

AGENDA

FAIRLAWN CITY COUNCIL
 REGULAR MEETING
FEBRUARY 2, 2026

- ITEM 1:** CALL TO ORDER AT 6:30 P.M.
- ITEM 2:** PLEDGE OF ALLEGIANCE
- ITEM 3:** ROLL CALL
- ITEM 4:** APPROVAL OF MEETING MINUTES
- ITEM 5:** RECEIVING PETITIONS, CLAIMS AND COMMUNICATIONS
- ITEM 6:** REPORT OF CITY OFFICIALS AND BOARDS
- ITEM 7:** INTRODUCTION OF NEW LEGISLATION FOR REFERENCE TO COMMITTEE

2026 NO.	COMMITTEE	SPONSOR
O/2026-007	MUNICIPAL SERVICES COMMITTEE	MAYOR SHARNSKY
R/2026-008	COMMITTEE OF THE WHOLE	MAYOR SHARNSKY
O/2026-009	PUBLIC SAFETY COMMITTEE	MAYOR SHARNSKY
O/2026-010	PUBLIC AFFAIRS COMMITTEE	MAYOR SHARNSKY

ITEM 8: PUBLIC HEARINGS: NONE

ITEM 9: COMMITTEE REPORTS ON NEW OR PENDING LEGISLATION

COMMITTEE OF THE WHOLE:

Ordinance 2025-116 **Offered by Mayor Sharnsky**
 AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE IAFF LOCAL 4164 REPRESENTING FULL-TIME FIRE/MEDICS AND FULL-TIME FIRE/MEDICS HOLDING THE RANK OF LIEUTENANT OF THE DIVISION OF FIRE AND EMERGENCY RESCUE SERVICES OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2026, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026		

Ordinance 2025-117 **Offered by Mayor Sharnsky**
 AN ORDINANCE APPROVING THE CONTRACT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FAIRLAWN AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., REPRESENTING THE FULL-TIME PATROL OFFICERS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2026, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026		

Ordinance 2025-118 **Offered by Mayor Sharnsky**
 AN ORDINANCE APPROVING THE CONTRACT AND MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FAIRLAWN AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., REPRESENTING THE SERGEANTS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2026, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026		

Ordinance 2025-119**Offered by Mayor Sharnsky**

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE PART-TIME BARGAINING UNIT EMPLOYEES OF THE DIVISION OF FIRE AND EMERGENCY RESCUE SERVICES OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2026, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date 03/15/2026	Public Hearing n/a	Accepted 12/15/2025	1 st Reading 12/15/2025	2 nd Reading 01/05/2026	3 rd Reading 01/20/2026	Hold	Pass
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Ordinance 2025-120**Offered by Mayor Sharnsky**

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION REPRESENTING THE PART-TIME PATROL OFFICERS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2026, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date 03/15/2026	Public Hearing n/a	Accepted 12/15/2025	1 st Reading 12/15/2025	2 nd Reading 01/05/2026	3 rd Reading 01/20/2026	Hold	Pass
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Ordinance 2025-122**Offered by Mayor Sharnsky**

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 436 REPRESENTING FAIRLAWN SERVICE DEPARTMENT, RETROACTIVE TO JANUARY 1, 2026, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date 03/15/2026	Public Hearing n/a	Accepted 12/15/2025	1 st Reading 12/15/2025	2 nd Reading 01/05/2026	3 rd Reading 01/20/2026	Hold	Pass
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Resolution 2026-008**Offered by Mayor Sharnsky**

A RESOLUTION CONFIRMING THE APPOINTMENT OF ONKER BASU TO THE CHARTER REVIEW COMMISSION FOR YEAR 2026

Expiration Date 05/02/2026	Public Hearing n/a	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
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FINANCE COMMITTEE:**MUNICIPAL SERVICES COMMITTEE:****Ordinance 2026-007****Offered by Mayor Sharnsky**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE SUMMIT COUNTY PUBLIC DEFENDER'S COMMISSION TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS WHO ARE ARRESTED OR SUMMONED TO FAIRLAWN MAYOR'S COURT OR AKRON MUNICIPAL COURT FOR VIOLATIONS OF LAW WITHIN THE CITY OF FAIRLAWN, OHIO DURING THE YEAR OF 2026

