

**Cuyahoga Falls City Council**  
**Minutes of the Public Affairs Committee Meeting**  
**October 20, 2008**

**Members:** Kathy Hummel, Chair  
Vince Rubino  
Ken Barnhart

Mrs. Hummel called the meeting to order at 7:30 p.m. All members were present.

**Legislation Considered**

Sub. Temp. Ord. A-103 (dated 10-14-08)

Temp. Ord. A-115

Temp. Ord. A-116

Temp. Ord. A-118

**Discussion:**

**Sub. Temp. Ord. A-103 (dated 10-14-08)**

An ordinance creating the non-bargaining positions of Mayor's Court Magistrate, Mayor's Court Clerk and Part-Time Assistant Mayor's Court Clerk and declaring an emergency.

Mr. Rubino asked to be excused from participating in discussing and voting on this ordinance because his wife is currently an employee of the court. Mrs. Klinger asked to be excused as her husband is also a court employee.

Mr. Arrington referred to the information packet he sent to Council members (attached). He stated that a mayor's court will benefit the citizens who are ticketed within the City because fines will be much less. A typical traffic ticket in the Cuyahoga Falls Municipal Court, on waiver, is \$164. Of that, \$114 is for court costs and \$50 is the fine. That \$114 is supposed to be applied towards the operation of the court and the \$50 fine should go back to the community that issued the citation. However, it does not work that way in this court because the court costs are never enough to pay for the operation of the court which means the fine money stays with the court and doesn't go back to the issuing community. He referred to the sheet showing a 15-year history. In 2007, fines by Cuyahoga Falls citizens totaled \$333,724. That money, however, was needed to pay the court along with an additional \$96,000. If Cuyahoga Falls does not have a mayor's court, that \$333,724 will go to the City of Stow to fund the operation of the Stow Municipal Court. If Cuyahoga Falls has a mayor's court, it will be able to retain a large portion of the money to fund police operations. Mr. Brodzinski added that each year, Cuyahoga Falls, as host city to the court, had to remit an additional \$80,000 to \$90,000 of revenue to the court. He stated that Mr. Walters has brought up the idea to apply fines from a mayor's court toward specific safety projects, such as Crime Stoppers.

Mrs. Hummel stated that the numbers for a mayor's court were based on 4,000 cases a year, which would mean a net income of between \$80,000 - \$90,000 once everything is up and running. She asked how certain that 4,000 figure was. Mr. Arrington stated it would mostly likely be more. They used 4,000 cases as a worst case scenario. There were 9,000 cases last year and he feels the City could easily have 6,000 to 7,000 cases. Mrs. Hummel thanked Administration for the detailed position descriptions. She asked about the magistrate's salary and benefits. Mr. Arrington stated the magistrate would be part-time and, therefore, is not entitled to healthcare. The magistrate's salary is based on current Pay Grade 29.

Mr. Walters asked what would happen should this ordinance fail. Mr. Arrington stated the City would still find a way to do the court with current employees. It is Administration's intent to have a mayor's court. This ordinance provides the cleanest way to do that. Without it, they could still get it done. It may not be as efficient but it will be done. Mr. Walters stated if the court is so out of line with its fines, the elected officials should be held accountable for it. What he has to answer to his constituents is how a mayor's court will benefit them. He does not feel "cheaper tickets" is a good answer, but believes additional safety-related benefits is. He feels the fine money should be geared towards safety. If there is a benefit to the residents with the generated funds, he is for it.

Mrs. Pyke stated that Council members receive a lot of complaints about speeding and commented on the decrease in the number of tickets issued over the years. Mr. Arrington stated that the City has fewer officers on the street and has even heard that some of those officers were reluctant to issue tickets because they know how much the offender has to pay. There are many reasons why tickets are down but it is not a policy of this City to write fewer tickets. It is up to each officer's discretion whether to issue a warning or a citation. Mayor Robart stated that if the average resident receives a ticket for a minor violation, they currently pay \$164 to the municipal court but would pay only \$82 to a mayor's court. He feels most would say that is a good thing. This is a question of controlling costs and he thinks it is a win-win situation.

Mrs. Ritzinger stated she agreed with Mr. Walters. If there is something in place, such as Crime Stoppers, that makes this a positive thing. Mr. Ihasz also agreed with Mr. Walters that the City would need to show what it is going to do with the revenue. He was concerned about how a move such as this would affect the City's relationship with Stow, especially with the current hospital project. Mr. Arrington stated there are some regional projects that work because of the benefit to all involved and the hospital is one. Each mayor needs to take care of the constituents he or she serves. Cities are not in competition with each other.

Mrs. Colavecchio stated she would not be supporting this for several reasons. She believes that "regionalism" is more than just a buzz word. In this time of economic crisis, our government must act responsibly and that means cooperation with our urban neighbors to avoid duplication of services and raiding revenues. She also feels a mayor's court would create an unnecessary, additional layer of government in our City where none currently exists. The citizens will be well served by the new, state-of-the-art facility constructed in Stow. If the fees charged by that court are deemed excessive, then it is up to the citizens of the 16 communities it serves to send that message at election time. She also feels she cannot support a quasi-judicial system that has been "called out" by the Chief of our Supreme Court for the obvious inherent conflict of interest created by mayor's courts. She believes that establishing a mayor's court is a step backward for the City and that we shouldn't taint the reputation our City has worked hard to establish in being one that is both progressive and innovative in its approaches to City services.

Janet DeAntonio, President of Stow City Council, 3760 Darrow spoke out against this ordinance. She believes that regionalism is important and that passage of this ordinance would adversely affect that. She felt that the income that Administration shows a mayor's court generating seemed very generous and added that there are many costs associated with running a court that may not have been taken into account. Her letter setting forth her comments is attached.

Jim Costello, Stow Councilman, indicated the letter itself states the general feeling of Stow's Council. Should this legislation pass, he feels it is going to be a burden and believes it is wrong for a community to pull out just so it can receive its money. It is against the spirit of regionalism.

Mrs. Truby stated that everyone keeps talking about regionalism. She wanted Council to be aware that the City of Stow tried to take one of Cuyahoga Falls' top five employers and she had to work very hard with the president of that company to keep them in the City. She added with regard to the hospital, things do not always look as good as it does on paper. Mayor Robart stated that regionalism is just a buzz word. Anyone who thinks that we are just going to give something to benefit another city is wrong. He thought it ironic that Ms. DeAntonio used the term in an attempt to sway Council to vote against this ordinance. Stow took an office complex from Hudson and also blackballed Cuyahoga Falls from joining COG. He stated that Stow did not want Cuyahoga Falls to be a part of the hospital project and did everything it could to prevent it.

Mrs. Hummel agreed with Mrs. Colavecchio's comments. She feels Columbus needs to make adjustments to tax incentives so that businesses have better tax abatements to remain in one place vs. moving from city to city. That is not something that local governments can control. The state legislature has just chosen not to do it. Based on information presented, she pointed out that the mayor can create this court without Council's approval so the bottom line is that there will be a mayor's court. If the City has a mayor's court and pulls the easy money from the municipal court, the municipal court will have to raise its fines even higher for the offender. The revenue generated from the mayor's court needs to be spelled out as to what it was going towards and earmarked by a separate line. Mrs. Hummel asked whether an additional piece of legislation could be prepared that would accompany this that would spell out what the proceeds from the mayor's court would be used for. Mr. Arrington stated he could prepare one but asked Council to keep in mind that each piece of legislation is not bound on other legislation, such as one stating that money from the mayor's court can only be spent on "X". Even Council is not bound by its own ordinances. With regard to the magistrate, the Ohio Revised Code states that the magistrate should be appointed by the mayor. The municipal court can raise its costs more but the flip side is it needs to control its spending. Mr. Arrington gave a history of the court's spending. He pointed out there were steps the City attempted to take to keep the court here. They would like to use generic language in this legislation regarding public safety and law enforcement matters. He will draft and distribute a substitute via email tomorrow. The City needs to hire someone to get the court up and running. Mr. Walters stated he was fine with the generic language. Mrs. Ritzinger also agreed. Mrs. Pyke asked about the type of cases the mayor's court would hear. Mr. Arrington stated it would be the guilty or no contest matters, and most of those would be waivers. The City hopes to have something set-up so that offenders have the option to pay their fines on-line. If someone pleads not guilty and requests a trial, that case would go to municipal court. That scenario could change but right now it is the intent to handle only the routine cases. Mayor Robart added he would not be involved in any cases, and pointed out that all offenders have a choice to go to mayor's court or to municipal court. Also, if they do not like the mayor's court findings, they can go to the municipal court. Mr. Arrington stated information will be posted on the website and also at the clerk's office. Information could also be printed on the ticket. He added that people always have the opportunity to hire an attorney.

