

**OHIO COURT OF CLAIMS
PUBLIC RECORDS ACCESS
FORMAL COMPLAINT**

RECEIVED
JUN 16 2021
COURT OF CLAIMS, CLERK

Ohio Court of Claims
65 South Front Street, 3rd Floor
Columbus, Ohio 43215
(614) 387-9800
www.ohiocourtclaims.gov

OCC Form Rev. ()

INSTRUCTIONS: This form is to be used only when filing complaints under Ohio Revised Code 2743.75(D). All information provided may be disclosed pursuant to Ohio Public Records Act, O.R.C. 149.43.

PLEASE TYPE OR PRINT

2021-00330 PQ

FILED
JUN 16 2021
COURT OF CLAIMS OF OHIO

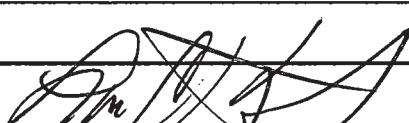
CLAIMANT CONTACT INFORMATION			
Name of person or organization that made public records request (last, first, middle initial or organization name) Loren C. Sengstock			
c/o (contact person if claimant is an organization)			
Address 2226 Manoa Rd	City Toledo	State Ohio	Zip Code 43615-2402
Telephone number (330) 888-9459	E-mail address lcsengstock@yahoo.com		

PUBLIC OFFICE CONTACT INFORMATION			
Name of public office City of Twinsburg			
Address (number and street) 10075 Ravenna Rd	City Twinsburg	State Ohio	Zip Code 44087
County Summit	Telephone number (330) 963-6248	E-mail address DMAistros@twinsburg.oh.us	
Name of public official who responded to records request (if no response made, state "None") David Maistros, Law Director			

COMPLAINT
Please describe how access to public records was denied in violation of R.C. 149.43(B) (see codes.ohio.gov/orc/149.43). Attach additional sheets if necessary. Give the date of each request, and be specific as to what records have not been provided.
On April 22, 2021 my request for public records, including the Departmental Payroll Register as of 12/31/2020 (# 2 Record Request) was received on 5/20/21 with the 'minor employee names' and various payroll deductions redacted (see attachments). On 5/26/21 I sought legal authority for redacting 'minor names' and departmental and report totals for various deductions; the Law Director, David Maistros responded on June 1, 2021, redactions had no legal prohibition in ORC and my request to remove redacted data was denied and was informed to pursue court action; that denial is my primary reason for this complaint.

REQUIRED ATTACHMENTS OR INFORMATION
Attach <input checked="" type="checkbox"/> typed original public records request, and <input checked="" type="checkbox"/> copies of any and all written responses or other communications relating to the request from the public office. If the request and/or denial was verbal, provide a detailed description below of the verbal communication with the public office. Attach additional sheets if necessary.

Sample pages of the payroll report showing the redacted data are attached.

Signature 	Date (mm/dd/year) June 10, 2021
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Public Records Request - Financial Report(s)

1

From: Loren Sengstock (lcsengstock@yahoo.com)
To: scollins@twinsburg.oh.us
Cc: sbuccigross@twinsburg.oh.us; dmaistros@twinsburg.oh.us
Date: Thursday, April 22, 2021, 09:43 AM EDT

Shannon -

Please consider this a public records request for the following financial report(s):

- 1.) Account Trend (5 yr history) report for all funds both revenue & expenditures for 1/1/2014 -12/31/2020;
- 2.) Departmental Payroll Register as of 12/31/2020;
- 3.) RITA Distribution report for 1/1/2018 - 12/31/2020;
- 4.) Capital Assets Listing Report as of 12/31/2020;
- 5.) Vendor Audit Trail Report as of 12/31/2020;
- 6.) Employee Health Insurance Plan Costs Options report as of 12/31/2020.

If any of the document(s) requested is not a public record, please state the section of Law and reasons in writing. If you have any questions, please contact me.

