

COUNTY OF SUMMIT
REGULAR COUNCIL MEETING MINUTES
February 11, 2013

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.

Joel Testa from Testa addressed Council about phase 2 of the Allen Park Housing project. Handouts were presented. Portions of the project were approved by the city. The construction is in phase 1. This will house single homeless adults and veterans without children. Ms. Shapiro would like city approval letters.

Dan Rice from the Ohio and Erie Canal Coalition handed out general info and thanked Council for the funding from the Capital Budget.

Brian Nelsen from Finance and Budget gave a financial update with handouts.

The following items were addressed before Council at the Caucus:

2013-060 Heidi Swindell from the Engineer's Office addressed Council on this first reading passage request. They hope to use this equipment for the next 15-20 years and lease it out to various other entities.

The Council Regular Meeting was called to order at 05:25 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:

MINUTES FOR APPROVAL: Mr. Kostandaras moved to approve the minutes of the regular Council meeting(s) held January 28, 2013.

Voice Vote on the motion.

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

The minutes were approved 11-0.

ANNOUNCEMENT OF GENERAL INTEREST: None.

ANNOUNCEMENT FROM EXECUTIVE: None.

ANNOUNCEMENT OF OFFICEHOLDERS: None.

MOTIONS FOR COUNCIL

M-006-2013 **A Motion of Council confirming the appointment of Mr. Omar S. Banks to the Children Services Board of Trustees.**

Movant - Mr. Feeman

Committee Motions for Committee

M-007-2013 **A Motion of Council confirming the appointment of Mr. John Garofalo (to replace Michael Byun) to the Social Services Advisory Board.**

Movant - Mr. Feeman

Committee Motions for Committee

M-008-2013 **A Motion of Council confirming the appointment of Ms. Denise L. Ricks (to replace Olivia Demas) to the County of Summit Developmental Disabilities Board.**

Movant - Mr. Feeman

Committee Motions for Committee

M-009-2013 **A Motion of Council confirming the appointment of Ms. Janice M. Gathers (to replace Julie Bell), and reappointing Ms. Gathers to a full term, to the Summit Workforce Solutions Board of Directors.**

Movant - Mr. Feeman

Committee Motions for Committee

M-010-2013 **A Motion of Council confirming the appointment of Mr. David Prentice (to replace Paul Shiplett) to the Metro Board of Trustees.**

Movant - Mr. Feeman

Committee Motions for Committee

M-011-2013 **A Motion of Council confirming the reappointment of Mr. Scott Meyer to the Metro Board of Trustees.**

Movant - Mr. Feeman

Ms. Kurt 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-011-2013 was approved.

M-012-2013 **A Motion of Council confirming the reappointment of Ms. Heather Heslop Licata to the Metro Board of Trustees.**

Movant - Mr. Feeman

Committee Motions for Committee

FIRST READINGS

2013-060 **A Resolution authorizing the County Executive to execute a purchase order with Columbus Equipment Company, subject to the approval of the Board of Control, for one Komatsu CD60R-1A crawler carrier, 2010 model with 1,650 hours, as Best Practical Source, in an amount not to exceed \$135,000.00, 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 2013-060 was adopted.

2013-061 **A Resolution confirming an award by the Board of Control of a super blanket purchase order with Port's Petroleum for diesel and unleaded fuel for fleet operation and emergency power generators, under CUE pricing, in an amount not to exceed \$100,000.00, 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

2013-062 **A Resolution authorizing the County Executive to enter into agreements for the acquisition of a drainage easement for the replacement of a crossover culvert, located in Sagamore Hills Township, Council District 1, in an amount not to exceed \$300.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-063 **A Resolution confirming an award by the Board of Control of a professional service contract renewal (second of two) with Quality Control Inspection, Inc., for construction inspection services throughout Summit County, for the period 1/1/13 through 12/31/13, in an amount not to exceed \$75,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-064 **A Resolution confirming an award by the Board of Control of a professional service contract renewal (first of two) with Arcadis U.S., Inc., for engineering review, environmental services and right of way acquisitions, for the period 1/1/13 through 12/31/13, in an amount not to exceed \$140,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-065 **A Resolution confirming an award by the Board of Control of a purchase order with Port's Petroleum for diesel and unleaded fuel for 2013, under CUE pricing, in an amount not to exceed \$260,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-066 **A Resolution authorizing the County Engineer to advertise for bids for the purchase of miscellaneous road and ditch maintenance materials, for an estimated total cost not to exceed \$156,000.00 for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-067 **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 improvement of the East North Street Bridge over the Little Cuyahoga River, located in the City of Akron, Council District 4, in an amount not to exceed \$609,768.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-068 **A Resolution confirming an award by the Board of Control of a purchase order with various vendors per attached Exhibit A for snow and ice removal materials, under CUE pricing, in a total amount not to exceed \$845,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2013-069 **A Resolution approving the vacation of Sollman Road, in Copley Township, Council District 5, pursuant to Chapter 5553 of the Ohio Revised Code and Section 125.03 of the Codified Ordinances of the County of Summit, for the Council, and declaring an emergency.**

Sponsor - Ms. Shapiro

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

Committee First Readings

2013-070 **A Resolution confirming an award by the Board of Control of Change Order No. 1 to a professional service contract with Child Guidance & Family Solutions to provide integrated, co-occurring treatment for court-involved youth, in an amount not to exceed \$22,800.00 (65% 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

Committee First Readings

Mrs. Lee 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 11-0.