Mrs. Hummel asked if there was any potential for additional Law Department staff as a result of the mayor's court. Mr. Arrington stated he did not see a reduction but he also did not see the need for additional staff.

Mr. Mader concurred with Mr. Walters' comments. He could tell that Mr. Walters spent a lot of time doing research on the matter. If Administration came up with a substitute that speaks to what Mr. Walters has suggested, Mr. Mader felt it would be good for all citizens. He is in support of the added stipulation.

Mayor Robart stated that Stow went into this with their eyes open. The City advised them of its intentions before they designed the building. They were not blindsided. They've admitted the court costs are too high. Before Hoover became judge, the other judges came to Board of Control routinely. There

are currently no checks and balances in the court. Maybe this will make them do something about it. Mrs. Hummel stated the ultimate choice lies with the voters. Mr. Arrington stated it is the City's intent to have a mayor's court. To think it could be run without additional appropriation would be a mistake. Money must be spent to purchase computers, and the City has no one to be a magistrate, so one would have to be hired through contract, Board of Control, and ordinance of Council. Do not think the City can operate a mayor's court without appropriating money.

*Committee recommended bringing out Sub. Temp. Ord. No. A-103 (dated 10-14-08).*

**Temp. Res. A-115**

A resolution declaring that it is the policy of the City of Cuyahoga Falls to maintain maximum compliance with the Fair and Accurate Credit Transaction (FACT) Act, its amendments, laws, and regulations, and declaring an emergency.

Mr. Arrington stated there are new federal requirements to protect people from identify theft. Therefore, the City needs to have a policy in place to protect people. Some of the federal requirements are geared more towards the private sector. Hope Jones stated the F.A.C.T. Act applies to the City because it is a utility provider. The City must implement a procedure for detecting red flags and for responding to red flags when they are detected. It must also look at the policy on a yearly basis and update it. Once this is approved, it will be rolled out.

*Committee recommended bringing out Temp. Ord. No. A-115.*

**Temp. Ord. A-116**

An ordinance to change the name of Cochran Road to Paw Place from and including 222 Cochran Road East to the intersection with Cavalier Trail, and declaring an emergency.

Mrs. Colavecchio was approached by the Humane Society with respect to a name change of their road. This just changes the name of their address and affects no other addresses. The Society has a portion of Cochran Road this is just their own. This would help people locate the Society.

Mrs. Hummel stated she is not normally enthusiastic about these changes but it makes sense in this instance. You cannot get to the Humane Society on Cochran Road from State Road. She was concerned about the safety forces finding it but she assumed they would be made aware of the name change.

*Committee recommended bringing out Temp. Ord. No. A-116.*

**Temp. Ord. A-117**

An ordinance amending the traffic control file by providing or installation of various traffic control devices, and declaring an emergency.

Chief Conley stated this addresses five items: (1) prohibit parking in the Woodhaven Subdivision on one side of the street from 744 Woodhaven to 824 Woodhaven because a hill and curve make it difficult to see; (2) prohibit parking on both sides of Chart Road from 407 Chart to 721 Chart, which is the unimproved portion of the road; (3) prohibit parking on one side of the entrance to Boulder Estates on Boulder Boulevard off of State Road; (4) prohibit parking on the even side of Lloyd Street because it is a narrow street; (5) prohibit parking on the even side of Sill between Newberry and Main, which is more of a cleanup because there is no parking now.

Mr. Mader stated that three out of the five are in Ward 8. He has been receiving a lot of calls and appreciates the traffic committee coming forward with this.

*Committee recommended bringing out Temp. Ord. No. A-117.*

**Temp. Ord. A-118**

An ordinance abolishing the position of General Foreman in the Electric Department and amending the pay grade for the position of Assistant Electric Utility Superintendent to Pay Grade 31 and declaring an emergency.

Mrs. Carr distributed an organizational chart. She stated there were two major retirements this year so they took a look at the structure within the department. They are creating two assistant superintendent positions—one of operations who would do what the general foreman does and one for planning and administration who would do what the assistant superintendent currently does. There will be cross-training. She felt this would be a good opportunity to bring the two pay grades together and decided level 31 would fit. It is a fair wage when comparing the positions to other communities.

Mr. Bye stated that over the years, there have been many changes. They are attempting to bring things up-to-date by placing the two positions on an even keel, which will also help them work together better to make things smoother. They will be promoting from within. Mrs. Klinger asked how the two assistant superintendent positions compared to other assistants within the City. Mrs. Carr stated she will provide a list but assistants generally fall within pay grades 25-29. In Utilities, they have been slightly higher. The water superintendent is at 32. She will continue to re-evaluate things with retirements. Mrs. Klinger asked about the criteria for these positions. Mr. Bye stated the assessment was open to foremen. Mrs. Carr added that individuals must possess a high school education and have so many years experience working with electric. She stated she would provide a copy of the civil service form to Mrs. Klinger.

Mrs. Hummel asked if changes to any other positions were anticipated. Mr. Bye stated that after these positions were filled, there would be foreman positions to fill. He is currently down five employees.

*Committee recommended bringing out Temp. Ord. No. A-118.*

The meeting adjourned at 8:55 p.m.

	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
CUYAHOGA FALLS GENERAL FUND COST	596,673.30	625,794.08	728,875.35	809,783.40	290,623.70	385,575.76	499,448.39	483,593.51	428,240.45	253,297.61
CUYAHOGA FALLS FINE REVENUES	449,780.38	508,572.75	464,680.06	429,846.29	453,709.67	412,495.55	375,785.73	385,838.29	407,536.78	398,616.84
NET GAIN (LOSS)	(146,892.92)	(117,221.33)	(264,195.29)	(379,937.11)	163,085.97	26,919.79	(123,662.66)	(97,755.22)	(20,703.67)	145,319.23
Loss over the last 5 yrs (2003 - 2007)	(370,011.40)		(74,002.28)	Annualized Loss						
Gain over last 11 yrs (1997 - 2007)	225,870.39		20,533.67	Annualized Gain						
Loss over the last 19 yrs (1989 - 2007)	(713,788.38)		(37,567.81)	Annualized Loss						

The last five years was given during the Council meeting because it shows a trend.

Judge Coates stated the years 1997 through 2007. That is because those years show a positive trend for the Courts. However, in the years 1997 through 2003 the Municipal Court costs increased 32% in seven years. In the last five years from 2003 through 2007 total expenditures for the Municipal Court has increased almost 38%. In that same timeframe from 2003 through 2007 the entire General Fund minus the Courts, Clerk's Office, and pass-through transfers increased by only 8.1%. The trend of Municipal Court expenditures is not one of cost containment. The City Administration has no reason to believe that this trend will change in the future. There is a new building with double the space. Utilities in Show will be far higher than in Cuyahoga Falls. Plus the Courts have stopped following the Court pay ordinance as passed by our City Council. Some personnel are paid higher than the charts with a court order. Part of the rapid increase in expenditures may be due to situations like when a court order gave some personnel 14% raises in December 2006. On January 1, 2007 they received another 3% raise.

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>
CUYAHOGA FALLS GENERAL FUND COST	151,040.46	162,030.18	258,911.23	351,404.84	286,634.35	435,249.74	319,968.91	420,399.83	430,218.78
CUYAHOGA FALLS FINE REVENUES	330,855.33	344,179.28	366,506.05	353,112.28	281,454.33	262,197.50	365,396.72	279,686.94	333,724.72
NET GAIN (LOSS)	179,814.87	182,149.10	107,594.82	1,707.44	(5,180.02)	(173,052.24)	45,427.81	(140,712.89)	(96,494.06)

## Position Description

Class Title: **Mayor's Court Magistrate**

Department: Mayor's Court

Date: October 2008

### General Purpose

The Magistrate serves in a judicial capacity. The Magistrate exercises all authority provided by law to Mayor's Courts magistrates including conducting criminal and traffic arraignments, hearings, and trials, accepting pleas and imposing sentencing on offenses within the statutory jurisdiction of the Mayor's Court. The Magistrate Issues arrest warrants, forfeitures and contempt orders upon the record as properly authorized by law. The Magistrate oversees the clerk in the maintenance of records and ensures proper disposition of all cases processed.

### Supervision Received

The Magistrate's day to day supervision comes from the requirements of the Ohio Revised Code and the Code of Judicial Conduct as promulgated by the Ohio Supreme Court.

### Supervision Exercised

The Magistrate exercises authority over the Mayor's Court Clerk, Part-Time Clerk II and other full, part-time, or temporary staff as assigned.

### Position Responsibilities

An employee in this position may be called upon to do any or all of the following: (These examples do not include all of the tasks which the employee may be expected to perform.)

- Presides over all criminal and traffic cases docketed during regular session.
- Presides over Traffic Court.
- Presides over traffic and criminal arraignments.
- Member of management team responsible for developing and implementing Court polices and procedures.
- Responsible for keeping Court procedures current, efficient, and in compliance with local, state, and federal law.

This employee may be asked to perform additional tasks as needed by the City.



### Working Conditions

The normal work schedule will be as established by the Mayor in consideration of the most efficient provision of judicial services to the public.

### Education and Experience

As provided by Ohio Revised Code 1905.05, as the same is amended from time to time, the Magistrate must:

1. Be admitted to practice law in the State of Ohio.
2. For at least three years prior to his appointment, the magistrate must have been engaged in the practice of law in the State of Ohio or served as a judge of a court of record in any jurisdiction in the United States, or both.

### Necessary Knowledge, Skills and Abilities:

1. Must have knowledge of relevant statutes, court rules and legal procedures related to Mayor's Court functions; knowledge of general office procedures; knowledge of criminal, traffic and infraction procedures.
2. Must be able to function within a computerized environment, including specialized court software as well as the legal research system and the court's docketing computers.
3. Must be able to direct court clerical staff to insure records are kept in an accurate manner and properly reported to appropriate agencies.
4. Must have the ability to effectively communicate verbally and in writing, the ability to establish and maintain effective working relationships with employees, supervisors, other agencies and the public.
5. Must have the ability to work a flexible schedule to attend court in the evening and/or weekends, when required.
6. Must have the ability to handle stressful situations.

### Tools And Equipment Used

Personal computer – word processing and specialized court software, copier, fax machine and other types of equipment necessary to perform the tasks as outlined.

### Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to walk, sit, talk or hear, stand, use hands to finger, handle, or operate objects, tools, or controls; and reach with hands and arms; stoop, kneel or crouch.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

### Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in a normal office environment with little exposure to outdoor temperatures.

The noise level in the work environment is usually quiet. Work is performed in the Court area. The position may require travel for the purpose of attending training workshops.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment of the position.

### Selection Guidelines

In accordance with the Ohio Revised Code, this position is an exempt position appointed by the Mayor. Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL

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Don L. Robart  
Mayor  
City of Cuyahoga Falls

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## Position Description

Class Title: **Mayor's Court Clerk**

Department: Mayor's Court

Date: October 2008

### General Purpose

Performs a wide variety of routine and complex supervisory, administrative, and clerical tasks for Mayor's Court.

### Supervision Received

Works under the supervision of the Mayor and Mayor's Court Magistrate.

### Supervision Exercised

Supervises Assistant Mayor's Court Clerk; may supervise other full, part-time, or temporary staff as assigned.

### Position Responsibilities

Administers criminal and traffic proceedings and docketing.

Coordinates court matters with defendants, defense counsel, city prosecutor, police department, jail, alcohol agencies and other levels of the criminal justice administration system.

Supervises and administers the receipting, depositing and accounting monies for fines, forfeitures, and other court receipts.

Administers the recording of dispositions of all cases for quarterly reporting to the Ohio Supreme Court.

Constructs new case files, files and retrieves documents.

Prepares reports for state and local agencies.

Prepares correspondence and maintains records.

Prepares annual budget requests for the court; administers adopted court budget in accordance with City policies and procedures.

Responds to counter, telephone, written and e-mail inquires.

Receives, logs and indexes incoming citations and complaints.

Responds to requests from Magistrate, Municipal Judges and Clerk, City Prosecutor, Police Department and others for assistance and information.

Initiates related paperwork as needed by defendants to facilitate their response to a citation or complaint.

Processes failure to pay, failure to comply, notices and journal entries for Court ordered vehicle immobilization and vehicle releases.

Prepares and maintains appropriate calendars; sets up court hearings, as necessary.

Updates defendant's insurance status when proof is provided after initial date entry.

Processes waivers, bench warrants, contempt of court, money due letters, license forfeiture letters; forfeiture and reinstatements of licenses.

Prepares all cases and dockets for transfer to the Municipal Court.

The employee may be asked to perform other duties based on the needs of the City.

#### Working Conditions

This position is an exempt position appointed by the Mayor. The normal work schedule will be Monday-Friday from 8:00am to 5:00pm; however, given the nature of the work environment and scheduled special events, additional hours may be required.

#### Education and Experience

Graduation from high school or GED equivalent; Associate's Degree or Bachelor's Degree preferred; and four years prior work experience in clerical, paralegal or administrative work, including two years in a court environment, or any combination of education and experience sufficient to demonstrate the necessary knowledge, skills and abilities.

Certification as Mayor's Court Clerk preferred upon hiring and required within two years of hiring.

#### Necessary Knowledge, Skills and Abilities

Knowledge of legal language and legal procedures related to Mayor's Court functions; knowledge of general office procedures; knowledge of basic bookkeeping practices; knowledge of criminal and traffic procedures. Knowledge of Supreme Court reporting requirements.

Skill in the operation of the listed tools and equipment.

Ability to effectively communicate verbally and in writing; ability to establish and maintain effective working relationships with employees, supervisors, other agencies and the public.

Ability to work a flexible schedule to attend court sessions in the evening and on weekends, when required.

Ability to handle stressful situations.

Ability to type and enter data accurately.

Ability to work independently and efficiently.

Certification as a Clerk of Courts, or certification must be obtained within two (2) years of starting in this position.

#### Tools And Equipment Used

Personal computer – word processing and specialized court software, copier, fax machine and other types of equipment necessary to perform the tasks as outlined.

#### Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to reach with hands and arms. The employee frequently is required to stand, walk and use hands to finger, handle, feel or operate small objects, tools, or controls. The employee is occasionally required to sit, climb or balance, stoop, kneel crouch, or crawl. He also will need to speak and hear.

Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

#### Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in a normal office environment with little exposure to outdoor temperatures.

The noise level in the work environment is usually quiet. Work is performed in the Court area. The position may require travel for the purpose of attending training workshops.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment of the position

Selection Guidelines

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL

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Don L. Robart  
Mayor  
City of Cuyahoga Falls

O:\Mayor's Court\Clerk Job Description.doc

## Position Description

Class Title: **Assistant Mayor's Court Clerk**  
Department: Mayor's Court  
Date: October 2008

### General Purpose

Performs a wide variety of routine clerical work.

### Supervision Received

Works under the direct supervision of the Mayor's Court Clerk.

### Supervision Exercised

The Assistant Mayor's Court Clerk will not oversee a staff.

### Position Responsibilities

Assists in data entry of criminal proceeding and docketing.

Assists in the coordination of court matters with defendants, defense counsel, city prosecutor, police department, jail, alcohol agencies and other levels of the criminal justice and administration system.

Assists with Mayor's Court operation.

Receipts, deposits and accounts for monies for fines, forfeitures, bond waivers and other court receipts.

Receives, logs, and indexes incoming citations and complaints.

Responds to counter, telephone and written and e-mail inquiries.

Initiates related paperwork as needed by defendants to facilitate their response to a citation or complaint.

Processes failure to pay, failure to comply and failure to appear notices and journal entries for court ordered vehicle immobilization and vehicle releases.

Performs data entry and filing of papers, dockets, case files and case related correspondence for criminal, traffic, building, zoning and housing cases and city tax cases.

Updates defendant's insurance status when proof provided after initial data entry.



Constructs new case files, filing and retrieving documents as necessary.

Processes waivers, bench warrants, contempt of court, money due letters, license forfeiture letters, forfeitures and reinstatement of licenses.

Provides back-up for Court Clerk when she is not available to perform her duties.

Responds to requests from Magistrate, Municipal Court Judges and Clerk, City Prosecutor, Police Department and others for assistance and information.

Records dispositions of all cases that are reported quarterly to the Ohio Supreme Court.

### Working Conditions

This position is an exempt position appointed by the Mayor. The normal work schedule for the Mayor's Court will be Monday-Friday from 8:00am to 5:00pm; however, given the nature of the work environment and scheduled special events, additional hours may be required.

### Education and Experience

Graduation from high school or GED equivalent with course work in typing and/or general office practices; and two years prior work experience in clerical, secretarial, or any equivalent combination of education and experience.

### Necessary Knowledge, Skills and Abilities

Knowledge of general office procedures; working knowledge of legal language and legal procedures.

Skill in operation of the listed tools and equipment.

Ability to effectively communicate verbally and in writing; ability to handle stressful situations; ability to establish effective working relationships with employees, supervisors, other agencies and the public.

Ability to type and enter data accurately.

Ability to work a flexible schedule in order to provide back-up for the Court Clerk when absent; ability to attend court in the evening when required.

### Tools And Equipment Used

Personal computer - word processing and specialized court software, copier, fax machine and other types of equipment necessary to perform the tasks as outlined.

### Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to reach with hands and arms. The employee frequently is required to stand, walk and use hands to finger, handle, feel or operate small objects, tools, or controls. The employee is occasionally required to sit, climb or balance, stoop, kneel, crouch, or crawl. He also will need to speak and hear.

Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

### Work Environment

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in a normal office environment with little exposure to outdoor temperatures.

The noise level in the work environment is usually quiet. Work is performed in the Court area. The position may require travel for the purpose of attending training workshops.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or logical assignment of the position.

### Selection Guidelines

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL

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Name  
Mayor's Court Clerk  
City of Cuyahoga Falls

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Don L. Robart  
Mayor  
City of Cuyahoga Falls

O:\Mayor's Court\Clerk II Job Description.doc

October 20, 2008

Re: Mayor's Court

Open Letter to Cuyahoga Falls City Council:

I believe there are many reasons for each of you to vote against a mayor's court in Cuyahoga Falls and I will try to enumerate these reasons as best I can.

When I sat down with Kim Hoover many years ago and he talked about a new court building, I can tell you that he was always quite clear about his wishes to have a new court built with Cuyahoga Falls as his first choice of location. His only question at that time was whether Stow would be interested in helping build a courthouse in our community if Cuyahoga Falls was unable or uninterested in doing so. I believe Hudson was also approached as a possibility. This was at least six years ago and it was not feasible for anyone at the time. The present court is in poor condition and really not adequate for the whole district.

Stow City Council, through the years, has been approached by a number of public officials with the idea of a mayor's court. It was personally mentioned seriously to me before I was on council by one mayor and one law director. The council at that time and ever since has refused to even bring the subject up for discussion because all past as well as the present council believes the idea of a mayor's court to be archaic and an arena for influence peddling by any number of parties including friends of elected officials and party bosses. Chief Justice Moyer has frequently stated his abhorrence of these courts for similar reasons and the only other state to even allow such a court is Louisiana.

The other reason Stow Counselors would not entertain the idea of a mayor's court was that it would have hurt the host city and there was no good reason to do any such thing.

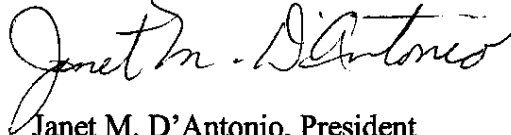
If regionalism is important to you, and I believe it is, as we are working together on the hospital, the Falls establishing a mayor's court flies in the face of this concept. We should be working together, not at odds with one another. The City of Stow, or at least those of us in discussion, knew we could have saved money building a new court on city-owned land. Stow had brought up a number of parcels through the years around the city hall complex and from a purely financial standpoint, this would have been the way to go. The reason we didn't do so was because it would have been more of a burden for people from the Falls as well as all the areas up north in the court district to go to a facility on city hall grounds. This is why we chose, in the interest of true regionalism, to buy the land in the

Steels Corners area. It was more expensive, but it would serve all of the court district much better and that's what regionalism is about.

We have a chance here to act as a region and have a truly beautiful, centrally located facility for all of the court district – one that will treat all of it's citizens fairly.

I hope you will take all of the above into consideration and see your way clear to rejecting a mayor's court and supporting the municipal court concept which has stood the test of time.

Sincerely,

A handwritten signature in cursive script that reads "Janet M. D'Antonio".

Janet M. D'Antonio, President  
Stow City Council

JMD/bje