

ORDINANCE NO. 03-17 AC CMS

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF OBERLIN, OHIO, AND THE BOARD OF COMMISSIONERS OF LORAIN COUNTY, OHIO, FOR THE HOUSING OF MUNICIPAL ORDINANCE INMATES AT THE LORAIN COUNTY CORRECTIONAL FACILITY (LCCF) AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the Agreement between the City of Oberlin, Ohio, and the Board of Commissioners of Lorain County, Ohio, for the housing of municipal ordinance inmates at the Lorain County Correctional Facility (LCCF), a copy being attached hereto as Exhibit A, is hereby approved, and the City Manager is hereby authorized and directed to execute same on behalf of the City.

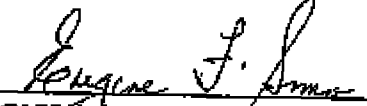
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to authorize a contract for the incarceration of misdemeanants as soon as possible in order to insure the continued operation of the local criminal justice system", and shall take effect immediately upon passage.

PASSED: 1st Reading - February 18, 2003 (E)
2nd Reading -
3rd Reading -

ATTEST:



CLERK OF COUNCIL

POSTED: 2/19/03



CHAIR OF COUNCIL

EFFECTIVE DATE: 2/18/03

LORAIN COUNTY PROSECUTOR'S OFFICE
LORAIN COUNTY, OHIO

226 MIDDLE AVENUE 4TH FLOOR - ELYRIA, OHIO 44035
FAX: 440-323-1015 - EMAIL: JCPROSECUTOR@ALLTEL.NET

March 14, 2003

03-19-03 A10:46 IN

Lorain County Sheriff's Department
ATTENTION: SHERIFF PHEL R. STAMMITT
9896 Murray Ridge Road
Elyria, Ohio 44035

Re: New Municipal Ordinance Contracts

Dear Sheriff Stammitt,

Enclosed herewith, please find completely executed Second Amended Lorain County Correctional Facility Contracts For Housing Municipal Ordinance Inmates by and between Lorain County and the Cities/Villages of:

Avon Lake	North Ridgeville
Grafton	Oberlin
LaGrange	South Amherst
Lorain	Wellington

As the remaining contracts are received, I will forward same to you under separate cover.

Sincerely,

JEFFREY H. MANNING
Prosecuting Attorney,
Lorain County, Ohio

M. Robert Flanagan
Assistant Prosecuting Attorney,
Lorain County, Ohio
440-329-5398

cc: Clerk Of Council
Chief Of Police
Law Director/Solicitor
John S. Rokasy
Yvonne Newton
Marla Jams

**SECOND AMENDED
LORAIN COUNTY CORRECTIONAL FACILITY CONTRACT
FOR HOUSING MUNICIPAL ORDINANCE INMATES**

This Second Amended Contract is made pursuant to the laws of the State of Ohio, by and between the City of OBERLIN, Ohio, hereinafter referred to as "City", and the Board of Commissioners of Lorain County, Ohio, hereinafter referred to as "County".

WITNESSETH

WHEREAS, effective January 1, 2001, the City and the County entered into a Contract whereby the City's municipal ordinance inmates were confined in the Lorain County Ohio Correctional Facility, hereinafter "LCCF"; and

WHEREAS, municipal ordinance inmate confinement expenses have increased dramatically since January 1, 2001.

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the City and the County mutually agree as follows: to wit:

1. Effective February 1, 2003, the City shall pay monthly to the County for every person so classified as "ordinance inmate" and confined in the LCCF a uniform per diem, per prison incarceration rate of Seventy-Five Dollars (\$75.00) per day, or any portion thereof, for board clothing and incidentals during said confinement and commitment in the LCCF
2. All other terms, conditions and provisions of the Lorain County Correctional Facility Contract For Housing Municipal Ordinance Inmates, effective January 1, 2001, not affected by the within Second Amended Lorain County Correctional Facility Contract For Housing Municipal Ordinance Inmates shall remain in full force and effect

3. The parties hereto mutually acknowledge and agree that: 1) they have read the within Second Amended Lorain County Correctional Facility Contract For Housing Municipal Ordinance Inmates, in its entirety, before executing same; 2) they understand and agree to all of the terms and conditions herein contained; 3) they have had an opportunity to have their respective legal counsel review and approve the within Second Amended Lorain County Correctional Facility Contract For Housing Municipal Ordinance Inmates before executing same; and 4) they executed the within Second Amended Lorain County Correctional Facility Contract For Housing Municipal Ordinance Inmates in the City of Elyria, Ohio. as to the County signators, and in the City of OBERLIN, Ohio. as to the City signator, on the date(s) opposite their respective signatures, as the respective free acts and deeds.

LORAIN COUNTY COMMISSIONERS:

Mary Jo Vasi Pres.
Mary Jo Vasi, President

MAR 05 2003
Date

David J. Moore

Date

Elizabeth C. Blair

Date

CITY OF OBERLIN, OHIO



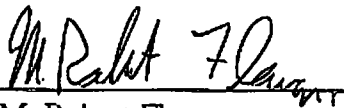
2/19/03
Date

APPROVED BY:



Phil R. Stammitti, Sheriff,
Lorain County, Ohio

3-6-03
Date

 7/1/03 APA

M. Robert Flanagan,
Assistant County Prosecutor,
Lorain County, Ohio

3/11/03
Date



Municipal Law Director/Solicitor

2-24-03
Date

B.23

RESOLUTION NO. 03-20

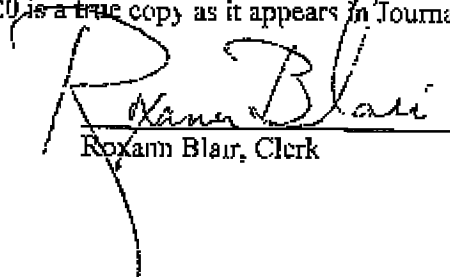
In the matter of re-establishing incarceration fees)
within Lorain County for housing municipal)
ordinance inmates from \$65.00 per diem to \$75.00)
per diem, effective February 1, 2003)

BE IT RESOLVED, by the Lorain County Board of Commissioners that we hereby re-establish incarceration fees within Lorain County for housing municipal ordinance inmates from \$65.00 per diem to \$75.00 per diem, effective February 1, 2003

FURTHER BE IT RESOLVED, we hereby authorize the Prosecutor's Office to prepare new contracts between the Lorain County Sheriff and the various participating municipalities.

Motion by Vasi, seconded by Moore to adopt Resolution. Ayes: All.
Motion carried.

I, Roxann Blair, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 03-20 is a true copy as it appears in Journal No. 03 on date of January 13, 2003


Roxann Blair, Clerk