

**COUNTY OF SUMMIT**  
**REGULAR COUNCIL MEETING MINUTES**  
**January 9, 2012**

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

The following items were addressed before Council at the Caucus:

- 2012-001 Mary Ann Kovach from the Prosecutor's Office addressed Council for this first reading passage request. More employees have recently left and need to be replaced.
- 2012-002 Mary Lou Daugherty from the Clerk of Courts addressed Council for this first reading passage request.
- 2012-003 Heidi Swindell from the Engineer's Office addressed Council for this first reading passage request. This is for an annual salt encumbrance
- 2012-004 Ron Koehler from the Board of Elections addressed Council for this first reading passage request.
- 2012-021 Andrew Bauer from Common Pleas Court addressed Council for this first reading passage request.

The Council Regular Meeting was called to order at 05:15 PM in Council Chambers.

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

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MINUTES FOR APPROVAL: Mr. Crawford moved to approve the minutes of the regular Council meeting(s) held December 12, 2011.

Voice Vote on the motion.

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

The minutes were approved 11-0.

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ANNOUNCEMENT OF GENERAL INTEREST: None

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ANNOUNCEMENT FROM EXECUTIVE: None

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ANNOUNCEMENT OF OFFICEHOLDERS: None

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**MOTIONS FOR COUNCIL**

M-001-2012 **A Motion of Council confirming the appointment of Mr. Dennis Tubbs (to replace Nick Lautzenheiser) to the AMATS Policy Committee and the Technical Advisory Committee.**

Movant - Mr. Feeman

Mr. Kostandaras moved to approve.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Motion M-001-2012 was approved.

M-002-2012 **A Motion of Council confirming the appointments of Captain Joseph Natko (to replace Captain Charles Twigg), and Sergeant Brian Harding (to replace Lieutenant Gerald Kelley) to the Child Fatality Review Board.**

Movant - Mr. Feeman

Mr. Kostandaras moved to approve.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Motion M-002-2012 was approved.

**MOTIONS FOR COUNCIL LATE FILINGS**

M-003-2012 A Motion of Council confirming the appointment of Mr. David Nott (to replace Don Mittiga) to the Solid Waste Management Authority (SWMA) Board of Trustees.

Movant - Mr. Feeman

Mr. Kostandaras moved to approve.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Motion M-003-2012 was approved.

M-004-2012 A Motion of Council establishing the standing committees of the Council of the County of Summit for the year 2012.

Movant - Mr. Feeman

Mr. Crawford moved to approve.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Motion M-004-2012 was approved.

## **FIRST READINGS**

2012-001     **A Resolution, pursuant to Section 169.04(j) of the Codified Ordinances of the County of Summit, entitled "Temporary Hiring Freeze," to authorize the County Prosecutor to hire two external persons into the full-time, unclassified, non-bargaining position of Assistant Prosecuting Attorney 2, up to the midpoint of the pay range, which is \$28.72 per hour, for the Prosecutor, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Mr. Comunale 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Mr. Comunale moved to adopt.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Resolution 2012-001 was adopted.

2012-002     **A Resolution, pursuant to Section 169.04(j) of the Codified Ordinances of the County of Summit, entitled "Temporary Hiring Freeze," to authorize the County Clerk of Courts to hire, either externally or internally, from a non-General Fund funded County position, three persons into the full-time, classified, non-bargaining position of Clerk 3, at the rate of \$13.98 per hour, the minimum pay rate for the position, for the Clerk of Courts, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Mr. Comunale 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Mr. Comunale moved to adopt.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Resolution 2012-002 was adopted.

2012-003 **A Resolution confirming an award by the Board of Control of a purchase order with various suppliers per attached Exhibit A, for calcium chloride and road salt for snow and ice removal, under CUE pricing, in an amount not to exceed \$793,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Ms. Kurt 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Ms. Kurt moved to adopt.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Resolution 2012-003 was adopted.

2012-004 **A Resolution appropriating funds in the amount of \$40,000.00 for PCMCIA card replacement as directed by the Secretary of State, and as included in the 2012 Capital Improvement Program, for the Board of Elections and the Executive's Department of Finance and Budget, and declaring an emergency.**

Sponsor - Mr. Pry

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

Mr. Kostandaras 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Mr. Kostandaras 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Resolution 2012-004 was adopted.

2012-005 **A Resolution, pursuant to Section 169.04(j) of the Codified Ordinances of the County of Summit, entitled "Temporary Hiring Freeze," to authorize the Executive to externally hire a full-time classified Plans Examiner, at the a rate not to exceed the midpoint for the position, for the Executive's Department of Community and Economic Development- Division of Building Standards, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Committee First Readings

2012-006 **An Resolution, pursuant to Section 169.04(j) of the Codified Ordinances of the County of Summit, entitled "Temporary Hiring Freeze," to authorize the County Executive to hire two external persons into part-time, bargaining unit, classified, Computer Monitor Aide positions at the Department of Environmental Services, at an hourly rate not to exceed \$12.49, for the Executive's Department of Environmental Services, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Committee First Readings

2012-007 **A Resolution confirming an award by the Board of Control of a purchase order with Montrose Auto Group for three Ford F150 pickup trucks, under CUE pricing, in an amount not to exceed \$59,041.35, for the Executive's Department of Environmental Services, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Committee First Readings

2012-008 **A Resolution authorizing the Executive to execute a termination of an avigation easement granted by Nettie Mohler, Marjorie Mohler Petry and Edwin Petry to the County of Summit, the County of Stark and the Akron-Canton Airport on May 13, 1965, which permitted the unobstructed flow of air traffic over certain lands near the airport, for the Executive's Department of Law, Insurance and Risk Management, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Committee First Readings

2012-009 **A Resolution authorizing the County Executive to advertise for bids for a four-year full maintenance service agreement for three passenger elevators in the Ohio Building, Council District 4, for an estimated total cost not to exceed \$62,000.00, for the Executive's Department of Administrative Services-Physical Plants, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Committee First Readings

2012-010 **A Resolution approving a resubdivision titled "Lockwood Grove Allotment Replat", located in Coventry Township, Council District 8, for the Executive-Planning Commission and the County Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Committee First Readings

2012-011 **A Resolution appropriating funds in the amount of \$3,681,899.09 in carryover balances in various grants for calendar year 2012, for the County of Summit Juvenile Court, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-012 **A Resolution authorizing the County Executive to execute any documents necessary to accept a Justice Assistance Grant award from the Ohio Office of Public Safety/Office of Criminal Justice Services, for the Summit County Drug Unit, in the amount of \$76,913.10, with a 25% local cash match requirement in the amount of \$25,637.70, for the period 1/1/12 through 12/31/12, and appropriating the total of \$102,550.80, through calendar year 2012, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-013 **A Resolution authorizing the County Executive to execute a three-year policing contract with the City of Green, Council District 8, to provide seventeen full-time Sheriff's Deputies and one Direct Indictment Officer at 20 hours per week, for the period 1/1/12 through 12/31/14, in the amount of \$1,910,913.74 for the first year, \$1,931,733.06 for the second year and \$1,942,760.40 for the third year, in a total amount not to exceed \$5,785,407.20 during the three-year term of the contract, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-014 **A Resolution authorizing the County Executive to execute any documents necessary to accept the Fiscal Year 2009 State Homeland Security Program Training Supplemental Award, for an IMT Conference, from the Ohio Emergency Management Agency, of federal pass-through funds for reimbursement, in the amount of \$1,338.80, with no local cash match requirement, for a performance period of 8/1/09 through 4/30/12, and appropriating these funds through 4/30/12, for the Executive's Department Law, Insurance and Risk Management - Division of Public Safety/Emergency Management Agency, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-015 **A Resolution authorizing the County Executive's Department of Law, Insurance and Risk Management, 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 2012, for the Executive's Department of Law, Insurance and Risk Management, Division of Public Safety, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-016 **A Resolution appropriating carryover grant funds received from the State of Ohio Department of Rehabilitation and Correction for the State Fiscal Year 2012 Community Corrections Act 407 and 408 grant programs, in the amount of \$205,379.08, with no local cash match requirement, through 6/30/12, for the Executive's Department of Law, Insurance and Risk Management, Division of Public Safety/Justice Affairs, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

- 2012-017 **A Resolution appropriating funds from the County of Summit Alcohol, Drug Addiction and Mental Health Services Board, for the Psycho-Diagnostic Clinic, in the amount of \$396,295.00, with no local cash match requirement, for the period 1/1/12 through 12/31/12, for the Court of Common Pleas, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Committee First Readings
- 2012-018 **A Resolution authorizing the County Executive to execute any documents necessary to accept two Violence Against Women Act grant awards from the Ohio Office of Public Safety/Office of Criminal Justice Services, for the period 1/1/12 through 12/31/12, the first in the amount of \$24,286.74, with a 25% local cash match requirement in the amount of \$8,095.58, and a second grant in the amount of \$18,675.83, with a 25% local cash requirement in the amount of \$6,239.68, and appropriating both awards for a total of \$57,297.83, through 2012, for the Prosecutor, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Committee First Readings
- 2012-019 **A Resolution authorizing the County Executive to advertise for bids for trash removal at various county facilities, for a two-year period, with two options to renew for a two-year period, for an estimated total cost not to exceed \$110,000.00, for the Executive's Department of Finance and Budget - Division of Purchasing, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Committee First Readings
- 2012-020 **A Resolution adjusting existing appropriations by \$11,648.00 within the 2012 full operating budget for the Internal Audit Service Fund, for the fiscal year ending 12/31/12, for the County of Summit Internal Audit Department, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Committee First Readings
- 2012-021 **A Resolution authorizing the County Executive to execute any documents necessary to accept the award of a Probation Improvement and Incentive Technology and Training Grant, in the amount of \$199,100.00, with no local cash match, from the Ohio Department of Rehabilitation and Correction, which will enhance reporting and provide staff training, in calendar year 2012, for the Court of Common Pleas-General Division, and declaring an emergency.**
- 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro
- Motion passed - Voice Vote: 11-0
- Mr. Schmidt moved to adopt.
- Voice Vote on the motion.
- Yes: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro
- Motion passed - Voice Vote: 11-0
- Resolution 2012-021 was adopted.



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

Voice Vote on the motion

For: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

The late filings were added to the agenda.

**FIRST READINGS LATE FILINGS**

2012-022     **A Resolution adopting the Capital Improvements Program for 2012-2017 for the County of Summit and appropriating funds in the amount of \$8,628,861.23 for the balance of projects in the 2012 Capital Improvement Program, for the Executive's Department of Finance and Budget, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

**Routine Agenda Motion(s)**

Mr. Crawford 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed

Mr. Crawford moved to adopt.

Voice Vote on the motion.

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

Motion passed

The routine agenda was adopted 11-0.

**ROUTINE LEGISLATION UNANIMOUSLY AGREED TO BY COMMITTEE**

2011-547     **A Resolution confirming an award by the Board of Control of a professional service contract with CourtSmart for annual maintenance of the digital recording system and replacement of servers and encoders, for the period 3/1/12 through 2/28/13, as Best Practical Source, approved by the IT Board 12/6/11, in an amount not to exceed \$58,029.86, 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 2011-547 was adopted.

**SECOND READINGS**

2011-549     **An Ordinance amending Section 177.07 of the Codified Ordinances of the County of Summit, entitled "Exceptions to Competitive Bidding," to exempt from competitive bidding contracts for the acquisition of utilities, equipment, materials, supplies or services upon the same financial terms as a contract entered into by another political subdivision after a request for proposals or a competitive selection procedure, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Mr. Kostandaras 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Mr. Kostandaras moved to adopt.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Ordinance 2011-549 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 5:36 pm. The next regular meeting will be held January 30, 2012 at 5:00 pm

All deliberations concerning official business and formal actions by this County Council were conducted in an open public meeting this 9th day of January, 2012.

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CLERK OF COUNCIL

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PRESIDENT OF COUNCIL