

CITY OF FAIRVIEW PARK
RESOLUTION NO. 15-25
REQUESTED BY: COUNCILWOMAN CLEARY AND COUNCILMAN WOJNAR
SPONSORED BY: COUNCIL AS A WHOLE

A RESOLUTION HONORING
LISA M. ROCCO

UPON HER SEPARATION FROM THE FINANCE DEPARTMENT

Whereas, Director Lisa M. Rocco, after nine years of distinguished service in the Finance Department, separates on October 14, 2015 to serve as the Director of Operations at the Cuyahoga County Fiscal Office; and

Whereas, Lisa Rocco graduated from Euclid High School and the College of West Virginia. She is the very proud mother of her favorite baseball player, Adam, age 12. Lisa loves to watch his baseball games and they enjoy an annual trip to Disney World with extended family; and

Whereas, Director Rocco served as the Director of the Cuyahoga County Budget Commission in 1989 before being recruited to serve as the Finance Director of Fairview Park in 2006; and

Whereas, during the 2009 recession, Lisa assisted in successfully negotiating with the police, fire and service unions to agree to financial concessions that resulted in no employee losing their job; and

Whereas, as the four year recipient of the Award with Distinction given by the Auditor of State's Office for a perfect audit, Lisa Rocco is most proud of her relationship with the city employees. She has earned their trust, respect, admiration, and confidence. She will be missed.

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

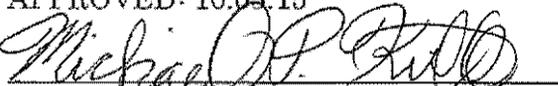
Section 1: That the Fairview Park City Council presents this Resolution to Lisa M. Rocco as a testimonial of appreciation for her loyal, dedicated and award-winning service to the City of Fairview Park for the past nine years, and expresses their best wishes for continued happiness and success.

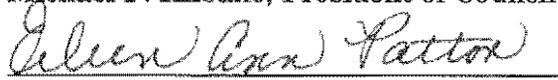
Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings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

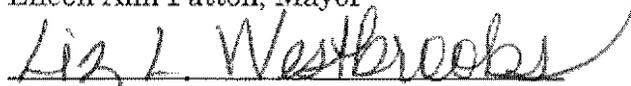
Section 3: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 10.05.15
APPROVED: 10.05.15

1st reading: 10.05.15
2nd reading: Suspended
3rd reading: Suspended


Michael P. Kilbane, President of Council


Eileen Ann Patton, Mayor


Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-30
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN MINEK
CO-SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO ADVERTISE FOR BIDS, THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL, AND PROVIDE FOR ENGINEERING SERVICES FOR THE WORK TO BE PERFORMED IN YEAR 27 OF THE STREET REPAIR PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, the City has been engaged in an ongoing street repair program for 26 years; and the City Engineer has recommended a program for Year 27, for which plans and specification must be prepared; and

WHEREAS, the City of Fairview Park must advertise and enter into an agreement to perform the work on the streets to be repaired in Year 27 of the Street Repair Program.

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

SECTION 1. That the Director of Public Service and Development be and is hereby authorized to advertise for and accept bids for the repair of the City streets selected for Year 27 of the Street Repair Program.

SECTION 2. That the Mayor is authorized to enter into a contract with the lowest responsive and responsible bidder as determined by the Board of Control for repair of the City streets selected for Year 27 of the Street Program, in an amount not to exceed Four Hundred Thirty Thousand Dollars (\$430,000.00), including engineering services.

SECTION 3. That the City Engineer is hereby authorized and directed to prepare plans and specifications for repair and reconstruction of the streets listed to be repaired in Year 27 of the street program, and the City Engineer shall be paid for the services rendered in accordance with his contract with the City, as follows:

- Clifford Drive (West 215th to West 212th)
- Angela Drive (Entire)
- West 224th Street (Intersection of Mastic only)
- Rivercliff Drive (Entire)
- Westpark Drive (North Park to Eaton)
- Bohlken Park Entry

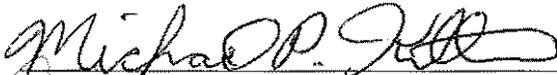
SECTION 4. That the funds for Year 27 of the Street Program shall be appropriated from Fund 811, except that the \$13,750 for the Bohlken Park Entry shall be appropriated from Fund 230.

SECTION 5. 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 6. 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 for the further reason that the repairs should be done as soon as weather permits; 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: 10.05.15
APPROVED: 10.06.15

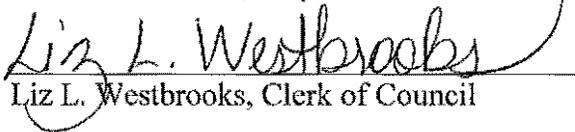
1st reading: 09.08.15
2nd reading: 09.21.15
3rd reading: 10.05.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-31
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS AND SPECIFICATIONS FOR THE WATER MAIN REPLACEMENT WITHIN CERTAIN STREETS AND DECLARING AN EMERGENCY

WHEREAS, it has been determined that certain water mains on Seabury Drive, Cromwell Drive and West 212th Street are in need of replacement requiring the City Engineer to prepare plans and specifications for said work.

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

SECTION 1. That the City Engineer is hereby authorized and directed to prepare plans and specifications for the replacement of certain water mains on Seabury Drive, Cromwell Drive and West 212th Street.

SECTION 2. Funding will be obtained from the City of Cleveland to reimburse the City of Fairview Park for the cost of the preparation of the plans and specifications.

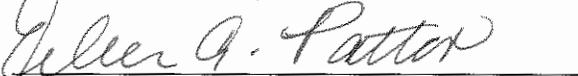
SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings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

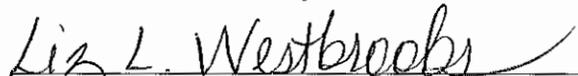
SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare; and for the further reason that that the work be started as soon as possible, and provided it receives the affirmative vote of a majority plus one of 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: 10.05.15
APPROVED: 10.06.15

1st reading: 09.08.15
2nd reading: 09.21.15
3rd reading: 10.05.15


Michael P. Kilbane, President of Council


Eileen Ann Patton, Mayor


Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-32
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN MINEK
CO-SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT FOR WATER MAIN REPLACEMENT WITHIN CERTAIN STREETS AS DETERMINED BY THE BOARD OF CONTROL AND DECLARING AN EMERGENCY

WHEREAS, it has been determined that certain water mains on West 212th Street, Seabury Drive and Cromwell Drive are in need of replacement.

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

SECTION 1. That the Director of Public Service and Development be and is hereby authorized to advertise and accept bids for the water main replacement on West 212th Street, Seabury Drive and Cromwell Drive.

SECTION 2. That the Mayor is hereby authorized to enter into a contract with the lowest responsive and responsible bidder for the water main replacement on West 212th Street, Seabury Drive and Cromwell Drive, as determined by the Board of Control.

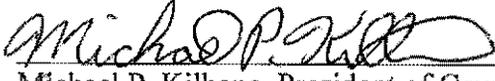
SECTION 3. The estimated cost of this water main replacement is \$1,475,000.00 and should be appropriated from Fund (550).

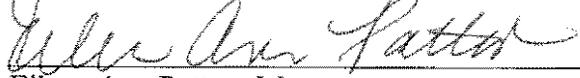
SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

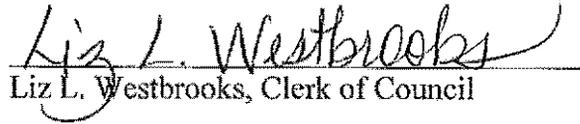
SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare; and for the further reason that the work be started as soon as possible, and provided it receives the affirmative vote of a majority plus one of 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: 10.05.15
APPROVED: 10.06.15

1st reading: 09.08.15
2nd reading: 09.21.15
3rd reading: 10.05.15


Michael P. Kilbane, President of Council


Eileen Ann Patton, Mayor


Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-33
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN HINKEL

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF FAIRVIEW PARK, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Fairview Park, Ohio;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, OHIO:

SECTION 1. That the editing, arrangement and numbering of those ordinances enacted by Council from 5-5-2014 to 6-15-2015, as listed in the Comparative Section Table, are hereby approved and adopted as printed in the 2015 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. A copy of such Replacement Pages are on file with the Clerk of Council and incorporated as a part hereof.

SECTION 2. The following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

Traffic Code

- 301.161 Highway Maintenance Vehicle. (Added)
- 301.162 Highway Traffic Signal. (Added)
- 331.43 Vehicular Operation on Street Closed Due to Rise in Water Level. (Added)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 337.16 Number of Lights; Limitations on Flashing. (Amended)
- 337.17 Focus and Aim of Headlights. (Amended)
- 341.01 Commercial Vehicle Definitions. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)

General Offenses Code

- 501.01 Definitions. (Amended)
- 501.07 Requirements For Criminal Liability. (Amended)
- 501.08 Culpable Mental States. (Amended)
- 525.01 Law Enforcement and Public Office Definitions. (Amended)

General Offenses Code (continued)

- 525.02 Falsification. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 533.09 Soliciting. (Amended)
- 533.15 Unlawful Advertising of Massage. (Added)
- 537.05 Aggravated Menacing. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.06 Menacing. (Amended)
- 537.12 Misuse of 9-1-1 System. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.02 Determining Property Value in Theft Offense. (Amended)
- 545.05 Petty Theft. (Amended)
- 545.15 Securing Writings by Deception. (Amended)
- 545.18 Receiving Stolen Property. (Amended)
- 549.01 Weapons Definitions. (Amended)

SECTION 3. The cost of this update to the Codified Ordinances of the City of Fairview Park shall be charged to the General Fund – Legislative (100-7780-5246000).

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 5. 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 provide for the updates to the Codified Ordinance of the City of Fairview Park, 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: 10.05.15

APPROVED: 10.06.15

1st reading: 09.08.15

2nd reading: 09.21.15

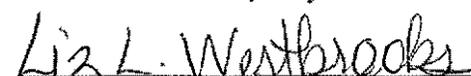
3rd reading: 10.05.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-35
ORIGINATED BY: LISA ROCCO, FINANCE DIRECTOR
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE DIRECTING THE DIRECTOR OF FINANCE TO PAY FROM FUNDS TO BE APPROPRIATED IN 2015 ALL NON-COLLECTIVE BARGAINING EMPLOYEES FOR THE 27th PAY PERIOD ENDING ON DECEMBER 31, 2015.

WHEREAS, it is reasonable and necessary for the efficient operation of the City of Fairview Park that the City fairly compensate its employees, both collective bargaining and non-collective bargaining employees; and

WHEREAS, the 2015 annual budget appropriation approved by City Council in March 2015, provides funding for all salaries in the 2015 calendar year based upon 27 calendar pay dates; and

WHEREAS, the calendar year 2015 includes 27 bi-weekly pay dates rather than the normal 26 calendar pay dates.

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

SECTION 1. That effective only with pay date of December 31, 2015, all salaried employees whose salaries are established by Ordinance will be paid their regular bi-weekly pay for the 27th bi-weekly pay;

SECTION 2. That all appropriate previous salary ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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.

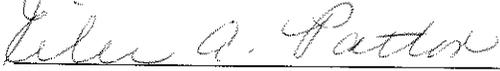
SECTION 4. That this shall take effect from and after the earliest period allowed by law.

PASSED: 10.05.15
APPROVED: 10.06.15

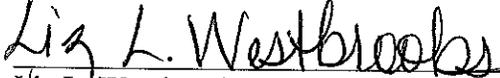
1st reading: 09.08.15
2nd reading: 09.21.15
3rd reading: 10.05.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-36
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY
CO-SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS FOR FUNDING FOR THE WOODSTOCK AVENUE STORM AND SANITARY SEWER REPLACEMENT AND DECLARING AN EMERGENCY

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Fairview Park is planning to make capital improvements to the Woodstock Avenue Storm and Sanitary Sewers; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs; and

WHEREAS, the Director of Public Service and Development and Mackay Engineering for the City of Fairview Park have conducted a capital inventory and needs assessment and has determined that it is necessary to submit an application for financial assistance for the Woodstock Avenue Storm and Sanitary Sewer Replacement.

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 make an application to request funds from the District One Public Works Integrating Committee of Cuyahoga County and the Ohio Public Works Commission for the Woodstock Avenue Storm and Sanitary Sewer Replacement.

SECTION 2. That the Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining such financial assistance in conjunction with the recommendations of Mackay Engineering, and approved as to form by the Director of Law, all in accordance with all authority granted to and limitations upon the Director of Finance.

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.

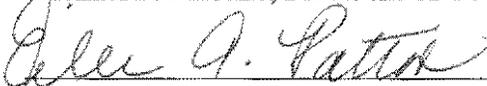
SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare; and for the further reason that said application is required to be submitted to the District One Integrating Committee in a timely manner, and provided 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: 10.05.15
APPROVED: 10.06.15

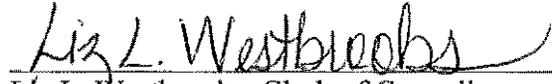
1st reading: 09.08.15
2nd reading: 09.21.15
3rd reading: 10.05.15



Michael P. Kilbane, President of Council



Eileen Ann Patton, Mayor



Liz L. Westbrooks, Clerk of Council