

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 15-15  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM WITH STATEWIDE EMERGENCY PRODUCTS FOR THE PURCHASE OF A TRACTOR FOR THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY

WHEREAS, the Recreation Department is in need of a new utility tractor to maintain and perform essential maintenance throughout the year within the City's parks; and

WHEREAS, a John Deere 2025R Compact Utility Tractor and John Deere Utility H130 Loader can be purchased from Deere & Company, through their authorized dealer Polen Implement, Inc., 42255 Oberlin-Elyria Road, Elyria, Ohio, an authorized vendor who offers such vehicle at a price determined by the General Services Administration for the State of Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. The Mayor is hereby authorized to enter into a contract with Deere & Company, with delivery from their authorized dealer Polen Implement, Inc., an authorized vendor who offers such vehicle to the City at a price determined by the General Services Administration for the State of Ohio, for the purchase of a John Deere 2025R Compact Utility Tractor for use by the Recreation Department

SECTION 2. That the cost of the purchase of the John Deere 2025R Compact Utility Tractor and John Deere Utility H130 Loader in an amount not to exceed Sixteen Thousand Dollars (\$16,000.00) will be paid from the Permanent Improvement Fund (260).

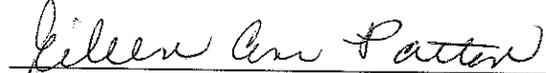
SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and so that the tractor can be available for use by the Recreation Department during the spring/summer season, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force from immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 04.20.15  
APPROVED: 04.21.15

1<sup>st</sup> reading: 04.06.15  
2<sup>nd</sup> reading: 04.20.15  
3<sup>rd</sup> reading: Suspended

  
Michael P. Kilbane, President of Council

  
Eileen Ann Patton, Mayor

  
Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 15-10  
REQUESTED BY: MAYOR EILEEN PATTON  
SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE ACCEPTING AND APPROVING THE PLAT OF THE CORRIGAN LAUMER FUNERAL HOME FOR A LOT CONSOLIDATION AND SPLIT AS APPROVED BY THE PLANNING AND DESIGN COMMISSION AT ITS REGULAR MEETING OF JUNE 18, 2014 AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Design Commission of the City of Fairview Park, at its regular meeting of June 18, 2014, approved the lot consolidation and split plat of Corrigan Laumer Funeral Home for parcels of land located at 22100 Mastick Road and has duly referred same to Council for its consideration pursuant to Chapter 1191, Section 1191.04 of the Codified Ordinances of the City of Fairview Park; and

WHEREAS, the Council of the City of Fairview Park, has, in accordance with the provisions of Section 1191.04 of the Codified Ordinances of the City of Fairview Park, reviewed said proposed lot consolidation and split and, having first determined that said proposed lot consolidation and split complies with the requirements and conditions of Chapter 1191 of the Codified Ordinances, desires to approve same.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

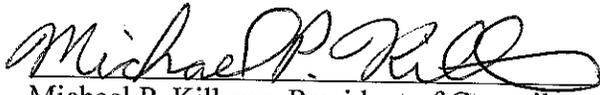
SECTION 1. That in accordance with the provisions of Chapter 1191 of the Codified Ordinances of the City of Fairview Park, the lot consolidation and split plat of Corrigan Laumer Funeral Home as approved by the Planning and Design Commission at its regular meeting of June 14, 2014, be and the same is hereby accepted and approved all in accordance with and subject to the requirements and conditions of Section 1191.04 of the Codified Ordinances of the City of Fairview Park.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

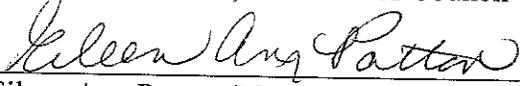
SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and immediately approve the lot consolidation and split, and provided it receives the affirmative vote of a majority plus one of the members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 04.20.15  
APPROVED: 04.21.15

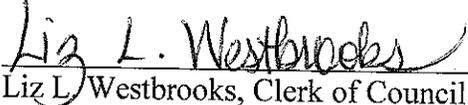
1<sup>st</sup> reading: 03.16.15  
2<sup>nd</sup> reading: 04.06.15  
3<sup>rd</sup> reading: 04.20.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
 ORDINANCE NO. 15-11  
 REQUESTED BY: MAYOR EILEEN PATTON  
 SPONSORED BY: COUNCILMAN HINKEL

AN ORDINANCE AMENDING FAIRVIEW PARK CODIFIED ORDINANCE SECTION 1349.01 AND DECLARING AN EMERGENCY.

WHEREAS, Section 1349.01 of the Codified Ordinance of the City of Fairview Park need of amendment to adopt the 2015 International Property Maintenance Code and to make certain necessary revisions.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. Fairview Park Codified Ordinance Chapter 1349, International Property Maintenance Code, Section 1349.01, International Property Maintenance Code adopted, is hereby amended as set forth below:

**1349.01 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.**

(a) There is adopted for the purpose of establishing the minimum regulations governing for conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided the ~~most current and published edition of the International Property~~ **2015 International Property** Maintenance Code. The Code shall be in full force and effect with insertions, deletions, and changes prescribed hereafter.

(b) Insertions to the International Property Code shall be as follows:

101.1	FAIRVIEW PARK	(Jurisdiction)
103.5	NONE	(Fees for Property Maintenance Inspection)
106.3	Insert "tax" before "lien"	(Method of Collection)
<b>112.4.</b>	<b>NONE</b>	<b>(Stop work order fines)</b>
302.4	6"	(Height of grass and weeds)
304.14	3/21 THRU 11/1	(Screens for operational windows required)
602.3	9/1 THRU 6/1	(Heating of rental units)
602.4	9/1 THRU 6/1	(Heating of business occupancies)

(1) Amendments: 111.1 currently reads in part: ... the right to appeal to the Board of Appeals should be amended to read: ... the right to appeal to the Board of Zoning and Building Appeals.

(2) The following Sections of the International Property Maintenance Code, ~~2003~~ **2015** Edition need to be deleted due to conflict with our current code: 111.2, 111.2.1, 111.2.2, 111.2.4, 111.2.5, 111.3, and 111.4.

SECTION 2. That the existing portions of Fairview Park Codified Ordinance Chapter 1349 and any other ordinances or parts thereof in conflict herewith be, and the same hereby are, repealed to the extent of the conflict.

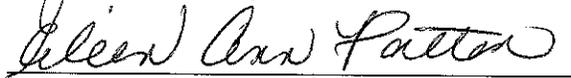
SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and to immediately update the current code, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 04.20.15  
APPROVED: 04.21.15

1<sup>st</sup> reading: 03.16.15  
2<sup>nd</sup> reading: 04.06.15  
3<sup>rd</sup> reading: 04.20.15

  
Michael P. Kilbane, President of Council

  
Eileen Ann Patton, Mayor

  
Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 15-11  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILMAN CLEARY

A RESOLUTION AUTHORIZING THE CITY OF FAIRVIEW PARK TO PARTICIPATE IN THE ODOT COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, Section 5513.01 (B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies or other articles.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. That the Mayor hereby requests authority in the name of the City of Fairview Park to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B), including, but not limited to the ODOT Summer (418-16) and/or Winter (018-16) contracts.

SECTION 2. That the Mayor is hereby authorized to agree in the name of the City of Fairview Park to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3. That the Mayor is hereby authorized to agree in the name of the City of Fairview Park to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Fairview Park participates, for items it receives pursuant to the contract.

SECTION 4. That the City of Fairview Park agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Ohio Revised Code Section 5513.01(B).

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

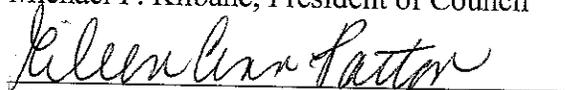
SECTION 6. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and meet the deadlines as required by ODOT to participate in the program, and provided it receives the affirmative vote of a majority plus one of the members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 04.20.15  
APPROVED: 04.21.15

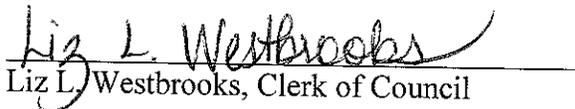
1<sup>st</sup> reading: 03.16.15  
2<sup>nd</sup> reading: 04.06.15  
3<sup>rd</sup> reading: 04.20.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrook, Clerk of Council

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 15-12  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY  
CO-SPONSORED BY: COUNCILMAN MINEK

A RESOLUTION CONFIRMING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR THE TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) GRANT PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, the Cities of Fairview Park and Rocky River have partnered in order to seek grant funds for a planning study of Center Ridge Road; and

WHEREAS, the City of Fairview Park has submitted an application to the Northeast Ohio Areawide Coordinating Agency (NOACA) for funding through the Transportation for Livable Communities Initiative (TLCI), and a resolution confirming and authorizing that application is required; and

WHEREAS, the TLCI program provides an 80 percent reimbursement of costs for planning projects that integrate transportation and land use planning, promote livability, and advance the goals of NOACA's long-range transportation plan for northeast Ohio; and

WHEREAS, the TLCI program is paid on a reimbursement basis, requiring the applicant to first expend funds and then request 80 percent reimbursement from NOACA; and

WHEREAS, the applicant certifies it will provide at least 20 percent local matching funds for planning projects from sources other than United States Department of Transportation (USDOT) funds; and

WHEREAS, the Cities of Fairview Park and Rocky River have agreed that of the 20 percent local match, the City of Fairview Park will pay 18% and the City of Rocky River will pay 82%, based on the frontage of the property in each city along Center Ridge Road.

WHEREAS, the City of Fairview Park agrees to abide by all federal requirements as a sub-recipient of federal transportation funds, including Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act, and including all applicable federal procurement requirements; and

WHEREAS, the City of Fairview Park agrees to be responsible for managing any and all subcontracting agencies, organizations, or consultants; and

WHEREAS, the City of Fairview Park agrees to complete the agreed upon scope of services or will forfeit current and future TLCI awards and repay TLCI funds expended on unfinished projects; and

WHEREAS, the City of Fairview Park is authorized to execute a contract with NOACA if awarded a TLCI grant.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

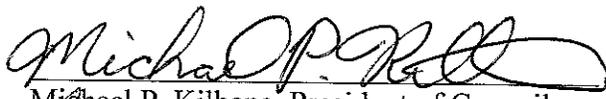
SECTION 1. That the Council of the City of Fairview Park hereby authorizes the Mayor of the City of Fairview Park to submit an application to NOACA, acting as designated recipient of USDOT funds, for the TLCI Program and to execute a contract with NOACA if selected for funding.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

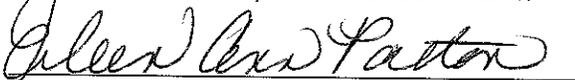
SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare; and for the further reason that the application must be submitted by the March 6, 2015 deadline and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the mayor, otherwise from and after the earliest period allowed by law.

PASSED: 04.20.15  
APPROVED: 04.21.15

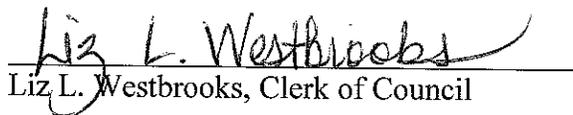
1<sup>st</sup> reading: 03.16.15  
2<sup>nd</sup> reading: 04.06.15  
3<sup>rd</sup> reading: 04.20.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrooks, Clerk of Council