

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Public Affairs Committee Meeting

January 21, 2014

Call to Order The meeting was called to order by Chairman Pallotta at 6:31 p.m. A quorum was present.

Approval of the Minutes Approval of the minutes of the January 6, 2014 Committee meeting was deferred.

Agenda Items

Temp. Ord. A-2 An ordinance amending Chapter 129 of Part One, Title Five of the Codified Ordinances, relating to the Police Department, and declaring an emergency.

Without objection, the Chairman waived the rules and accepted the administration's proffer of Sub. Temp. Ord. A-2 (1/21/14). Temp. Ord. A-2 was laid on the table.

Proponent testimony was offered by Acting Police Chief Jack Davis. Chief Davis stated that "Reserve Officers" are already part of the organization in that they help out with such things as parades and traffic control. This ordinance would allow those Reserve Officers designated as "Parking Enforcement Officers" to additionally write parking tickets, but not moving violations. The department would like to use "Parking Enforcement Officers" to help enforce snow emergency parking bans, primarily where parked cars prevent snow plows from operating. Parking tickets are \$10 if paid within 3 days. Reserve Officers are unarmed volunteers, although they are provided uniforms and the use of police vehicles. Reserve Officers are not treated as classified employees. Selection of Reserve Officers is handled by the Reserve Officer Coordinator.

Further proponent testimony was provided by Officer Reuben Miller, on behalf of the Ohio Patrolmen's Benevolent Ass'n. Officer Miller stated that use of

the Reserve Officers as contemplated does not violate the collective bargaining agreement governing patrol officers.

The Chairman asked the Law Director whether the City uses its own City-issued parking tickets or state-issued traffic citations, and if City-issued tickets are used, whether they are binding. The Law Director advised that the City issues its own parking tickets and that they are binding.

The Chairman asked the Law Director whether a parking enforcement officer injured on the job would be covered under Workers' Compensation. The Law Director advised that such officers would be covered as if they were employees.

The Chairman asked the Law Director how a parking enforcement officer would be treated if the officer caused a traffic accident. The Law Director advised that the City's insurance would cover the incident as if the officer were an employee.

The Chairman asked the Law Director whether the City would need to pay a volunteer officer to appear in court if a ticket written by that officer were to be challenged. The Law Director advised the City would not pay the Reserve Officer to appear in court. That time would need to be volunteer.

The Chairman recognized Mr. Weinhardt, who asked Chief Davis how the Reserve Officers are selected. Chief Davis stated that openings are advertised in the Falls News Press and on the City's website. Applicants are selected by interview, driving record, and criminal background check. Participation in the Reserve Officer program generally does not lead to full time employment as a police officer, because the City's program is not designed for that purpose, and the applicants generally are not seeking a career in law enforcement.

The Chairman recognized Mrs. Pyke, who asked how many tickets were written in the most recent snow emergency. Chief Davis stated 45-50 tickets were written. 28 calls for assistance related to snow were received during the same period. Mrs. Pyke asked whether the Parking Enforcement Officers will conduct patrols or be dispatched. Chief Davis stated that they would be dispatched in response to calls for assistance.

Mrs. Pyke asked Officer Miller if the Union would prefer that parking tickets be issued by Reserve Officers instead of Police Officers. Officer Miller stated that it does not make a difference who issues the citation tickets as long as the job is accomplished.

The Chairman recognized Mr. Mader, who asked whether Reserve Officers provide first aid as part of their duties, and whether there are liability concerns for the officer or the City with respect to such duties. Chief Davis stated that Reserve Officers receive training in first aid as is provided to all uniformed officers. The Law Director advised that the Reserve Officer would be protected by the state's sovereign immunity law.

The Chairman recognized Mrs. Snyder, who asked how many Reserve Officers are currently active. Chief Davis stated there are currently 24 officers. Some type of Reserve Officer program has been in effect for 40 years. Mrs. Snyder asked what type of work is done by the Reserve Officers. Chief Davis stated they are used in juvenile detail, youth bureau supervision, traffic control during parades and events. Mrs. Snyder asked Chief Davis to confirm that Reserve Officers would be permitted to write tickets only when in uniform, acting on behalf of the City, after having been called in, to which Chief Davis responded affirmatively.

There was no opponent testimony. There was no public comment.

Motion by Mr. Weinhardt to release Sub. Temp. A-2 (1/21/14) with a favorable recommendation. Seconded by Mr. DeRemer. Motion adopted by acclamation.

Non-Agenda Items

None.

Adjournment

Without objection, Chairman Pallotta adjourned the meeting at 6:49 p.m.

  
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Victor Pallotta, Chair

  
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Paul A. Janis, Clerk of Council