



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, JUNE 14, 2011  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
6:00 PM**

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 6:02 p.m.**

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally asked that a moment of silent meditation be dedicated in honor of the anniversary of the United States Army and for the thirty new American citizens who were sworn in today.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**Dr. Thomas Gilson thanked Council for his appointment as Medical Examiner as he was unable to attend the meeting on May 31, 2011.**

**6. APPROVAL OF MINUTES**

**a) May 31, 2011 Meeting**

**A motion was made by Ms. Conwell, seconded by Mr. Jones and approved by unanimous vote to approve the minutes of the May 31, 2011 meeting.**

7. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive FitzGerald reported that he will be implementing a new system for how foreclosure appraisals will be conducted and that he will provide information to Council regarding the process.**

8. CONSIDERATION OF A MOTION OF COUNCIL 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 12A and to place on final passage Motion No. M2011-0037.**

- a) M2011-0037: A Motion appointing individuals to serve on the Council Districting Commission, and declaring the necessity that this Motion become immediately effective:
- 1) Thomas Bier
  - 2) Martin Kolb
  - 3) Kenneth Lumpkin
  - 4) Michael Cleary
  - 5) Virginia Aveni

Sponsor: Council President Connally and Councilmember Miller

**On a motion by Ms. Connally with a second by Mr. Gallagher, Motion No. M2011-0037 was considered and approved by unanimous vote.**

9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2011-0038: A Motion confirming the County Executive's appointment of Wade Steen to serve on the Cuyahoga County Community Improvement Corporation Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

**Council President Connally referred Motion No. M2011-0038 to the Human Resources, Appointments & Equity Committee.**

10. COMMITTEE REPORT AND CONSIDERATION OF A MOTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to suspend Rule 9D and to place on final passage Motion No. M2011-0032.**

- a) M2011-0032: A Motion confirming the County Executive's appointment of Vanessa L. Whiting, Esq. to serve on The MetroHealth System Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

Committee Assignments and Chairs: Human Resources, Appointments & Equity – Conwell and Health, Human Services & Aging – Brady

**On a motion by Mr. Schron with a second by Mr. Gallagher, Motion No. M2011-0032 was considered and approved by unanimous vote.**

11. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Miller, seconded by Mr. Greenspan and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2011-0025.**

- a) O2011-0025: An Ordinance establishing additional criteria for the Council Districting Commission to use for the purpose of drawing district boundaries, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Miller **and Greenspan**

Committee Assignment and Chair: Rules, Charter Review, Ethics & Council Operations – Greenspan

**On a motion by Mr. Miller with a second by Ms. Conwell, Ordinance No. O2011-0025 was considered and adopted by unanimous vote.**

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

**A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2011-0196, R2011-0197, R2011-0198 and R2011-0199.**

- a) R2011-0196: A Resolution amending Resolution No. 104840 dated 11/3/2010, which approved additional appropriations, by correcting typographical errors, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Budget & Management

**On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2011-0196 was considered and adopted by unanimous vote.**

- b) R2011-0197: A Resolution amending Resolution No. 105102 dated 12/2/2010, which approved additional appropriations, by correcting typographical errors; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Budget & Management

**On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2011-0197 was considered and adopted by unanimous vote.**

- c) R2011-0198: A Resolution amending the 2011 Annual Appropriation Measure by providing for 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 Ms. Conwell with a second by Mr. Miller, Resolution No. R2011-0198 was considered and adopted by unanimous vote.**

- d) R2011-0199: A Resolution authorizing an award on RQ19312 to Burton Scot Contractors, LLC, in the amount of \$1,484,119.40 for repair and resurfacing of Monticello Boulevard from Mayfield Road to Taylor Road in the City of Cleveland Heights; authorizing the County Executive to enter into a contract consistent with said award; 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 \$1,187,295.52 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/  
County Engineer **and Councilmembers Jones and Rogers**

**On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2011-0199 was considered and adopted by unanimous vote.**

13. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2011-0200: A Resolution adopting an operating budget for the Human Resource Commission, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Human Resource Commission

**Council President Connally referred Resolution No. R2011-0200 to the Human Resources, Appointments & Equity Committee and to the Finance & Budgeting Committee.**

- b) R2011-0201: A Resolution authorizing the County Executive to enter into an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$5,000.00 for assessment and health monitoring of playgrounds located in East Cleveland in connection with the Brownfields Assessment Coalition Grant Program for the period 8/1/2008 - 9/30/2012.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2011-0201 to the Economic Development & Planning Committee and to the Environment & Sustainability Committee.**

- c) R2011-0202: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900765-01 with City of Shaker Heights for the City Building ADA Improvement Project for the FY2009 Municipal Grant Program for the period 6/1/2009 - 12/31/2010 to extend the time period to 6/30/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2011-0202 to the Economic Development & Planning Committee.**

- d) R2011-0203: A Resolution authorizing the County Executive to enter into amendments to contracts with various political subdivisions for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2009 - 6/30/2011 to exercise an option to extend the time period to 8/31/2011; authorizing additional funds; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE0900723-01 with Cleveland Municipal School District.
- 2) No. CE0900740-01 with Cuyahoga Community College District.
- 3) No. CE0900741-01 with Cuyahoga Community College District.
- 4) No. CE0900724-01 with Mayfield City School District and for additional funds in the amount not-to-exceed \$10,500.00.

