

COUNTY OF SUMMIT
REGULAR COUNCIL MEETING MINUTES
February 14, 2011

A Caucus was held prior to the meeting to discuss Agenda items. Council members Comunale, Crawford, Feeman, Kostandaras, Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith were present.

The following items were addressed before Council at the Caucus:

- 2011-073 Heidi Swindell from the Engineer's Office addressed Council. The approximate cost for the County is \$100,000.
- 2011-074 Jennifer Bheam from the Child Support Enforcement Agency addressed Council. This Resolution regarding Senate Bill 195 is urging Senators Brown and Portman to join as sponsors. Bill Roemer inquired as to how much this funding is worth? Jennifer Bheam said it is worth \$2,000,000. The CSEA budget is \$9,000,000.
- 2011-087 Jennifer Bheam from the Child Support Enforcement Agency addressed Council. Summit County was one of three counties in the nation to receive this grant. Ilene Shapiro asked what the amount of the grant is? Jennifer Bheam said it is \$83,000.
- 2011-094 Ken Knodel from Economic Development addressed Council. The County opposes the removal of the ARRA HWAP funding from the State. The money should stay in the County.
- 2011-095 Randy Briggs from the Sheriff's Office and Yamini Adkins from Labor Relations addressed Council. They stated that they would like this passed as soon as possible because it is costing the County money to wait. This will create insurance savings of approximately \$90,000.
- M-012-2011 Jerry Feeman addressed amending Council rules to place Caucus after role call. Mary Ann Kovach from the Prosecutor's Office clarified that this would set a definite time, which would give proper public notice. Tim Crawford wanted clarification of caucus and also does not like the time change from prior years. He would prefer the meetings to start later. John Schmidt requested more time to examine the issue of changing Council Rules. This item will go to Rules Committee.

The Council Regular Meeting was called to order at 05:00 PM in Council Chambers.

ROLL CALL- Present: Mr. Comunale, Mr. Crawford, Mr. Feeman, Mr. Kostandaras, Mr. Poda, Mrs. Prentice, Mrs. Rodgers, Mr. Roemer, Mr. Schmidt, Mrs. Shapiro, Mr. Smith; Absent:

MINUTES FOR APPROVAL: Mr. Kostandaras moved to approve the minutes of the regular Council meeting(s) held January 31, 2011.

Voice Vote on the motion.

Yes: Comunale, Crawford, Feeman, Kostandaras, Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith

The minutes were approved by a vote of 11-0.

ANNOUNCEMENT OF GENERAL INTEREST: Jerry Feeman called for a moment of silence for Andrea Teodosio, the daughter of Judges Tom and Linda Teodosio.

Jerry Feeman also thanked Jon Poda for his service as a member of Council.

Nick Kostandaras gave a commendation to Rick McQueen, President and CEO of Akron Canton

MOTIONS FOR COUNCIL LATE FILINGS

M-012-2011 A Motion of Council amending Council Rule 5.01 to include Caucus in the Order of Business and to establish the start time for all Regular Council Meetings and Caucus.

Movant - Mr. Feeman

Committee Motions for Committee

2011-075 **An Ordinance adopting the classification, classification specification and salary schedule for the exempt unclassified position of Engineer Project Manager #64018, and amending Section 169.03 of the Codified Ordinances, entitled “Ethics In Public Employment”, to include this position under the duties and prohibitions of that code section, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Committee First Readings

2011-076 **A Resolution appropriating funds in the amount of \$38,079.00, including a local cash match requirement in the amount of \$7,615.80, from Motor Vehicle and Gas Tax funds, into a separate capital project fund, for the Continuous Multi Span Bridge Load Project, in Council Districts 1, 2, 4, 5, 7 and 8, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Committee First Readings

2011-077 **A Resolution authorizing appropriation proceedings of property owned by Joseph Weatherby, III, needed for the replacement of the Northampton Road bridge over Mud Run, located in the City of Cuyahoga Falls, Council District 3, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Committee First Readings

2011-078 **A Resolution accepting and approving a resubdivision titled “Glencairn Forest-Chapelton Court-Phase III Re-Plat and Glencoe Clusters-Phase XIII Re-Plat”, located in Richfield Township, Council District 1, for the Executive-Planning Commission and the County Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Committee First Readings

2011-079 **A Resolution appropriating carryover Chrysler Rapid Response stimulus funds from the American Recovery and Reinvestment Act of 2009 (“ARRA”), in the amount of \$73,366.84, for the period 1/1/11 through 6/30/11, for the Executive’s Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Committee First Readings

2011-084 **A Resolution confirming an award by the Board of Control of a purchase order with Montrose Ford for three 2011 Ford Crown Victoria Police Interceptor vehicles, under CUE pricing, in an amount not to exceed \$68,922.72, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Committee First Readings

2011-085 **A Resolution confirming an award by the Board of Control of a purchase order with D&G Uniforms for deputies uniform allowance, per bargaining agreement, as Best Practical Source, in an amount not to exceed \$96,000.00, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Committee First Readings

2011-086 **A Resolution appropriating carryover grant funds received from the State of Ohio Department of Rehabilitation and Corrections for the Community Corrections Act (“CCA”) 407 and 408 grants, in the amount of \$212,949.22, with no local cash match requirement, through 6/30/11, for the Executive’s Department of Law, Public Safety-Justice Affairs Division and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Committee First Readings

2011-090 **A Resolution authorizing the County Executive to execute the third amendment to a lease with Summit Workforce Solutions, subject to the approval of the Board of Control, for approximately 11,713.16 square feet of space in Unit 1 of the condominium unit located at 1040 East Tallmadge Avenue in the City of Akron, in Council District 2, for the use of the Executive's Department of Job and Family Services ("DJFS"), to include an additional approximately 3,600 square feet of unfinished space in the lease for client work participation, for a term from 12/1/10 through 3/31/11, and an additional approximately 498 square feet of space consisting of 8 cubicles for use by Summit County Occupational Program Experience ("SCOPE") staff or a contracted vendor for assessments of clients, for a term from 1/15/11 through 12/31/11, for a new total of 15,811.16 square feet, for total additional rent and utilities not to \$35,940.28 during the terms and up to 3 months of a holdover period, for the Executive's Department of Job and Family Services, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Committee First Readings

2011-091 **A Resolution confirming an award by the Board of Control of a purchase order with Kronos, Inc., for timekeeping software maintenance and support, media upgrades, technical support and time clock hardware maintenance, for the period 3/21/11 to 3/20/12, as Best Practical Source, approved by the IT Board 2/8/11, in an amount not to exceed \$58,332.88, for the Fiscal Officer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Committee First Readings

2011-092 **A Resolution approving the award by the Board of Control of a purchase contract with LexisNexis for printed publications for the Law Library Resources Board in its operation of the Law Library, for 2011, in an estimated amount not to exceed \$29,000.00, as Best Practical Source, for the Law Library Resources Board, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Committee First Readings

2011-093 **A Resolution approving the award by the Board of Control of a purchase contract with Thomson West for printed publications for the Law Library Resources Board in its operation of the Law Library, for 2011, in an estimated amount not to exceed \$27,000.00, as Best Practical Source, for the Law Library Resources Board, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Committee First Readings

Mr. Crawford moved to amend the Agenda to add Late Filings.

Voice Vote on the motion

For: Comunale, Crawford, Feeman, Kostandaras, Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith

The late filings were added to the agenda with a vote of 11-0

The Executive's Office requested the withdrawal of 2011-035.

FIRST READINGS LATE FILINGS

2011-095 **A Resolution authorizing the Executive to execute a collective bargaining agreement between the Summit County Sheriff's Supervisors' Association, the Sheriff and the Executive, for the period 1/1/11 through 12/31/13, for the Executive and the Sheriff, and declaring an emergency.**

FRP Request By Y. Adkins & R. Briggs

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Mr. Schmidt moved to suspend Council Rule 8.01 (A): the requirement of three readings at a Regular Council meeting.

Voice Vote on the motion.

Yes: Comunale, Crawford, Feeman, Kostandaras, Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith

Motion passed - Voice Vote: 11-0

Mr. Schmidt moved to adopt.

Voice Vote on the motion.

Yes: Comunale, Crawford, Feeman, Kostandaras, Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith

Motion passed - Voice Vote: 11-0

Resolution 2011-095 was adopted.

