

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, OCTOBER 19, 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 ALLEGIANCE

7 ROLL CALL:

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

9 Administration – Mayor Patton, Mr. Berner, Mr. Cingle, Mrs. Fagnilli, Mr. Mackay

10
11 THE CHAIR called for a motion to excuse Councilman P. Wojnar.

12 Moved and Seconded

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

14 ROLL CALL: Vote: YES-6, NO-0 | Motion carries, Councilman P. Wojnar is excused.

15 YES: B. McDonough, B. Minek, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

16
17 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on
18 Monday, October 5, 2015.

19 Moved and seconded.

20 ROLL CALL: Vote: YES-6, NO-0, | Motion carries.

21 YES: B. McDonough, B. Minek, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

22
23 **COMMITTEE REPORTS**

24 COUNCILMAN MINEK said, The Environment, Public Works, Planning, Zoning & Development
25 Committee met on Monday, October 12, 2015 to discuss the issue of Community Development. Guests
26 present were Ed Kraus, Director, Cuyahoga County Office of Regional Collaboration, Nate Kelly,
27 Interim Director of Development, Cuyahoga County Office of Development, Glen Coyne, Executive
28 Director, Cuyahoga County

29 Planning Commission, Mayor Patton and Matt Hrubey, Development Associate. The redevelopment of
30 the business corridor of Lorain Road from W. 210 St. West to the North Olmsted City Limits was the
31 primary issue. At the present time this area consists of many mom & pop type small businesses in older
32 structures. The

33 lack of parking is an issue. There was considerable discussion and the county has programs to assist with
34 business renovation. The bottom line is the owner of the business must want to participate. We all know
35 Lorain Road will not be another Crocker Park. The redevelopment of certain business areas in
36 neighboring cities was also discussed. Our recent partnership with the City of Rocky River to seek
37 assistance from the Northeast Ohio Areawide Coordinating Agency (NOACA) for a project grant to
38 study signal upgrades, traffic control and other mitigating improvements on Center Ridge Road was also
39 discussed. The former NASA property on Brookpark Rd. could become a supplemental area to the
40 Airport, NASA and other high tech facilities. The ideal plan is to attract a well know large franchise
41 business to relocate on Lorain Road between W. 210 St and the North Olmsted City Limits and begin a
42 domino type renovation of surrounding businesses. Motion & vote this issue remain in committee was
43 approved 5-0. This completes my report!

44
45 COUNCILWOMAN CLEARY said, The Finance Committee met on Monday, October 12, 2015. Finance
46 Director, Lisa Rocco and two representatives from the Go2IT Group were in attendance to discuss the
47 following: Ordinance 15-39 Authorizing the Mayor to enter into a contract with the Go2IT Group for
48 professional services to support and maintain the City's computer systems from October 1, 2015 -
49 September 30, 2016. The contract is not to exceed \$33,000 and will come from the General, Recreation
50 and Permanent Improvement Fund as determined by the Finance Director. Eric Lundberg and Joe
51 Billings were in attendance from Go2IT, along with Finance Director Rocco, and reviewed the work

52 performed during Phase I and II, as well as the service and upgrades planned during the upcoming year.
53 This firm has provided computer services for the past two years, the feedback from the administration
54 and staff has been good and Director Rocco recommended extending the contract. A motion to place on
55 2nd, subsequent 3rd carried 5-0. Resolution 15-24 Accepts the projects proposed by the Mayor to be
56 funded and authorizing the application for assistance to be submitted under the 2016 Cuyahoga County
57 Competitive Municipal Grant Program. Development Administrator, Matt Hrubey was in attendance to
58 discuss possible projects for the application. Council requested that the grant be used to apply for
59 infrastructure projects that include either offsetting the cost of one of the streets in the 2016 street
60 program or for sidewalk repair in the targeted area. Mr. Hrubey offered to review the streets slated for
61 work in 2016 to determine if any are in the targeted zone. If not, he will look into applying for sidewalk
62 repair. Council was in support of applying for assistance for either project. A motion to place on 3rd
63 reading and up for passage carried 5-0. A motion to keep the issue of Finance Director qualifications in
64 committee carried 5-0. That concludes my report. Thank you.

65
66 **LEGISLATION FOR FIRST READING**

67 COUNCILMAN HINKEL placed the following legislation up for introduction and first reading:

68 ORDINANCE NO. 15-40

69 REQUESTED BY: MAYOR EILEEN ANN PATTON

70 SPONSORED BY: COUNCILMAN HINKEL

71 *AN ORDINANCE SETTING THE MEMBERSHIP USER FEE SCHEDULE FOR THE FAIRVIEW PARK*
72 *RECREATION AND COMMUNITY CENTER GEMINI CENTER FOR THE YEAR 2016 AND*
73 *DECLARING AN EMERGENCY*

74 ACTION: Ordinance 15-40 was placed on first reading and returned to the Finance Committee.

75
76 COUNCILWOMAN CLEARY placed the following legislation up for introduction and first reading:

77 ORDINANCE NO. 15-41

78 REQUESTED BY: MAYOR EILEEN ANN PATTON

79 SPONSORED BY: COUNCILWOMAN CLEARY

80 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE*
81 *CUYAHOGA COUNTY BOARD OF HEALTH FOR HEALTH SERVICES FOR THE YEAR 2016 AND*
82 *DECLARING AN EMERGENCY*

83 ACTION: Ordinance 15-41 was placed on first reading and returned to the Finance Committee.

84
85 ORDINANCE NO. 15-42

86 REQUESTED BY: MAYOR EILEEN ANN PATTON

87 SPONSORED BY: COUNCILWOMAN CLEARY

88 *AN ORDINANCE ADOPTING NEW CHAPTER 174 OF THE CODIFIED ORDINANCES OF FAIRVIEW*
89 *PARK, OHIO REGARDING MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY*

90 ACTION: Ordinance 15-42 was placed on first reading and returned to the Finance Committee.

91
92 ORDINANCE NO. 15-43

93 REQUESTED BY: MAYOR EILEEN ANN PATTON

94 SPONSORED BY: COUNCILWOMAN CLEARY

95 *AN ORDINANCE REQUESTING THAT THE CUYAHOGA COUNTY FISCAL OFFICER CERTIFY*
96 *CERTAIN INFORMATION TO THE CITY OF FAIRVIEW PARK RELATIVE TO THE RENEWAL OF*
97 *THE ONE (1) MILL FIRE TAX LEVY TO BE PLACED ON THE MARCH 16, 2016 BALLOT AND*
98 *DECLARING AN EMERGENCY*

99 ACTION: Ordinance 15-43 was placed on first reading and returned to the Finance Committee.

100

101 RESOLUTION NO. 15-26

102 REQUESTED BY: MAYOR EILEEN ANN PATTON

103 SPONSORED BY: COUNCILWOMAN CLEARY
104 *A RESOLUTION SUBMITTING TO THE VOTERS THE QUESTION OF THE RENEWAL OF THE ONE*
105 *(1) MILL FIRE LEVY PASSED ON NOVEMBER 5, 1996 FOR THE PURPOSE OF PROVIDING AND*
106 *MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS OR SITES THEREFOR, OR THE*
107 *PAYMENT OF PERMANENT FIREFIGHTERS TO OPERATE SAME, INCLUDING THE FIREMEN*
108 *EMPLOYER'S CONTRIBUTION REQUIRED UNDER ORD 742.34, AND TO PROVIDE AMBULANCE,*
109 *PARAMEDIC OR OTHER EMERGENCY MEDICAL SERVICES OPERATED BY THE FIRE*
110 *DEPARTMENT, ALL PURSUANT TO ARTICLE VIII OF THE CHARTER OF THE CITY OF FAIRVIEW*
111 *PARK ENTITLED "FINANCES," (THE "FIRE LEVY") AND SECTIONS 742.34 AND 5705.19(I) OF*
112 *THE OHIO REVISED CODE AND DECLARING AN EMERGENCY*
113 ACTION: Resolution 15-26 was placed on first reading and returned to the Finance Committee.

114
115 RESOLUTION NO. 15-27
116 REQUESTED BY: MAYOR EILEEN ANN PATTON
117 SPONSORED BY: COUNCILWOMAN CLEARY
118 *CO-SPONSORED BY: COUNCILMAN MINEK*
119 *A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE FUNDS DONATED FROM THE*
120 *CLEVELAND CLINIC FOUNDATION FOR THE SAFE ROUTES TO SCHOOL PROGRAM AND*
121 *DECLARING AN EMERGENCY*
122 ACTION: Resolution 15-27 was placed on first reading and returned to the Finance Committee.

123
124 RESOLUTION NO. 15-28
125 REQUESTED BY: MAYOR EILEEN ANN PATTON
126 SPONSORED BY: COUNCILWOMAN CLEARY
127 A RESOLUTION AWARDDING ACTIVE, INTERIM AND INACTIVE DEPOSITS AND DECLARING
128 AN EMERGENCY
129 ACTION: Resolution 15-28 was placed on first reading and returned to the Finance Committee.

130
131 **LEGISLATION FOR SECOND READING**
132 COUNCILWOMAN CLEARY placed Ordinance 15-39 up for second reading.
133 ORDINANCE NO. 15-39
134 REQUESTED BY: MAYOR EILEEN ANN PATTON
135 SPONSORED BY: COUNCILWOMAN CLEARY
136 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GO2IT*
137 *GROUP FOR PROFESSIONAL SUPPORT SERVICES FOR THE CITY'S COMPUTER SYSTEMS AND*
138 *DECLARING AN EMERGENCY*
139 ACTION: Ordinance 15-39 was placed on second reading and subsequent third reading.

140
141 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE** None

142
143 **LEGISLATION UP FOR PASSAGE WITHOUT THREE READINGS**
144 COUNCILWOMAN CLEARY placed Resolution 15-24 up for third reading and final passage.
145 RESOLUTION NO. 15-24
146 REQUESTED BY: MAYOR EILEEN ANN PATTON
147 SPONSORED BY: COUNCILWOMAN CLEARY
148 *A RESOLUTION ACCEPTING THE PROJECTS PROPOSED BY THE MAYOR TO BE FUNDED AND*
149 *AUTHORIZING THE APPLICATIONS FOR ASSISTANCE TO BE SUBMITTED UNDER THE 2016*
150 *CUYAHOGA COUNTY COMPETITIVE MUNICIPAL GRANT PROGRAM AND DECLARING AN*
151 *EMERGENCY*
152 Moved and Seconded.
153 THE CHAIR called for any discussion prior to passage. No discussion.

154 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Resolution 15-24 passes.
155 YES: B. McDonough, B. Minek, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

156

157 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
158 **OFFICIALS**

159 Interim Finance Director Greg Cingle was sworn in by Mayor Patton.

160 MAYOR PATTON reported that the Cleveland Water Department has announced that the water rates for
161 year 2016 through 2018 will have no increase. When she receives this information in written form she
162 will pass along to city council to have for residents. Superintendent Bill Wagner has asked that city
163 officials get the word out about a community discussion on heroin, which will take place on Thursday,
164 November 5 in the Fairview High School Auditorium. She will pass the flyer along to council tomorrow
165 morning. The Recreation Commission will be meeting on October 22 at 6:30 in the Gemini Center. On
166 Tuesday, October 27 there will be a Lorain Road Development meeting at city hall in the Dunson Community
167 Room.

