

Cuyahoga Falls City Council
Minutes of the Finance Committee Meeting
October 5, 2009

Members: Don Walters, Chair
Debbie Ritzinger
Carol Klinger

Mr. Walters called the meeting to order at 6:20 p.m. All committee members were present.

Legislation to be Discussed:

Temp. Ord. B-91
Temp. Ord. B-92
Temp. Ord. B-94
Temp. Ord. B-95
Temp. Ord. B-96
Temp. Ord. B-102

Mr. Walters stated the Committee was continuing to hold B-71. In addition, Administration has requested that B-97 regarding municipal insurance policy be held as well.

Discussion:

Temp. Ord. B-91

An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, with L3 Mobil-Vision, Inc. for the lease and/or purchase of an in car video camera system for use by the Police Department, and declaring an emergency.

Capt. Rivers stated the Police Department currently has in-car camera systems that have been in place since 2001. They are ten years old and are in VHS format. They have required numerous repairs and have outlived their life. In addition, the tape vaults contain massive amounts of VHS tapes and is overcrowded. With this legislation, they are looking to equip 21 cruisers with dual camera systems which watch the front of the vehicle and the backseat, and the information gets digitally stored. It includes three wireless access points. Information automatically downloads to the in-house network whenever a car arrives at the police station. There is also a digital copy on the system. Mr. Walters stated this was budgeted and asked if it was for a lease or purchase. Mr. Brodzinski stated the ordinance provides for both. They are looking at doing a three-year lease option. They are estimating the cost to be slightly less than the Five Year Capital Plan. Mr. Walters asked how long the hard copy of the tapes are kept. Capt. Rivers stated they reuse the tapes but too much of that affects tape quality. They will be putting 21 camera systems in the front line police cars. The cameras also tie into the MDTs. Mrs. Klinger asked if \$147,000 was the total cost. Mr. Brodzinski stated it was the total cost that was budgeted. The actual cost should come in around \$135,000. Capt. Rivers added that there is a 12-month warranty. Both supervisor vehicles are included in the 21 cars receiving units. Installation of the cameras is included in the price.

Committee recommended bringing out Temp. Ord. B-91.

Temp. Ord. B-92

An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, for the lease and/or purchase of 30 Mobile Data Terminals for use by the Police Department, and declaring an emergency.

Capt. Rivers stated the Department has 25 MDT units that are permanent-mount units. They've had them since 2003. Since then, wear and tear and technological advances have been adversely affecting the performance they need. The units currently have 512 MB RAM. These units are a necessary tool to have available to officers on the street. Among other capabilities, they enable officers to verify the identity of people at the scene. The current equipment causes a drain on the car batteries. They are looking at various vendors and are investigating the availability of laptop units that have 8 GB RAM. Mr. Walters asked if the current units have reached a point where they can no longer be upgraded. Capt. Rivers stated the last upgrade was in 2005 which took the RAM from 256 to 512. There are no more upgrades available. Mr. Walters asked if the current units have any more value. Capt. Rivers stated to a department with nothing, there would be value. He added that they could probably give them to another agency, along with the cameras. Mrs. Klinger commented that this was not budgeted at all for 2009. Mr. Brodzinski stated when they did the five year plan, they looked at replacing a certain number each year but in looking at the money budgeted for the State Road Shopping Center, they have plenty appropriation to do this. Mrs. Klinger asked how much would actually be spent this year. Mr. Brodzinski stated that if it's run through the bank, the net would be zero. Mrs. Klinger requested an update on the Capital Projects Fund. Mr. Brodzinski indicated he would get that to her. With regard to maintenance costs associated with the terminals, Capt. Rivers stated the best bidder includes a 3-year, no fault warranty which is part of the price. For the next three years, the warranty said they fix everything. It is built into the purchase price. Both the cameras and MDTs will be installed simultaneously.

Committee recommended bringing out Temp. Ord. B-92.

Temp. Ord. B-94

An ordinance authorizing the Director of Public Service to enter into a contract and/or contracts with QEI, Inc. to upgrade Supervisory Control and Data Acquisition (SCADA) system hardware and software and declaring an emergency.

Jeff McHugh stated this was a replacement for a 20-year-old master station, which is no longer repairable. Also, the maintenance agreements have increased. This was budgeted and the actual cost will be a little less than the budgeted amount. Mrs. Klinger asked Administration for an explanation regarding the power cost factor calculations. Mr. Brodzinski stated that in 2007, the City entered into an agreement for additional purchased power through J Aron. The power was purchased in advance at a lower rate. That agreement is in place through 2012. Bills were set up through AmpOhio and the cost for that purchased power should have been put back in. Through an audit process, it was discovered that the costs were not appropriately billed so the City is correcting that. Mrs. Carr added that residents will see an increase over the next 12 months. The problem is that the power should have been billed higher. She is working with residents who may be having difficulty paying the higher amount. She also indicated that they have taken steps to safeguard that this won't happen again. The increase affected commercial accounts as well as residential. Mrs. Hummel asked what the total miscalculation was over 18 months. Mr. Brodzinski stated the total was \$3.7 to \$3.8 million. On an annual basis, they generate \$32 - \$33 million. It is slightly higher than ten percent. Currently, it is \$3.2 million. Approximately \$500,000 has been collected. Mrs. Hummel asked how the City is handling businesses or homeowners who are no longer in the City. Mrs. Carr stated it does not matter if you live here now or live here later. Rebates are happening all the time. The increase started in August with the September bill. Mrs. Pyke stated she had forwarded an e-mail to Mrs. Carr from a resident whose bill increased by \$50. Mrs. Carr stated she would

have to look into it. That seems high and pointed out it could also be from an increase in water usage. It may not be all electric. With regard to SCADA, Mrs. Klinger stated it shows this money coming out of Capital but the ordinance says, on lines 25 and 26, from funds previously appropriated. Mr. Brodzinski stated it is in the appropriation ordinance that Council passed. This \$67,000 is budgeted in Capital.

Committee recommended bringing out Temp. Ord. B-94.

Temp. Ord. B-95

An ordinance allowing only the City of Cuyahoga Falls to aggregate demand response of retail customers in accordance with FERC Order 719 and taking other actions in connection therewith and declaring an emergency.

Jeff McHugh stated that FERC Order 719 allowed outside companies to come in and work with larger customers to show how they could lower their bill by making them aware of their demand and peak times of usage, but the savings would then be passed along mostly to the outside company and only a little to the consumer. This legislation would allow the City to be the go-between for the industrial customer instead of the outside company so savings could now go to the customer. Mr. Walters asked whether the Electric Department could determine peak usage once AMR is up and running. Mr. McHugh stated they are looking at that.

Committee recommended bringing out Temp. Ord. B-95.

Temp. Ord. B-96

An ordinance amending Section 151.12 of the Codified Ordinances and declaring an emergency.

Mr. Arrington stated this is a clean-up ordinance and catch up for making nonbargaining equal to the unions. Under the law, employees receive up to 12 weeks unpaid leave without losing their job. Currently, the 12 weeks of family medical leave did not kick in until an employee exhausted his or her sick leave. In recent negotiations, some unions allowed it to run concurrently. This is just bringing the same thing to nonbargaining. The other thing he did was to take out the language that is repetitive to the Family Leave Law. Mr. Walters asked why employees wouldn't want to be paid for leave. Mr. Arrington stated it cuts both ways. Many would prefer to get paid. You may have someone who is off on sick leave and may be off again for another sick leave. The City cannot replace them if they have no intention of coming back. If an employee is on Family Leave, they continue to receive health benefits. If they resign before coming back to work, the law allows the City to recoup benefit costs. Mr. Walters asked what would happen if the employee ceased employment because of health reasons and not for intentional reasons. Mr. Arrington stated the City does not have to recoup the benefits. The ordinance says "may." The ability to recover costs is in the federal law but it is up to the employer as to whether it does so. If the City wants to do this, it has to state it in the ordinance. Mr. Walters asked if any of the unions were exempt from this. Mr. Arrington stated this legislation addressed nonbargaining only. He would have to research the law. Mr. Rubino stated that Section C stated that the City may recover the cost of healthcare benefits. He asked if that was the premium amount or actual amount of care. Mr. Arrington stated it was the cost of providing insurance. He did not envision recovering costs of actual care. Mr. Rubino asked if there was a reason the ordinance should not state "premiums" instead of "healthcare benefits." He stated he would be concerned if the City had the ability to collect the actual cost of care provided. Mr. Arrington stated this could be where FMLA runs afoul of COBRA. He will check that and have an answer before Council votes. Mrs. Colavecchio asked how much sick leave time employees were entitled to. Mr. Brodzinski stated they earned 10 hours a month and it grows from there. Mrs. Colavecchio asked if Council could get a report to show a list of employees and the number of hours of sick leave they have. It did not need to specify names. Mr. Walters asked if it would matter should the

Committee decide to hold the legislation until Mr. Arrington has completed his research and Mrs. Colavecchio received her information. Mr. Arrington stated it would be fine.

Committee recommended holding B-96.

Temp. Ord. B-102

An ordinance authorizing the Director of Public Service to execute a modification of the contract for the construction of six lighted tennis courts at Cuyahoga Falls High School and declaring an emergency.

Bill Lohan stated that building new tennis courts was first discussed back in May, and they knew then they would need to come back about lighting. At that time, they had thought that the lighting might be able to be done by the Electric Department. However, due to the size of the bases and poles, the City does not have the equipment necessary so it was bid out. The second change order is to move communication cable. Nowhere on the original drawings were communication cables shown. Luckily, the construction people found it before they cut it. The end result was that it was cheaper to move the tennis court four feet for a \$6,800 cost change than it was to move the cable. The third change order is for \$1,500 and is a result of the EPA requiring that the retention basin be modified. In addition, it is probable that they may need to stripe the court twice. The weather has not been cooperating. They need 30 days at a certain temperature before striping the asphalt. They may need to just go ahead and stripe it and then, when the spring tennis season is over, go back and stripe it again. The total amount if \$48,000 for everything. The good news continues to be that, even with everything spent, this amount still keeps them \$39,000 under the \$385,000 budgeted. Mrs. Pyke asked whether the City currently owned Quirk. Mr. Lohan stated the City would not own Quirk until it delivered the tennis courts to the School District. They, in turn, will deliver Quirk. Mrs. Pyke asked if there was any feedback from the public when news about the other courts closing hit the newspaper. Mr. Lohan stated there was not.

Committee recommended bringing out Temp. Ord. B-102.

Meeting adjourned at 7:18 p.m.