



CITY OF FAIRVIEW PARK CITY COUNCIL MEETING AGENDA

MONDAY, DECEMBER 7, 2015
REGULAR MEETING

6:30 pm - Council Caucus – Council Caucus Room
7:00 pm - Council Meeting – Council Chambers

Meeting Called to Order
Moment of Silent Prayer
Pledge of Allegiance
Roll Call

Disposition of Minutes:

Regular Meeting of Council Monday, November 16, 2015

Committee Reports

Local Government and Community Services, *Councilman Hinkel, Chair*
Finance – *Councilwoman Cleary, Chair*

~ **LEGISLATIVE AGENDA** ~

Legislation for First Reading

COUNCILMAN HINKEL

Ord. 15-__ | Amending Section 929.06 Solid Waste Collection Charges Extension

COUNCILWOMAN CLEARLY

Ord. 15-__ | Authorizing Contract with Mackay Engineering 2016-2019

Ord. 15-__ | Ciuni and Panichi Contract for Audit Services for Fiscal Years 2015-2018

Ord. 15-__ | Authorizing Payment to Field Turf for Change Order for Emergency Repair

Ord. 15-__ | Authorizing Agreement to Sell Property Located at 22669 Lorain Road

Legislation for Second Reading

COUNCILWOMAN CLEARLY

Ord. 15-47 | Authorizing Contract with City Architecture for Center Ridge Rd Project

Ord. 15-48 | Authorizing Building Automation System Purchase

Res. 15-31 | County Fiscal Officer to Advance Taxes 2016

Audience Input on Legislation Up For Passage

Agenda continued on back →

Legislation on for Third Reading and Final Passage

Ord. 15-44 | TAC Computer Agreement 2016

Ord. 15-46 | 2016 Temporary Appropriations

Res. 15-29 | Accepting Donation from Giant Eagle Foundation for Senior Transportation Program

Res. 15-30 | 2016 Area Agency on Aging Contract

Legislation on for Passage Without Three Readings

COUNCILWOMAN CLEARY

Res. 15-__ | Resolution Repealing Resolution Number 15-26A

Res. 15-__ | Placing Fire Levy Renewal on March 2016 Ballot

Reports from Mayor, Directors and Other City Officials

Public Session

Miscellaneous Business and Reports from Council

Adjournment

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UPCOMING MEETINGS OF COUNCIL:

MON. Dec 14 Council Committee Meeting 7:00 p.m. Council Caucus Room

MON. Dec 21 Council Regular Meeting 7:00 p.m. Council Chambers

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, NOVEMBER 16, 2015**
4

5 The regular meeting of Council was called to order by Council President Kilbane at 7:15 p.m.

6 MOMENT OF SILENT PRAYER/PLEDGE OF ALLEGIANCE

7 ROLL CALL:

8 PRESENT: Council – B. McDonough, B. Minek, P. Wojnar, 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 dispose of the minutes of the Regular Meeting of Council held on
12 Monday, November 2, 2015.

13 Moved and seconded.

14 ROLL CALL: Vote: YES-6, NO-0, ABSTAIN-1 | Motion carries.

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

16 THE CHAIR asked Councilman Wojnar the reason for his abstention.

17 COUCILMAN WOJNAR stated he was out of town.
18

19 **COMMITTEE REPORTS**

20 COUNCILMAN HINKEL said, The Local Government and Community Services Committee met on
21 Monday, November 9 at 7pm to discuss two items. **Fire Chief Tony Raffin** made a presentation about
22 the various responsibilities of the Fire Department and mentioned some of his wish list items, and
23 stressed the importance of the upcoming five levy. It was a great chance to learn more about the
24 department and it was a nice forum for conversation. **Ordinance 15-40** regarding Gemini Center fees,
25 which will not be increasing in 2016, was placed up on third reading and up for passage. Council
26 received the requested amortization schedule and cash flow statements. Thank you to Mayor Patton and
27 Mary Long for providing them. It was agreed that the issue of Recreation Department revenue would be
28 introduced at the next meeting. The meeting ended at 8:05 pm.
29

30 COUNCILWOMAN CLEARY said, The Finance Committee met on Monday, November 9th to discuss
31 the following: **Ordinance 15-41** authorizes the Mayor to enter into a contract with the Cuyahoga County
32 Board of Health for Health Care Services for the year 2016. This ordinance had been discussed at the
33 October 26th committee meeting and returned to committee to secure additional information regarding
34 the incidence of reported cases of lead poisoning and lead abatement efforts in Fairview Park. Fairview
35 Park Building Commissioner Kulcsar reported that Building Department, per EPA requirement, puts
36 forms in contractor registration packages asking if they are certified in lead safe work practices and if so,
37 to provide evidence of that certification. Mr. Sobolewski, Supervisor Environmental Public Health at the
38 Cuyahoga County Board of Health, offered that in 2013, Fairview Park had two children test for with
39 blood levels that required the health department to contact families and offer to perform inspection of
40 home to test for evidence of lead. Higher levels of lead in blood requires that the health department enter
41 home to conduct tests to determine if lead is present in the home. Additional information about lead
42 testing and lead abatement programs can be found on the County Health Department website. A motion
43 to place on 3rd reading and up for passage carried 7-0. **Ordinance 15-42** adopts the new Chapter 174 of
44 Fairview Park's Codified Ordinances to comply with HB 5, mandating that municipal income tax codes
45 be amended by January 1, 2016 to comply with the provisions and limitations outlined in Chapter 718 of
46 the Ohio Revised Code. Interim Finance Director Greg Cingle and Law Director Fagnilli were in
47 attendance to respond to questions. Council read bulletins, researched HB 5 and understands the need to
48 adopt the chapter to be in compliance with the Ohio Revised Code. A motion to place on 3rd read and up
49 for passage carried 7-0. **Ordinance 15-44** authorizes the Mayor to enter into a service agreement with
50 TAC Computer, Inc to provide computer services to the Fairview Park Police Department. The contract
51 is not to exceed \$17,000 and will be paid from the General Fund (100.) Council requested that Tom

52 Craven from TAC be invited to a committee meeting to provide an overview of the services offered and
53 determine if TAC has the capability to pull data by ward when requested by council and if so, what
54 additional costs would be involved. Council Clerk Westbrook will be asked to follow up with the
55 scheduling of that meeting. A motion to place on 2nd, subsequent 3rd carried 7-0. **Ordinance 15-45**
56 appropriates funds for current expenses and other expenditures of the city for the period commencing
57 January 1, 2015 and ending December 31, 2015. Interim Finance Director Greg Cingle was in attendance,
58 offered an overview of the appropriations and provided explanations for budgeted line item changes.
59 Director Greg Cingle agreed to research and respond to a few specific questions regarding several line
60 items and report back to council. A motion to place on 2nd and return to committee carried 7-0.
61 **Ordinance 15-46** appropriates funds for current expenses and other expenses for the city for the period
62 beginning January 1, 2016 and ending March 31, 2016. This temporary budget allows for the ongoing
63 operation of the city for the first fiscal quarter of 2016 while council conducts its formal budget hearings
64 of the 2016 budget during that period. Interim Finance Director Greg Cingle was in attendance and
65 offered an overview of the appropriations and responded to questions asked regarding some budgeted
66 items. Director Cingle agreed to conduct further research in response to a few specific questions and
67 report back to council. A motion to place on 2nd and return to committee carried 7-0. **Resolution 15-29**
68 authorizes the Mayor to accept the funds donated from Giant Eagle Foundation to support the Fairview
69 Park Senior Transportation Program. The foundation awarded a grant in the amount of \$2,000 to assist
70 the transportation program in providing residents with adequate, reliable and affordable transportation.
71 The funds will be deposited in the Special Hold Account (Fund 611.) A motion to place on 2nd,
72 subsequent 3rd carried 7-0. **Resolution 15-30** authorizes the Mayor to enter into a contract with the
73 Western Reserve Area Agency on Aging to accept grant funds under Title III of the Older Americans Act
74 of 1965 to provide for the funding for transportation, nutrition and support services, and partial funding
75 for supplemental programs for 2016. The grant is in the amount of \$25,000. Motion to place on 2nd,
76 subsequent 3rd carried 7-0. That concludes my report. Thank you

77

78 **LEGISLATION FOR FIRST READING**

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

80 ORDINANCE NO. 15-47

81 REQUESTED BY: MAYOR EILEEN ANN PATTON

82 SPONSORED BY: COUNCILWOMAN CLEARY

83 CO-SPONSORED BY: COUNCILMAN MINEK

84 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CITY*
85 *ARCHITECTURE FOR THE CENTER RIDGE ROAD COMPLETE STREETS PROJECT AND*
86 *DECLARING AN EMERGENCY*

87 Action: Ordinance 15-47 was placed on first reading and referred to the Finance Committee.

88

89 ORDINANCE NO. 15-48

90 REQUESTED BY: MAYOR EILEEN ANN PATTON

91 SPONSORED BY: COUNCILWOMAN CLEARY

92 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PB-TECH,*
93 *INC. FOR THE PURCHASE OF AN AAM/CYLON "BACNET" – BUILDING AUTOMATION SYSTEM*
94 *AND DECLARING AN EMERGENCY*

95 Action: Ordinance 15-48 was placed on first reading and referred to the Finance Committee.

96

97 ORDINANCE NO. 15-49

98 REQUESTED BY: MAYOR EILEEN ANN PATTON

99 SPONSORED BY: COUNCILWOMAN CLEARY

100 *AN ORDINANCE ESTABLISHING THE SALARY RANGES FOR VARIOUS OFFICES AND POSITIONS*
101 *OF THE MUNICIPAL GOVERNMENT, REPEALING ALL OTHER ORDINANCES OR PARTS OF*
102 *ORDINANCES INCONSISTENT, HEREWITH, AND DECLARING AN EMERGENCY*

103 Action: Ordinance 15-49 was placed on first reading and referred to the Finance Committee.
104
105 RESOLUTION 15-31
106 REQUESTED BY: THE FINANCE DEPARTMENT
107 SPONSORED BY: COUNCILWOMAN CLEARY
108 *A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE*
109 *PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND*
110 *DECLARING AN EMERGENCY*
111 Action: Ordinance 15-49 was placed on first reading and referred to the Finance Committee.
112
113 **LEGISLATION FOR SECOND READING**
114 Councilwoman Cleary placed the following legislation up for second reading:
115 ORDINANCE NO. 15-44
116 REQUESTED BY: MAYOR EILEEN ANN PATTON
117 SPONSORED BY: COUNCILWOMAN CLEARY
118 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH*
119 *TAC COMPUTER, INC. AND DECLARING AN EMERGENCY*
120 ACTION: Ordinance 15-44 was placed on second reading and subsequent third reading.
121
122 ORDINANCE NO. 15-45
123 ORIGINATED BY: THE FINANCE DEPARTMENT
124 REQUESTED BY: MAYOR EILEEN PATTON
125 SPONSORED BY: COUNCILWOMAN CLEARY
126 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*
127 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*
128 *JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 AND DECLARING AN EMERGENCY.*
129 ACTION: Ordinance 15-45 was placed on second reading and returned to the Finance Committee.
130
131 ORDINANCE NO. 15-46
132 ORIGINATED BY: THE FINANCE DEPARTMENT
133 REQUESTED BY: MAYOR EILEEN PATTON
134 SPONSORED BY: COUNCILWOMAN CLEARY
135 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*
136 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*
137 *JANUARY 1, 2016 AND ENDING MARCH 31, 2016 AND DECLARING AN EMERGENCY.*
138 ACTION: Ordinance 15-46 was placed on second reading and returned to the Finance Committee.
139
140 RESOLUTION NO. 15-29
141 REQUESTED BY: MAYOR EILEEN ANN PATTON
142 SPONSORED BY: COUNCILWOMAN CLEARY
143 CO-SPONSORED BY: COUNCILMAN MINEK
144 *A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE FUNDS DONATED FROM THE*
145 *GIANT EAGLE FOUNDATION FOR THE SENIOR TRANSPORTATION PROGRAM AND DECLARING*
146 *AN EMERGENCY*
147 ACTION: Resolution 15-29 was placed on second reading and subsequent third reading.
148
149 RESOLUTION NO. 15-30
150 REQUESTED BY: SENIOR LIFE DIRECTOR, REGINA SILLASEN
151 SPONSORED BY: COUNCILWOMAN CLEARY
152 CO-SPONSORED BY: COUNCILMAN MINEK

153 *A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE WESTERN*
154 *RESERVE AREA AGENCY ON AGING TO ACCEPT GRANT FUNDS FROM SAID AGENCY FOR THE*
155 *CITY'S PROGRAMS UNDER THE TITLE III OF THE OLDER AMERICANS ACT OF 1965 (42 USC 35)*
156 *WHICH PROVIDES FUNDING FOR TRANSPORTATION, NUTRITION AND SUPPORT SERVICES*
157 *AND PARTIAL FUNDING FOR SUPPLEMENTAL PROGRAMS THEREUNDER FOR 2016 AND*
158 *DECLARING AN EMERGENCY*

159 ACTION: Resolution 15-30 was placed on was placed on second reading and subsequent third reading.

160

161 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE** None

162

163 **LEGISLATION UP FOR THIRD READING AND FINAL PASSAGE**

164 COUNCILMAN HINKEL placed Ordinance 15-40 up for third reading and final passage.

165 ORDINANCE NO. 15-40

166 REQUESTED BY: MAYOR EILEEN ANN PATTON

167 SPONSORED BY: COUNCILMAN HINKEL

168 *AN ORDINANCE SETTING THE MEMBERSHIP USER FEE SCHEDULE FOR THE FAIRVIEW PARK*
169 *RECREATION AND COMMUNITY CENTER GEMINI CENTER FOR THE YEAR 2016 AND*
170 *DECLARING AN EMERGENCY*

171 Moved and Seconded.

172 THE CHAIR called for any discussion prior to passage. No discussion.

173 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 15-40 passes.

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

175

176 COUNCILWOMAN CLEARY placed Ordinance 15-41 up for third reading and final passage.

177 ORDINANCE NO. 15-41

178 REQUESTED BY: MAYOR EILEEN ANN PATTON

179 SPONSORED BY: COUNCILWOMAN CLEARY

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

183 Moved and Seconded.

184 THE CHAIR called for any discussion prior to passage. No discussion.

185 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 15-41 passes.

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

187

188 COUNCILWOMAN CLEARY placed Ordinance 15-42 up for third reading and final passage.

189 ORDINANCE NO. 15-42

190 REQUESTED BY: MAYOR EILEEN ANN PATTON

191 SPONSORED BY: COUNCILWOMAN CLEARY

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

194 Moved and Seconded.

195 THE CHAIR called for any discussion prior to passage. No discussion.

196 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 15-42 passes.

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

198

199 COUNCILWOMAN CLEARY placed Ordinance 15-43 up for third reading and final passage.

200 ORDINANCE NO. 15-43

201 REQUESTED BY: MAYOR EILEEN ANN PATTON

202 SPONSORED BY: COUNCILWOMAN CLEARY

203 *AN ORDINANCE REQUESTING THAT THE CUYAHOGA COUNTY FISCAL OFFICER CERTIFY*
204 *CERTAIN INFORMATION TO THE CITY OF FAIRVIEW PARK RELATIVE TO THE RENEWAL OF*
205 *THE ONE (1) MILL FIRE TAX LEVY TO BE PLACED ON THE MARCH 15, 2016 BALLOT AND*
206 *DECLARING AN EMERGENCY*
207 Moved and Seconded.
208 THE CHAIR called for any discussion prior to passage.
209 COUNCILWOMAN CLEARY made a motion to amend to make the following changes:
210 1) Correct the election date from March 16, 2015 to March 15, 2015 in both the title and Section 3 ; and
211 2) Change language from the “General” election to “Primary” election in Section 3.
212 Moved and Seconded.
213 ROLL ON MOTION: Vote: YES-7, NO-0 | Ordinance 15-43 is amended.
214 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
215 THE CHAIR called for any further discussion prior to passage. No discussion.
216 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 15-43 Amended passes.
217 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
218
219 COUNCILWOMAN CLEARY placed Resolution 15-26 up for third reading and final passage.
220 RESOLUTION NO. 15-26
221 REQUESTED BY: MAYOR EILEEN ANN PATTON
222 SPONSORED BY: COUNCILWOMAN CLEARY
223 *A RESOLUTION SUBMITTING TO THE VOTERS THE QUESTION OF THE RENEWAL OF THE ONE*
224 *(1) MILL FIRE LEVY PASSED ON NOVEMBER 5, 1996 FOR THE PURPOSE OF PROVIDING AND*
225 *MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS OR SITES THEREFOR, OR THE*
226 *PAYMENT OF PERMANENT FIREFIGHTERS TO OPERATE SAME, INCLUDING THE FIREMEN*
227 *EMPLOYER’S CONTRIBUTION REQUIRED UNDER ORD 742.34, AND TO PROVIDE AMBULANCE,*
228 *PARAMEDIC OR OTHER EMERGENCY MEDICAL SERVICES OPERATED BY THE FIRE*
229 *DEPARTMENT, ALL PURSUANT TO ARTICLE VIII OF THE CHARTER OF THE CITY OF FAIRVIEW*
230 *PARK ENTITLED “FINANCES,” (THE “FIRE LEVY”) AND SECTIONS 742.34 AND 5705.19(I) OF*
231 *THE OHIO REVISED CODE AND DECLARING AN EMERGENCY*
232 Moved and Seconded.
233 THE CHAIR called for any discussion prior to passage.
234 COUNCILWOMAN CLEARY made a motion to amend to make the following changes:
235 1) Change the voter passage date from July 13, 2011 to November 8, 2011 in the 3rd whereas clause; and
236 2) Correct the election date from March 16, 2015 to March 15, 2015 in Section 2.
237 Moved and Seconded.
238 ROLL ON MOTION: Vote: YES-7, NO-0 | Resolution 15-26 is amended.
239 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
240 THE CHAIR called for any further discussion prior to passage. No discussion.
241 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Resolution 15-26 Amended passes.
242 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
243
244 COUNCILWOMAN CLEARY placed Resolution 15-27 up for third reading and final passage.
245 RESOLUTION NO. 15-27
246 REQUESTED BY: MAYOR EILEEN ANN PATTON
247 SPONSORED BY: COUNCILWOMAN CLEARY
248 CO-SPONSORED BY: COUNCILMAN MINEK
249 *A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE FUNDS DONATED FROM THE*
250 *CLEVELAND CLINIC FOUNDATION FOR THE SAFE ROUTES TO SCHOOL PROGRAM AND*
251 *DECLARING AN EMERGENCY*
252 Moved and Seconded.
253 THE CHAIR called for any discussion prior to passage. No discussion.

254 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Resolution 15-27 passes.
255 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
256
257 COUNCILWOMAN CLEARY placed Resolution 15-28 up for third reading and final passage.
258 RESOLUTION NO. 15-28
259 REQUESTED BY: MAYOR EILEEN ANN PATTON
260 SPONSORED BY: COUNCILWOMAN CLEARY
261 A RESOLUTION AWARDED ACTIVE, INTERIM AND INACTIVE DEPOSITS AND DECLARING
262 AN EMERGENCY
263 Moved and Seconded.
264 THE CHAIR called for any discussion prior to passage. No discussion.
265 ROLL ON PASSAGE: Vote: YES-6, NO-0, ABSTAIN-1 | Resolution 15-28 passes.
266 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, P. Cleary | ABSTAIN: J. Hinkel
267 THE CHAIR asked Councilman Hinkel the reason for his abstention.
268 COUCILMAN HINKEL stated his employer is one of the institutions listed in the legislation.
269
270 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
271 **OFFICIALS**
272 MAYOR PATTON congratulated Councilman Hinkel on his election victory and said she looks forward
273 to working with him over the next term. She thanked city council in assisting with the God and Country
274 Awards presentation held prior to the council meeting. She advised that the city has been awarded a
275 NatureWorks grant in the amount of one hundred and thirty-nine thousand dollars (\$139,000) for Grannis
276 Park. The purpose of the project is to transform the underutilized neighborhood park into an attractive,
277 fully-accessible communal space for low and moderate income youth and families by replacing outdated
278 recreational and playground equipment with new, safe ADA accessible playground equipment. Grannis
279 Park is a true neighborhood park, in that it largely services the residents living within its close proximity.
280 Recreation Director Owens will be accepting the grant at a presentation tomorrow. MAYOR PATTON
281 announced that there were 59 applicants who took the fire examination and the list will be certified
282 within the next ten days. There will be one firefighter hired. On Friday, November 27 will be the city's
283 Winterfest. Shuttles will run from the parking lot to Bain Cabin for the festivities, including music, food
284 and Santa Claus. She wished everyone a wonderful Thanksgiving.
285
286 DIRECTOR BERNER reported that three trips have been done through the city for leaf pick-up, and a
287 fourth tip will be started this week. The department is planning for extended work days and overtime to
288 try to get them up in the next few weeks. There will be a meeting this Wednesday for the year-end update
289 at the regional Wastewater Treatment Plant which we share with Rocky River, Bay Village and
290 Westlake. The Development Department has issued certificate of occupancy permits to Gone to the Dogs
291 and Flawless Beauty Salon. They have been eight occupancy permits issued so far for RiverSouth, with
292 two others coming soon. DIRECTOR BERNER reported that the stormwater project has started in the
293 back coming in to the building and is expected to last until the middle or end of December.
294
295 DIRECTOR CINGLE thanked council for passage of finance items. He said that is anyone has questions
296 that he can answer or assist in answering for items on first and second reading, please let him know. He
297 wished everyone a Happy Thanksgiving.
298
299 ENGINEER MACKAY reported that the 2016 streets and water line projects continue to be worked on
300 and he will keep everyone informed on when they will be out for bid. He wished everyone a safe and
301 Happy Thanksgiving.
302
303 **PUBLIC SESSION**

304 MS. DIANA SANTORA – 4885 South Park Drive – MS. SANTORA gave background on the We Do
305 Care Committee, which started beginning in 1973. She said that the moms of the service members
306 worked very hard together to make packages and send them off. MS. SANTORA said that Fairview Park
307 should be very proud of what they have done with the We Do Care Program.
308

309 MS. DEB HAMMERLE – 22326 Haber Drive - MS. HAMMERLE wished everyone a Happy
310 Thanksgiving. She said that she gives thanks for living in the city and this wonderful country, especially
311 considering recent events. She said it is nice to know that government entities can work together in
312 harmony and unity. MS. HAMMERLE said there are two roads that can be taken; the road of conflict and
313 hostility or one of peace. She said that she thinks that city government is a fine example of the best
314 Fairview Park has to offer.
315

316 **MISCELLANEOUS BUSINESS AND COMMENTS BY MEMBERS OF COUNCIL**

317 COUNCILMAN MCDONOUGH thanked Building Commissioner Sel Kulcsar for 14 years of service to
318 the City of Fairview Park and 27 years in the building trade area. COUNCILMAN MCDONOUGH
319 acknowledged Matt Hrubey, who wrote the application for the NatureWorks grant. He said that he is
320 thrilled and excited for the accessible equipment coming to the park, which is a crowned jewel of
321 Fairview.
322

323 COUNCILMAN MINEK wished the best to Sel in his retirement. He also announced that the Planning &
324 Design Commission will meet on Wednesday at 7:00 pm with 5 docket items on the agenda; 22741 Mastick
325 Road- Review of plan for lot split/consolidation; 21485 Lorain Road, Messiah Lutheran Church - Review of
326 plan for signage (relocation of existing signs); 21405 Lorain Road, Custom Fit Kids - Review of plan for
327 signage, exterior renovations, parking facilities, landscaping/buffering, fencing & awnings; 21490 Lorain Road,
328 Gunselman’s Tavern - Review of plan for exterior renovation, parking facilities, lighting & fencing. The
329 Commission will also review sections 1187 & 1191 [Article VII, Section 2(b) of the Charter of the City of
330 Fairview Park].
331

332 COUNCILMAN WOJNAR reported that the Recreation Commission will be meeting on Wednesday,
333 November 18 at 6:00 pm at the Gemini Center. He said he looks forward to working with the new
334 Recreation Director Steven Owens. COUNCILMAN WOJNAR congratulated Councilman Hinkel on his
335 election and said he looks forward to working with him the next four years.
336

337 COUNCILMAN HINKEL – Thanked everyone for their well wishes. He said he wanted to recognize the
338 Fairview Park Youth Associations for their donation of plaques for the God & Country Awards letter
339 winners. He said they are one of many wonderful groups in the city. COUNCILMAN HINKEL said that
340 he read all of the letters, and wanted to recognize one in particular, from Dorian Blacevic. Dorian is
341 originally from Bosnia, and was personally affected by the events in that country and has a very deep
342 appreciation for freedom and its price. He wished everyone a Happy Thanksgiving.
343

344 COUNCILMAN RUSSO thanked Commissioner Kulcsar for all his work with the city. He said that
345 when he came to Fairview he was one of the first people he had to deal with, and while they may not
346 have gotten along every single time, he does an amazing job with the city and was able to answer
347 questions and help people along the way. He said that he doesn’t think that he could have found a better
348 person to work with, and it really helped when he first came into the city. He said he will be missed.
349

350 COUNCILWOMAN CLEARY congratulated Commissioner Sel Kulcsar for all his years of service. She
351 said that she also had the pleasure of working with him in the city of Lakewood where he was equally
352 professional and responsible. COUNCILWOMAN CLEARY said that she liked how he was responsive
353 to the residents and businesses. He was firm, but also fair in making sure they had time to accomplish
354 what was required of them to do. He was a tremendous asset that will be hard to replace with the amount

355 of licensure and experience he brought with him. COUNCILWOMAN CLEARY acknowledged Interim
356 Director Greg Cingle and how he has stepped in and gone through the final and temporary appropriations
357 and other financial legislation. She said it is great to know we are in such capable hands.
358 COUNCILWOMAN CLEARY congratulated Councilman Hinkel on his re-election to council she has
359 enjoyed working with him on council and looks forward to continuing to work with him down the road.
360 She wished everyone a Happy Thanksgiving.

361
362 THE CHAIR assigned the issue Gemini Center Revenue to the Finance Committee. He wished
363 Commissioner Sel Kulcsar well in his retirement.

364 THE CHAIR made a motion to adjourn with no further business before council.

365 Moved and Seconded.

366 ROLL CALL: Vote: YES-7, NO-0 | Meeting adjourned at 7:50 p.m.

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

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374 _____
Michael P. Kilbane, President of Council

374 _____
Liz L. Westbrooks, Clerk of Council

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380 _____
Eileen Ann Patton, Mayor

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

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FOUR YEAR CONTRACT WITH MACKAY ENGINEERING AND SURVEYING COMPANY FOR PROFESSIONAL CONSULTING ENGINEERING SERVICES AND DECLARING AN EMERGENCY

WHEREAS, the Mayor has advised City Council that it is desirable and necessary to continue the practice of engaging the services of a professional engineering firm to act as a consulting engineer to the City; and

WHEREAS, the firm of Mackay Engineering has performed said work for the City in the past; and

WHEREAS, the Mayor has recommended to Council that it is in the best interest of the City to enter into a contract with Mackay Engineering and Surveying Company for the years 2016 through 2019.

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

SECTION 1. That the Mayor of the City of Fairview Park, Ohio, be and is authorized to enter into a contract with Mackay Engineering and Surveying Company, for the period commencing January 1, 2016 and ending December 31, 2019, a copy of which is attached hereto as "Exhibit A," with such revisions that may be made by the Director of Law and approved by the Mayor without altering the substance thereof.

SECTION 2. The costs of said contract to be paid out the of General Fund (100), unless it is determined by the Director of Finance that any particular engineering expense is more appropriately paid from another fund or as authorized by further legislation.

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 duly declared to be an emergency measure, necessary for the immediate preservation of public peace, health, safety and welfare; and for the further reason that it is immediately necessary to employ a civil engineer for the proper supervision of ongoing City improvements; 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:
APPROVED:

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

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

EXHIBIT “A”

THIS AGREEMENT made and entered into as of the _____ day of _____, 20____, at Fairview Park, Ohio, by and between the CITY OF FAIRVIEW PARK, OHIO, hereinafter referred to as “CITY” and MACKAY ENGINEERING AND SURVEYING COMPANY, an Ohio Corporation, hereinafter referred to as “MACKAY” pursuant to the provisions of Ordinance No. _____, passed _____ by the Council of the City of Fairview Park, Ohio.

WITNESSETH

NOW, THEREFORE, for the consideration hereinafter stated and the conditions hereinafter specified, said parties agree the said Engineer shall be and he is hereby employed as Engineer for the City for a period beginning on the 1st day of January 2016 and ending on the 31st day of December 2019.

1. It is mutually agreed between the parties hereto that in consideration of said employment and appointment of Engineer for said City, that Mackay shall furnish the following services to the City:

(a) General Services – Mackay Shall:

Either Michael Mackay the principal officer of Mackay, or Kimberly Kerber, or an employee of Mackay designated by either of them shall attend, as requested by the Mayor, such Council meetings, necessary Planning and Design Commission meetings, meetings with representatives of the E.P.A., County Engineer, County Sanitary Engineer, Rocky River Sewer District, North Olmsted Sewer District, Ohio Department of Transportation, and public and private utility companies;

Supervise general engineering matters of the City;

When requested by the Law Director, prepare for and serve as an expert witness where the City is a litigant;

Advise and consult with Council and Officials of the City, reply to correspondence and receive telephone calls from the general public;

Either Michael Mackay or Kimberly Kerber, or an employee of Mackay designated by Michael Mackay will be the contact for the Mayor, Council and other City Officials and such contact will be changed only as requested by the City.

(b) Specific Services – Mackay Shall:

Review site plans, review retention basin design and plans, and inspect grades and drainage;

When required perform property, topographic or right-of-way surveys; establish centerlines of streets which are not defined by monuments; review shop or mill drawings; perform field or laboratory testing of materials; perform tests borings and other subsurface explorations; provide resident engineers, inspectors, and supervisors of construction; provide legal descriptions; provide assessments list and the calculation of assessments; or any engineering or surveying service not described in Paragraph 1(a), 1(c) and 1(d) herein;

Prepare and recommend to both the Mayor and Council a multi-year plan and priority list for the placement, repair and improvement of both storm sewers and streets within the City, as well as alternatives for the financing of these project, with annual updates, when authorized by the Mayor and Council;

(c) Subdivision of Land – Mackay Shall:

Review and approve plats and improvements plans of subdivisions within the City and submit written reports of his findings to the Planning and Design Commission and Council;

Supervise construction of subdivision improvements, including sanitary sewers, storm sewers, water mains, culverts, pavements and grading;

When the improvements are completed he shall submit a written report recommending acceptance of the maintenance of the dedicated streets to Council;

(d) Public Improvements – Plan Preparation - Mackay Shall:

Prepare all necessary plans, profiles, sections, specifications, bid documents and estimates of cost for public improvements as requested by the Director of Public Service and Development and authorized by the City Council;

(e) Public Improvements – Construction – Mackay Shall:

Analyze and tabulate bids received and recommend the lowest and best bidders to Council;

Serve as the representative of the municipality in the execution of the public improvements undertaken by the City;

Certify the correctness of estimates of work performed and materials furnished by contractors;

Provide control stakes for horizontal and vertical control;

Provide supervision and inspection services for the construction;

Prepare assessments and assessment lists for those projects which are assessed;

Furnish the Mayor and Council with monthly progress reports of the construction;

On behalf of the City, execute change orders in the aggregate not to exceed 10% of contract amount to a maximum of \$10,000. Change orders in the aggregate amount above \$10,000 shall be subject to review by the Directors of Law and Finance, and, if necessary, have approval of the Council for funding;

All plans, reports, estimates, statements, related to such projects shall be the property of the municipality and a complete set of “as-built” drawings of the completed improvements shall be filed with the Director of Public Service and Development upon completion of improvement.

2. The City shall pay Mackay for services rendered by it as follows:

(a) For service set for in Paragraph 1(a) herein for the year 2016 a retainer of Three thousand one hundred twenty eight and 32/100 Dollars (\$3,128.32) per month. For the years 2017, 2018, and 2019 the above referenced retainer shall be increased by the same percentage increases that are received by the City’s employees represented by the Unions.

(b) For Consulting Engineer services, set forth in paragraphs 1(b), 1(c), 1(d), 1(e), Mackay shall be paid at the rate of \$108.55 per hour in the year 2016 for the services of Michael Mackay or Kimberly Kerber. For the years 2017, 2018 and 2019 the above referenced rate shall be increased by the same percentage increases that are received by the City’s employees represented by the Unions.

(c) For the services of Mackay’s staff set forth in paragraphs 1(b), 1(c), 1(d), 1(e) payment shall be made according to the following schedule of hourly rates:

<u>Professional</u>	<u>2016</u>
Engineer	\$ 90.18
Surveyor	\$ 61.31
CAD Draftsman	\$ 70.82
Asst. Technician	\$ 34.92
Survey Crew (3 Person)	\$143.56
Survey Crew (2 Person)	\$121.33
Inspector	\$ 53.82
Transportation	\$ 0.00
Outside Services	At Cost

For the years 2017, 2018 and 2019 the above referenced rates shall be increased by the same percentage increases that are received by the City’s employees represented by the Unions.

Payments shall be made monthly upon billing by Mackay, setting forth the date and hours spent by its employees, and expenses incurred.

3. Mackay shall not render any engineering services of any kind and description or be employed or otherwise retained to perform such services, whether supervisory or otherwise, for any private or public person, firm or corporation, with respect to any construction, installation, building, improvement, or work to be performed or done by any such private or public person, firm, or corporation within the confines of the City limits, which might require its official approval as City Engineer.

IN WITNESS WHEREOF, the City of Fairview Park, Ohio has caused to be hereunto affixed its name by its Mayor and Michael Mackay, President of Mackay Engineering and Surveying Company, has hereunto affixed his signature, the day and year aforesaid.

In the presence of:

CITY OF FAIRVIEW PARK, OHIO

By: _____
Eileen Ann Patton, Mayor

MACKAY ENGINEERING AND
SURVEYING COMPANY

By: _____
Michael Mackay, President

Approved as to legal form:

Sara J. Fagnilli
Director of Law
City of Fairview Park

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

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EXTENSION AGREEMENT WITH CIUNI & PANICHI, INC. TO AUDIT THE BASIC FINANCIAL STATEMENTS OF THE CITY OF FAIRVIEW PARK FOR FY 2015 THROUGH FY 2018 AND DECLARING AN EMERGENCY

WHEREAS, the City of Fairview Park is required to have an independent audit of its financial records each year; and

WHEREAS, Ciuni and Panichi, Inc. has previously contracted with the City of Fairview Park for the audit period of FY 2011 through FY 2014, and has proposed to the City, and been approved by the Auditor of State, to extend the contract to provide the City with the required audit services for FY 2015-FY 2018.

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 an extension agreement with Ciuni & Panichi, Inc. in the amount of One Hundred Eight Thousand Six Hundred Fifty-Nine Dollars (\$108,659.00), to provide services to audit the basic financial records of the City of Fairview Park for FY 2015 through FY 2018 as follows: FY 2015 - \$25,693, FY 2016 - \$26,651, FY 2017 - \$27,655, and FY 2018 - \$28,660, to be paid from the General Fund (100), a copy of which is attached hereto as "Exhibit A," with such revisions that may be made by the Director of Law and approved by the Mayor without altering the substance thereof.

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 to immediately begin the FY 2015 audit process, 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:
APPROVED:

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

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council



Dave Yost • Auditor of State

EXTENSION AGREEMENT

This Agreement between Auditor of State Dave Yost (Auditor), City of Fairview Park, Cuyahoga County (Public Office), and Ciuni & Panichi, Inc., an independent public accountant (IPA), extends an existing agreement between these parties as identified in SECTION I below and incorporated herein by reference. These parties agree to abide by all terms and conditions of the original agreement, except as specifically identified in Section II below, and that no remuneration will be granted in relation to work performed under this modification/extension prior to the execution of this Agreement by all parties.

SECTION I – ORIGINAL CONTRACT INFORMATION

Public Office Name on RFP	<u>City of Fairview Park</u>	
Original Contract Period	<u>January 1, 2011 through December 31, 2014</u>	
Date RFP was issued	<u>November 8, 2011</u>	Date MOA Executed <u>December 16, 2011</u>
Public Office Contact	<u>Greg Cingle</u>	E-mail <u>Greg.Cingle@fairviewpark.org</u>
IPA Contact	<u>Rhonda Hall</u>	E-mail <u>rhall@cp-advisors.com</u>

SECTION II – EXTENSION INFORMATION

Extension Period: January 1, 2015 to December 31, 2018
Check one: Annual Audit _____ or Biennial Audit _____

The RFP and related contract are hereby amended for the audit periods noted above as follows:

Please note: Underlined language represents additions to original contract.

Work Papers, Work Product, and Records Retention

The IPA will maintain all engagement documentation in segregated files. The IPA agrees to provide the Auditor of State unconditional access to examine and review engagement documentation created or obtained by the IPA involving its performance under the contract. The IPA agrees to provide copies of any engagement documentation determined necessary by the Auditor of State. The Auditor of State is bound by ORC 4701.19, which provides that an IPA's engagement documentation remains the property of the IPA, even in the possession of the Auditor of State's office, and are not public records available for public disclosure. In the case of support for a finding for recovery, the Auditor of State may request the IPA to sign a limited waiver of this statutory provision. The IPA also will maintain and provide access to timesheets and expense reports that support the IPA's invoices under the contract. All such engagement documentation, timesheets, and expense reports shall be retained by the IPA for a period of five (5) years from the date of completion of the contract.

SECTION II – EXTENSION INFORMATION (continued)

Review of Reports and Work Papers - Access to / Retention Thereof

Furthermore, should it be necessary for AOS to send a notice of proposed finding regarding a potential finding for recovery, AOS will require the IPA to execute a limited waiver, to be prepared by AOS. It is the AOS' policy to allow the individual subject to the proposed FFR to review the engagement documentation (i.e. work papers) on which the proposed finding is based. Since Ohio Rev. Code § 4701.19 provides that an IPA's engagement documentation remains the property of the IPA, even in the possession of the AOS, it is necessary for the IPA to execute the limited waiver for the sole purpose of permitting AOS to show supporting documents (i.e. work papers) to those subject to proposed findings for recovery.

Contract Modifications

Modifications should only be requested for issues which were not known at the time of the original proposal, including but not limited to, changes in accounting or professional standards, changes in reporting entity, significant changes in funding, etc. IPA firms must complete the Modification Agreement Form, after any necessary discussions with the Auditor of State representative, and obtain Public Office approval. The Auditor of State will review, and if determined appropriate, approve the signed Modification Agreement, which will set forth the terms of the contract between the Auditor of State, the Public Office, and the firm. **Such agreement must be executed by the Auditor of State prior to the performance of any additional work. No remuneration will be granted in relation to work performed prior to execution of such agreement.** Any additions or reductions to the work agreed to between the Public Office and the firm shall be at an hourly rate that will not exceed the average hourly rate for the corresponding fiscal period set forth in the schedule of fees and expenses included in the sealed dollar cost bid, except in limited circumstances approved by the Auditor of State where the total cost for the audit period does not exceed the original proposed amount. The Modification Agreement Form is available on the Auditor of State's website.

Date Final Report is Due

It is anticipated this process will be completed and the final report delivered by **June 30th for each engagement period of the contract.** The final report package should be e-mailed to ipareport@ohioauditor.gov **no later than this date.**

Affirmations

The IPA shall mark "Affirmed" or "N/A," as applicable, for each of the affirmations noted in the attached Mandatory Elements Form.

Cost: Refer to the attached Schedule of Professional Fees and Expenses for details related to the costs associated with this Extension.

SECTION III – RECITALS/APPROVAL

Due to the need for a contract extension, as stated in SECTION II above, the parties with intent to be legally bound agree as follows:

1. IPA shall, in the performance of its engagements related to the Public Office for the fiscal period(s) set forth in the original Contract, previous Modification Agreements, and in this Agreement, perform all engagement work as set forth in the original Memorandum of Agreement, previous Modifications Agreements and in this Agreement;
2. The performance of the engagement work provided for in this Agreement, and all related payments provided for herein, shall in all respects be subject to the terms and conditions set forth in the original Contract;
3. Should this extension result in the total hours of the contract to exceed the threshold established for use of a MBE/EDGE subcontractor, the IPA shall follow all minority participation and other relevant requirements of the original contract. If applicable, the required MBE/EDGE subcontractor with respect to this Agreement will be:

Subcontractor: _____

Address: _____

4. Should this extension involve the use of other subcontractors, the IPA shall follow all relevant requirements of the original contract. If applicable, the other subcontractor with respect to this Agreement will be:

Subcontractor: _____

Address: _____

In the event of any conflict or inconsistency between the provisions of this Agreement and the parties' prior contract, the provisions of this Agreement shall control in all respects.

IN WITNESS WHEREOF, Auditor, Public Office and IPA have executed this agreement.

Ciuni & Panichi, Inc.

Date

Legislative Authority or Designee for the City of Fairview Park

Date

Auditor of State

Date

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY FIELD TURF THE COST OF THE EMERGENCY REPAIR TO THE TURF SUB-BASE AT THE JAMES B. DALEY STADIUM AND DECLARING AN EMERGENCY

WHEREAS, Field Turf provided the necessary labor and materials to replace the field turf at the James B. Daley Stadium, by agreement authorized by Ordinance No. 15-07 Amended.

WHEREAS, Field Turf, an authorized vendor of the educational purchasing consortia of the Ohio Schools Council for field turf installation, provided the City of Fairview Park the opportunity to purchase the field turf at the price as determined by the Ohio Schools Council's bid process, the payment of which was authorized by Ordinance No. 15-07 Amended.

WHEREAS, a section of the field experienced a soil sub-base failure underneath the turf requiring additional work outside of the field turf replacement authorized by Ordinance No.15-07 Amended, and not covered by the bid obtained by the Ohio Schools Council's bid process.

WHEREAS, the additional sub-base repair needed to be performed on an emergency basis so that the field was ready for use for the fall football season, and was performed at the request of the Director of Recreation.

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 Finance is hereby authorized to pay Field Turf in the amount of Forty-Seven Thousand, One Hundred Fifteen Dollars (\$47,115.00) for the emergency repair of the sub-base soil under the turf at the James B. Daley Stadium, to be paid from the Recreation Fund (230).

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 to immediately pay for the emergency repair, 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:
APPROVED:

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

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

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

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SUB ZERO PROPERTIES, LTD. FOR THE PURCHASE OF THE PROPERTY LOCATED AT 22669 LORAIN ROAD, FAIRVIEW PARK, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Fairview Park owns the property located at 22669 Lorain Road, Fairview Park, Ohio; and

WHEREAS, Sub Zero Properties, Ltd. has offered to purchase the property located at 22669 Lorain Road, Fairview Park, Ohio; and

WHEREAS, Sub Zero Properties, Ltd. intends to build a new building on the property located at 22669 Lorain Road for its business operations; and

WHEREAS, the sale price of the property will be Seventy-Five Thousand Dollars (\$75,000.00), payable as follows: Five Thousand Dollars (\$5,000.00) as a refundable earnest money payment, Sixty Thousand Dollars (\$60,000.00) to be paid at the time of title transfer, and a Ten Thousand Dollar (\$10,000.00) promissory note to, and to be held by, the City of Fairview Park, which will be forgiven in total if the property is developed and opened for business within twelve (12) months of the date that title transfers to Sub Zero Properties, Ltd.; and

WHEREAS, it is in the best interest of the City of Fairview Park to sell the property at 22669 Lorain Road to Sub Zero Properties, Ltd., under the terms and conditions herein.

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 an Agreement with Sub Zero Properties, Ltd., according to the terms and conditions contained herein, and execute any and all necessary documents for the sale of the land located at 22669 Lorain Road, Fairview Park, Ohio.

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 committee 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 provide for the sale of the subject land in a timely fashion and as soon as possible, 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:
APPROVED:

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

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-47
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY
CO-SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CITY ARCHITECTURE FOR THE CENTER RIDGE ROAD COMPLETE STREETS PROJECT AND DECLARING AN EMERGENCY

WHEREAS the City of Fairview Park, in partnership with the City of Rocky River, has been awarded a grant in the amount of Sixty-Four Thousand Dollars (\$64,000) under the Transportation for Livable Communities Initiative (TLCI) from the Northeast Ohio Areawide Coordinating Agency (NOACA) to provide for planning for the Center Ridge Road commercial corridor; and

WHEREAS, the City of Fairview Park, in Resolution 15-12, and the City of Rocky River, in Resolution 11-15, agreed to share the required Twenty Percent (20%) local match, Rocky River's share in the amount of Thirteen Thousand One Hundred Twenty Dollars (\$13,120), and Fairview Park's share Two Thousand Eight Hundred Eighty Dollars (\$2,880).

WHEREAS, utilizing a selection and review process as required by NOACA, the City of Fairview Park requested technical proposals from qualified firms; and

WHEREAS, City Architecture was selected as the most qualified firm to perform the services required.

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 City Architecture to provide services for the Center Ridge Road Complete Streets Project in an amount not to exceed Eighty Thousand Dollars (\$80,000.00).

SECTION 2. The cost of the contract with City Architecture shall be paid from the Federal Grants Fund (290), and will be contained in the 2016 budget, with reimbursements being deposited in the Federal Grants Fund (290).

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 provide for starting and completely the work required by the grant, 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:
APPROVED:

1st reading: 11.16.15
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-48
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PB-TECH, INC. FOR THE PURCHASE OF AN AAM/CYLON “BACNET” – BUILDING AUTOMATION SYSTEM AND DECLARING AN EMERGENCY

WHEREAS, the existing Honeywell system at City Hall does not function properly to control the heating and cooling set points for the system and regain control of the building; and

WHEREAS, the AMM/Cylon “BacNet” building automation system will allow for better control of the heating and cooling set points in City Hall; and

WHEREAS, the City obtained three (3) quotes for a new heating and cooling system for City Hall; and

WHEREAS, PB-Tech, Inc., can provide the AMM/Cylon “BacNet” building automation system at a cost not to exceed Thirty-Eight Thousand Seven Hundred Dollars (\$38,700.00).

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 an agreement with PB Tech, Inc., for the purchase of an AAM/Cylon “BacNet” – Building Automation System in an amount not to exceed Thirty-Eight Thousand Seven Hundred Dollars (\$38,700.00) to replace the existing Honeywell System at City Hall.

SECTION 2. That the cost of the system 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 control system can be replacement can be replaced as soon as possible, 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:
APPROVED:

1st reading: 11.16.15
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 15-31
REQUESTED BY: THE FINANCE DEPARTMENT
SPONSORED BY: COUNCILWOMAN CLEARY

A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, Section 321.34 of the Ohio Revised Code of the State of Ohio provides that any money in the County Treasury in the account of the City of Fairview Park, and lawfully applicable to the purpose of the current year may be drawn upon request.

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 Fiscal Officer of Cuyahoga County be and is hereby requested to draw Warrants and is hereby requested to pay to the Director of Finance of the City of Fairview Park any money in the County Treasury to the account of Fairview Park and lawfully applicable to the purposes of the fiscal year 2016. This request includes advances of special assessments.

SECTION 2. That the Clerk of Council is hereby authorized to furnish a certified copy of this Resolution to the County Fiscal Officer.

SECTION 3. 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 4. That this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and for the further reason that it is immediately necessary to obtain the above mentioned advances in order to provide for proper financing of the City's obligations, 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.

PASSED:
APPROVED:

1st reading: 11.16.15
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 15-44
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH TAC COMPUTER, INC. AND DECLARING AN EMERGENCY

WHEREAS, TAC Computer, Inc. has been the sole provider of computer services to the Fairview Park Police Department including: OLEN (Ohio Law Enforcement Network), CAD Records support, TAC MDT (Mobile Data Terminal) support and provides a direct link with the Rocky River Municipal Court for video arraignments; and

WHEREAS, it is in the best interest of the City of Fairview Park Police Department to continue its association with TAC Computer, Inc.; and

WHEREAS, it is necessary to renew the service agreement with TAC Computer, Inc. for services in 2016.

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 service agreement with TAC Computer, Inc. for 2016 in an amount not to exceed Seventeen Thousand Dollars (\$17,000.00), in such form as is approved by the Director of Law, and shall be paid from the General Fund (100) – Police Department.

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 provide necessary computer support services for 2016, 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:

APPROVED:

1st reading: 11.02.15

2nd reading: 11.16.15

3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

<u>GENERAL FUND</u>		
<u>1110 SECURITY OF PERSONS AND PROPERTY</u>		
PERSONNEL SUBTOTAL	\$	809,545.93 ***
OTHER SUBTOTAL	\$	60,262.50 ***
TOTAL SECURITY PERSONS AND PROPERTY	\$	869,808.43
<u>1130 FIRE PREVENTION AND CONTROL</u>		
PERSONNEL SUBTOTAL	\$	508,986.32 ***
OTHER SUBTOTAL	\$	19,035.00
TOTAL FIRE PREVENTION AND CONTROL	\$	528,021.32
<u>1140 FIRE PROTECTION REGIONAL EMS</u>		
TOTAL FIRE PROTECTION REGIONAL EMS	\$	40,000.00 ***
<u>2200 PUBLIC HEALTH</u>		
TOTAL PUBLIC HEALTH	\$	200.00
<u>3420 BAIN PARK CABIN</u>		
TOTAL BAIN PARK CABIN	\$	1,147.50
<u>3810 SENIOR LIFE OFFICE</u>		
PERSONNEL SUBTOTAL	\$	73,621.83 ***
OTHER SUBTOTAL	\$	6,741.54
TOTAL SENIOR LIFE OFFICE	\$	80,363.37
<u>4410 PARKS AND PROPERTY MAINTENANCE</u>		
PERSONNEL SUBTOTAL	\$	-
OTHER SUBTOTAL	\$	14,360.27
TOTAL PARKS AND PROPERTY MAINTENANCE	\$	14,360.27
<u>4510 PLANNING & DESIGN COMMISSION</u>		
PERSONNEL SUBTOTAL	\$	-
OTHER SUBTOTAL	\$	667.95
TOTAL PLANNING COMMISSION	\$	667.95
<u>4520 BUILDING STANDARDS</u>		
PERSONNEL SUBTOTAL	\$	105,753.50 ***

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

OTHER SUBTOTAL	\$	2,086.88	
TOTAL BUILDING STANDARDS	\$	107,840.38	
<u>4530 BOARD OF APPEALS</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	200.00	
TOTAL BOARD OF APPEALS	\$	200.00	
<u>4570 ARCHITECTURAL BOARD OF REVIEW</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	-	
TOTAL ARCHITECTURAL BOARD OF REVIEW	\$	-	
<u>5550 RECYCLING & SOLID WASTE DISPOSAL</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	57,575.00	
TOTAL REFUSE COLLECTION AND DISPOSAL	\$	57,575.00	
<u>6120 TRAFFIC SAFETY</u>			
PERSONNEL SUBTOTAL	\$	44,800.06	***
OTHER SUBTOTAL	\$	17,603.75	
TOTAL TRAFFIC SAFETY	\$	62,403.81	
<u>6800 MOTOR VEHICLE MAINTENANCE</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	37,150.00	
TOTAL MOTOR VEHICLE MAINTENANCE	\$	37,150.00	
<u>7710 MAYOR'S OFFICE</u>			
PERSONNEL SUBTOTAL	\$	43,505.20	***
OTHER SUBTOTAL	\$	2,318.78	
TOTAL MAYOR'S OFFICE	\$	45,823.98	
<u>7711 SERVICE & DEVELOPMENT DIRECTOR'S</u>			
PERSONNEL SUBTOTAL	\$	210,421.79	***
OTHER SUBTOTAL	\$	27,896.25	
TOTAL SERVICE DIRECTOR'S OFFICE	\$	238,318.04	

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

<u>7720 FINANCE DEPARTMENT</u>		
PERSONNEL SUBTOTAL	\$	61,376.42 ***
OTHER SUBTOTAL	\$	46,950.00
TOTAL FINANCE DEPARTMENT	\$	108,326.42
<u>7730 LEGAL ADMINISTRATION</u>		
PERSONNEL SUBTOTAL	\$	35,814.68 ***
OTHER SUBTOTAL	\$	4,500.00
TOTAL LEGAL ADMINISTRATION	\$	40,314.68
<u>7740 ENGINEER</u>		
PERSONNEL SUBTOTAL	\$	-
OTHER SUBTOTAL	\$	9,223.56
TOTAL ENGINEER	\$	9,223.56
<u>7750 MUNICIPAL LANDS AND BUILDING</u>		
PERSONNEL SUBTOTAL	\$	46,326.88 ***
OTHER SUBTOTAL	\$	73,950.24 ***
TOTAL MUNICIPAL LANDS AND BUILDING	\$	120,277.12
<u>7760 CIVIL SERVICE</u>		
PERSONNEL SUBTOTAL	\$	467.00
OTHER SUBTOTAL	\$	2,356.25
TOTAL CIVIL SERVICE	\$	2,823.25
<u>7770 COUNTY DEDUCTIONS AND AUDIT EXAMINERS</u>		
PERSONNEL SUBTOTAL	\$	1,205.00
OTHER SUBTOTAL	\$	37,878.18
TOTAL COUNTY DEDUCTIONS AND AUDIT EXAMINERS	\$	39,083.18
<u>7780 LEGISLATIVE</u>		
PERSONNEL SUBTOTAL	\$	44,834.37 ***
OTHER SUBTOTAL	\$	4,867.50 ***
TOTAL LEGISLATIVE	\$	49,701.87
<u>7790 OTHER ADMINISTRATIVE</u>		
PERSONNEL SUBTOTAL	\$	-
OTHER SUBTOTAL	\$	444,839.09
TOTAL OTHER ADMINISTRATIVE	\$	444,839.09

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

TOTAL GENERAL FUND	\$ 2,898,469.22
<u>101 CONTINGENCY RESERVE FUND</u>	
PERSONNEL SUBTOTAL	\$ -
OTHER SUBTOTAL	\$ -
TOTAL CONTINGENCY RESERVE	\$ -
<u>SPECIAL REVENUE FUNDS</u>	
<u>210 STREET CONSTRUC MAINT & REPAIRS</u>	
<u>6610 STREET MAINTENANCE</u>	
PERSONNEL SUBTOTAL	\$ <u>118,505.57</u> ***
OTHER SUBTOTAL	\$ -
TOTAL STREET MAINTENANCE	\$ <u>118,505.57</u>
<u>6620 STREET CLEANING</u>	
PERSONNEL SUBTOTAL	\$ 78,964.08 ***
OTHER SUBTOTAL	\$ -
TOTAL STREET CLEANING	\$ 78,964.08
TOTAL STREET CONSTRUC MAINT RP	\$ 197,469.65
<u>220 STATE HIGHWAY FUND</u>	
<u>6610 STREET MAINTENANCE</u>	
TOTAL STREET MAINTENANCE	\$ 50,000.00 ***
<u>6620 STREET CLEANING</u>	
TOTAL STREET CLEANING	\$ -
TOTAL STATE HIGHWAY FUND	\$ 50,000.00
<u>230 RECREATION FUND</u>	
PERSONNEL SUBTOTAL	\$ 366,922.68 ***
OTHER SUBTOTAL	\$ 712,785.94
TOTAL RECREATION FUND	\$ 1,079,708.62
<u>232 RECREATION COMMUNITY CENTER FUND</u>	
TOTAL RECREATION COMMUNITY CENTER	\$ -
<u>240 POLICE AND FIRE PENSION FUND</u>	
PERSONNEL SUBTOTAL	\$ 251,103.59 ***

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

OTHER SUBTOTAL	\$	904.18	
TOTAL POLICE AND FIRE PENSION FUND	\$	252,007.77	
 <u>245 S.A.V.E. FUND</u>			
TOTAL S.A.V.E FUND	\$	-	
 <u>250 STREET LIGHTING FUND</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	79,350.00	
TOTAL STREET LIGHTING FUND	\$	79,350.00	
 <u>255 SOLID WASTE FEE</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	185,000.00	
TOTAL SOLID WASTE FEE FUND	\$	185,000.00	
 <u>270 FIRE OPERATING LEVY FUND</u>			
PERSONNEL SUBTOTAL	\$	70,503.11	***
OTHER SUBTOTAL	\$	1,027.50	
TOTAL FIRE OPERATING LEVY FUND	\$	71,530.61	
 <u>275 SAFE ROUTES TO SCHOOL FUND</u>			
TOTAL SAFE ROUTES TO SCHOOL FUND	\$	35,196.67	***
 <u>285 FEMA GRANT FUND</u>			
TOTAL FEMA GRANT FUND	\$	-	***
 <u>290 FEDERAL GRANTS FUND</u>			
TOTAL FEDERAL GRANTS FUND	\$	36,000.00	***
 <u>295 STATE GRANT FUND</u>			
TOTAL STATE GRANT FUND	\$	-	
 <u>500 WATER REIMBURSEMENT FUND</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	16,250.00	
TOTAL WATER REIMBURSEMENT FUND	\$	16,250.00	
 <u>540 GILLES-SWEET FUND</u>			
PERSONNEL SUBTOTAL	\$	-	
OTHER SUBTOTAL	\$	-	
TOTAL GILLES-SWEET FUND	\$	-	

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

711 BAIN PARK RESTORATION

TOTAL BAIN PARK RESTORATION \$ 2,875.00

714 LAW ENFORCEMENT TRUST FUND

TOTAL LAW ENFORCEMENT TRUST FUND \$ 1,400.00

715 D.U.I. EDUCATE FUND

TOTAL D.U.I. EDUCATE FUND \$ 1,600.00

716 P.O.P.A.S. FUND

PERSONNEL SUBTOTAL \$ 15,725.00

OTHER SUBTOTAL \$ 4,500.00

TOTAL P.O.P.A.S. FUND \$ 20,225.00

717 CIVIL REIMBURSEMENT FUND

TOTAL CIVIL REIMBURSEMENT FUND \$ -

718 COPS GRANT FUND

TOTAL COPS GRANT FUND \$ -

721 NEW LEVY/PROJECT AMOUNT

TOTAL NEW LEVY/PROJECT AMOUNT \$ -

741 CABLE TV FRANCHISE FEE

TOTAL CABLE TV FRANCHISE FEE \$ 58,506.44

751 DARE FUND

PERSONNEL SUBTOTAL \$ -

OTHER SUBTOTAL \$ 208.75

TOTAL DARE FUND \$ 208.75

772 CEMETERY RESTORATION FUND

TOTAL CEMETERY RESTORATION FUND \$ -

781 EMER MEDICAL SERV COLLECTION

PERSONNEL SUBTOTAL \$ 86,406.21 ***

OTHER SUBTOTAL \$ 7,700.00

TOTAL EMER MEDICAL SERV COLLECTION \$ 94,106.21

TOTAL SPECIAL REVENUE FUNDS \$ 2,181,434.72

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

DEBT SERVICE FUNDS

300 BOND RETIREMENT FUND

TOTAL BOND RETIREMENT FUND	\$	-
TOTAL DEBT SERVICE FUNDS	\$	-

CAPITAL PROJECTS FUNDS

231 RECREATION CONSTRUCTION FUND

TOTAL RECREATION CONSTRUCTION FUND	\$	-
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260 PERMANENT IMPROVEMENT FUND

TOTAL PERMANENT IMPROVEMENT FUND	\$	237,161.94 ***
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709 REDEVELOPMENT FUND

TOTAL REDEVELOPMENT FUND	\$	-
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710 SENIOR CENTER CONST FUND

TOTAL SENIOR CENTER CONST FUND	\$	-
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811 CAPITAL PROJECTS FUND

TOTAL CAPITAL PROJECTS FUND	\$	954,418.88
TOTAL CAPITAL PROJECTS FUNDS	\$	1,191,580.82

ENTERPRISE FUNDS

510 FAIRVIEW PARK SANITARY SEWER FUND

PERSONNEL SUBTOTAL	\$	61,278.20 ***
OTHER SUBTOTAL	\$	587,021.61 ***
TOTAL FAIRVIEW PARK SANITARY SEWER FUND	\$	648,299.81

550 WATER LINE RECONDITIONING

TOTAL WATER LINE RECONDITIONING FUND	\$	539,706.25
TOTAL ENTERPRISE FUNDS	\$	1,188,006.06

INTERNAL SERVICE FUNDS

731 HEALTH INS RESERVE FUND

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

PERSONNEL SUBTOTAL	\$	325,188.76
OTHER SUBTOTAL	\$	-
TOTAL HEALTH INS RESERVE FUND	\$	325,188.76
<u>732 EMPLOYEE SECT 125M</u>		
PERSONNEL SUBTOTAL	\$	3,884.10
OTHER SUBTOTAL	\$	-
TOTAL EMPLOYEE SECT 125M	\$	3,884.10
TOTAL INTERNAL SERVICE FUNDS	\$	329,072.86
<u>AGENCY FUNDS</u>		
<u>611 SPECIAL HOLD ACCOUNT</u>		
PERSONNEL SUBTOTAL	\$	5,697.58
OTHER SUBTOTAL	\$	12,257.75
TOTAL SPECIAL HOLD ACCOUNT	\$	17,955.33
<u>713 STATE BLDG ASSESSMENT</u>		
TOTAL STATE BLDG ASSESSMENT	\$	600.00
<u>752 GRADE DEPOSITS</u>		
TOTAL GRADE DEPOSITS	\$	444.03
<u>753 STREET CLEANING DEPOSITS</u>		
TOTAL STREET CLEANING DEPOSITS	\$	-
<u>754 STREET OPENING DEPOSITS</u>		
TOTAL STREET OPENING DEPOSITS	\$	-
<u>757 REZONING-DEPOSITS</u>		
TOTAL REZONING-DEPOSITS	\$	-
<u>758 ARCHITECT DEPOSITS</u>		
TOTAL ARCHITECT DEPOSITS	\$	717.50
<u>759 SIDEWALK DEPOSITS</u>		
TOTAL SIDEWALK DEPOSITS	\$	-
<u>761 SENIOR LIFE DONATIONS</u>		
TOTAL SENIOR LIFE DONATIONS	\$	5,325.00

**CITY OF FAIRVIEW PARK
TEMPORARY APPROPRIATIONS 2016**

790 SURVEY SAN/STORM SEWER

TOTAL SURVEY SAN/STORM SEWER \$ -

791 PRELIM INVESTIGATION

TOTAL PRELIM INVESTIGATION \$ -

TOTAL AGENCY FUNDS \$ 25,041.86

TOTAL ALL FUNDS \$ 7,813,605.54

*** one quarter of 2015 final budget not used

2016 SCHEDULED TRANSFERS

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund	Police & Fire Pension	\$ 237,500.00
General Fund	Solid Waste Fee Special Revenue Fund	\$ 185,000.00
		\$ 422,500.00

CITY OF FAIRVIEW PARK
RESOLUTION NO. 15-29
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY
CO-SPONSORED BY: COUNCILMAN MINEK

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE FUNDS
DONATED FROM THE GIANT EAGLE FOUNDATION FOR THE SENIOR
TRANSPORTATION PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, the City of Fairview Park, on behalf of the Fairview Park Senior Council, submitted a request to the Giant Eagle Foundation to support the Fairview Park Senior Transportation Program; and

WHEREAS, the Giant Eagle Foundation awarded a grant in the amount of Two Thousand Dollars (\$2,000.00) to the City of Fairview Park; and

WHEREAS, the Fairview Park Senior Transportation Program intends to use these funds to pursue its mission of providing senior and disabled residents with adequate, reliable and affordable transportation to and from medical appointments, pharmacies, grocery stores and social events at the Fairview Park Senior Center.

**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 is hereby authorized to accept the donation from the Giant Eagle Foundation in the amount of \$2,000.00, with said funds to be deposited for the Fairview Park Senior Transportation Program into the Special Hold Account (Fund 611), to be used by the Fairview Park Senior Transportation Program to pursue its mission of providing senior and disabled residents with adequate, reliable and affordable transportation to and from medical appointments, pharmacies, grocery stores and social events at the Fairview Park Senior Center.

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 is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and to allow for acceptance of the funds as soon as possible, 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:
APPROVED:

1st reading: 11.02.15
2nd reading: 11.16.15
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 15-30 AMENDED (*proposed amendments*)
REQUESTED BY: SENIOR LIFE DIRECTOR, REGINA SILLASEN
SPONSORED BY: COUNCILWOMAN CLEARY
CO-SPONSORED BY: COUNCILMAN MINEK

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE WESTERN RESERVE AREA AGENCY ON AGING TO ACCEPT GRANT FUNDS FROM SAID AGENCY FOR THE CITY'S PROGRAMS UNDER THE TITLE III OF THE OLDER AMERICANS ACT OF 1965 (42 USC 35) WHICH PROVIDES FUNDING FOR TRANSPORTATION, NUTRITION AND SUPPORT SERVICES AND PARTIAL FUNDING FOR SUPPLEMENTAL PROGRAMS THEREUNDER FOR 2016 AND DECLARING AN EMERGENCY

WHEREAS, the Western Reserve Area Agency on Aging administers a program of grants from the Federal Government under Title III of the 1965 Older Americans Act (42 USC 35) whereby the City may obtain funds to provide programs for persons 60 years of age or older.

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 is hereby authorized to enter into a contract with the Western Reserve Area Agency on Aging which contract will provide partial funding in an amount not to exceed Twenty-Five Thousand Dollars (\$25,000), **with said funds to be deposited into the Special Hold Fund (611)** for the City's Programs under Title III of the 1965 Older Americans Act (42 USC 35) to include transportation, nutrition and support services for 2016.

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 is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and to timely meet the filing deadline for signing the contract and receiving funds, 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:
APPROVED:

1st reading: 11.02.15
2nd reading: 11.16.15
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

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

A RESOLUTION REPEALING RESOLUTION NO. 15-26A AND DECLARING AN
EMERGENCY

WHEREAS, Resolution 15-26A, adopted on November 17, 2015, should be repealed so that a new resolution can be adopted as required to place the issue before the voters of the City of Fairview Park.

WHEREAS, it is in the best interest of the City of Fairview Park to repeal Resolution No. 15-26A.

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

SECTION 1. Resolution 15-26A, adopted November 17, 2015, shall be, and is hereby repealed.

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 immediate preservation of the public peace, health, safety and welfare, and for the further reason that it is necessary to submit this information to the Board of Elections 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:
APPROVED:

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

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

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

A RESOLUTION SUBMITTING TO THE VOTERS THE QUESTION OF THE RENEWAL OF THE ONE (1) MILL FIRE LEVY PASSED ON NOVEMBER 5, 1996 FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS OR SITES THEREFOR, OR THE PAYMENT OF PERMANENT FIREFIGHTERS TO OPERATE SAME, INCLUDING THE FIREMEN EMPLOYER'S CONTRIBUTION REQUIRED UNDER ORD 742.34, AND TO PROVIDE AMBULANCE, PARAMEDIC OR OTHER EMERGENCY MEDICAL SERVICES OPERATED BY THE FIRE DEPARTMENT, ALL PURSUANT TO ARTICLE VIII OF THE CHARTER OF THE CITY OF FAIRVIEW PARK ENTITLED "FINANCES," (THE "FIRE LEVY") AND SECTIONS 742.34 AND 5705.19(I) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

WHEREAS, Resolution 96-19 declared the necessity of a one (1) mill levy for current expenses for the operation of the City's Fire Department for a period of five (5) years, which was renewed by Resolution 06-05, Amended, for another five years and which was then renewed by Resolution 11-15, for another five years; and

WHEREAS, after voter approval of said levy, the proceeds of such levy have, since its inception in 1996 and renewal in 2006 and 2011, been used to pay, among other things, current expenses, including firefighter salaries and benefits, including the employer's contribution to the firefighters' disability and pension fund; and

WHEREAS, the Fire Levy originally authorized by Resolution 96-19 and passed November 5, 1996, renewed by Resolution 06-05, Amended, and passed May 2, 2006, and renewed again by Resolution 11-15, and passed November 8, 2011, will expire on December 31, 2016; and

WHEREAS, Council finds it necessary to renew the one (1) mill levy in accordance with Sections 5705.19 and 742.34 of the Ohio Revised Code and the Charter of the City of Fairview Park in order to maintain the revenue without interruption.

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

SECTION 1. That it is hereby found, determined and declared that the amount of taxes which may be raised by the City of Fairview Park by levies at the maximum rates within the ten mill limitation and the Charter tax limitation on the current tax list and requirements of this City will be insufficient to meet the needs of the Fire Department when the one (1) mill levy approved pursuant to Resolution 11-15 expires on December 31, 2016, and it is necessary to renew said levy for the purpose of continuing to provide and maintain fire apparatus, appliances, buildings, or sites therefor, or sources of water supply and materials therefor, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time, or

volunteer fire fighters or fire-fighting companies to operate the same, including the payment of the firemen employer's contribution including the employer's contribution required under ORC Section 742.34, or to purchase ambulance equipment, or to provide ambulance, paramedic, or other emergency medical services operated by the fire department or firefighting company at the rate of one (1) mill for a period of five (5) years.

SECTION 2. That the question of renewing the current one (1) mill levy upon the tax list and duplicate for five years, beginning with the 2016 tax list and duplicate and with the first distribution of the proceeds of said levy to this City in the calendar year 2017, for the purpose set forth in section 1 hereof under provisions of Article VIII, of the Charter of the City of Fairview Park, entitled "Finance," Section 9 entitled "Submission of Extra Levy" shall be submitted to the electors of the City of Fairview Park at the municipal election to be held therein on the 15th day of March 2016, as authorized by law, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Cuyahoga County, Ohio, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner prescribed by law.

SECTION 3. That the form of ballot to be cast at such election on the question of such tax levy shall be as follows:

**PROPOSED TAX LEVY (RENEWAL)
CITY OF FAIRVIEW PARK**

A majority affirmative vote is necessary for passage.

A renewal of a tax for the benefit of Fairview Park for the purpose of providing and maintaining fire apparatus, payment of firefighters salaries, employer's contribution required under ORC 742.34, or providing ambulance, paramedic or other emergency services at a rate not exceeding one (1) mill for every dollar of valuation, which amounts to ten cents (\$0.10) for each one hundred dollars of valuation, for a period of five years, commencing in year 2016, first due in calendar year 2017.

_____ FOR THE TAX LEVY

_____ AGAINST THE TAX LEVY

SECTION 4. That the Clerk of Council is hereby authorized and directed to request that notice of said election be given as provided by law.

SECTION 5. That the Clerk of Council is hereby directed to certify immediately a copy of this Resolution to the Board of Elections of Cuyahoga County, Ohio.

SECTION 6. 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 7. That this Resolution 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 it is necessary to submit this information to the Board of Elections 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:
APPROVED:

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

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrook, Clerk of Council