



MINUTES

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, AUGUST 28, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
2:00 PM**

1. CALL TO ORDER

Due to the nature of the item referred to Committee, Council President Connally requested that Councilmember Schron preside over the meeting. Chairman Schron then called the meeting to order at 2:15 p.m.

2. ROLL CALL

Mr. Schron asked Deputy Clerk Barnhill to call the roll. Committee members Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Connally were in attendance and a quorum was determined.

3. PUBLIC COMMENT RELATED TO THE AGENDA

The following addressed the Committee regarding issues of concern to them relating to Ordinance No. O2012-0011:

- 1) The Honorable Earl Leiken, Mayor of Shaker Heights, representing the First Suburbs Consortium;**
- 2) The Honorable Brad Sellers, Mayor of the City of Warrensville Heights;
and**
- 3) The Honorable Bill Cervenik, Mayor of the City of Euclid.**

4. APPROVAL OF MINUTES

- a) August 14, 2012**

A motion was made by Mr. Brady, seconded by Ms. Connally and approved by unanimous vote to approve the minutes of the August 14, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) O2012-0011: An Ordinance establishing an Economic Development Fund for the purpose of collecting and expending proceeds from gross casino revenues, and declaring the necessity that this Ordinance become immediately effective.

Mr. Schron introduced a proposed substitute to Ordinance No. O2012-0011. Discussion ensued.

A motion was made by Mr. Schron, seconded by Mr. Brady and approved by majority vote to accept the proposed substitute to Ordinance No. O2012-0011, with Committee member Simon casting a dissenting vote.

A motion was then made by Mr. Gallagher and seconded by Mr. Germana to amend Section 4 of Ordinance No. O2012-0011 to replace “shall” with “may”. The motion was approved by majority vote with Committee members Conwell and Jones casting dissenting votes.

Chairman Schron then turned the gavel over to Committee member Conwell to Chair the rest of the meeting.

- b) O2012-0005: An Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered; and establishing exceptions.

Mr. Greenspan introduced an amendment to Section 3 of Ordinance No. O2012-0005. Discussion ensued.

A motion was then made by Mr. Greenspan and seconded by Mr. Schron to amend Section 3 of Ordinance No. O2012-0005 as follows:

The provisions of Section 1 above shall not apply if the inquiries or actions are specifically related to:

- a) *the consideration of applicants for positions as Deputy Sheriffs and the Regional Enterprise Data Sharing System (REDSS) Staff; or*
- b) *the consideration of applicants for positions on which General Law places eligibility restrictions based on criminal background.*

The motion failed on a vote of 4 to 7 with Committee members Greenspan, Germana, Gallagher and Schron voting in the affirmative and Committee members Miller, Brady, Conwell, Jones, Rogers, Simon and Connally casting dissenting votes.

On a motion by Ms. Connally with a second by Ms. Conwell, Ordinance No. O2012-0005 was considered and approved by majority vote to be referred to the full Council agenda with a recommendation for passage under fourth reading, with Committee member Greenspan casting a dissenting vote.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

Mr. Werner Minshall, representing the Tower at Erievue and The Galleria, addressed the Committee regarding issues of concern to him relating to the RFP process for the purchase of a new County facility.

8. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Chairwoman Conwell at 4:03 p.m., without objection.