2011-096 **A Resolution authorizing the Executive to execute an Agreement with the City of Tallmadge whereby the County of Summit Division of Building Standards will enforce Part Thirteen of the Codified Ordinances of the County of Summit, entitled "Building Code," which incorporates the 2006 Residential Code of Ohio and the 2007 Ohio Building Code, on behalf of and within the territorial jurisdiction of the City of Tallmadge, for the Executive's Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Committee First Readings

2011-033 **A Resolution appropriating funds in the amount of \$2,257,139.58, for the carryover of capital project funds as of December 31, 2010, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Resolution 2011-033 was adopted.

2011-034 **A Resolution confirming an award by the Board of Control of a professional service contract with M-E Companies for the second renewal for engineering review and right of way task order services, in an amount not to exceed \$105,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Resolution 2011-034 was adopted.

2011-038 **A Resolution authorizing the County Executive to execute a contract with the Ohio State University Extension Services-Summit County, for a grant in the amount of \$117,800.00, for the year 2011, for the Executive's Department of Finance and Budget, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Resolution 2011-038 was adopted.

2011-039 **A Resolution approving the renewal of the Services Agreement between the Northeast Ohio Joint Office of Economic Development ("JOED") and the Northeast Ohio Trade and Economic Consortium ("NEOTEC"), from 1/1/11 through 12/31/11, with the reservation that the automatic annual renewal in Paragraph 1.3 is not authorized, and authorizing the payment directly to NEOTEC of the County's annual JOED contribution of \$25,000.00 to compensate NEOTEC for providing services to JOED for that period, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Resolution 2011-039 was adopted.

- 2011-044 **A Resolution adjusting appropriations by \$5,000.00 within the County of Summit Juvenile Court’s Family Resource Center Grant Program, for the period 1/1/11 through 12/31/11, for the Juvenile Court, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-044 was adopted.
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- 2011-045 **A Resolution authorizing the County Executive to execute any documents necessary to accept the award of a grant from the Summit County Court Appointed Special Advocates (“CASA”) Volunteer Board Association, Inc., in the amount of \$57,990.00, with no local cash match requirement, for the period 1/1/11 through 12/31/11, and appropriating these funds for the CASA Volunteer Coordinator position, for the period 1/1/11 through 12/31/11, for the County of Summit Juvenile Court, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-045 was adopted.
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- 2011-046 **A Resolution appropriating carryover funds in an award of a federal Demonstration Grant from the United States Department of Health and Human Services, Office of Child Support Enforcement (“U.S.OCSE”), in the amount of \$83,330.00, with no local cash match requirement, for a Special Improvement Program, for the period 1/1/11 through 12/31/11, for the Prosecutor’s Child Support Enforcement Agency, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-046 was adopted.
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- 2011-047 **A Resolution authorizing the County Executive to execute any documents necessary to accept the award of a Justice Assistance Grant (“JAG”) Victim Advocacy Grant from the Ohio Office of Public Safety, Office of Criminal Justice Services, in the amount of \$29,727.21, with a 25% local cash match requirement in the amount of \$9,909.07, and a supplemental cash match amount of \$624.00, required for certain employment expenditures not covered by the grant, for the period 1/1/11 through 12/31/11, and appropriating the amount of \$40,260.28, which includes the total local cash match requirement, for the Prosecutor, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-047 was adopted.

- 2011-053 **A Resolution authorizing the County Executive's Department of Law, Division of Public Safety, to make expenditures, in an amount not to exceed \$20,000.00, for hospitality items incurred in providing training and planning sessions to be held in 2011, for the Executive's Department of Law - Division of Public Safety, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-053 was adopted.
- 2011-054 **A Resolution authorizing the County Executive to execute a professional service contract with the Legal Defenders Office of Summit County, Inc., subject to the approval of the Board of Control, for legal defender services for indigents, for the Summit County Public Defender Commission, for the period 1/1/11 to 12/31/11, in an amount not to exceed \$472,900.00, for the Executive's Department of Law, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-054 was adopted.
- 2011-056 **A Resolution appropriating the carryover balance in the PetSmart Charities Grant award in the amount of \$15,454.00, with no local cash match requirement, for a grant period of six months from 1/1/11 through 6/30/11, for the Executive's Department of Administrative Services - Division of Animal Control, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-056 was adopted.
- 2011-057 **A Resolution authorizing the County Executive to execute a renewal (fourth of four) of a professional service contract with Oriana House, Inc., subject to the approval of the Board of Control, for day reporting, driver intervention, home incarceration, multiple offender and residential community corrections programs, for a one-year term, from 1/1/11 through 12/31/11, in an amount not to exceed \$5,720,557.48, for the Executive, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2011-057 was adopted.

