

Sponsor: Hudson

RESOLUTION NO. 2022-04

**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 FIRST HALF OF 2022, 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 first half of 2022 beginning on January 1, 2022 and ending June 30, 2022 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 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 ORDAINED BY THE COUNCIL OF THE CITY OF WELLSTON, OHIO, AS FOLLOWS:**

**SECTION 1.** The Council for the City of Wellston, Ohio hereby ordains that the Mayor is authorized and directed to enter into the agreement for indigent defense services in Municipal Court as attached hereto.

**SECTION 2.** This Ordinance 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 of 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 Ordinance 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 20<sup>th</sup> day of January, 2022.

David McWilliam  
President of Council

ATTEST:

M Evershaugh  
Clerk of Council



Approved this 20<sup>th</sup> day of January, 2022.

Chris  
Mayor

Published in accordance with the law on \_\_\_\_\_ and \_\_\_\_\_ and posted 1/26/22 through 2/26/22 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Wellston Post Office.

M Evershaugh  
Clerk of Council

