

**NORTHEAST OHIO MAYORS AND
CITY MANAGERS ASSOCIATION**

NOVEMBER 19, 2009

SENATE CONSIDERING OIL AND GAS REGULATORY UPDATE LEGISLATION

The Senate Environment and Natural Resources Committee is conducting hearings on two bills designed to revise the state's standards for the siting of oil and gas wells. One of those bills, S.B. 165, is sponsored by Senator Tom Niehaus (R-New Richmond) and has the support of the Strickland Administration and the Ohio Oil & Gas Association. Among other provisions, proponents indicate that the bill will require notification of permit application to anyone whose property is within 500 feet of a proposed drilling site and will increase local government input on siting issues. It would also reduce from five months to 14 days the amount of time drillers have to restore land impacted by drilling. Funding increases included in the bill would generate an additional \$2.9 million to support oil and gas regulation.

Meanwhile, Senator Tim Grendell (R-Chesterland) has introduced a separate bill on the subject (S.B. 196). S.B. 196 was scheduled for its first hearing in the Committee on Wednesday. Grendell says that his bill is designed to address many of the concerns local government leaders have with existing oil and gas regulations contained in H.B. 278 enacted by the 125th Ohio General Assembly that became law on September 16, 2004. Then-Rep. Niehaus was the primary sponsor of that legislation. During committee hearings on Senator Niehaus' S.B. 165, Senator Grendell has asked the most pointed questions, including seeking more information on a well explosion in Bainbridge.

While both the Niehaus and Grendell measures provide for more regulation of the oil and gas well siting process, apparently one of the most significant differences between the bills is the degree for which local oversight is provided in the two measures. The Cuyahoga County Mayors and City Managers Association has reconvened its Oil and Gas Committee and is scheduling meetings with Senators Niehaus and Grendell and the Administration to ensure the concerns of local governments are considered in the hearings on these measures. The Oil and Gas Committee will meet with Ohio Department of Natural Resources Director Sean Logan on December 8 in North Royalton at 6 p.m.

**BILLS TO PROMOTE COMPETITION, JOB GROWTH IN TELECOM INDUSTRY
RECEIVING COMMITTEE ATTENTION**

State Senator Steve Buehrer (R-Delta) and State Rep. Allan Sayre (D-Dover) have introduced companion legislation styled the Telecom Modernization Act designed to modernize Ohio's telecommunication laws in an effort to promote competition and job growth in the industry. The Senate version of the legislation, S.B. 162, has been referred to the Senate Energy and Public Utilities Committee, while the House version, H.B. 276, is under consideration in the House Public Utilities Committee. The Chairmen of both committees have indicated that they will advance their

bills, which will be similar in scope except with regard to some divergence in how they address consumer protection concerns. A coalition consisting of the Ohio Consumers Counsel, the AARP and other advocacy groups claim that the bills would gut consumer protections, particularly for elderly landline customers who are unlikely to switch to wireless or Internet options.

The bills as introduced were written with the assistance of the Ohio Telecom Association and the Public Utilities Commission of Ohio.

Of particular interest to municipalities is a movement by cable television providers to add an amendment to the bill that would prohibit municipalities from charging cable providers a fee for the use of utility poles.

FINAL REPORT OF THE COMPACT WITH OHIO CITIES TASK FORCE DUE SOON

The Compact with Ohio Cities Task Force, created earlier this year to identify ways to help cities compete for residents and jobs and stimulate economic growth, has wrapped up its hearings and is due to issue a report soon. The Task Force, which was created by HR 20 sponsored by Rep. Matt Patten (D-Strongsville) has heard testimony on issues ranging from urban sprawl, regional planning and workforce development to foreclosure reform, nuisance laws, and liquor control. The Task Force was chaired by Rep. Mike Foley (D-Cleveland).

PASSAGE OF CASINO ISSUE BRINGS SPECULATION ABOUT GOVERNOR'S AND LEGISLATURE'S RESPONSE

With the passage of State Issue 3 authorizing the construction of casinos in Cleveland, Columbus, Cincinnati and Toledo, the focus of efforts to bring gambling to the state now return to the Ohio General Assembly.

