

COUNTY OF SUMMIT
REGULAR COUNCIL MEETING MINUTES
July 19, 2010

A Caucus was held prior to the meeting to discuss Agenda items. Council members Comunale, Crawford, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith were present. Commendation: Angela Crum, Revere High. Presented by: Mrs. Shapiro and Mr. Kostandaras.

Presentation: Cynthia Sich from Consumer Affairs gave a brief presentation to update Council on foreclosure prevention activities.

The Council Regular Meeting was called to order at 05:37 PM in Council Chambers.

ROLL CALL- Present: Mr. Kostandaras, Mr. Crossland, Mr. Smith, Mr. Crawford, Mrs. Shapiro, Mr. Comunale, Mr. Feeman, Mr. Poda, Mrs. Rodgers, Mr. Schmidt; Absent: Mrs. Prentice (Conference in Reno)

MINUTES FOR APPROVAL: Mr. Poda moved to approve the minutes of the regular Council meeting(s) held June 28, 2010.

Voice Vote on the motion.

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

Absent: Prentice

Minutes were approved.

ANNOUNCEMENT OF GENERAL INTEREST: None

ANNOUNCEMENT FROM EXECUTIVE: None

ANNOUNCEMENT OF OFFICEHOLDERS: None

MOTIONS FOR COUNCIL

M-026-2010 **A Motion of Council confirming the appointment of Karen C. Lefton to the Public Defender Commission.**

Movant - Mr. Poda

Mr. Schmidt moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-026-2010 was adopted.

M-028-2010 A Motion of Council confirming the appointment of Mr. Gerald A. Craig (to replace Mr. William P. Harper) to the Child Fatality Review Board.

Mr. Craig has been asked to attend the 7-26-10 Personnel Committee meeting.

Movant - Mr. Poda

Mr. Crossland moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-028-2010 was adopted.

M-029-2010 A Motion of Council confirming the appointment of Mr. Gerald A. Craig (to replace Mr. William P. Harper), to the Criminal Justice Advisory Board.

Mr. Craig has been asked to attend the 7-26-10 Personnel Committee meeting.

Movant - Mr. Poda

Mr. Crossland moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-029-2010 was adopted.

M-030-2010 A Motion of Council confirming the appointment and reappointment of Mr. Gerald A. Craig (to replace Mr. William P. Harper) to the Social Services Advisory Board.

Mr. Craig has been asked to attend the 7-26-10 Personnel Committee meeting.

Movant - Mr. Poda

Mr. Crossland moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-030-2010 was adopted.

M-031-2010 A Motion of Council confirming the reappointment of Mr. Perry L. Noe to the Building Standards Board of Building Appeals.

Movant - Mr. Poda

Mr. Schmidt moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-031-2010 was adopted.

M-032-2010 A Motion of Council confirming the reappointment of Mr. John L. Reyes to the Building Standards Board of Building Appeals.

Movant - Mr. Poda

Mr. Kostandaras moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-032-2010 was adopted.

M-033-2010 A Motion of Council confirming the appointment of Ms. Marcia Doane (to replace Jim Selnik) and Mr. Paul Magnus (to replace Ed Kaufman) to the Summit/Medina Workforce Investment Board.

Movant - Mr. Poda

Mr. Schmidt moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-033-2010 was adopted.

M-034-2010 **A Motion of Council confirming the appointments and reappointments of Ms. Julie M. Bell, Mr. Stephen M. Milkovich, Ms. Connie Krauss, Mr. Don Corpora, Mr. Sherman Gandee, and Mr. Michael D. LeHere to the Summit Workforce Solutions Board of Directors.**

Movant - Mr.Poda

Mr. Smith moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-034-2010 was adopted.

M-035-2010 **A Motion of Council confirming the reappointments of Ms. Shauntelle Zimmerman and Ms. Jennifer D'Aurelio to the Humane Commission.**

Movant - Mr. Poda

Mr. Smith moved to approve.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Motion M-035-2010 was adopted.

M-036-2010 **A Motion of Council confirming the appointment of Faylin Mutch to the unclassified position of Council Executive Assistant I.**

Movant - Council of the Whole

Mr. Kostandaras moved to approve.

Voice Vote on the motion.

Yes: Comunale, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

No: Crawford

Absent: Prentice

Motion passed - Voice Vote: 9-1-0

Motion M-036-2010 was adopted.

