

AGENDA ACTIONS
(as amended by Motion of Council on February 22, 2011)
CUYAHOGA COUNTY COUNCIL SPECIAL MEETING
TUESDAY, FEBRUARY 15, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
4:00 PM

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 4:08 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 the passing of Mr. George David Phillips, father of George Phillips, who serves as an administrative assistant to the Council.

4. ROLL CALL

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

On a motion by Mr. Miller with a second by Mr. Greenspan, the agenda was amended to insert Item No. 12 after Item No. 7 and to add an additional item to Item No. 12. The motion was then considered and approved by unanimous vote.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Fred Pausch, Executive Director of the County Engineers Association of Ohio, addressed Council regarding issues of concern to him relating to credentials required of a County Engineer, establishing a Department of Public Works and appointing a Director of Public Works.

6. APPROVAL OF MINUTES

a) February 8, 2011 Meeting

On a motion by Mr. Miller with a second by Mr. Gallagher, the minutes of the February 8, 2011 meeting were unanimously approved.

7. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive

No report was given by County Executive FitzGerald.

As the agenda was amended to insert Item No. 12 after Item No. 7 and to add an additional item to Item No. 12, Council then proceeded to Item No. 12.

8. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Miller, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 7E and 13A and to place on final passage Motions No. M2011-0008, No. M2011-0009 and No. M2011-0010.

- a) M2011-0008: A Motion confirming the County Executive's appointment of Bonita Teeuwen upon her taking the oath of office as the Director of Public Works of Cuyahoga County.

Sponsor: Council President Connally

On a motion by Mr. Schron with a second by Ms. Simon, Motion No. M2011-0008 was considered and approved by unanimous vote.

- b) M2011-0009: A Motion confirming the County Executive's appointment of Gerald E. Fuerst upon his taking the oath of office as the Clerk of Courts of Cuyahoga County.

Sponsor: Council President Connally

On a motion by Mr. Rogers with a second by Ms. Simon, Motion No. M2011-0009 was considered and approved by majority vote with Mr. Greenspan casting a dissenting vote.

- c) M2011-0010: A Motion to appoint an individual to serve on a Board of Revision for Cuyahoga County.

Sponsor: Council President Connally

The Clerk read into the record the name of Ricardo Ramos as the individual to be appointed to serve on a Board of Revision for Cuyahoga County. On a motion by Mr. Miller with a second by Mr. Brady, Motion No. M2011-0010 was considered and approved by unanimous vote.

9. CONSIDERATION OF A RESOLUTION 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 and to place on final passage Resolution No. R2011-0066.

- a) R2011-0066: A Resolution approving Cost Savings Agreements calling for employees in various bargaining units of the County to serve five (5) unpaid cost savings days (“furlough days”) during the period 2/13/2011 – 6/30/2011, and declaring the necessity that this Resolution become immediately effective:
- 1) American Federation of State, County and Municipal Employees, Ohio Council 8, Local 1746, covering approximately 1,250 employees in 81 classifications in the Department of Health & Human Services;
 - 2) Truck Drivers Union, Local 407, International Brotherhood of Teamsters, covering approximately 19 employees in 2 classifications in Employment & Family Services;
 - 3) Graphic Communications Conference of the International Brotherhood of Teamsters, Local 546M, covering approximately 7 employees in 1 classification in the Department of Central Services.

Sponsor: County Executive FitzGerald/Law Department

On a motion by Mr. Greenspan with a second by Ms. Simon, Resolution No. R2011-0066 was considered and adopted by unanimous vote.

10. CONSIDERATION OF A RESOLUTION FOR FIRST READING AND REFERRAL TO
COMMITTEE

- a) R2011-0067: A Resolution authorizing an Advanced Energy Forgivable Loan in the amount not-to-exceed \$350,000.00 to the Lincoln Electric Company for a Wind Turbine Project, located at 22801 Saint Clair Avenue, Euclid; authorizing the County Executive and/or Director of Development to execute all documents required in connection with said loan.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2011-0067 to the Economic Development & Planning and Environment & Sustainability Committees.

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

- a) O2011-0009: An Ordinance authorizing the creation of a Department of Regional Collaboration under the supervision of the County Executive to advocate for and promote cooperation and collaboration with and among the State of Ohio and other political subdivisions.

Sponsor: County Executive FitzGerald

Council President Connally referred Ordinance No. O2011-0009 to the Economic Development & Planning and Intergovernmental Relations & Collaboration Committees.

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

The agenda was previously amended to insert Item No. 12 after Item No. 7 and to add a new Ordinance No. O2011-0010. As a result, the original item numbered Ordinance No. O2011-0010 was amended to read as No. O2011-0011. A motion was then made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to suspend Rules 9D and 13A and to place on final passage Ordinances No. O2011-0010 and No. O2011-0011.

- a) O2011-0010: An Ordinance establishing the Department of Public Works and placing the duties and responsibilities of the Central Services operation of the County under the direction of the Department of Public Works, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald

On a motion by Mr. Schron with a second by Mr. Rogers, Ordinance No. O2011-0010 was considered and adopted by unanimous vote.

- b) ~~O2011-0010~~; O2011-0011: An Ordinance establishing that the person hired by the Department of Public Works to perform the duties declared by general law to be done by a County Engineer shall possess the credentials required of County Engineers by the Ohio Revised Code, which are currently that the County Engineer be both a registered professional engineer and a registered surveyor, licensed to practice in the State of Ohio, and declaring the necessity that this ~~Resolution~~ **Ordinance** become immediately effective.

Sponsor: County Executive FitzGerald

On a motion by Mr. Schron with a second by Mr. Rogers, Ordinance No. O2011-0011 was considered and adopted by unanimous vote.

13. EXECUTIVE SESSION

- a) Matters of pending litigation.

At 5:10 p.m., a motion was made by Mr. Miller, seconded by Mr. Schron and unanimously approved to move to Executive Session for the purpose of discussions with the County Prosecutor regarding matters of pending litigation, and for no other purpose whatsoever. Executive Session was called to order by Council President Connally, the roll was called and the following members were present: Councilmembers Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally. The following additional attendees were present: Clerk of Council Jeanne Schmotzer; Chief of Staff Joseph Nanni; County Prosecutor Bill Mason; Civil Division Chief David Lambert; Assistant Prosecuting Attorney Charles Hannon; Hilary Taylor and Timothy Obringer, representing Weston Hurd LLP; Interim Law Director Ed Morales; Assistant Law Director Nora Hurley and Human Resources Director Elise Hara. At 6:35 p.m., a motion was made by Mr. Greenspan, seconded by Mr. Gallagher and unanimously approved to adjourn from Executive Session. Council President Connally then reconvened the special meeting.

14. MISCELLANEOUS COMMITTEE REPORTS

No committee reports were given.

15. MISCELLANEOUS BUSINESS

No miscellaneous business was discussed.

16. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

17. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Schron, the meeting was adjourned at 6:37 p.m., without objection.