

FINANCE COMMITTEE MINUTES
JUNE 16, 2020

The Finance Committee meeting was held on June 16, 2020 at North Royalton City Hall, 14600 State Road. The meeting was called to order at 6:00 p.m.

PRESENT: **Committee Members:** Chair Paul Marnecheck, Linda Barath, Mike Vos; **Council:** Jeremy Dietrich, Vincent Weimer, Dan Langshaw; **Administration:** Mayor Larry Antoskiewicz, Law Director Thomas Kelly, Fire Chief Robert Chegan, Police Chief Ken Bilinovich, Finance Director Eric Dean; **Other:** Colleen Gross, Jonathon Karl, Vicki Gluck, Jim Gross, Wayne Malz, Taras Malz, Don Harris, Bob Sandrick, Michael McDonald

Moved by Mr. Marnecheck, seconded by Mr. Weimer to **excuse Ms. Barath from voting on the March 18, 2020 Finance Committee Meeting minutes.** Yeas: **2.** Nays: **0.** **Motion carried.**

Approval of March 18, 2020 Finance Committee minutes. Moved by Marnecheck, seconded by Weimer. Yeas: **2.** Nays: **0.** **Motion carried.**

UNFINISHED BUSINESS

1. Monthly Finance report including tax collections status

Finance Director states year to date, I get a finance report out to council this is a copy of it. I did kind of a summary, but it is a breakdown of where our funds are at the end of the month, as we do every month. At the end of the month of May at \$2,943,000.00 cash in the bank of that 7.9 million is in governmental funds and capital improvement funds, 9.1 in wastewater and 2.7 in agency funds. I added a little section here compared to last year at this time, it does not really help too much because of the timing of certain expenses and revenues. This is just a quick snapshot. Getting into income tax which is the next item. For the month of May, we received 1.04 million in income tax from RITA that is down \$600,000.00 from what we received last year. Year to date we are down 1.4 million which is about 16%. We have been monitoring this because of COVID and because of the RITA estimates they give us and we know, that hopefully after July 15, we will get some of this money back. The big loss was individual taxes for residents, that was down \$436,000.00 for the period that is due to the extending the file extension.

We have been monitoring, we know that we are going to take a hit with the income tax collections. So far, I got a notice from RITA overall they are down 28% so far which is more than they projected, so we made cuts. I know Council here approved cuts of 1.6 million, we are still waiting to see how that comes in.

2. Overtime

The last items I have here for the finance report is the overtime. Year to Date is \$237,000.00 for the year out of the \$844,800 budgeted. So, we are at 28% of our budget with 46% of the year completed. That is 12 of 26 pays. So far, we are looking in good shape in overtime.

Mr. Marnecheck states before we move off of it, you might have briefly touched upon it that due to the delay in income taxes filing the deadline now being in July, this August will be similar to our usual May in terms of our largest collection, right?

Finance Director states that is correct. That is what we are really waiting to see, how bad the cuts are. Unfortunately, because of the delay, we are not seeing as much money delayed as RITA expected 3.4 million, but we are down and it is getting worse. Hopefully after the deadline people are paying their 2019 taxes on July 15, we will see some of that come back.

Mr. Marnecheck states you have no way of knowing the percentage of individuals that have paid already.

Finance Director states they don't give me that. RITA does not provide that information. Mr. Marnecheck states so it is just waiting on the numbers to come in.

Finance Director states that is true, they will contact us with a revised estimate, I have been told that, we are waiting to see. If their original estimate has changed substantially, they are going to contact us.

Mr. Marnecheck states I might have mentioned this to some, I apologize if I didn't, we may in August may need to have a special meeting, August would typically recess but given that this July could be our largest income tax month, we may have to have a special finance meeting or a special Council meeting in August. We will have to watch that closely and play that a little by ear.

Mr. Langshaw states unemployment for us was 21.4%.

Finance Director states, yes that is correct. For April.

Mr. Langshaw states I forget what was it for last month? Do you know?

Finance Director states it was only, I think I had on there 6%. So, they are behind, obviously on their numbers, but it went from 6 to 20. Ohio for April, the Bureau of Statistics had us at 16.8% for the whole state. Cleveland was 23% and North Royalton specifically was 21%.

Mr. Langshaw states just trying to gage on where we are going with this. Thank you.

NEW BUSINESS

1. Jail Agreement

Mr. Marnecheck states now we are getting into the item that brought the crowd. So here is what we are going to do. We are going to get an overview from the Administration, Council then can ask questions and then we will open it up to the public for your questions and comments. So, with that we will move into new business, the Jail Agreement.

Mr. Kelly states, Mr. President are we talking about the Memorandum of Agreement between the City and the FOP or are we talking about the Parma -North Royalton Jail Agreement?

Mr. Marnecheck states we will do the Parma Jail Agreement first.

Mayor states I will speak first. Just want to make a brief statement here to try to clarify a few things. The decision I made to terminate the jail function as a full-service facility which involves the jobs of seven full time and eleven part time employees was not made lightly. The impact upon these individuals is significant and I do regret what difficulties this may bring them, the affects and impact on them are matters of negotiation with the Fraternal Order of Police and we are discussing in private at the bargaining table and we have done all of that. The closure of the City Jail is not a new concept, according to the information given to me, given to me by Police Chief Ken Bilinovich, only two other communities in the County operate full-service jails, Parma and Solon. The reason others do not is simple, the over whelming cost associated with the effort and availability of other jail options. I would also like to bring a few examples to the table, Shaker Heights which has an agreement with Solon, they have their own jail, but they decided not to use their own jail and they will add \$350,000.00 annually to the bottom line by not using their own jail even though they have one. They have a contract with Solon. Bedford Heights closed their jail June 1 because they were losing more than \$500,000.00 last year. Twinsburg also has their own jail, but according to their Police Chief using Solon's jail saves them about \$100,000.00 a year. So those are just some other examples of a couple communities that actually still have jails, but decided not to use them because of the cost and how it benefits them to go

somewhere else. Many communities have full-service jails in the past, but have closed them due to financial reasons. Another example is Euclid who had a full-service jail and was forced economically to seek assistance. The County took it over and then they closed it within a short time. I sought to discover if the County would be any help to us, and they are not interested. Our jail is operated at a deficit for years, all along we have tried to enhance the revenue stream by housing prisoners from other police agencies and still the deficit remains and it is in excess of \$650,000.00 annually. While I recognize the nature of a jail as a service not a profit making activity, there are always limits to the burden that the City can and should be required to bear to provide that service and as I look to sit down with the Chief and evaluate the staffing level of the Police Department, I prefer to invest in additional personnel as opposed to serving as a jail subsidy for 19 other communities. Some have suggested that without the jail, our crime rate will increase. This is false. Other cities in our area without full-service jails do not have soaring rates of crime. I know that it was brought up about a post that we had that we were the 14th city based on survey that was done and when I saw that comment, I figured well let me find some things out. The number one city on there is Broadview Heights, they do not have a jail. The number three City is Olmsted Township, they do not have a jail. Rocky River is number five, they do not have a jail, they use Westlake. Number eight is Brunswick Hills, they don't have a jail, they go to Medina County Sheriff. Number ten is Seven Hills; they just have a holding facility. Number eleven is Hudson; they hold for 2 hours and then they send them to Stow. Brecksville is number fifteen, they do not have a jail. Number 20 is Berea they do not have a jail. So, I think the idea that they wouldn't be safe is pure fallacy. There will be appropriate jail cells for all those that truly need to be locked up. The felons will be sent to the County jail expeditiously as they always have been. Non violent and misdemeanants will be released on their own personal recognizances as opposed to sitting in jail unnecessarily. Other violent or dangerous offenders will be housed locally as has similar offenders from all local police agencies around us who also have no full-service jail. The decision has been made and while others may debate the wisdom of it, but we are moving forward from here. I am confident that the Honorable Police Officers of our community will do their utmost guard and protect the community as they have always done and will adapt to this new reality with a positive spirit. With that I will let Tom reiterate about the agreement.

Mr. Kelly states Mr. President and the members of Council, some months ago when the Mayor was making his judgments on these matters, he approached Mayor DeGeeter of Parma and had me approach the Parma Law Department to discuss what we might be able to do together, we were already aware of the existence of a similar cost sharing arrangement between Solon and Shaker Heights, Solon and Twinsburg, and Solon and University Heights. We secured a copy of the contract between Solon and Twinsburg. When I met with Tim Dobeck and his Chief Assistant Tim Miller, I shared with them a copy of that agreement and they took and studied and subsequently, we have used that. When I say we, I mean Parma and North Royalton, we have used that as a template for the agreement that is before you this evening. Now, I am going to premise this with a statement, know that in 45 years in the practice of law, I have done a few contracts. A contract is only good if it is good for both sides. It cannot be just a one-sided agreement. Mr. Miller, Mr. Dobeck and the people at Parma used the information that we provided to them and did an evaluation of their jail situation and their own cost of operation. They have come to the conclusion as we have, operating a jail is a very expensive proposition, as part (inaudible) of the proposed agreement that is before you this evening, Parma's taking the step of terminating all of their other agreements with all of the other agencies that they have dealt with in the past. That is because they were plainly not being properly compensated under the terms of those agreements. As we in North Royalton, ought not and the North Royalton tax payers not have to subsidize prisoners from other communities. Parma chooses and rightly so not to have to subsidize prisoners from North Royalton. The determination was made to put together a shared expense agreement, a cost sharing agreement. This is a partnership agreement essentially with Parma for the use of their jail. We did not pay to build their jail, but going forward in terms of the ability to house prisoners, our prisoners there, there has to be a cost and the cost is determined on the basis on the actual expenses. You will note that we have a figure of \$236,500.00 for the contract year. The contract year is determined by – it is an arbitrary determination, we picked July 1 because we knew we were closed June 30 based on the Mayor's determination. This first year agreement is July 1, 2020 through June 30, 2021. At the conclusion of the contract year, it is in the agreement that we shall sit down together across the table with Parma representatives and determine whether or not we have over used their facility or owe them a few dollars or under used it in which case we may be entitled to a credit. That is

the overall expectation. In terms of the limited space, Parma has 26 beds, full service, male and female, but in discussing with them what the opportunities are for expansion in the event that there are significant number of prisoners all coming in at the same time, they have indicated to me that they can go up to 40, so they can house up to 40 prisoners. We have an obligation to find a location. This agreement gives us a location. It is as close a location as you could possibly want. It also provides us with an opportunity to rely on the Parma personnel and the Parma jail people to do some of the work that our people would otherwise have to do. If we had a prisoner in our jail who was required to appear in Parma Court, we would have to transport that person and use an officer, and sometimes a jailer, sometimes a corrections officer. When our prisoners go to Parma jail, hence forward, if this agreement is approved, Parma will move that prisoner from the jail up to the courtroom. It won't cost us a nickel and won't take a police officer off the road and no one has to do any more transportation. That is a savings for us. Beyond that, the agreement kind of speaks for itself if you have any questions, I am happy to try to answer them.

