

Sponsor: Hudson

RESOLUTION NO. 2021-32

A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF WELLSTON AUTHORIZING THE MAYOR TO ENTER INTO THE INDIGENT DEFENSE CONTRACT WITH THE JACKSON COUNTY COMMISSIONERS SO AS TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE WELLSTON MUNICIPAL CODE FOR THE SECOND HALF OF 2021, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wellston., Ohio is obligated to provide legal counsel to indigent persons charged with violating the Wellston Municipal Code, greater than a minor misdemeanor; and

WHEREAS, the Jackson County Commissioners have contracted with the Ohio Public Defenders Commission to provide counsel to indigent persons and have made arrangements for this legal counsel to provide defense to indigent persons charged with violating the Wellston City Code; and

WHEREAS, the contract for the second half of 2021 beginning on June 1, 2021 and ending December 31, 2021 is attached hereto and is incorporated herein and the agreement calls for payment upon its approval; and

WHEREAS, the rate for legal services provided pursuant to the agreement is \$9,979.33 and is reasonable and less than those otherwise available and it is necessary for the preservation of the health and welfare of the City of Wellston that this agreement be approved immediately and, due to the amount of time by which payment must be made, this matter constitutes an emergency.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WELLSTON, OHIO, AS FOLLOWS:

SECTION 1. The Council for the City of Wellston, Ohio hereby resolves that the Mayor is authorized and directed to enter into the agreement for indigent defense services in Municipal Court for the second half of 2021 as attached hereto for an amount not to exceed \$9,979.33.

SECTION 2. This Resolution is hereby declared an emergency measure pursuant to Ohio Revised Code Section 731.30 and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City or Wellston, Ohio and as such shall take effect and be in full force immediately upon its passage and approval.

SECTION 3. It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Resolution were adopted in an open meeting of this council and the deliberations of this council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 17th day of June, 2021.

Keith Woolen Pro Tem
President of Council

ATTEST:

M. Barry Ewinsangle
Clerk of Council

Approved this 17th day of June, 2021.

Chris
Mayor

Posted 6/18/21 through 7/18/21 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Wellston Post Office.

Prepared by: Randy H. Dupree, Law Director