

AGENDA ACTIONS
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 25, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
6:00 PM

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 6:15 p.m.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. SILENT MEDITATION

Council President Connally requested there be a moment of silent meditation to reflect on our nation, the President and Congress and that the State of the Union is strong. Mr. Germana also requested that we keep Judge Deanna O'Donnell and her family in our thoughts as she lost her husband, Craig Mackovjak, in a construction accident.

4. ROLL CALL

Council President Connally asked the Clerk to call the roll. Councilmembers Gallagher, Schron, Conwell, Jones, Connally, Rogers, Simon, Greenspan, Miller, Brady and Germana were in attendance and a quorum was determined.

5. ADOPTION OF AGENDA

On a motion by Mr. Miller with a second by Ms. Simon, the agenda was unanimously adopted.

6. PUBLIC COMMENT RELATED TO AGENDA

Mr. Richard Storey, citizen, addressed the Council regarding issues of concern to him relating to Item 12.a) Ordinance No. O2011-0007, sewer connection and assessment fees in Olmsted Township.

7. APPROVAL OF MINUTES

a) January 11, 2011 Meeting

On a motion by Mr. Brady with a second by Mr. Rogers, the minutes of the January 11, 2011 meeting were unanimously approved.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Ed FitzGerald began by thanking Council for participating in the first meeting of the Economic Development Commission and Job Summit held at Cleveland State University. He then reported that, in addition to himself, the Commission consists of the following representatives: Mayor Bruce Ackers representing the Mayors and Managers Association, Mr. Joe Roman representing the Greater Cleveland Partnership, Ms. Harriett Applegate representing the AFL/CIO, Mr. Will Friedman representing the Cleveland-Cuyahoga County Port Authority, Mr. Chris Warren representing Mayor Frank Jackson and the City of Cleveland and Councilmember Jack Schron. County Executive FitzGerald stated that the following organizational business was conducted: a) he was elected as Chair and Councilmember Jack Schron was elected as Vice Chair of the Commission for the first year; b) bylaws were adopted; c) presentations were heard regarding major public works projects (i.e., casino, medical mart, East bank of the Flats and interbelt bridge); d) the planning process is beginning for the 5-year Economic Development Plan required under the Charter to be submitted to Council by June 1st; and e) the next meeting of the Commission will be sometime in February.

9. CONSIDERATION OF MOTIONS OF COUNCIL UNDER SUSPENSION OF RULES

A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to suspend Rules 7E and 13A for Motion No. M2011-0004.

- a) M2011-0004: A Motion to appoint individuals to serve on Boards of Revision for Cuyahoga County.

Sponsor: Council President Connally

At the request of Council President Connally, the Clerk read into the record the names of the following individuals to be appointed to serve on Boards of Revision for Cuyahoga County: Hann Smith, Steven J. Billington, Timothy J. Kollin, Glen E. Littlejohn, Douglas O. Cooper, Matthew H. Grabenstein and Annette Butler. On a motion by Mr. Miller with a second by Mr. Rogers, Motion No. M2011-0004 was considered and approved by unanimous vote.

10. CONSIDERATION OF RESOLUTIONS OF COUNCIL UNDER SUSPENSION OF RULES

A motion was made by Mr. Miller, seconded by Ms. Simon and approved by unanimous vote to suspend Rules 9D and 13A for Resolutions No. R2011-0024 and No. R2011-0025.

- a) R2011-0024: A Resolution providing for the appointment of Jeanne M. Schmotzer as Clerk of Council, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Connally

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2011-0024 was considered and adopted by unanimous vote.

- b) R2011-0025: A Resolution providing for the appointment of Joseph A. Nanni as Chief of Staff, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Connally

On a motion by Mr. Schron with a second by Ms. Simon, Resolution No. R2011-0025 was considered and adopted by unanimous vote.

11. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Miller, seconded by Mr. Brady and approved by unanimous vote to suspend Rules 9D and 13A for Resolutions No. R2011-0006, No. R2011-0007, No. R2011-0011, No. R2011-0013, No. R2011-0020, No. R2011-0022, No. R2011-0023, No. R2011-0026, No. R2011-0027, No. R2011-0028, R2011-0029, No. R2011-0030, No. R2011-0031, No. R2011-0032, No. R2011-0033, No. R2011-0034, No. R2011-0035, No. R2011-0036, No. R2011-0037, No. R2011-0038, No. R2011-0039, No. R2011-0040 and No. R2011-0041:

- a) R2011-0006: A Resolution authorizing the Department of Purchasing on behalf of the County Executive to issue Addendum No. 2 to the specifications on RQ18812 for improvement of Stumph Road from Snow Road to Pearl Road in the Cities of Parma and Parma Heights, to make technical changes and to change the bid due date from 12/7/2010 to 1/13/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2011-0006 was considered and adopted by unanimous vote.

- b) R2011-0007: A Resolution authorizing the County Executive to reject all bids received on RQ18542 for repair and resurfacing of Tiedeman Road from Brookpark Road to Memphis Avenue in the City of Brooklyn; authorizing revised specifications; and authorizing the Department of Purchasing to readvertise for bids on RQ19185, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Germana with a second by Mr. Rogers, Resolution No. R2011-0007 was considered and adopted by unanimous vote.

- c) R2011-0011: A Resolution authorizing the Department of Purchasing on behalf of the County Executive to issue Addendum No. 2 to the specifications on RQ18560 for the Corrections Center Jail Kitchen Renovation Project, to make technical changes and to change the bid due date from 12/21/2010 to 1/13/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/
Department of Central Services

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2011-0011 was considered and adopted by unanimous vote.

- d) R2011-0013: A Resolution authorizing the County Executive to enter into an amendment (Subsidiary No. 1) to Contract No. CE1000552-01 with The C.A. Agresta Construction Co. for rehabilitation of various maintenance yard parking lots and driveways for a decrease in the amount of (\$9,489.89), and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2011-0013 was considered and adopted by unanimous vote.

- e) R2011-0020: A Resolution authorizing the County Executive to enter into a contract (No. CE1100042-01) with PharMed Corporation in the amount not-to-exceed \$360,000.00 for medical supplies for the period 7/1/2010 - 6/30/2013, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Sheriff

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0020 was considered and adopted by unanimous vote.

- f) R2011-0022: A Resolution authorizing the County Executive to enter into a contract (No. CE1100040-01, 02) with The Golden Age Centers of Greater Cleveland in the amount not-to-exceed \$256,753.00 for the Community Social Services Program for the period 1/1/2011 -

12/31/2012, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Senior & Adult Services

On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2011-0022 was considered and adopted by unanimous vote.

- g) R2011-0023: A Resolution authorizing the County Executive to enter into a contract (No. CE1100049-01, 02, 03) with West Side Community House in the amount not-to-exceed \$261,733.00 for the Community Social Services Program for the period 1/1/2011 - 12/31/2012, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Senior & Adult Services

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2011-0023 was considered and adopted by unanimous vote.

- h) R2011-0026: A Resolution authorizing the County Engineer on behalf of the County Executive to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$1,451,287.26 for repair and resurfacing of Hillside Road from Broadview Road to Brecksville Road in the Cities of Independence and Seven Hills, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2011-0026 was considered and adopted by unanimous vote.

- i) R2011-0027: A Resolution authorizing the Department of Purchasing on behalf of the County Executive to issue Addendum No. 3 to the specifications on RQ18812 for improvement of Stumph Road from Snow Road to Pearl Road in the Cities of Parma and Parma Heights, to make technical changes and to change the bid due date from 1/13/2011 to 1/20/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2011-0027 was considered and adopted by unanimous vote.

- j) R2011-0028: A Resolution authorizing the Department of Purchasing on behalf of the County Executive to issue Addendum No. 4 to the specifications on RQ18812 for improvement of Stumph Road from Snow Road to Pearl Road in the Cities of Parma and Parma Heights, to make technical changes and to change the bid due date from 1/20/2011 to 1/27/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2011-0028 was considered and adopted by unanimous vote.

- k) R2011-0029: A Resolution approving specifications and estimate of cost in the amount not-to-exceed \$6,770,000.00 for construction of a grade separation on Fitch Road over the Norfolk Southern Railroad in the City of Olmsted Falls and Olmsted Township; authorizing the Department of Purchasing to advertise for bids on RQ19284, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Ms. Simon with a second by Mr. Rogers, Resolution No. R2011-0029 was considered and adopted by unanimous vote.

- l) R2011-0030: A Resolution approving specifications and estimate of cost in the amount not-to-exceed \$1,685,000.00 for repair and resurfacing of Monticello Boulevard from Mayfield Road to Taylor Road in the City of Cleveland Heights; authorizing the Department of Purchasing to advertise for bids on RQ19312, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2011-0030 was considered and adopted by unanimous vote.

- m) R2011-0031: A Resolution approving an award to Westbank Development Corp. as settlement for property rights in connection with rehabilitation of the Columbus Road Lift Bridge in the City of Cleveland, in an amount equal to the approved appraisal fair market value estimate \$8,000.00 for Parcel No. 3TV (Temporary Easement), 3491

Ingleside Road, Cleveland, Ohio 44122, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer

On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2011-0031 was considered and adopted by unanimous vote.

- n) R2011-0032: A Resolution approving a North Coast Opportunities Technology Fund loan in the amount not-to-exceed \$85,000.00 to CFRC Water and Energy Solutions, Inc. to conduct a pilot trial for a sensor activated water flow control device for shower heads; authorizing the County Executive and/or Director of Development to execute all documents required in connection with said loan, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2011-0032 was considered and adopted by unanimous vote.