FIRST READINGS

2010-331 **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 a total of three external people into full-time, non-bargaining, unclassified, Attorney I positions, two positions in the criminal division, and one position in the tax division, for the Prosecutor, 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, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Mr. Comunale would also like to sponsor this piece of legislation.

Mr. Schmidt moved to adopt.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Mr. Comunale would also like to sponsor this legislation.

Resolution 2010-331 was adopted.

2010-332 **A Resolution supporting the Cleveland Museum of Natural History’s Clean Ohio Grant Application for the Long Lake Bog and Singer Lake Bog Preservation Project in Coventry Township and the City of Green, in Council District 8, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-333 **A Resolution authorizing the County Executive to advertise for bids for the purchase of liquid emulsion polymers, to be delivered to County of Summit Waste Water Treatment Plants 25 in Stow and 36 in Springfield Township, located in Council Districts 3 and 8 respectively, for an estimated cost of \$90,000.00 for Plant 25 and \$60,000.00 for Plant 36, 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

2010-334 **A Resolution authorizing the County Executive to advertise for bids for the Q-944 Pump Station Nos. 30 and 51 Force Main Abandonments, located in Council District 8, in the City of Green, 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

2010-335 **A Resolution confirming an award by the Board of Control of a professional service contract renewal (second and final) with Quality Control Inspection, Inc., for construction inspection services, in an amount not to exceed \$50,000.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-336 **A Resolution confirming an award by the Board of Control of a professional service contract with Richland Engineering Limited for professional design services for the new Cleveland Massillon Road bridge over Van Hying Run, in the City of Norton, Ohio, in Council District 7, in an amount not to exceed \$76,262.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-337 **A Resolution confirming an award by the Board of Control of a purchase contract with Aero-Mark, Inc., for the 2010 Pavement Marking Program for the County of Summit, in an amount not to exceed \$90,339.50, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-338 **A Resolution confirming an award by the Board of Control of a professional service contract with Euthenics, Inc., for professional design services for the City of Hudson Ravenna Road Bridge over Tinkers Creek Reconstruction Project No. HUT-012-0005, in an amount not to exceed \$233,588.91, for the Engineer, in Council District 3, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-339 **A Resolution accepting and approving a resubdivision titled “Long Lake Beach Allotment, A Replat of Block “B” P.B. 37 P 71-74 And Long Lake Beach Allotment Subdivision of Block “B”, A Replat of Lot 15 P.B. 45 P 142-143”, 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

Committee First Readings

2010-340 **A Resolution authorizing the County Executive to execute an addendum to the Agreement For Building Inspection Services contract with the City of Akron to permit the County Department of Building Standards to perform post construction commercial site improvement inspections for commercial projects within the territorial jurisdiction of the City of Akron, for the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-341 **A Resolution confirming an award by the Board of Control of a lease renewal (fourth of five) with Global Tower Partners for the lease of the communications tower and building located at 1512 East Highland Road, Twinsburg, Ohio, in Council District 1, for the 800 MHz radio system, for the period 9/1/10 to 8/31/11, in an amount not to exceed \$45,020.16, for the Executive’s Department of Law-Division of Public Safety, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-342 **A Resolution confirming an award by the Board of Control of a construction contract with Architectural Roofing Contractors for the Environmental Services maintenance building roof replacement project, in an amount not to exceed \$54,396.00, in Council District 4, 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

Committee First Readings

2010-343 **A Resolution authorizing the County Executive to sell to the Summit County Port Authority a portion of parcel 6761194 totaling 5.604 acres of real property, located at 1035 Sweitzer Avenue, Akron, Ohio, Council District 5, for the amount of \$167,000.00, for the Executive's Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-344 **A Resolution declaring the month of August 2010 as Child Support Awareness Month in Summit County and encouraging the residents of Summit County to join in this acknowledgement, for the Prosecutor and the Executive, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-345 **A Resolution confirming an award, subject to Board of Control approval, of a purchase order with BPI Information Services for the VMware Server Consolidation Project, as Best Practical Source, approved by the IT Board 6/15/10, in an amount not to exceed \$35,069.00, for the Common Pleas Court General Division, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-346 **A Resolution increasing appropriations in the Sheriff's Drug Abuse Resistance Education ("D.A.R.E.") fund in the amount of \$55,000.00 to meet projected expenditures for the balance of 2010, for the Sheriff, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-347 **A Resolution appropriating the Fiscal Year 2009 State Homeland Security Program-Law Enforcement (“SHSP-LE”) federal pass-through funds received from the Ohio Emergency Management Agency (“Ohio EMA”) for Homeland Security Region 5, in the amount of \$878,637.06 through 12/31/10, 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

