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

5 The regular meeting of Council was called to order by Council President Pro Tem Minek at 7:05 p.m.

6 MOMENT OF SILENT PRAYER

7 PLEDGE OF ALLEGIANCE

8 ROLL CALL:

9 PRESENT: Council –B. McDonough, B. Minek, 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 and President Kilbane from the meeting.

14 Moved and Seconded

15 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries, members are excused.

16 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
17

18 THE CHAIR called for a motion to suspend the rules to present a resolution.

19 Moved and Seconded.

20 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.

21 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary

22 THE CHAIR presented a resolution up for emergency passage.

23 RESOLUTION NO: 16-03

24 REQUESTED BY: COUNCIL PRESIDENT KILBANE

25 SPONSORED BY: COUNCIL AS A WHOLE

26 *A RESOLUTION COMMENDING LARRY MOLLS FOR THIRTY-TWO YEARS OF SERVICE AND*  
27 *DEDICATION TO THE CITY OF FAIRVIEW PARK*

28 THE CHAIR called for any discussion. No Discussion.

29 THE CHAIR made a motion to suspend the Charter Provision and Rule 49 requiring that the legislation  
30 be read at three separate meetings and that it be placed before Council for emergency passage.

31 Moved and Seconded.

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

33 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.

34 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary

35 THE CHAIR made a motion that Council Rule 53, requiring reference to Committee be dispensed with  
36 and that the resolution be placed on final passage.

37 Moved and Seconded.

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

39 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.

40 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary

41 THE CHAIR asked that the resolution be read in pertinent part and was concurred on by Council.

42 THE CLERK read the resolution.

43 THE CHAIR called for any discussion prior to passage. No Discussion.

44 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Resolution 16-03 passes.

45 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
46

47 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on  
48 Monday, April 4, 2016.

49 Moved and Seconded.

50 THE CHAIR called for any discussion. No Discussion.

51 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.

52 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
53 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on  
54 Monday, April 18, 2016.  
55 Moved and Seconded.  
56 THE CHAIR called for any discussion. No Discussion.  
57 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.  
58 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
59

#### 60 COMMITTEE REPORTS

61 COUNCILWOMAN CLEARY said, The Finance Committee met on Monday, April 25th. Mayor Eileen  
62 Patton, Law Director Billy McGinty, Finance Director Greg Cingle, Service Manager Kevin Bridegum  
63 and two representatives from Brewer Garrett, David Smith and Jason Zorc were in attendance to discuss  
64 the following: **Ordinance 16-11** levies a special assessment collection of \$120 per year for residential  
65 parcels the tax years of 2016 and 2017 for solid waste collection. The revenue from the assessment will  
66 be applied toward the cost of solid waste collection and disposal, with remained of the cost paid for out  
67 of the General Fund. A motion to place Ordinance 16-11 on 3rd reading carried 7-0. **Ordinance 16-12**  
68 authorizes the Mayor to enter into an agreement with Brewer Garrett for the purchase of a JEC 344 S  
69 Equipment Controller Building Automation System. The cost of the system is not to exceed \$32,250.00  
70 and will be paid from the Permanent Improvement Fund 260. The representative from Brewer Garrett  
71 reported that the current Honeywell system fails to function properly and that the new system will permit  
72 better cooling and heating set points within City Hall. Service Manage Kevin Bridegum provided a  
73 summary of the three recent quotes received for the project and offered rational for choosing Brewer  
74 Garrett. There was a discussion regarding the maintenance contract for this new equipment as the city is  
75 currently under a maintenance contract with Gardiner Trane that is not set to expire until 2019. Council  
76 members expressed concern regarding the frequent service calls and repairs that result in Gardiner Trane  
77 performing repairs outside of general maintenance on weekends at increased overtime rates. Service  
78 Manager Kevin Bridegum agreed to council's request to submit the service records and amount charged  
79 by Gardiner Trane for maintenance since November 2014. A motion to place Ordinance 16-12 on 3rd  
80 reading carried 7-0. That concludes my report. Thank you.

