

New Philadelphia City Council

Public Works & Economic Development Committee

Meeting Notes

February 16, 2016– 6:30 PM

Committee Chairman Dean Holland called the meeting to order at 6:30 PM in the Council Chambers in the John Knisely Centre and committee members Cheryl Ramos and John Zucal; committee alternate Kelly Ricklic; Councilmember Aimee May; Mayor Joel Day; Council President Sam Hitchcock; Clerk of Council Julie Courtright; Service Director Ron McAbier were present.

ITEM(S): Review and discuss letter from Judge Nanette DeGarmo Von Allman dated December 7, 2015 requesting funds collected pursuant to O.R.C. 2929.27(B), Contributions in Lieu of Community Service (CILOCS), be set aside for the exclusive use of the New Philadelphia Municipal Court. Members of the committee have a copy of the judge's letter.

PRESENTATION BY NEW PHILADELPHIA MUNICIPAL COURT JUDGE NANETTE DEGARMO VON ALLMAN, ACCOMPANIED BY BOARD ADMINISTRATOR JUDITH DZIGIEL AND CHIEF PROBATION OFFICER LESLIE MILLER. Judge Von Allman says historically the court has had a number of special funds. The money collected in those funds goes toward such things as salaries, or capital improvements. She says this CILOCS fund is intended to give defendants an option. They could either perform community service or pay a fee. That fee would be a contribution to the city. The money paid in lieu of community service would go into the general fund. Judge Von Allman says a first offense D.U.I. is not optional. The defendant has to be fined a certain amount. She says she sees CILOCS as an option not only for the defendant, but also as a sustainable source of revenue for the court. Basically what we're asking is for this committee to recommend to council to create an Ordinance that this CILOCS fund be designated in the nature of a special projects fund for the court's use.

THE FLOOR WAS OPENED UP TO QUESTIONS FOR JUDGE VON ALLMAN FROM COMMITTEE MEMBERS REGARDING CILOCS Mrs. Ramos asked the Judge why the county gets a cut of the funding. Judge Von Allman said that's due to the fact that it's statutorily mandated as an 83/17 split, which changes yearly with the budget. She says one thing the county pays for 100 percent is public defenders for indigent defendants. The county will keep 25 percent of the CILOCS. Judge Von Allman stated that her court focuses on putting violent offenders on probation rather than people who commit minor misdemeanors. She says the heroin epidemic has caused a huge increase in people who are on probation, but says it's typically difficult to get probation fees out of them. Judge Von Allman says the court will continue to pursue grant funding, as the CILOCS fund won't be a large sum of money. Mr. Zucal added that as grant funding has an expiration date, the CILOCS fund could be a consistent source of revenue as most people will prefer to pay a fee rather than do community service and miss work. Judge Von Allman says the option of community service will still be available to indigent defendants who can't afford to pay a fee. As far as funding of the court, Auditor Beth Gundy said in 2015 the court's general fund budget was \$829,946 and their revenue was \$448,675 so the City subsidized the court by \$377,271. Gundy says we also pay the public defender, which is what a portion of the money goes to.

ACTION: On a motion by ___Mr. Zucal_____, seconded by ___Mrs. Ramos_____, committee members voted 3-0 to recommend that ___Legislation to create a CILOCS FUND_____be added to the agenda at Feb 22nd's regular session of Council for first reading,

DISCUSSION of Creating Legislation for a CILOCS FUND to be used by the Municipal Court at their discretion:

ACTION: .Legislation will be added to the agenda of the February 22nd regular meeting of Council for the creation of a CILOCS fund.

With no further questions or comments regarding Administrative Code Chapter 121. And no further business to be discussed by the committee, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Dean Holland
Chairman Public Works and Community Development Committee