2010-348 **A Resolution appropriating \$101,210.00 in an award received for capital improvements from the Ohio Department of Rehabilitation and Corrections (“ODRC”) for the Community Based Correctional Facility (“CBCF”) locations, 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

2010-349 **A Resolution authorizing the County Executive to execute a contract with Oriana House, Inc., and the County of Summit Court of Common Pleas, on behalf of the Adult Probation Department, for the operation of a community corrections program for State Fiscal Year (“SFY”) 2011, for the period 7/1/10 to 6/30/11, in the amount of \$1,239,107.00, which is funded by a 407 grant through the Community Corrections Act (“CCA”), pursuant to which Oriana House, Inc., shall be paid an amount not to exceed \$899,518.00, and the Adult Probation Department shall be paid an amount not to exceed \$339,589.00, for the Executive’s Department of Law, 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

2010-350 **A Resolution authorizing the County Executive to execute a contract with Oriana House, Inc., and the County Sheriff for the operation of a community corrections program for State Fiscal Year (“SFY”) 2011, for the period 7/1/10 to 6/30/11, in the amount of \$548,761.00, which is funded by a 408 grant through the Community Corrections Act (“CCA”), pursuant to which Oriana House, Inc., shall be paid an amount not to exceed \$459,407.00 and the County Sheriff shall be paid an amount not to exceed \$89,534.00, for the Executive’s Department of Law, 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

2010-351 **A Resolution authorizing the County Executive to execute a contract with Oriana House, Inc., for the operation of the County's Community Based Correctional Facility ("CBCF"), for a one-year term, for State Fiscal Year ("SFY") 2011 (7/1/10 through 6/30/11), in the amount of \$5,900,000.00, funded by an Ohio Department of Rehabilitation and Correction ("ODRC") SFY 2011 Community-Based Correctional Facility Subsidy Grant, with no local cash match required, and appropriating the contract amount, for the Executive's Department of Law, 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

2010-352 **A Resolution appropriating additional Temporary Assistance to Needy Families/Subsidized Employment Program ("TANF/SEP") funds received from the Ohio Department of Job and Family Services (ODJFS), in the amount of \$27,843.50 through 9/30/10, 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

2010-353 **A Resolution confirming an award by the Board of Control of a purchase order with MNJ Technologies Public Sector, LLC, for 38 Dell Desktop computers with one-year Kaspersky Business Space License, under State Term Pricing, approved by the IT Board 7/13/10, in an amount not to exceed \$33,579.46, 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

2010-354 **A Resolution confirming an award by the Board of Control of Change Order No. 1, with the International Institute of Akron, Inc., for refugee social services, as Best Practical Source, for the period 7/1/10 to 6/30/11, and appropriating \$40,000.00 (12% 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

Committee First Readings

2010-355 **A Resolution confirming an award by the Board of Control of a professional service contract renewal (first and final) with County Commissioners Association of Ohio Service Corporation, for employment verification services, for the period 7/1/10 to 6/30/11, as Best Practical Source, in an amount not to exceed \$64,600.00, 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

2010-356 **A Resolution confirming an award by the Board of Control of Change Order No. 1, with American Red Cross of Summit and Portage Counties, for non-emergency transportation, in an amount not to exceed \$82,178.56 (76% 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

Committee First Readings

2010-357 **A Resolution confirming an award by the Board of Control of a purchase order with NEC Unified Solutions for installation of a Cisco Call Manager System, under State Term Pricing, approved by the IT Board 7/13/10, in an amount not to exceed \$131,307.20, 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

2010-358 **A Resolution amending Resolution No. 2010-304 to correct the term of the OPT-E-MAN network and internet service portion of the agreement with AT&T from July 15, 2010 through July 14, 2013 to the correct term of July 15, 2010 through July 14, 2015, for the Executive's Department of Administrative Services, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

2010-359 **A Resolution authorizing the County Executive to execute any documents necessary to accept the award by the Ohio Department of Youth Services ("ODYS") of a Models for Change Mental Health Juvenile Justice Action Network grant for the period 7/1/10 through 6/30/11, in the amount of \$24,769.00, with no local cash match requirement, and appropriating these funds for contract expenditures through 12/31/10, for the Juvenile Court, and declaring an emergency.**

Sponsor - Mr. Pry

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

Committee First Readings

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

Voice Vote on the motion

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

Absent: Prentice

The agenda was amended to add the late filings by a vote of 10-0-0.

2010-315 was removed from the Routine Legislation, and replaced by an amended version. Mr. Crossland made an amendment to remove 315. Vote was 10-0-0. 2010-315 was then placed in second readings and the amended version was adopted.

FIRST READINGS LATE FILINGS

2010-360 **A Resolution approving the term sheets for the sale and renovation of the Summit County Department of Job and Family Services Building 1, located at 47 N. Main St., Akron, Ohio 44308, in Council District 4, for use as the new headquarters of the Austen BioInnovation Institute of Akron, and authorizing the Executive to execute said term sheets, for the County's Department of Community and Economic Development, and declaring an emergency.**

Sponsor - Mr. Pry

Staff Contact: Mark Potter, (330) 643-2436, mpotter@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, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Smith

Abstain: Shapiro

Absent: Prentice

Motion passed - Voice Vote: 9-0-1

Mr. Kostandaras moved to adopt.

Voice Vote on the motion.

Yes: Comunale, Crawford, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Smith

Abstain: Shapiro

Absent: Prentice

Motion passed - Voice Vote: 9-0-1

Resolution 2010-360 was adopted.

2010-361 **A Resolution assessing the homeowner's association of Montrose Park Phase 1 Replat, A Replat of Lots 6, 161, 177, Open Space A, B and D, Outlot A and Public Easement 5 of the Montrose Park Phase 1 Subdivision, located in Copley Township, Council District 5, for drainage maintenance, for the Engineer, 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, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Mrs. Shapiro moved to adopt.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Resolution 2010-361 was adopted.

2010-362 **A Resolution approving a resubdivision titled "Sawyer and Haynes Second Shores 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) 643-2436, mpotter@summitoh.net

Committee First Readings

2010-363

A Resolution authorizing the Executive to execute a Final Settlement Agreement And Mutual Release with Copley Township, Alan Brubaker, County of Summit Engineer, Pulte Homes of Ohio, LLC, The Stile Trust, Joel Stile, Trustee, Heritage Woods, LLC, and Tuscan Ridge Development Company, LLC and, pursuant to that settlement agreement approving a resubdivision titled “Montrose Park Phase 1 Replat”, 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) 643-2436, 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, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Mrs. Shapiro moved to adopt.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Resolution 2010-363 was adopted.

Routine Agenda Motion(s)

Mr. Crossland 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, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

Absent: Prentice

Motion passed

Mr. Crossland moved to adopt the Routine Agenda.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed

ROUTINE LEGISLATION UNANIMOUSLY AGREED TO BY COMMITTEE

2010-308 **A Resolution amending the 2009/2010 Staffing Report to reduce the number of Senior Child Support Specialists from five positions to two, to increase the number of Child Support Supervisors by three positions and to increase the number of Administrative Hearing Officers by one position, for the Prosecutor, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2010-308 was adopted.

2010-309 **A Resolution confirming an award by the Board of Control of a construction contract with Perrin Asphalt for the 2010 Spot Paving Program, in an amount not to exceed \$147,953.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2010-309 was adopted.

2010-310 **A Resolution confirming an award by the Board of Control of a construction contract with Pavement Technology, Inc., for the 2010 Asphalt Rejuvenating Program, in an amount not to exceed \$86,062.00, for the Engineer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2010-310 was adopted.

- 2010-311 **A Resolution confirming an award by the Board of Control of a construction contract with PS Construction Fabrics, Inc., for the 2010 Crack Sealing Program, in an amount not to exceed \$82,787.00, for the Engineer, and declaring an emergency.**
Sponsor - Mr. Pry
Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net
Resolution 2010-311 was adopted.
- 2010-312 **A Resolution confirming an award by the Board of Control of a construction contract with Northstar Asphalt, Inc., for the 2010 Jacoby Road, Swartz Road and North Turkeyfoot Road Resurfacing, in an amount not to exceed \$346,049.00, for the Engineer, in Council Districts 5 and 8, and declaring an emergency.**
Sponsor - Mr. Pry
Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net
Resolution 2010-312 was adopted.
- 2010-313 **A Resolution confirming an award by the Board of Control of a construction contract with Lytle Construction, Inc., for the 2010 Summit County 405 and 409 road resurfacing program, in an amount not to exceed \$201,420.18, for the Engineer, in Council Districts 1 and 8, and declaring an emergency.**
Sponsor - Mr. Pry
Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net
Resolution 2010-313 was adopted.
- 2010-314 **A Resolution authorizing the County Executive to advertise for bids for improvement of Akron Peninsula Road, located in Boston Township and the Village of Peninsula, in Council District 1, at an estimated total cost to the County of Summit not to exceed \$510,000.00, for the Engineer, and declaring an emergency.**
Sponsor - Mr. Pry and Mr. Kostandaras
Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net
Resolution 2010-314 was adopted.
- 2010-315 **A Resolution confirming an award by the Board of Control of a construction contract with Karvo Paving Company, for the 2010 Olde Eight Road Resurfacing, in an amount not to exceed \$676,640.00, for the Engineer, in Council District 1, and declaring an**
Sponsor - Mr. Pry and Mr. Kostandaras
Staff Contact: Mark Potter, (330) 643-2436, mpotter@summitoh.net
Resolution 2010-315 was adopted.

- 2010-316 **A Resolution accepting the recommendations of the Tax Incentives Review Council (“TIRC) regarding numerous Enterprise Zone Agreements within the County of Summit, in Council Districts 1, 2, 3, 6, 7 and 8, 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 2010-316 was adopted.
- 2010-317 **A Resolution authorizing the County Executive to advertise for bids for the Jail Renovation Project, for an estimated total cost not to exceed \$1,578,000.00, 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 2010-317 was adopted.
- 2010-318 **A Resolution authorizing the County Executive to advertise for bids for the Men’s Community Based Correctional Facility (“CBCF) Renovation Project, for an estimated total cost not to exceed \$85,000.00, 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 2010-318 was adopted.
- 2010-319 **A Resolution appropriating additional general funds in the amount of \$125,000.00 for postage expense through the period ending 12/31/10, for the Clerk of Courts, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2010-319 was adopted.
- 2010-320 **A Resolution adjusting \$50,000.00 in current appropriations in the 800MHz Radio Maintenance Fund for the period ending 12/31/2010, for the Executive’s Department of Law, Public Safety Division, and declaring an emergency.**
- Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
- Resolution 2010-320 was adopted.

- 2010-321 **A Resolution confirming an award by the Board of Control of various professional service contracts per attached Exhibit A for service providers for Fiscal Year 2011 delinquent care and custody grants for police diversion services, for the period 7/1/10 to 6/30/11, with three options to renew for a one-year period, in a total amount not to exceed \$199,575.00, for Court of Common Pleas- Juvenile Division, and declaring an**
Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
Resolution 2010-321 was adopted.
- 2010-322 **A Resolution authorizing the County Executive to execute any documents necessary to accept the award by the Ohio Department of Mental Health as part of a funding collaborative of a Behavioral Health and Juvenile Justice (“BHJJ”) grant, in the amount of \$345,651.00, with no local cash match requirement, for the period 7/1/10 through 6/30/11, and appropriating \$345,651.00 through 12/31/10, for the Summit County Juvenile Court, and declaring an emergency.**
Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
Resolution 2010-322 was adopted.
- 2010-324 **A Resolution confirming an award by the Board of Control of a purchase order with Ahura Scientific, Inc., for a First Defender XLS3 handheld chemical identification system, as Sole Source, in an amount not to exceed \$41,047.86, for the Executive’s Department of Law - Public Safety-Emergency Management Agency, and declaring an**
Sponsor - Mr. Pry
Staff Contact: Kent Starks, (330) 643-2074, kstarks@summitoh.net
Resolution 2010-324 was adopted.
- 2010-325 **A Resolution confirming the Board of Control's award of the of a lease renewal (second of four) with Summit Workforce Solutions, for approximately 10,500 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, for a two-year term, from 7/1/10 through 6/30/12, for rent of \$23,967.14 per month, or \$287,605.68 annually, for the first year of the lease, from 7/1/10 through 6/30/11, including rent, common area maintenance charges, other operating expenses and utilities, and rent of \$24,686.14 per month, or \$296,233.68 annually, for the second year of the lease, from 7/1/11 through 6/30/12, including rent, common area maintenance charges, other operating expenses and utilities, for a total not to exceed amount of \$583,839.36 for the two-year term of the lease, 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 2010-325 was adopted.

