

**AN ORDINANCE TO AUTHORIZE AND DIRECT THE MAYOR AND  
DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH THE  
CITY OF AKRON, OHIO, FOR THE FURNISHING OF PROSECUTORIAL  
SERVICES IN THE MUNICIPAL COURT OF AKRON AND DECLARING AN  
EMERGENCY**

WHEREAS, from time to time certain legal matters which concern the Village of Richfield are heard and determined in the Municipal Court of Akron, Ohio and the services of a Prosecutor are required; and

WHEREAS, the services of the Office of the Prosecutor of the City of Akron are needed and would be in the best interests of the Village,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the Mayor and Director of Finance are authorized and directed to enter into an Agreement with the City of Akron, Ohio, for certain prosecutorial services, commencing July 1, 2001.

SECTION 2. The form of Agreement, now on file in the Office of the Director of Public Service, is hereby approved.

SECTION 3. The Director of Finance is authorized to pay for such services by drawing on the appropriate account of this Village and paying the same to the City of Akron, Ohio.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety for the reason to avoid a termination of service; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: December 18, 2001

ATTEST:

Carole Gibson  
Clerk of Council

Michael Lyons  
President of Council  
Donald W. Larsen  
Mayor

Dated: 12/19/2001

**AGREEMENT**

THIS AGREEMENT, entered into this 19<sup>th</sup> day of December, 01, by and between Max Rothal, Director of Law for the City of Akron, Ohio, pursuant to Ordinance No. 46-1981, passed January 26, 1981, and the Village of Richfield, Ohio, by Mayor and Director of Finance, pursuant to Ordinance No. 122-2001, passed 12/18/2001, for the prosecution of certain cases before the Akron Municipal Court, Criminal Division, and for the representation of the Bureau of Motor Vehicles of certain cases in the Akron Municipal Court, Civil Division; now, therefore, the parties hereto agree as follows:

Max Rothal, Director of Law of the City of Akron, Ohio, hereby agrees that he will undertake to prosecute, by and through personnel employed by the City of Akron Law Department, all cases coming before the Akron Municipal Court, Criminal Division, arising out of alleged violations of traffic and criminal ordinances of the Village of Richfield, Ohio, or traffic and criminal statutes of the State of Ohio, which occur within the limits of the Village of Richfield, Ohio.

Max Rothal, Director of Law of the City of Akron, Ohio, further agrees that he will direct his personnel who are to perform the services contemplated by this Agreement, to consult with and advise the officers of the Village of Richfield, Ohio, Police Department, and all other appropriate officials of the Village of Richfield, Ohio, when necessary, concerning the enforcement of the criminal and traffic statutes of the State of Ohio and ordinances of the Village of Richfield, Ohio, within the limits of said Village of Richfield, Ohio.

Max Rothal, Director of Law of the City of Akron, Ohio, further agrees that he will, by and through the personnel assigned to duties in the City of Akron Law Department, consult with and advise all persons concerning violations of the criminal statutes of the State of Ohio, alleged to have occurred within the limits of the Village of Richfield, Ohio, and will assist such citizens, when necessary, in the preparation and filing of affidavits charging such offenses.

Max Rothal, Director of Law of the City of Akron, Ohio further agrees that he will undertake to represent the Bureau of Motor Vehicles, by and through personnel employed by the City of Akron Law Department, in all cases coming before the Akron Municipal Court, Civil Division, arising out of the appeal procedure of Ohio Revised Code Sections 4511.191 and 4507.40 and in which the legal representative of the Village of Richfield, Ohio would have a duty to represent the Bureau of Motor Vehicles.

The Village of Richfield, Ohio, in consideration of the above, agrees to pay to Max Rothal, Director of Law of the City of Akron, Ohio, or to any Assistant Director of Law designated by him of the City of Akron, the total sum of Eleven Thousand Two Hundred and Thirty-Four Dollars and Sixty-Four Cents (\$11,234.64) payable upon execution of the Agreement.

It is mutually understood and agreed that the responsibility of Max Rothal, Director of Law of the City of Akron, Ohio, under this agreement shall be limited to those functions set out above, and specifically that he and his Prosecutor or Civil Litigation personnel, by which he chooses to perform this Agreement, shall not be required to engage in any investigations other than those normally performed by the City of Akron Law Department

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