#### 81 82 LEGISLATION FOR FIRST READING

83 COUNCILWOMAN CLEARY placed legislation up for first reading and introduction.

84 ORDINANCE NO. 16-13

85 REQUESTED BY: MAYOR EILEEN ANN PATTON

86 SPONSORED BY: COUNCILWOMAN CLEARY & COUNCILMAN MCDONOUGH

87 CO-SPONSORED BY: COUNCILMAN MINEK

88 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ECONOMIC INCENTIVE*  
89 *GRANT AGREEMENT WITH THE HOSPICE OF THE WESTERN RESERVE, INC. AND DECLARING*  
90 *AN EMERGENCY.*

91 ACTION: Ordinance 16-13 was placed on first reading and referred to the Finance Committee.

92  
93 ORDINANCE NO. 16-14

94 REQUESTED BY: MAYOR EILEEN ANN PATTON

95 SPONSORED BY: COUNCILWOMAN CLEARY

96 *AN ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, AND*  
97 *IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF FAIRVIEW PARK,*  
98 *OHIO, IN COOPERATION WITH THE NORTHEAST OHIO ADVANCED ENERGY DISTRICT AND*  
99 *DECLARING AN EMERGENCY.*

100 ACTION: Ordinance 16-14 was placed on first reading and referred to the Finance Committee.

101  
102 ORDINANCE NO. 16-15

103 REQUESTED BY: MAYOR EILEEN ANN PATTON  
104 SPONSORED BY: COUNCILWOMAN CLEARY  
105 *AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING,*  
106 *CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF*  
107 *FAIRVIEW PARK, OHIO, IN COOPERATION WITH THE NORTHEAST OHIO ADVANCED ENERGY*  
108 *DISTRICT AND DECLARING AN EMERGENCY.*  
109 ACTION: Ordinance 16-15 was placed on first reading and referred to the Finance Committee.

110  
111 RESOLUTION NO. 16-04  
112 REQUESTED BY: MAYOR EILEEN ANN PATTON  
113 SPONSORED BY: COUNCILWOMAN CLEARY  
114 *A RESOLUTION APPROVING THE PETITION FOR SPECIAL ENERGY IMPROVEMENT PROJECTS*  
115 *UNDER OHIO REVISED CODE CHAPTER 1710 AND DECLARING AN EMERGENCY.*  
116 ACTION: Resolution 16-04 was placed on first reading and referred to the Finance Committee.

117  
118 RESOLUTION NO. 16-05  
119 REQUESTED BY: MAYOR EILEEN ANN PATTON  
120 SPONSORED BY: COUNCILWOMAN CLEARY  
121 *A RESOLUTION APPROVING THE NECESSITY OF ACQUIRING, CONSTRUCTING, AND*  
122 *IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF FAIRVIEW PARK, OHIO IN*  
123 *COOPERATION WITH THE NORTHEAST OHIO ADVANCED ENERGY SPECIAL IMPROVEMENT*  
124 *DISTRICT AND DECLARING AN EMERGENCY.*  
125 ACTION: Resolution 16-05 was placed on first reading and referred to the Finance Committee.

126  
127 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

128  
129 **LEGISLATION FOR THIRD READING AND FINAL PASSAGE**

130 COUNCILWOMAN CLEARY placed Ordinance 16-11 up for third reading and final passage.

131 ORDINANCE NO. 16-11

132 REQUESTED BY: MAYOR EILEEN ANN PATTON

133 SPONSORED BY: COUNCILWOMAN CLEARY

134 *AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR COLLECTION OF THE MONTHLY*  
135 *CHARGE FOR COLLECTION OF SOLID WASTE IN THE CITY OF FAIRVIEW PARK, OHIO FOR*  
136 *THE TAX YEARS 2016 AND 2017, AND DECLARING AN EMERGENCY*

137 THE CHAIR called for any discussion prior to passage. No Discussion.

138 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Ordinance 16-11 passes.

139 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary

140  
141 COUNCILWOMAN CLEARY placed Ordinance 16-12 up for third reading and final passage.

142 ORDINANCE NO. 16-12

143 REQUESTED BY: MAYOR EILEEN ANN PATTON

144 SPONSORED BY: COUNCILWOMAN CLEARY

145 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BREWER*  
146 *GARRETT FOR THE PURCHASE OF A JEC 344 S EQUIPMENT CONTROLLER BUILDING*  
147 *AUTOMATION SYSTEM AND DECLARING AN EMERGENCY.*

148 THE CHAIR called for any discussion prior to passage. No Discussion.

149 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Ordinance 16-12 passes.