2011-062 **A Resolution authorizing the County Executive to execute a Memorandum of Understanding with the City of Akron setting forth the use of, maintenance and refurbishing of and the duties of the parties concerning a Hazardous Materials (“Hazmat”) vehicle to be purchased by the County and City, for the Executive’s Department of Law, Division of Public Safety-Emergency Management, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Resolution 2011-062 was adopted.

2011-063 **A Resolution authorizing the County Executive to execute any documents necessary to accept a Fiscal Year 2010 Metropolitan Medical Response System (“FY10 MMRS”) award of federal pass-through funds from the Ohio Emergency Management Agency (“OEMA”), in the amount of \$317,419.00, with no local cash match requirement, with a performance period of 8/1/10 through 7/31/13, and appropriating these funds through 12/31/11, for the Executive’s Department of Law, Division of Public Safety/Emergency Management Agency, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Resolution 2011-063 was adopted.

2011-064 **A Resolution authorizing the County Executive to execute any documents necessary to accept a Fiscal Year 2010 State Homeland Security Program (“FY10 SHSP”) award of federal pass-through funds from the Ohio Emergency Management Agency (“OEMA”), in the amount of \$464,778.00, with no local cash match requirement, with a performance period of 8/1/10 through 3/31/13, and appropriating these funds through 12/31/11, for the Executive’s Department of Law, Division of Public Safety/Emergency Management Agency, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net

Resolution 2011-064 was adopted.

2011-068 **A Resolution confirming an award by the Board of Control of Change Order No. 1 with the County of Summit Sheriff, for building security and fraud investigation services, for the period 7/1/08 to 6/30/11, in an amount not to exceed \$25,093.91 (.4% increase), for the Executive's Department of Job and Family Services, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Resolution 2011-068 was adopted.

2011-069 **A Resolution confirming an award by the Board of Control of a professional service contract with Greenleaf Family Center for work activities assessment services, for the period 3/1/11 to 9/30/11, in an amount not to exceed \$217,354.00, for the Executive's Department of Job and Family Services, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Resolution 2011-069 was adopted.

2011-070 **A Resolution confirming an award by the Board of Control of a professional service contract with United American Capitol Corporation for the first and final renewal of investment advisory services, for a two-year period from 3/1/11 to 2/28/13, in an amount not to exceed \$129,000.00, for the Fiscal Officer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Resolution 2011-070 was adopted.

2011-071 **A Resolution authorizing the County Executive to execute a contract with the Ohio and Erie Canalway Coalition for a grant in the amount of \$100,000.00 for coordination and support of the Summit County Trail & Greenway Plan, for the Executive's Department of Finance and Budget, and declaring an emergency.**

Sponsor - Mr. Pry and Mr. Crawford

Staff Contact: Darlene Mims, (330) 643-2726, dmims@summitoh.net

Resolution 2011-071 was adopted.

2011-037 **A Resolution authorizing the County Executive to execute a professional service contract with the Summit County Historical Society, subject to the approval of the Board of Control, for consulting services concerning the County of Summit's records retention program, for the period 1/1/11 through 12/31/11, in the amount of \$51,000.00, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net

Mrs. Shapiro moved to suspend Council Rule 8.01 (A): the requirement of three readings at a Regular Council meeting.

Voice Vote on the motion.

Yes: Comunale, Crawford, Feeman, Kostandaras, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith

Abstain: Poda

Motion passed - Voice Vote: 10-0-1

Mrs. Shapiro moved to adopt.

Voice Vote on the motion.

Yes: Comunale, Crawford, Feeman, Kostandaras, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith

Abstain: Poda

Motion passed - Voice Vote: 10-0-1

Resolution 2011-037 was adopted.

Presentation of New Business: NONE

Presentation of Petitions to address Council: NONE

Executive Session

Motion By:

Seconded By:

Motion Type: Roll Call

For:

Against:

Abstain:

Absent:

Outcome:

Call To Order:

Reason:

Adjournment: Council adjourned at 5:55 pm. The next regular meeting will be held March 7, 2011 at 5:00 pm

All deliberations concerning official business and formal actions by this County Council were conducted in an open public meeting this 14th day of February, 2011.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL