

**Cuyahoga Falls City Council
Minutes of the Public Affairs Committee**

April 2, 2018

Members: Mike Brillhart, Chair
Drew Reilly
Vic Pallotta

Mr. Brillhart called the meeting to order at 7:02 p.m. All members were present.

The minutes of the March 19, 2018 Public Affairs Committee meeting were approved as written.

Legislation Discussed:

Temp. Ord. A-34
Temp. Res. A-35

Discussion:

Temp. Ord. A-34

An ordinance amending Section 777 of Title Seven, Part one of the Codified Ordinances, relating to secondhand dealers, and declaring an emergency.

Ms. Janet Ciotola, Deputy Law Director, stated that City's secondhand business ordinance was last updated in March of 2014. At that time, Detective Lengel, who was also there to speak on this ordinance, indicated that the ordinance may need tweaked as time went by and additional information became available. After working with this ordinance the past four years, the Police Department and the Law Department have collaborated in drafting this new legislation to reflect current advancements with law enforcement technology and to assist local businesses with some of the more burdensome requirements of the present ordinance. The first change that they made is the requirement that secondhand businesses will be required to use LEADS Online. LEADS Online is a nationwide data base that assists law enforcement in tracking over one billion transactions nationwide. This helps law enforcement track criminals that have stolen valuable items and then have taken them to secondhand businesses to sell. Currently, businesses are required to submit a log of all their transactions. Members of the Police Department have to sift through hundreds of pages to look for one particular transaction. This is time consuming and burdensome for both the Police Department and local businesses. LEADS Online can search by using a few key terms for the transaction that they're seeking. As a member of LEADS Online, a local business need only to log onto this web-based program and record the required items that come into their possession. Second, they have more clearly defined regulated items based upon the Police Department's experience with what is commonly stolen and then resold. They also reviewed codes from other cities and jurisdictions to develop their list of regulated property. Third, they will no longer require the \$100 annual registration fee. They would rather see the businesses use this money to either update their computer programing or obtain internet if they don't it currently have it available at their business. Fourth, the new ordinance will now allow businesses to store their merchandise for the holding period. The City currently requires a 14-day

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holding period for anything brought in. Businesses have to hold onto it for 14 days to give the Police Department an opportunity, if they need it or suspect it stolen, to come to the business and do an investigation. The current ordinance requires this to be stored on site, but the new ordinance will allow it to be stored offsite. If the police need it, then they have to immediately, the next business day, bring it down to Police Department to inspect. They made this change because one of the local businesses is telling them it cost them a substantial amount of money to store their property onsite. Finally, the ordinance will prohibit any persons from owning or working for a secondhand business if there has been a prior theft offense or a similar offense, such as receiving stolen property, for the five years immediately preceding the date they apply for a license. The remaining provisions are very similar or the same to the current ordinance.

Detective Chad Lengel, Cuyahoga Falls Police Department, stated that, back in 2014, the idea was to get this ordinance in place and, within the next few years, be able to tweak it so that it is best for the City and for residents and also for the employees and businesses here. The LEADS Online data base they have been using for last two to three years has actually been really great. To give a brief synopsis, he can get on onto this website, plug in John Doe, and find out what John Doe has sold to different places that are reporting to LEADS Online. Before using LEADS Online, he would have to check through various pawnshops and secondhand stores all through Akron, check through any businesses that they had through Cuyahoga Falls and then every city right down the line. With the LEADS Online, he can then look under that one person, find out where they sold, when they sold and what they sold for any timeframe. He can check for pieces of jewelry or any items. He can check from Summit County, Ohio and nationwide. He has spoken with the representatives for LEADS Online. They've been around for over 15 years. They have thousands of businesses that have been uploaded to them. From what he has been told by the businesses, it is an easy transition. It is at no cost to any of the business owners, and the cost here is already budgeted for the Police Department, and they will be using it for some time.

Mr. Reilly asked how many businesses have registered as secondhand sellers. Ms. Ciotola stated that they have five. There were eight initially on the list, and three are no longer in the city. Mrs. Pyke asked what they would call a business like CIC Music, who purchases items and then resells them. Detective Lengel stated that the way it is defined is if the business makes a substantial amount of profit from secondhand products, then they would be on the line for this. If they are like Best Buy or Target and sell a bunch of different products, and they may take in a few things here or there, they can clearly say that that's not a substantial portion. Mrs. Pyke asked if they would work individually with those businesses if there was something stolen. Detective Lengel stated that was correct. They would go directly to the business and, hopefully, they would cooperate and work with them. Mrs. Pyke stated that, in the ordinance, sports equipment is listed, and asked if businesses that rely on people turning in products to them, such as Play It Again, would be listed. Detective Lengel stated that they would be listed as such. Ms. Ciotola stated that store will be an addition. Mrs. Pyke asked about the store located next to them. Detective Lengel stated that The Record Exchange is currently registered as the secondhand business, and they will remain. Mrs. Pyke stated that she is pleased to see this moving forward. It will be a great aid to the Police Department and the people who lose items. Detective Lengel stated that, since 2014,

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they have been seeing an influx of certain other types of the thefts: Sporting good equipment, golf clubs, even stoves and refrigerators. They want to get those regulated to see if they are being sold to secondhand businesses in the City of Cuyahoga Falls or elsewhere in the State of Ohio.

Mr. Tom Sullivan, 447 Tallmadge Road, asked if antique stores are covered by this, as well. Detective Lengel stated that they would not unless they have the regulated property. The ordinance does not include places that sell dishes, glassware, household furniture, antique things, sports cars, fantasy cars, trading book, money, stamps, magazines, newspapers and clothing. Most of the antique stores in the City, if not every single one, do not fall under this. Mr. Sullivan stated that a few of them sell jewelry. Detective Lengel stated that that particular business did not meet the umbrella, because a substantial part of their profits did not come from that.

Ms. Ciotola stated that they want to acknowledge Captain Goldman came here this evening for support.

Mr. Reilly moved to bring out Temp. Ord. A-34 with a favorable recommendation, second by Mr. Pallotta. Motion passed (3-0).

Temp. Res. A-35

A resolution expressing support for and urging passage of Issue 35, Woodridge Local School District tax levy, at the primary election to be held on May 8, 2018, and declaring an emergency.

Mr. Walter Davis, School Superintendent, stated that he would like to point out that, in the ordinance language, it is actually Issue 5; not Issue 35. He was before Council in October asking for Council's support of almost the same issue that was on the November ballot. Since then, property values have gone up, and, so, the millage value has come down slightly. The asking amount is still the same, \$4 million, which equates to 8.19 mills for the residents of the Woodridge School District. They lost in November by 629 votes. There are no other districts in Summit County funded like Woodridge. They are the least-supported district by the State of Ohio in Summit County and we're number 20 in the state. There's only 19 districts in Ohio that get less funding than the Woodridge Schools from Columbus. Because of that, in addition to being on the ballot fairly regularly, they have started a fairly-active community engagement campaign trying to lobby Columbus to change the way they fund public schools in Ohio. They are beginning to network together to try to effect change throughout the state to come up with an equitable way to support education for Ohio for all, not just those who receive so little funding.

Mr. Davis stated that, because of the levy failure in November, the last two weeks prior to spring break, he had to deliver 12 layoff notices to staff members throughout the district, because the Board ordered a reduction in force totaling \$1.2 million. They made those reductions that will take effect at the end of the school year. The cost of this levy sounds high at 8.19 mills; however, 8.19 mills, in Woodridge, equates to about \$23 a month for a \$100,000 home. If a home is worth \$200,000, multiply that \$23 by two and that will be the monthly cost. It's a small price to pay to keep the district moving forward. If they are not successful, they will be back in November of

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2018 to try one more time. If they fail again, it is likely that the District would be placed into fiscal emergency by the Ohio Department of Education. When that happens, Columbus comes to town. They bring their auditors in, and they tell them what to cut, rather than giving them that option. All of their levies are critical, because they are always one failure away from fiscal emergency. When the school district only receives \$700 per student, and it has a \$30 million budget, it relies way too much on property taxpayers to support the school district. That's what's wrong with funding in Ohio. The Woodridge School District is indebted to the City for all it does for them, and they hope to be good partners with the City, too.

Mr. Brillhart asked if Mr. Davis could highlight some of the good things going on in the District. Mr. Davis stated that they call these Points of Pride. Not only are they having really good fortune on the athletic fields and courts, but, also in their classrooms. Their ACT scores are high. With College Credit Plus, they have students that are attending classes and getting high school and college credit. The cross country, boys and girls, both won the State Championship a year or so ago. The new, \$28 million elementary school on the corner of Quick Road and State Road will be a beautiful, new, welcoming landmark to the City of Cuyahoga Falls as people come in from the north. Mr. Davis stated that he would like to mention that that bond issue and the construction is completely separate from an operating issue. Bond issues cannot be used to subsidize operating expenses. Mr. Brillhart stated that he would like to point out that Woodridge is part of the Sixth District of Vocational and have an excellent body shop program. Mr. Davis stated that that is located at the Faber Center out on Front Street. They do an incredible job for very reasonable rates.

Mr. Reilly stated that he used the College Plus program as a jump start and was able to complete an entire year of his undergraduate degree before he even graduated high school. He is glad to see more students are utilizing that. He supports the levy wholeheartedly. His parents and his wife are public school teachers. Mr. Pallotta stated that he has been on the Levy Committee. The people in Woodridge are pretty amicable, and they usually support levies. He supports the levy. The homeowners in his ward are all Woodridge parents and support the levy 100 percent. Mr. Davis stated that he appreciates that they can always count on Mr. Pallotta and his neighborhood to support the school district.

Mr. Iona stated that he had the pleasure of teaching a bunch of kids in study hall about what he does for a living. The kids were bright and asked a lot of questions about banking and mortgage banking. He wholehearted supports the levy. He asked if the City has given a proclamation to the State Champion in wrestling, Michael Massey. Mayor Walters stated that they did a mailing to him, not a proclamation, but he can certainly do that. The can do that at the School Board meeting next month.

Mr. Gorbach stated that Mr. Davis has taken a leadership role with regards to the school funding with regard to the dollars going to charter schools and coming out of the public coffers. He remembers when Mr. Davis sent an invoice to the State of Ohio for \$5 million plus. Mr. Davis making a stand and taking a leadership role in that not just for the Woodridge School District or

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for Summit County, but for the entire state. Mr. Davis stated that they were the first district in Ohio to do that. They sent an invoice to the State Superintendent of Schools to recoup the money given to charter schools over the period of time they have been legal in Ohio. For Woodridge, it was \$5 million some odd dollars. When he received no response from anybody in Columbus, he sent a past-due bill a month later. He got one response from a member of the State School Board. It was a very cryptic e-mail, and it all said was, "Mr. Davis, you are a very brave man." He thinks that speaks volumes about where they are as a community and as a state that to speak up for the young people in the community that he works in, he is called brave. He found that to be very disheartening. Since then, he has been elected the chairman in the State of Ohio of the Real Choice Ohio Coalition, which is the organization to bring local money back to local schools. He thinks the way schools are funded is wrong. Citizens pay property taxes in order to support their schools, and their money is being syphoned off and sent elsewhere without their approval. There has to be something unconstitutional about that. He wants to fight that battle.

Mr. Pallotta moved to bring out Temp. Res. A-35 with a favorable recommendation, second by Mr. Reilly. Motion passed (3-0).

The meeting adjourned at 7:35 p.m.