

SPECIAL MEETING

July 14, 2020

Struthers, Ohio 44471

The Special Meeting of the Council of the City of Struthers, Ohio was held on Tuesday, July 14, 2020 at 6:15 p.m. in Mayor’s Office (GoToMeeting) with the following members present at Roll Call: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

President of Council Pro Tem, Robert D. Burnside was present at the Special Meeting.

President of Council Pro Tem, Robert D. Burnside asked everyone to stand for the Pledge and for the gentlemen to remove their hats.

Pledge was recited.

President of Council Pro Tem, Robert D. Burnside recognized the invited guest in attendance at the Special Meeting: Mayor Catherine Cercone Miller, Safety Service Director. Tim Daley, Auditor, Christina Bohl, and Law Director, John N. Zomoida Jr. (Tax Commissioner, Ryan Rogalski and Treasurer, Robert D. Carcelli, III—not present). Guest: Judge Dominic Leone called in on phone.

President of Council Pro Tem, Robert D. Burnside, asked the clerk to read the call of the Special Meeting.

CALL OF THE SPECIAL MEETING LETTER: (On File)

President of Council Pro Tem
Robert D. Burnside

City of Struthers
Municipal Building
6 Elm Street
Struthers, Ohio 44471
www.cityofstruthers.com

Councilman-At-Large
James E. Baluck
Dallas A. Bigley
Megan L. Pingley

Clerk of Council
Megan R. Shorthouse
Ext. 125

Phone (330) 755-2181
Fax (330) 755-6486

First Ward Councilwoman
Lori A. Greenwood
Second Ward Councilman
Ronald A. Carcelli
Third Ward Councilman
Robert D. Burnside
Fourth Ward Councilman
Richard S. Bayus

July 10, 2020

All Members of Council &
Administration
6 Elm Street
Struthers, OH 44471

Dear Honorable Members of Council & Administration:

We are scheduling a Special Meeting of Council on **Tuesday, July 14, 2020 at 6:15 P.M.** in Mayor’s Office Room #6 (“GoToMeeting”). This meeting is called for the purpose of the following:

- To discuss the allocation of space for the Struthers Municipal Court.
Your attendance is required and will be greatly appreciated.

Sincerely,

Dallas A. Bigley
Dallas A. Bigley, Councilman-At-Large

Robert D. Burnside
Robert D. Burnside, 3rd Ward Councilman

Ronald A. Carcelli
Ronald A. Carcelli, 2nd Ward Councilman

RDB/mrs

Cc: File, Members of Council, Mayor, S.S.D., Judge Leone, Auditor, Law Director, Treasure, and News Media.

President of Council Pro Tem, Mr. Robert D. Burnside asked the Law Director, John N. Zomoida.

Meeting turned over to Law Director, John N. Zomoida:

Law Director, John N. Zomoida stated that we are here because this Special Meeting was called for because the Court is seeking to allocate additional space for its operations. He went on to say that the Court specifically would like to take over ½ of his Office in order to expand the Court for its operations. He went on to say the Legislative authorities of a Municipality being City Council is the body that is responsible with providing the Court with suitable accommodations for its operations, as such, City Council is the body that is responsible for whether or not that move will take place or not. If in fact that Council does allow for the Court to take over ½ of his Office. The next issue becomes that the Law Director would need additional space for certain things that will not fit into the small space. Those items are: filing cabinets. After speaking to the Mayor and Safety Service Director and were able to find available space in Council Caucus Room. If so, I would need a key in order to access those files and that would then obviously reduce the space available in the Caucus Room for space for Council. To sum it, we are here and Council has a decision to make as to whether or not 1) that Council will allow for the Court to have that space given its obligation under the Ohio Revised Codes to provide the Court with suitable accommodations and 2) if so, whether Council will allow him to use said Caucus Room to place filing cabinets?

Mr. Robert D. Burnside asked Law Director Zomoida if John needs his whole office space to be able to do your job!

Mr. John N. Zomoida said that on most days he is not here and probably has more space than he needs. Right now it is him and his secretary that uses the office space. He stated that because he is a part-time Law Director and stated that he isn't here every day. The problem that he would see having is when we have court on Mondays, Wednesdays and Fridays. That's generally the place where attorneys will come, witnesses will come, victims come to file charges and with the reduced space. He said that he will not be able to allow those people to come into his office. It would be too much of a disruption with him trying to do his job. He thinks the biggest problem would be where the individuals would go on those days not being able to go to his office like they normally do. A lot of Council members have been down in his office on a Monday or Wednesday and recognize that is where the Police and Attorneys come. If they are no longer able to go there and don't have that second half of the office, where would they go?

Mr. Dallas A. Bigley asked questions about Monday, Wednesday and Fridays say that on those days you are basically inundated with people in your office. He said that he has seen this first hand and it was like that when Judge Leone was prosecutor, but you said that most days you have more than enough space. He then said Monday, Wednesday and Friday is more than the majority of the time of your work week. He said that he is trying to understand all of the facts because we are not in the judicial system with knowing what it is like day in and day out of you but Monday, Wednesday and Friday would be like 65% of your work week that you need all that space. Is that correct or am I missing that.

Mr. John N. Zomoida, Law Director, stated the only reason that he said that is because they don't have court all day on Monday, Wednesday and Friday. He said on those days on average they go four (4) hours on Monday, Wednesday and go three (3) or four (4) hours on Friday so when court is not on session for the remainder of those days. On Tuesday and Thursday it is pretty much just him and his assistant in the office.

Mr. Dallas A. Bigley said the Judge and the Court that are looking to take that space asked if they are here every day. He asked the Judge are you here every day?

Judge Dominic Leone said that he is there all but Tuesdays. He said he only came in today, Tuesday, July 14, 2020 because the news wanted him too. We have court on Thursday and said that he is there generally for 7 to 8 hours Monday, Wednesday, Thursday and Friday.