Legislators and Governor Strickland are now faced with the task of passing implementing legislation for the Constitutional Amendment approved by voters by a 53-47% margin on November 4. There is some speculation that political leaders will mount a legal challenge to the Amendment's passage or launch their own effort to pass another Amendment next year to replace Issue 3. Governor Strickland was noncommittal about either tack immediately following the vote. Columbus Mayor Michael Coleman, who opposed the issue, urged lawmakers to quickly put a new amendment on the ballot that would raise the tax rate, put casino licenses up to bid and let cities regulate their locations and operations.

Issue 3 was approved by voters in 31 of Ohio's 88 counties, including Cuyahoga, Hamilton and Lucas. It was defeated in Franklin County. Campaign spending reports released October 22 showed that at that point backers of Issue 3 had outspent opponents of the measure by a 6-1 margin.

HOUSE APPROVES SUSPENDING INCOME TAX CUT; SENATE EXPECTED TO APPROVE HYBRID VERSION OF GOVERNOR'S PLAN

As this report was being prepared, Senate Republicans were putting the final touches on what was being described as a hybrid version of Governor Strickland's proposal to Ohio delay the implementation of the final year of a five-year plan to reduce Ohio's income taxes by 21%.

Apparently the Senate is prepared to pass a new version that would entail roughly two-thirds of the Governor's proposed income tax cut delay with the balance made up through various cash management changes.

Earlier, the Senate stripped language from the measure that would have cut legislative pay by 5%, instead introducing separate legislation -- S.B. 209 which, in addition to cutting legislative pay by 5% would propose similar cuts for the salaries of the Governor, Lieutenant Governor and various administrative department heads, including Cabinet positions.

The delay of the income tax cut, which is contained in H.B. 318, is designed to make up for the loss of revenues resulting from the delay in the implementation of Video Lottery Terminals at the state's seven race tracks. The Governor's proposal, which was approved earlier by the Ohio House of Representatives, will produce \$844 million in revenue over the biennium -- just short of the \$851 million that would need to be cut from education to make up for the loss of the VLT revenue.

The original measure passed the House on a 55-44 vote, with only two Republicans -- Representatives Matthew Dolan (R-Russell Township) and Ross McGregor (R-Springfield) crossing over to join Democrats in support of the bill. Prior to introducing the hybrid version of the tax cut delay, state senators offered a variety of other options for filling the gap in revenues lost due to the delay of Video Lottery Terminals, including the use of \$200 million in casino licensing fees now that Issue 3 has been approved by voters. Administration officials, however, reject the use of those fees as there are restrictions on their use and uncertainty about when collection of those fees will begin. Other options discussed include construction contracting reforms, increasing oil and gas drilling on state lands, tapping the more than \$2 billion held by the Ohio School Facilities Commission, adding more furlough days and additional cuts to state employees' pay and cutting state funding for schools.

During his floor speech in support of the bill, Rep. Dolan noted that much of state government's revenues pass through to municipalities and other local government entities, and that further cuts in the state's budget would only put more pressure on local governments to find new sources of revenue.

The delay in implementing the Video Lottery Terminals was brought on by an Ohio Supreme Court ruling that the provisions of the state budget bill authorizing the installation of VLTs at the state's seven horse racing tracks is subject to referendum. As a result, the court ordered Secretary of State Jennifer Brunner to accept and process summary petitions filed by LetOhioVote.org in an attempt to place the question of video lottery terminals on the statewide ballot, and gave the organization 90 days from the date of the decision (September 21) to collect signatures on those petitions. LetOhioVote.org had attempted unsuccessfully to file a summary petition bearing the signatures of 1,000 voters with the Secretary of State on July 23.

Meanwhile, two state agencies, the Board of Tax Appeals and the State Employment Relations Board, are working behind the scenes to gather support for additional funding, claiming that House Bill 1 underfunded their operations. Both agencies are seeking increases in user fees that would be paid by local governments.

