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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, FEBRUARY 15, 2016**
4

5 The regular meeting of Council was called to order by Council President Kilbane at 7:00 p.m.

6 MOMENT OF SILENT PRAYER/PLEDGE OF ALLEGIANCE

7 ROLL CALL:

8 PRESENT: Council – B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
9 Administration – Mayor E. Patton, Finance Director G. Cingle, Law Director W. McGinty, Engineer M.
10 Mackay
11

12 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on
13 Monday, February 1, 2016.

14 Moved and seconded.

15 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.

16 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
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18 **COMMITTEE REPORTS**

19 COUNCILMAN MINEK said, The Environment, Public Works, Planning, Zoning & Development
20 Committee met on Monday, February 8, 2016 to discuss the following: **Sewers:** Present for the Black &
21 Veatch update were Mayor Patton, Law Director McGinty, Kim Kerber, representative for City Engineer
22 Mackay, Kevin Bridegum, Service Department Foreman and Ken Pierson, retired Service Department
23 Foreman and knowledgeable individual pertaining to our sewer system. A very informative presentation
24 by Dianne Sumego, Black & Veatch representative regarding the studies and work performed on the
25 sewers in the area of W. 229 St., W. 227 St. & Clifford Drive, North of Lorain Road. Because of the age
26 of the sewer pipes there were areas of broken, separation and sagging
27 pipes. There was discussion pertaining to the process of correcting the situation. Instead of a band aide
28 type repair, an entire section of sewer would receive a liner type replacement depending on the inflow.
29 Additional dye testing, flow monitoring would be conducted and some manhole covers would be
30 replaced. Ms. Sumego will be meeting with the Mayor, Ken Pierson, Kevin Bridegum and service
31 department personnel to set up an agenda for the forthcoming work. Motion & vote this issue remain in
32 committee was approved 7-0. **Ordinance 16-02**, approving the plat for Fairview Park residential
33 development L.L.C. (Riversouth) phase II. This is a lot split/consolidation at 18871/18899 Lorain Road.
34 The Planning & Design Commission approved this application on June 18, 2014. Mr. Brad Petzinger of
35 Brickhaus Partners presented an update to the construction and stated the new home owners will be
36 moving in and the lot split/consolidation must be approved. A motion and vote to pass on second reading
37 was approved 7-0. A letter requesting emergency passage on second reading was requested from the
38 administration. **Ordinance 16-03**, repealing Ord. 15-30 passed on October 6, 2015 authorizing the
39 advertising for bids, contract and engineering services for year 27 of the Street Repair Program. Due to
40 additional engineering field work and increase in cost for asphalt and concrete the new legislation is
41 necessary. A motion and vote that the 2016 Street Repair Program preliminary estimate of probable cost
42 to be noted as Exhibit A be included in the legislation was approved 7-0. Prior to passage on third
43 reading a motion to amend the ordinance to include exhibit A will be made. Motion and vote this
44 ordinance be placed on second reading and subsequent third reading was approved 7-0. This completes
45 my report.
46

47 COUNCILMAN HINKEL said, On Monday, February 8, 2016 the Local Government and Community
48 Services committee met with two items on the agenda. **Resolution 16-02**, designates the council clerk to
49 go to public records training. After a short discussion, that resolution was placed on second and
50 subsequent third reading by a 7-0 vote. The issue on the agenda was researching the **Director of Public**
51 **Service and Development into two separate positions.** Coming out of the initial discussion, we had

52 some takeaways to do research on. The council clerk will do research on the steps necessary to place the
53 issue on the November ballot if we go down this route. We are going to hear back from the mayor
54 regarding the interviews of two candidates who applied for the position as it is currently constructed and
55 we are going to need to reach out to speak to folks within the Service Department, as well as out Interim
56 Finance Director to drive towards a cost estimate for a limitation to do this. By a 7-0 vote the issue was
57 placed back in committee and that ended Local Government for the night.

