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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, MARCH 7, 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

7 PLEDGE OF ALLEGIANCE

8 ROLL CALL:

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

10 Administration – Mayor E. Patton, Finance Director G. Cingle, Law Director W. McGinty, Engineer M.
11 Mackay

12
13 THE CHAIR called for a motion to excuse Councilman Wojnar from the meeting.

14 Moved and seconded.

15 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carries.

16 YES: B. McDonough, B. Minek, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
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18 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on
19 Monday, February 15, 2016.

20 Moved and seconded.

21 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carries.

22 YES: B. McDonough, B. Minek, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
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24 **COMMITTEE REPORTS**

25 COUNCILMAN MINEK said, The Environment, Public Works, Planning, Zoning & Development
26 Committee of Council met on Monday February 22, 2016 to discuss **Ordinance 16-04**, accepting and
27 approving the preliminary plat of The Thomas Lane Major Subdivision proposed by Garland New
28 Homes, Inc. as approved by the Board of Zoning & Building Appeals at its meeting of July 13, 2015 and
29 declaring an emergency. Guests present were: Mr. Matt Garland, President of Garland New Homes, Inc.,
30 Mr. Richard Bancroft, Development Consultant for Garland New Homes, Inc., Mayor Patton, Law
31 Director Mr. William McGinty, City Engineer Mr. Michael Mackay and Building Commissioner Mr.
32 Walter Maynard. Many questions were asked pertaining to the development: Building Commissioner
33 Maynard was asked if the applicant met all the preliminary requirements of our code and replied he has.
34 Engineer Mackay was asked the status of the engineering requirements and responded they are working
35 with the EPA. On behalf of Garland New Homes, Inc. Mr. Bancroft answered questions from a
36 Coffinberry resident. Other questions were asked pertaining to the storm water requirement and were
37 answered by Engineer Mackay. A motion and vote this ordinance be placed on second reading and
38 returned to committee was approved 6-0. This completes my report!
39

40 COUNCILWOMAN CLEARY said, The Finance Committee met on Saturday, February 20th to discuss
41 **Ordinance 16-05** appropriating funds for expenses and expenditures for the city for the period beginning
42 January 1, 2016 and ending December 31, 2016. Mayor Eileen Patton, Finance Director Greg Single and
43 Law Director Billy McGinty were in attendance as were Police Chief Upperman, Fire Chief Raffin,
44 Recreation Director Steve Owens and Service Manager, Kevin Bridegum, were in attendance as well to
45 offer a review of the highlights of the previous year, plans for the upcoming year, and to discuss and
46 review the specific budgets of the departments of Police, Fire, Recreation and Economic Development &
47 Service. The Finance Committee met on Monday, February 22nd to continue its discussion of Ordinance
48 16-05 and **Ordinance 16-06** authorizing the city administration to advertise for bids, and the Mayor to
49 enter into a contract with the lowest responsive and responsible bidder as determined by the Board of
50 Control for work to be performed to construct safe routes to school infrastructure improvements. Mayor
51 Eileen Patton, Finance Director Greg Single and Law Director Billy McGinty were in attendance as were

52 Regina Sillasen to review the remaining budgets for Senior Life, Law, Council, Building, Finance and
53 Mayor's Office. A motion to place Ordinance 16-05 on 2nd read and return to committee carried 6-0. A
54 motion to place Ordinance 16-06 on 2nd read and return to committee also carried 6-0.
55 That concludes my report. Thank you.

56

57 **LEGISLATION FOR FIRST READING**

58 ORDINANCE NO. 16-07

59 REQUESTED BY: MAYOR EILEEN ANN PATTON

60 SPONSORED BY: COUNCIL WOMAN CLEARY

61 CO-SPONSORED BY: COUNCILMAN MINEK

62 *AN ORDINANCE ACCEPTING A STOREFRONT RENOVATION GRANT AND AUTHORIZING THE MAYOR*

63 *TO ENTER INTO CONTRACTS AS DETERMINED BY THE BOARD OF CONTROL TO PROVIDE*

64 *FINANCIAL ASSISTANCE FOR STOREFRONT IMPROVEMENTS AND DECLARING AN*

65 *EMERGENCY*

66 ACTION: Ordinance 16-07 was placed on first reading and referred to the Finance Committee.

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68 ORDINANCE NO. 16-08

69 REQUESTED BY: MAYOR EILEEN ANN PATTON

70 SPONSORED BY: COUNCIL WOMAN CLEARY

71 CO-SPONSORED BY: COUNCILMAN MINEK

72 *AN ORDINANCE ACCEPTING AND APPROVING THE PRE-CONSTRUCTION TAX ABATEMENT*

73 *APPLICATION OF THE SUB ZERO PROPERTIES, LTD AND DECLARING AN EMERGENCY*

74 ACTION: Ordinance 16-08 was placed on first reading and referred to the Finance Committee.

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76 **LEGISLATION FOR SECOND READING**

77 COUNCIL WOMAN CLEARY placed two ordinances up for second reading.

78 ORDINANCE NO. 16-05

79 ORIGINATED BY: THE FINANCE DEPARTMENT

80 REQUESTED BY: MAYOR EILEEN ANN PATTON

81 SPONSORED BY: COUNCIL WOMAN CLEARY

82 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*

83 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*

84 *JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY*

85 ACTION: Ordinance 16-05 was placed on second reading and returned to the Finance Committee.

86

87 ORDINANCE NO. 16-06

88 REQUESTED BY: MAYOR EILEEN ANN PATTON

89 SPONSORED BY: COUNCIL WOMAN CLEARY

90 CO-SPONSORED BY: COUNCILMAN MINEK

91 *AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATION TO ADVERTISE FOR BIDS AND*

92 *THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND*

93 *RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL FOR WORK TO BE*

94 *PERFORMED TO CONSTRUCT SAFE ROUTES TO SCHOOL INFRASTRUCTURE IMPROVEMENTS*

95 *AND DECLARING AN EMERGENCY*

96 ACTION: Ordinance 16-06 was placed on second reading and returned to the Finance Committee.

97

98 COUNCILMAN MINEK placed Ordinance 16-04 up for second reading.

99 REQUESTED BY: MAYOR EILEEN ANN PATTON

100 SPONSORED BY: COUNCILMEN MCDONOUGH AND MINEK

101 *AN ORDINANCE ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF THE THOMAS*

102 *LANE MAJOR SUBDIVISION PROPOSED BY GARLAND NEW HOMES, INC. AS APPROVED BY THE*

103 *BOARD OF ZONING APPEALS AT ITS MEETING OF JULY 13, 2015 AND DECLARING AN*
104 *EMERGENCY*

105 ACTION: Ordinance 16-04 was placed on second reading and returned to the Finance Committee.

106

107 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

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

110 COUNCILMAN MINEK placed Ordinance 16-03 for third reading and final passage.

111 ORDINANCE NO. 16-03

112 REQUESTED BY: MAYOR EILEEN ANN PATTON

113 SPONSORED BY: COUNCILMAN MINEK

114 CO-SPONSORED BY: COUNCILWOMAN CLEARY

115 *AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 15-30, AUTHORIZING THE*

116 *ADVERTISEMENT FOR BIDS AND FOR THE MAYOR TO ENTER INTO A CONTRACT WITH THE*

117 *LOWEST RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF*

118 *CONTROL, AND PROVIDE FOR ENGINEERING SERVICES FOR THE WORK TO BE PERFORMED*

119 *IN YEAR 27 OF THE STREET REPAIR PROGRAM AND DECLARING AN EMERGENCY.*

120 THE CHAIR called for any discussion prior to passage.

121 COUNCILMAN MINEK made a motion to amend Ordinance 16-03 to add Exhibit "A".

122 Moved and Seconded.

123 THE CHAIR called for any discussion. No Discussion.

124 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carries.

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

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

127 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Resolution 16-03 Amended passes.