Loren Sengstock

2226 Manoa Road
Toledo, OH 43615-2402
Cell: 330-888-9459 - Loren

Citizen Auditors of Ohio Website: <https://www.citizenauditorohio.com>

RE: Public Records Request - Financial Report(s)

From: Collins, Shannon (scollins@twinsburg.oh.us)
To: lcsengstock@yahoo.com
Cc: sbuccigross@twinsburg.oh.us; dmaistros@twinsburg.oh.us
Date: Thursday, April 22, 2021, 03:49 PM EDT

2

Hi Loren,

Your request has been received and the Finance Department has it. Due to the nature of some of the documents, they will need to be reviewed for redaction. They anticipate that we will be able to provide the documents on or before 5/14/2021.

Have a nice day.

Shannon Collins

Clerk of Council

10075 Ravenna Road

Twinsburg, Ohio 44087

Phone (330) 963-6288

Fax (330) 963-6251

scollins@twinsburg.oh.us



From: Loren Sengstock [mailto:lcsengstock@yahoo.com]
Sent: Thursday, April 22, 2021 9:43 AM
To: Collins, Shannon <SCollins@TWINSBURG.oh.us>
Cc: Buccigross, Sarah <SBuccigross@TWINSBURG.oh.us>; Maistros, David <DMAistros@TWINSBURG.oh.us>
Subject: Public Records Request - Financial Report(s)

Shannon -

Please consider this a public records request for the following financial report(s):

RE: Public Records Request - Financial Report(s)

From: Collins, Shannon (scollins@twinsburg.oh.us)
To: lcsengstock@yahoo.com
Cc: sbuccigross@twinsburg.oh.us; dmaistros@twinsburg.oh.us
Date: Tuesday, May 11, 2021, 05:12 PM EDT

3

Loren,

Please find documents that were requested attached along with the notes below from Sarah.

The attached zip file contains documentation for all except #2. I'm still working on the redactions for that one.

I don't have a report that matches up to the exact title of #6. I included the employee healthcare plan selection sheet for last year. If that doesn't complete the request I'd just need a little more information on what data he's requesting.

Have a great day!

Shannon Collins

Clerk of Council

10075 Ravenna Road

Twinsburg, Ohio 44087

Phone (330) 963-6288

Fax (330) 963-6251

scollins@twinsburg.oh.us



From: Collins, Shannon
Sent: Thursday, April 22, 2021 3:49 PM
To: 'Loren Sengstock' <lcsengstock@yahoo.com>
Cc: Buccigross, Sarah <SBuccigross@TWINSBURG.oh.us>; Maistros, David <DMAistros@TWINSBURG.oh.us>
Subject: RE: Public Records Request - Financial Report(s)

RE: Public Records Request - Financial Report(s)

From: Collins, Shannon (scollins@twinsburg.oh.us)
To: lcsengstock@yahoo.com
Cc: sbuccigross@twinsburg.oh.us; dmaistros@twinsburg.oh.us
Date: Thursday, May 20, 2021, 08:40 AM EDT

4

Loren,

Attached is the last of the items you requested. See Sarah's note below.

Redactions have been made for personal employee information which I believe falls under "items that do not document the activities of the public office". It also has been redacted for underage employee names.

Have a good day!

Shannon Collins

Clerk of Council

10075 Ravenna Road

Twinsburg, Ohio 44087

Phone (330) 963-6288

Fax (330) 963-6251

scollins@twinsburg.oh.us



From: Collins, Shannon
Sent: Tuesday, May 11, 2021 5:12 PM
To: 'Loren Sengstock' <lcsengstock@yahoo.com>
Cc: Buccigross, Sarah <SBuccigross@TWINSBURG.oh.us>; Maistros, David <DMAistros@TWINSBURG.oh.us>
Subject: RE: Public Records Request - Financial Report(s)

Loren,

Re: Public Records Request - Financial Report(s)

From: Loren Sengstock (lcsengstock@yahoo.com)
To: scollins@twinsburg.oh.us
Cc: sbuccigross@twinsburg.oh.us; dmaistros@twinsburg.oh.us
Date: Wednesday, May 26, 2021, 05:23 PM EDT

3

Shannon -

Thank you for the records requested.

Sarah -

In reviewing the Sunshine Law(s) I am unable to find anything allowing the redaction of minor(s) names from payroll records, please provide the ORC section(s) being invoked for this issue; also, I cannot find anything in the laws allowing redaction of department totals or grand totals which obviously do not reference any individual, so please also provide the ORC section(s) allowing the redactions at the department and grand totals of reports. Thank you for your cooperation in this matter.