58
59 **LEGISLATION FOR FIRST READING**

60 COUNCILWOMAN CLEARY placed two ordinances up for first reading and introduction.

61 ORDINANCE NO. 16-05

62 ORIGINATED BY: THE FINANCE DEPARTMENT

63 REQUESTED BY: MAYOR EILEEN ANN PATTON

64 SPONSORED BY: COUNCILWOMAN CLEARY

65 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*
66 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*
67 *JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY*

68 ACTION: Ordinance 16-05 was placed on first reading and referred to the Finance Committee.

69
70 ORDINANCE NO. 16-06

71 REQUESTED BY: MAYOR EILEEN ANN PATTON

72 SPONSORED BY: COUNCILWOMAN CLEARY

73 CO-SPONSORED BY: COUNCILMAN MINEK

74 *AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATION TO ADVERTISE FOR BIDS AND*
75 *THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND*
76 *RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL FOR WORK TO BE*
77 *PERFORMED TO CONSTRUCT SAFE ROUTES TO SCHOOL INFRASTRUCTURE IMPROVEMENTS*
78 *AND DECLARING AN EMERGENCY*

79 ACTION: Ordinance 16-06 was placed on first reading and referred to the Finance Committee.

80
81 **LEGISLATION FOR SECOND READING**

82 COUNCILMAN MINEK placed Ordinance 16-03 up for second reading.

83 ORDINANCE NO. 16-03

84 REQUESTED BY: MAYOR EILEEN ANN PATTON

85 SPONSORED BY: COUNCILMAN MINEK

86 CO-SPONSORED BY: COUNCILWOMAN CLEARY

87 *AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 15-30, AUTHORIZING THE*
88 *ADVERTISEMENT FOR BIDS AND FOR THE MAYOR TO ENTER INTO A CONTRACT WITH THE*
89 *LOWEST RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF*
90 *CONTROL, AND PROVIDE FOR ENGINEERING SERVICES FOR THE WORK TO BE PERFORMED*
91 *IN YEAR 27 OF THE STREET REPAIR PROGRAM AND DECLARING AN EMERGENCY*

92 ACTION: Ordinance 16-03 was placed on second reading and subsequent third reading.

93
94 COUNCILMAN HINKEL placed Resolution 16-02 up for second reading.

95 RESOLUTION NO. 16-02

96 REQUESTED AND SPONSORED BY: CITY COUNCIL

97 *A RESOLUTION NAMING THE CLERK OF COUNCIL AS THE OFFICIAL DESIGNEE OF THE*
98 *MEMBERS OF CITY COUNCIL TO ATTEND ATTORNEY GENERAL APPROVED PUBLIC RECORDS*
99 *TRAINING SESSIONS AND DECLARING AN EMERGENCY*

100 ACTION: Resolution 16-02 was placed on second reading and subsequent third reading.

101
102

103 **LEGISLATION FOR THIRD READING AND FINAL PASSAGE**

104 COUNCILMAN HINKEL placed Ordinance 16-01 for third reading and final passage.

105 ORDINANCE NO. 16-01

106 REQUESTED BY: COUNCILMAN MINEK

107 SPONSORED BY: CITY COUNCIL

108 *AN ORDINANCE AMENDING SECTION 921.05 (a)(3) OF THE CODIFIED ORDINANCES OF THE*
109 *CITY OF FAIRVIEW PARK TO PERMIT THE SALE OF BEER AND WINE COOLERS ONLY TO BE*
110 *SOLD AND CONSUMED AT SUMMER FEST 2016 TO BE HELD IN BOHLKEN PARK ON JULY 7, 8,*
111 *9, AND 10, 2016 AND DECLARING AN EMERGENCY*

112 THE CHAIR called for any discussion prior to passage.

113 COUNCILMAN MINEK thanked council for their consideration of the ordinance.

114 THE CHAIR called for any further discussion prior to passage. No discussion.

115 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 16-01 passes.

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

117

118 COUNCILWOMAN CLEARY placed resolution 16-01 up third reading and final passage.

119 RESOLUTION NO. 16-01

120 REQUESTED BY: MAYOR EILEEN PATTON

121 SPONSORED BY: COUNCILWOMAN CLEARY

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

126 THE CHAIR called for any discussion prior to passage.

127 COUNCILWOMAN CLEARY made a motion to amend Resolution 16-01 with the following changes: in
128 the second whereas clause change the planning grant amount from fifty-four thousand (\$54,000) to fifty-
129 three thousand four hundred dollars (\$53,400); and change the city's local matching funds percentage
130 from ten percent (10%) to eleven percent (11%) and the amount from six thousand (\$6,000) to six
131 thousand six hundred to (\$6,600) in the third whereas clause.

132 Moved and Seconded.

133 THE CHAIR called for any discussion. No discussion.

134 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion passes.

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

136 THE CHAIR called for any further discussion prior to passage. No discussion.

137 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Resolution 16-01 passes.

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

139

140 **LEGISLATION FOR PASSAGE WITHOUT THREE READINGS**

141 COUNCILMAN MINEK placed Ordinance 16-02 up for emergency final passage.

142 ORDINANCE NO. 16-02

143 REQUESTED BY: COUNCILMAN MCDONOUGH

144 SPONSORED BY: COUNCILMEN MCDONOUGH & MINEK

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

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

148 COUNCILMAN MINEK made a motion to suspend the Charter Provision and Rule 49 requiring that the
149 legislation be read at three separate meetings and that it be placed before Council for emergency passage.

150 Moved and Seconded.

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

152 ROLL CALL: Vote: YES-7, NO-0 | Motion carries.

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

154 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 16-02 passes.
155 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
156

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

159 MAYOR PATTON thanked council for the passage of the legislation and gave the following report:

160 -The Community Reinvestment Area Housing Council will be hosting their annual meeting tomorrow,
161 February 16 at 7:00 p.m. A review of residential homes that qualify for tax abatements on improvements
162 will be discussed, as well as an application for East Coast Custard for tax abatement.

163 -On Thursday, February 18, Mayor Patton and Superintendent Wagner will be giving a State of the
164 Community report to Seniors at the Senior Center at 12:20 p.m.

165 -Approximately 200 meals were prepared last week at the Senior Center Fish Fry. These meals are \$8.00
166 will be available every Friday during Lent from 4-7pm. Proceeds go toward the Senior Center,

167 -Budget Hearings will begin on Saturday, February 20 starting at 8:00 a.m. starting with Police, Fire,
168 Recreation and Service. They will continue on Monday, February 22 at 7:00 p.m. with Senior, Law,
169 Building, Council and Administration.

170 -The Police Sergeant's test has been scheduled for April 12, 2016.

171 -Congratulations to Officer Chase Porter on his one year anniversary this week.

172 -There is a Police Auxiliary Meeting this evening in the Dunson Room hosted by Lieutenant Shepard .

173 - A number of grants are being worked on: Safety Grant with input Fire and Chief of Police, a Tree Grant
174 with input from Mike Varga in Service, West Shore Senior Center grant being worked on for an
175 innovative grant to create a senior website being worked on with all the all surrounding cities, also there
176 is money available through a grant for an HVAC at Bain Cabin

177 -In Development, Curves will be opening the first part of March at the 220 Center, the Dollar Tree is
178 moving forward with construction at the Fairview Shopping Center and an urgent care in Westgate is
179 proceeding as expected.

180 -An advertisement for the Service and Development Director yielded seven resumes and two were
181 interviewed last week. A decision was made by the interview team to re-open the application process.
182 The notice of the opening has been sent to the First Ring Association, The Greater Cleveland Partnership,
183 The Cuyahoga County Development Department, Ohio Economic Development Association, The
184 Cleveland Development, The Mayors and Managers Association and University Circle Association. They
185 will all be sharing the opening with organizations and to people they know that may be interested. The
186 last round gained attention mostly to Service Directors, we have advertised the position as Economic
187 Development Director with experience and knowledge of Service Department functions. It is on the
188 city's website under job openings and will remain open until filled. Mayor Patton asked council to please
189 pass along to any organization that they may be involved in.

190 -The State of the Community will be held on Thursday, March 10 at 7:00 p.m. at the Gemini Center. It is
191 open and free to the public. Numerous civic clubs and organizations have been invited to display their
192 information.

193 THE CHAIR asked Mayor Patton for more specifics on the tree grant.

194 MAYOR PATTON responded that she does not have all the information on this. She said that Mike
195 Varga and Matt Hrubey have been working together on a grant that became available. Mike Varga is
196 preparing to begin taking classes to become an arborist for the city. The tree grant was interesting and she
197 stated she would send all the information tomorrow.

198 THE CHAIR asked if we were possibly looking to implement the Shade Tree Commission that was in
199 effect a few years ago.

200 THE MAYOR said answered yes.

201

202 DIRECTOR CINGLE announced that budget hearings will begin this Saturday and if there are any
203 questions prior to then, please let him know, and he will research for the information.

204 DIRECTOR MCGINTY reported that he has had a very busy time getting up to speed and continues to
205 work on this.

206
207 ENGINEER MACKAY reported that the 2016 water line projects have been submitted to the Cleveland
208 Water Department, and once they have approved it will go out to bid. He will continue to keep everyone
209 advised of progress on this.

210 THE CHAIR said a constituent questioned about the testing of water lines for lead testing. He asked
211 Engineer Mackay about this and who, besides Cleveland Water, could do this testing for houses.

212 ENGINEER MACKAY said that he believes that the Cleveland Water Department may be the best ones
213 to ask this.

214 THE CHAIR said that he was interested in an independent party.

215 ENGINEER MACKAY said that he has never dealt with an independent so he was not sure, but could
216 look into this.

217

218 **PUBLIC SESSION**

219 CHUCK SOTU – 20769 Fairpark Drive- MR. SOTU asked about the progress of the project at the
220 former Genie of Fairview.

221 MAYOR PATTON said that most of the construction that they were approved for by Planning and
222 Design is outside construction, and with the weather that is probably why there has not been much
223 activity.

224

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

226 COUNCILMAN RUSSO asked if the 2016 Storefront Grant been approved for Custom Fit Kids.

227 MAYOR PATTON responded that they have been approved, along with Duck Duck Daycare and PJ's.
228 She said that the city will oversee the grant, which is a change to the way the County has previously done
229 the grant. It is a \$50,000 grant that we put up money for and get paid on the back end.

230

231 COUNCILWOMAN CLEARY said that she will reach out the representative to the County Health
232 Department regarding his question on the lead issue and see if they have any recommendations for testing
233 the water. COUNCILWOMAN CLEARY also acknowledged Finance Director Cingle and the Finance
234 Department for getting the budget done and providing time for council to review in spite of stepping into
235 the job such in such a short time.

236

237 THE CHAIR announced that there was an executive session held on February 1, 2016 to consider the
238 appointment of a public employee.

239

240 THE CHAIR said with no further business to come before Council this evening, he would entertain a
241 motion to adjourn.

242 Moved and Seconded.

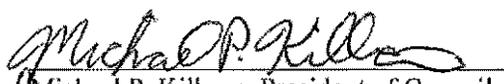
243 THE CHAIR asked for any discussion. No discussion.

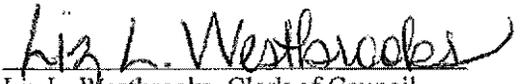
244 ROLL ON MOTION: Vote: YES-7, NO-0 | Meeting adjourned at 7:27 p.m.

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

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248 
249 Michael P. Kilbane, President of Council

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249 Liz L. Westbrooks, Clerk of Council

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251 
252 Eileen Ann Patton, Mayor

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254