FIRST READINGS LATE FILINGS

2013-071 **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 \$117,900.00, for the year 2013, 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

2013-072 **A Resolution authorizing the County Executive to execute a consent decree, which requires the County of Summit to pay an amount not to exceed \$400,000.00, to settle all claims arising out of or concerning issues raised in a lawsuit, *Jacquetta Hawkins, et al. and the United States of America v. Summit County, Ohio, et al.*, Case No. 5:11CV2753, before Judge Sara Lioi in the United States District Court for the Northern District of Ohio, Eastern Division, and adjusting appropriations totaling \$400,000.00 for the Sheriff, the Prosecutor and the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

Routine Agenda Motion(s)

Mrs. Lee 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

Mrs. Lee 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

2013-033 **A Resolution confirming an award by the Board of Control of a professional service contract with Crain, Langner and Company to provide risk management and insurance consulting services, for the period 1/1/13 through 12/31/13, in an amount not to exceed \$40,000.00, 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 2013-033 was adopted.

2013-034 **A Resolution authorizing the County Executive to execute a settlement agreement, in an amount not to exceed \$51,081.00, to settle all claims arising out of or concerning issues raised in a lawsuit, *Arian Davis v. County of Summit, et al.*, Case No. 5:12-cv-02496, before Judge Sara Lioi in the United States District Court for the Northern District of Ohio, Eastern Division, with the County to pay an amount not to exceed \$31,081.00 as its share of the settlement, and appropriating funds, for the Court of Common Pleas-General Division, the Prosecutor and the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-034 was adopted.

2013-037 **A Resolution appropriating capital improvement funds in the amount of \$2,093,571.75 in carryover balances for various projects in 2013, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-037 was adopted.

2013-038 **A Resolution authorizing the County Executive to advertise for bids as needed for roadway engineering and construction projects, bridge engineering and construction projects, and pavement maintenance projects for the County Engineer's 2013 Capital Improvement Program and federal and state funded projects, vehicles and equipment, at an estimated cost not to exceed \$10,660,796.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-038 was adopted.

2013-039 **A Resolution accepting and approving a resubdivision titled "West Shocolog Estates Second Addition Replat No. 1," located in Copley Township, Council District 5, 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

Resolution 2013-039 was adopted.

2013-040 **A Resolution confirming an award by the Board of Control of Change Order No. 2 to a professional service contract with URS Corporation for the Jail Heating, Ventilation and Air Conditioning upgrade project, in Council District 4, in an amount not to exceed \$11,959.00 (18.50% increase), 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 2013-040 was adopted.

2013-041 **A Resolution authorizing the County Executive to advertise for bids for the Jail Heating, Ventilation and Air Conditioning Upgrade Project, in Council District 4, for an estimated total cost not to exceed \$680,000.00, 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

Resolution 2013-041 was adopted.

2013-042 **A Resolution authorizing the Executive to execute a five-year lease agreement with the Community Hall Foundation, Inc., dba Akron Civic Theatre, for approximately 1,112 square feet of office space located on the first floor of the Ohio Building, 175 South Main Street, Akron, Ohio 44308, in Council District 4, for the period 3/1/13 through 2/28/18, in the amount of \$1.00 per year, with one option to renew for an additional five-year term, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-042 was adopted.

2013-043 **A Resolution authorizing the County Executive to execute any documents necessary to accept the award by the Ohio Department of Public Safety of a Paul Coverdell National Forensic Sciences Improvement Act of 2000 funding, for the National Forensic Science Improvement Training grant, in the amount of \$2,411.70, with no local cash match requirement, for the period 10/1/12 through 12/31/13, and appropriating these funds for 2013, for the Medical Examiner, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-043 was adopted.

2013-044 **A Resolution appropriating carryover funds for the Juvenile Court Clerk Fees Fund in the amount of \$10,000.00 through 12/31/13, 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 2013-044 was adopted.

2013-045 **A Resolution confirming an award by the Board of Control of a professional service contract with LexisNexis for a three-year contract to provide online legal research for the Court of Common Pleas General Division, for the period 1/1/13 through 12/31/15, as Best Practical Source, approved by the IT Board 1/22/13 and the Law Library Resources Board 1/24/13, in an amount not to exceed \$40,392.00, 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

Resolution 2013-045 was adopted.

2013-046 **A Resolution confirming an award by the Board of Control of a professional service contract with the County of Summit Clerk of Courts for a IV-D provider contract to provide federal financial participation reimbursement to the Clerk of Courts for filing services and expenses directly related to the County of Summit Child Support Enforcement Agency, for the period 1/1/13 through 12/31/13, in an amount not to exceed \$139,517.34, 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 2013-046 was adopted.

2013-047 **A Resolution confirming an award by the Board of Control of a professional service contract with Inspiron Logistics for a one-year renewal of a service agreement for the Wireless Emergency Notification System, for public safety agencies throughout Summit County, as Sole Source, in an amount not to exceed \$26,750.00, for the Executive's Department of Law, Insurance and Risk Management - Emergency Management Agency, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-047 was adopted.

2013-048 **A Resolution confirming an award by the Board of Control of a purchase order with the City of Akron for maintenance costs required by the Interlocal Agreement for the 800 MHz Regional Radio System, for Fiscal Year 2013, in an amount not to exceed \$60,000.00, 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

Resolution 2013-048 was adopted.

2013-049 **A Resolution authorizing the County Executive to execute any documents necessary to accept a 2012 Continuation Grant from the United States Department of Health and Human Services, Office of Child Support Enforcement, for the period 1/1/13 through 8/31/13, in the amount of \$50,000.00, with no local cash match requirement, and appropriating the total amount of \$50,000.00 for expenditures in 2013, for the Prosecutor, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-049 was adopted.

2013-050 **A Resolution appropriating grant funds in the amount of \$696,076.76, in carryover balances in various grants for 2013, for the Prosecutor, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-050 was adopted.

2013-052 **A Resolution confirming an award by the Board of Control of a 60-month lease agreement with Xerox Corporation to replace the main copier used in the Executive's Division of Office Services, for countywide and City of Akron shared services, per State Term Schedule 800207, in an amount not to exceed \$4,738.42 per month for lease of the equipment, and excess copies at \$.0058 each, for a total amount not to exceed \$284,305.20, for the Executive's Department of Finance and Budget - Division of Office Services, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-052 was adopted.

2013-053 **A Resolution confirming an award by the Board of Control of a professional service contract with Kronos, Incorporated, for a one-year maintenance renewal agreement to provide software support services, mobile promotion support services, equipment support services and educational services, for the period 3/21/13 through 3/20/14, as Best Practical Source, approved by the IT Board 1/22/13, in an amount not to exceed \$74,796.13, for the Fiscal Officer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-053 was adopted.

2013-054 **A Resolution authorizing the County Executive to conduct an auction, through Skipco Auto Auction, of 28 surplus County vehicles with a total fair market value exceeding \$15,000.00, for a cost to the County of an amount not to exceed \$5,000.00, and authorizing the Executive to execute any documents with Skipco Auto Auction necessary to conduct said auction, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2013-054 was adopted.

2013-055 **A Resolution confirming an award by the Board of Control of a professional service contract with Wadsworth Veterinary Hospital for veterinarian services at the Division of Animal Control, for the period 2/1/13 through 1/31/14, as Best Practical Source, payable at a rate of \$45.00 per hour, in a total amount not to exceed \$65,000.00, 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 2013-055 was adopted.

2013-058 **A Resolution appropriating funds in the amount of \$6,016,375.05 in carryover balances in various funds for calendar year 2013, 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 2013-058 was adopted.

2013-059 **A Resolution authorizing the Executive to promote Kim Knoll to the classified, non-bargaining position of Laboratory Supervisor at the midpoint of the pay range for that position, which is \$22.73 per hour and \$47,278.40 annually, 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

Resolution 2013-059 was adopted.

SECOND READINGS

2013-035 **An Ordinance amending Section 339.12 of the Codified Ordinances of the County of Summit, entitled “Bridge Weight Limits” to remove the 15-ton load limit on the Akron Peninsula Road Bridge over Robinson Run, located in Boston Township, in Council District 1, 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

Ordinance 2013-035 was adopted.

THIRD READINGS

2013-028 **An amended Resolution adopting the Capital Improvements Program for 2013-2018 for the County of Summit and appropriating funds in the amount of ~~\$6,239,186.96~~ \$6,709,186.96 for the balance of projects in the 2013 Capital Improvement Plan, 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

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

Resolution 2013-028 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 5:40 pm. The next regular meeting will be held March 4, 2012 at 4:30 pm

All deliberations concerning official business and formal actions by this County Council were conducted in an open public meeting this 11th day of February, 2013.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL