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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, MARCH 2, 2015**
4

5 The regular meeting of Council was called to order by Council President Kilbane at 7:00 p.m.

6 MOMENT OF SILENT PRAYER/PLEDGE OF ALLIGIANCE

7 ROLL CALL:

8 PRESENT: Council – B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo

9 Administration – Mr. Berner, Ms. Rocco, Mrs. Fagnilli, Mr. Mackay

10 ABSENT: Mayor Patton
11

12 THE CHAIR called for a motion to excuse Councilwoman P. Cleary.

13 Moved and Seconded.

14 THE CHAIR called for discussion on the motion. No Discussion.

15 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Councilwoman P. Cleary is excused.

16 YES: McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo
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18 THE CHAIR called for a motion to approve the minutes of the Regular Meeting of Council held on Monday,
19 February 16, 2015.

20 Moved and seconded. No Discussion.

21 ROLL CALL: Vote: YES-6 NO-0 | Motion carries, minutes are approved.

22 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane J. Hinkel, A. Russo
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24 **COMMITTEE REPORTS:**

25 COUNCILMAN WOJNAR said, The Finance Committee met on Monday, February 23rd. Finance Director,
26 Lisa Rocco; Joe Brown, Director of Recreation; Mary Long, Office Manager, Gemini Center; and Rob
27 Berner, Director of Service & Development were in attendance to discuss the following: **Ord 15-06**
28 **authorizes the Mayor to enter into a contract with Ciuni & Panichi for the annual audit for fiscal year 2014.**
29 **Per the Ohio Revised Code, municipalities are required to have an independent, annual audit of the city's**
30 **financial records. The contract is not to exceed \$20,680.00 and come from the General Fund. A motion to**
31 **place on 2nd, subsequent 3rd passed 5-0. Ord 15-07 authorizes the Mayor to enter into a contract with Field**
32 **Turf to replace the turf at the Gemini Stadium Football Field at Fairview High School. The contract is not to**
33 **exceed \$386,720.25 and will come from the 230 Recreation Fund. A motion to place on 2nd and return to**
34 **committee, carried 5-0. Ord 15-08 authorizes the Mayor to enter into a contract with Thompson Electric, Inc**
35 **for Infrastructure work at the Gemini Stadium Football Field at Fairview Park High School. Recreation**
36 **Director Brown provided an overview of the scope of the services to be performed by Thompson Electric.**
37 **The contract is not to exceed \$26,500 and will come from the 230 Recreation Fund. A motion to place on**
38 **2nd and return to committee, carried 5-0. Ord 15-02 appropriates funds for current expenses and**
39 **expenditures for the city commencing January 1, 2015 and ending December 31, 2015. Recreation Director,**
40 **Joe Brown and Office Manager, Mary Long were in attendance to review the Recreation and Park**
41 **Department's annual report that offered an overview of the department. The report featured data from the**
42 **recreation and aquatics programs from fiscal year 2014 as well as the goals and objectives for 2015. A**
43 **review of the department's proposed annual budget was reviewed as well. A motion to remain in committee**
44 **carried 5-0. That concludes my report. Thank you**
45

46 **LEGISLATION FOR FIRST READING**

47 COUNCILMAN WOJNAR placed the following legislation up for introduction and first reading:

48 RESOLUTION NO. 15-09

49 REQUESTED BY: MAYOR EILEEN ANN PATTON

50 SPONSORED BY: COUNCILWOMAN CLEARY

51 *A RESOLUTION ACCEPTING DONATIONS FROM THE FAIRVIEW PARK COMMUNITY COUNCIL, THE*
52 *FAIRVIEW PARK GARDEN CLUB AND THE FAIRVIEW PARK CHAMBER OF COMMERCE AND*
53 *DECLARING AN EMERGENCY*

54 ACTION: Resolution 15-09 was placed on 1st read and referred to the Finance Committee

55
56 **LEGISLATION FOR SECOND READING**

57 COUNCILMAN WOJNAR placed the following legislation up for second reading:

58 ORDINANCE NO. 15-06

59 REQUESTED BY: MAYOR EILEEN PATTON

60 SPONSORED BY: COUNCILWOMAN CLEARY

61 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CIUNI &*
62 *PANICHI, INC. TO AUDIT THE BASIC FINANCIAL STATEMENTS OF THE CITY OF FAIRVIEW PARK*
63 *FOR FY 2014 AND DECLARING AN EMERGENCY*

64 ACTION: Ordinance 15-06 was placed on second reading and subsequent third.

65
66 ORDINANCE NO. 15-07

67 REQUESTED BY: MAYOR EILEEN PATTON

68 SPONSORED BY: COUNCILWOMAN CLEARY

69 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FIELD TURF*
70 *FOR REPLACEMENT OF THE TURF AT THE FOOTBALL STADIUM AND DECLARING AN*
71 *EMERGENCY*

72 ACTION: Ordinance 15-07 was placed on second read and returned to the Finance Committee.

73
74 ORDINANCE NO. 15-08

75 REQUESTED BY: MAYOR EILEEN PATTON

76 SPONSORED BY: COUNCILWOMAN CLEARY

77 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THOMPSON*
78 *ELECTRIC, INC. FOR ELECTRICAL INFRASTRUCTURE WORK AT THE GEMINI STADIUM*
79 *FOOTBALL FIELD AND DECLARING AN EMERGENCY*

80 ACTION: Ordinance 15-08 was placed on second read and returned to the Finance Committee.

81
82 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE: NONE**

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84 **LEGISLATION FOR THIRD READING/FINAL PASSAGE**

85 COUNCILMAN HINKEL placed the following legislation up for third reading and final passage:

86 ORDINANCE NO. 15-03

87 REQUESTED BY: COUNCILMAN MINEK

88 SPONSORED BY: CITY COUNCIL

89 *AN ORDINANCE AMENDING SECTION 921.05 (a)(3) OF THE CODIFIED ORDINANCES OF THE*
90 *CITY OF FAIRVIEW PARK TO PERMIT THE SALE OF BEER AND WINE COOLERS ONLY TO BE SOLD*
91 *AND CONSUMED AT SUMMER FEST 2015 TO BE HELD IN BOHLKEN PARK ON JULY 9, 10, 11, AND*
92 *12, 2015 AND DECLARING AN EMERGENCY*

93 Moved and Seconded.

94 THE CHAIR called for discussion on the motion. No Discussion.

95 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Ordinance 15-03 passes.

96 YES: McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo

97
98 COUNCILMAN MINEK placed the following legislation up for third reading and final passage:

99 RESOLUTION NO. 15-03

100 REQUESTED BY: MAYOR EILEEN ANN PATTON

101 SPONSORED BY: COUNCILMAN MINEK

102 *A RESOLUTION SUPPORTING SOFT RECYCLING IN THE CITY OF FAIRVIEW PARK AND*
103 *DECLARING AN EMERGENCY*

104 Moved and Seconded.

105 THE CHAIR called for discussion on the motion. No Discussion.

106 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Ordinance 15-03 passes.

107 YES: McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo

108

109 COUNCILMAN WOJNAR placed the following legislation up for third reading and final passage:

110 ORDINANCE NO. 15-04

111 REQUESTED BY: MAYOR EILEEN ANN PATTON

112 SPONSORED BY: CITY COUNCIL

113 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH STATEWIDE*
114 *EMERGENCY PRODUCTS FOR THE PURCHASE EQUIPMENT FOR THE NEW FORD POLICE*
115 *INTERCEPTOR VEHICLES AND DECLARING AN EMERGENCY*

116 Moved and Seconded.

117 THE CHAIR called for discussion on the motion. No Discussion.

118 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Ordinance 15-04 passes.

119 YES: McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo

120

121 ORDINANCE NO. 15-05

122 REQUESTED BY: MAYOR EILEEN ANN PATTON

123 SPONSORED BY: COUNCILWOMAN CLEARY

124 CO-SPONSORED BY: COUNCILMAN MINEK

125 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO*
126 *ADVERTISE FOR BIDS, THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE*
127 *AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL, AND PROVIDE FOR*
128 *ENGINEERING SERVICES FOR THE WORK TO BE PERFORMED IN YEAR 26 OF THE STREET REPAIR*
129 *PROGRAM AND DECLARING AN EMERGENCY*

130 Moved and Seconded.

131 THE CHAIR called for discussion on the motion. No Discussion.

132 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Ordinance 15-05 passes.

133 YES: McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo

134

135 RESOLUTION NO. 15-04

136 REQUESTED BY: MAYOR EILEEN ANN PATTON

137 SPONSORED BY: COUNCILWOMAN CLEARY

138 *A RESOLUTION REPEALING RESOLUTION 14-23, AWARDING ACTIVE, INTERIM AND INACTIVE*
139 *DEPOSITS, AND AUTHORIZING INVESTMENTS AND DECLARING AN EMERGENCY*

140 Moved and Seconded.

141 THE CHAIR called for discussion on the motion. No Discussion.

142 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Resolution 15-04 passes.

143 YES: McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo

144

145 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
146 **OFFICIALS:**

147 DIRECTOR BERNER reported that the Service Department has been working overtime again this past
148 weekend with the Sunday snow. They will be working this week on opening catch basins in anticipation of
149 the warming weather and rain that is expected. The salt supply is remaining steady, and he expects that we
150 will be able to get through the rest of the winter with what we have on hand. DIRECTOR BERNER and
151 Mayor Patton will be meeting with Andrew Brickman on Wednesday morning for a progress update on
152 RiverSouth development. Mr. Brickman has indicated that sales have been very positive. The Building

153 Department issued the following certificates of occupancy during the month of February: Just Add Water-
154 22641 Lorain Road-; Savers - 21201 Center Ridge Road and Troubadour Coffee - 21380 Lorain Road.
155 DIRECTOR BERNER provided an update on the sewer collection system and monitoring progress. The
156 contract for flow metering and the rain gauges has been awarded to Hydromax USA. Weather permitting,
157 they will begin work next week and measure storm and sanitary sewer flow along Lorain for the next sixty
158 day period in the western quadrant of the city. The field investigation work is still being evaluated and hope
159 to award that contract in the next two weeks.

160
161 DIRECTOR ROCCO thanked council for the passage of the finance legislation tonight. Final budget
162 hearings will be this Saturday, March 7 and Director Rocco asked that council have requests for any
163 information needed be submitted by this Friday, so that it is available for the hearing. The departments
164 presenting budgets on Saturday will be Police, Fire, Building, Senior Life, Council and Administration.

165
166 DIRECTOR FAGNILLI had no report.

167
168 ENGINEER MACKAY reported that work on the plans and specifications for the 2015 water line projects
169 continues with plans to submit to the Cleveland Water Department for their review and approval in the next
170 several weeks.

171
172 **PUBLIC SESSION:**

173 MS. KELLIE DUBAY GILLIS - 19164 Henry Road – MS. GILLIS spoke about the Coffinberry School
174 property issue, and requested that council members consider contacting school board members prior to their
175 vote tomorrow to accept a bid to ask them to postpone their vote. MS GILLIS stated that a group of
176 residents have been actively campaigning to slow down the process. They are hoping that the process could
177 be slowed down, as they feel that the residents have not been adequately engaged in the discussion of the
178 development of the property. She stated that there is a lack of park space on the east side of the city, which
179 they feel will come to light with the Recreation Department’s need assessment that will be done in the
180 month of March. The group would like the findings to be presented and an opportunity for all residents to
181 voice their needs. MS GILLIS said that she lives adjacent to the property, and though it has been vacant for
182 10 years, it has been used by the community for various recreational activities. She feels that to lose this
183 property would be a serious loss of open space to the residents and the city, and all would suffer as a result.
184 The group believes that open space preservation is very important to the nature and characteristics of a
185 community. MS GILLIS stated that the residents would also like to look at the exploring the potential of
186 rezoning the area. The vote to rezone took place ten (10) years ago. She said that the demographic of the
187 neighborhood has changed since then, and if a vote were taken today it would be a much different result.
188 The group would like to work with the city and the various commissions and boards to explore this
189 possibility.

190
191 MR. MATT GIBLE – 19457 Henry Road – MR. GIBLE said that he agreed with everything that Kellie said,
192 that they are neighbors that care a lot about the neighborhood. They have talked to a lot of people passing
193 out flyers and said that a majority of those in the neighborhood would like something preserved. He
194 understands that this is a school board issue and tonight is just a practice run, but also understands that they
195 work with the city and hopes that something good can come out of it. MR. GIBLE said that when he was
196 buying his house ten years ago, others were suggesting that he move to other areas. He decided against
197 doing that and has had a great ten years here and thinks that the city is awesome. He said that the area need
198 to be fully developed and does needs a park.

199
200 MS DEB HAMMERLE - 22336 Haber Drive – MS. HAMMERLE said she wanted to sing the praises of the
201 Fire Department and paramedics in light of the new firefighter that was sworn in tonight. She said that this
202 past December she had to call them to pick up her husband, Ray Hammerle, to go to the hospital. Shortly
203 after arriving home, she needed assistance and attempted to call the nursing number that was advised, but

204 ended up calling the Fairview Park Fire Department instead who came out again. In explaining why she
205 called 911 rather than getting in touch with the nursing staff, she said it was like family in Fairview Park.
206 She said that she relies on them and she knows that at least one of them knows her family.

207 THE CHAIR asked for an update on Ray.

208 MS HAMMERLE stated that Ray is at home and that they are waiting for the weather to clear up before
209 venturing out again. He had emergency surgery for a ruptured aneurism, which was serious, but he came
210 through. He will be having a follow-up visit with his surgeon at the end of March and hopefully everyone
211 will see him soon.

212 THE CHAIR said to tell Ray that he is in our thoughts.

213

214 **MISCELLANEOUS BUSINESS AND COMMENTS BY MEMBERS OF COUNCIL:**

215 COUNCILMAN MCDONOUGH thanked Deb Hammerle for the update on Sargent at-Arms Ray and
216 wished him a speedy recovery. He offered congratulations to new firefighter Michael Kocon and thanked his
217 constituents Kellie Dubay Gillis and Matt Gible for coming out. COUNCILMAN MCDONOUGH said that
218 government works best when government has the input from the people. He said that he feels that it would
219 be appropriate as government officials representing the people of Fairview Park to encourage our brothers
220 and sisters on the Fairview Park School Board to press the pause button and not make a decision that they
221 may regret in years to come. Once you develop a property, you change it from greenspace, open space, a
222 park. He said he think it's a wonderful idea and tool that Mayor Eileen Patton and Recreation Director Joe
223 Brown have for the Fairview Park Recreation and Parks needs assessment. Residents can fill out the survey
224 on the website or by paper so that we can truly get an understanding of what the residents want.
225 COUNCILMAN MCDONOUGH said that he has also lived in Fairview Park for ten years, his wife grew up
226 here and he came here for love. He remembers when the Gemini Project came about, the taxes were going to
227 go up, the rezoning was going to take place, and it was going to be a two for one deal. The property got
228 rezoned, the income tax went up, and he thinks it would be a good thing now as has been stated, that the
229 demographics have changed, and it is important that the residents that live there now that pay taxes, have an
230 opportunity to have their concerns heard. He encouraged councilmembers to express that view to the school
231 board as well.

232

233 COUNCILMAN MINEK said, The Board of Control met on Friday, February 20th to discuss two items
234 pertaining to the study of the City's sewer system structural investigation at the western end of the city. The
235 first item is the field work including data collection and flow monitoring in connection with the sewer
236 evaluation as authorized by Ordinance 14-67. The work includes measuring the inserts in the manholes to
237 develop a skeletal model of the sewer system. Verbiage in the ordinance states quotes would be obtained
238 before the Mayor can enter into an agreement. As only one quote was received this issue was tabled. The
239 second issue was the installation and monitoring of fourteen (14) flow meters and two (2) rain gauges as
240 authorized by Ordinance 14-68. Two proposals were received. ADS for \$98,500 and \$8,000 a week after
241 first 60 days and Hydromax USA for \$41,400 and \$6,030 a week after first 60 days. Both proposals were
242 reviewed by Black & Veatch the consulting engineers. ADS would monitor the meters through cell phone
243 monitoring. Hydromax will have a physical presence in the city to check the meters on a scheduled timeline.
244 Original estimate for the work was \$42,000.00. By motion and vote the contract was awarded to Hydromax
245 USA of Florence, Kentucky in the amount of \$41,400.00. This completes my report.

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247 COUNCILMAN WOJNAR reminded everyone that the budget hearings will continue on Saturday, March 7
248 at 8:00 am.

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250 COUNCILMAN HINKEL thanked Deb Hammerle for the Ray update.

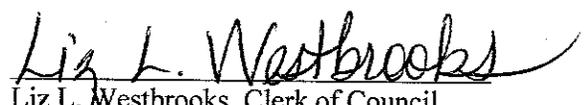
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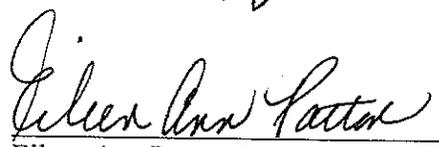
252 COUNCILMAN RUSSO had no comments.

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254 THE CHAIR congratulated new fireman Michael Kocon, and with no further business before council made
255 a motion to adjourn.
256 Moved and Seconded.
257 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, meeting adjourned at 7:26 p.m.
258 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo
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262 William F. Minek, Council President Pro Tem


Liz L. Westbrooks, Clerk of Council

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265 Eileen Ann Patton, Mayor
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