

TEMPORARY RESOLUTION NO. 88-14

PERMANENT RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PAYMENT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) ANNUALLY FROM THE GENERAL FUND FOR MAINTENANCE, UPKEEP, AND OPERATION OF THE NEW FAIRFIELD COUNTY MUNICIPAL COURT BUILDING, TO AFFIRM THE MEMORANDUM OF UNDERSTANDING BETWEEN THE JUDGES AND CITY COUNCIL, AND TO PROVIDE FOR THE OCCUPANCY OF THE CITY OF LANCASTER LAW DIRECTOR AND CITY PROSECUTOR'S OFFICE IN THE BUILDING

WHEREAS, City has purchased the Columbian Building for renovation and construction of a new Fairfield County Municipal Court; and

WHEREAS, City Council has previously determined that the acquisition and operation of an additional city building for the new courthouse will most likely, due to financial concerns, require the leasing and/or sale of other city property currently in use and operation by the city; and

WHEREAS, City Council wants the City of Lancaster Law Director and City Prosecutor's Office located in the new courthouse building in order to facilitate possible leasing and/or sale of other city property; and

WHEREAS, the Judges of the Fairfield County Municipal Court have agreed to service any and all debt incurred for the renovation and construction of the new Fairfield County Municipal Court building and to maintain and operate the building utilizing court costs and fees; and

WHEREAS, City Council's provision of these general fund monies for the maintenance, upkeep, and operation of the new courthouse building, is intended to affirm the executed Memorandum of Understanding dated March 26, 2012 between the Judges and City Council (attached hereto as Exhibit "A") and eliminate any real and/or perceived conflict with Ohio Revised Code §1901.26 and/or OAG Opinion No. 2009-001;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That City Council hereby authorizes the general fund expenditure of One Hundred Thousand Dollars (\$100,000.00) annually for the maintenance, upkeep, and operation of the new Fairfield County Municipal Court building.

SECTION 2. That City Council hereby affirms the executed Memorandum of Understanding dated March 26, 2012 between the Judges and City Council and authorizes the expenditure of these general fund monies according to the terms set forth in the Memorandum of Understanding dated March 26, 2012.

SECTION 3. That pursuant to the occupancy of the City of Lancaster Law Director and City Prosecutor's Office in the building, City Council hereby declares that the annual

general fund expenditure for maintenance, upkeep, and operation of the building is to be appropriated and disbursed so as to eliminate any real and/or perceived conflict with Ohio Revised Code §1901.26 and/or OAG Opinion No. 2009-001.

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____


Requested by Finance Committee


Memorandum of Understanding


March 26, 2012

- 1) Lancaster City Council agrees to an annual amount not to exceed \$100,000.00 in funding towards maintenance and upkeep of new court building.
- 2) All other expenses for operation and maintenance, and upkeep to be born by Fairfield County Municipal Court.
- 3) Effective date shall be date of occupancy, prorated monthly.
- 4) This Agreement is in effect indefinitely unless and until amended by mutual agreement.


Patrick N. Harris
Presiding & Administrative Judge
Fairfield County Municipal Court


David A. Trimmer
Judge
Fairfield County Municipal Court


Kenneth D. Culver
President
Lancaster City Council


Tom Stoughton
Chairman, Finance Committee
Lancaster City Council