Mr. Dallas A. Bigley said ok, thank you!

Judge Dominic Leone said that he would like to interject a couple of things that John has said.

Mr. Robert D. Burnside, President Pro Tem, said ok, go ahead.

Judge Dominic Leone said one thing really sticks out most is that there was an agreement already in place, it was a verbal agreement between him, John and Mayor to take over this one office room from the Law Director Office. This is going back a month or two and not sure how it went sideways. He doesn't know why we are asking City Council. Judge doesn't believe that it is a City Council issue. He believes that we could just still agree amongst Administration that this is the best plan of action. I think that when we are asking City Council for questions we are asking them for funding, we don't need their or you don't want to be involved in decision making when it doesn't involve money, but I am glad you guys are to be quite honest. We are not asking for money we just need more space and a couple of electric lines.

Mr. Robert D. Burnside said that he is going to have the Mayor rebut your question there.

Judge Dominic Leone said ok.

Mayor Catherine Cercone Miller said she can explain where it went wrong. In the multiple discussions about you taking this room was that you had to please reach out to Attorney Zomoida and ask him and get on the same page so we can find out what we were going to do with the victims and witnesses and so instead of speaking with the prosecutor you went and spoke to his staff and building staff instead of talking with him. It went sideways because we had no plan, nowhere to put these people and no answers because of NO communication. I think that is where it went sideways.

Judge Dominic Leone said it is communication with all of us and I don't think but as the Court, he controls the Prosecutor's Office. In that respect, he went on to say that he is the one in control of the Court and Prosecutor's Office. If it is a Law Director's Office, which I think is a split decision. That is up to you guys to supply him space in the Law Director's Office. He spoke about when he sat in that office which at that time was a quarter of that office because he shared that space with the School Resource Officer. He said no he didn't talk to John. He didn't know that he was doing all this with the filing with the filing cabinets. He didn't know how one filing cabinet in his office was such a barrier with what he is trying to accomplish. He doesn't know how having one office is going to prevent him from doing his prosecutors work, when he was there for eight (8) years and had to share a 1/3 of that space and he got the work done. Leone said that subpoenaed a lot more witness and victims than John currently does and he made it work.

Mr. Robert D. Burnside said Dom didn't you have the same room plus your secretary. How can you say you had a smaller room.

Judge Dominic Leone said if you recall back in 2011 or mentoring under Carol. The room was divided and $\frac{3}{4}$ of the room was Yvonne Wilson and all he had was $\frac{1}{4}$ of that space in the back corner of that room. Leone stated that he was able to conduct business there for 6 or 7 years under those conditions.

Mayor Catherine Cercone Miller said with all due respect Judge Leone I think we are all. Everyone here at City Council is aware that John as the Law Director/prosecutor puts in 4xs the amount of time that was given in the past under Judge Lanzo. He is very involved in the City, so he is here a significant amount of time than was in the past.

Law Director, John N. Zomoida said again Your Honor I would 100% with all due respect disagree with the fact that you control the Prosecutor's Office. You don't control the Prosecutor's Office any more than you can control a Defense Attorney's Office. I am a party to a Law Suit representing the State of Ohio. You are a neutral tribunal, who is supposed to make a decision when there is a dispute between the State of Ohio and a defendant so the fact that you can say that you can control his office.

Judge Dominic Leone said I'm not saying I can control what you do; I am saying I can control the space and design in the courthouse.

Law Director, John N. Zomoida said the Ohio Revised Code says that it is City Council's responsibility to provide the Court with suitable accommodations, so whether that is in the form of budget/ money or in the form of space. I believe that it is ultimately City Council's decision.

Judge Dominic Leone said that he disagrees with John respectfully.

Law Director, John N. Zomoida said ok, yep.

Mr. Robert D. Burnside asked Dominic said the last Administration accommodated you quite well with a lot of things. I hope you don't forget that this building is also City Hall, out tax collecting and offices as such. We have to have room for everyone here.

Judge Leone said he does forget that. No, I'm not saying that obviously we have a shared building with part being a Courthouse and Administrative Offices. I just don't know that since I didn't talk to John, but everyone said that he agreed to it and now all of a sudden we are here asking City Council if I can take the space over and we had all kinds of plans when we took the space over and I don't know.

Mr. Robert D. Burnside said nobody from Council was aware of the agreement or that there was an agreement so.

Judge Dominic Leone said he has so many text messages in that regard but not sure if he still has then.

Mr. Dallas A. Bigley said that if you were to take this space what do you plan to do with it?

Judge Dominic Leone said that this is detailed in his letter that was email to Council. He referred back to his letter. His said he has a lot of plans to do with a little bit of space that they are going to do. Most of it dealing with processing, storage, a space for victim and witnesses to sit in a secure and accessible setting and that is about it. Oh, we are going to move two Civil Clerks and maybe a magistrate to that office as well. (See Attachment)

STRUTHERS MUNICIPAL COURT

City Building

6 Elm Street, Struthers OH 44471

Phone: 330-755-1800

Fax: 330-755-2790

Lorraine Sciortino, Clerk of Court

Amanda Mackie, Bailiff

Matt Glover, Chief Probation Officer

DOMINIC LEONE

JUDGE

July 11, 2020

City Counsel
6 Elm Street
Struthers, Ohio 44471

RE: Letter to City Council in advance of meeting for allocation of space:

Dear City Council members:

I would like to take this opportunity to write prior to our meeting to express my appreciation for the opportunity to discuss several pending and immediate needs for the Court. For starters, it has been about 2 years since I have been trying to tackle some basic well-known building maintenance and space-related issues. My previous requests for help to administration has fallen on deaf ears. So, I am hopeful that bringing City Council up to speed on several issues will allow for much needed changes and work to be completed. Most of the issues I will address probably would not pass an OSHA inspection.

1. **Electrical Issues --**

There are necessary electrical upgrades that need to take place immediately in both the Court and the Clerks offices. The electric breaker keeps tripping in the Court, blowing approximately 6 outlets in 3-4 separate offices. The constant power shuts offs are causing alarms and beeps to go off every few minutes, in addition to potentially damaging a lot of expensive and sensitive equipment. Also, frequent power shut off's have caused tremendous loss of productivity and loss of work product. During this time period and presently, the Court had its access to the breaker box removed by the administration, without explanation. In the Court room to summarize: there are extension cords crisscrossed under the bench and the light switch controls sensitive and expensive audio equipment and a printer.

2. **No adequate air conditioning --**

There is no air conditioning in most of the supplied space. This has required the Court to purchase and run expensive floor air conditioning units. The units are loud and add to the lack of space. The portable air conditioning unit in my office just started working semi-properly on July 10, 2020 due to a new extension cord laid across the floor. Having another extension cord on the floor is not ideally the best long-term

solution and has only modestly addressed the problem. The air did not work properly during the heat wave of 90+ degree temperatures over the last few weeks.

3. Duct work cleaning -

The duct work in the building needs cleaned immediately. There is dark soot around the ventilation ducts that is blowing in the building. I have tried numerous times over numerous years to address the ventilation issues. My attempts to address the issue, i.e. at least clean the duct work has fallen on deaf ears. It is my understanding that the duct work has not been cleaned in over 60 years and may contain carcinogens from the boiler. Presently, in addition to the potential carcinogens that maybe present in the duct work, it is my understanding that proper ventilation is essential to provide safer space due to COVID-19.

4. COVID -19 -

Since COVID-19 guidelines have started the Court has undergone several drastic steps to ensure compliance with changing guidelines. The Court has remained open during this entire time to ensure vital Court transactions can take place. I have been asking the City Administration to collaborate with the Court on staffing an additional person to manage new required health screenings to ensure all workers in the building some basic and fundamental assurances that sick people are not going to freely enter the building. In addition, this person can perform a security screen of the person (metal detector or wand). The new person as discussed would answer the back door with the new guidelines and security screening. Currently as a side note, my portable doorbell from my house is still used at the back door. I believe it is broken at this time though. The Court has carried the bulk of the weight in addressing health and security screening at all hours of the day. In addition to Court staff responding to the back door. All my requests to address the backdoor or hiring new staffing have been ignored.

5. Inadequate and insufficient space -

The provided space and accommodations are inadequate and insufficient for a variety of reasons including: limited storage and processing space; no accessible secure space for victims and witnesses; no space available for attorney/clients; and not adequate space to allow for proper social distancing practices in all the current provided Court space. The addition of more space will hopefully fulfill the Courts obligations to provide this type of spacing. As it is envisioned this new room will allow for multiple uses such as: providing additional storage and processing space, secure space for victims/witness, and enable proper staffing distances COVID-19 guidelines.

6. Blueprints -

The City has no blueprints for this building. Blueprints are needed to conduct some basic maintenance on the building as described above. Also, blueprints would help to precisely measure the court space and to better analyze the problem. For those reasons,

please let this letter serve as a formal request for someone to please acquire accessible blueprints for the building.

7. Financials -

To get a sense for the volume in the Court, please direct some attention to June 2020 figures where approximately \$70,000.00 in court costs and fines were collected and Probation fees collected were approximately \$15,000.00. So, in total, approximately \$85,000.00 + per month in revenue at present.

The Court estimates future monthly total revenue to approach \$100,000 per month and yearly Court costs, probation and fines collected to exceed 1 million dollars year over year and growing.

8. Future collaboration -

As much as practically possible the Court is willing and able to collaborate better with City Council in the future to ensure the ramifications of relevant pending legislation can be studied and better analyzed. Otherwise, the Court urges Council to please consider impacts to the Court when a change in the law may significantly increase Court volume in the future, so that the court can adequately prepare and plan for case volume transactional increases.

- a. *Analysis to City Council on impact from creating the position of a much-needed zoning inspector:**

***this analysis is for demonstration purposes only. The numbers and projections used are from memory and speculation. This quick analysis is being provided to City Council with the hopes of supplying some tools and information to use to evaluate the position created and the impacts to Court resources.**

Presently the Court is cramped for space and accommodations and adding significant additional work volume at this time without providing additional resources will put additional strains on the Courts available resources.

The Court can update or supplement the information, as needed.

Theoretical Example:

Assume an approximate 1% citation rate for the 4000 properties to analyze potential impacts.**

At a 1% citation rate per month, the projected increase is roughly 40 new cases. This will change current average processing levels from 83 to 123 per month (a 50% increase in volume).

However, addressing only the increase workload to our 1 criminal clerk is not completely accurate. It does not address the additional work and space needed to process and serve the new complaints, time necessary to process the new payments and

auditing, and appropriately store the cases while in the Court system and thereafter store the files when they are closed.

If you haven't noticed we have no space for our current storage needs, let alone increasing the volume, this volume increase requires additional and unplanned necessary space to process. (Also, at the time, the courts volumes are increasing in general)

****From Vindy memory from newspaper article(need cite):
Approximately 4000 rentals in city**

**Example above is based on:
Presently there are approximately about 1000 criminal cases per year. Which represents an average of about 83 per month.**

9. Response to the Safety Service Directors (SSD) request for space analysis

I am not a professional surveyor. In an effort to attempt to respond to the SSD request, however, I have used the Mahoning County Auditors diagram attached.

Based on the diagram attached, after subtracting for walls. It appears the Court has approximately 360 sq ft of space. This space has 8 workers, 8 desks, printers & copiers, filing cabinets, table, chairs, bookshelves, air conditioners and other necessary equipment and furniture. The offices consist of weaving narrow paths, extension cords on the ground, and constant side stepping to move around.