POLL SHOWS ECONOMY IMPACTING STRICKLAND'S APPROVAL RATING

The latest Ohio Poll from the Institute for Policy Research at the University of Cincinnati shows that 41% of respondents approved of the Governor's handling of the economy, with 49% stating their disapproval. As a result, for the first time in his Administration, Governor Strickland's approval rating has fallen below 50%.

Governor Strickland was not the only leader whose numbers took a hit in the poll. President Barack Obama's approval rating fell to 52%, down from an April survey in which Ohioans gave him a 63% approval rating. A majority of respondents (53%) also disapproved of the President's handling of the economy, with only 45% approving.

STATE BUDGET STILL IN BLACK DESPITE DROP IN OCTOBER REVENUES

Year-to-date state tax collections remain on target through October, despite a significant drop in auto sales tax intake during the month. Four months into Fiscal Year 2010 state tax collections are \$21 million or 0.4% above projections at \$5.077 billion. Much of that is due to a surge in auto sales tax collections due in part to the federal Cash for Clunkers program. Those collections were well below projections for October, however, as they were down 11.8% as compared to estimates. Meanwhile, personal income tax collections in October were slightly above projects, although the numbers for both the corporate franchise and estate taxes were below expectations.

As compared to October 2008, the month's revenues were down nearly \$180 million or 12%. Year-to-date collections are also down by 12% and trail last year's totals by nearly \$700 million.

APPEALS COURT SIDES WITH HOME RULE IN CLEVELAND GUN ORDINANCE CASE

The 8th District Court of Appeals has ruled in favor of the City of Cleveland in its effort to enforce local gun ordinances. The Court ruled that a 2007 state law unconstitutionally voided the city's powers to regulate firearms, overruling a lower court that upheld the law on the grounds that only federal and state codes can limit the right to bear arms. Cleveland's gun laws include a ban on the sale and possession of assault weapons.

VOTERS REJECT RED LIGHT CAMERAS IN HEATH AND CHILlicothe

Voters in two central Ohio communities said "No" to red light cameras on Election Day. In Chillicothe 72% of voters cast their ballots to remove the cameras, while in Heath the measure removing the cameras passed by 59 votes out of a total of 3,579 cast. Interestingly, Mark Johns, who defeated incumbent Heath Mayor Richard Waugh in that election, received the same number of votes as the camera ban.

PAIR ENTER RACE FOR 20TH DISTRICT HOUSE SEAT

Two Republicans -- former unsuccessful Columbus mayoral candidate Bill Todd and former unsuccessful 26th House District candidate Mike Elicson, have announced they will seek their party's nomination to oppose Rep. Nancy Garland (D-New Albany) in the 20th House District race next year. Rep. Garland narrowly defeated incumbent Republican Rep. Jim McGregor in the 2008 contest, helping Democrats will control of the Ohio House for the first time in 14 years.

HOUSE BILLS

HB1 BIENNIAL BUDGET (SYKES, V) To make appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011 for the operation of state programs. 7/17/2009 – Governor signed; effective 7/17/2009; other effective dates

HB2 TRANSPORTATION BUDGET (UJVAGI, P) Make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011. 4/1/2009 – SIGNED BY GOVERNOR; eff. 4/1/2009 - (13 vetoes)

HB3 MORTGAGE FORECLOSURES (FOLEY, M) To address the current mortgage foreclosure crisis. 5/20/2009 – House passed; referred to Senate Finance

HB7 BUILDING SUSTAINABILITY STANDARDS (HARRIS, M) To require a building or structure erected or constructed using state capital moneys to adhere to certain sustainability standards. 10/14/2009 - House Local Government / Public Administration (Fourth Hearing)

HB9 RENTAL PROPERTY FORECLOSURE (CELESTE, T) To require that notice of foreclosure and related sale of residential rental property be given to tenants at that property. 5/6/2009 - House passed; referred to Senate Finance

HB30 PERS (COMBS, C) Require analysis of each proposed retirement incentive plan for PERS members and to prohibit a member who participates in such a retirement incentive plan from being re-employed by the same employer. 6/10/2009 - House Financial Institutions, Real Estate and Securities (First hearing)

HB32 MUNICIPAL PARK IMPROVEMENTS (RUHL, M) Increase the competitive bidding threshold for contracts entered into by a board of park trustees for certain municipal park improvements. 3/10/2009 – Bill amended; House Commerce

HB37 COMPETITIVE BIDDING (DYER, S) Require DAS to maintain a web site database including apparent low bidders who failed to be awarded a contract because they were found not to be "responsible." 3/24/2009 - House Commerce and Labor, (First Hearing)

HB39 DISABILITY PARKING (FENDE, L) Require removal of snow or ice from special parking locations designated for persons with disabilities within 24 hours after the weather condition causing the snow or ice ceases. 10/22/2009 - House Public Safety and Homeland Security, (First Hearing)

HB49 WATER/SEWER RATES (UJVAGI, P) Authorize a board of county commissioners or a board of trustees of a regional water and sewer district to offer discounts to persons sixty-five year of age or older. 5/13/2009 - House Local Government (First Hearing)

HB58 MISUSE OF PUBLIC FUNDS (MCGREGOR, R) Require Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials. 5/6/2009 - House State Government, (First Hearing)

HB61 ESTATE TAXES (HOTTINGER, J) Reduce the estate tax by increasing the credit amount, to authorize townships and municipal corporations, or electors thereof by initiative, to exempt from the estate tax any estate property located in the township. 4/22/2009 - House Ways and Means, (First Hearing)

HB77 PUBLIC RECORD INFORMATION (SNITCHLER, T) To exclude the residential and familial information of a federal law enforcement officer from the definition of a public record, and to include those officers among the protected individuals who may replace name with initials. 3/31/2009 - House Civil and Commercial (Second Hearing)

HB85 FIREARMS (BOYD, B) To prohibit any person under twenty-one years of age from possessing a firearm, subject to specified exceptions for lawful hunting, sporting, or educational purposes and for law enforcement officers 3/24/2009 Public Safety and Homeland Security Committee

HB107 TO CREATE OIL & GAS LEASING BOARD (JORDAN, K) To create the Oil and Gas Leasing Board and to establish a procedure by which the Board may enter into leases for oil and gas production on land owned or under the control of a state agency 5/13/2009 - House Agriculture (First Hearing)

HB110 NATURAL GAS & OIL PERMITS (ADAMS, J) To authorize the Director of Natural Resources to issue permits and make leases to take and remove natural gas and oil from under the bed of Lake Erie. 5/13/2009 - House Agriculture and Natural Resources, (First Hearing)

HB111 NONCHARTERED MUNICIPAL CORPORATION (DEGEETER, T) Reduce, from fifteen to ten, the minimum number of days for bidding when a nonchartered municipal corporation sells personal property by Internet auction. 4/29/2009 - House Local Government (First Hearing)

HB128 TRAFFIC LAWS (HAGAN, R) Provide increased penalties when a person violates the traffic law assured clear distance ahead or commits a failure to yield right-of-way offense resulting in serious physical harm or death to another person. 5/27/2009 - House Criminal Justice, (Third Hearing)

HB129 CONCEALED HANDGUNS (ADAMS, J) Authorize a person to carry a concealed handgun without obtaining a license to the same extent as if the person had obtained such a license, except on liquor permit premises, if person qualifies for license; to remove other requirements. 4/14/2009 Public Safety and Homeland Security Committee

HB137 LIQUOR PERMIT LOCATION (WEDDINGTON) Prohibit issuing a retail liquor permit if store is located within one thousand feet from a school, church, library public playground or township park. 9/30/2009 - House State Government Committee (1st hearing)

HB141 HOUSEHOLD SEWAGE (DODD, D) To revise the Household Sewage and Small Flow On-Site Sewage Treatment Systems Law, and to declare an emergency. 6/17/2009 - House Environment and Brownfield Development, (Second Hearing)

