

COUNTY OF SUMMIT
REGULAR COUNCIL MEETING MINUTES
May 16, 2011

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.

Two cousins of Ilene Shapiro attended the Council meeting and were visiting from Rochester.

Jason Dodson provided Council with an elevator handout pertaining to Resolution 2011-185, which Ilene Shapiro had requested at the last Committee meeting.

The following items were addressed before Council at the Caucus:

2011-192 Bill Holland from the Sheriff's Office addressed this first reading passage request.

2011-195 Tim Crawford recommended first reading passage for this Resolution. John Schmidt said he was fine with that.

2011-206 Ilene Shapiro addressed this first reading passage request.

M-028-2011 This motion was briefly discussed and was recommended for first reading passage.

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, Ms. Kurt, Mrs. Lee, Mrs. Prentice, Mrs. Rodgers, Mr. Roemer, Mr. Schmidt, Mrs. Shapiro; Absent:

MINUTES FOR APPROVAL: Mr. Comunale moved to approve the minutes of the regular Council meeting(s) held May 2, 2011.

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: NOTE FOR THE RECORD:

Stanford Road Vacation Joint Petition of Sagamore Hills Township and Northfield CenterTownship filed on April 8, 2011 in the Council office. A final Public Hearing scheduled for June 6, 2011. Public Viewing was held April 27, 2011 at 2:00 p.m.

Public Hearing scheduled for May 16, 2011 at 5:30 p.m.

ANNOUNCEMENT FROM EXECUTIVE: NONE

ANNOUNCEMENT OF OFFICEHOLDERS: NONE

MOTIONS FOR COUNCIL

M-023-2011 A Motion of Council confirming the appointment of Ms. Margaret Jordan Halter (to replace Milan Salchak) to the ADM Board.

Movant - Mr. Feeman

Mr. Schmidt 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-023-2011 was approved.

MOTIONS FOR COUNCIL LATE FILINGS

M-028-2011 A Motion of Council appointing Faylin Mutch to the unclassified Clerk of Council Position, at the minimum of the salary range as established in Resolution 2008-070.

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-028-2011 was approved.

FIRST READINGS

2011-192 **A Resolution authorizing the County Executive to advertise for bids for a one-year contract from 7/15/11 to 7/14/12 to provide inmate pay phone services at the County of Summit Jail, with three options to renew for an additional one-year term, for the Sheriff, 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 2011-192 was adopted.

2011-193 **A Resolution approving the general plan for the Whitefriars Drive Sanitary Sewer Improvement Project Q-847 (“Project”), that the project is necessary for the preservation and promotion of the public health and welfare, that special assessments shall be levied and collected to pay the cost of the Project, and directing the Executive through the Department of Environmental Services to prepare, or cause to be prepared, detailed plans, specifications, and an estimate of cost for the Whitefriars Drive Sanitary Sewer Improvement Project Q-847, together with a tentative assessment of the cost based on the estimate, in Council District 8, in the Township of Coventry, for the Executive’s Department of Environmental Services, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2011-194 **A Resolution confirming an award by the Board of Control of a purchase order with Southeastern Equipment for one new 2011 Schwarze 2500 Dual Steer Vac-All Sweeper, under State Term Pricing, in an amount not to exceed \$210,562.42, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2011-195 **A Resolution declaring Tuesday, June 14, 2011, as County of Summit Flag Day, and requesting that all County elected officials inspect the American flags flown at their County offices, and remove and replace those American flags that are worn and unfit for further public display, for the Sheriff, 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 2011-195 was adopted.

2011-196 **A Resolution confirming an award by the Board of Control of a lease with Bridgestone Firestone for 4,250 square feet of office space for the Drug Unit Task Force, for the period 1/1/11 to 12/31/11, as Best Practical Source, in an amount not to exceed \$3,276.25 per month, for a total amount not to exceed \$39,315.00, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2011-197 **A Resolution authorizing the County Executive to execute the First Amendment to the Policing Contract with the City of Green, in Council District 8, to provide an additional Sheriff's Deputy, for the period 5/1/11 to 12/31/11, for the additional amount of \$62,264.00, for a new total contract amount of \$5,265,763.04, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2011-198 **A Resolution appropriating funds in the amount of \$2,698.02 in carryover balances in the State Fiscal Year 2008 State Homeland Security Program (“SHSP”) Regional Hazmat Award, with no local cash match requirement, available through 6/30/11, for the Executive’s 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

2011-199 **A Resolution confirming an award by the Board of Control of a professional service contract with United Safety Advisors, LLC, for the first amendment and renewal of Special Teams Planner services, for the period 4/1/11 to 3/31/12, as Best Practical Source, in an amount not to exceed \$26,000.00, 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

Committee First Readings

2011-200 **A Resolution authorizing the County Executive to execute any documents necessary to accept additional funds and extended operating periods for two grant awards, the State Fiscal Year (“SFY”) 2011 Workforce Investment Act (“WIA”) grant in the amount of \$31,250.00, and the SFY 2011 Temporary Assistance for Needy Families (“TANF”) grant in the amount of \$85,000.00, both awards with no local cash match requirement, from the County of Summit Department of Job and Family Services (“SCDJFS”), and appropriating these funds for program expenditures, for the period 7/1/11 through 9/30/11, for the County of Summit Juvenile Court, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2011-201 **A Resolution authorizing the County Executive to execute any documents necessary to accept a State Fiscal Year (“SFY”) 2012 RECLAIM Ohio Grant, in the projected amount of \$4,352,262.13, with no local cash match requirement, from the Ohio Department of Youth Services, for the period 7/1/11 to 6/30/12, and appropriating \$4,352,262.00 in state funding, for expenditures through 12/31/11, for the Court of Common Pleas - Juvenile Court Division, 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 by a vote of 11-0.

FIRST READINGS LATE FILINGS

2011-202 **A Resolution approving the petition to vacate part of Stanford Road, filed by Sagamore Hills and Northfield Center Townships, in Council District 1, pursuant to Chapter 5553 of the Ohio Revised Code and Chapter 125 of the Codified Ordinances of the County of Summit, and authorizing the County Executive to execute any documents necessary concerning responsibility for future maintenance of the road, and to perform any acts necessary to complete the road vacation process, for the Executive and the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2011-203 **A Resolution authorizing the Executive to enter into various contracts, or extensions to existing contracts, with employers for participation in the Subsidized Employment Program, for the period of June 1, 2011 through September 30, 2011, utilizing formulary Temporary Assistance for Needy Families funds to fund the agreements, in a collective amount not to exceed \$150,000.00, 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

Committee First Readings

2011-204 **An Ordinance amending Section 169.04 of the Codified Ordinances of the County of Summit, entitled "Hiring," to reinstitute the County hiring freeze for the period through December 31, 2012, for the Council, and declaring an emergency.**

Sponsor - Mrs. Rodgers

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

Committee First Readings

2011-205 **An Ordinance amending Part Seven, Chapter 775 of the Codified Ordinances of the County of Summit entitled "Solicitors, Peddlers and Canvassers" by amending Section 775.03 (b) for the County of Summit Council, and declaring an emergency.**

Sponsor - Mr. Feeman

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

Committee First Readings

2011-206

A Resolution in support of National Missing Children's Day on Wednesday, May 25, 2011 and encouraging the residents of Summit County to remember all the children missing worldwide; to make child safety a priority and to promote participation in activities, such as the Guardian Against Sexual Predators (G.A.S.P.) event at Hardesty Park and any events and programs offered by the communities, libraries, schools and governments of the County that are designed to raise awareness of the issues surrounding missing and exploited children, for the County Council and the Executive, and declaring an emergency.

Sponsor - Mrs. Shapiro and Mr. Pry and Council of the Whole

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

Mrs. Prentice moved to recommend passage.

Voice Vote on the motion.

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

Motion passed - Voice Vote: 11-0

Mrs. Prentice 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

Resolution 2011-206 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 adopted 11-0

ROUTINE LEGISLATION UNANIMOUSLY AGREED TO BY COMMITTEE

2011-161 **A Resolution authorizing the County Executive to execute a collective bargaining agreement between Local 2696 and Ohio Council 8 of the American Federation of State, County and Municipal Employees (“AFSCME”), AFL-CIO, and the Executive’s Department of Job and Family Services, for the period 1/1/12 through 12/31/14, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-161 was adopted.

2011-163 **A Resolution authorizing the County Executive to execute a collective bargaining agreement between Ohio Council 8 and Local 1229 of the American Federation of State, County and Municipal Employees, AFL-CIO, and the County Medical Examiner, for the period 4/1/11 through 3/31/14, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-163 was adopted.

2011-178 **A Resolution authorizing the County Executive to advertise for bids for a storm water system improvement project for the Village of Lakemore, for an estimated total cost not to exceed \$350,000.00, to be funded through the Community Development Block Grant (“CDBG”) Program, for the Executive’s Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-178 was adopted.

2011-179 **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-two bridges throughout the County of Summit, in all Council Districts, at a cost not to exceed \$85,320.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-179 was adopted.

2011-180 **A Resolution authorizing the County Executive to advertise for bids for rehabilitation of the Van Buren Road Bridge over the Tuscarawas River (FRA-060-0463), located in the City of Barberton and the City of New Franklin, in Council District 7, for an estimated total cost not to exceed \$832,400.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-180 was adopted.

2011-181 **A Resolution authorizing the County Executive to execute Agreements of Cooperation for Pavement Maintenance and/or Marking with County of Summit municipal corporations that wish to participate in County pavement maintenance and pavement marking projects, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry and Council of the Whole

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

Resolution 2011-181 was adopted.

2011-183 **An amended Resolution confirming an award by the Board of Control of professional service contracts with various sub-recipient agencies, per attached Substitute Exhibit A, for housing rehabilitation assistance and new construction, in a total amount not to exceed ~~\$530,000.00~~ \$765,250.00, 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

Resolution 2011-183 was adopted.

2011-184 **A Resolution accepting and approving a resubdivision titled "F. William Fuchs Allotment Replat", located in Coventry Township, in Council District 8, for the Executive-Planning Commission and the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-184 was adopted.

2011-185 **A Resolution authorizing the County Executive to advertise for bids for a five-year full maintenance service agreement, for five elevators at the County of Summit Courthouse Complex, 209 South High Street, Akron, Ohio 44308, in Council District 4, for an estimated total cost not to exceed \$110,000.00, for the Executive's Department of Administrative Services-Physical Plants, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-185 was adopted.

2011-186 **A Resolution confirming an award by the Board of Control of a purchase order with Northland IT Solutions, for the first renewal of two, for the Jail Management System maintenance agreement, for the period 7/1/11 to 6/30/12, as Best Practical Source, approved by the IT Board 4/19/11, in Council District 4, in an amount not to exceed \$47,000.00, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-186 was adopted.

2011-187 **A Resolution confirming an award by the Board of Control of a purchase order with DiamondBack Tactical for 20 S.W.A.T. vests with extra leg protection and hard armor stand-alone plates Level III, as Sole Source, in an amount not to exceed \$56,050.00, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry and Council of the Whole

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

Resolution 2011-187 was adopted.

2011-188 **A Resolution appropriating funds in the amount of \$3,500.00 in the Veterans Services Donations Fund, for the Veterans Service Commission, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-188 was adopted.

2011-189 **A Resolution confirming an award by the Board of Control of a professional service contract with Tyler Technologies, Inc., for renewal of IAS software maintenance support, for the period 1/1/11 to 12/31/11, as Best Practical Source, approved by the IT Board 4/19/11, in an amount not to exceed \$153,620.00, for the Fiscal Officer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-189 was adopted.

2011-190 **A resolution, subject to approval by the Board of Control, confirming the award of a professional service contract with the County of Summit Fiscal Office for IV-D provider services for processing cash payments for the period 7/1/2011 to 6/30/2012, in an amount not to exceed \$107,741.97 for the Prosecutor - Child Support Enforcement Agency, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2011-190 was adopted.

Presentation of New Business: The Public Hearing to discuss the Stanford Road Vacation began directly after the Executive Session and adjourned at 5:43 p.m.

Presentation of Petitions to address Council: NONE

Executive Session

Motion By: Mr. Schmidt

Seconded By: Mr. Comunale

Motion Type: Roll Call

For: Mr. Comunale, Mr. Crawford, Mr. Feeman, Mr. Kostandaras, Ms. Kurt, Mrs. Lee, Mrs. Prentice, Mrs. Rodgers, Mr. Roemer, Mr. Schmidt, Mrs. Shapiro

Against:

Abstain:

Absent:

Outcome: Vote: 11-0

Call To Order: 5:23 PM

Reason: This Executive Session was called in order to discuss a Personnel matter in the Council Office. Adjourned at 5:30 p.m.

Adjournment: Council adjourned at 5:44 pm. The next regular meeting will be held June 6, 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 16th day of May, 2011.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL