

May 12, 2022

FINANCE COMMITTEE

May 16, 2022

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers

5:45pm

AGENDA

1. Consider **Resolution No. 22-47** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO GOVERNOR'S OFFICE OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR 2022 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.
2. Consider **Resolution No. 22-48** A RESOLUTION APPROPRIATING MONIES FOR THE EXPENSES OF THE MUNICIPAL CORPORATION
3. Consider **Resolution No. 22-51** A RESOLUTION A DRUG LAW ENFORCEMENT FUND AND DECLARING AN EMERGENCY
4. OTHER ITEMS AT THE DISCRETION OF THE CHAIR

BY _____

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEWARK TO PREPARE AND SUBMIT APPLICATIONS TO THE OHIO GOVERNOR’S OFFICE OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR 2022 EDWARD BYRNE JUSTICE ASSISTANCE GRANT FUNDING.

WHEREAS, the federal Edward Byrne Memorial Justice Assistance Grant provides federal financial assistance to state and local law enforcement agencies for activities which, among other purposes, improve the effectiveness of the criminal justice system; and,

WHEREAS, in Ohio, the Edward Byrne Memorial Justice Assistance Grant is administered by the Governor’s Office of Criminal Justice Services; and,

WHEREAS, the Governor’s Office of Criminal Justice Services has prepared Fiscal Year 2022 (January 1, 2023 through December 31, 2023) funding directives which provides that 75% matching funds are available for certain crime prevention activities; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

Section 1: This Council does hereby authorize and direct the Mayor, and his representative, to prepare applications to the Ohio Governor’s Office of Criminal Justice Services for funding assistance through the Edward Byrne Justice Assistance Grant for Fiscal Year 2022 (January 1, 2023 through December 31, 2023), and to make in connection therewith, all certifications, understandings, and assurances contained therein.

Section 2: In furtherance of the directives established herein, the Mayor is authorized to take whatever action is legally available to attain such funding in the best interest of the City and its participation in available crime prevention funding programs.

Section 3: That the Mayor be and hereby is designated as the authorizing official to enter into an agreement with the State of Ohio and its agencies to administer the grant program and to accept said funds when they become available.

Section 4: This Resolution shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED THIS _____ DAY OF _____, 2022

_____, PRESIDENT OF COUNCIL

ATTEST _____, CLERK OF COUNCIL

DATE FILED WITH MAYOR _____

DATE APPROVED BY MAYOR _____

_____, MAYOR

FORM APPROVED: _____, DIRECTOR OF LAW

Resolution No.22-48

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$925.00 (Req. appropriation of funds back into equip. & Supplies from sale of equip on govdeals bill of sale #432022)

100.204.5331	Equipment & Suppies	925.00
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This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2022.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

**A RESOLUTION ESTABLISHING A DRUG LAW ENFORCEMENT FUND AND
DECLARING AN EMERGENCY**

WHEREAS, from time to time, the City of Newark receives fine money as a result of the Newark Police Department's efforts pertaining to drug offenses; and,

WHEREAS, O.R.C. 2925.03 (F)(1), states that the clerk of the court shall pay any mandatory fines and any fine other than a mandatory fine imposed pursuant to the R.C. 2925.03(D)(1) and 2929.18(A) or (B)(5) to the county, township, municipal corporation, park enforcement agencies, or state law enforcement agencies in this state that primarily were responsible for or involved in making the arrest of, and in prosecuting, the offender in certain drug related offenses; and,

WHEREAS, O.R.C. 2925.03 states that the law enforcement agency primarily responsible for or involved in the arrest, prosecution of the offender for certain drug related offenses may only receive fines collected from the clerk of court upon the adoption of a written internal control policy pursuant to O.R.C. 2925.03(F)(2) that addresses the use of the fine moneys that it receives; and,

WHEREAS, the law enforcement agency shall use the mandatory fines so paid to subsidize the agency's law enforcement efforts that pertain to drug offenses, in accordance with the adopted written internal control policy; and,

WHEREAS, the Newark Police Department wishes to establish a Drug Law Enforcement Fund through the Newark City Auditor's Office to receive, hold, and distribute funds related to drug offenses and hereby submits Policy 608 in compliance with O.R.C. 2925.03(F)(2) in order to receive the collected fines; and,

WHEREAS, this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, and safety of the citizens of the City of Newark, Licking County, Ohio for the reason that funds must be immediately accepted and maintained from criminal prosecutions.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
NEWARK, COUNTY OF LICKING, STATE OF OHIO:**

Section 1: There is hereby established a Drug Law Enforcement Fund for the receipt, management, and expenditure of funds as provided by law. Said funds shall be controlled by the policy attached hereto, which may be amended as necessary.

Section 2: This Resolution shall become effective immediately as an emergency pursuant to Article 4.07 of the Charter of the City of Newark, Ohio for the immediate preservation of the public peace, health, safety, and welfare.

Adopted this _____ day of _____, _____.

PRESIDENT OF COUNCIL

Attest: _____
Clerk of Council

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

Internal Control Policy for Mandatory Drug Fine Receipt and Expenditures

608.1 PURPOSE AND SCOPE

The purpose of this policy is to establish accounting and control procedures for mandatory drug fine monies received pursuant to the Ohio Revised Code 2925.03.

It is the policy of the Newark Division of Police to maintain stringent control over all mandatory drug fine monies to ensure that the funds are only used for authorized purposes as detailed in this policy.

608.2 RECEIPT OF STATE DRUG FINE MONIES

All the proceeds from mandatory drug penalty fines imposed by the Licking County Municipal Court, Licking County Common Pleas Court, or any other court recognized by the State of Ohio and directed to the benefit of the Newark Division of Police shall be properly recorded by the City of Newark Auditor's Office.

The fine monies shall be deposited into the Drug Enforcement Trust Fund by the City of Newark Auditor's Office. An accurate record of the fine amount received, the date of receipt, the court and case number the fine originated from, and the name of the defendant in the case shall be maintained by the City of Newark Auditor's Office. A copy of this record will be forwarded to the Newark Division of Police by the City of Newark Auditor's Office.

608.3 EXPENDITURES OF STATE DRUG FINE MONIES

The proceeds used from the City of Newark Drug Enforcement Trust Fund shall be expended in the furtherance of the investigation and prosecution of drug related offenses in Licking County and/or other counties within the following general expenditure categories:

- Investigation costs of complex cases
- Costs of providing technical expertise
- Application toward federal matching funds
- Special equipment
- Any other law enforcement purpose involving drug related offenses as determine by the Chief of Police and approved by the Safety Director

608.3.1 FILE REQUIREMENTS

A detailed file of all expenditures from the City of Newark Drug Enforcement Trust Fund shall be maintained at the Newark Division of Police. The file shall contain copies of invoices for expenditure, dates they were sent to the City of Newark Auditor's Office for processing, and requisitions or purchase orders from which invoices were paid.

Newark Division of Police

Newark Division of Police Policy Manual

Internal Control Policy for Mandatory Drug Fine Receipt and Expenditures

Specific expenditure of monies shall not be immediately listed during the investigation of ongoing cases since such specifics, open to public inspection, may jeopardize the integrity of the investigation and thwart justice.