Sponsor: County Executive FitzGerald/Department of Workforce Development

**Council President Connally referred Resolution No. R2011-0203 to the Economic Development & Planning Committee.**

- e) R2011-0204: A Resolution authorizing the County Executive to enter into a state contract with Staples Contract & Commercial, Inc. in the amount not-to-exceed \$1,715,534.00 for office supplies for various County departments for the period 7/1/2011 - 6/30/2013, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

**Council President Connally referred Resolution No. R2011-0204 to the Public Works, Procurement & Contracting Committee.**

- f) R2011-0205: A Resolution authorizing an award on RQ20118 to CBS Outdoor, Inc. in the amount of \$69,005.88 for advertising services on Greater Cleveland Regional Transit Authority buses for the Veterans Service Commission Outreach Program for the period 4/4/2011 - 3/4/2012; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

**Council President Connally referred Resolution No. R2011-0205 to the Finance & Budgeting Committee.**

- g) R2011-0206: A Resolution authorizing the County Executive, on behalf of Common Pleas Court and Corrections Planning Board, to enter into agreements with various County departments for various programs in connection with the FY2012 Community Correction Act Grant Program for the period 7/1/2011 - 6/30/2012, and declaring the necessity that this Resolution become immediately effective:

- 1) Cuyahoga County Sheriff's Office in the amount not-to-exceed \$113,500.00 for offender apprehension services for the Intensive Special Probation Felony Diversion Program.
- 2) Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$174,345.00 for intensive out-patient substance abuse treatment services for offenders in the Early Intervention Program.
- 3) Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$109,500.00 for administration and fiscal agent services for the Dually Diagnosed Offender Intensive Outpatient and Aftercare Program.
- 4) Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$32,200.00 for forensic liaison services for the Offenders with Developmental Disabilities Program.

Sponsors: County Executive FitzGerald and Common Pleas Court/  
Corrections Planning Board

**Council President Connally referred Resolution No. R2011-0206 to the Justice Affairs Committee.**

- h) R2011-0207: A Resolution authorizing an award on RQ19874 to Oriana House, Inc. in the amount of \$744,000.00 for a Cognitive Skills Development Program for the period 7/1/2011 - 6/30/2014; authorizing the County Executive, on behalf of Common Pleas Court and Corrections Planning Board, to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Common Pleas Court/  
Corrections Planning Board

**Council President Connally referred Resolution No. R2011-0207 to the Justice Affairs Committee.**

- i) R2011-0208: A Resolution authorizing the County Executive to enter into memoranda of understanding with various social service providers designating them as approved providers in the Cuyahoga Tapestry System of Care Provider Services Network for the period 6/1/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective:

- 1) Ace Away Pest Control/Animal Man Wild Life Services, LLC
- 2) Building Bridges Murals, Inc.
- 3) Cleveland Eastside Ex-Offender Coalition

- 4) Cleveland Urban Minority Alcoholism Drug Abuse Outreach Project
- 5) Golden Ciphers
- 6) In the Hood Foundation Inc.
- 7) Jackson Express Services, LLC
- 8) L.E.V.Y. Social Programs, Inc.
- 9) Making a Difference Consulting, LLC
- 10) MGW Resource Center
- 11) No Limit Leaders
- 12) Quality Care Residential Homes, Inc.
- 13) The East End Neighborhood House Association
- 14) The Sanctuary Christian Entertainment Complex, Inc.
- 15) University Settlement Incorporated
- 16) V.O.I.C.E. Consulting (Vision, Opportunity, Investment, Commitment, Enterprise)

Sponsor: County Executive FitzGerald/Department of Health and Human Services

**Council President Connally referred Resolution No. R2011-0208 to the Health, Human Services & Aging Committee.**

- j) R2011-0209: A Resolution authorizing the County Executive to enter into an agreement with The Ohio State University on behalf of its Ohio State University Extension-Cuyahoga County in the amount not-to-exceed \$247,000.00 for educational program services 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 Health and Human Services

**Council President Connally referred Resolution No. R2011-0209 to the Health, Human Services & Aging Committee.**

- k) R2011-0210: A Resolution authorizing and directing the Cuyahoga County Fiscal Officer to make the necessary levy pursuant to Ohio Revised Code Section 5901.11, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Office of Budget & Management and Veterans Service Commission

**Council President Connally referred Resolution No. R2011-0210 to the Finance & Budgeting Committee.**



14. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING AND REFERRAL TO COMMITTEE