- o) R2011-0033: A Resolution approving a Brownfields Revolving Loan Fund Subgrant Agreement with Notre Dame College in the amount not-to-exceed \$200,000.00; authorizing the County Executive and/or Director of Development to execute all documents required in connection with said Subgrant Agreement, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2011-0033 was considered and adopted by unanimous vote.

- p) R2011-0034: A Resolution approving an economic development loan in the amount not-to-exceed \$800,000.00 to SDC University Circle Developer, LLC, for a project located at Cornell Road and Euclid Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents required in connection with said loan, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0034 was considered and adopted by unanimous vote.

- q) R2011-0035: A Resolution authorizing the Department of Purchasing on behalf of the County Executive to issue Addendum No. 3 to the specifications on RQ18560 for the Corrections Center Jail Kitchen Renovation Project, to make technical changes and to change the bid due date from 1/13/2011 to 1/20/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/
Department of Central Services

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2011-0035 was considered and adopted by unanimous vote.

- r) R2011-0036: A Resolution authorizing the Department of Purchasing on behalf of the County Executive to issue Addendum No. 4 to the specifications on RQ18560 for the Corrections Center Jail Kitchen Renovation Project, to make technical changes and to change the bid due date from 1/20/2011 to 1/28/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/
Department of Central Services

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2011-0036 was considered and adopted by unanimous vote.

- s) R2011-0037: A Resolution amending the 2011 Annual Appropriation Measure by providing additional fiscal appropriations from the General Fund and other funding sources for appropriation transfers between budget accounts and for cash transfers between budgetary funds in order to meet the budgetary needs of various County departments, offices and agencies, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Budget & Management

On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2011-0037 was considered and adopted by unanimous vote.

- t) R2011-0038: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900289-02 with Midwest Medical Staffing, Inc. for medical, psychiatric, dental and pharmacy services for the period 1/1/2009 – 12/31/2010 to exercise an option to extend the time period to 12/31/2011 and for additional funds in the amount of \$1,819,480.00, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Sheriff

On a motion by Mr. Rogers with a second by Mr. Schron, Resolution No. R2011-0038 was considered and adopted by unanimous vote.

- u) R2011-0039: A Resolution authorizing the County Executive to enter into a contract with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$669,556.00 for the Early Childhood Mental Health Services Program for the Invest in Children Program for the period 1/1/2011 – 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Early Childhood

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2011-0039 was considered and adopted by unanimous vote.

- v) R2011-0040: A Resolution authorizing the County Executive to enter into a contract with City of Cleveland/Department of Public Health in the amount not-to-exceed \$407,000.00 for the MomsFirst Program for the Invest in Children Program for the period 1/1/2011 – 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Early Childhood

On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2011-0040 was considered and adopted by unanimous vote.

- w) R2011-0041: A Resolution authorizing the County Executive to enter into a contract (No. CE1100097-01) with Great Lakes Petroleum Co. in the amount not-to-exceed \$304,000.00 for middle distillates for various County facilities for the period 1/1/2011 – 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Purchasing

On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2011-0041 was considered and adopted by unanimous vote.

12. CONSIDERATION OF AN ORDINANCE FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Miller, seconded by Mr. Brady and approved by unanimous vote to suspend Rules 9D and 13A for Ordinance No. O2011-0007.

- a) O2011-0007: An Ordinance amending County Resolution No. 052208 and No. 052209, each dated 6/2/2005, which established charges payable for connection to the County's water and sewer supply facilities in County Sewer District No. 14 for the period 12/30/2010 - 12/29/2011, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/County Engineer/Sanitary Engineering Division

On a motion by Mr. Greenspan with a second by Mr. Gallagher, Ordinance No. O2011-0007 was considered and adopted by unanimous vote.

13. MISCELLANEOUS COMMITTEE REPORTS

No committee reports were given.

14. MISCELLANEOUS BUSINESS

Mr. Germana discussed the possibility of running for Mayor of Parma as Mayor Dean DePiero has decided not to run for re-election.

15. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

16. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Ms. Conwell, the meeting was adjourned at 7:52 p.m., without objection.

NEXT MEETINGS

CONTINUATION OF COMMITTEE
OF THE WHOLE/
CONFIRMATION HEARINGS FOR
EXECUTIVE APPOINTMENTS:

TUESDAY, FEBRUARY 8, 2011
3:00 PM – CLERK OF COURTS
COUNCIL CHAMBERS

COUNCIL WORK SESSION:

TUESDAY, FEBRUARY 8, 2011
4:00 PM
COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, FEBRUARY 8, 2011

6:00 PM

COUNCIL CHAMBERS