

**RESOLUTION NO. R04-03 CMS**

**A RESOLUTION PRESCRIBING THE ANNUAL COMPENSATION TO BE RECEIVED BY THE CLERK OF THE OBERLIN MUNICIPAL COURT AS REQUIRED BY SECTION 1901.31 (C)(1) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

WHEREAS, Section 1901.31 (C)(1) of the Ohio Revised Code requires that Oberlin City Council prescribe the annual compensation to be received by the Clerk of the Oberlin Municipal Court if the expenditures of the Court exceed its revenues; and

WHEREAS, the Oberlin City Auditor has certified the revenues and expenditures of the Court; and

WHEREAS, said expenditures of the Court exceed its revenues.

NOW, THEREFORE, BE IT RESOLVED 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 pursuant to the requirements of Section 1901.31 (C)(1) of the Ohio Revised Code, the annual compensation to be received by the Clerk of the Oberlin Municipal Court for the 2004 calendar year is hereby set at \$44,000 plus all other benefits and entitlements applicable to the office.

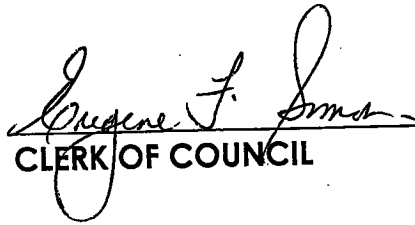
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, 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 resolution is hereby declared to be an emergency measure necessary for the preservation of public peace, health, and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to comply with the dictates of the Ohio Revised Code in a timely manner", and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading – March 15, 2004 (E)  
2<sup>nd</sup> Reading –  
3<sup>rd</sup> Reading –

ATTEST:

  
CLERK OF COUNCIL

  
CHAIR OF COUNCIL

POSTED: March 16, 2004

EFFECTIVE DATE: March 16, 2004

a:/RES04-03ClerkofCourtsSalary

City of  
*Oberlin*

69 South Main Street Oberlin, Ohio 44074

To: Honorable Chair and Council  
From: Sal Talarico, City Auditor  
Subject: Resolution 04-03 – City's Annual Compensation for Clerk of Courts  
Date: March 12, 2004

In accordance with O.R.C. section 1901.31(C), and the request of Judge Januzzi, the City Auditor is to certify the revenues and expenditures of the court for 2003. The revenues and expenditures of City's general fund from the Municipal Court as of December 31, 2003 are as follows:

|              |              |
|--------------|--------------|
| Revenues     | \$590,397.96 |
| Expenditures | \$611,829.26 |

Since the expenditures are in excess of revenues City Council needs to prescribe the City's annual compensation of the Municipal Court Clerk. If revenues were in excess of expenditures the Judge would prescribe the salary. The compensation is noted in resolution 04-03 AC.

If you have any questions please call.

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c. Judge Januzzi  
Rob DiSpirito, City Manager  
Eric Severs, City Solicitor  
Jean Simon, City Clerk  
File