The SSD has also requested specific uses for additional approximately 100+ sq foot. The court has numerous legitimate ideas. The most important items have already been listed above.

10. Panic Buttons

The Court has been trying to get panic buttons installed in several offices and for the security personnel up front but this request although received well has not been completed. The Court feels that this is an utmost vital security issue to address immediately.

In closing, thank you for taking the time to schedule a meeting to address these various issues. There are several other important areas that need to be addressed but hopefully we can continue to meet and discuss these issues in an open and collaborative way.

Thank you,



Honorable Dominic Leone, Judge

Property Number	38-008-0-229.00-0	Property Address:
Owner Name	CITY OF STRUTHERS	6 ELM ST
Owner Address		
Tax Set	38 STRUTHERS CITY STRUTHERS SD	
School District	5011 STRUTHERS CSD	
Neighborhood	51800 State Street; Walton to Bridge	
Use Code	640 Municipalities	Tax Payer Address:
Acres	.54600	CITY OF STRUTHERS
		6 ELM STREET
		STRUTHERS OH 44471
		USA
Description		
LOT 311 183.6 X 209.36 IRR TERRACE		

Assessment Info		Current Value		Recent Transfer	
Board of Revision	N	Mkt Land Value	\$47,570	Valid Sale	N
Homestead/Disability	N	CAUV	\$0	# Parcels	0
Owner Occupied	N	Mkt Impr Value	\$620,060	Deed Type	
Divided Property	N	Total	\$667,630	Amount	\$0
New Construction	N	Current Tax		Sale Date	12/12/1945
Foreclosure	N	Annual Tax *	\$2.96	Conveyance	0
Other Assessments	Y	Paid **	\$4.76	Deed #	
Front Ft.	0	Delq	\$0.00		

<< Previous Card Card 1 of 1 Next Card >>

640 Municipalities Building Section 001 Occupancy 001					
Year Built	1966	Year Remodel	0	Occupancy	Governmental Bldg.
# Stories	1	Story Height	12	Use Code	640
Section Area	8486	Perim/Shape	2		

Land							
Land Type	Acres	Square Ft.	Actual Frontage	Eff. Frontage	Depth	No Of Units	Value
S1Primary Site	.54600	23784	.00000	.00000	.00000	0	\$47,570

CAUV Land
No CAUV Land On This Property

Card - 1

Improvements					
IMPR Type	Description	Area	Length	Width	Year Built
Other Improvement	Paving Asphalt	25000	0	0	1966

Card - 1
Property Sketch and Photos -- Card 1

Property Sketch

TaxDetail

Current Owner(s) Billing Address	CITY OF STRUTHERS CITY OF STRUTHERS 6 ELM STREET STRUTHERS OH 44471 USA			
Tax District	38 STRUTHERS CITY STRUTHERS SD			
Full Rate	91.500000	Assessed Value		
Reduction Factor	0.152275	Land	\$0.00	
Effective Rate	77.566792	Improvements	\$0.00	
Certified Delq Year	0	Total	\$0.00	
Payment Plan	N	Tax Due	Paid to Date	
		\$4.76	\$4.76	
Current Tax Year Detail				
Owner Occupied	\$0.00	\$0.00	\$0.00	\$0.00
Homestead	\$0.00	\$0.00	\$0.00	\$0.00

DETAIL OF SPECIAL ASSESSMENT						
10-911 EMERGENCY 911						
Start Year	2004		Expiration Year		9999	
	Prior		1st Half		2nd Half	
	Chg	Adj	Chg	Adj	Chg	Adj
Charge	\$1.48	\$0.00	\$1.48	\$0.00	\$1.48	\$0.00
Pen/Int	\$0.32	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Paid	\$1.80		\$1.48		\$1.48	
Owed	\$0.00		\$0.00		\$0.00	

PAYMENT INFORMATION					
Date	Half	Prior	1st Half	2nd Half	Receipt#
03/06/20	1-19	\$0.00	\$0.00	\$1.48	TLR300-03182020-8-45
03/06/20	1-19	\$0.00	\$1.48	\$0.00	TLR300-03182020-8-25
10/16/19	1-19	\$0.32	\$0.00	\$0.00	TLR300-10162019-7-22
10/16/19	1-19	\$1.48	\$0.00	\$0.00	TLR300-10162019-7-22
04/03/19	2-18	\$0.00	\$1.48	\$0.00	TLR300-04032019-3-23
08/10/18	2-17	\$0.00	\$0.00	\$1.48	SLD100-08242018-41-21
05/15/18	2-17	\$0.00	\$1.48	\$0.00	AMC500-05152018-41-47
05/15/18	2-17	\$1.48	\$0.00	\$0.00	AMC500-05152018-41-47

05/15/18	2-17	\$0.32	\$0.00	\$0.00	AMC500-05152018-41-47
04/05/17	2-16	\$0.00	\$1.48	\$0.00	TLR300-04052017-61-18

Transfer History						
Date	Sale Amount	To	Transfer Type	Conveyance	Deed	# Parcels
12/12/1945	\$0	CITY OF STRUTHERS	Change Owner	0		0

Value History				
Reason	Year	Land	IMPR	Total
Reappraisal, Update or Annual Equalization	2017	\$47,570	\$620,060	\$667,630
Reappraisal, Update or Annual Equalization	2011	\$47,570	\$687,280	\$734,850
Reappraisal, Update or Annual Equalization	2005	\$14,100	\$771,500	\$785,600
Reappraisal, Update or Annual Equalization	1999	\$14,100	\$729,400	\$743,500
Miscellaneous	1995	\$13,400	\$668,300	\$681,700

Mr. Dallas A. Bigley said so into to that small office that is now the Prosecutor's Secretary you are going to move the Magistrate, (2) Civil Clerks and a secure and accessible space for witnesses and victims. What are you going to do with personnel; Attorneys and the Police Officer's that are there for court, as well as, everyone their currently there for Court?

Judge Dominic Leone said they stand in the hallway 1/2 the time, now. There is no place for them to meet with their clients. John meets with them one or two at a time. I really don't know. It is going to be the same operations as far as he can understand it. I don't know what the big deal is. I don't know how it went from a good idea and lets move in and we were planning stuff too me not talking to John and him starting to get fussy about it and then now bring it to you City Council. I am glad he did to be honest with you. I am glad we are here. I hope I answered your questions and if not I will.

Mr. Dallas A. Bigley said yes you did. You did! The plan is that most the time now, they stand in the hallway. Is that correct?

Judge Dominic Leone said correct!

Mr. Dallas A. Bigley so we will just continue on with that plan.

Judge Dominic Leone said yeah. We have some grant money. We applied for some grants for some additional technology. If we can go into another issue with the electrical but that might be something else.

Mr. Dallas A. Bigley said that was going to be his next question. I was under the impression that we were here to talk about allocation of space.

Judge Dominic Leone said the space is number five (5) if you want to know the truth. The space I thought was a done set issue. Obviously it is not because we are here and that is fine. He said that he would like to install some kind of time frame on how this is going to go because obviously he was under the impression that he was going to get the room last Friday. No one told me otherwise until he saw Crystal wasn't moving her stuff out of there, so he talked to John and that is when John said something finally about the filing cabinets. He said that he understands that he wants the filing cabinets now and that is fine. I just don't know why that is such a barrier as to having those in his office. He went on to say that he has another person in his office, three (3) book shelves, a table, eight (8) chairs, two (2) printers, an air conditioner and all kinds of stuff in his office. Do I still do work? Yes. Is it hot? Yes. Do the outlets blow when the air is on every five (5) minutes? Yes. Why don't we just flip offices? How about that? Why don't I just take his office and he can come over here or wherever, I don't care. I just need electric. What was the question? The attorneys will stand in the hallway. The witnesses we'll have in the court. He said that he supplies the Court with security. He said he tried to take the burden off the Struthers Police. He said that they pay for the security, now. He said that we have the victims sitting in the courtroom with the defendants' right, now, but we do supply security to them. There should be what I am told an accessible space that is secured for a victim that doesn't feel safe and that is what he would like to do is put them in that new space.

Mr. Dallas A. Bigley said that he is just trying to put together all the moving parts to this thing down. He said that he is the Chairman of Finance & Legislation Committee so at this point Bigley would like to know where the Budget stands at this point.

Judge Dominic Leone said I don't know what Budget? For what? What issue are you talking about?

Mr. Dallas A. Bigley said that you came to us with a list of issues.

Judge Dominic Leone said yes, good! Let's talk about the electrical. 1) He stated that he needs about three lines: One for his office, one for the Court and maybe one or two in other places. He said he doesn't know what it is going to cost, but would like to call the electrician because I don't think the Administration is able to do this at this point. Unfortunately, I hope they would. I hope they take it by the ears and just don't understand why it turned into a political thing, but I would like to call them tomorrow. If this was my building it would have been done, but it isn't and that is fine. Could we just agree to call an electrician first?

Mr. Dallas A. Bigley said obviously I don't believe you need our permission to do Dom.

Judge Dominic Leone said I need he needs the City's permission because the box is in the Police garage.

Mr. Dallas A. Bigley said that is something that you would take up with the Safety Service Director. Correct?

Judge Dominic Leone said is he in there?

Mr. Dallas A. Bigley said Mr. Daley.

Mr. Tim Daley, S.S.D., said yes!

Judge Dominic Leone said should I call an electrician tomorrow or will you?

Mr. Tim Daley asked the Judge if he has the funding for the electrician.

Judge Dominic Leone said can't we just get a price on it to see what it is.

Mr. Tim Daley said sure.

Judge Dominic Leone said can we just get a couple of quotes on what we need to do first and then we can figure out the Budget.

Mr. Tim Daley said that he will do that tomorrow.

Judge Dominic Leone said so who is going to call. You want me to call them or are you going to call them?

Mr. Tim Daley said that he would call them.

Mr. Dallas A. Bigley said Dom I don't know if you can hear him, but Mr. Daley said that he would call them.

Judge Dominic Leone said ok. How many quotes are you going to get and when are you going to deliver them to me?

Mr. Tim Daley said well that depends on the time frame of an electrician to get here and give me a quote.

Judge Dominic Leone said alright that is fine and fair. I just want a time frame: how about next week? Do you think you can get a couple quotes by next week? Today is Tuesday. How about by July 21st?

Mr. Robert D. Burnside said Dom I just want to bring this meeting back to order because we are not going to go over every issue of the condition of this building because we are just here for the allocation of space.

Judge Dominic Leone said that he isn't here for just that. He said that he is here for the electric, here to get the ducts cleaned, here for panic button to get installed. The space was just...

Mr. Robert D. Burnside said the meeting was called for the approval and allocation of space, which I don't think Council should be a part of, because we have been told many times that we are the Legislative Branch of the City and not the Administrative Branch of the City. The Legal Branch, you know!

Judge Dominic Leone said that he thinks he needs them involved because obviously there is a...

Mr. Robert D. Burnside said what do you want from us?

Judge Dominic Leone said that he just wants Council to oversee everything at this point. I don't know! He said he doesn't know how else to get things done. I don't know how to get the HVAC done without some kind of supervision.

Mr. Robert D. Burnside said that Council works on legislation and to things.

Judge Dominic Leone said I think you can order through legislation to order the Safety Service Director to do this, if you want to know the truth.

Mr. Robert D. Burnside said so the Safety Service Director would have to come up with the piece of legislation for Council to vote on to give you more space.

Judge Dominic Leone said that he thinks Council should be the ones writing that legislation but that is between you two, but yes you can order him to do that. If that is what is needed to be done. I guess we're here, now! So, yes! I would ask City Council to maybe consider doing that because I don't think anything is going to get done. Unfortunately, I wish it would and I am optimistic because he loves Mr. Daley. To be honest with you but I don't know if it will get done without you guys supervising us.

Mr. Robert D. Burnside said John we go by your recommendations all the time, because that is what you do since you are there all the time. Do we need a piece of legislation for this?

Law Director, John N. Zomoida, said as far as the allocation for whether or not you are going to allocate space?

Mr. Robert D. Burnside said yes or is that just a call from the Safety Service Director that is in charge of everything?

Law Director, John N. Zomoida, said again as the legislative body you are responsible for making the decision and would need to pass a resolution approving the allocation of space to the court.

Judge Dominic Leone said he respectfully disagrees with that. He said that we had an agreement to take the space.

Law Director, John N. Zomoida said with all due respect you said we had an agreement a month or two ago and I honestly didn't find out about this until two Fridays ago. I had no idea that this was even coming.

Judge Dominic Leone said I have text messages that say otherwise. So...

Law Director, John N. Zomoida said not from me.

Judge Dominic Leone said he completely disagree with you.

Law Director, John N. Zomoida said not from me. You didn't talk to me about this until two Fridays ago.

Judge Dominic Leone said that's fair, but I believe that you are misleading City Council right, now! I believe that you knew about this with the Mayor and had agreed to this with the Mayor and now you are misleading them by saying you didn't know about this until two weeks ago. Really untrue!

Law Director, John N. Zomoida stated that he has no facts to support that and he said that he is telling him that he knew nothing about this until Thursday before we meet. When his assistant came in and said that she had an incident with you in your chambers. He knew nothing about this.

Judge Dominic Leone said that he respectfully disagrees with you on that. I think the Mayor had told you that. That was his understanding of that. She said that she was fine with that and you were fine with it. She was the one who said just talk to John about all this stuff. I don't even know what....Why do I have to talk to John, if everyone is ok with it what is the big deal? You have eight (8) empty filing cabinets in there and 60 year old books.... Why is it a big deal? I don't know why it's a big deal to move these out of there and give us the space that we need.

Mr. Robert D. Burnside asked Miss. Greenwood if she had something to say.

Miss. Lori A. Greenwood asked Judge Leone if he would get the electric fixed in your office. Is it going to make it where you could use your office for more of this?

Judge Dominic Leone said he hope so. He said that when this building was built this is no one's fault. OK, He just wanted to say that....Obviously it's not his fault that the electric is going off. It's not the Administration fault that the electric keeps going off.

Miss. Lori A. Greenwood stated that she understands that but if we work on that and you working conditions to get them improved would is that going to enable you to just use your office.

Judge Dominic Leone said no! We would still need additional space.

Miss. Lori A. Greenwood said and there is nowhere else where you can put victims other than.

Judge Dominic Leone said that it's not just a place to put victims. It's about processing space, storage, space for victims/witnesses. He said he thought he wrote a good letter, but it is all written down with all the space obligations that the Court is obligated to provide. NO, That would not solve the issue to be honest with you.

Mr. Dallas A. Bigley had a question. What is the difference from 4 year ago when Judge Lanzo was here and now? How was he able to operate under that space and now it is now not

enough space? Have there been changes made to the court that would cause a need for more space?

Judge Dominic Leone said yes! We have some more people working here, case volume has increased and Civil volume has gone up from 600 to 1,000 civil cases a year.

Mr. Ronald A. Carcelli asked a question about court storage. Why can't you use the downstairs jail system to store your stuff?

Judge Leone said that they are using the female holding cells for storage right, now! He said he was very optimistic before, I guess I heard from the Law Director and the Mayor, now about agreements that we have had. If this doesn't get done here is the route. You know what I'm going to do. I'm going to call a lawyer. I am going to spend the City's money. It's probably going to cost \$100,000.00. I'm probably going to have to sue you guys to get the space that he needs. He said he doesn't want to do that he and thought he could do a verbal agreement and now it's turning into. I hate to say this, but I think it's mostly John that doesn't want this to happen at this point. I think he is misleading City Council on some ways too.

Mr. Ronald A. Carcelli stated that don't you have four (4) other storage units beside these.

Judge Leone said that is the idea. That's the idea. Hopefully, I don't know what is going on with the agreements anymore, but hopefully when the New Fire Station is built and the firemen from Elm Street move to the New FIRE STATION. I thought the agreement was that we were going to move some storage to that old fire station because he has some planning to do with the records. He wants to make us paperless. We have to organize them. It is a mess over at the storage. He said they are paying 8 or 10 grand a year for storage. He said he doesn't know the exact number for the storage units. He said that they have moved over a couple years of storage to try and eliminate them and was able to get rid on one of them. Hopefully if we get some of the space in the old fire station we will be able to save another \$10,000.00 by moving there, but again unless I get something in writing now I am not going to believe anything. You know, this is what this whole thing is about right here.

Judge this is Councilwoman, Megan L. Pingley, do you think reorganizing these rooms would give you the room that you need. Are there unnecessary items in these rooms or things that could be eliminated that would free space up where you are currently located?

Judge Leone said that there are 8 people, there are 8 desks, there are 8 filing cabinets, bookshelves, computers, printers, air conditioners. We have eliminated as much stuff as we can do. Additionally, it's his impression or his understanding that Crystal the Law Director's Secretary may go down to part-time too that's why I thought everyone was in agreement to this as well.

Miss. Megan L. Pingley said that she personally has not seen the space.