2010-326 **A Resolution confirming an award by the Board of Control of a purchase order with Graphic Enterprises Office Solutions, Inc., for two Bizhub copiers with ecopy stations, under State Term Pricing, approved by the IT Board 5/11/10, in an amount not to exceed \$33,187.00, 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 2010-326 was adopted.

2010-327 **A Resolution authorizing the County Executive to execute Amendment Number One to a contract with the State of Ohio Department of Developmental Disabilities ("Ohio DD") to substitute the County of Summit Department of Developmental Disabilities ("Summit DD") facility located at 501 West Hopocan Avenue, Barberton Ohio 44203, in Council District 7 ("Barberton Facility"), for the former Summit DD facility, the Bath Training and Work Center, located at 340 North Cleveland-Massillon Road, Akron, Ohio 44333, in Council District 1 ("Bath Facility"), as the replacement facility or "Site" subject to the remaining debt of approximately \$87,000.00 of an original loan amount of \$540,582.00 under the August 1, 1997, contract between Ohio DD and the County to construct and/or renovate the Bath Facility, for the Executive and the Board of Developmental Disabilities, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2010-327 was adopted.

2010-328 **A Resolution confirming an award by the Board of Control of a purchase order with ACS Government Systems, Inc., for the renewal of the product support and enhancement agreement for Banner software, for the period 6/1/10 to 12/31/13, approved by the IT Board 6/15/10, for a partial year payment of \$81,981.81 through December 2010, not to exceed \$163,963.61 annually, for a total amount not to exceed \$573,872.64, for the Fiscal Officer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2010-328 was adopted.

2010-329 **A Resolution confirming an award by the Board of Control of a purchase order with Dell, Inc., for two Dell PowerEdge R510 servers and two PowerEdge R410 servers, under House Bill 100, approved by the IT Board 6/15/10, in an amount not to exceed \$26,498.32, for the Fiscal Officer, and declaring an emergency.**

Sponsor - Mr. Pry

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

Resolution 2010-329 was adopted.

SECOND READINGS

2010-253 **A Resolution authorizing the County Executive to execute the First Amendment and Restatement of the Declaration of Condominium Ownership and By-Laws of the Condominium Association for the 1040 East Tallmadge Avenue Condominium, 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 the requirement of three readings.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Mrs. Prentice moved to adopt.

Voice Vote on the motion.

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

Absent: Prentice

Motion passed - Voice Vote: 10-0-0

Resolution 2010-253 was adopted.

2010-323

A Resolution confirming an award by the Board of Control of a super specific purchase order with BP Products for fuel and miscellaneous small vehicle expenses, for reasonable reoccurring historical expenses, as Best Practical Source, in an amount not to exceed \$250,000.00, 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 the requirement of three readings.

Voice Vote on the motion.

Yes: Comunale, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

No: Crawford

Absent: Prentice

Motion passed - Voice Vote: 9-1-0

Mr. Schmidt moved to adopt.

Voice Vote on the motion.

Yes: Comunale, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

No: Crawford

Absent: Prentice

Motion passed - Voice Vote: 9-1-0

Resolution 2010-323 was adopted.

2010-330

A Resolution authorizing the County Executive to sell to the City of Akron 0.310606 acres of real property owned by the County of Summit located at 148 Park St., Akron, Ohio 44308, identified as Parcel No. 6750895, in Council District 4, for the amount of \$81,000.00 and payment of all closing costs by the City of Akron, for the Executive's Department of Law, and declaring an emergency.

Sponsor - Mr. Pry

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

Mrs. Shapiro moved to suspend the requirement of three readings.

Voice Vote on the motion.

Yes: Comunale, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

No: Crawford

Absent: Prentice

Motion passed - Voice Vote: 9-1-0

Mrs. Shapiro moved to adopt.

Voice Vote on the motion.

Yes: Comunale, Crossland, Feeman, Kostandaras, Poda, Rodgers, Schmidt, Shapiro, Smith

No: Crawford

Absent: Prentice

Motion passed - Voice Vote: 9-1-0

Resolution 2010-330 was adopted.

Presentation of New Business:

Presentation of Petitions to address Council:

Executive Session

Motion By:

Seconded By:

Motion Type: Roll Call

For:

Against:

Abstain:

Absent:

Outcome:

Call To Order:

Reason:

Adjournment: Council adjourned at 6:07 pm. The next regular meeting will be held July 26, 2010 at 5:30 pm

All deliberations concerning official business and formal actions by this County Council were conducted in an open public meeting this 19th day of July, 2010.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL