

## Resolution 2013-31

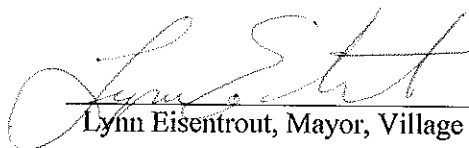
November 11, 2013

### A RESOLUTION AUTHORIZING AND APPROVING EXECUTION OF A CONTRACT WITH THE FRANKLIN COUNTY PUBLIC DEFENDER'S OFFICE FOR LEGAL SERVICES, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Minerva Park Council deems it necessary that the Village renew its contract with the Franklin County Public Defender's Office;

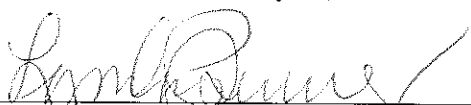
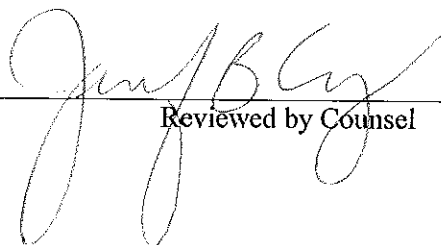
NOW, THEREFORE, be it resolved by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

- Section 1. The Mayor and the Fiscal Officer of the Village of Minerva Park are hereby authorized to enter into a contract in a form substantially similar to the contract attached hereto as Exhibit A and incorporated herein by reference for legal services with the Franklin County Public Defender's Office.
- Section 2. The contract period is January 1, 2014 to December 31, 2014, and the charges will be \$65 per case, to be billed quarterly.
- Section 3. It is hereby 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 any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.
- Section 4. All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.
- Section 5. This resolution shall take effect and be in full force from the earliest period allowed by law.
- Section 6. Council declares this to be an emergency measure necessary for the health, safety and welfare of the residents of Minerva Park, such emergency arising out of the immediate need to provide public defender services. Wherefore, this Resolution shall take effect and shall be in force immediately upon passage by Council.



Lynn Eisentrout, Mayor, Village of Minerva Park

First Reading: September 9, 2013  
Second Reading: October 14, 2013  
Third Reading: January 13, 2014  
Passed: January 13, 2014

  
Attest Lynda Sudderberg, Fiscal Officer,  
Village of Minerva Park  
Reviewed by Counsel

**FRANKLIN COUNTY PUBLIC DEFENDER**

373 South High Street  
(614) 645-8980

12<sup>th</sup> Floor  
(614) 525-3194

Columbus, Ohio 43215  
Fax (614) 461-6470

CONTRACT

This Agreement, beginning on January 1, 2014, by and between the Franklin County Public Defender Commission, pursuant to Ohio Rev. Code, section 120.14(E) (Page 1990), and the Village of Minerva Park, for the defense of indigent defendants before the Franklin County Municipal Court; the parties agree as follows:

The Franklin County Public Defender Commission hereby agrees to represent, through the personnel employed by the Franklin County Public Defender Commission, all indigent persons, coming before the Franklin County Municipal Court, Criminal Division, charged with a violation of an ordinance of the Village of Minerva Park, which occur within the limits of Minerva Park, Ohio; provided that the Franklin County Public Defender Commission, reserves the right to decline representation if a conflict of interest exists in any specific case filed in or coming before the Franklin County Municipal Court; and, provided further, that the City Solicitor of Minerva Park, Ohio, reserves the right to appoint other counsel to represent defendants charged with a violation of an ordinance of Minerva Park, Ohio, or traffic and/or criminal statutes of the State of Ohio, which occur within the jurisdictional limits of Minerva Park, Ohio in any specific case filed in or coming before the Franklin County Municipal Court.

The Village of Minerva Park agrees to pay the sum of \$65.00 per case. Said sum due to be stated by invoice from the Franklin County Public Defender at quarterly intervals. Checks or warrants should be made payable to the Columbus City Treasurer - Public Defender Service.

This contract may be terminated by either party at any time before the expiration of the contract, by giving thirty (30) days written notice to the other party, of its intention to terminate.

The parties further agree that this Contract shall be in full force and effect from the date first written above through December 31, 2014, unless terminated earlier, as provided herein.

IN WITNESS WHEREOF, the parties have executed this Contract, this \_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

Village of Minerva Park

BY: \_\_\_\_\_  
Mayor of Minerva Park

\_\_\_\_\_  
Treasurer

Franklin County Public Defender Commission

BY: \_\_\_\_\_  
Richard F. Swope

\_\_\_\_\_  
Legal Law Director

Chairman