Judge Dominic Leone said that he would like to do is have you guys come down after the meeting to see the office. The news was here too and took a bunch of photos. He said that they are more than welcome to come down here. He said that he wouldn't come when they are all here because there isn't any room.

Miss. Megan L. Pingley stated that yeah she was just curious because she was wondering if there were excess tables or something like that where things could be moved out to get your some more room.

Mr. Dallas A. Bigley asked that there isn't another space that would suit you nearly as well in the building that can get you more space?

Judge Leone said that what he was proposing was to put John in some kind of trailer outside? That was the best solution. We buy a trailer for him and he can sit out there.

Mr. Robert D. Burnside said why can't we do that for the victims?

Judge Dominic Leone said we can do that for the victims too.

Mr. Richard S. Bayus said would you want to work out of a trailer?

Judge Leone said he would if he had too as long as there was an air conditioner and electric to be honest with you.

Mr. Richard S. Bayus said maybe we should think about you doing that ha.

Judge Leone said I will go out in a trailer I don't care.

Mr. Richard S. Bayus said ok.

Mr. Robert D. Burnside said anybody have anything more.

Judge Leone said he thought a trailer would be good for a couple of things maybe we can put our probation officers in there or maybe something else. Not sure about victims and witness because they need to be accessible.

Mr. Robert D. Burnside said couldn't we put the victims in the probation office?

Judge Leone said no.

Mr. Robert D. Burnside said they do now so what's the problem.

Judge Leone said they do now, but there is HIPPA violations with doing that. There are people in there talking about their medical records. You can't put people in there like that.

Mr. Dallas A. Bigley said that the Council Caucus Chambers when we have meetings are jammed pack and have no room and people standing behind other people. So as far as us taking on any items from John's Office and being able to store them in ours. He doesn't think that is really feasible on our end. Anyone else!

Judge Dominic Leone said to Dallas that it is all made up. He doesn't need that many filing cabinets. Don't let him...

Mr. Robert D. Burnside said that he isn't going to get involved in this pissing match between the Judge and the Law Director.

Mr. Dallas A. Bigley said he isn't pointing fingers anywhere again Dom. I'm just trying to get all the facts straight in this so he can make the best informed decision even though he doesn't believe that this decision is Council's to make.

Judge Leone said it isn't! It's a simple as letting us do it like they promised me. That's really it. I was promised a month ago.

Miss. Lori A. Greenwood said who promised?

Mr. Dallas A. Bigley stated that Miss. Greenwood asked "Who made you the promise?"

Judge Leone stated the Mayor.

Mayor Catherine Cercone Miller stated that in the multiple discussions he was told to reach out and communicate with the Law Director so we can find out the answers to he would need to do with his stuff.

Judge Leone said his empty filing cabinets.

Mayor Catherine Cercone Miller stated that he already informed you that he will be creating his own files for everything.

Judge Leone said he did tell me that on Friday.

Mayor Catherine Cercone Miller said that he does have a need for those.

Judge Leone said how many does he need? One!

Law Director, John Zomoida said how many does the court have to accommodate its files? He said I am going to open a file for every single case that gets filed in the court, because

he is trying to reduce the contact that his assistant has with your office since you bullied her and made her cry in a corner.

Judge Dominic Leone said now let's remember that she has about eight (8) panic attacks a day so having me.

Mr. Robert D. Burnside said guys let's not get personal stuff here. We are here for the allocation of a room, which I don't think Council should be a part of but it is what it is and that is where we are.

Judge Dominic Leone said you can say anything to that girl and she will go into the bathroom and cry.

Mr. Robert D. Burnside ok that is enough.

Mr. Dallas A. Bigley said let's keep this as professional as possible.

Judge Dominic Leone said we have two filing cabinets for the open files here ok. We have about four (4) storage units and two (2) jail cells for the closed files. We have two (2) filing cabinets of the open files. So he doesn't know what the big demand for space is for over there.

Mr. Robert D. Burnside said and he doesn't understand why Council is involved in this.

Judge Leone said you shouldn't be. He said the only thing you are here for and he is glad is for supervision and accountability because that doesn't seem to be taking place at all.

Mr. Robert D. Burnside said that his suggestion would be for the Judge, Administration, Law Director, Mayor and SSD sit down and figure it out.

Judge Leone said that he would love too.

Mayor Catherine Cercone Miller said that the Safety Service Director actually called for a meeting and asked for or five times to make sure that he reaches out to the Law Director.

Judge Leone kept saying that he can't hear and interrupting those speaking.

Mr. Robert D. Burnside said what they are saying is that you never reached out to the people that you were suppose that were involved in this situation.

Judge Dominic Leone said that is a lie, because he has been talking about this for two years.

Mr. Robert D. Burnside said he doesn't want to hear the he said she said. He went on to say that he wanted them to get together and do what they have to do. If you have legislation a resolution that has to come to Council then that so be it and that is when we will have another meeting about it.

Judge Leone asked if he could have some kind of time frame or a progress report.

Mr. Robert D. Burnside said no you give a time frame when you guys get together and decide what you are going to do. Otherwise, Council is not going to make a move on this at all. That's his opinion on this matter and will take a roll call vote on Council if that is what they want to do.

Mr. Dallas A. Bigley said that with moving forward everybody needs to communicate a lot better. I'm not pointing fingers at anyone, but he hates to see us slammed in the news.

Mr. Robert D. Burnside said when did we here about this? He said just before recess!

Mr. Dallas A. Bigley said when did hear about this for very long at all, but to see us in the news and the fact that we can't in house contain our own problems and handle them like adults is something that is very troubling to me and I know that the rest of my colleague here can agree. It's bad enough that we don't want to see our problems played out on the news. We should be adults and be able to sit down and communicate especially the day that we are actually having this meeting. So the day that we are down here having this meeting over this issue it's already played out in the news. Give your colleagues the respect that they deserve everyone and let them

handle everything as they see fit rather than running to the news and trying to force their hand or smear them. He can't say that he agrees with.

Judge Leone said he agrees with that.

Mr. Dallas A. Bigley said Struthers has enough bad press out there over anything. The last thing we need is our name in the news for in house problems that we can't contain or work out here.

Judge Leone said AMEN!

Mr. Richard S. Bayus said that this has been happening from two (2) years back when furniture was being thrown out of the janitor's office. That was a bad situation back in the day and seems like we are going through the same exact thing what's happening now.

Judge Dominic Leone and several others were talking over each other.

Judge Leone explained the whole situation at length which took place two (2) years back with that incident. He further explained the John is the common denominator in these incidents and he was the Judge.

Comments/Remarks:

Law Director Zomoida, Richard S. Bayus, Dallas A. Bigley, and Judge Leone made comments with regards to all the money spent by the court and the loss of money and the court being a hindrance with being here at the Municipal Building/Courthouse the City is losing money and draining the General Fund Budget.

Mr. Dallas A. Bigley asked the President of Council what is the end game here?

Mr. Robert D. Burnside, President Pro Tem said that there is really nothing here for us to vote on.

Judge Leone said that he would like to send Council periodic letters to let them know how things are going in the court and progressing.

Mr. Dallas A. Bigley said yes, absolutely!

Judge Dominic Leone said another couple of quick things would be the back door. He hired a temporary worker to do the Health screenings at the front door. Nothing seems to get done unless he does it just so Council knows that. That is how he feels. He hired a temporary worker for Health screenings not to just protect the court staff but to protect all workers here in the building working. As far as answering the back door he knows that it is a Hodge podge because obviously because we are a courthouse we are going to answer it but he has tried to talk to the Mayor's Office not Mayor Miller as much as past Mayor Stocker to collaborate to get a backdoor door of some kind so that it could be heard or an intercom system.

Comments/Remarks:

Mr. Dallas A. Bigley, Judge Leone, Mr. Robert D. Burnside, Mr. Richard S. Bayus and Auditor, Christina Bohl made comments with regards to the spending and deficit that the Court is putting on the General Fund Budget saying that we all are paying for all these costs not the Judge and ALL Departments are on emergency spending. No raises for anyone.

Judge Leone said that Struthers doesn't write tickets.

There were a lot of discussions going on regarding the finances regarding the Court and the impact it takes on the General Fund Budget.

Law Director, John N. Zomoida made comments with regards to space. He went into great detail with regards to his office space saying that trying to put his assistant and all the equipment into his small space he will not have any more room for filing cabinets for his case files that will be needed daily and that was the whole reason for coming to Council to be placed in Council Caucus Room.

Mr. Dallas A. Bigley said that we simply can't put them in Council Caucus Room because we don't have the room.

Judge Leone said that he was just instructed that he may have some room down in one of the jail cells where he can put them. He said that they will make sure that he has adequate space for the Law Director's cabinets down in the jail cells that will be accessible and readily available space for him.

Mr. Dallas A. Bigley said that he really doesn't know the procedure on this here right now.

Law Director, John N. Zomoida said that this is a new. He said technically he should never be using the courts file. He said that he is the party to the lawsuit just like a Defense Attorney is a party to the lawsuit. He stated that he should always have his own separate files and the reason why it's not done in most courts is because the money to pay for the files ultimately comes from the same funding authority and you have close proximity of the prosecutor to the court to just grab the file. I am now, because of the way the relationship has deteriorated given certain things.

Judge Leone said that he just talked to Crystal today. Everything was fine about a victim or something you know.

Miss. Lori A. Greenwood said it's not your relationship with the Judge it's your assistants' relationship with the Judge.

Mr. John N. Zomoida said that he didn't appreciate that on two separate occasions the Judge confronted his assistant about getting out of the room without once bringing it up to me. He just said earlier that this was something he had talked about for two (2) years and on his daughter's life have never heard about him taking his room. He said that he had heard rumors that he may be looking at his room but he also heard rumors that he was looking at Chrissy's room. He really didn't know what was really true until actually last week. That is when he realized that he was definitely looking to take his office so he was bothered by the fact that he would go to his assistant and not go to him as the elected official to let him know that this was his intention. John said from day one that he doesn't care if he taking 1/2 of the work space. 1) He said he doesn't want to use this but he has a medical condition. It gets hot in his office when there are a lot of people there and he can't take the heat. He stressed that he doesn't have a lot of space in there and he is not going to be able to fit the necessary number of filing cabinets that it's going to take. It might work for the time being a month or two, but long term no. The files will grow exponentially over the years. If the Judge would like to share the other 1/2 of his office that is fine but it has never been about the Judge taking that office. It has been about him not working cramped in the little office that he has left. I don't think that is fair to him and that it adversely effects the Administration of Justice on his end not to mention the obligations and responsibilities he has as the Law Director when he is here. He spoke at length on this matter saying that if the Judge give him the respect of coming to him and talking to him instead of going to his assistant. We could have probably worked this out like he said from day one that he was an ally of the Judge.

Comment/Remarks:

Mr. Dallas A. Bigley, Judge Dominic Leone, Mr. Robert D. Burnside, Law Director, John N. Zomoida and Mr. Ronald A. Carcelli.

(On Audio - These minutes are a summarization of the Special Meeting and not verbatim.)

ADJOURNMENT

Burnside moved seconded by Carcelli that the special meeting be adjourned.

Roll Call: Voting yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

Motion Carried 7-0.

President of Council Pro Tem, Robert D. Burnside, declared the Special Meeting be adjourned.

Megan R. Shorthouse
CLERK OF COUNCIL

Robert D. Burnside
PRESIDENT OF COUNCIL PRO TEM