150 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary

151

152 **LEGISLATION ON FOR PASSAGE WITHOUT THREE READINGS**

153 COUNCILMAN MCDONOUGH placed a resolution up for emergency passage.

154 RESOLUTION NO. 16-06  
155 REQUESTED BY: COUNCILMAN MCDONOUGH  
156 SPONSORED BY: COUNCILMAN MCDONOUGH  
157 CO-SPONSORED BY: COUNCILMEMBERS MINEK, WOJNAR, HINKEL, RUSSO, CLEARY AND  
158 COUNCIL PRESIDENT KILBANE  
159 *A RESOLUTION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS MONTH IN THE CITY*  
160 *OF FAIRVIEW PARK AND DECLARING AN EMERGENCY*  
161 COUNCILMAN MCDONOUGH made a motion to suspend the Charter Provision and Rule 49 requiring  
162 that the legislation be read at three separate meetings and that it be placed before Council for emergency  
163 passage.  
164 Moved and Seconded.  
165 THE CHAIR called for discussion on the motion. No Discussion.  
166 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.  
167 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
168 THE CHAIR called for any further discussion prior to passage.  
169 COUNCILMAN MCDONOUGH made a motion that Council Rule 53, requiring reference to Committee  
170 be dispensed with and that the resolution be placed on final passage.  
171 Moved and Seconded.  
172 THE CHAIR called for discussion on the motion. No Discussion.  
173 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.  
174 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
175 THE CHAIR called for any further discussion prior to passage. No Discussion.  
176 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Resolution 16-06 passes.  
177 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
178  
179 THE CHAIR placed a resolution up for emergency passage.  
180 RESOLUTION NO. 16-07  
181 REQUESTED BY: COUNCILMAN MINEK  
182 SPONSORED BY: CITY COUNCIL AS A WHOLE  
183 A RESOLUTION TO HONORING DICK AND NANCY CAUSE, 2016 FAIRVIEW PARK CITIZENS  
184 OF THE YEAR  
185 THE CHAIR made a motion to suspend the Charter Provision and Rule 49 requiring that the legislation  
186 be read at three separate meetings and that it be placed before Council for emergency passage.  
187 Moved and Seconded.  
188 THE CHAIR called for discussion on the motion. No Discussion.  
189 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.  
190 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
191 THE CHAIR called for any further discussion prior to passage.  
192 THE CHAIR made a motion that Council Rule 53, requiring reference to Committee be dispensed with  
193 and that the resolution be placed on final passage.  
194 Moved and Seconded.  
195 THE CHAIR called for discussion on the motion. No Discussion.  
196 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.  
197 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
198 THE CHAIR announced that the resolution will be presented at the Citizen of the Year dinner to be held  
199 on May 25, 2016.  
200 THE CHAIR called for any further discussion prior to passage. No Discussion.  
201 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Resolution 16-06 passes.  
202 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary  
203

204 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**  
205 **OFFICIALS**

206 MAYOR PATTON gave the following departmental updates:

207 FIRE: The Fire Department will begin annual inspection of hydrants on May 9, and will continue until all  
208 hydrants have been flushed. Residents are urged to check their water, and if rusty run until it clears.  
209 Cleveland Clinic hosted a firefighter/paramedic training session with the Fairview Park and Rocky River  
210 fire departments today.

211 BUILDING: Scott Hank, our new part-time housing inspector has begun working with the city. He will  
212 be going street by street with new inspections, and following up on ones from last year.

213 POLICE: There was a very busy weekend in the Police Department. The Operation Medicine Cabinet  
214 event went extremely well on Saturday. The Gilles Sweet Derby Dash was a huge success with over 600  
215 participants. On Thursday, our police officers will be giving a safety and security session to Fairview  
216 High School seniors, as many will be heading off to college. They will also be discussion how to not  
217 become a victim.

218 SERVICE: Matt Hrubey has announced that he will be leaving the city for a new position with Cuyahoga  
219 County in their Grant department. He will be leaving on May 13 and over the next week there will be a  
220 wrap up of all outstanding grants. He will be sorely missed and we are glad that the experience he has  
221 received at the city will serve him well in his new position. The County Public Works Department will be  
222 at city hall for an introductory meeting at 3p.m. in Council Chambers to share the programs they offer in  
223 the department.

224 SENIOR LIFE: The Senior Prom will be held on Wednesday, May 11 at 3 p.m.

225 RECREATION: The big wheel race will be held on Friday, May 13 at Fairview High School stadium.

226 **EVENTS/ACTIVITIES:**

227 There will be a Summerfest meeting on Thursday at 7 p.m. and all are invited to participate; On  
228 Wednesday, May 11 there will be a Westshore Council of Governments meeting in Rocky River at 9:30  
229 a.m; Saturday, May 14 is our annual shredding and recycling day from 9 a.m. until noon. Also on  
230 Saturday the Spring Fling will be held at the Fairview Shopping Center starting at 11 a.m.; Next Monday,  
231 May 9 there will be a Board of Zoning and Appeals meeting at 7 p.m.; Citizens of the Year dinner will be  
232 held on Wednesday, May 25.

234 DIRECTOR CINGLE reported that he is finishing up work for the 2017 tax budget and have ready for  
235 the council agenda for May 16.

237 DIRECTOR MCGINTY thanked the Clerk for her help with the legislation for this week. He advised  
238 there may be some alterations to the documents in committee.

240 ENGINEER MACKAY reported that the 2015 water line projects are being worked on by Fabrizi. There  
241 have been some issues with the temporary water lines that are necessary for the installation of the new  
242 water main. The project manager is working with Fabrizi, the contractor and the residents to address  
243 those issues. The pre-construction meeting for the 2016 street paving program has been set for May 9 and  
244 he will have a detailed schedule of their work following that meeting. The 2016 water line projects have  
245 been approved by the Cleveland Water Department and bidding dates will be available in the near future.

247 **PUBLIC SESSION**

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

250 COUNCILMAN MCDONOUGH thanked council for passing Resolution 16-06, Sexual Awareness  
251 month resolution. He said that the reality is that 1 out of 6 boys and 1 out of 4 girls will experience  
252 sexual assault before the age of 18 is important to understand and know. In our community educating  
253 others about sexual violence prevention, providing support for survivors and speaking out against  
254 harmful attitudes and actions is important. For those getting ready to go to college, the recent statistics

255 say that 1 out of 5 women and 1 out of 16 men will suffer assault during their time at college. He said  
256 that the more information and education we have for all those efforts are appreciated. COUNCILMAN  
257 MCDONOUGH thanked Recreation Director Steve Owens for participating in the neighborhood park  
258 meeting on Grannis Park on Wednesday, April 27. There were about 20 people in attendance who  
259 provided input, concerns and long-term development. Two contractors presented some ideas and Matt  
260 Hrubey was spoke about the future playground equipment at the park. COUNCILMAN MCDONOUGH  
261 reported that he attended a Fairview Park school district community meeting regarding a proposed levy  
262 and bond issue and monies the district would like to spend on renovations and improvements. There was  
263 a lot of information provided by the Superintendent Wagner.

264  
265 COUNCILMAN HINKEL thanked Mayor Patton for helping to assist to the local eagle scouts on a  
266 community service project at the Recreation Center. He also mentioned that took part of the Derby Dash  
267 over the weekend and how it was a great community event.

268  
269 COUNCILMAN RUSSO reported that he attended the fundraiser at Gunselman's for the high school  
270 weight room and was a nice event. He said there is always a lot of nice things happening in the city.

271  
272 THE CHAIR assigned the issue of city parking tickets to the Finance committee.

273  
274 THE CHAIR announced that council held an executive session on April 25, 2016 for the reasons of  
275 discussing matters required to be kept confidential by Federal law or rules or state statutes and to  
276 consider the employment and compensation of public employees.

277  
278 THE CHAIR asked Engineer Mackay what is going on at W. 214<sup>th</sup> St between Lorain and Westwood.  
279 ENGINEER MACKAY said that is the water line replacement project. They are installing temporary  
280 water lines so that they can dig up and replace the existing water line. Service has to continue during the  
281 process, which is causing the issues.

282  
283 THE CHAIR asked Mayor Patton if there is a replacement for Matt Hrubey.  
284 MAYOR PATTON responded no.

285  
286 THE CHAIR made a motion to adjourn the regular meeting.

287 Moved and Seconded.

288 THE CHAIR asked for any discussion. No discussion.

289 ROLL ON MOTION: Vote: YES-5, NO-0 | Meeting adjourned at 7:38 p.m.

290 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo, P. Cleary

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292   
293  
294 Michael P. Kilbane, President of Council

  
Liz L. Westbrooks, Clerk of Council

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299 Eileen Ann Patton, Mayor

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