

April 1, 2016

TO: City Council Member Ann Combs, Chair
Law and Safety Committee of City Council

FROM: Wayne S. Davis, City Manager *WSD*

SUBJECT: Law and Safety Committee Meeting of Monday, April 4, 2016

As a reminder, the Law and Safety Committee is scheduled to meet on Monday, April 4, 2016, at 3:30 p.m. at City Hall. Those agenda items to be discussed include:

1. Mayor's Court—The Montgomery Mayor's Court underwent some changes in 2014. The Court continues to operate well and Chief Simpson and I will be present to provide an update on the Mayor's Court operations for 2015.
2. Update of 2015 Fire and EMS Statistics—The Fire Department annually updates its performance indicators in an annual report. Chief Wright will be present to provide an update on the 2015 Fire and Emergency Management Services (EMS) response statistics with the Committee.
3. Other Business—The purpose of this agenda item is to provide an opportunity to discuss any issue or ask any questions that may be on your mind.

Also attached are the minutes from the September 15, 2015 meeting of the Committee for review and approval at Monday's meeting.

Should you have questions or concerns prior to the agenda topic, or have additional items to be discussed at the meeting, please do not hesitate to contact me.

C: Law and Safety Committee Members (3)
Don Simpson, Police Chief
Paul Wright, Fire Chief
Connie Gaylor, Administrative Coordinator
File



AGENDA

**April 4, 2016
Montgomery City Hall
10101 Montgomery Road**

3:30 P.M.

- 1. Call To Order**
- 2. Guests and Residents**
- 3. Communications**
- 4. New Business**
 - a. Mayor's Court
 - b. Update of 2015 Fire and EMS Statistics
- 5. Old Business**
- 6. Approval of Minutes: September 15, 2015**
- 7. Other Business**
- 8. Adjournment**

March 30, 2016

TO: Wayne Davis, City Manager
FROM: Don Simpson, Chief of Police
SUBJECT: Montgomery Mayor's Court Operations



Introduction

In May of 2015 the Law and Safety Committee of City Council reviewed Mayor's Court operations and discussed trends in revenues and expenses. The Committee expressed a desire to meet in a follow-up meeting to assess the impact of the changes and review the overall operation of the Mayor's Court to provide assistance to City Council and staff during the annual budget process.

Background

The Mayor's Court provides opportunities for citizens of Montgomery and visitors to Montgomery to have traffic violations adjudicated at the local level. In this manner, the Montgomery community is able to receive legal hearings at the local level, rather than requiring those cited for traffic offenses to take their legal cases to the Hamilton County Court System. Having a local Mayor's Court not only provides a benefit to the community by hearing cases locally, but it also reduces the cost to the taxpayers requiring City of Montgomery patrol officers to leave the City to attend Court, and to do so within a schedule that is not consistent with or conducive to the schedule of the police department.

During 2013 – 2014 the operation of the court changed from meeting bi-weekly to once a week. This change reduced the amount of time in each session of the court to a more manageable amount of time. The shorter dockets and additional meeting dates also allowed for the elimination of "special 5 day hearings" required under state law for those offenders charged with OVI.

In addition to this change, in 2014 the Magistrate was transitioned from the Employee Wage Scale with fringe benefits to a contractual agreement of \$24,000. The contractual agreement was consistent with the type of agreement in place with the City Law Director.

An analysis of the compensation for the Prosecutor was also conducted and a flat rate of pay was established to assist staff with preparing the annual budget of the court by providing a consistent expense for each month. This compensation was established at \$4,000 monthly.

The impact of these changes on the overall budget for the Mayor's Court was discussed, incorporated into the 2015 Budget and the Committee and staff agreed to revisit the discussion in 2015 and 2016.

The table below provides a summary of the City's Mayor's Court Budget including historical revenues and expenditures, as well as caseload measures.

	2008	2009	2010	2011	2012	2013	2014	2015
Mayor's Court Collections	150,971	158,240	121,538	135,789	146,766	160,109	144,823	157,006
Salaries/F.B.	85,739	98,655	80,468	85,678	85,678	90,207	92,373	82,121
Contractual Services	26,711	19,316	33,654	30,703	61,823	45,784	58,046	73,500
Other Expenses	9,370	7,960	9,993	8,613	5,469	7,706	5,302	3,275
Total Expenses	121,820	125,941	124,115	124,994	157,499	148,142	155,721	158,896
Revenues O/U Expenses	29,151	32,299	(2,577)	10,795	(10,733)	11,967	(10,898)	(1,890)
Total Cases		1,793	1,436	1,734	1,553	1,736	1,610	1,624
OVI		0	1	7	58	59	41	35

Total billed hours for prosecutorial work associated with Mayor's Court work in 2015 was 245. A total of \$40,000.00 was billed for these hours.

Recommendation

It is recommended that the Law and Safety Committee of City Council meet to review the modifications to the Court and the associated costs of the Mayor's Court to assist City Council and staff during the upcoming budget process for fiscal year 2017.

These minutes are a draft of the proposed minutes from the Law & Safety Committee of the City Council meeting. They do not represent the official record of proceedings until formally adopted by the Law & Safety Committee of City Council. Formal adoption is noted by signature of the Chair within the minutes.

City of Montgomery
Law & Safety Committee of City Council Meeting
September 15, 2015

Present

Wayne Davis, City Manager
Paul Wright, Fire Chief
Don Simpson, Chief of Police
Meghan Donnellon Hyden, Attorney
Julie Kipper, Customer Service Representative

Committee Members Present

Ken Suer
Gerri Harbison

Committee Members Absent

Ann Combs, Chair

Guests and Residents

Ken Pendleton, 10010 Zig Zag Road

The meeting of the Law & Safety Committee of City Council convened in Council Chambers at 5:36 p.m. with Mr. Suer presiding. Mrs. Combs was absent due to vacation.

Move Over Ordinance

Chief Simpson and Meghan Donnellon Hyden were present to discuss a proposed Ordinance that would include a provision for motorists to move over or to exercise caution when approaching a vehicle that is displaying flashing lights.

Mrs. Donnellon Hyden explained that an Ordinance does not currently exist in the City and that this legislation reflects the State Ordinances that requires motorists passing an emergency vehicle stopped on the side of the road with flashing lights to proceed with caution or on a two lane road to move over to protect the officer or firefighter's safety. She stated that this Ordinance will apply to all public safety stops including the police department, the fire department/emergency medical service, and public works. She explained that this Ordinance would allow for the magistrate to have the option to double the penalty fines for violators of the Ordinance.

Chief Simpson stated that an incident occurred several months ago involving a City patrol officer being struck by a passing vehicle and that these types of incidents are occurring more frequently. He explained that the safety of our patrol officers, as well as the safety of other emergency and public works personnel is a top priority in the City. Staff is recommending that the Committee consider presenting this Ordinance to City Council to be added to the October Business Session agenda for emergency passage that evening.

Mrs. Harbison made a motion to recommend to City Council that the Ordinance should be added to the October Business Session for emergency passage to make it available for immediate enforcement Mr. Suer seconded. The Committee unanimously agreed.

Other Business

Chief Wright stated that on Wednesday, September 16, the fire department will receive the Insurance Services Office Rating Review that occurs every five years. He stated that the department's current rating is a Class 2. This classification is what is used by the insurance industry to set fire insurance rates for businesses and home owners. He states that the results of the review are anticipated to be returned to us in approximately eight weeks, which will either

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Law and Safety Committee Minutes

September 15, 2015

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confirm the existing Class 2 rating or change the rating. He stated that he will update the Committee as soon the results of the review are received.

Minutes

Mrs. Harbison made a motion to approve the minutes of the May 4 and June 1, 2015 meetings. Mr. Suer seconded. The Committee unanimously approved the minutes.

Adjournment

Mr. Suer asked if there was any further business to discuss. There being none, Mrs. Harbison made a motion to adjourn the meeting. Mr. Suer seconded. The Committee unanimously agreed.

The Law and Safety Committee meeting adjourned at 5:48 p.m.

Chair of Law & Safety Committee of City Council