If there are any questions, please contact me.

Loren & Cindy Sengstock

2226 Manoa Road
Toledo, OH 43615-2402

Cell: 330-888-9459 - Loren
330-888-9460 - Cindy

Citizen Auditors of Ohio Website: <https://www.citizenauditorohio.com>

On Thursday, May 20, 2021, 08:40:35 AM EDT, Collins, Shannon <scollins@twinsburg.oh.us> wrote:

Loren,

Attached is the last of the items you requested. See Sarah's note below.

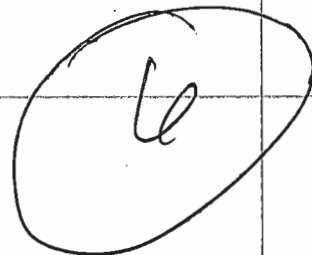
Redactions have been made for personal employee information which I believe falls under "items that do not document the activities of the public office". It also has been redacted for underage employee names.

Have a good day!

Shannon Collins
Clerk of Council
10075 Ravenna Road
Twinsburg, Ohio 44087
Phone (330) 963-6288
Fax (330) 963-6251
scollins@twinsburg.oh.us

RE: Public Records Request - Financial Report(s)

From: Maistros, David (dmaistros@twinsburg.oh.us)
To: lcsengstock@yahoo.com; scollins@twinsburg.oh.us
Cc: sbuccigross@twinsburg.oh.us
Date: Tuesday, June 1, 2021, 04:22 PM EDT



Mr. Sengstock... please accept this correspondence as the City's response to your request for disclosure of the names of children employed by the City of Twinsburg.

The City determined that it was in the best interests of the children to not release their names as part of a public records request made by you. Although the Sunshine Law does not specifically prohibit the release of children's names from a records request, the decision was made to hold the privacy of children to a higher standard as compared to the adult employees. Some of our part-time and seasonal employees are as young as 16 years old. We believe that it is prudent to protect their identity from potential harm that could come to them by publishing their names and positions with the City.

Your request was for the "payroll registry" and you were provided that document. The City provided you documentation of the number of employees, the wages they earned and the department that they served. Disclosure of the **names of minors** that worked at the outdoor waterpark or summer day camp does not further any public interest in your desire to ensure governmental accountability. Furthermore, the City has an obligation to our minor employees and their parents to protect their children's personal identifiers. Disclosure of personal information of children creates an unnecessary risk of harm to them that does not serve the purpose of the Sunshine Law.

If you disagree with the City's position in this regard you can certainly pursue redress through the courts.

David M. Maistros

Law Director

City of Twinsburg

10075 Ravenna Road

Twinsburg, Ohio 44087

330-963-6248

DMAistros@twinsburg.oh.us

**Register for Month Quarter and Year
As of Check Date: 12/31/2020**

Deductions	MTD		QTD		YTD	
	Gross	Deduction	Gross	Deduction	Gross	Deduction
PERS PENSION(def)	\$93,206.70	\$9,320.66	\$205,912.57	\$20,591.25	\$761,265.49	\$76,126.55
FEDERAL TAX	\$80,330.32	\$9,515.49	\$184,689.24	\$23,056.82	\$668,557.50	\$78,449.49
MEDICARE	\$92,020.98	\$1,334.32	\$210,910.49	\$3,058.19	\$766,574.05	\$11,115.29
OH STATE TAX	\$80,330.32	\$2,249.37	\$184,689.24	\$5,302.35	\$668,557.50	\$18,453.87
RITA - TWINSBURG	\$91,534.98	\$1,830.67	\$210,372.74	\$4,207.41	\$766,036.30	\$15,320.64
Department Wages:	4,224.25	\$94,262.86	10,023.52	\$217,183.27	36,884.52	\$805,028.93
Department Deductions:		\$29,801.80		\$69,992.98		\$265,841.99
Department Net:		\$64,461.06		\$147,190.29		\$539,186.94

Department: 1149 COMMUNICATIONS - PART TIME

Name: MOHR, SHAWN

Status: TERMINATED

Job: 1149432 PT COMMUNICATIONS/DISPATCH
 Department: 1149 COMMUNICATIONS - PART TIME
 Start Date: 09/29/2019
 Term Date: 01/15/2020
 Term Reason: Quit

PT
 No
 Salary: \$0.00
 Hourly Rate: \$18.45
 Hours in Period: 2080
 Shift: 0

Wages	MTD		QTD		YTD	
	Hours	Amount	Hours	Amount	Hours	Amount
R- REGULAR	0.00	\$0.00	0.00	\$0.00	110.50	\$2,020.72
Wage Totals:	0.00	\$0.00	0.00	\$0.00	110.50	\$2,020.72

Deductions	MTD		QTD		YTD	
	Gross	Deduction	Gross	Deduction	Gross	Deduction
PERS PENSION(def)	\$0.00	\$0.00	\$0.00	\$0.00	\$2,020.72	\$202.07
FEDERAL TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$1,818.65	\$167.97
MEDICARE	\$0.00	\$0.00	\$0.00	\$0.00	\$2,020.72	\$29.30
OH STATE TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$1,818.65	\$32.50
RITA - TWINSBURG	\$0.00	\$0.00	\$0.00	\$0.00	\$2,020.72	\$40.41
Deduction Totals:		\$0.00		\$0.00		\$472.25

MOHR, SHAWN Net: \$0.00 \$0.00 \$1,548.47

Department: 1149 COMMUNICATIONS - PART TIME Total:

Wages	MTD		QTD		YTD	
	Hours	Amount	Hours	Amount	Hours	Amount
R- REGULAR	0	\$0.00	0	\$0.00	110.5	\$2,020.72

Deductions	MTD		QTD		YTD	
	Gross	Deduction	Gross	Deduction	Gross	Deduction
PERS PENSION(def)	\$0.00	\$0.00	\$0.00	\$0.00	\$2,020.72	\$202.07
FEDERAL TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$1,818.65	\$167.97
MEDICARE	\$0.00	\$0.00	\$0.00	\$0.00	\$2,020.72	\$29.30
OH STATE TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$1,818.65	\$32.50
RITA - TWINSBURG	\$0.00	\$0.00	\$0.00	\$0.00	\$2,020.72	\$40.41

**Register for Month Quarter and Year
As of Check Date: 12/31/2020**

Department: 1060 SERVICE Total:

	MTD		QTD		YTD	
	Hours	Amount	Hours	Amount	Hours	Amount
Department Wages:	9,725.25	\$269,471.33	20,458.00	\$595,234.13	81,749.80	\$2,317,747.41
Department Deductions:		\$88,455.37		\$198,212.27		\$812,703.06
Department Net:		\$181,015.96		\$397,021.86		\$1,505,044.35

Department: 1160 SERVICE - PART TIME Total:

	MTD		QTD		YTD	
	Hours	Amount	Hours	Amount	Hours	Amount
Department Wages:	141.50	\$1,996.50	362.75	\$5,128.82	1,071.00	\$15,139.40
Department Deductions:		\$741.58		\$1,798.47		\$4,822.20
Department Net:		\$1,254.92		\$3,330.35		\$10,317.20

Department: 5160 SEWER Total:

	MTD		QTD		YTD	
	Hours	Amount	Hours	Amount	Hours	Amount
Department Wages:	6,388.75	\$181,265.91	14,853.50	\$417,101.32	59,223.06	\$1,629,791.53
Department Deductions:		\$59,505.54		\$138,820.53		\$560,104.64
Department Net:		\$121,760.37		\$278,280.79		\$1,069,686.89

Register Grand Totals:

	MTD		QTD		YTD	
	Hours	Amount	Hours	Amount	Hours	Amount
Wages						
M- MIDNIGHTS	3298.25	\$10,624.21	6879.5	\$22,221.32	28817.5	\$92,730.58
A- AFTERNOONS	4301.75	\$6,906.32	9441.5	\$15,191.94	38469.25	\$61,794.45
R- REGULAR	34292	\$1,124,646.51	86214	\$2,791,657.77	334213.01	\$10,499,128.18
S- SICK LEAVE	1693.3	\$56,689.05	4159.05	\$142,532.72	19753.55	\$638,942.50
SC- SL CREDIT	0	\$0.00	0	\$0.00		\$115.72
V- VACATION	2591.5	\$97,330.53	6041	\$223,211.76	26513.75	\$946,555.93
PV- PREFER VACATION	18	\$712.95	42	\$1,628.39	143.5	\$5,755.52
H- HOLIDAY	2942.5	\$100,357.65	3787	\$129,449.32	13939.5	\$470,487.64
PH- PREFER HOLIDAY	41	\$1,369.89	154.5	\$5,030.13	554	\$18,441.90
h- HOLIDAY WORKED	1300	\$67,545.23	1300	\$67,545.23	5258	\$268,634.64
P- PERSONAL	351.25	\$11,826.94	611	\$20,623.92	2310	\$79,542.12
Y- COMP USED	482	\$16,587.76	1266.5	\$43,713.96	3874.875	\$134,800.75
W- CANCER SCREEN	3	\$87.16	9	\$260.67	36.5	\$1,234.03
C- COMPASSIONATE	146.75	\$4,577.70	250.75	\$8,586.77	830	\$28,172.76
I- INJURY LEAVE	696	\$25,741.08	1424	\$52,003.19	2673	\$100,030.69
IP- INSTRUCTOR PAY	18	\$703.94	53	\$2,282.59	180.5	\$7,958.76
L- ACT LT/CAPTAIN	484.25	\$17,011.24	1276.75	\$41,636.70	7165	\$243,116.32
D- OIC	110.75	\$4,060.58	489.5	\$20,022.57	1504.25	\$61,012.17
sw- SWIM LESSONS	29.5	\$442.50	56	\$840.00	207.62	\$2,924.85
MP- MILITARY PAY	0	\$0.00	0	\$0.00	80	\$2,507.20
O- OVERTIME OT	902	\$48,306.17	1865	\$102,119.80	6113.75	\$315,389.16
O1-OT PD STRAIGHT	18.5	\$561.81	18.5	\$561.81	48.5	\$1,574.57
Q- 2.25 HOL PAY OT	40	\$3,036.21	40	\$3,036.21	103	\$7,761.82
K- COMP EARNED-(ot)	599.25	\$0.00	1433	\$0.00	4577.25	\$698.02
c- COURT PAY (ot)	8	\$491.91	24	\$1,309.56	166.25	\$9,321.97
db- Det Bur Pay	0	\$200.00	0	\$600.00	160	\$1,550.00
CC- CREDIT CARD TIPS	0	\$0.00	0	\$0.00	0	\$9,935.54
Bp-Comp Time Paid (pers)	0	\$0.00	77.375	\$1,966.70	719.24	\$20,603.84
l- Longevity	0	\$0.00	0	\$1,996.54	0	\$5,473.48
B- COMP TIME PD (Pol&Fire)	0	\$0.00	782	\$25,633.41	2771.5135	\$93,987.77
zz-e- COMP EARNED	0	\$0.00	0	\$0.02	0	\$1,078.02
U- RETRO PAY	0	\$0.00	0	\$7,917.80	313	\$77,999.34
N- UNIF ALLOW	0	\$300.00	0	\$300.00	1	\$117,250.00
E- ED/TRAINING PAY (OP&F)	0	\$0.00	0	\$24,150.00	0	\$25,150.00
ZR-SL PAYOUT RETIREMENT	0	\$0.00	209.66	\$3,266.00	3364.21	\$53,570.00
Z- SL PAY OUT	1264	\$27,310.84	1264	\$27,310.84	1264	\$27,310.84
ZH-SL P/O TO HSA	0	\$0.00	0	\$0.00	7916.25	\$284,694.91

Register for Month Quarter and Year

As of Check Date: 12/31/2020

VP-VAC PAY OUT	0	\$0.00	400.98	\$12,131.28	3347.52	\$106,110.72
o- OPT-OUT PAY	0	\$9,236.96	0	\$27,710.88	160	\$111,805.84
hd-HAZ DUTY	0	\$0.00	0	\$0.00	0	\$600.00
HP- HOL PAYOUT	2450.5	\$93,555.89	2458.5	\$93,788.84	2763.5	\$104,997.60
E- ED/TRAINING PAY (OPERS)	0	\$0.00	0	\$0.00	0	\$1,250.00

Deductions	MTD		QTD		YTD	
	Gross	Deduction	Gross	Deduction	Gross	Deduction

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FIRE PENSION	\$320,771.47	\$39,294.48	\$759,173.46	\$92,998.72	\$2,684,270.62	\$328,823.22
PERS PENSION(def)	\$915,774.56	\$91,577.29	\$2,095,474.36	\$209,524.65	\$8,103,269.14	\$810,280.98
POL. PENSION	\$451,438.89	\$55,301.26	\$945,234.32	\$115,791.20	\$3,286,344.52	\$402,577.20

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FEDERAL TAX	\$1,459,628.39	\$162,125.64	\$3,279,398.33	\$363,266.92	\$12,305,003.92	\$1,360,455.09
FEDERAL TAX, Zero	\$1,868.32	\$82.90	\$5,293.47	\$250.33	\$21,866.59	\$1,083.86
FICA WITH.	\$16,971.44	\$1,052.24	\$37,164.72	\$2,307.33	\$173,166.56	\$10,739.48

MEDICARE	\$1,680,647.32	\$24,369.36	\$3,780,109.47	\$54,811.46	\$14,122,717.12	\$204,779.32

OH STATE TAX	\$1,461,496.71	\$41,206.89	\$3,284,691.80	\$91,862.24	\$12,326,009.09	\$341,821.92
RITA - TWINSBURG	\$1,700,598.80	\$34,011.88	\$3,838,032.76	\$76,770.05	\$14,401,899.53	\$288,131.70

Grand Total Wages:	57,482.80	\$1,730,221.03	130,595.07	\$3,922,238.64	515,823.79	\$15,042,000.15
Grand Total Deductions:		\$572,970.89		\$1,316,587.95		\$5,249,620.10
Grand Total Net:		\$1,157,250.14		\$2,605,650.69		\$9,792,380.05

Pension Pickups	MTD		QTD		YTD	
	Gross	Deduction	Gross	Deduction	Gross	Deduction
HSA - CITY CONTRIBUTION	\$1,900.00	\$125.00	\$7,654.24	\$875.00	\$14,503.98	\$2,450.00
Grand Total Pickups		\$125.00		\$875.00		\$2,450.00

Loren Sengstock
2226 Manoa Road
Toledo, OH 43615-2402
Cell Phone: Loren - (330) 888-9459
E-Mail Address: lcsengstock@yahoo.com

June 10, 2021

Ohio Court of Claims
C/o Public Records Complaints
65 South Front Street, 3rd Floor
Columbus, OH 43215

Re: Public Records Denial Complaint – City of Twinsburg

Ohio Court of Claims –

Enclosed herewith are the following document(s) pertaining to a denial of redacted public records on a Departmental Payroll Report from the City of Twinsburg:

1. Ohio Court of Claims – Complaint Form;
2. Check in the amount of \$25.00;
3. Copies of e-mail communications – indicated sequentially by date as 1 thru 6;
4. Sample pages of redacted data on department payroll register

My complaint is that the City of Twinsburg has redacted information such as minor employee name and various deductions which the City has no legal authority to redact. The report does not contain birth dates, social security numbers, or even addresses; however, it is my contention that the public has a right to this information for transparency and accountability of our tax dollars. The reports obtained are being used for public information on the Active Citizens of Twinsburg website (<https://activecitizensoftwinsburg.com/>) to provide a public source for Twinsburg citizens as the City of Twinsburg refuses to release the information on the 'Ohio Checkbook' website. It is my contention that the public has a right to know where their tax dollars are spent for all public employees. The cities implication that the minor names are redacted for privacy and protection seem disingenuous given public school yearbooks that not only have names of minor children but also pictures. Redacting individual employee various deductions may have merit; however, the redacting of departmental totals and grand totals on the report is suspicious and renders the balancing of the reports almost impossible; an example would be how much are the employees contributing to the Healthcare Plans, that is also redacted I believe, but if it is redacted, the public will never know.

If there are any questions, or additional information required for filing this complaint, please contact me.

Sincerely,



Loren Sengstock

Cc: file