necessary for the public health, safety, and welfare of the residents of the Village of Minerva Park, such emergency arising from the need to have a contract signed with a magistrate by January 1, 2009. Wherefore, this resolution shall take effect and shall be in force upon its passage.

First Reading: September 8, 2008  
Second Reading: October 13, 2008  
Third Reading: December 8, 2008  
Passed: December 8, 2008

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Lynn Eisentrout, Mayor, Village of Minerva Park

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Attest Suzanne Coulter, Clerk-Treasurer,  
Village of Minerva Park

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Reviewed by Counsel