Expiration Date 05/02/2026	Public Hearing n/a	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
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PUBLIC AFFAIRS COMMITTEE:**Ordinance 2026-010****Offered by Mayor Sharnsky**

AN ORDINANCE ACCEPTING THE BID OF FABRIZI TRUCKING AND PAVING CO. AS BEING THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE RIVERIA DRIVE STREET REPAIR PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SUM OF \$1,135,530.75

Expiration Date 05/02/2026	Public Hearing n/a	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
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PUBLIC SAFETY COMMITTEE:

Ordinance 2026-004

Offered by Mayor Sharnsky

AN ORDINANCE AMENDING AND OR SUPPLEMENTING SECTION 240.06 "PART TIME FIREFIGHTER/EMT-P" OF CHAPTER 240 "DIVISION OF FIRE AND EMERGENCY RESCUE SERVICES;" TITLE SIX "ADMINISTRATION;" PART TWO "ADMINISTRATION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/20/2026	n/a	01/20/2026	01/20/2026				

Ordinance 2026-009

Offered by Mayor Sharnsky

AN ORDINANCE AMENDING AND/OR SUPPLEMENTING SECTION 1480.04 "FIRE PROTECTION SYSTEMS" OF CHAPTER 1480 "COMMERCIAL BUILDING REGULATIONS;" TITLE SIX "MISCELLANEOUS BUILDING REGULATIONS;" PART FOURTEEN "BUILDING AND HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
05/02/2026	n/a						

INTERGOVERNMENTAL AFFAIRS COMMITTEE:

PLANNING COMMITTEE:

Ordinance 2026-005

Offered by Mayor Sharnsky

AN ORDINANCE APPROVING THE REVISED PLAT OF PHASE II OF THE LINKS SUBDIVISION LOCATED WITHIN THE ROSEMONT GREENS PUD AND AUTHORIZING EXECUTION THEREOF UPON COMPLIANCE WITH DEVELOPMENT REQUIREMENTS

Expiration Date	Public Hearing set for	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/20/2026	03/02/2026	01/20/2026	01/20/2026				

ITEM 10: OTHER BUSINESS

ITEM 11: ADJOURNMENT

AN ORDINANCE ACCEPTING THE BID OF FABRIZI TRUCKING AND PAVING CO. AS BEING THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE RIVERIA DRIVE STREET REPAIR PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SUM OF \$1,135,530.75

WHEREAS, pursuant to Section 282.15 of the Codified Ordinances of the City of Fairlawn, the City solicited bids for the Riveria Drive Street Repair Project, which were received and opened. The Fairlawn Board of Audit and Review determined that the lowest responsive and responsible bid received was from Fabrizi Trucking and Paving Co.; and

WHEREAS, Fabrizi Trucking and Paving Co.’s bid for the Riveria Drive Street Repair Project is \$1,135,530.75; and

WHEREAS, the Service Director has recommended that Fabrizi Trucking and Paving Co. be awarded the contract.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Council hereby accepts the bid of Fabrizi Trucking and Paving Co. as being the lowest responsive and responsible bid for the Riveria Drive Street Repair Project.

Section 2: The Mayor is hereby authorized to enter into a contract with Fabrizi Trucking and Paving Co for the Riveria Drive Street Repair Project.

Section 3: The Finance Director is hereby authorized and directed to make the appropriate entries and issue warrants/vouchers pursuant thereof.

Section 4: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 5: This Ordinance shall be in full force and effect from and after its enactment and approval by the Mayor or at the earliest period allowed by law.

Enacted: _____ 2026 Approved: _____ 2026

Jonathon Groza, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Ordinance was duly and regularly passed at a meeting on _____, 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

AN ORDINANCE AMENDING AND/OR SUPPLEMENTING SECTION 1480.04 “FIRE PROTECTION SYSTEMS” OF CHAPTER 1480 “COMMERCIAL BUILDING REGULATIONS;” TITLE SIX “MISCELLANEOUS BUILDING REGULATIONS;” PART FOURTEEN “BUILDING AND HOUSING CODE” OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN AND DECLARING AN EMERGENCY

WHEREAS, the City of Fairlawn is dedicated to preventing fires and promoting strict compliance with the Fire Code; and

WHEREAS, having a single-point online repository for reporting information to the Division of Fire and Emergency Rescue Services will improve and streamline the collection of compliance data of our City’s systems; and

WHEREAS, this type of system will make the Fairlawn Division of Fire and Emergency Rescue Services more readily aware of any potential issues with fire protection systems and help minimize risks in the community by improving oversight, thus improving public safety for the community; and

WHEREAS, the Chief of the Division of Fire and Emergency Rescue Services recommends that the City adopt this amendment to the codified ordinances.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO, THAT:

Section 1: Section 1480.04 “Fire Protection Systems” is hereby amended and/or supplemented as described in Exhibit A which is attached hereto and made a part hereof.

Section 2: All other sections of Chapter 1480 remain unchanged.

Section 3: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C., regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 4: This Ordinance is hereby declared to be an emergency measure for the health, safety and welfare of the residents of the City of Fairlawn for the reason that is necessary to provide safety for the residents and property of the City of Fairlawn and it shall therefore be in full force and effect from and after its enactment and approval by the Mayor at the earliest period allowed by law.

Enacted: _____ 2026

Approved: _____ 2026

Jonathon Groza, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Ordinance was duly and regularly passed at a meeting on _____, 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

EXHIBIT A
Ordinance 2026-009

1480.04 FIRE PROTECTION SYSTEMS.

(a) When fire protection systems are required by the Building Code, the Fire Prevention Code, or City ordinances, the location of the same shall be determined by the proper authority and reviewed by the Division of Fire and Emergency Rescue Services. These systems shall include, but not be limited to, the following:

- (1) Lock box locations;
 - (2) Annunciator panel locations;
 - (3) Fire Extinguisher or fire extinguishing systems locations;
 - (4) Fire alarm systems network connections; Alarms to the communication center; and
 - (5) Emergency exit lights and lighting;
 - (6) Private fire hydrants;
 - (7) Carbon monoxide alarm systems;
- Fire protection systems.

(b) All contractors, entities, companies, or individuals providing inspections, tests, and maintenance of fire protection systems are required to enroll with and utilize the approved single-point repository service company ("SRSC") for reporting information regarding the inspections, tests, and maintenance of the fire protection systems to the Division of Fire and Emergency Rescue Services.

(c) Fire protection system information must be filed with the SRSC within five business days from the completion of the services.

(d) Information related to any inspections, tests, and maintenance for all fire protection systems, including but not limited to those set forth above, is required to be submitted through the SRSC to the Division of Fire and Emergency Rescue Services.

(e) The Chief of the Division of Fire and Emergency Rescue Services shall select and contract with an SRSC for reporting the required fire protection system information to the Fire Prevention Bureau.

(f) The SRSC is authorized to charge a reasonable fee to users of the reporting system.

A RESOLUTION CONFIRMING THE APPOINTMENT OF ONKER BASU TO THE CHARTER REVIEW COMMISSION FOR YEAR 2026

WHEREAS, pursuant to Section 19.01 of Article XIX of the Charter of the City of Fairlawn, every three years the Mayor shall appoint a commission of five qualified electors of the Municipality holding no other office or appointment in the Municipality as members of the Charter Review Commission; and

WHEREAS, such appointments shall be subject to confirmation by a majority of Council; and

WHEREAS, Onker Basu has shown interest in serving on said Commission; and

WHEREAS, the Mayor has appointed Onker Basu to the Charter Review Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Mayor having appointed Onker Basu as a member of the Charter Review Commission for the year 2026, said appointment is found appropriate and is hereby confirmed.

Section 2: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 3: This Resolution shall be in full force and effect from and after its adoption and approval by the Mayor or at the earliest period allowed by law.

Adopted: _____, 2026

Approved: _____, 2026

Jonathon Groza, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Resolution was duly and regularly passed at a meeting on _____, 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Resolution was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE SUMMIT COUNTY PUBLIC DEFENDER’S COMMISSION TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS WHO ARE ARRESTED OR SUMMONED TO FAIRLAWN MAYOR’S COURT OR AKRON MUNICIPAL COURT FOR VIOLATIONS OF LAW WITHIN THE CITY OF FAIRLAWN, OHIO DURING THE YEAR OF 2026

WHEREAS, it is necessary for the City to provide representation to indigent defendants arrested or summoned to court for violations of the City’s ordinances and the laws of the State of Ohio; and

WHEREAS, the City has been requested to renew its agreement with the Summit County Public Defender’s Commission for providing representation to indigent defendants arrested or summoned to Court for violations of the City’s ordinances and the laws of the State of Ohio.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Mayor is hereby authorized to enter into an agreement with the Summit County Public Defender’s Commission to provide for legal services to indigent defendants charged with loss of liberty offenses. This agreement shall substantially be in accordance with the terms and conditions of Doc: 26-006 which is attached hereto and made a part hereof.

Section 2: The Finance Director is hereby authorized and directed to make the appropriate entries and issue warrants/vouchers pursuant thereof.

Section 3: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 4: This Ordinance shall be in full force and effect from and after its enactment and approval by the Mayor or at the earliest period allowed by law.

Enacted: _____ 2026

Approved: _____ 2026

Jonathan Groza, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Ordinance was duly and regularly passed at a meeting on _____, 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

AGREEMENT

This Agreement made at the CITY OF FAIRLAWN, Ohio on this 22nd day of January 2026, by and between the CITY OF FAIRLAWN, Ohio, acting by and through its Mayor (or designee) duly authorized by Ordinance No. _____, _____, passed by the Council of the CITY OF FAIRLAWN, Ohio on the _____ day of _____, _____, hereinafter referred to as the CITY, County of Summit, Ohio, herein after referred to as the COUNTY, and the Legal Defenders Office of Summit County, Ohio, Inc., a non-profit organization established per Chapter 120 of the Ohio Revised Code (ORC) and Chapter 120-1 of the Administrative Code (OAC), hereinafter referred to as the DEFENDER, collectively referred to as PARTIES.

WITNESSETH:

WHEREAS, the CITY wishes to enter into an agreement to obtain the services of the DEFENDER to provide legal counsel to indigent persons charged with loss of liberty offenses in its municipal jurisdiction for 2026; and

WHEREAS, pursuant ORC Chapter 120, specifically §§ 120.08 and .34, the state treasury maintains the indigent defense support fund to reimburse county governments for the expenses incurred by DEFENDER for the aforementioned services. Per OAC 120-1-09 it is necessary to enter into this Agreement in order for COUNTY to obtain reimbursement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, conditions, and terms to be kept and performed, it is agreed between the PARTIES as follows:

Section 1. The DEFENDER shall provide counsel in the Akron Municipal Court and the Summit County Juvenile Court to persons charged with a violation

of the Codified Ordinances of the CITY OF FAIRLAWN, Ohio for which a sentence of confinement may be imposed on such person should they be convicted, and who meet either of the following specifications:

- a. The judge has determined in accordance with Subsection D of Rule 44 of the Ohio Rules of Criminal Procedure that such person is unable to obtain legal counsel; or
- b. The DEFENDER or LDO determines that the individual is indigent in accordance with Sections 120.05 and 120.15 of the Ohio Revised Code and Section 120-1-03 of the Ohio Administrative Code.

Section 2. The fee for the services provided in Section 1 of the Agreement shall not exceed Two Hundred Fifty Dollars (\$250.00) per case. The DEFENDER shall provide a monthly list to the COUNTY and the CITY of all billable closed cases by the 15th day of the following month. The COUNTY shall pay the DEFENDER \$250.00 for each identified closed case on the monthly list. The CITY shall pay the COUNTY the unreimbursed portion of that fee in effect for each closed case on the monthly list (currently 18% of the fee or \$45 per case). The unreimbursed percentage is subject to change pursuant to the Ohio Public Defender's indigent defense reimbursement rate. Should the rate be changed by the state during the term of this Agreement, the PARTIES agree to abide by the new rate. PARTIES will cooperate to receive the maximum state reimbursement allowed by law.