HB143 TRAFFIC LAW PHOTO-MONITORING DEVICES (COMBS, C) To prohibit the use by the State Highway Patrol, counties, and townships of traffic law photo-monitoring devices. 5/27/2009 - House Criminal Justice (1st hrg)

HB146 STATE EMPLOYEE HEALTH INSURANCE PLAN (HAGAN, R) To allow counties to participate in a state employee health insurance plan sponsored by the Department of Administrative Services. 5/6/09 - Referred to Insurance Committee

HB148 9-1-1 SYSTEM UPDATES (MILLER, E) To require certain technological improvements and updates for 9-1-1 systems in Ohio. 5/6/2009 Public Safety and Homeland Security Committee

HB153 REGIONAL WATER/SEWER DISTRICTS (YUKO, K) To authorize regional water and sewer districts to establish police departments. 6/10/2009 - House Local Government / Public Administration Committee

HB166 TRANSPORTATION INNOVATION AUTHORITIES (CARNEY, J) To authorize the creation of transportation innovation authorities by specified governmental entities and to establish the powers and duties of such authority 11/18/2009 - House Transportation and Infrastructure, (Fourth Hearing)

HB195 PARK COMMISSIONERS (SLESNICK, S) To authorize the dissolution of a municipal board of park commissioners. 6/3/2009 House Local Government

HB203 CONCEALED CARRY (BUBP, D) To allow a concealed carry licensee who is not consuming liquor and is not under the influence to carry a concealed handgun in a retail food establishment or food service operation with any class liquor permit issued for the location. 11/5/2009 - House Public Safety and Homeland Security (First Hearing)

HB220 LOCAL GOVERNMENT PUBLIC NOTICE TASK FORCE RECOMMENDATIONS (CHANDLER, K) To implement the recommendations of the Local Government Public Notice Task 6/17/2009 House Local Government

HB246 PUBLIC SAFETY-DISABILITY (YUKO, K) To provide that a firefighter, police officer, or public emergency medical services worker disabled as result of specified types of cancer or certain contagious diseases is presumed to have incurred disease while performing official duties. 11/17/2009 House Aging (First Hearing)

HB261 DRIVING (DEBOSE, M) To prohibit driving a vehicle while text messaging or typing on a mobile communication device and to establish the violation as a secondary traffic offense. 11/5/2009 - House Public Safety and Homeland Security (First)

HB262 TRAFFIC OFFENSES (DEBOSE, M) To prohibit driving a vehicle while text messaging on a mobile communication device 11/5/2009 House Public Safety and Homeland Security

HB266 DRIVING (KOZIURA, J) To generally prohibit driving a vehicle while using a handheld or manually operated mobile communication device. 11/19/09 House Public Safety and Homeland Security (First Hearing)

HB271 PERS BARGAINING LAW (PATTEN, M) To modify coverage of the Public Employees' Collective Bargaining Law with respect to township fire departments. 11/17/2009 - House Commerce and Labor

HB276 TELEPHONE COMPANY REGULATION (SAYRE, A) To revise state regulation of telephone companies, remove telegraph companies from utility regulation, and revise law concerning confidential information of public utilities. 11/10/2009 - House Public Utilities (Fourth Hearing)

HB280 SPECIAL ELECTION (STAUTBERG, P) To authorize a special election on December 8, 2009, exclusively for the purpose of allowing certain municipal corporation property tax levies. 11/5/2009 - Senate Finance

HB296 MUNICIPALLY-ADMINISTERED CONSTRUCTION (WILLIAMS, S) To require contractors for certain municipally administered construction projects and for certain state-assisted classroom facilities projects to comply with certain municipal ordinances regarding use of local residents/ businesses. 10/14/2009 - House State Government

HB301 ADVANCED ENERGY FUND (FOLEY, M) To replace the current Advanced Energy Fund revenue rider on retail electric distribution service rates with a new rider that will terminate on January 1, 2025 and permit aerospace institutes to receive fund money. 11/17/2009 - House Alternative Energy

HB303 MAYOR'S COURTS (DYER, S) To authorize the Attorney General to dissolve a mayor's court that is operating in violation of statutory population, training, or registration requirements. 11/18/2009 - House Judiciary (First Hearing)

