

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, MARCH 21, 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, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

10 Administration – Mayor E. Patton, Finance Director G. Cingle, Law Director W. McGinty

11 ABSENT: Engineer M. Mackay
12

13 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on
14 Monday, March 7, 2016.

15 Moved and seconded.

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

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

20 COUNCILWOMAN CLEARY said, The Finance Committee met on Monday, March 14th. Mayor Eileen
21 Patton, Finance Director Greg Cingle, Development Administrator Matt Hrubey and Assistant Law
22 Director, John Castele were in attendance to discuss the following: **Ordinance 16-05**, appropriating
23 funds for current expenses and other expenditures of the City of Fairview Park for the period beginning
24 January 1, 2016 and ending December 31, 2016. Discussion continued regarding the budget and council
25 agreed to make changes to expenditures as follows: Line Item 100-7711-5217000 (Clothing Allowance)
26 increase from \$9,750.00 to \$10,500.00; Line Item 100-7770-5243200 (Election Expense) decrease from
27 \$42,500.00 to \$13,525.21; Line Item 260-7790-5253200 (Police Equipment) increase from \$75,000.00 to
28 \$125,000.00; Line Item 260-7790-5255000 (Building Improvements) increase from \$93,000.00 to
29 \$133,000.00; and ADDING Line Item# 716-1110-525000 (Building Improvements) in the amount of
30 \$15,000.00. The grand total expenditures for proposed 2016 budget is \$25,461,812.36. Council and the
31 administration discussed the structural deficit in the general fund that necessitated drawing funds from
32 the carry over balance from the previous year. Council will meet quarterly with Finance Director Cingle
33 and the administration to review and monitor the revenue and expenditures. A motion to amend
34 Ordinance 16-05 to include the above mentioned fund changes carried 5-0. A motion to place Ordinance
35 16-05 on 3rd reading and up for passage carried 6-5. **Ordinance 16-06**, authorizing the city
36 administration to advertise for bids, and the Mayor to enter into a contract with the lowest responsive and
37 responsible bidder as determined by the Board of Control for work to be performed to construct safe
38 routes to school infrastructure improvements. Development Administrator Matt Hruby offered an
39 overview of the specific infrastructure improvements associated with the project. A motion to amend
40 Ordinance 16-06 to include a chart listing the specific infrastructure improvements as Exhibit A to the
41 ordinance carried 5-0. A motion to place Ordinance 16-06 on 3rd reading and up for passage carried 5-0.
42 **Ordinance 16-07**, accepting a storefront renovation grant and authorizes the Mayor to enter into
43 contracts as determined by the board of control to provide financial assistance for storefront
44 improvement. Development Administrator Matt Hrubey reviewed the 2016 Storefront Renovation
45 application, funding source and the scope of work to be performed on the three commercial properties to
46 be renovated. A motion to place Ordinance 16-07 on 2nd, subsequent 3rd carried 5-0. **Ordinance 16-08**
47 accepting and approving the pre-construction tax abatement application of the Sub-Zero Properties. Mr.
48 Bobeczko, President of Sub-Zero Properties was present at the Community Reinvestment Area Housing
49 Council on February 16, 2016. He presented an overview of the project, complete with drawings and
50 indicated that the project was ready to begin once council votes on the ordinance for tax abatement.
51 Council is in receipt of a letter from David Coleman, Chair of the Community Reinvestment Board

52 stating that the board unanimously agreed to recommend that the project be abated at 100% for 7 years.
53 Council discussed the past history, benefit and purpose of tax abatements in the city as well. A request
54 was made by the Mayor and agreed by council to place on 2nd and up for emergency passage. A motion
55 to pass on emergency without three readings carried 5-0. That concludes my report. Thank you.
56

57 **LEGISLATION FOR FIRST READING**

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

59 ORDINANCE NO. 16-09

60 REQUESTED BY: MAYOR EILEEN ANN PATTON

61 SPONSORED BY: COUNCILWOMAN CLEARY

62 CO-SPONSORED BY: COUNCILMAN MINEK

63 *AN ORDINANCE ACCEPTING A CUYAHOGA COUNTY MUNICIPAL GRANT, AUTHORIZING THE*
64 *CITY ADMINISTRATION TO ADVERTISE FOR BIDS, AUTHORIZING THE MAYOR TO ENTER INTO*
65 *A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED*
66 *BY THE BOARD OF CONTROL, AUTHORIZING AND DIRECTING THE CITY ENGINEER TO*
67 *PREPARE PLANS AND SPECIFICATIONS FOR THE REHABILITATION AND REPLACEMENT OF*
68 *CITY SIDEWALKS AND CURB RAMPS AND DECLARING AN EMERGENCY*

69 ACTION: Ordinance 16-09 was placed on first reading and referred to the Finance Committee.
70

71 ORDINANCE NO. 16-10

72 REQUESTED BY: MAYOR EILEEN ANN PATTON

73 SPONSORED BY: COUNCILWOMAN CLEARY

74 CO-SPONSORED BY: COUNCILMAN MINEK

75 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BRAMHALL*
76 *ENGINEERING & SURVEYING COMPANY FOR CONSTRUCTION ADMINISTRATION AND*
77 *INSPECTION SERVICES FOR THE SAFE ROUTES TO SCHOOL INFRASTRUCTURE*
78 *IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY*

79 ACTION: Ordinance 16-10 was placed on first reading and referred to the Finance Committee.
80

81 **LEGISLATION FOR SECOND READING**

82 COUNCILWOMAN CLEARY placed Ordinance 16-07 up for second reading.

83 ORDINANCE NO. 16-07

84 REQUESTED BY: MAYOR EILEEN ANN PATTON

85 SPONSORED BY: COUNCILWOMAN CLEARY

86 CO-SPONSORED BY: COUNCILMAN MINEK

87 *AN ORDINANCE ACCEPTING A STOREFRONT RENOVATION GRANT AND AUTHORIZING THE*
88 *MAYOR TO ENTER INTO CONTRACTS AS DETERMINED BY THE BOARD OF CONTROL TO*
89 *PROVIDE FINANCIAL ASSISTANCE FOR STOREFRONT IMPROVEMENTS AND DECLARING AN*
90 *EMERGENCY*

91 ACTION: Ordinance 16-07 was placed on second reading and subsequent third reading.
92

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

94
95 **LEGISLATION ON FOR PASSAGE UNDER SECOND READING SUSPENSION OF RULES**

96 Councilwoman Cleary placed Ordinance 16-08 up for emergency passage.

97 ORDINANCE NO. 16-08

98 REQUESTED BY: MAYOR EILEEN ANN PATTON

99 SPONSORED BY: COUNCILWOMAN CLEARY

100 CO-SPONSORED BY: COUNCILMAN MINEK

101 *AN ORDINANCE ACCEPTING AND APPROVING THE PRE-CONSTRUCTION TAX ABATEMENT*
102 *APPLICATION OF THE SUB ZERO PROPERTIES, LTD AND DECLARING AN EMERGENCY*

103 THE CHAIR called for any discussion.
104 COUNCILWOMAN CLEARY made a motion to suspend the Charter Provision and Rule 49 requiring
105 that the legislation be read at three separate meetings and that it be placed before Council for emergency
106 passage.
107 Moved and Seconded.
108 THE CHAIR called for discussion on the motion. No Discussion.
109 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
110 YES: B. McDonough, B. Minek, M. Kilbane, P. Wojnar, J. Hinkel, A. Russo, P. Cleary
111 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 16-08 passes.
112 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
113
114 **LEGISLATION FOR THIRD READING AND FINAL PASSAGE**
115 Councilwoman placed Ordinance 16-05 up for third reading and final passage.
116 ORDINANCE NO. 16-05
117 ORIGINATED BY: THE FINANCE DEPARTMENT
118 REQUESTED BY: MAYOR EILEEN ANN PATTON
119 SPONSORED BY: COUNCILWOMAN CLEARY
120 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*
121 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*
122 *JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY*
123 THE CHAIR called for any discussion.
124 COUNCILWOMAN CLEARY made a motion to amend Ordinance 16-05 to add amendments for Exhibit
125 "A", which were agreed to in committee.
126 Moved and Seconded.
127 THE CHAIR called for any discussion. No Discussion.
128 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
129 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
130 THE CHAIR called for any further discussion prior to passage. No discussion.
131 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 16-05 Amended passes.
132 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
133
134 Councilwoman placed Ordinance 16-06 up for third reading and final passage.
135 ORDINANCE NO. 16-06
136 REQUESTED BY: MAYOR EILEEN ANN PATTON
137 SPONSORED BY: COUNCILWOMAN CLEARY
138 CO-SPONSORED BY: COUNCILMAN MINEK
139 *AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATION TO ADVERTISE FOR BIDS AND*
140 *THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND*
141 *RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL FOR WORK TO BE*
142 *PERFORMED TO CONSTRUCT SAFE ROUTES TO SCHOOL INFRASTRUCTURE IMPROVEMENTS*
143 *AND DECLARING AN EMERGENCY*
144 THE CHAIR called for any discussion prior to passage.
145 COUNCILWOMAN CLEARY made a motion to amend Ordinance 16-06 to include attachment and add
146 reference to Exhibit "A" in Section I.
147 Moved and Seconded.
148 THE CHAIR called for any discussion. No Discussion.
149 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
150 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
151 THE CHAIR called for any further discussion prior to passage. No discussion.
152 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 16-06 Amended passes.
153 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

154

155 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
156 **OFFICIALS**

157 MAYOR PATTON said, I would like to thank city council, Finance Director Cingle and his staff,
158 along with all the department heads for their input and time into our budget process. It was lengthy,
159 but this exercise leaves us with a greater understanding of our revenue and expenses and how
160 important our rolls are in overseeing the taxpayers' dollars. We will continue to make good judgment
161 decisions as we move forward this year.

162 Today we held a Records Commission meeting and approved the appointment of Chris Garrett as our
163 resident member of the commission and reviewed Department's applications for destruction of
164 documents per the Ohio Revised Code. In attendance were Greg Cingle, Matt Hrubey, myself, Liz
165 Westbrooks, Cathy Eble representing the Senior Center and Bridget Hinkel, the Commission's
166 secretary. As a reminder to our residents, our shredding day will be May 15th from 9-noon.

167 Tomorrow, I will be meeting with Mr. Ted Carter, the new Chief of Economic Development for
168 Cuyahoga Co. As he begins his new role, the Chief will be visiting many suburban communities to
169 learn about our communities and our development needs. The meeting is at 11:30 am if any council
170 members would like to stop in.

171 Recreation reports that we have 183 participants in our swim lessons. Last year at this time we had 93
172 enrolled and the staff is very pleased with the positive changes that Director Owens has put in place as
173 our program continues to grow. The Director also reports that our sound system is in perfect working
174 condition throughout the entire building. Our intercom system is also working and the director will be
175 having an intercom drill with all employees this week so quick action can take place in the event of an
176 emergency. The community is also invited to the Easter Egg Hunt this Saturday at 11:00 am at the
177 football stadium hosted by the Recreation Department with many great prizes. This Thursday is a
178 Recreation commission meeting and the public is invited.

179 The Fire Chief and our firefighters would like to thank our residents for the passage of our renewal fire
180 levy that passed on the ballot last week. I would like to thank our local newspapers for helping us get the
181 message out to our residents the importance of this renewal and big thank you to all the firefighters that
182 were at the polls on Election Day. The levy passed 85% to 15%.

183 The Building Commissioner reports that the Dollar Tree will open this Thursday at the Fairview
184 Shopping Center. The Commissioner is also very pleased to announce the hiring of an Assistant
185 Building commissioner who will begin on April 18th. We will have him come to a committee meeting
186 so all of council can meet him. We will also be hiring a part-time summer housing inspector for the
187 summer/fall season to help us with keeping our neighborhoods up to code.

188 The Service Department supervisor, Kevin Bridegum reports that today our West 227th pump station
189 wells were cleaned. This included both the 12 inch and the 18 inch sanitary lines, which were also
190 televised. The wet well was vacuumed, sucked dry, housed down and refilled.

191 Grease, soot and road grime was removed, making the pumping station operate at full capacity. Kevin
192 was very pleased with the cleaning and the results - stating it is the cleanest he has ever seen and will
193 help when we have those heavy rains. The department is working on a sink hole being repaired on
194 Story Road and tomorrow they will begin repairing a broken pipe on Lorain and West 220th street.

195 Our City Engineer Mackay is not available to be here this evening and has the following report: 2015
196 Water Line Project - Fabrizi Trucking and Paving has started the work. All work is scheduled to be
197 completed by October 31, 2016. The 2016 Waterline Project - The plans are being reviewed by
198 Cleveland Water Department. We will bid this project once we receive the Cleveland Water Department
199 approval. The 2016 Street Repair Program - The plans and specifications are complete and we plan to
200 open bids this project by April 6, 2016 and we will provide you with a bid recommendation after the bids
201 are received. That ends my report. Thank you.

202

203 DIRECTOR CINGLE thanked council for the passage of the 2016 Appropriations legislation. He wished
204 everyone a Happy and Blessed Easter Sunday.

205
206 DIRECTOR MCGINTY said that this was the first time he went through a budget process in his time
207 both living and working in the city. He said it was a wonderful process and complimented everyone
208 involved on completing the tasks required to get to the end result of a great budget.
209

210 **PUBLIC SESSION**

211 DAVID BOBECZKO – 8010 Butler Hill Drive, Painesville/East Coast Custard - 22669 Lorain Road –
212 MR. BOBECZKO thanked everyone for the passage of the legislation and for their help during the
213 process.

214 MAYOR PATTON inquired about the hiring process for the new location.

215 MR. BOBECZKO said that the application is available online. He said that he feels an obligation to
216 reinstate workers from the former Story Road location. This will also help to get the location up and
217 running effectively and to assist with training.

218 COUNCILMAN MCDONOUGH inquired about the reinstatement of Story Road Crunch.

219 MR. BOBECZKO said it is up in the air right now, but will most likely be changed to either Lorain Road
220 Crunch or simply changing all location flavors to East Coast Crunch.

221
222 DEB HAMMERLE – 22326 Haber Drive – MS. HAMMERLE said that she read about the
223 improvements coming to Nelson Russ Park and the invite for community input. She said that her home
224 shares about a 100 feet of a common property line. She said since the city owns the park she considers all
225 residents her neighbors. MS. HAMMERLE said that she has two requests for consideration as
226 development gets underway – peace and quiet. She feels they are in short supply and sorely undervalued
227 these days. She would like opportunities for nature appreciation, Tai Chi lessons and other stress-relief
228 and meditation venues. Whatever the city decides to do, she won't be complaining about what goes on at
229 the park.

230
231 MILENTIJE MILJKOVIĆ - 20602 Lorain Road – MR. MILJKOVIĆ spoke about the library and said
232 that it used to be a quiet place. He said that he has sent some complaints about personnel at the library to
233 the Mayor. MR. MILJKOVIĆ stated that in some libraries there are no cell phones permitted in the
234 building, which he thinks is a good thing.

235 MAYOR PATTON responded that she spoke to the Director of the library last week and was aware of
236 his correspondence. She advised that he needs to make an appointment speak to Mr. John Dunn, the Head
237 of Security for the library. MAYOR PATON said that the city does not get involved in other entities
238 personnel issues and correspondence was previously sent to him from the city's Law Director.

239 THE CHAIR asked if Mr. Miljkovic had reached out to the county with his complaint.

240 MAYOR PATTON asked if an appointment was made with Mr. Dunn, as this is how this issue could be
241 resolved.

242 MR. MILJKOVIĆ responded he did not want an appointment with Mr. Dunn. He said he is concerned
243 that the library should be a quiet place and staff should be courteous. He said something has to change
244 and thanked everyone for listening to his concerns.

245
246 MR. PETE MATIA – 22094 Sandy Lane – MR. MATIA asked about a possible schedule for pothole
247 repair on W. 220th Street between Brookpark Road and Lorain Road. There was a cement redo that seems
248 to be deteriorating in places. There are some obvious potholes and well as not so obvious chuck holes,
249 which seem to be an issue for his personal vehicle.

250 MAYOR PATTON said that it is a great question, but she does not have an answer right now. She said
251 there is a meeting next week with the County's Public Works Department and will have them drive it
252 while they are here and try to get some concrete answers.

253 MR. MATIA said that they seem to be very bad at intersections at Mastick Road, Brookpark Road and
254 just a little south of Lorain Road. He thanked the mayor for looking into this.

