CITY OF FAIRVIEW PARK
ORDINANCE NO. 16-01
REQUESTED BY: COUNCILMAN MINEK
SPONSORED BY: CITY COUNCIL

AN ORDINANCE AMENDING SECTION 921.05 (a)(3) OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRVIEW PARK TO PERMIT THE SALE OF BEER AND WINE COOLERS ONLY TO BE SOLD AND CONSUMED AT SUMMER FEST 2016 TO BE HELD IN BOHLKEN PARK ON JULY 7, 8, 9, AND 10, 2016 AND DECLARING AN EMERGENCY

WHEREAS, the Fairview Park Municipal Foundation has requested this Council to permit the sale of beer and wine coolers only at Summer Fest 2016 to be held in Bohlken Park; and

WHEREAS, Section 921.05 (a)(3) of the Codified Ordinances of the City of Fairview Park prohibits alcoholic beverages in Bohlken Park; and

WHEREAS, the Council desires to permit the sale and consumption in Bohlken Park during the hours of Summer Fest 2016, which is to be held on July 7, 8, 9, and 10, 2016.

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

SECTION 1. Section 921.05 (a)(3) of the Codified Ordinances of the City of Fairview Park is hereby amended to permit the sale and consumption of beer and wine coolers only in Bohlken Park on July 7, 8, 9, and 10, 2016, during the published hours of Summer Fest, provided that the Fairview Park Municipal Foundation and or the organization it lawfully permits to do so, obtain the appropriate permit from the State of Ohio, Department of Commerce, Division of Liquor Control, comply with all legal requirements of said state permit, and that the Fairview Park Municipal Foundation and/or the organization it lawfully permits to do, provide the proper liability insurance as required by the City and naming the City as an additional insured.

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 so that the proper licensing can be obtained for the event, 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: 02.15.16
APPROVED: 02.16.16

1st reading: 01.19.16
2nd reading: 02.01.16
3rd reading: 02.15.16

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 16-01 **AMENDED**
REQUESTED BY: MAYOR EILEEN PATTON
SPONSORED BY: CITY COUNCIL

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

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) provides grant funding through the Transportation for Livable Communities Initiative (TLCI) for planning projects that integrate transportation and land use planning, promote livability, and advance the goals of NOACA's long-range transportation plan for Northeast Ohio; and

WHEREAS, the City of Fairview Park has submitted an application to NOACA requesting ~~$54,000~~ **$53,400** in TLCI grant funding to undertake a comprehensive planning study of Lorain Road from West 214th Street/Fairview Parkway to West 223rd Street, and a resolution confirming and authorizing that application is required; and

WHEREAS, the total cost of the Lorain Road planning study is $60,000 and the City of Fairview Park certifies it will provide 1~~0~~**1** percent local matching funds, or $6,~~0~~**6**00, from sources other than United States Department of Transportation (USDOT) funds, specifically General Fund account number 100.7711; and

WHEREAS, the TLCI program provides funding on a reimbursement basis, requiring the applicant to first expend funds and then request reimbursement from NOACA; and

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

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

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

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

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

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

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

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare; and for the further reason that the application must be submitted by January 29, 2016 deadline and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 02.15.16
APPROVED: 02.16.16

1st reading: 01.19.16
2nd reading: 02.01.16
3rd reading: 02.15.16

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 16-02
REQUESTED BY: COUNCILMAN MCDONOUGH
SPONSORED BY: COUNCILMEN MCDONOUGH & MINEK

AN ORDINANCE APPROVING THE PLAT FOR FAIRVIEW PARK RESIDENTIAL DEVELOPMENT L.L.C., (RIVERSOUTH) PHASE II AND DECLARING AN EMERGENCY

WHEREAS, Fairview Park Residential Development L.L.C. (aka "Riversouth") proposed a plan for a lot split/consolidation and major subdivision for the property located at 18871/18899 Lorain Road, in accordance with Chapter 1191 of the Codified Ordinances of the City of Fairview Park; and

WHEREAS, the Planning and Design Commission, at its meeting of June 18, 2014, approved the application of Fairview Park Residential Development L.L.C. as being in compliance with Chapter 1191 of the Codified Ordinance of the City of Fairview Park; and

WHEREAS, the Council of the City of Fairview Park has reviewed the proposed lot split/consolidation and major subdivision, and has determined that it is in conformance with the requirements of Chapter 1191, and desires to approve the same.

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

SECTION 1. The plat (Phase II) of Fairview Park Residential Development L.L.C. (aka "Riversouth") for a lot split/consolidation and major subdivision for the property known as 18871/18899 Lorain Road, as approved by the Planning and Design Commission on June 18, 2014, is hereby approved and accepted, in accordance with and subject to the requirements of Chapter 1191 of the Codified Ordinances of the City of Fairview Park.

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

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare, and so that the plat can be immediately filed so that Fairview Park Residential Development L.L.C. may begin the process of transferring ownership of new homes in the City of Fairview Park to new residents, 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: 02.15.16
APPROVED: 02.16.16

1st reading: 02.01.16
2nd reading: 02.15.16
3rd reading: Suspended

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council