Mayor states before we do Eric, did you hand this out to all of Council? I just want to show a couple of graphs. The first graph basically shows the jail's operation from 2015. As you can see, the expenses have continued to go up and the revenue has gone down. When I look at this, also with a lot of other things and the way things are going, I do not anticipate that changing. Again, as people have deemed to criticize that I just made a hasty decision, it was not a hasty decision, I looked at a lot of different numbers, I did a lot looking and as you can see, the numbers show that it has never been okay, it always has been an area where we have expounded a lot of expenses. The next one basically tries to just show that for 2020 what our original budget appropriations are, amending the ordinance and then, what 2020 appropriations are as of right now. Correct, Eric?

Mr. Dean states we are looking into the effect of this agreement and the closure of the jail, currently we are just over a million and our current budget so far if you take what we spend year to date and add into the cost to house prisoners for six months, the rest of the year, we are going to be able to lower our budget to \$664,000.00 and that is with the payouts, and the estimates. Basically, looking at next year we have the Parma cost, the full Parma cost for the year - \$235,600.00 and we have medical costs for prisoners, so we are staring around \$260,000.00 next year.

Mr. Marnecheck states we will dig more into the severance for lack of a better term costs when we go over that agreement.

Mayor states before we get any questions. I also want to show those numbers.

Mr. Marnecheck states one question I had was can you talk a little bit more about how the two cities, if this is approved. By the way this was approved by Parma last night?

Mayor states, yes it was.

Mr. Marnecheck states how will the two cities kind of rectify, this includes 750 prisoner days, correct?

Mayor states yes.

Mr. Marnecheck states how will the two cities rectify that account if there are less days that are used; more days used.

Mr. Kelly states that is the idea Mr. President, this is the way it is done between Solon and communities they are partnering with. They do the same thing, we didn't create this model, we adopted it. We changed some things in it, but as a practical matter the idea is if we sit down in good faith with our partner Parma and we go over the usage and we find that our usage exceeds what was approximated or estimated then we are going to owe them more money, I am going to tell you that right now. We are not backing away from this, if it should happen that our usage demands that we pay more money then we are going to come back to you and we are

going to ask you for the appropriate sum. If less, and by the way, as I have said this before when we were in executive session, Supreme Court of Ohio requires now under the Revised Rule 46 that every effort be made to release an arrested individual at the least cost to the Defendant. By the way that includes then releasing more people who in the past would have been held until they came up with the money for bond. Now those people who ordinarily then otherwise might have a prisoner day charged against us are not going to have a prisoner day charged against us because they are going to be released. That has to diminish the number of prisoner days in the count. Beyond that we are hopeful to that we will secure the cooperation of the Judiciary, both the Parma Judges and the Magistrates as well as our own Magistrate. They will act swiftly under those circumstances where a bond has to be set, to set that bond and to not let people linger unnecessarily and by the way that is also called for in the Revised and Amended Criminal Rule 46. There are lots of moving parts to this equation which should reduce the number of people in jail that is the overall intent, that is our intent, it is the intent of the Jail Agreement that we have crafted with Parma. By the way, Parma has made this deal with us because we got to them first. Broadview Heights has been knocking at their door and calling and calling and they want in. Parma is holding them off saying we are not doing that until we have a deal with North Royalton. We encourage you to bear that in mind. Everybody is in the same position; they are looking for some place to put their prisoners. We have an arrangement here, we have an agreement on the table which allows for the appropriate housing, allows for us to have a primacy, preferential treatment second to only Parma itself. We are hopeful that you will see the advantage to this agreement and that you will approve it. Certainly, if you have other questions, I will try to answer them.

Mr. Marnecheck states another question I have from a financial standpoint, Parma is going to send the Finance Director a monthly statement, correct?

Mr. Kelly states we build that in there so that we can keep a record and track the number of prisoner days that we are responsible for so that we will know within a few months whether or not we are up down or on target. But the adjustment will be at the end of the contract year.

Mr. Marnecheck states I guess it can be similar and maybe this is a torture analogy to overtime. We set a budget at the beginning of the year for overtime for each department, we monitor it monthly and if we see one department using overtime at a higher rate than we thought, we can adjust it accordingly if another department is using it at a lower rate, we can adjust accordingly. We can do the same with this in Finance Committee.

Mr. Kelly states Mr. President and members of Council we intend to do that, we intend to monitor this to see where are prisoners' days are being spent and what they are being spent on. I directed both our Prosecutors that in the event that they are prosecuting a case where jail time is anticipated or mandated we will amend those charges if they have not already been charged if they haven't already been charged under State Code, they will be amended to State Code, so those prisoner days will not be charged against us.

Mr. Marnecheck states I believe I saw in here that the agreement would include Parma Police Department transporting North Royalton prisoners to and from court.

Mr. Kelly states it will probably be the uniformed bailiffs at Parma Court, but it is certainly not going to be our officers having to make those transports.

Mr. Marnecheck states does anyone else on the committee have a question about the proposed agreement with Parma?

Mr. Dietrich states I do have a quick question, so the 750 is what is proposed on the agreement, I know you said that you did not draw this up, Mr. Kelly, we adopted it and we made some changes. Did we attempt to make changes on the over/under, I am not really comfortable with the voting on the handshake, we will talk about it then come to an agreement after the fact. I think there should be something how much by when and that, I realize that Parma has already voted on it which I was just made aware of. But, we have not. My thing is there should be a set amount whether we go over, I don't want them to gouge the City and say you know –

there is nothing in writing in that proposal that I saw. Same thing on the flip side, if we go under, how much are we getting reimbursed?

Mr. Kelly states I can tell you Mr. Dietrich, the agreement if you divide 750 into \$236,500, you get \$314 and change. That is the number.

Mr. Dietrich states that is not in the agreement, it just says that we will visit it.

Mr. Kelly states well that is true and I will tell you this. Again, it has to be, there has to be a little good faith here that has to be exhibited by both sides, they are going to have fixed costs just as we had fixed costs operating our experience here. As a result, we have to take into consideration what their numbers are, there numbers to run their jail this past year in 2019. I am sorry in 2020 for their budget was \$1,797,000, just under 1.8. They approached their Captain Siedlecki with the question of what would it take for us to operate the Parma jail at full tilt, at capacity. He gave them a number of two million dollars so an increase just over \$200,000.00. Well that dove tails almost exactly with what they want to charge us for our prisoners so what they are saying is if they have to run it full capacity and take our prisoners and their prisoners and use their jail at full capacity they could it for \$200,000.00, can I tell you when we get to July 1 of 2021 and we used 760 prisoner days that in fact it will ten times \$315 and that we will owe them \$3,150.00. No, I cannot tell you that, this is going to have to be done on an operational basis, we are going to have to sit down and talk about it. I can't specify today what that is going to mean, but here. If you want out of it, we can be out of it, I think in 90 days.

Mr. Dietrich states, it is 90 days, I looked at it. I read it thoroughly.

Mr. Kelly states I am sure you did. I am just saying that if we come back to you in July and we ask for more money and you decide that you don't like it, well then, you can vote to have the whole thing down and the administration will have to close it up in 90 days.

Mr. Dietrich states, okay, I am still uncomfortable with it not being specific of not having the exact amount over/under.

Mr. Marnecheck states the reimbursement, right?

Mr. Dietrich states the reimbursement or whether or not we go over, which the way you are talking about the laws and the things that have happened in Ohio, hopefully that number goes down, which we would want to know what we will be reimbursed. But if it did go over, hypothetically either way, we don't have an exact number, we will get together and talk, that was my biggest issue with the way that it was worded. Did we make an attempt in our Law Department, on our end to try to change that at all because you said that we made some changes that is what I was asking.

Mr. Kelly states no I didn't change. I agreed in principle with the Parma Law Department that this a matter of something that we need to sit down and discuss as part of our review at the end of the contract year.

Mr. Dietrich states okay they approved it, we did not. My second question, this is my last one. Hypothetically, this hasn't been approved, I know they did, the way that it sits. If Council tonight does not approve the way that it is written, was it discussed would they still house our prisoners and if so, at what cost?

Mr. Kelly states we still have an interim agreement with Parma, but my strong belief is that if we turn this down, they will take it to Broadview Heights, number 1 and they will give us our 30 day notice on the interim agreement and then we will scramble to find someplace to put our prisoners.

Mr. Dietrich states so they will not house our prisoners as we get them the deal?

Mr. Kelly states they will not house our prisoners under the interim agreement for very long because they just terminated their agreement with Parma Heights, with Tri-C and with the Metroparks. So, they have come to the understanding that we have come to which is this, we cannot continue to subsidize other communities.

Mr. Dietrich states part of that and with all due respect the numbers that we were given at least, I have them in executive session, I know that we cannot disclose too much, but at least the numbers that I know of we were charging roughly, correct me if I am wrong, we were charging municipalities about \$100 a day. Now if you do the math, and you already said it for us, we are getting charged about \$315 a day. I did not see the attempt to make \$315 from these other municipalities and maybe they would tuck tail and run, and say no, and we would have to cut some of our staff, because we are now only housing North Royalton prisoners because they did not want to pay that, but it seems like everyone is scrambling but my point is we were only charging \$100 a day for these other municipalities and now we are going to turn around and pay \$315 a day. I just want to make that point to all of Council and everybody here. That I am a little uncomfortable with this.

Mr. Kelly states I am sure you also took into consideration the fact that Royalton, the cost for housing a prisoner here was almost \$500 a day. \$494 or \$495 a day.

Mr. Dietrich states, we were only charging \$100, but we are turning around and paying \$315.00. Again, if you divide that up over a 24-hour period. The deal is not terrible from Parma. If you look at it on paper, it is not terrible. If you take the number and divide it up with the 750 projected, and you divide it by 24 hours, it is \$13.00 and some change. But, if you see what North Royalton was charging other municipalities, it was \$4.00. I mean \$4.00 an hour. Obviously, we know that we are not doing \$4.00 an hour, that is illegal. I am just making everyone aware because I studied this and I went over the numbers and I just wanted to share that. You answered my questions.

Mr. Marnecheck states so our cost per day was what again Mr. Law Director?

Mr. Kelly states I believe Mr. Dean figured it out for us. It was \$494.00 a day.

Mr. Marnecheck states \$494?

Finance Director states I actually had a higher number.

Mr. Kelly states I am sorry I thought it was \$494.

Mayor states just let me comment really quick on the agreement. I have the interim agreement with me and basically the way we did the interim agreement was that this interim agreement would go until we reached a formal agreement and this being the formal agreement that we reached. Parma has already agreed, I believe if we don't agree to this formal agreement that they will probably give us a 30 day termination notice which means that we would have to scramble to see where we would take our prisoners at that point because as the Law Director pointed out, there are other cities that are scrambling for places to go, I think there are other cities that would love to have this type of agreement because I think it is something that is different and you can see more normal. Shaker Heights is going all the way over to Solon with their prisoners to save – and they have a jail to save \$350,000.00. So, when you are talking about transportation, they are going all the way over from Shaker Heights to Solon with all their prisoners. I found that shocking when I read it, but I understand it now. I think basically if this agreement does not go through, I think that we will probably be scrambling to try to find another place to put our prisoners. I will just say this, I believe that we tried to take this direction because I do remember one of the conversations we had when I brought it to the Chief was is, his main concern was where are we going to take them and are we going to be able to take them all there? I took that seriously when he said it. When we talked about Parma and that is why we tried to seriously do that so that we would have a place that our officers and everything would feel comfortable and have a spot to take them no matter what. I will tell you right as Mr. Kelly said, there are going to be a lot of other cities that would love to have this type of deal with Parma. I think Parma may make another deal somewhere along the line but they are

waiting to see what we do and then, see how it actually works. I think this is going to be more than norm than it is the odd way to go.

Mr. Langshaw states I first want to thank Mr. Dietrich for speaking up because I have some concerns as well and a number of questions that I hope to ask the Administration and other officials. First, I want to say I see my former DARE officer out there and I think of something that he taught me, is sometimes you have to stand up to bullies and public safety is very important and I think it is very important to all of Council. I won't put any words into people's mouths, but safety is very important. To the folks that are losing their jobs, I am sorry, I am very sorry that politics have to be played today during a pandemic, and you might not be able to speak, you might be literally intimidated and for that I am sorry as well. I have not participated in executive sessions so I can talk about the numbers that I have. I am not gaged; I may be wearing a mask. I am fearful of the direction of our City and they can say whatever they want, they can sell a bunch of snake oil whatever. Mr. Dietrich hit the nail on the head, Parma is getting a great deal and it is a great day to be in Parma because they are getting bailed out by the taxpayers of North Royalton. But our City has become like the Cleveland Browns; we are very passionate, we are very loyal, but every year we hope that we are going to win it but we fall just a little bit short, a little bit more. This I don't even know where we are going to go with this. We did not even try, it is not even like putting the quarterback out there or the right quarterback, we didn't even try to do anything. The Administration is going to say what they are going to say, that is fine, we can respectfully agree to disagree. But my concern is what's next. Are we going to get rid of the wastewater department, they cost a lot of money? EMS, are we going to privatize it?

Mr. Marnecheck asks is there a question in there.

Mr. Langshaw states I am getting to it Mr. President. So my first question is in regards to the Agreement on page 1, last paragraph of the agreement it concerns me from a public safety standpoint, it says, I know there are some members of audience that do not have a copy of it, but it says that both parties acknowledge that the available space that Parma jail is limited and there may be occasions where the jail is simply at capacity and no more space is available and on such occasion Parma may be required to decline to accept a prisoner offered by North Royalton. Both parties agree to make every reasonable effort to avoid this experience and seek the release of any other jailed individuals who is incarceration is not absolutely necessary and will call upon the judiciary for such additional consideration as may be available for this purpose. This concerns me and maybe the Law Department can clarify, are we just going to put more criminals on the street or are we creating a bigger problem for Parma.

Mr. Marnecheck states why don't we let the Law Department answer.

Mr. Kelly states what was the question I can barely hear you Mr. Langshaw.

Mr. Marnecheck states he is asking for clarification on the last paragraph on page 1.

Mr. Langshaw states my concern is that Parma already has a whole bunch of criminal problems.

Mr. Kelly states no they don't. That is an inappropriate remark.

Mr. Langshaw states I don't work for you. Is this your position that this won't create more problems not only for North Royalton, but Parma?

Mr. Kelly states I am sorry, what?

Mr. Langshaw states will this, because this provision they can deny our prisoners, so there are other prisoners that are going to be released.

Mr. Kelly states when Mr. Miller and I met he had a spreadsheet of all of the days of 2019 and only on one day in 2019 was the Parma jail filled. One day. It so happened it was March the 17th, St. Patrick's Day. So, you

can imagine the level of criminality that we are talking about here. We simply want to acknowledge the fact that all jails have limitations. They have 26 beds but they can fit up to 40 prisoners and only on one day were they over so we have high confidence that because they won't be taking prisoners from Parma Heights and they won't be taking prisoners from Tri-C and they won't be taking prisoners from the Metro Parks and that we have preferential treatment for the space in the jail that they are going to make every reasonable effort to meet the terms of this agreement and see to it that our prisoners are properly housed.

Mr. Langshaw states I have an additional question for the Law Department. I am parent and I know a number of people in the room are parents as well. On page 3 and it is number 12 of the Agreement with Parma, it says it won't take our juvenile offenders. My question is, I hope that they aren't going to County lockup, but there are heartless felons and a whole bunch of issues with County lockup, and of course, the County is a mess at times. Where are these juveniles going to go if Parma is not going to accept them? What is the plan? I don't see it in the Agreement.

Mr. Kelly states well it is not in there. Is that a question for me?

Mr. Langshaw states yes.

Mr. Kelly states, I don't know where they are going to go, but I can tell you this. 56 out of 58 other communities in this County have the same problem, so I suppose our Chief and his staff will find a way to take care of this. And they may have to call upon other communities to do the same thing and don't have the availability of taking them down to County, because the County Juvenile Court does not want them anymore anyway. Maybe sit them in the lobby until mom and dad come and pick them up. We are talking about Juvenile offenders here not criminals.

Mr. Langshaw states I have another follow up question. Yes, there are juvenile offenders. I will give an example, we have a juvenile that robbed Giant Eagle, the Huntington Bank. They were caught, good job to the Police Department. But they were sentenced, they did their time, they actually did their time here North Royalton. I think the parents paid out of pocket as a self-paid prisoner. I think it was like \$13,000.00. But they paid out of pocket to keep their kid here, still do the time, learn from it, but they paid us. That is a significant amount of money.

Mr. Marnecheck states I think you asked a question and I would like to hear a response.

Mayor states part of that answer is based on the jail report that I received for 2019 says that there were 10 juveniles that were securely detained in the jail, none of those juveniles was held for a status offense. One of the juveniles were held for an OVI and the other nine were held for delinquent offenses. So again, we will always look for ways and will continue to look for ways and I told the Law Department to look and see exactly how we are going to do it. I also know that it is not a startling problem here.

Mr. Langshaw states the Mayor cut me off. It was just a question, so you don't have a plan at the time? You will have to negotiate with the Chief and other people.

Mr. Kelly states what was that?

Mr. Langshaw states yes or no you don't have a plan right now, you will have to double check, there is nothing in writing?

Mr. Kelly states I have high confidence in the professional skilled police officers that we have that we will find a way to deal with a juvenile who is caught doing something inappropriate in North Royalton. No, I don't have a place for that individual at this moment, Mr. Langshaw.

Mr. Langshaw states I have a few more questions. I know Mr. Dietrich brought it up too, it is so high, this Agreement with Parma is and you answered part of it, but the one thing that kind of confuses me a little bit and maybe you can clarify, the 2019 jail cost analysis that you guys did, the jail minister talks about it that it only costs about \$99,000 to house our prisoners elsewhere. I know that Mr. Dietrich is on the spot with the math and I appreciate it. To me it doesn't add up, that is quite a bit of money. So are we just paying more up front because we are going to get this preferential treatment, because that is quite a hike, so if you can clarify I would appreciate it.

Mr. Kelly states the budget that you all approved for this year for the North Royalton jail was a million dollars or very near. This proposal suggest that we can house our prisoners for something approximating \$236,500. There in lies the most important math question, beyond that, the issue of why those costs went up has to do with the fact that when I sat with Parma and they realized what we realized about the cost of operation, we decided that the only fair thing to do was to recognize that we should pay fairly for the housing of our prisoners what they pay. Has it happened they pay \$315 per prisoner day under this scenario? Having to do with an approximation of 750 prisoner days.

Mr. Langshaw states Mr. Chair I have a few follow up questions and I will wrap up here. Just going with the amount that is in the Agreement and again, I have gone through it thoroughly too just like Mr. Dietrich has done and I hope other people in Council have done.

Mr. Marnecheck states I am sure that everyone has.

Mr. Langshaw states I would hope so. The thing that I am confused, and hopefully you can clarify so the amount of money so that the \$236,500.00 of what is not included is medical for our prisoners or is that included in that overall price tag?

Mr. Kelly states the Agreement will allow for the Parma medical people, paramedics to provide prisoners with an aspirin or whatever minor kind of attention they might need, but if the prisoner has to be transported to Parma Hospital for one reason or another those costs are on us.

Mr. Langshaw states I have another follow up question with that. If Eric can come to the podium really quick. To the Finance Director Mr. Dean what do you anticipate our possible cost, obviously you can see what the trends are with the jail and that kind of stuff, what do you anticipate those extra costs to potentially be to our City?

Finance Director Dean states, I knew that would come up looking at the medical costs we do have medical costs currently for jailers. For 2019 the total for the year was \$20,000.00, I believe it is going to be under that this year. That is an expense account line item under the operating of the jail and that is something that I included in my 2021 budget \$20,000.00 for medical.

Mr. Marnecheck states what you are saying you are anticipating, you are guesstimating \$236,000 plus \$20,000.00, roughly would be your refined estimation?

Mr. Dietrich states is that all you would add?

Finance Director states that is based on our actual costs historically looking at the last years that we have spent at our jail for medical costs for prisoners.

Mayor states Eric that also includes the contractual service with the medical.

Finance Director states so that is Dr. Feltoon that we are paying his fee and the prescriptions, drugs and all that.

Mr. Langshaw states Mr. Chair if you can indulge me, one more question; this is to the Law Director, obviously all of the cities are having tough times because of the coronavirus. Parma is the seventh largest city in the State of Ohio. There is no secret they are facing financial troubles maybe worse than us which is unfortunate. From what I heard there are some provisions to protect us. What happens if Parma has to close their jail. They are in the same boat as us, that they can't afford to operate what specific things protect us if that happens?

Mr. Kelly states I cannot answer that question Mr. Langshaw. I guess it speaks to the question that all of our cities have to answer what do we do with our prisoners. The County does not want them, we cannot afford them, we are trying to figure out a way to do on a regional partnership, public partnership basis. I don't know where that goes that kind of speculation. Right at the moment that does not seem to be a concern, they are looking for an arrangement with us that would assist them and it does, it helps them to, but if it didn't, we couldn't do this deal at all. As I said, this has to work for both parties, and it has to recognize their costs as well as ours. So, do I expect Parma to close their jail? No. There is no indication that they were going to do so.

Mr. Marnecheck states Mr. Law Director they would have to give us 90 days' notice though, right?

Mr. Kelly states that is what the agreement says.

Mr. Marnecheck states so we would at least have 90 days' notice.

Mr. Kelly states that is correct.

Mr. Langshaw states that ends my questions.

Mr. Weimer states so I have to share that I share some of the same concerns as Mr. Dietrich shared on initial read of the contract, however, as I read and digested the contract. I think all up here on the bench spent a lot of time reading through the Agreements so I just want to put that on the record as well. Is there anything in the Agreement, I cannot find anything that binds us to pay Parma a specified amount in the event that we go over the allotted hours in the Agreement.

Mr. Kelly states no sir.

Mr. Weimer states so it is a mutual discussion that needs to occur at the end of the Agreement.

Mr. Kelly states that is correct.

Mr. Weimer states we have a 90 day out of the contract.

Mr. Kelly states that is correct.

Mr. Dietrich states so over 750 they cannot bill us?

Mr. Kelly states they no sir.

Mr. Weimer states so that in turn is our remedy in the contract to protect us from being gouged at some point and it has to be a mutual agreement between Parma and North Royalton at the end of this; that yes we went over our hours, this is a fair amount to pay you and we are going to agree to that, is that okay with you Parma, Parma says yes and that is what we agree to. Same with us getting a credit back that would be the same dialogue that would occur.

Mr. Kelly said what is good for the goose.

Ms. Fenos states at any point anything happens with Parma closing or just the numbers don't work out, how difficult would it be to, or is it even feasible that we would re-open and if so, did we think about what that would take, how much money and time would be needed?

Mr. Kelly states I have no answer to that, the fact is that we set out on a course to try to save \$500,000 to \$700,000.00 a year that is the course we have been directed to follow and that is where this agreement comes down. I don't know how to speak to that question. I don't think that there is any indication of any substance that Parma is going to close their jail. Quite the contrary, they now have people knocking at the door trying to get in and it is altogether likely that this could be an ongoing arrangement for years to come. They have told me that if it works, if it is a successful arrangement, they probably will reach out to one or another seven Parma Court communities to see about having another community join. But they won't get the preferential position that we are offered in this agreement.

Mayor states to go along with that, the Agreement also does talk about if that happens, they will revisit our account and, I believe our cost of doing business would be lower because it will be shared by another community as well.

Mr. Kelly states that is correct.

Mr. Marnecheck states before we go for second round. Councilwoman Barath do you have any questions.

Ms. Barath states do you happen to know Mr. Mayor what was Parma's net on their jail? You said a million-eight to operate it. Do you know what they were losing by any chance?

Mayor states I do not.

Ms. Barath states I would assume they were losing because from what I am seeing most unfortunately, prisons are losing funds.

Mr. Kelly states I can get that for you, Ms. Barath. I don't have it handy.

Ms. Barath okay.

Mr. Dietrich states I just want to just for the record clear something up. I was misquoted. I did not say that it was a bad deal with Parma. I just did the math again it is \$13.12 an hour it is not a terrible deal, my issue was the years' worth of us charging \$4.00 an hour, again our mission as Mr. Kelly, I am not going to quote him but stated that his goal that their objective was to save \$500,000.00 to \$700,000.00 a year and again that starts with either closing the jail or increasing the amounts we charge other municipalities that was my issue. I never on the record said that it was a terrible deal. They are still going to lose money \$13.12 an hour in my opinion. I just want to clear that up, it is not a terrible deal in my humble opinion, my issue is what I said, just making it clear for the record.

Mayor states I will just say one more thing because Mr. Langshaw brought it up about the fact that I know all the jailers are losing their employment, and I believe they have been notified through their local representation that I do believe that they all have an opportunity if they so wish to take the opportunity that they could apply for, and it is my understanding and that get very preferential hiring opportunity with the County that was looking for jailers, I have talked to them, they would love to have the experience and the good people that we do have here so I do believe that is an opportunity for anyone of them to apply and obtain a position with the County.

Mr. Marnecheck states anyone from the audience, when you come up, you have to speak clearly for our Director of Legislative Services for the minutes, speak clearly, give us your name, address, if you really want to be helpful you will spell your name.

Chief Bilinovich states my name is Ken Bilinovich I am the Chief of Police in the City of North Royalton. For those that don't know me, I am police officer here for thirty-seven years, I have been Chief for the last three. In that time, in 37 years I have seen this City change more than anybody can imagine. Buildings have come, buildings have gone, everything has changed, never in my wildest dreams, would I anticipate come July 1 we would not have a single cell in our community to house a prisoner. Going back 60 years probably we have had jail cells, I know for sure when I was started at the old station, we had four and then it went down to two. Somehow I think we are going totally in the reverse, and what bothers me the most is the Mayor went on this program to close the jail without even consulting me, giving me the chance, the decency at least to come to me and say, Chief I cannot keep affording to pay this much money to run the jail, what can you do for me. That was never brought. I was called in about two months ago and told boom, we are closing the jail Chief and we have an Agreement and we are looking to house our prisoners in Parma. These people back here that have worked with me for twenty plus years, some of them, highly dedicated, highly trained employees, more or less are kicked to the curb and told boom, we don't need you anymore. The City of Parma, trust me, I know, preferential treatment goes out the door when they bring other cities on. Running a jail is like running a hotel. If someone calls and says hey, can I bring a prisoner down and you got an open bed, you let them bring that prisoner down and you make money from them. I even asked the Mayor does that mean that Parma will hold a couple beds open for us, like we pay a retainer, and they are not going to do that. I guarantee you that they are going to fill, just like we would, we will book prisoners unless you book in advance and you can't book in advance for crimes that may occur. For Court sentences and stuff, you can and that is another cost. If we get a thirty-day court sentence that has to be served in Parma that is thirty days right there that Parma is charging us three hundred some dollars a day whatever it comes to. This thing about preferential, I don't know how – I mean sure we can have a contract, I guarantee you once we pass the contract with Parma, Broadview Heights which reached out to us, which have been bring prisoners to us for years reached out and offered to pay us \$150,000.00 to keep our jail afloat, they did not want to hear anything about that. Myself, the Jail Administrator Toukonen spent many hours working on a plan to limit the cost, which we brought the cost down at least 30% from what I understand to keep the jail open, the limit the number of outside agencies but that was never addressed. More or less we were told that unless it is a zero sum which no prison is ever a zero sum. It cost a million dollars, you bring in a million dollars, we cannot afford to have you. Well running a jail is like running a lot of things it is the cost of doing business. Do we try to keep it as low as possible; absolutely. But, this building we have now has been open 29 years, 24 hours a day, 7 days a week, 365 days a year we have been housing prisoners there and now all of a sudden we are just going to have one on the nicest jails, full service jails in Ohio and that is the truth. Well educated, trained staff and now we are just going to lock it and it is going to become a museum or a memorial or something – it is going to sit empty. Which it will because we won't be able to take people back there unless we have a trained person, personnel jail staff to watch them that is state mandated. Another thing, you talk about how much it always costs, the jail has never gone over budget, ever. So, every time the jail, you Council pass a budget every year, the jail has always worked within those budget standards. It is not like the money you are spending was not anticipated to be spent, it has never gone over budget, and it is always passed state inspection with flying colors. I just don't see it myself honestly. I worked for about seven Mayors as a police officer here, six of which since we opened this jail and yes, talk has come at times about maybe somehow reigning jail down or cutting expenses, but it has always come to the understanding that keeping the jail open is in the best interest for the City of North Royalton, the residents and the community as a whole. Now it is not going to be there, now we have to take a prisoner 5.4 miles away to Parma Justice Center to run a test or tests for an OVI or booking for another crime that officer is now out of the community. It is no longer available to serve. We are have the lowest officer per thousand resident ratio in Cuyahoga County and a lot of that is because we had a jail attached to our police station and we are able to keep our officers even if they are in the jail, if there is an emergency they can respond in 30 seconds. That won't be able to happen anymore just so you know. As far this grand plan we won't arrest as many people as we have, we just let them go into the community, people a few weeks ago we would arrest, but we won't be arresting them because it is probably not proper to hold these people. I just want to be on record just to say, I don't agree with this, I don't condone closing our jail, I think it is taking a major step and the Mayor has let you know and I have agreed with him for part of that, we have to be able to clean our streets, we have to be able to patch our potholes and stuff like that, but also running a jail is just like any other part of the City. Some cities have not, some cities were dependent upon us, we had contracts with

like 15 to 17 municipalities. Now we are telling those people, adios too. It was kind of a piss poor way of doing business with your local communities and so you can guarantee that they are going to be looking at Parma and knocking on Parma's door and looking to get a contract with Parma, and for Parma to say we are going to cut Parma Heights out. Well Parma Heights right now is our biggest customer as far as us housing for them. Misdemeanor arrests – Parma and Parma Heights you know that they are going to house for Parma Heights, you know that they are going to house for other agencies. It is stupid to turn money down if you have an open bed. So, unless we are paying a retainer, Parma is going to hold two or three beds for us and they will sit empty unless North Royalton needs them, there will be no guarantee. What are they going to say? Oh okay, throw a mattress on the floor and Royalton's prisoner can sleep on the floor and we will charge them \$315 or whatever. That is my biggest, we were not even given an opportunity to save the City money and, if money was that tight back then, okay, Mayor give me a week and we will bring the budget down. But, no it was like we are closing the jail, that is it, we are laying off 20 hardworking employees some of them have been with us for over 20 some years and we are just kicking them to the curb and then during this pandemic too this time of social unrest, it is not a good time to be closing your jail. Why would we want to close our full-service jail, we can house someone there for a year? Very few places, have full service; a lot of the places that have closed their jails has closed them because they were antiquated, they would cost too much to bring them up to code to pass state inspections that is why they were bringing to us. Sure, it saved them money too, and we were charging the going rate. So, say we were subsidizing, I don't think is right. Now the going rate is going to be going up \$100 to \$125 a day, we could charge that and get away with it and cut what we are paying down. Parma first said they would charge us \$125 a day, now it is \$315 a day, and I guarantee you if we don't house 750, you are not getting any money, they aren't going to cut you a check. They will say well maybe next year. I saw how our agreement with Southwest Dispatch went too. Oh, we will get other cities on, your costs will go down, our costs have never gone down with our dispatch agreement with Southwest. You know why? Because they are all City of Strongsville employees, when they get a pay raise, they pass that out along, when they get health care insurance that goes up, they pass that along too. So, we are now paying \$4,800 a month to have our dispatch service itself less dispatch center and trust me, if anyone had to call knows that the service is not nearly as good when we had our own dispatch center.