Matters that have multiple CITY municipal code charges under one case number shall be counted as one case. Where a case has both a municipal code charge and an Ohio Revised Code, the case shall be billed to the CITY whenever the ordinance is the highest degree charge or ties for highest degree.

Further, in matters where the defendant is charged under one code type, but convicted of another code type, the code type in which the defendant is charged

under shall be used to determine billable status.

In the event that a defendant becomes unavailable during the pendency of the case, the DEFENDER shall keep the case open for a period of six months from the first missed hearing. At the expiration of that six months, the case shall be closed and billed accordingly. If the defendant becomes available after the matter is closed, the case will be re-opened and considered a new case for the purposes of billing at that time.

For all community control violations, show cause hearings or contempts filed six months or more after the original case has been closed, the fee shall not exceed One Hundred Twenty-Five Dollars (\$125.00) or 50% of the Two Hundred Fifty Dollars (\$250.00) per case. Community control violations, show cause hearings and contempts will be billed to the municipality that filed the action.

All appeals of cases originally billed pursuant to this contract shall be billed at Two Hundred Fifty Dollars (\$250.00) per case. All appeals assigned to the DEFENDER for municipal code violation cases for which the DEFENDER was not trial counsel, shall be billed at Two Hundred Fifty Dollars (\$250.00). These will be billed in the same manner as the original case.

Section 3. The DEFENDER, on behalf of its attorneys and each attorney employed by the DEFENDER, individually, reserves the right to decline to advise or represent any particular person, consistent with the Ohio Rules of Professional Conduct. If a conflict is identified prior to arraignment or appointment of DEFENDER, DEFENDER shall not be appointed. The DEFENDER further reserves the right to withdraw from representation: (1) for a conflict of interest consistent with the Ohio Rules of Professional Conduct; (2) due to a finding of the client's financial ineligibility for the legal services; or (3) due to an excessive workload as

determined by Section 120-1-07 of the Ohio Administrative Code. However, in the event DEFENDER desires to withdraw due to financial ineligibility or excessive workload, the DEFENDER or the individual attorney shall continue representation previously commenced at the trial court level through all trial court proceedings, including capias and probation violation proceedings, and shall continue previously taken appeals until the appeals process is terminated by a final action on the merits by the appellate court or until alternate counsel is obtained.

Section 4. The Agreement shall expire on December 31, 2026. Billing for the aforementioned services may occur after expiration.

Section 5. In the event the CITY does not renew this Agreement, the CITY agrees to pay the COUNTY the applicable amount in Section 2 per pending case upon the completion of said case.

Section 6. The DEFENDER shall defend and hold harmless the CITY from any and all claims or liability resulting from the services performed by the DEFENDER under the contract.

Section 7. All amendments to this Agreement shall be in writing and signed by all parties.

Section 8. This contract shall be subject to the approval of the Ohio Public Defender Commission. In addition to indigency determination, all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.

IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first above written.

IN THE PRESENCE OF:

CITY OF FAIRLAWN

_____/_____
Witness for Mayor/Designee Date

_____/_____
Mayor (or designee) Date

LEGAL DEFENDERS OFFICE OF
SUMMIT COUNTY, OHIO, INC.

_____/_____
Witness for DEFENDER Date

_____/_____
Andrea Whitaker, Date
Director

Approved as to form and correctness:

COUNTY OF SUMMIT, OHIO

_____/_____
Brian K. Harnak Date
Director of Law and Risk Management
County of Summit, Ohio

_____/_____
Ilene Shapiro, Date
Executive

CERTIFICATE OF DIRECTOR OF FINANCE

I hereby certify that certificates will be furnished on payment orders issued by the _____ under this contract and that sufficient money is in the treasury under this contract and that sufficient money is in the treasury or in the process of collection to the credit of the appropriate fund or division to discharge the CITY's obligation under this contract as authorized by Ordinance No.

_____, _____.

Director of Finance