- a) R2011-0195: A Resolution ratifying Contract No. CP03937-01 with Equity Residential Properties Management Corp. for lease of office space located at 1701 East 12<sup>th</sup> Street, Cleveland, for use by Department of Senior & Adult Services for the period 6/1/2001 - 1/31/2005; approving the transfer and encumbrance of funds in the amount not-to-exceed \$312,005.91 for payment of rent through 9/30/2011; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Public Works, Procurement & Contracting – Jones

**Council President Connally referred Resolution No. R2011-0195 to the Public Works, Procurement & Contracting Committee.**

15. CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2011-0028: An Ordinance amending Ordinance No. O2011-0015 to expire on or before 12/31/2011 providing for the approval and adoption of Human Resources Policies & Procedures for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources

**Council President Connally referred Ordinance No. O2011-0028 to the Human Resources, Appointments & Equity Committee.**

16. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Greenspan, seconded by Mr. Miller and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2011-0019.**

- a) O2011-0019: An Ordinance establishing the Agency of Inspector General and the responsibilities and duties of said Agency, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald and Councilmembers Greenspan, Miller, Connally, Brady, Simon, Jones, **Gallagher, Germana and Rogers**

Committee Assignment and Chair: Rules, Charter Review, Ethics & Council Operations – Greenspan

**On a motion by Mr. Schron with a second by Ms. Conwell, Ordinance No. O2011-0019 was considered and adopted by unanimous vote.**

17. HEARING OF OBJECTIONS – 6:15 p.m.

**Council President Connally opened the public hearing at 6:20 p.m. by recognizing Bonita Teeuwen, Director of Public Works, who spoke briefly to the project. Council President Connally then called for public comment and the following residents of Olmsted Township addressed Council regarding issues of concern to them pertaining to the project: Mr. Marty Leshner, Ms. Carol Miller, Mr. Tom Hlavaty, Ms. Kathy Laughlin and Olmsted Township Trustee Jim Carr. Hearing no further comments, the public hearing was closed at 6:43 p.m. Discussion ensued. The Clerk then read into the record Resolution No. R2011-0211.**

- a) R2011-0211: A Resolution approving surveys, construction plans, right-of-way plans, profiles, cross-sections, estimates of costs, specifications, and Right-of-Way Plat M-4997; authorizing the County Executive to acquire the necessary right-of-way and to proceed with the widening and reconstruction of Barrett Road from Spafford Road to the Berea West Corporation Line and replacement of Barrett Road Culvert Nos. 8, 9, 10 and 11 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

**Council President Connally referred Resolution No. R2011-0211 to the Public Works, Procurement & Contracting Committee.**

18. MISCELLANEOUS COMMITTEE REPORTS

**Ms. Schmotzer updated Council on new committee and staffing procedures and other processes and procedures implemented by the Clerk's Office.**

**Mr. Miller reported that the Finance & Budgeting Committee meeting will be held on Monday, June 20, 2011 at 1:00 p.m. The Veterans Service Commission budget, the County's midyear budget process and the Human Resource Commission budget will be discussed. Mr. Wade Steen, Fiscal Officer, will present the midyear budget to Council at the June 28, 2011 meeting.**

**Mr. Germana reported that he attended the Northeast Ohio Areawide Coordinating Agency Board meeting and the 12<sup>th</sup> Annual Regional Planning Summit. He also reported that the Metropolitan and Regional Affairs Committee of the County Commissioners Association of Ohio will hold their monthly conference call on June 15, 2011 at 1:00 p.m.**

**Mr. Jones reported that there will be a joint Public Works, Procurement & Contracting and Environment & Sustainability Committee meeting on June 14, 2011 at 11:00 a.m. Ms. Bonita Teeuwen, Director of Public Works, will give a presentation in regard to the Towpath Trail. He also reported that he and Council President Connally recently visited an urban farm in his district.**

**Mr. Rogers reported that the Environment & Sustainability Committee in conjunction with the Cuyahoga County Soil & Water Conservation District toured various conservation facilities and projects. A video presentation of the tour will be posted on the County website.**

**Mr. Schron reported that there will be an Economic Development & Planning Committee meeting June 27, 2011 at 3:00 p.m. to discuss concepts regarding the \$100M bond fund for economic development and construction reform.**

**Mr. Greenspan stated that last week Huntington Beach was the first beach on Lake Erie to receive the Blue Water designation.**

#### **19. MISCELLANEOUS BUSINESS**

**Mr. Rogers read a statement opposing the closing of Huron Road Hospital. Council President Connally also made a statement. Mr. Miller expressed his strong concerns regarding the closing and Mr. Brady discussed the ramifications of the closing. Ms. Conwell gave a statement expressing her concerns as well.**

#### **20. PUBLIC COMMENT UNRELATED TO AGENDA**

**There was no public comment.**

#### **21. 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 7:48 p.m., without objection.**