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

129

130 COUNCILMAN HINKEL placed Resolution 16-02 up for third reading and final passage.

131 RESOLUTION NO. 16-02

132 REQUESTED AND SPONSORED BY: CITY COUNCIL

133 *A RESOLUTION NAMING THE CLERK OF COUNCIL AS THE OFFICIAL DESIGNEE OF THE*

134 *MEMBERS OF CITY COUNCIL TO ATTEND ATTORNEY GENERAL APPROVED PUBLIC RECORDS*

135 *TRAINING SESSIONS AND DECLARING AN EMERGENCY*

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

137 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Resolution 16-01 passes.

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

139

140 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
141 **OFFICIALS**

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

143 -On Wednesday, March 10 the Westshore Community Council of Governments will be meeting.

144 Cuyahoga Sustainability Office Director Mike Foley will be in attendance to discuss the role of the

145 Department.

146 -On Thursday there will be Cuyahoga Planning Commission Meeting for two subdivisions being

147 approved in Olmsted Township.

148 -The League of Women Voters will be hosting the Youth in Government event next Tuesday, March 15.

149 -Thursday, March 10 will be the State of the Community at the Gemini Center at 7:00 p.m. This will be

150 an update for both the city and the school district.

151

152 DIRECTOR CINGLE reported that the 2016 budget process continues, and if anyone has any questions,
153 please let him know.

154 DIRECTOR MCGINTY had no report.

155

156 ENGINEER MACKAY thanked council for the passage of the 2016 street repair legislation. It will be
157 going out to bid immediately and he will keep everyone informed of the results. The 2015 water line
158 work is scheduled to start March 14 and will run through completion date of October 31, 2016. The city
159 is waiting for approval of the 2016 water line plans by the Cleveland Water Department, and once
160 received it will go out to bid. He will keep everyone informed of the progress.

161

162 **PUBLIC SESSION**

163 ELAINE WILKINSON – Manager, Fairview Branch Library, 21255 Lorain Road – MS. WILKINSON
164 announced that she will be retiring at the end of the month, and wanted to give her final update on some
165 of the things that have happened at the Library under her tenure during the last five and a half years.
166 Some of the improvements at the library include: creation of a tech lab, play space for children, career
167 center, self-checkout kiosk area, installation of announcement boards and becoming a passport site. The
168 senior book discussion group was reinstated, and she plans to be a participant in the summer. MS.
169 WILKINSON said that she enjoys the campus atmosphere with the Gemini Center and the schools, which
170 was enhanced with the walkway built between the two buildings. A strong collaboration with the schools,
171 City Departments and community is also present. She said that one thing she has noticed as a constant is
172 the need for human relationship, and that she has really enjoyed that aspect of her job as well. MS.
173 WILKINSON announced that there will be 4 additional new staff members joining the library, including
174 Jesse Sanders, who will be replacing her as the Branch Manager. She said she is leaving on a high note
175 and thanked everyone for being part of her time at the library.

176

177 KELLIE DUBAY GILLIS – 19164 Henry Road – MS. GILLIS spoke on Ordinance 16-04, the Thomas
178 Lane Subdivision. She mentioned that at the February 22 committee meeting, there were some issues
179 brought forward regarding the developers stormwater management plan. The issue is with meeting the
180 state permit requirement regarding the amount and type of stormwater that is being proposed to treat. Dry
181 detention basins are currently being proposed, which would treat the dirtiest water coming from the
182 streets sidewalks and driveways. She stated that the city is a regulated municipal storm system under
183 federal regulations which obliges the city to make sure that we are not contributing polluted stormwater
184 to the system, and ultimately to the receiving body of water which would be Rocky River. MS. GILLIS
185 said that the city is setting an example with their recent pervious pavement addition in the back of city
186 hall, and this needs to be promoted throughout the city, as it is the future of stormwater management. The
187 city already has issues with stormwater management with flooding and infrastructure maintenance. She
188 said that the EPA is suggesting the developer use green infrastructure through bio-retention through
189 curbside and tree lawns, which has environmental, social and economical benefits. This promotes
190 infiltration on-site, better landscape and aesthetics, pooling effects and habitat, which is the wave of the
191 future for stormwater management and is being used throughout the country and region and also now at
192 city hall. MS. GILLIS said that she hopes that city council will work with developer to get their EPA in
193 compliance, but also to make sure that we are not meeting the bare minimum but putting the city in a
194 better position to have a sustainable development and remain on the cutting edge of development. This
195 will keep up from regretting not doing it later down the road. She would like to see the city work with the
196 developer to do the right thing in preserving the greenspace promised on Story Road and for Rocky River
197 as well.

198

199 KEVIN PATTON – 19159 South Sagamore – MR. PATTON asked about the development at Story Road
200 and Lorain and who allowed them to build 10 feet off the sidewalk. He said he thinks it is an eyesore and
201 not conducive to a neighborhood.

202 THE CHAIR said that he agrees with this position, and suggested that he talk to the Administration
203 for answers to these questions.

204

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

206 COUNCILMAN MCDONOUGH asked the City Engineer about the status of the Thomas Lane Permit to
207 Install with EPA. He said that he is understanding that the EPA gave some suggestions to comply with
208 the permit, including redirecting stormwater from the street to the proposed dry retention ponds in back
209 yards and installing curbside bio-retention/tree lawn infiltrations.

210
211 ENGINEER MACKAY reported that there was a meeting Friday, March 4 with the EPA, Developer and
212 his office. He confirmed that the EPA is requesting revisions to the plan proposed by the developer, who
213 feels that they are in compliance with the plan with rear yard dry detention basins. He said that it is
214 somewhat of an interpretation of the permit, and that the developer plans to continue to discuss with the
215 EPA as to the correct interpretation, but ultimately the EPA will decide that. MR. MACKAY said that he
216 is sure the developer will comply with the permit, as interpreted by the EPA. Whether that includes
217 additional stormwater quality on the street or using the curbside tree lawn treatment is to be determined.
218 The developer has also mentioned the possibility of using some part of the Story Road lot for the water
219 treatment. MR. MACKAY said he will continue to be monitor and will advise what is required by the
220 EPA, also what the developer proposes. He is sure that there will be a solution that will be acceptable to
221 the city, developer and citizens in that area.

222
223 COUNCILMAN MCDONOUGH thanked Engineer Mackay for the update. He stated that he does have a
224 concern if the Story Road parcel is in any way a bio retention or pond, as that does not meet the city
225 approval for the project and would morph into something different than what was presented. He asked
226 that he keep everyone apprised of what is going on.

227
228 ENGINEER MACKAY reiterated that he would keep everyone informed. He said that nothing new has
229 been proposed and that he was just relaying that the developer had told him about the Story Road lot. He
230 did not say to him or anyone else that any change would be approved, and in fact it would need to come
231 before the Administration and others involved in the process.

232
233 COUNCILMAN MCDONOUGH thanked Engineer Mackay and said he echoes those sentiments.

234
235 COUNCILMAN MINEK wished Elaine Wilkinson an enjoyable retirement.

236
237 COUNCILMAN HINKEL said that he has enjoyed the interaction he has had with Elaine Wilkinson and
238 thanked her for making the library even better than it was during her time here. He wished her the best in
239 retirement.

240
241 COUNCILMAN RUSSO thanked Elaine Wilkinson for her hard work, and said it has been a pleasure
242 working with and having her here.

243
244 COUNCILWOMAN CLEARY acknowledged Elaine Wilkinson for all that was accomplished in making
245 a difference at the library and embracing the changes that have occurred over the years she has worked
246 there. She thanked her for consistent updates and advising of the new staff coming to the library.
247 COUNCILWOMAN CLEARY offered best wishes and happiness to Elaine in her retirement.

248
249 THE CHAIR thanked everyone for coming out to the meeting.

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

252 Moved and Seconded.

253 THE CHAIR asked for any discussion. No discussion.

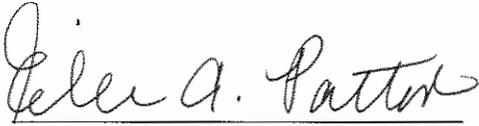
254 ROLL ON MOTION: Vote: YES-6, NO-0 | Meeting adjourned at 7:36 p.m.

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

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Michael P. Kilbane, President of Council


Liz L. Westbrooks, Clerk of Council


Eileen Ann Patton, Mayor