HB313 COUNTY LAND REUTILIZATION (UJVAGI, P) To authorize a county with a population greater than 100,000, or a population between 78,000 and 81,000, to organize a county land reutilization corporation, 11/18/2009 - House Local Government /Public Administration (Third Hearing)

HB318 INCOME TAX FREEZE (SYKES, V) To postpone for two years the last of five scheduled income tax rate reductions, to reduce salaries of General Assembly members by five per cent, and to make conforming amendments. 11/18/2009 - Senate Finance (Fifth Hearing)

HB326 ESTATE TAX (HOTTINGER, J) To reduce the estate tax, to authorize townships and municipal corporations, or electors thereof by initiative, to exempt from the estate tax any estate property located in the municipal corporation 11/4/09 House Ways and Means, (First Hearing)

HB335 COURT FEES (COMBS, C) To require that certain fees paid by parties in a municipal court that is not a county operated municipal court and that appoints counsel for indigent defendants in a certain manner be transmitted to the municipal corporation treasurer. 11/18/09 - House Judiciary (First Hearing)

HB336 POLITICAL SUBDIVISION OFFICE HOLDERS (GARRISON, J) To prohibit an elected officer of a political subdivision or a candidate for an elective office of a political subdivision from accepting contributions from an employee of that subdivision. 10/28/2009 Introduced

HR20 ECONOMIC GROWTH (PATTEN, M) To create the Compact with Ohio Cities Task Force to help cities compete for residents and jobs, and to stimulate economic growth. 4/1/2009 - ADOPTED BY HOUSE

SENATE BILLS

SB1 BUILDING OHIO JOBS PART II (HUGHES, J) Allocates the remaining \$340 million of targeted investments identified last session as part of the \$1.57 billion bipartisan economic stimulus package. 3/5/2009 Senate Finance

SB2 FEDERAL INFRASTRUCTURE FUNDING (CAREY, JR., J) Provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 3/18/2009 Senate Finance

SB4 PERFORMANCE AUDITS FOR REGULATORY AGENCIES (SCHAFER, T) Conduct performance audits of the Bureau of Workers' Compensation, Environmental Protection Agency, Department of Natural Resources, Department of Agriculture, and Department of Health. 10/27/2009 - Senate State and Local Government (Third Hearing)

SB7 FRAUD REPORTING SYSTEM (WAGONER, M) Establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials. 5/6/2009 State Government Committee

SB13 FORECLOSURE ACTIONS (MILLER, D) Require a clerk of courts to notify tenants when a foreclosure action is filed, to prepare a publication to assist owners and tenants of foreclosed properties. 6/24/2009 - Senate Judiciary (Sixth Hearing)

SB14 HOME INSPECTORS (MILLER, D) To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors. 3/10/2009 - Senate Insurance, Commerce and Labor, (First Hearing)

SB18 ENVIRONMENTAL LAWS (GIBBS, B) To require the proceeds of fines paid by certain political subdivisions under environmental laws to be expended by the state in the county that incurred the fine and require proceeds deposited in GRF. 3/3/2009 - Senate Finance (Second Hearing)

SB26 MUNICIPAL CORPORATIONS (SCHAFER, T) To require municipal corporations with more than \$100 million in annual income tax collections to provide a tax credit to non resident taxpayers. 11/18/2009 - Senate Ways and Means (Third Hearing)

SB31 EMPLOYEE ORGANIZATION/BARGAINING UNIT (PATTON, T) To create a testimonial privilege for communication between a representative of an employee organization and a bargaining unit member. 6/10/2009 - Senate Judiciary (2nd Hearing)

SB34 HEALTH INSURANCE PROGRAMS (MILLER, D) To create a health insurance program that allows municipal corporations, or associations to purchase for their employees the same policies provided to state employees. 3/31/2009 - Senate Insurance, Commerce and Labor, (First Hearing)

SB52 EXECUTIVE BRANCH-STATE GOVERNMENT (GRENDALL, T) To reorganize the executive branch of state government. 10/27/2009 - Senate State and Local Government (Sixth Hearing)

SB53 RESIDENTIAL FORECLOSURE TRACKING SYSTEM (MILLER, D) Require Director of Commerce to establish a residential foreclosure tracking system and prepare an annual report on residential foreclosure filings and sales in each county. 3/10/2009 - Senate Finance (Third Hearing)

SB62 RETAIL LIQUOR PERMITS (TURNER, N) Prohibit issuance of a retail liquor permit or entering into an agency liquor contract if the permit location or liquor agency store is proposed to be located within 500 feet from a school, church, library, playground, or township park. 4/28/2009 - Senate Agriculture, (First Hearing)

SB65 TRAFFIC LAWS (SCHAFER, T) Provide for increased penalties when a person violates the motor vehicle traffic law assured clear distance ahead or commits a failure to yield of right-of-way offense that results in serious physical harm or death to another person. 10/21/2009 - Senate Judiciary - Criminal Justice Committee (2nd hearing)

SB66 FIREFIGHTERS (FABER, K) Provide health insurance benefits to dependents of volunteer firefighters killed in the line of duty. 3/31/2009 - Senate Insurance, Commerce and Labor, (Second Hearing)

SB78 STATE INFO DATABASE (COUGHLIN, K) Require state employee pay, agency expenses, and tax credit issuances to be published and accessible through one internet web site. 9/22/2009 - Senate Finance (1st hearing)

SB83 PERS BENEFITS (FABER, K) To exclude certain compensation when determining retirement benefits under the Public Employees Retirement System. 4/28/2009 - Senate Health (Third Hearing)

SB85 WATER-POLITICAL SUBDIVISIONS (STEWART, J) Authorize certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of a water storage tank through a professional service contract under specified conditions. 9/30/2009 – House State Government (1st hearing)

SB88 MILITARY LEAVE (FEDOR, T) Grant annual military leave of up to 768 hours to firefighters and other public employees who do not work a traditional workweek and to entitle these employees to use such leave to cover a work shift used to perform military service. 4/21/2009 Insurance, Commerce and Labor Committee

SB94 POLICE/ FIRE-FIGHTER/EMS WORKERS (PATTON, T) Provide that firefighter, police officer, public emergency medical services worker who is disabled as result of certain cancer or contagious or infectious diseases is presumed to have incurred disease while performing official duties. 6/9/2009 - Senate Insurance, Commerce and Labor, (First Hearing)

SB99 COUNTY GOVERNMENT (GRENDALL, T) Permit alternate form of county government in a county having a population of 1.2 million or more to have a county council, an elected fiscal officer, appointed county engineer, county information officer, coroner, and sheriff. 4/21/2009 State and Local Government Committee

SB104 MILITARY LEAVE-PUBLIC EMPLOYEES (FABER, K) Grant annual military leave of up to 408 hours to firefighters and public employees who do not work a traditional 40 hour work week and allow them to use leave to cover an entire work shift any part of which was used for military service. 9/22/2009 - Senate Insurance, Commerce and Labor Committee

SB105 BROADCASTING 9-1-1 CALLS (PATTON, T) To prohibit broadcasting an actual 9-1-1 call that has been made available as a public record and to prescribe a penalty 6/9/2009 - Senate State and Local Government (First Hearing)

SB113 TRAFFIC SIGNS (PATTON, T) To authorize the use of traffic signs warning of the presence of a child with a disability. 6/10/2009 - Senate Highways and Transportation Committee

SB129 PUBLIC EMPLOYEES' BARGAINING LAW (STRAHORN, F) To eliminate an exemption from the Public Employees' Collective Bargaining Law for specified educational employees. 9/22/2009 – Senate Insurance Commerce and Labor

SB148 MUNICIPAL CORPORATIONS DEFICIT (TURNER, N) To authorize municipal corporations to have a deficit in special funds under certain circumstances. 11/18/09 Senate Ways and Means and Economic Development

SB162 TELEPHONE COMPANIES (BUEHRER) To revise state regulation of telephone companies and revise law concerning confidential information of public utilities. 10/13/2009 – Senate Energy and Public Utilities (Fourth Hearing)

SB165 OIL AND GAS LAW (NIEHAUS, T) To revise the Oil and Gas Law. 11/4/2009 Senate Environment and Natural Resources (Fourth Hearing)

SB168 INVESTIGATIVE SUBPOENAS (HUGHES, J) To authorize the prosecuting attorney of a county or chief legal officer of a municipal corporation to issue an investigative subpoena for any criminal offense. 10/21/2009 - Senate Judiciary - Criminal Justice, (First Hearing)

SB177 TAX LAW CHANGES (SEITZ, B) To partially decouple Ohio law from recent tax law changes, and to make appropriations. 11/5/2009 - Senate Finance (Second Hearing)

SB196 OIL AND GAS LAW (GRENDALL, T) To revise the Oil and Gas Law; 11/18/2009 - Senate Environment and Natural Resources, (First Hearing)




CITY OF KENT, OHIO

DEPARTMENT OF ECONOMIC DEVELOPMENT

Date: November 23, 2009

To: David Ruller, City Manager
David Coffee, Finance Director
Gary Locke, CD Director

From:  Dan Smith, Economic Development Director

Subject: Update Abison, Inc. RLF Application and Loan Appropriation

On November 18, the RLF committee met to reconsider the Abison RLF application that had been approved for funding in October. The original application, a \$50,000 two-year bridge loan that will work in conjunction with a State of Ohio IOF (Innovation Ohio Loan Fund) to expand their software company at the Martinel Incubator site (former home of Alpha Micron), was approved in the company's name, Abison, Inc. Scott Karlo, President of Abison, respectfully resubmitted the application requesting the loan to be made to FLI Diversified Investments, LLC.

Conditional approval has been granted if they meet the following conditions: 1) finalize the State's IOF loan with the Controlling Board, 2) personally guarantee the loan with mortgages and add Abison, Inc. as an additional guarantor, 3) sign the lease with the KRBA to move into the Kent facility. The company will employ 12 full-time and one part-time after the expansion is complete.

The amount of the loan, to be taken from RLF fund #1 (UDAG Account, Fund 820) is \$50,000. They have an \$840,000 commitment from State of Ohio and another \$50,000 commitment from private investors.

Per my previous memo, the funds area currently available in the RLF 1 account and have been appropriated for use in 2009.

**KENT POLICE DEPARTMENT
OCTOBER 2009**

	OCTOBER 2008	OCTOBER 2009	TOTAL 2008	TOTAL 2009
CALLS FOR SERVICE	1787	1908	18699	18823
FIRE CALLS	368	404	3597	3362
ARRESTS, TOTAL	227	235	2287	2090
JUVENILE ARRESTS	17	28	187	175
O.V.I. ARRESTS	14	30	246	274
TRAFFIC CITATIONS	264	328	3156	3185
PARKING TICKETS	161	350	3073	3469
ACCIDENT REPORTS	81	84	633	667
Property Damage	53	54	342	415
Injury	6	16	97	90
Private Property	18	11	147	134
Hit-Skip	4	3	47	28
OVI Related	0	1	17	15
Pedestrians	0	0	7	6
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	0	0
Rape	1	1	6	9
Robbery	0	0	18	12
Assault Total	27	17	229	215
Serious	5	3	33	32
Simple	22	14	196	183
Burglary	18	15	140	105
Larceny	57	52	376	361
Auto Theft	2	1	31	24
Arson	3	0	39	32
TOTAL	108	86	839	758
CRIME CLEARANCES				
Homicide	0	0	0	0
Rape	0	0	1	2
Robbery	0	0	8	6
Assault Total	13	11	100	134
Serious	1	0	10	18
Simple	12	11	90	117
Burglary	1	3	11	12
Larceny	3	13	43	59
Auto Theft	0	0	7	4
Arson	1	0	3	6
TOTAL	18	27	173	223