168

169 DIRECTOR BERNER reported that the leaf pick-up season begins this week and reminded everyone that
170 leaves should not be raked into the roadway and to pile them on the tree lawns. As we get fully into the
171 season, daily updates will be posted for estimated pickups on individual streets. The Service Department
172 is in the process of repairing a collapsed sanitary sewer main on Stanford Drive. It is expected to be
173 repaired and back to drivable condition in the next few days. Dominion Gas replaced the main service
174 line to Bain Cabin last week and did an efficient job of getting everything done before the weekend
175 rounds. DIRECTOR BERNER reported that Black and Veatch will be present at the council committee
176 meeting next week. He will be submitting reports electronically tomorrow, and is anticipating the report
177 for the meeting by Wednesday and will get that out once it is received. In the Development Department
178 two occupancy certificates have been issued to Exotic Nails and Boost Mobile. The Westgate Shopping
179 Center will be doing a parking lot resealing this week after hours. DIRECTOR BERNER reported that
180 Mastick Road has been reopened as of this afternoon and the project is about 2 weeks ahead of schedule.

181

182 DIRECTOR CINGLE thanked the Mayor and city council for being able to serve Fairview Park over the
183 next 90 days. He said is there is anything he can do to help, please don't hesitate to call him.

184

185 DIRECTOR FAGNILLI said that due to some changes in the law, the Presidential Primary will be held in
186 March of this year. The fire levy legislation introduced tonight will need to be filed with the Board of
187 Elections by December 16.

188

189 ENGINEER MACKAY reported that the 2016 streets and water line projects which were authorized by
190 council are being worked on and will keep everyone informed on their progress.

191

192 **PUBLIC SESSION**

193 MS. ELAINE WILKINSON said that she came to give an update on the Fairview Park branch of the
194 Library System. The Fairview Branch has the 6th largest sign up for the summer program and the 2nd
195 highest e-book usage rates. She spoke on many of the programs available including: reading boot camp,
196 play, read and grow, sensory story time for special needs children, a kindergarten readiness program, teen
197 programs, one of which is being used as a model for other libraries throughout the county system.
198 Technology programs are available for all age levels, including a NASA robotics program, an iMovie
199 class and genealogy. History programming is also very popular. A Holiday Open House is being planned,
200 and other services for passports and in the new year there will be tax assistance programs. MS.
201 WILKINSON reported on the construction being done on the library and assured everyone that there will
202 be some small changes to entrances as this occurs.

203

204 MS. MICHELLE BIGGINS presented petitions and read the following statement:

205 Good Evening, My name is Michelle Biggins & this is my husband Marty. 11 years ago this November
206 we lost our daughter Mindy to suicide off the Lorain/Fairview bridge. At that time everything was a blur.
207 I remember having a discussion with then Councilman Mike Dolan & Mayor Eileen Patton about putting
208 a fence on the bridge. It wasn't clear who was responsible for the repairs/maintenance of the bridge. We
209 were grieving the death of Mindy & we didn't have much energy to research the matter. The past year,
210 two separate incidents occurred involving good friends of mine. One friend's son attempted to jump but
211 luckily she got there before he did. The other incident involved my friend's nephew. The police arrived
212 before he jumped. When both of them told me about their incident it really hit home for me.
213 Then in August Marty & I were coming home on a Friday night after the movies and as we approached
214 the bridge we saw police cars with their lights on & the traffic was stopped on both sides. So we sat there
215 watching, in silence both thinking the same thing. The police were looking over the bridge. It was a
216 haunting feeling. Once we were able to continue driving we never said a word to each other. The next
217 morning Marty said to me "Michelle I can't get the thought of the bridge off my mind". I said "me either".
218 That's why I decided we needed to do something.
219 Since September, we have been on a mission. We called it "Mindy Mending Bridges Project". Many
220 friends, family & even strangers have taken our petitions to get signatures from people who support our
221 cause.
222 So I knew I had to do a lot of research. I started with Fairview's Law Director, Sara Fagnilli. She was
223 very helpful & kind. But still not sure who was responsible for the repairs & maintenance of the bridge.
224 A dear friend of mine put me in contact with Dale Miller also has been very helpful & who has joined
225 our mission to help us get this job done. Dale put me in contact with Marty Sweeney's office. He is our
226 State Rep. Steve Webster has been communicating with me through Marty. I have had contact with
227 Marty Keane on several occasions about this matter as well, he too has joined our team in our mission to
228 get a fence put up. I have been in touch with Stan Kosilesky from ODOT. All of these people have told
229 me the same thing. We ALL have to come together on this project & get the job done.
230 In 2007, there was a revision of the ORC regarding maintenance responsible of bridges. The department
231 is responsible for major maintenance for all bridges on & over a state route inside a municipality.
232 Routine maintenance will be the responsibility of the public entity responsible for maintenance of the
233 pavement & sidewalks on either end of the bridge, which in most situations will be the city. The Director
234 of Transportation is responsible for the construction, reconstruction, major maintenance & repair. All of
235 the people I have mentioned agree that this project can be funded from all of the above. Not just one
236 entity. We all have to work together to make this dream a reality.
237 In my research, I spoke to a park ranger named Shaana. She was very sweet & told me she was going to
238 get back to me after looking into a statistic I asked her about. I wanted to know in the past 10 years how
239 many people have lost their lives off this bridge. She called me after research & said that the public
240 records request never has kept a report tracking that statistic. She went on to explain that the computer
241 system never was set up to generate a report of that sort. She stated there is no documentation that
242 compels such a number. I must say I was pretty shocked. The number of lives that have been lost off that
243 bridge should be there for the public & for the sake of all of us who need to know.
244 There are many bridges in Cleveland & surrounding suburbs that have a fence on their bridges. The
245 Detroit Bridge connecting Lakewood to Rocky River overlooks the valley. They have a fence on that
246 bridge & it does not take away from the scenery of the valley at all. Our mission is to save lives!!
247 Through this process a dear friend of mine told me a story that she had not shared with me until now. She
248 felt she needed to tell me now so I could share it with you.
249 Two years ago, a few days before x-mas she was driving over the bridge & she saw someone jump. She
250 stopped & got out of her car & went to the railing. There was so much snow piled on the sidewalk of the
251 bridge that when she looked over the railing it was hitting her just above her knees. She said the snow
252 was so high that the poor man did not even have to jump. He just stepped over & leaped. For some reason
253 the Fairview/Lorain bridge attracts people. People who are depressed, confused, sad or just down & out.
254 They figure it's an easy out.

255 We have to change THAT perception of THAT bridge. If we save just one life our mission is a success.
256 In the name of Our Loving Daughter Mindy we are here with thousands of names signed on our petitions
257 to put this project into effect as soon as possible. We are asking you to become part of our team. We are
258 here, willing & ready to do whatever it takes to make this happen. Just help lead us in the right direction
259 & TOGETHER we can make this dream a reality.

260 Thank you for your time & I hope & pray that this is the beginning of "Mindy Mending Bridges Project".
261 MAYOR PATTON thanked Mr. & Mrs. Biggins and said that we are here to join their mission and will
262 stay in constant contact as well with ODOT and a team that will be put together to see what can be done.
263 She said that all forces involved need to work together.

264 DIRECTOR FAGNILLI said that she spoke a few days ago to State Rep. Marlene Anielski about the
265 issue of suicide prevention and education. She shared the mission of the Biggins, and said that we will
266 likely be reaching out as part of the discussing this issue as we move forward.

267 THE CHAIR thanked Mr. & Mrs. Biggins for bringing the issue before council.
268

269 MS. JUDITH MEZEY-KIRBY - 20312 Lorain Road - MS. KIRBY inquired about the flashing light on
270 Mastick and asked if it could be placed on Lorain Road.

271 MAYOR PATTON advised that the lights are there because there is a school there, and that there are
272 also flashing lights by the schools on Lorain Road. She advised to tell the Police Chief her concerns with
273 the traffic issues.
274

275 MR. MATTHEW HRUBEY – 19981 Speidel Ave – MR. HRUBEY reported that he received an email
276 stating that the Fairview High School Environmental Science class has received the 2015 Hope and
277 Stanley Adelstein Award for Environmental Excellence. They received the award for the work that they
278 did with the city for the Coe Creek Streambank Restoration Project. In addition to their recognition, they
279 will also receive a \$1,000 check at the Earth Day Coalition's Instrumental Evening for the Earth on
280 Wednesday November 4.
281

282 MR. CHUCK SOTU – 20867 Fairpark Dr – MR. SOTU said that he remembers conversations years ago
283 about the fencing on the bridge, but has never happened. He said he worked at Fairview Hospital for 39
284 years and recalls many instances of individuals jumping from it. He asked how that would be funded.

285 MAYOR PATTON said that changes in the Ohio Revised code in 2007 took much out of the hands of
286 pretty much everyone that had previously maintained the bridge and placed it with the state.

287 MR. SOTU said he hopes that something can be done to make the bridge safer. He also said the bridge on
288 Brookpark Road could use some attention as well.

289 MAYOR PATTON said that ODOT has been out to view the bridge on Brookpark and that there is a
290 plan, which includes major maintenance for it.
291

292 MR. JOHN TAYLOR – 22405 Macbeth Ave – He said that until the state gets there to deal with the
293 Brookpark Bridge, he would like to see some lights replaced. He said there are gaps at the bottom of the
294 bridge, making it a hazard. MR. TAYLOR said there are also lights out at 220th St and on Mastick, for a
295 total of 4 in the vicinity. He asked that someone in the city make a move to get these issues resolved.

296 MR. TAYLOR said he wanted to revisit the issue of Nelson Russ Park, which he brought up in May. He
297 said it is like a dump area now. He also spoke on the need for more enforcement on the posting political
298 signs, storing recreation/commercial vehicles and wood. He suggested that there be another plan beside
299 sandbags for the drains in the city. He said that they seem to be ineffective, and that some have even had
300 contents replaced with other materials by residents.
301

302 MISCELLANEOUS BUSINESS AND COMMENTS BY MEMBERS OF COUNCIL

303 COUNCILMAN MINEK said that the Board of Control met on October 12 to discuss the 2015 water
304 main replacement project. The streets affected are West 212th from Addington Blvd to Northwood, the
305 entire length of Seabury and Cromwell from West 213th to South Park Drive. The contract was awarded

306 to Fabrizi Trucking and Paving Company. The Planning and Design Commission will meet on
307 Wednesday, Oct 21 in council chambers to review plan for fencing for Laumer Corrigan Funeral Home.

308
309 COUNCILMAN HINKEL thanked the Biggins for having the courage to come and speak to council
310 tonight and applauded them for moving forward and doing something positive. He said that council will
311 stand with them, and that he is sorry for their loss.

312
313 COUNCILWOMAN CLEARY thanked Mr. and Mrs. Biggins for coming and speaking to council tonight
314 and said she is very interested in working with them and whatever the city ends up doing.

315
316 THE CHAIR welcomed Mr. Cingle to the city.

317
318 COUNCILMAN MCDONOUGH asked if the Lorain Road Bridge issue could be assigned to committee.
319 THE CHAIR assigned the issue of the safety fence on bridges to the Environment, Public Works,
320 Planning and Development Committee.

321 THE CHAIR made a motion to adjourn meeting with no further business before council.
322 Moved and Seconded.

323 ROLL CALL: Vote: YES-6, NO-0 | Meeting adjourned at 7:58 p.m.

324 YES: B. McDonough, B. Minek, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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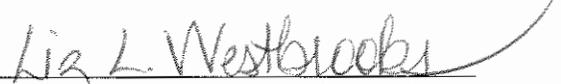
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Liz L. Westbrooks, Clerk of Council