Mr. Marnecheck states Chief I am hesitant to cut you but I know that there are a lot of individuals if we are varying into Southwest Dispatch a little.

Chief Bilinovich states I am just saying, we have been down this road of us farming out our own place and come to next census, if they even do a census, we will probably have a 33 to 35,000 people in this City, we are the 3rd largest community area wise in Cuyahoga County next to Strongsville and Cleveland. I do not think this is the proper time to close the jail, just putting on notice that if it does pass, fine I will work with the parameters I have to, but when things go south, excuse me, I do not want to held accountable. Thank you.

Mr. Marnecheck states I think I am going to let the Mayor respond first.

Mayor states, I am not going to take up too much time because it is just a shame that it came to this when we had numerous conversations and it is amazing that you could not remember back early in the year when I called you in and we had a discussion and I actually had – Ms. Vozar was with us, and I mentioned to you that when I was looking at the budget numbers that I thought that those budget numbers for the jail were a problem. Now wait, don't shake your head, because you just said that we didn't have the conversation.

Chief Bilinovich states no you never gave me the opportunity.

Mayor states we did have that conversation early in the year before I came to the regular budget where we discussed, and I told you Chief, I have a problem with these numbers on the jail and I am looking at them very strongly, but I am also looking at some other opportunities that we can do. Shortly after that I went to the County and asked them if they would be interested in partnering with us. Okay, I guess you forgot that conversation because you said that we never had it, but we did. As far as your other conversations as far as Broadview Heights and everybody else, no one ever came into my office and said that you guys brokered a

deal without my knowledge that might have that ramification. As far as your cost savings, I looked at those numbers, the cost savings were about personnel just so everybody knows, the cost savings that were proposed was to cut the amount of dollars on the personnel. And my only question to that is, how do you cut the personnel and the jail like that, and if you are able to do that, why didn't you do it for the last five or six years when we were losing money. Why would you wait until now when there was going to be a closure? If you can run efficiently on those numbers then why haven't we been doing it?

Chief Bilinovich states you don't look at it like it is any other service, Mayor. The service of running a jail is part of the Police Department budget.

Mayor states absolutely.

Chief Bilinovich states when people flush the toilets, they expect their crap to go somewhere, but you don't have any problem paying thousands and thousands for a screw pump or something like that, but when it comes to the City safety. Did you ever come to me and say, Chief if you don't reduce your budget for the jail, I will have to close it?

Mayor states we had that conversation. I said I was looking at other alternative ways. You didn't come back and say one thing for all those months and say, Mayor I am working on it. You just let it sit there. I told you that I had trouble with the numbers back then.

Chief Bilinovich states you never came to me and said I am looking to close the jail unless we can bring down the budget say by 30%. You never said that.

Mayor states that is right.

Mr. Marnecheck states if I could, I know there is a lot of... Chief, I am Chair of this committee. If I may, we are going to recognize Mr. Harris for a moment and we will come back around. We are going to let the public speak as well.

Don Harris, 15578 Martin Drive – Ward 5

Mr. Harris is before Council and states it is best kept secret in North Royalton no one can find it. Let us go back a little bit in history. We had levies for Fire and Police, and they said that we are going to build a new police station and in that police station, we are going to put a jail that is compliant with the State of Ohio directives in order to keep long term prisoners. What we are going to do to help sell this Levy, when we put these prisoners in this jail, we are going to make money, we are actually going to make money off of this jail. Do you remember that Mr. Mayor? Do you remember that Mr. Langshaw? You were all a part of that. Back when you first took office. Now what happened to that? Now if it is so good for Parma that we are going to give them all this money to house all these people and everybody is going to be knocking at their door why aren't they knocking at our door? Why aren't we taking the people from Parma Heights? Why aren't we taking the prisoners from Berea? Why aren't we taking the ones from Parma or Broadview Heights? If it is so good for Parma why can't it be so good for us? Why can't we do the same thing as Parma, Parma is obviously going to take money, they are not going to do this to lose money. If you think they are going to do this to lose money, you are crazy, it is just like the rubbish when we were getting rid of the rubbish trucks. We are going to save money; we are going to make money. When the first contract comes out to 900 grand and now the next one comes out at one two and the next one a one four and then we are going to paying 1.8 million dollars for our rubbish. Eleven guys that were in rubbish are now going to go to the service department and take care of all of our streets and everything. The service department has six guys and when two guys go on vacation what do they got, they got four guys. You are going to take care of everything in the City with four guys? Mr. Marnecheck states I understand your point, but I think there are a lot of individuals that want to speak.

Mr. Harris states that is fine, you councilmen pay attention to this. If it is so good for Parma, why isn't it good for us? I urge you to vote it down.

Michael McDonald, 14599 Bennett Road, Ward 5

Mr. McDonald is before Council and states making a presentation on behalf of my wife Dawn McDonald. Mr. Dietrich and Mr. Langshaw, all of the other jails in the community closing, we are one of the few full-service jails in the area, so why not charge a freaking fair rate. Obviously closing the jail will reduce the reliability of services for the North Royalton residents as the police officers are substantially spending more time, more of their time transporting prisoners back and forth from the jail to the court, back to the jail, maybe. There is no guarantee that the Parma jail will be able to handle the North Royalton prisoners, that is right in the agreement and the medical expenses. Well \$20,000.00 is a nice number, you will be lucky if it is \$20,000.00 because you are not controlling those costs anymore, Parma is. Parma can hire whoever they want, good luck in getting someone to service your prisoners at \$50.00 an appointment, that is not going to happen. Let alone, if one of our prisoners happens to get COVID, you are looking at a \$19,000.00 to \$39,000.00 expenses alone just from that incident – one incident. I got this information from Mr. Dean back in May, I requested most of this, but let us get to the meat and potatoes. North Royalton you need to run your businesses as if they are businesses.

Mr. Marnecheck states you mean our departments?

Mr. McDonald states no, you need to run your businesses smartly. You cannot do anything without charging a fair cost. I guarantee if you decline this business and you call up Sam Ali tomorrow morning, he will be glad to sign the same deal you have with Parma. Some of the opportunities to improve, obviously we know what the fair market rate is for a prisoner. It is not a hundred dollars, not \$125, it is \$75 for a private prisoner. It is \$315 and that amount is going up to. So, charge the fair share, there is also opportunities to increase incarceration fee fines. Basically, if you charge \$315 a day that increase your revenues by \$430,000.00 for this presentation purpose. I put \$400,000.00 just to give you some fudge flex numbers.

Mr. Marnecheck states that is 2020 recommended budget changes?

Mr. McDonald states yes. Mr. Bilinovich has indicated that.

Mr. Marnecheck states Chief.

Mr. McDonald states the Police Chief has indicated that he can reduce cost by 30%. For this purpose, I looked at the budget, clearly it looks like you can substantially reduce part time hours, I came up with \$130,000.00 number, maybe eliminate overtime and reduce some salaries in a creative way, maybe reduce another \$80,000.00. If you add up your \$400,000.00, your \$130,000.00 and your \$80,000.00, now you are reducing your total jail cost by \$610,000.00.

Mr. Marnecheck states you still have \$193,000.00 coming from the General Fund, right?

Mr. McDonald states I have \$193,000.00 coming from the General Fund. Moving onto the next page, your costs at Parma, there are a few costs here that are missing, you got your \$236,000.00. Last year was a low year, there were 836.16 jail days, that is 86 days more than the 750 in the contract with Parma, and that was a low year, and we could get into why it was a low year, I have my theories, but that was a low year. The previous two years were in the 900s, you also excluded transportation costs of prisoners. If you got 750 hours, you are going to have a minimum of \$60.00 an hour, you have a minimum of \$90,000.00 of just wasted time transporting prisoners to and from Parma, to and from the jail, to and from the court, etc. Legal Documents, there are some legal document costs, maybe they are the same, maybe there is a little bit more because of the distance costs and different jurisdictions. Your insurance costs for your two-million-dollar insurance policy, I was generous, I said that is going to cost you a minimum of \$30,000.00 a year, it could be substantially more than that. Overall, the minimum costs to move the residents to Parma would be \$402,000.00 and 700 hours

and compare that to \$193,000.00 that if we operated our own jail, we are paying in excess to move the prisoners of \$210,000.00. In summary, our city leaders need this, sharpen your pencils, step up to the plate, start running city owned businesses like they are businesses and also protect city assets. I have not even included costs of just a vacant jail sitting there. There are utility costs, etc. Just to make sure that the place does not deteriorate beyond capacity. Closing the North Royalton jail will cost our taxes payers more money, we also lose our ability to control what those costs are, we are at the mercy of Parma now and if they want to increase rates in three years, they are going to increase rates in three years. If medical costs are over there or what they are going to be, you no longer have control over that. It is your responsibility as council members to act in the best interest of the City, of the North Royalton residents, of City staff and all the business owners within the City. I am asking you to vote no on the Ordinance 20-89 and Ordinance 20-90.

Mr. Marnecheck states thank you Mr. McDonald.

Chris Johnson is before Council and states I am the Patrolman Bargaining Unit Rep for FOP Lodge 15 which represents the Patrolman of the North Royalton Police Department. We will take safety in the Safety Committee let's just knock on numbers right now. I do want to address a couple of things though. We were found by Safe Lives to be the 14th most safe city in the State of Ohio, we are also 64th most safe in the entire United States. The Mayor mentioned Broadview Heights, Brecksville and Seven Hills. They were also on that list. What do they all have in common? They all brought us their prisoners. You also mentioned Rocky River and South Euclid. Do you know what they have in common? They are all starting jails up again because they have run into problems not having their own jails. Mr. Harris hit on the exact thing that I was sit here wondering. If this is such a great deal, why are we not selling what I don't think anybody would argue is a Class A facility. When was the last time we had a civil rights lawsuit against our jail? Anybody? Mr. Kelly? Ever? We never had civil rights lawsuit against our jail. We run a tight facility, as far as I know we never come close to failing a state inspection, ever, as long as we had our new facility. We have top correction officers, and we by in large don't have problems in our jail. Why? Because we run a good one. If this is such a great deal sending almost at least a quarter of a million dollars to Parma to subsidize their jail when we listened to the Administration, we cannot be subsidizing with other cities that don't have jails, but we are more than willing to subsidize with a city that has a jail. When we have a Class A facility to use to house outside agencies, everyone is knocking on Parma's door, because we closed our door too. Broadview Heights was apparently interested in a cost savings arrangement. I am a union guy; I went to the Mayor. The day before your executive meeting, I said hey Mr. Mayor I am here to sign this MOU regarding the COVID leave that we worked out together that was beneficial for both of us. I actually asked him, what is going on with the finances, recognizing that tax collections are down due to COVID. Was told that got it all worked out no one is losing their jobs, I got it all figured out, I think I can make this all work, no furloughs no layoffs, no pay cuts and no one losing their jobs. Two days later, 20 of the essential employees, they are all essential employees according to the City, suddenly became non-essential – gone. We are willing to send our tax dollars, citizens pay their salaries, every one of them, 2.5% back to the City for the privilege of working for the City of North Royalton whether you live here or use any of the services or not. We are willing to send that money to Parma? Why are we not approaching the other cities and say hey, we got a problem? We are operating at a substantial deficit and we need to cut our deficit, we need to figure out a good price or work out an arrangement. We know the going rate right now, the negotiated going rate is \$314.33 per prisoner day. That is the going rate. Have we charged that? Do you know what we will bring in every year just off of 2019 numbers? \$368,080 per year to put up on that board to cut those numbers down.

Mr. Marnecheck states there still will be a deficit.

Mr. Johnson states there will be a deficit, we are public safety regardless of some of the idiots out there say. We do not exist to make the City a profit. We are not the tax collectors for the welfare state. We are public safety, fire operates at a deficit, I am sure. Police operates at a deficit. If for lack of a better way, it is the cost of doing business. To be responsible we want operate at the lowest deficit as possible. Well while still providing the type of service and the type of protection that makes us the 14th safest City in Ohio and 64th safest City in the United States of America. That is not me saying those number that is Safe Wise. We will

operate at a deficit, but if this is such a great idea why was it done in secret? As you all know are more than willing to work with Council, more than willing to work with the Administration, I try to do it often. I work with Chief Bilinovich on a regular basis because when we work together, it works out pretty darn good. But now me and him, 21 years together. I have known him a long time. Fact of the matter is, we do not exist to make a profit, but we should not be shipping our jobs or our money else when we can keep it in town and especially when it seems like according to the Administration, people want to do these precautionary things and we are going to take a Class A jail and let it sit empty. I don't see how that makes sense to me. The funny thing is if you read this contract, the City of North Royalton agrees to and will number 1 transport prisoners to the facility for incarceration subject to delineation for capacity or application of standard jail criteria applicable to all prisoners, mental, psychological or other extraordinary circumstances. Guess what? When I bring someone to North Royalton jail, I don't get denied. I take a guy to Parma he is kicking the windows out of a patrol car, what do you think the chances are they are going to decline? I don't get denied here. The guy that I drag out that is busting up your car, I take him to jail, I don't get denied. They can simply say no, we don't want him. I am down the road with him and there is nothing I can do about it because it is right here in the agreement. We agreed to be declined for a quarter million dollars a year they ought to be accepting everybody we bring in. That is not something that we have a problem with here and we have the facilities to handle it. We have a padded room over there. If you are going crazy, we need to put you on suicide watch, we toss you in that padded room gently. We can protect those people. If we get turned down from Parma where do we go? Solon is our dump off? I work second jobs on the east side. The Village of Orange one of their Lieutenants actually approached me about being prisoners all the way over here to us because Solon won't take them because they are full. They have to take prisoners to Geauga County jail. We have a Class A jail, yes, it is operating at a deficit. Would it have been nice to work together to come up with a solution for this so we can keep our jail, keep control of it and we don't end up in a situation like we end up like dispatch. We are paying more and more and more every year and we not getting near quality service.

Mr. Marnecheck states dispatch was already done because there was a conversation about a reduction in funds. At the time.

Mr. Johnson states but it never happened did it?

Mr. Marnecheck states but at the time, there was a conversation. Cuyahoga County had to go down to four emergency dispatch systems, correct?

Mr. Johnson states one of the other things I noticed on this is that we pay for their medical. However, we are required to assign any rights to revenue or collection regarding any sentenced prisoner by any means and any medical insurance. For example, we pay Parma for the medical and then Parma makes them pay for the same medical. Parma gets a double dip. Why are we not collecting that money since we are already paying for it?

Mr. Marnecheck states so I think maybe one thing to remind ourselves of is that the jail closure isn't before Council. That is happening, correct?

Mayor states yes.

Mr. Marnecheck states so what we are looking at is the reality starting July 1 just as a clarification.

Mr. Johnson states right. This was done in the dark, no one contacted us, no one worked with us.

Mr. Dietrich states so here is where I am at and I apologize I was late, today is my 40th birthday. I had people at my house and I was trying to kick them out, my mother wouldn't leave. This was important to me, I wanted to come up here and talk and I know that it is important to everybody. I am not going to isolate myself, I know that it was hard for the Mayor and everyone else but it is not an easy decision, my brother was a correction officer for a third of this life before he became a police officer so that is why I asked to be on Safety Committee. A neighbor of mine's son contacted me; he was upset because his son works there at the North

Royalton jail. It is difficult and it is hard for everyone but as the Council President pointed out this is tough to see and it is tough to see you guys up here, but it is not a fight to keep it open, I wish it were. The Council has absolutely no jurisdiction over this whatsoever - none. It is an executive decision completely made by the Mayor. This isn't a fight to keep it, if we vote yes or no, however it goes, it is just a matter scrambling to find out where to bring our prisoners or us going forward to using Parma. This is not a decision, this is legislative and again, this was an executive decision. I am not trying to put that somewhere else, it was a hard decision I am sure, but he started to touch on it and I wanted to clarify that because if I was sitting in the audience, I would be confused, I would think that is what we were here to collect to do. The decision has been made and unfortunately, we are just here to decide yes or no. We are going to use Parma or scramble where to go.

Audience member states what if we stay here.

Mr. Dietrich states that is not our decision to make. We are not voting on that.

Audience member states the Mayor could.

Mr. Dietrich states that is completely an executive decision.

Mayor states the decision has already been made.

Mr. Dietrich states I just want everyone to clarify that it is important to me, I think it is important to everyone here that it is a difficult decision and I wanted you to know where Council stood given the outcome whichever way it goes that is not what we are voting on as our Council President just mentioned. That is not what we are voting on. I feel bad for you guys, I do, it sucks.

Mr. Johnson states it does. I would argue one thing though. Unless I am mistaken, my government teacher back in high school taught me, our government is a system of checks and balances, all the power is not invested with the executive. The legislative branch is a checks and balances of the executive branch.

Mr. Dietrich states even if we voted it down, it still has to go back to him, it is his decision to make. It is not ours. I agree with you on some points, I am sure he invested tons of hours into this and research. But, my biggest issue with everything is what I stated earlier is the amount of money that we are not charging. Had you balanced that along with – you do one of two things, again, my two cents. Okay these other two cities tuck tail and run which I don't see after you raised the rates and they are willing to pay more. We are willing to pay more all of a sudden, \$315.00. It is an expense. So, as you mentioned earlier it is an expense. You are never going to make money on this, you are never going to break even just like the police and fire. It is an expense just like anything else and there is convenience to it, here in North Royalton, but the biggest thing is how are you going to balance that expense? One of two things. If those other municipalities don't want to pay the fees that they projected, they say hey this is what it cost us, Parma is coming to us now, this is the cost, and they leave. Your numbers are a little off, I hurried up and did the math, but you said \$368,000.00 that we would charge for these other municipalities, that is not accurate. If you took the amount of prisoners that I have, at least the number that I have, we had 600 something odd of our own last year in North Royalton, I believe fifteen hundred overall, I don't have the exact in front of me, but if you subtract what North Royalton had and take the other municipalities and times that by \$315, you end up with about \$268,000.00 so you are off about hundred grand. But still it is still your point.

Mr. Johnson states the numbers I got was prisoner days was 1171 outside prisoner days.

Mr. Dietrich states these are the numbers I am given. Regardless, I don't want to get off track. I am almost finished. Thank you for the time. I was thinking if those other municipalities don't want to pay then what you do is reduce yourself just to North Royalton prisoners. Worst case scenario, you still have the jail, and you have to reduce your staff, to part timers, you retain some of your staff, you retain your jail. As long as the numbers balance, I don't care. You are going to lose x amount of dollars here having your own jail. I just

want everyone to be clear that my whole point in speaking now, just to clear in what the Council's role in this is it is out of our jurisdiction to make a decision or reverse the decision, it has already been made.

Mr. Weimer states Mr. Chair can I just clear one thing with Officer Johnson really quick. You are absolutely correct, government is there to be a system of checks and balances, and as the legislative piece of that branch we do have an ability to offer checks and balances. My concern on what I am weighing here is I am grieving with anybody that has to go through with losing a job, that is not an easy thing to do. What I am trying to weigh-in in my head is for our community; I have a decision in front of me. The executive branch has already made a decision. By me voting no or yes, I either add or subtract to that in a positive or negative way. What I am trying to weigh right now is if I vote no today on the Parma agreement that does not guarantee that the executive branch is going to change their opinion or their mind. What that may do is throw our community into more chaos by not having anywhere to take our prisoners. So, I just want to let you guys know that what you are sharing with us, I think I can speak for a lot of us here, I hope. We are all trying to listen and trying to digest in our own way, but I just want to make sure again as Mr. Dietrich said and as the Chair said, it is hard because the decision has already been made. We are trying to decide what the best step is as far as trying to deal with prisoners. I just want to make sure that you understand that is where we are coming from. And you are absolutely correct about the checks and balances, I am just trying to decide whether that check and balances puts us into a worse case scenario that we are already today.

Mr. Johnson states real quick off of that. There is one simple solution until we find a solution, we keep putting them here. We have the capacity to do this.

Mr. Weimer states that is not an option in front of us and that is the problem. That is the challenge.

Mr. Johnson states I would say maybe use your power of the purse strings. There could be better deals out there then sending over a quarter of a million dollars out of the City to subsidize someone else's jail. Subsidization for the administration is a big big problem. We subsidize other cities that didn't have jails and now we are going to subsidize theirs.

Mr. Langshaw states I actually have a question for Mr. Johnson if possible. I value him being the union representative for the FOP. First thank you for speaking up and thank you for the Chief as well. I have in Bachelor's degree in Political Science so I know a little bit about government too. You are right there are checks and balances. Yes, it is very clear that the executive branch is unfortunately trying to give one person extraordinary, a lot of power that we discovered that is available – good or bad. But, at the same time too people are correct that there are things that councilman – they do have a decision to make and you know what we vote it down, there is one person that can go clean it up and that is the Mayor. But he made it clear that he is not going to do it. At the end of the day, the Council is going to have to vote, but we also have to consider the other impact of safety and we will talk about that in the Safety Committee, I appreciate your remarks.

Mr. Johnson states can I just say one thing really quick. If they have come to us, we would have worked with them.

Mr. Marnecheck states well that opportunity...

Mr. Johnson states that was never presented to us.

Marty Toukonen states I am the Jail Administrator and I have been here since 1995. My question for you Council members today. They talked about the contract which is before you the \$236,500 figure associated with that the Administration has said that they intend on trying to hire three more officers to supplement to help with the transport situations that would take place outside of the City. So, if you add those three officers plus the contract, you are looking at about \$552,000.00. With that \$552,000 what is that going to get you? Basically, it will still mean that your officers are going to be out of the City, maybe you will lose about 25-50% of your officers, each arrest depending on the type of arrest, we still don't have guaranteed housing

100%. We still don't know where we are going to take our juvenile offenders. We have no where to take them. So, if you compare that \$552,473.00 to what the existing jail budget is right now which is \$691,129.14. Like you said, there were some questions to why wasn't these revenues increased, the revenues were increased and approved by Council. Each time we had these revenues increased it was at the satisfaction of all the parties involved. Let us say for argument sake that we try to increase these rates, and we did so in trying to reach out, I had a phone call with Donna Vozar in December when she was in Chicago and expressed to her that the Chief and I were willing to sit down and talk with her about raising such rates like that. Her instruction to me was that after the Mayor got into office and things got settled, she would sit down with me, the Chief and the Mayor and her and we would figure out what the new rate would be. We never got a phone call about that. If we theoretically to take that \$125.00 figure that Parma is going to charge us which is a preliminary figure and we use that for our self-paid prisoners and a few other agencies. That \$374,000.00 that would have been brought in for revenue. If you take that \$374,000.00 and subtract \$691,000.00, you have a difference of \$121,000.00 to the good. So, I guess my question for you guys is how do you want to spend the money? Do you want to spend the money with a contract that really sends your people elsewhere or do we want to look at a better contract? \$315.00 is a lot of money per day with no guarantees. Thank you.

Colleen Gross, 12329 Drake Road

Colleen Gross states I am also an employee of the North Royalton Police Department hired as a corrections officer in 1992. As it has been clearly stated by the Mayor that this is a done deal, I would like to make an appeal to him to give us a chance to save what we have worked so hard to build for this City. It is obvious that there is a lot of work put into having a contract drawn up with Parma but I don't know, I have not heard anything that the people that were involved in drawing up that contract who I see two names on it; Mayor and our Law Director. What type of contract did you look at to keep our prisoners and our jail open? And have the fifteen plus other cities that we have been serving for a number of years come into contract with us so we can maintain what this City has built. I want to make an appeal to you. You can change your mind about this, it is in your hands, it is easily and as quickly as you chose to close our jail, you can change this, you can look at other options. The Law Director said that there are so many people are trying to get into the Parma jail well those were our Cities that were paying us, it is your choice. My second question is what type of contract do we have with the City of Solon? Nothing has been mentioned, they are the only other facility that is available to us if by some reason Parma will not take our prisoners. What type of contract do you have with Solon? What is the dollar amount that has not even been discussed? Or we going to be paying to them on top of the \$236,000.00 that we are going to pay for Parma and there is a chance that they can decline us. They are not going to want...

Mr. Marnecheck states are you looking for a response on that first question about Solon?

Ms. Gross says almost, I want to finish. There is a chance that Parma is going to decline our prisoners because I know from being on the inside, when someone is arrested, they are not happy. They are going to be less happy for shipping them out of our City, it is going to be a nightmare, so my question is what is the contract that we have negotiated with Solon as of right now?

Mayor states, I gave a copy of the contract to the Chief. He has one, he has had it. It is more along the lines of because it really is a back up and I believe it is a back up that probably that we will never use.

Ms. Gross states so are you able to share that with the people that are here, I don't have access to that contract at this time.

Mayor states I shared a copy of the contract with him.

Ms. Gross states what is the cost?

Mayor states he has it. There are varying costs.

Mr. Marnecheck states Chief do you have a copy?

Chief Bilinovich states yes, it is ala carte. There is a charge for everything.

Ms. Gross states do you have a copy of that?

Mr. Marnecheck states I do not. We have a copy of the Parma agreement that is what is being asked of the Administration to Council to consider.

Ms. Gross states we have to have a back up plan, we have to have some place to take the people that we arrest and if the Administration does not want to take them at a jail that we have had for almost 30 years, we as residents need to know what it is going to cost to send our tax dollars elsewhere. I would like to know the dollar amount.

Mayor states I don't want to give you a copy. I can go through the whole contract if you want.

Mr. Marnecheck states would you like to have a copy to review it?

Ms. Gross states no, I would like for him to tell us.

Mayor states, okay it is \$85.00 per day on any part of a day for prisoner housing, \$25 for a breathalyzer test, \$50.00 for each video arraignment, 100% of all medical and dental, psychological or prescription and full reimbursement for the hourly cost of any posted guard longer than two hours at the top. Those are the dollar amount. There is another 2 ½ to 3 pages.

Mr. Marnecheck states that only comes into effect if the Parma agreement is not passed and Parma does not take our prisoners, correct? That is like you said that is the back up one.

Mayor states yes, I went and got a backup plan because with my discussion with Chief, it was one of his concerns.

Ms. Gross states are you aware that 99% of our arrest where there needs to be an appearance before a judge is done by video arraignment within our jail. Solon is unable to video arraign any of our prisoners which means that we will need if we have to use the backup plan we will have to take an officer off the road, drive 40 to 45 minutes, pick that person up, take them to Parma Court, take them back to Solon jail, drive back to North Royalton and on an average day, the Court's don't move real quick if you are before a judge. The back up plan of housing at Solon has flaws in it, I don't believe that anyone has considered. Another thing we arrest juveniles for drunk driving. And with summer coming we are going to see an increase in that. We have no place where we can take a juvenile to have a breath test. A juvenile can be involved in a car accident and kill someone and we have no means to have a breath test done on them because Parma has flat out said that they will process juveniles, they will not do any service for North Royalton with regard to juveniles. What do we do?

This is your decision, there has to be dialogue with all that is involved in shutting down a jail. There are other options. As good as Parma's contract is, we have plenty of Cities that probably like to have that contract with us that are knocking on Parma's door right now to get their prisoners into their jail. I don't believe that was looked at.

Mr. Marnecheck states I am hesitant to interrupt but again, as we talked about division of government and checks and balances, that was not before us we are looking at the agreement. The reality is July 1 the jail is closing.

Ms. Gross states I understand that.

Mr. Marnecheck states the only option that has been presented to us and we are asked to evaluate it on its merits.

Ms. Gross states I understand that and I am making an appeal to the Mayor to reconsider there is that option and it is in your hands. Thank you.

Mr. Marnecheck states I hope I was not rude towards you; I was just trying to clarify what is before us.

Ms. Gross states I understand.

Mr. Marnecheck states Officer Karl do you want to speak on this topic or do you want to talk about the severance?

Officer Jonathon Karl states Mr. Mayor and the members of Council, I did email out to everybody, if you do not have a copy of it, I will give you a copy of the letter that I emailed. I don't know if anybody shared that with you. I am a patrolman with the City of North Royalton, I have been here for 32 years as a Patrolman. Prior to that I was with the Sheriff's Department for 6 years as a corrections officer. I had the pleasure of serving as a UN Peace Keeper in Kosovo. The reason that is relevant right now because nine months out of that year I commanded a police station, a multinational police station with 75 officers which was the primary detention facility for the Northern part of the Providence. So, I have a lot of background in corrections as well as law enforcement. I have been involved in a lot of things, I have been an integral part, one of the licensed certified instructors for the correction officers in multiple academies and also law enforcement topics. I tried as much as I could to get everything I could relevant to the letter I wrote to Council and I couldn't get under nine minutes, I tried to respect the five-minute line. I am going to start at Paragraph four in my letter. I am going to be more direct so please hear me when I say with the greatest level of civility and respect that I can we need for a longer exchange of dialogue before we make a change that we can never get back. The moment that door is shut, the jail becomes decertified. Attempting to house someone in this building can expose us to civil and in today's environment criminal liability. The cost to reopen those doors will double to triple at least. Based on the collective knowledge and experience of all of the people here together in this room tonight. We as a group, police administration, City Administration, City Council are too new in our current relationship and Mayor I meant no disrespect but I am one of the people that did say hasty, I will own that. We are too new in our current relationship to make a hasty decision with what represents tens of millions of dollars of tax payer investment in this facility over its lifetime. I must respectfully disagree with comments I heard attributed to various persons that this is solely the decision of the Chief Executive, it is my personal belief and personal opinion that this investment by the taxpayers requires the inclusion of all of the stakeholders and a careful reconsideration of this entire process. I ask to the body to be to table the legislation pending because we have not truly had an opportunity with all of the stakeholders to sit down and have a meaningful discussion of the operation of the jail and the disposition of all the people here. Mr. Mayor I am going to echo Ms. Gross' comment and ask you to thoughtfully and respectfully to reconsider that conversation and reconsider that decision because right now today we have the capacity to house as many prisoners as we can accumulate according to Mr. Kelly's word from all the Cities that are chomping at the bit to get into Parma. We have the trained professionals; we have the state certification and we do in fact have that capacity. We had a situation a few weeks ago with a juvenile a 15-year-old to Ms. Gross's point who was operating under the influence of drugs and alcohol. That process of the arrest with the other youths and young adults that were with her, it took over ten hours for the mother to come and pick that juvenile up and that was only after that parent was threatened with arrest for abandonment, neglect and child endangering.

Mr. Marnecheck states how many times does that happen in your experience?

Officer Karl states a lot.

Mr. Marnecheck states when the parent has to be threatened?

Officer Karl states yes. And there are a lot of reasons for that. Most of us here are parents, most of us feel that strong emotional response when our kid has completely disappointed and let us down. That is one element and it usually takes a couple of hours for that person to settle down and come around and see the logic and understand what needs to be done. In this case because of the drug and also known to me, I cannot give you personal identifiers of a juvenile, obviously, I know extensively about the case, there are multiple diagnoses of mental health issues, there are also multiple diagnoses of substance abuse disorder, these are clinically diagnosed problems. Due to that she also attempted to commit suicide by strangulation.

Mr. Marnecheck states they also attempted?

Officer Karl states that juvenile did. In this case because our staff is so well trained and attentive, they were immediately able to intervene and no harm came to that juvenile. In the letter that I wrote from time to time, I have had no other choice and my affiliation with the school where I had to arrest somebody and take them back to the police station most of the time they are in my custody but they are released to a parent in the office and everything moves on. The patrol however, has dozens and dozens of arrests of juveniles throughout the year where they have to be housed. There has been no provision in any of the discussion about what we do with juveniles as Ms. Gross pointed out and we have the very real issue of ours lapsing before we can dispose of that child. I don't want to send our kids down to the County and quite frankly, most of the time we cannot send them immediately to juvenile detention unless it is for a domestic violence case. In which case then that is one of the things that takes them to the front of the line. That is it in a nutshell and I want to be respectfully of time but again, I ask to the body is that all of the people that have a stake in this have not, for whatever reason, I am not laying blame anywhere, have not been able to come to the table and discuss this issue. I am not aware of any legal matters to date that we are facing that makes July 1 a hard-fast date. I think this can be looked at; it is my understanding that somehow coincided with the termination of a contract that we had with the Metro Parks that ended June 30.

Mr. Marnecheck states I believe the question to the Mayor they were the one that had the 60-day notice in their contract, correct?

Mayor states that is correct.

Mr. Marnecheck states so that is where the 60-day clock began from.

Officer Karl states okay. So again, we are not under any statutory mandate and the budget is already allocated and there are a lot of things to be discussed clearly from the conversations that been had tonight and I think we should now sit down, take a step back before we forfeit an asset that we have and I made references to dispatch. The Chief had mentioned \$40,000.00 a year and I have just checked within the last two days before I wrote this and I think we are almost up to \$47,000.00 a month so we are on track right now for dispatch and communications which we have no control over the operation.

Mr. Marnecheck states that was a different rationale for why it was done.

Officer Karl states I understand.

Mr. Marnecheck states for funding that was potentially in jeopardy if the County did not reduce its number of emergency dispatch systems for lack of a better term.

Officer Karl states and I am very familiar with all of those elements. But now we are facing between \$500,000.00 and \$600,000.00 in the next twelve months that we are going to pay for that process when originally it was only supposed to cost us about \$250,000.00 a year. So, these are all very important things that need to be considered for the benefit of the integrity of the community. Thank you all very much.

Mr. Marnecheck states anyone else that has not spoken? We do have a second topic; we do have the proposed severance agreement.

Mayor states just really quick just so everyone knows, everyone is talking about delay. As of July 1, we don't have any employees for the jail. So, to delay there will be no one there to man it as well. As I have reiterated before the interim agreement that we have with Parma at this time, puts us in a position that we have that internal agreement until we come up with a formal agreement. What is before you tonight are the formal agreement. So, if that does not pass, then I would say that Parma would give us a thirty-day notice on the interim agreement and now be in a position we would not have in my mind any place to say we are taking our prisoners. You guys are absolutely right when you say that everyone should understand that. What you are voting on tonight is not whether the jail is closing or not but whether this agreement with Parma should go forward so that we will have a place to take our prisoners come July 1.

Michael McDonald, 14599 Bennett Road

Mr. McDonald is before Council and states Mr. Mr. Marnecheck and all Council members you have a question before you. The question isn't whether we keep the jail open, however, the question is Mr. A to Z made a decision didn't think it quite through thoroughly.

Mr. Marnecheck states Mr. McDonald if I may, first of all it is Mayor Antoskiewicz. Second, I don't think it is- from a quorum standpoint to say he didn't think it through.

Mr. McDonald states he identified an area, he did a thorough job of identifying an area that needed to be addressed for several years and it hadn't been, and he did a thorough job of identifying a problem that needed to be rectified. Before us we have the opportunity to call his bluff, vote no on these issues. I guarantee if you ask staff members of the jail if they would be willing to work on July 1 for another month, I think they will all say yes. I am speculating, they can all make their individual decision. This is an opportunity to actually reduce the overall cost to the City by charging a fair share to the other communities who will use the jail and that is much less than the cost to Parma under any way you look at it. You charge that \$315.00 rate or even higher, that rate is going to go up. Whatever your cost I am sure you can find a community, but I implore you to you all to vote no on both of the ordinances and then let the Mayor decide on how he is going to do it. If he doesn't have a place to go, he doesn't have a choice but to keep the jail open.

Mr. Marnecheck states so is there any again in the interest time and being respectful of the other topics before us tonight. Is there anyone who hasn't spoken or anything new?

Sergeant Flo Ann Rybicki, North Royalton Police Department

Sergeant Rybicki states I am a sergeant with the police department. I work the road at night, Parma does not take their own prisoners. I just want you guys to know that. I constantly call them in the middle of the night, we pick up their warrants, no we don't have manpower, we don't want them, we cannot house them. Just putting that out there.

Mr. Harris states I urge you not to be a rubber stamp for the Mayor. As a legislative branch, you hold the purse strings. The Mayor in his previous job, Mr. Marnecheck, why didn't he try to close the jail, why didn't he bring that up to the Mayor. Why all of a sudden now? Bang, he has taken a look at the numbers. He had access to those numbers six years ago. What I am urging you to do is vote no on the agreement, take this whole thing and put it right back in his lap, please.

Marty Toukenon states for the record, the Mayor had just included that he wanted to add to the record that after July 1, if we didn't have this agreement that we would lose our business partner and lose this opportunity because we were going to have layoffs, we would not have staff. There could be a recall and the union would

be willing to work with the City to make that possible. So just you are aware just because July 1 comes across does not mean we have a jail, we could have the jail if the recall is taken into effect.

Mr. Marnecheck states okay, I think we will move onto the second topic. The Administration if you want to walk us through the proposed severance agreement, if I am stating correctly which I believe if I am stating this correctly is union proof.

Mayor states yes.

Mr. Kelly states the FOP Lodge 15 representing the corrections officers negotiated with the Administration a severance agreement, it is title Memorandum of Agreement, I believe you have it as an exhibit to the legislation. The union, we understand voted in favor of it and in fact, they authorized their attorney to sign it, it is now before you for your approval. The proposal calls for a severance payment of \$3500.00 to all full-time employees with five or more years of service. \$1,750.00 for full time employees who have less than five years of service and all part time employees with 500 or more total hours worked in 2019 to receive a \$500 severance payment. There is also a little provision for the payment for a potential amount of sick time, it is actually a very minor kind of a thing, but it is what they sought and what they asked for, what we negotiated and approved. That is what is before you this evening.

Mr. Marnecheck states thank you Mr. Law Director. I believe the Finance Director has done some rough estimating.

Finance Director Dean states on the conservative side, it would be \$26,750.00. Then the sick leave total max would be around \$4,000.00 possibly that is on the conservative side that is the worst case.

Mr. Dietrich states what are the numbers broken down?

Finance Director Dean states \$26,750.00 There are five full time at \$3,500.00.

Mr. Marnecheck states \$26,750.00?

Finance Director Dean states right.

Mr. Marnecheck states that would be the severance for the full-time employees for five year or more of service.

Finance Director Dean states part-time is \$500, then there is the middle step \$1,750.00.

Mr. Marnecheck states any questions from members of the committee? Questions from the members of Council?

Mr. Langshaw states do we still have any bonds that we are paying off for the jail or any levies that you are aware of? If so, how much and how much is left?

Finance Director Dean states those bonds were paid off when we originally constructed it so they are no longer in existence.

Mr. Langshaw states so thirty years ago?

Finance Director Dean states yes. Usually they are 20 years, so it wasn't that long ago.

Mr. Marnecheck states so there is nothing from the police levies that would be impacted by this decision.

Finance Director Dean states no, absolutely not. The police levies are in their own fund, they never paid for the jail, they pay for the police operations and the salaries and equipment.

Mr. Marnecheck states there would need not to be any adjustments to any of the bonds or the levies?

Finance Director Dean states that is correct.

Mr. Langshaw states I just want to make sure that there is no unknown financially what this is all about.

Mr. Marnecheck states anyone in the audience in regard to the proposed severance agreement. Anyone besides Mr. McDonald or Officer Karl, anyone once around.

Officer Karl states Mr. President just as a point of clarification for everyone present, I understand clearly and I believe the correction officer's bargaining unit and everybody understands clearly, all the members and everybody understands clearly and all the members and everybody understands clearly that they have negotiated a tentative agreement to receive some type of severance. Do we not also not have the capacity to sit down and renegotiate continued employment? When the parties agreed to sit down and talk to each other is that not an option that is also available? That is my question. Thank you.

Mr. McDonald states one thing I read through the severance agreement, I thought it was extremely one-sided, favorable to the City for the record. I think in this situation these people deserve to be paid their full PTO time.

Mr. Marnecheck states I think you are referencing the sick time.

Mr. McDonald states yes, the sick time. It should be 30% or whatever the number was.

Mr. Marnecheck states 33%.

Mr. McDonald states but anyways that is the one point I wanted to make; it is extremely favorable towards the City. I think the police union negotiator could do better.

Mayor states I am not really sure what I can say there other than you guys are voting on an agreement that was negotiated on in good faith with the police union. They took their vote, they approved it and obviously, administratively we are in agreement with it, so it is really up to you guys to approve it. I guess if you take some of the advise from some of the people here and wouldn't approve it, they wouldn't be getting their money. It is as simple as it gets.

Mr. Marnecheck states so just speaking for myself I want to thank everyone for the robust discussion and attention you have given this matter. I know that this is something Council has been working on now for two months, please know that this is not something that was just done quickly. Two months is a long time to consider something when it is one of the top things on your mind. With that is there a motion to adjourn?

2. **Prisoner Housing Services – City of Parma**

ADJOURNMENT

Moved by Mr. Marnecheck, seconded by Mr. Wos to **adjourn the June 16, 2020 Finance Committee meeting**. Yeas: 3. Nays: 0. **Motion carried.**

Meeting adjourned at 8:24 p.m.