



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 25, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 5:02 p.m.

2. ROLL CALL

Council President Brady asked Clerk Schmotzer to call the roll. Councilmembers Conwell, Brown, Houser, Simon, Baker, Miller, Tuma, Gallagher, Schron, Brady and Jones were in attendance and a quorum was determined.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT

Mr. Jonathan Holody, Director of Planning and Development for the City of Euclid, addressed Council regarding Resolution No. R2018-0183, a Resolution making an award on RQ43224 to Karvo Company, Inc. for construction of future Amazon site perimeter roads in the City of Euclid.

The following individuals addressed Council regarding Ordinance No. O2018-0009, an Ordinance enacting Chapter 206.13: Commission on Human Rights and Title 15:

Anti-Discrimination to ensure equal opportunity and treatment for all citizens of Cuyahoga County:

- a) Ms. Cheryl Stephens
- b) Mr. Christian Carter
- c) Mr. Kerry McCormack
- d) Mr. Michael Flickinger
- e) Mr. David Prok
- f) Mr. Mark Szabo
- g) Dr. Romey Coles
- h) Mr. Anthony Severyn
- i) Mr. James Mileti
- j) Mr. John Lutz
- k) Mr. Kevin Folger
- l) Mr. Brian Miller
- m) Dr. Brad Maguth
- n) Mr. Jack Beaver
- o) Ms. Carol Nash
- p) Mr. James Jones
- q) Ms. Kathy Boff
- r) Ms. Patricia Borke
- s) Mr. Brad Borke
- t) Mr. Tom Zidick
- u) Mr. David Latham
- v) Ms. Pamela Brown
- w) Ms. Donna Walker-Brown
- x) Ms. DeAndra Smith
- y) Ms. Kay McCastle
- z) Mr. John Stover
- aa) Mr. Robert Chaloupka
- bb) Mr. Michael Goldstein
- cc) Ms. Bambi Vargo
- dd) Ms. Melanie Falls
- ee) Mr. Keith Ari Benjamin
- ff) Mr. Billy Tyler
- gg) Mr. Tyler Vacha
- hh) Mr. Robert George
- ii) Mr. Rob Rivera
- jj) Ms. Ann Marie Donegan
- kk) Ms. Daria Chalupa
- ll) Mr. Bruce Edwards
- mm) Ms. Kieran Layton
- nn) Ms. Kavita Sherman
- oo) Ms. Vania Sherepita
- pp) Mr. Robert Burge

- qq) Mr. CJ Fenstermaker
- rr) Ms. Susan Becker
- ss) Mr. Jason Thompson
- tt) Ms. Lisa Quinn
- uu) Ms. Madison Woods
- vv) Ms. Jeanette Nemcek
- ww) Mr. Ben Senter
- xx) Mr. Earl McCray
- yy) Mr. Elijah Turan
- zz) Ms. Heather Light
- aaa) Ms. Noel Cummings
- bbb) Mr. Darius Stubbs
- ccc) Ms. Hayley Yocum
- ddd) Ms. Shauna Adkison
- eee) Ms. Michele Tomallo
- fff) Ms. Shelley Andrews-Hinders
- ggg) Ms. Beth Wood
- hhh) Ms. Kris Keniray
- iii) Mr. Robert Frost
- jjj) Mr. Subodh Chandra
- kkk) Ms. Doris Durica
- lll) Ms. Shirley Tomasello
- mmm) Mr. Kevin Schmotzer
- nnn) Ms. Laura Jaissle
- ooo) Ms. Marcy Ronen
- ppp) Ms. Alana Jochum
- qqq) The Honorable Michael Dylan Brennan
- rrr) Mr. Bruce Musselman
- sss) Mr. Kenneth Sundermeier
- ttt) Ms. Loh

6. APPROVAL OF MINUTES

- a) September 12, 2018 Committee of the Whole Meeting
- b) September 12, 2018 Regular Meeting

A motion was made by Mr. Schron, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the September 12, 2018 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady thanked everyone for coming to the Council meeting and for their comments regarding Ordinance No. O2018-0009.

8. MESSAGES FROM THE COUNTY EXECUTIVE

There were no messages from County Executive Budish.

[Clerk's Note: Item No. 10.g)1) was taken out of order after Item No. 8.]

9. LEGISLATION INTRODUCED BY COUNCIL

a) CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2018-0189: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Brown on behalf of Cuyahoga County Personnel Review Commission

Council President Brady referred Resolution No. R2018-0189 to the Human Resources, Appointments & Equity Committee.

b) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2018-0168, R2018-0169, R2018-0170, R2018-0171 and R2018-0172.

- 1) R2018-0168: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Tinker's Creek Watershed Partners for the conservation of ecologically significant areas in Bear Creek Stream Restoration – Phase II in the City of Warrensville Heights, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission and Councilmember Brown

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2018-0168 was considered and adopted by unanimous vote.

- 2) R2018-0169: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the conservation of ecologically significant areas in Dusty Goldenrod – Phase II in the City of Highland Heights, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2018-0169 was considered and adopted by unanimous vote.

- 3) R2018-0170: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the conservation of ecologically significant areas in West Creek Greenway – Phase V in the City of Parma, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2018-0170 was considered and adopted by unanimous vote.

- 4) R2018-0171: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas in the Brecksville Upland Preserve Extension in the City of Brecksville, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission and Councilmember Schron

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

Ms. Simon introduced a proposed substitute on the floor to Resolution No. R2018-0171. Discussion ensued.

A motion was then made by Ms. Simon, seconded by Mr. Schron and approved by unanimous vote to accept the proposed substitute.

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2018-0171 was considered and adopted by unanimous vote, as substituted.

- 5) R2018-0172: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas in the Lower Big Creek Trail Connector in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission **and Councilmember Conwell**

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2018-0172 was considered and adopted by unanimous vote.

10. LEGISLATION INTRODUCED BY EXECUTIVE

- a) CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2018-0190 and R2018-0191.

- 1) R2018-0190: A Resolution amending the 2018/2019 Biennial Operating Budget for 2018 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 Budish/Fiscal Officer/Office of Budget and Management

Mr. Miller introduced a proposed substitute on the floor to Resolution No. R2018-0190. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Ms. Brown and approved by unanimous vote to accept the proposed substitute.

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2018-0190 was considered and adopted by unanimous vote, as substituted.

- 2) R2018-0191: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer/Office of Budget and Management

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2018-0191 was considered and adopted by unanimous vote.

b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2018-0192: A Resolution confirming the County Executive's appointment of The Honorable Michael Dylan Brennan to serve on the Cuyahoga County Planning Commission representing the Heights Region for an unexpired term ending 12/31/2020, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0192 to the Human Resources, Appointments & Equity Committee.

- 2) R2018-0193: A Resolution confirming the County Executive's appointment of various individuals to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for an unexpired term ending 3/31/2020, and declaring the necessity that this Resolution become immediately effective:

- i) Justin M. Bibb
- ii) Terrence P. Joyce

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2018-0193 to the Human Resources, Appointments & Equity Committee.

- 3) R2018-0194: A Resolution confirming the County Executive's reappointment of Jennifer Croessmann to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children's Trust Fund representing the Great Lakes Region for the term 9/28/2018 - 9/27/2020, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish **and Councilmember Miller**

Council President Brady referred Resolution No. R2018-0194 to the Human Resources, Appointments & Equity Committee.

- 4) R2018-0195: A Resolution authorizing an amendment to Contract No. CE1700023-01 with Lutheran Metropolitan Ministry for Adult Guardianship Services for the period 1/1/2017 - 12/31/2018 to extend the time period to 12/31/2019 and for additional funds in the amount not-to-exceed \$553,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Health and Human Services/Division of Senior and Adult Services

Council President Brady referred Resolution No. R2018-0195 to the Health, Human Services & Aging Committee.

- 5) R2018-0196: A Resolution authorizing a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$2,172,185.00 for legal services for indigent persons for the period 1/1/2018 - 12/31/2018; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Public Defender Commission

Council President Brady referred Resolution No. R2018-0196 to the Public Safety & Justice Affairs Committee.

- c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2018-0184: A Resolution authorizing an agreement of cooperation with City of Independence in connection with replacement of Old Rockside Road Bridge No. 00.42 over the Cuyahoga River in the City of Independence and Village of Valley View; total estimated project cost \$5,900,000.00; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works/Division of County Engineer

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

Clerk Schmotzer read Resolution No. R2018-0184 into the record.

This item will move to the October 10, 2018 Council agenda for consideration for third reading adoption.

- d) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos.

R2018-0163, R2018-0166, R2018-0167, R2018-0178, R2018-0180, R2018-0181, R2018-0182, R2018-0183, R2018-0187 and R2018-0188.

- 1) R2018-0163: A Resolution authorizing an amendment to Agreement No. AG1500004-01 with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the Adult Probation Substance Abuse Residential Treatment Program for the period 1/1/2015 - 12/31/2017 to extend the time period to 12/31/2019 and for additional funds in the amount not-to-exceed \$500,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board/Adult Probation Department

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

On a motion by Mr. Gallagher with a second by Mr. Brady, Resolution No. R2018-0163 was considered and adopted by unanimous vote.

- 2) R2018-0166: A Resolution making an award on RQ42329 to Neighborhood Housing Services of Greater Cleveland, Inc. in the amount not-to-exceed \$526,188.17 for administration of the Cuyahoga County Down Payment Assistance Program in Cuyahoga Urban County Communities and City of Parma for the period 4/1/2018 - 9/30/2019; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Committee Assignment and Chair: Community Development – Jones

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2018-0166 was considered and adopted by unanimous vote.

- 3) R2018-0167: A Resolution authorizing a contract with Passages Connecting Fathers and Sons, Inc. in the amount not-to-exceed \$860,707.39 for implementation of the Cognitive Behavioral Interventions for Offenders Seeking Employment Program for the period 4/1/2018 - 6/30/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

On a motion by Mr. Gallagher with a second by Mr. Miller, Resolution No. R2018-0167 was considered and adopted by unanimous vote.

- 4) R2018-0178: A Resolution confirming the County Executive's reappointment of Matthew P. Carroll to serve on the Gateway Economic Development Corporation of Greater Cleveland Board of Trustees for an unexpired term ending 5/31/2022, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Committee Assignment and Chair: Human Resources, Appointments & Equity – Brown

On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2018-0178 was considered and adopted by unanimous vote.

- 5) R2018-0180: A Resolution confirming the County Executive's appointment of various individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for various unexpired terms; and declaring the necessity that this Resolution become immediately effective:

- i) Erskine Cade ending 6/30/2019.
- ii) Rev. Benjamin F. Gohlstin, Sr., ending 6/30/2020.
- iii) Gregory X. Boehm, M.D., ending 6/1/2022.

Sponsor: County Executive Budish

Committee Assignment and Chair: Human Resources,
Appointments & Equity – Brown

On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2018-0180 was considered and adopted by unanimous vote.

- 6) R2018-0181: A Resolution making an award on RQ42986 to Terrace Construction Company, Inc. in the amount not-to-exceed \$2,812,624.93 for the Bradford Road Relief Sewer and Pump Station Elimination Project in the City of Brecksville; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

On a motion by Mr. Miller with a second by Mr. Tuma, Resolution No. R2018-0181 was considered and adopted by unanimous vote.

- 7) R2018-0182: A Resolution making an award on RQ42993 to Licursi Garden Center dba Licursi Co. in the amount not-to-exceed \$573,620.50 for the Halle Warehouse Parking Lot Renovation Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works **and Councilmember Conwell**

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

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2018-0182 was considered and adopted by unanimous vote.

- 8) R2018-0183: A Resolution making an award on RQ43224 to Karvo Companies, Inc. in the amount not-to-exceed \$1,354,515.80 for construction of future Amazon site perimeter roads – Euclid Avenue, Babbitt Road, Lakeland

Boulevard, St. Clair Avenue, East 260th Street and Bluestone Boulevard in the City of Euclid; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$300,000.00 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer **and Councilmember Simon**

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

On a motion by Mr. Tuma with a second by Ms. Simon, Resolution No. R2018-0183 was considered and adopted by unanimous vote.

- 9) R2018-0187: A Resolution authorizing a contract with OhioGuidestone in the amount not-to-exceed \$646,688.00 for Functional Family Therapy and Functional Family Therapy Wraparound Aftercare Services for the period 7/1/2018 - 6/30/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division **and Councilmember Conwell**

Committee Assignment and Chair: Public Safety & Justice Affairs – Gallagher

On a motion by Mr. Gallagher with a second by Ms. Conwell, Resolution No. R2018-0187 was considered and adopted by unanimous vote.

- 10) R2018-0188: A Resolution authorizing an amendment to Agreement No. AG1800010-01 with City of Cleveland/ Department of Public Health for administration and coordination for expansion of the MomsFirst Program in connection with the Invest in Children Program for the period 1/1/2018 - 12/31/2019, to change the scope of services,

effective 1/1/2018, and for additional funds in the amount not-to-exceed \$774,940.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmembers Simon, Brown, **Conwell, Jones and Miller**

Committee Assignment and Chair: Education, Environment & Sustainability – Simon

On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2018-0188 was considered and adopted by unanimous vote.

e) CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2018-0011: An Ordinance providing for modifications to the Cuyahoga County Human Resources Personnel Policies and Procedures Manual (“Employee Handbook”) to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Department of Human Resources

Council President Brady referred Ordinance No. O2018-0011 to the Human Resources, Appointments & Equity Committee.

f) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2018-0010.

- 1) O2018-0010: An Ordinance enacting Section 705.04 of the Cuyahoga County Code to establish sewer connection charges for the Cook and Columbia Phase V Sanitary Sewer Project; amending County Resolution No. 052209 dated 6/2/2005, which established the charges payable for connection to the County’s sewer facilities in County Sewer District No. 14; and

declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

On a motion by Mr. Tuma with a second by Mr. Brady, Ordinance No. O2018-0010 was considered and adopted by unanimous vote.

g) CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION

- 1) O2018-0009: An Ordinance enacting Chapter 206.13: Commission on Human Rights and Title 15: Anti-Discrimination to ensure equal opportunity and treatment for all citizens of Cuyahoga County.

Sponsors: County Executive Budish and Councilmembers Brady, Miller, Houser, Simon and Conwell

[Clerk’s Note: Item No. 10.g)1) was taken out of order after Item No. 8.]

On a motion by Mr. Brady with a second by Ms. Simon, Ordinance No. O2018-0009 was considered and adopted by majority roll-call vote, with Councilmembers Conwell, Jones, Brown, Houser, Simon, Miller, Tuma and Brady voting in the affirmative and Councilmembers Baker, Gallagher and Schron casting dissenting votes.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, October 1, 2018 at 1:00 p.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 9:45 p.m., without objection.