

**COUNTY OF SUMMIT**  
**REGULAR COUNCIL MEETING MINUTES**  
**April 30, 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.

Tim Crawford presented a commendation during caucus.

Note for the record: The public viewing for the proposed vacations of portions of Stanford Rd., Wetmore Rd., and Oak Hill Rd., in Boston Township will be on May 11, 2012 at 2:00 p.m. The public hearings will be held on May 14, 2012 at 5:00 p.m., and the final public hearing will be held June 11, 2012 at 4:30 p.m.

The following items were addressed before Council at the Caucus:

- 2012-175 Rob Henwood from the Planning Department addressed this first reading passage request. First reading passage was requested in order to facilitate a pending sale.
- 2012-176 Rob Henwood from the Planning Department addressed this first reading passage request.
- 2012-188 Yamini Adkins from the Executive's Office addressed this first reading passage request. The fact finding hearing was held April 9th, 2012, and the award for recommendation was received April 30th, 2012.

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. Kostandaras moved to approve the minutes of the regular Council meeting(s) held April 16, 2012.

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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**FIRST READINGS**

- 2012-175 **A Resolution accepting and approving a resubdivision titled "The Forest At Kings Creek Replat", located in Richfield Township, Council District 1, for the Executive-Planning Commission and the County Engineer, and declaring an emergency.**

Sponsor - Mr. Pry and Mr. Kostandaras

Staff Contact: Mark Potter, (330) 643-2726, 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Mrs. Shapiro 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 2012-175 was adopted.

2012-176 **A Resolution amending the assessments of the residents of The Forest At Kings Creek, located in Richfield Township, Council District 1, for drainage maintenance, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry and Mr. Kostandaras

Staff Contact: Mark Potter, (330) 643-2726, 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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

Motion passed - Voice Vote: 11-0

Mrs. Shapiro 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 2012-176 was adopted.

2012-177 **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 Sheriff to hire one external person into the full-time classified position of Civil Clerk I, at an annual salary of \$23,296.00, the minimum salary for the position, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-178 **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 Executive to hire externally one person into the full-time, classified, non-bargaining position of Land Development Administrator, at an annual rate not to exceed \$55,161.60, for the Executive's Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2012-179 **A Resolution authorizing the County Executive to advertise for bids for construction of the Q-162 Pump Station No. 56 Abandonment Project, in the City of Macedonia, in Council District 1, for an estimated total cost not to exceed \$120,000.00, 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

2012-180 **A Resolution authorizing the County Executive to enter into a Local Public Agency agreement with the State of Ohio, through the Department of Transportation, for bridge load ratings of forty-eight bridges throughout Summit County and Fracture Critical Members Inspection and Plan of two bridges, at a cost not to exceed \$131,344.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

- 2012-181 **A Resolution confirming an award by the Board of Control of a purchase contract with Liberta Construction for the 2012 regional concrete pavement repair program, in Council Districts 1, 5 and 8, in an amount not to exceed \$418,515.00, for the Engineer, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net
- Committee First Readings
- 2012-182 **A Resolution appropriating funds in the amount of \$14,034.06 in carryover balances for the County of Summit Program Year 2011 Home Weatherization Assistance Program, with no local cash match requirement, through 12/31/12, for the Executive's Department of Community and Economic Development, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net
- Committee First Readings
- 2012-183 **A Resolution authorizing the County Executive to execute any documents necessary to accept the Program Year 2012 Home Weatherization Assistance Program federal funds, for the program year ending 3/31/13, and appropriating these funds, in the amount of \$755,982.00, with no local cash match requirement, and to execute any documents necessary to accept the Akron Healthy Homes Production Coalition Program agreement with the City of Akron, Ohio, for a program year ending 10/31/14, and appropriating these funds in the amount of \$100,000.00, with no local cash match requirement, for the Executive's Department of Community and Economic Development, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net
- Committee First Readings
- 2012-184 **A Resolution authorizing the Executive to execute an updated Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Revenue Sharing and encouraging communities throughout Summit County to sign the same, for the Executive's Department of Community and Economic Development, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net
- Committee First Readings
- 2012-185 **A Resolution authorizing the County Executive to execute a subgrant agreement, as a representative of Workforce Investment Act Local Area 2, with the Ohio Department of Job and Family Services and the Medina County Department of Job and Family Services, for a Workforce Investment Act Local Area 2 grant for Workforce Investment Act Disability Employment Initiative funds, during the period of 1/1/12 through 9/30/14, for the Executive's Department of Job and Family Services, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@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, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro

The late filings were added to the agenda.

### **FIRST READINGS LATE FILINGS**

2012-186 **A Resolution authorizing the County Executive to execute an amendment to a lease with the Akron Area Arts Alliance for its portion of the Akron Center Building, 140 East Market Street, Akron, Ohio, Council District 4, to revise the percentage of utilities costs to be paid by the Alliance and to provide for storage space in the basement, 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

2012-187 **A Resolution authorizing the County Executive to execute any documents necessary to accept an award from the Ohio Department of Youth Services, as part of a funding collaborative, of a Fiscal Year 2013 Behavioral Health and Juvenile Justice grant, in the amount of \$315,901.00, with no local cash match requirement, with a performance period of 7/1/12 through 6/30/13, and appropriating \$315,901.00 through 12/31/12, 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

2012-188 **A Resolution authorizing the County Executive to execute a collective bargaining agreement between Local 1032 (Service and Maintenance Unit) and Ohio Council 8 of the American Federation of State, County and Municipal Employees ("AFSCME"), AFL-CIO, and the County of Summit and the County Engineer, for the period 4/1/12 through 3/31/15, for the Executive, 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 2012-188 was adopted.

**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 passed 11-0.

**ROUTINE LEGISLATION UNANIMOUSLY AGREED TO BY COMMITTEE**

2012-154     **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 Executive to hire one external person into the full-time classified position of Account Clerk 2, at an annual salary of \$32,177.60, the midpoint rate of the salary range for the position, and to hire one external person into the full-time classified position of Fiscal Officer 2, at an annual salary of \$45,000.00, below the midpoint rate of the salary range for the position, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2012-154 was adopted.

2012-155     **A Resolution confirming an award by the Board of Control of a renewal (second of two) of a professional service contract with CompManagement, Inc., for Worker's Compensation Third Party Administration services and hearing coverage, for a one-year term, from 6/1/12 to 5/31/13, in an amount not to exceed \$22,000.00 for Third Party Administration services and an amount not to exceed \$7,000.00 for hearing coverage, for a total not to exceed an amount of \$29,000.00, 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

Resolution 2012-155 was adopted.

2012-157     **A Resolution confirming an award by the Board of Control of a professional service contract with GBC Design for a consulting contract to prepare plans and specifications for the Akron-Cleveland Road sanitary sewer extension, in Council Districts 1 and 3, in an amount not to exceed \$96,470.00, for the Executive's Department of Environmental Services, and declaring an emergency.**

Sponsor - Mr. Pry and Mr. Kostandaras

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

Resolution 2012-157 was adopted.

2012-158 **A Resolution authorizing the County Executive to establish the intersection of Riverview Road and Boston Mills Road in Boston Township, Council District 1, a four-way stop intersection for the period 5/19/12 through 5/27/12 and thereafter reverting to a two-way stop intersection, with the stop signs installed for the eastbound and westbound Boston Mills Road traffic, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry and Mr. Kostandaras  
Staff Contact: Mark Potter, (330) 643-2726, mpotter@summitoh.net

Resolution 2012-158 was adopted.

2012-159 **A Resolution authorizing the County Executive to enter into an agreement for the acquisition of right-of-way easements for the installation of signal light and improvement of the intersection of Canton Road and Springfield Lake Drive, located in the Village of Lakemore and Springfield Township, Council District 8, at a cost not to exceed \$1,000.00, for the Engineer, and declaring an emergency.**

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

Resolution 2012-159 was adopted.

2012-160 **A Resolution appropriating additional funds for the Capital Improvements Program for 2012 in the amount of \$74,307.00 through 12/31/12, for the Jail Heating, Ventilation and Air Conditioning Controls Upgrade project, 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

Resolution 2012-160 was adopted.

2012-161 **A Resolution confirming an award by the Board of Control of a purchase contract with Perrin Asphalt Company for the Summit County 2012 spot paving program, as lowest responsive and responsible bidder, in an amount not to exceed \$143,670.00, for the Engineer, and declaring an emergency.**

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

Resolution 2012-161 was adopted.

2012-162 **A Resolution confirming an award by the Board of Control of a purchase contract with P.S. Construction Fabrics, Inc., for the Summit County 2012 crack sealing program, as lowest responsive and responsible bidder, in an amount not to exceed \$151,141.24, for the Engineer, and declaring an emergency.**

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

Resolution 2012-162 was adopted.

2012-163 **A Resolution confirming an award by the Board of Control of a professional service contract with Johnson Control, Inc., for the five-year full maintenance service contract for heating, ventilation and air conditioning at the Summit County Jail, in Council District 4, as lowest responsive and responsible bidder, in an amount not to exceed \$664,195.00, 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

Resolution 2012-163 was adopted.

2012-164 **A Resolution authorizing the County Executive to execute any documents necessary to accept an Ohio Environmental Protection Agency award of reimbursing funds from the Ohio Water Development Authority for a Household Sewage Treatment System Replacement Program, in the amount of \$162,220.25, with no local cash match requirement, and appropriating these funds through 12/31/12, for the Executive's Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2012-164 was adopted.

2012-165 **A Resolution confirming an award by the Board of Control of a professional service contract with subrecipient agencies for housing rehabilitation assistance and new construction, per attached Exhibit A, in a total amount not to exceed \$186,000.00, for the Executive's Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2012-165 was adopted.

2012-166 **A Resolution confirming an award by the Board of Control of Change Order No. 1 to a professional service contract with Akron Area YMCA, to provide one-to-one, adult-to-youth mentoring services for adjudicated youth involved with the court, in an amount not to exceed \$8,000.00 (94% increase), for the Court of Common Pleas Juvenile Division, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2012-166 was adopted.

2012-167 **A Resolution appropriating additional funds for the Medical Examiner's Laboratory Fund in the amount of \$42,000.00 through 12/31/12, for the Medical Examiner, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2012-167 was adopted.

- 2012-168 **A Resolution confirming an award by the Board of Control of a purchase order with D&G Uniforms for the yearly expense for uniform allowance, as Best Practical Source, in an amount not to exceed \$40,000.00, for the Sheriff, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2012-168 was adopted.
- 2012-169 **A Resolution confirming an award by the Board of Control of a purchase order with Levinson's for the yearly expense for uniform allowance, as Best Practical Source, in an amount not to exceed \$100,000.00, for the Sheriff, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2012-169 was adopted.
- 2012-170 **A Resolution appropriating a total of \$10,000.00 in stimulus Workforce Investment Act funds from the allocation of two National Emergency Grants, for Medina County, from the State of Ohio Department of Job and Family Services, made available through the American Recovery and Reinvestment Act of 2009, with no local cash match requirement, for a grant period ending 6/30/12, for the Executive's Department of Job and Family Services, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2012-170 was adopted.
- 2012-171 **A Resolution confirming an award by the Board of Control of a professional service contract with Community Support Services, Inc., for payeeship services for Adult Protective Services clients, for the period 5/1/12 through 9/30/12, with one option to renew for the period 10/1/12 through 9/30/13, in an amount not to exceed \$50,000.00, for the Executive's Department of Job and Family Services, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2012-171 was adopted.
- 2012-172 **A Resolution confirming an award by the Board of Control of a renewal of a professional service contract with Tyler Technologies for the CRIS+Plus system software support agreement, for the period 5/1/12 through 4/30/13, as Sole Source, approved by the IT Board 4/10/12, in an amount not to exceed \$36,670.00, for the Fiscal Officer, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2012-172 was adopted.
- 2012-173 **A Resolution confirming an award by the Board of Control of a purchase contract with Waste Management for trash removal at various facilities for a two-year period, with two options to renew for a two-year period, in an amount not to exceed \$84,986.72, for the Executive's Department of Finance and Budget - Purchasing, and declaring an emergency.**
- Sponsor - Mr. Pry  
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2012-173 was adopted.





**SECOND READINGS**

2012-156     **A Resolution urging the State of Ohio to enact reasonable regulations on the new High Volume Hydraulic Fracturing, also known as “HVHF” or “fracking,” including the associated high volume withdrawals of water and addition of toxic chemicals, and associated waste disposal operations, and to further urge the State to enact laws that return some regulatory authority to county and local jurisdictions over the new High Volume Hydraulic Fracturing, water withdrawals, usage of toxic chemicals and associated waste disposal operations, for the Council, and declaring an emergency.**

Sponsor - Mr. Pry, Ms. Prentice, Ms. Kurt, Ms. Shapiro

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.

Roll Call on the motion.

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

No: Rodgers, Roemer

Motion passed - Roll Call: 9-2

Ms. Kurt moved to adopt.

Roll Call on the motion.

Yes: Comunale, Feeman, Kostandaras, Kurt, Lee, Prentice, Schmidt, Shapiro

No: Crawford, Rodgers, Roemer

Motion passed - Roll Call: 8-3

Resolution 2012-156 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 5:23 pm. The next regular meeting will be held May 14, 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 30th day of April, 2012.

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CLERK OF COUNCIL

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PRESIDENT OF COUNCIL