

**Cuyahoga Falls City Council
Minutes of the Finance and Appropriations Committee Meeting**

February 21, 2023

Members: Mary Nichols-Rhodes, Chair
Tim Gorbach
Adam Miller

Ms. Nichols-Rhodes called the meeting to order at 6:30 p.m. All members were present.

Legislation Discussed

Temp. Ord. B-7

Temp. Ord. B-8

Temp. Ord. B-9

Discussion:

Temp. Ord. B-7

An ordinance authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts, without competitive bidding, with Flock Group, Inc. for the purchase of Flock Cameras for use by the City's safety forces, and declaring an emergency.

Police Chief Davis and Police Captain Norfolk presented Temporary Ordinance B-7 to Council. To promote the general safety and welfare of its citizens, the City has contracted Flock Group Inc. as the provider of cameras for use by the City's safety forces. The cameras will be placed at critical intersections to assist the City's safety forces in enforcement and investigation.

The Mayor, as Director of Public Safety, will be authorized to enter into a contract or contracts, without competitive bidding, with Flock Group, Inc. for the purchase of Flock Cameras, to increase public safety. The Director of Finance will be authorized to make payment for same from the General Fund, Police Department, Line Item Other Operations.

Captain Norfolk stated that 25 cameras will be installed on light poles in locations based upon crime analysis and one mobile unit will be placed as needed. These cameras will monitor a zone and constantly collect data consisting of license plate number, vehicle color, and other distinctive features on vehicles such as bumper stickers. This information is stored on a searchable data base available to law enforcement nationwide. It is not a publicly-shared data base and is to be used by law enforcement only. Captain Norfolk cited a recent incident where a 72-year-old woman who suffers from dementia left her home. Within six hours of the report being made, they find her in North Royalton based on Flock cameras.

Ms. Nichols-Rhodes asked how the data gets communicated to the police department. Captain Norfolk stated that, as cars are passing by, the cameras are taking a picture of the back license plate, make, model and color of the car. That information gets compiled into a data base that is available to every law enforcement agency that has the product.

Finance and Appropriations
February 21, 2023 – Page 2

Ms. Nichols-Rhodes asked whether the description of a vehicle is able to be used if the plate info is not available. For example if a crime was committed and a victim only knew a red truck was used. Captain Norfolk answered that yes, a query could be made for a red truck in a specific area and time, and the Flock system could provide those vehicles, from which the police could hopefully identify the specific vehicle and get the plate number.

Ms. Nichols-Rhodes stated that they cost of this system for 24 months is \$139,750. The City would not own the cameras. Flock will install them and take care of any maintenance. The data is kept for 30 days and then automatically deleted unless there would be a reason to keep it. Captain Norfolk stated that the data is automatically purged every 30 days unless law enforcement has pulled it because it is needed for an investigation. If data has been queried, there is an audit trail. There must be a legitimate reason to query the data.

Mr. Gorbach stated that his research indicates the data base is not owned in any part by the community that have the Flock system and is stored in the cloud Amazon web server, so the City will have no responsibility to maintain the data. If they need information for longer than 30 days, they extract that. He asked if it is download it in some fashion and put it on one of the City's computers. Captain Norfolk stated that the information downloaded by Flock is on a server maintained by the police department. They would keep that information in accordance with the public records laws. It depends on whether the case is a misdemeanor or felony case as to how long they have to maintain that information.

Mr. Gorbach asked if there is if there is software that is needed to run it. Captain Norfolk stated that that any upgrades to the software is included in that price for those two years. Mr. Gorbach asked if, at the end of two years, they would indicate if they want to renew or add cameras. Captain Norfolk stated that their intention is to look at this and its success over the next two years and then come back and potentially look at the next contract if it is found to be a very successful tool.

Mr. Miller asked potentially how often this would be used on a monthly basis. Captain Norfolk stated that it would be used daily.

Mr. Balthis asked if the mobile camera would be moved around and set it in different places that would be stationery or would it be on a police cruiser. Captain Norfolk stated that they would move it to different places in the city and it would be stationary there. Mr. Balthis asked if the same strict policies exist as with LEADS and other law enforcement data bases. Captain Norfolk stated that the software provided by Flock requires them to put in an investigative reason. There has to be a legitimate law enforcement purpose to query. Mr. Balthis asked if, with the audit trail, if there were an accusation of abuse, they would have a tool to look at. Captain Norfolk stated that that is correct.

Mr. Balthis asked if the City has thought thought about whether it would constitute Ohio Public Records or under Ohio Sunshine Laws or have any communities been sued under that argument.

Finance and Appropriations
February 21, 2023 – Page 3

Ms. Janet Ciotola, Law Director, stated that they are working their way through that analysis. If applicable and appropriate, they would add it to their record retention schedules and make sure it is addressed.

Mr. Stams stated that he is worried about abuse. People are creative and vindictive and sometimes report things that are false. He asked what safeguards are in place to protect the public from improper stops. Captain Norfolk stated that the cameras are going to be in addition to the tools that they already have. It is not all inclusive and the end all, be all. It is a piece of the puzzle for what they do. The cameras are not going to necessarily justify stops. They are going to put a car in a particular location at a particular time. Chief Davis stated that they will still have to have probable cause and do an investigation.

Ms. Loza asked that if this legislation is passed, when would these become operational. Captain Norfolk stated that he does not have a solid timeframe. It is going to take coordination between Flock, the Police Department and the Electric Department. On the installation side, Flock would come out and install the cameras. They mount them and use lasers to aim at the appropriate traffic lanes. They put up a junction box, and then the Electric Department comes in and ties the electric box into hard power. Summertime is his goal.

Mr. Ashton asked if there is any intent to use these for traffic enforcement at this time. Captain Norfolk stated absolutely not. They are not even capable, because it takes still pictures and not videos, so, as far as an accident, that would be an evidentiary issue.

Mrs. Spinner asked if the system has a battery backup. Captain Norfolk stated that they do. Flock has told them if power was down, they are good for five days on the battery backup on each individual cameras.

Mr. Gorbach stated that it could be a deterrent for illicit activities involving vehicles in the city, and that they would want to let the population know that these are going in and how it is going to better enforcement activities. He asked if there were any type of public information campaign that they would do from the City, or if Flock aids with that. Captain Norfolk stated that they do need to advertise and publicize. Flock has offered to help with any media releases. They have some prewritten media releases they use nationwide.

Mr. Miller asked who ultimately makes the decision for a vehicle to become a wanted vehicle. Captain Norfolk stated that the individual agency that is entering the reason that vehicle is wanted. Mr. Miller asked if would it be the individual officer, or would it go up a chain of command. Captain Norfolk stated that it would be reviewed by a supervisor before the vehicle could be added as wanted.

Mr. Stams asked Captain Norfolk to help him sell this to those that feel this is an invasion of privacy. Captain Norfolk stated that they are viewing this as a piece of a puzzle when they put together an investigation. It is going to take detectives investigating crimes or looking for missing

Finance and Appropriations
February 21, 2023 – Page 4

persons. This is a little bit more information they can use to put things together and to present better cases to the court system. Chief Davis stated that most people now have a camera on their doorbell. As a society, they have accepted there are cameras everywhere. This is another tool that they are going to be able to use to try to locate or to give them some clues as to which way to go when they trying to solve a crime or find a missing person.

Emma Grace Heath, 3020 9th Street, asked how they can be sure that this would not be abused by the public. Chief Davis stated that, number one, the public has no access. There will be rules and policies in place. If someone is using it improperly, there is an audit trail so they can follow it and see if there is any reason to be involved with the case.

Mr. Gorbach moved to bring out Temp. Ord. B-7 with a favorable recommendation, second by Mr. Miller Motion passed (3-0).

Temp. Ord. B-8

An ordinance authorizing the Parks and Recreation Board to enter into a contract or contracts, without competitive bidding, with Dan Guardo Contracting, Inc., for the Water Works Family Aquatic Center Pool Surface Refinish Project, and declaring an emergency.

Ms. Sara Kline, Parks and Recreation Superintendent, presented Temporary Ordinance B-8 to Council. The pool surface at Water Works Family Aquatic Center is now over 20 years old and is reaching its effective life cycle. Dan Guardo Contracting, Inc. will complete the resurfacing in an expedited and good workmanlike manner ensuring the resurfacing project will occur in months which Water Works Family Aquatic Center is closed so that there is no disruption to the seasonal operations. Dan Guardo Contracting, Inc. has completed several pool resurfacing projects at Water Works Family Aquatic Center and the Natatorium and has expertise in Diamond Brite pool resurfacing. The resurfacing, with proper application and maintenance, will afford the pool surface another 20 years of life expectancy.

The Parks and Recreation Board will be authorized to enter into a contract or contracts, without competitive bidding, with Dan Guardo Contracting, Inc., for the Water Works Family Aquatic Center pool surface refinish project. The Finance Director will be authorized to make payment for same from the Recreation Levy Fund, Line Item Capital Outlay.

Ms. Kline stated that this project is for 10,000 square feet of the pool. This is an area that they consistently get concerns from the lifeguards. When the bottom of the pool gets bad, it is hard for them to ascertain what is at the bottom, whether it is an individual swimmer or a piece of debris or a toy. They have a tremendous amount of saves and they want to do everything to keep swimmers safe.

Ms. Nichols-Rhodes stated that the cost of this project is \$193,000. There is some prep work. It takes long time for this to cure, so they are expecting this to occur after this summer season.

Finance and Appropriations
February 21, 2023 – Page 5

Ms. Kline stated that there is a lot of work that goes into Waterworks opening every season. This product has to be applied in certain weather conditions and it has to cure before the pools can be filled, so it would likely be after the season.

Mr. Gorbach asked if this is the final portion, and if not, how much is left. Ms. Kline stated that they will be about a third left after this is done. This is Phase II, but it is the biggest portion that they will do. They did the area underneath the slides first where the drop zone is because that is where most of their rescues occur. What will be left after this portion is completed are the lap lanes.

Mr. Gorbach moved to bring out Temp. Ord. B-8 with a favorable recommendation, second by Mr. Miller Motion passed (3-0).

Temp. Ord. B-9

An ordinance authorizing the Parks and Recreation Board to enter into a contract, without competitive bidding, with Trackman, Inc. For the purchase of a golf simulator, and declaring an emergency.

Ms. Sara Kline, Parks and Recreation Superintendent, presented Temporary Ordinance B-9 to Council. Brookledge Golf Club seeks to improve its golf training facilities with an indoor golf simulator. TrackMan, Inc. is the sole source provider of leading simulator technology. The addition of an indoor golf simulator will allow for year-round training and instruction at Brookledge Golf Club.

The Parks and Recreation Board will be authorized to enter into a contract, without competitive bidding, with TrackMan, Inc. for the purchase of an indoor golf simulator at Brookledge Golf Club. The Director of Finance will be authorized to make payment for same from the Recreation Levy Fund, Line Item Capital Outlay.

Ms. Kline stated that they intend to use this for a number of things and not just to play a simulated golf game. It has technology that will allow people to get their clubs fitted. It would help learners improve their game. It is different than other technology that is already available in the City in that it combines lasers with a camera which is unique to this technology. It has been utilized in other courses around Ohio and has seen a tremendous amount of interest and success. They intend to put this in the Academy Building. If this legislation is approved, that is the timeline that the manufacturer has given them is it will be ready to go in April. They are looking at a tee time of 7 a.m. and last Trackman time of 7 p.m. This will fill in seamlessly with what they have now.

Ms. Kline stated that they are working on figures for the cost but, as of now, it will be \$200 for a full club fitting that will take about two hours. Hopefully, they will purchase their clubs at Brookledge and they get a markup on that. For four players, it will be \$50 an hour, the thought being that an individual will get 12 to 15 minutes if they are playing with three other players. One person would be \$30 an hour. They are thinking about selling memberships at about \$60 to \$70 a

Finance and Appropriations
February 21, 2023 – Page 6

month that would enable one hour a week to reserve. It can go outside in nice weather, so if it is utilized for a lesson, they will tack on an extra \$30 to use Trackman outside. They will see what the demand is off season, but, at this point, because it will be indoors, they intend keep it open and adjust for summer or winter hours. It has an app, so statistics can be downloaded and there can be play in tournaments worldwide against people that have the Trackman app. There are games for children to teach them how to golf better. They have famous golf courses around the world loaded into the software. They are anticipating a high level of interest, and it will be another reason for people to come and stay at Brookledge.

Ms. Nichols-Rhodes stated that the cost is \$60,000 cost at the beginning and then there is an annual software cost of \$2,000 a year. The screen replacement would cost \$2,000 and that might need replaced every two to three years. Ms. Kline stated that the \$60,000 does include installation, so that is an all-in cost to get it up and running.

Mr. Gorbach stated that he looked at their website. They use a real golf ball. Ms. Kline stated it is just like like on a course, and they hit the ball as hard as they can at the screen. That is why the screen must be replaced approximately every two to three years. Mr. Gorbach asked if the initial investment includes a warranty period. Ms. Kline stated that the initial contract is three years for the warranty. Mr. Gorbach asked how many courses are included with the initial investment. Ms. Kline stated that everything that is available is included when they purchase it. The salesperson stated that there are approximately 36 or 38 courses loaded in now. They routinely upload new courses.

Mr. Miller asked if Mr. Eric Madden be doing that the club fitting or will Parks and Recreation be contracting it out. Ms. Kline stated that, two days a week, Mr. Madden will do it, and then there will be demo days where representatives from companies like TaylorMade will come out.

Mrs. Spinner asked if, per the fee structure, this would pay for itself fairly quickly. Ms. Kline stated that that is their hope. Their staff have talked to operators of other courses that have this and all of them have uniformly been positive. They spoke with a course in Steubenville who started with two units and have expanded to six within a year and a half because the demand was so high.

Mr. Stams asked if concessions will be available to people playing. Ms. Kline stated that they can purchase those in the clubhouse. The Academy Building is pretty barebones, so there is not going to be a lot of room once this is installed.

Ms. Loza asked if there will be different pricing for children and what programing for is available for children. Ms. Kline stated that that is to be determined. It is likely their minimum age to be unsupervised would be 15 or 16, consistent with other facilities like the Natatorium and Waterworks with. There are around four children's games right now that they can pull up, but it is basically about teaching children to choose the right club and aim the ball. The golf course will

Finance and Appropriations
February 21, 2023 – Page 7

be offering the summer session of First Tee for children that are interested in learning sportsmanship and how to golf.

Mr. Gorbach moved to bring out Temp. Ord. B-9 with a favorable recommendation, second by Mr. Miller Motion passed (3-0).

The meeting adjourned at 7:20 p.m.