255

256 RAY HAMMERLE – 22326 Haber Drive - MR. HAMMERLE wished everyone a Happy Easter.

257

258 JOHN TAYLOR - 22405 Macbeth Ave – MR. TAYLOR reiterated the concerns of Mr. Matia with the
259 concrete and suggested reaching out to Great Lakes Construction, who did the work to see what they
260 stand by for their work and how long they will fix any issues. He mentioned that he saw some city
261 workers at night putting asphalt, possibly to avoid traffic, but suggested doing it midday instead. MR.
262 TAYLOR said that he is happy to hear about improvements coming to Nelson Russ Park. He said that he
263 is three doors down, and is hopeful that the employee who will be conducting inspections for compliance
264 with city codes will look at Mr. Brown’s disassembling of the fence bordering the park and personal use
265 of the parking lot. He said he is glad to hear about East Coast Custard. MR. TAYLOR asked about the
266 status of the Brookpark Road Bridge, and said he was happy to see that CEI replaced some of the lights
267 on Mastick over I-480, but that there is still one out on West 220th. MR. TAYLOR spoke on the
268 newspaper supplements that are being distributed in the city. He said that he has called to complain, but
269 they are still being thrown out. He urged council to adjust the litter ordinance to restrict distribution of
270 these newspapers. He said that they pile up at vacant houses making them a target for thieves, and can
271 also end up down the city drains, which would not help issues already present with sewers.

272

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

274 COUNCILMAN MCDONOUGH complimented the new green infrastructure in the back of city hall. He
275 said it is a great storm water runoff project, which is something that will decrease pollution to the Rocky
276 River watershed. COUNCILMAN MCDONOUGH congratulated Ward 1 resident Michael R. Sliwinski,
277 who was appointed last week to fill a vacancy on the Cleveland Municipal Court by Governor Kasich.

278

279 COUNCILMAN WOJNAR thanked the residents who volunteered to be on the Shade Tree Advisory
280 Committee, and personally thanked Penn Berens, who was in the audience. He has had some
281 conversations with Mr. Berens about trees in cities and how they affect cities across America, and knows
282 that he is a great appointment to this committee.

283

284 COUNCILMAN HINKEL thanked the residents of the city for passing the fire levy. Had it not passed, it
285 would have been a problem, so he is grateful that it passed and the Fire Department will be able to
286 continue the great work that they do.

287

288 COUNCILMAN RUSSO thanked the residents who came out to the meeting to speak. He said it is
289 helpful for them to come and let council hear what they have to say. He encouraged them to continue
290 doing coming back out.

291

292 COUNCILWOMAN CLEARY thanked the residents for their continued support of the fire levy. She also
293 acknowledged the Mayor, Director Cingle and the departments for all of their work on the budget.
294 Everyone understood their budgets and were prepared for discussions, which is not the case in other
295 cities she has spoken to.

296

297 THE CHAIR made a motion to appoint the following individuals to the Shade Tree Advisory Committee:
298 Penn Berens to the term expiring in Dec 2016, Kathleen Brooking to term expiring in Dec 2018 and
299 Kathleen McCarthy to the term expiring in Dec 2020.

300

Moved and Seconded.

301

ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries; appointments are approved.

302

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

303

THE CHAIR thanked the appointees for their willingness to serve on this important Committee.

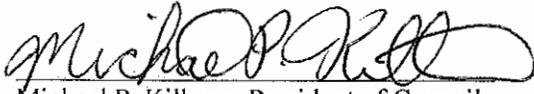
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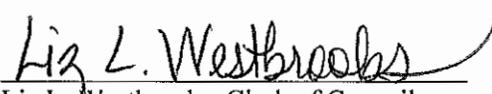
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THE CHAIR assigned the issue of tax abatement review to the Finance Committee.

306

307 THE CHAIR thanked everyone for coming out to the meeting.
308
309 THE CHAIR said with no further business to come before Council this evening, he would entertain a
310 motion to adjourn.
311 Moved and Seconded.
312 THE CHAIR asked for any discussion. No discussion.
313 ROLL ON MOTION: Vote: YES-7, NO-0 | Meeting adjourned at 7:49 p.m.
314 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
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319 Michael P. Kilbane, President of Council


Liz L. Westbrooks, Clerk of Council

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324 Eileen Ann Patton, Mayor

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