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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**  
3 **MONDAY, JUNE 6, 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, P. Cleary

10 Administration – Mayor E. Patton, Service & Economic Development Director Leininger, Finance

11 Director G. Cingle, Law Director W. McGinty, Engineer K. Kerber (on behalf of Engineer Mackay)

12  
13 THE CHAIR called for a motion to excuse councilmembers P. Wojnar, J. Hinkel and A. Russo.

14 Moved and Seconded

15 THE CHAIR asked for any discussion. No discussion.

16 ROLL ON MOTION: Vote: YES-4, NO-0 | Motion carries, members are excused.

17 YES: B. McDonough, B. Minek, M. Kilbane, P. Cleary

18  
19 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on  
20 Monday, May 16, 2016.

21 Moved and seconded.

22 ROLL ON MOTION: Vote: YES-4, NO-0 | Motion carries, minutes are approved.

23 YES: B. McDonough, B. Minek, M. Kilbane, P. Cleary  
24

25 **COMMITTEE REPORTS**

26 COUNCILMAN MINEK reported that the Environment, Public Works, Planning, Zoning &  
27 Development Committee met on Monday, May 23, 2016 at 7pm to discuss the following: **Ordinance 16-**  
28 **16**, amending portions of Chapter 1129 of the Office Building Districts to permit Mixed Use  
29 Developments, with the regulations relating thereto, in the Office "3" Zoning District and **Resolution 16-**  
30 **09** placing the ordinance on the November ballot. The ordinance & resolution have been referred to the  
31 Planning & Design Commission on May 17, 2016 as per Article VII, Section 2(d) of the City charter  
32 Mandatory Referral for report and recommendation. Participating in this discussion were Members of  
33 Council, Mayor Patton, Law Director William McGinty, Building Commissioner Walter Maynard, Public  
34 Service/Development Director Shawn Leininger, Mr. David Hartt, CT Consultants and Mr. Peter Ketter  
35 Director of Historic Preservation at Sandvick Architects. Mr. Hartt and Mr. Ketter gave a very  
36 informative presentation on the merits of amending Chapter 1129 to allow the mixed use concept of  
37 residential, office and retail on a large parcel of land. At the present time in our city the former NASA  
38 property on Brookpark Rd. East of the Brookpark Bridge would benefit by the new Mixed Use  
39 Development. Preliminary discussion noted that possibly a hotel, restaurant, residential housing and  
40 retail could be developed on that parcel. Motion to place Ordinance 16-16 and Resolution 16-09 on  
41 second reading and return to committee was approved 6-0. **Ordinance 16-04** accepting and approving  
42 the preliminary plat of the Thomas Lane Major Subdivision proposed by Garland New Homes, Inc. as  
43 approved by the Board of Zoning & building appeals at its meeting of July 13, 2015 and declaring an  
44 emergency. Participating in this discussion were Members of Council, Mayor Patton, Law Director  
45 William McGinty, Building Commissioner Walter Maynard, City Engineer Michael Mackay, Public  
46 Service/Development Director Shawn Leininger, Mr. Garland, President Garland New Homes, Inc. and  
47 Mr. Bancroft, Development Consultant for Garland New Homes, Inc. After many meetings the EPA  
48 finally gave their approval on May 18, 2016 to proceed with the development. City Engineer Michael  
49 Mackay was requested to bring everybody up to date pertaining to the EPA issue. Engineer Mackay  
50 stated everything is in order and answered questions pertaining to compliance, retention basin and other  
51 sewer and water issues. Mr. Bancroft answered questions pertaining to the property. The parcel on Story

52 Road was also discussed. Motion to place Ordinance 16-04 on third reading and up for passage was  
53 approved 6-0. This completes my report.

54  
55 COUNCILMAN MCDONOUGH reported that the Local Government and Community Services  
56 Committee met on Monday, May 23, 2016 to discuss one item. Ordinance 16-10, appoints a volunteer  
57 magistrate for the Fairview Park Juvenile Diversion Program in conjunction with the Cuyahoga County  
58 Juvenile Court. After a short discussion, a motion was made by Councilwoman Cleary to appoint  
59 attorney Gail Nanowsky as Magistrate. The motion passed by a vote of 6-0, and this ended the committee  
60 meeting.

61  
62 COUNCILWOMAN CLEARY reported that the Finance Committee met on Monday, May 23rd. Mayor  
63 Patton, Finance Director Greg Cingle, Law Director Billy McGinty and Director of Service and  
64 Development Shawn Leininger were in attendance to discuss the following: **Ordinance 16-17** authorizes  
65 the Mayor to enter into a contract with Lebanon Ford for the purchase of one Ford Explorer 4WD, 4 door  
66 automobile. Lebanon Ford is an authorized vendor who offers vehicles at a price determined by the  
67 General Services Administration for the State of Ohio. Mayor Patton reported that Service Department is  
68 in need of a new vehicle as the car previously used by the Service Manager is no longer able to be  
69 serviced and kept in good, safe running condition by the city mechanic. Council was in receipt of a letter  
70 from Director Leininger asking that the ordinance be passed without three reads so that the vehicle can be  
71 purchase immediately. The cost for the vehicle is \$29,495.00, paid for in five annual payments in the  
72 amount of \$6,781.50 and will be paid from the Water Reimbursement Fund (500-7750). A motion to pass  
73 without three readings carried 6-0. **Ordinance 16-18** levies a Special Assessment for street lighting for  
74 the 2016-2017 tax years. Finance Director Greg Cingle reported that the previously assessed amount set  
75 in 2012 does not generate enough revenue to cover the charge for the street lighting. The proposed  
76 \$75,000 increase in revenue from this ordinance will increase the tax bill by approximately .94 per month  
77 or \$11.30 for the year and, will account for any additional increased charges to the city for the annual  
78 street lighting during the upcoming two years. A motion to place on 2nd, subsequent 3rd carried 6-0.  
79 **Resolution 16-11** adopts the Alternate Tax Budget for the fiscal year beginning January 1, 2017 and  
80 submits the budget to the Cuyahoga County Fiscal Officer. The Alternate Tax Budget is approved by  
81 council annually and once approved, is forwarded to the Cuyahoga County Fiscal Officer to authorize the  
82 county to set the tax bill for the community. The Alternate Tax Budget lists an estimate of the balances  
83 available at the beginning of the fiscal year 2017, the revenues received for the fiscal year and the  
84 expenditures to be paid from the revenues. A motion to place on 2nd, subsequent 3rd carried 6-0.  
85 **Resolution 16-12** authorizes the submission of an application for financial assistance from the Ohio  
86 Department of Natural Resources ODNR NatureWorks Grant Program. Matt Hrubey, the former Grants  
87 Administrator was in attendance to report that if awarded, the grant will fund approximately \$161,591 in  
88 park improvements including pavers, benches, pavement and a pavilion. The grant requires a 25% match  
89 of the project cost. A motion to place on 2nd, subsequent 3rd carried 6-0. That concludes my report.  
90 Thank you.

91  
92 **LEGISLATION FOR SECOND READING**

93 COUNCILMAN MINEK placed the following legislation up for second reading:

94 ORDINANCE NO. 16-16

95 REQUESTED BY: MAYOR EILEEN ANN PATTON

96 SPONSORED BY: COUNCILMAN MINEK

97 *AN ORDINANCE AMENDING PORTIONS OF CHAPTER 1129 OF THE OFFICE BUILDING*  
98 *DISTRICTS TO PERMIT MIXED USE DEVELOPMENTS, WITH THE REGULATIONS RELATING*  
99 *THERETO, IN THE OFFICE BUILDING "3" ZONING DISTRICT.*

100 ACTION: Ordinance 16-16 was placed on 2<sup>nd</sup> reading and returned to the Environment, Public Works,  
101 Planning, Zoning and Development Committee.

102

103 RESOLUTION NO. 16-09  
104 REQUESTED BY: MAYOR EILEEN ANN PATTON  
105 SPONSORED BY: COUNCILMAN MINEK  
106 *A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING TO THE ELECTORATE OF THE*  
107 *CITY OF FAIRVIEW PARK AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2016*  
108 *THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE AMENDING PORTIONS OF*  
109 *CHAPTER 1129 OF THE CODIFIED ORDINANCES OF THE CITY AS IT RELATES TO PERMITTING*  
110 *MIXED USE DEVELOPMENTS IN THE OFFICE BUILDING "3" ZONING DISTRICT AND*  
111 *DECLARING AN EMERGENCY*

112 ACTION: Resolution 16-09 was placed on 2<sup>nd</sup> reading and returned to the Environment, Public Works,  
113 Planning, Zoning and Development Committee.

114  
115 COUNCILMAN HINKEL placed the following legislation up for second reading:

116 RESOLUTION NO. 16-10  
117 REQUESTED AND SPONSORED BY: COUNCIL AS A WHOLE  
118 *A RESOLUTION TO EXPRESS THE NEED AND DESIRE OF THE CITY OF FAIRVIEW PARK, OHIO*  
119 *FOR THE APPOINTMENT OF A VOLUNTEER MAGISTRATE TO PRESIDE AT COMMUNITY*  
120 *DIVERSION PROGRAM HEARINGS*

121 ACTION: Resolution 16-10 was placed on 2<sup>nd</sup> reading and subsequent third reading.

122  
123 CONCILWOMAN CLEARY placed the following legislation up for second reading:

124 ORDINANCE NO. 16-18  
125 ORIGINATED BY: THE FINANCE DEPARTMENT  
126 REQUESTED BY: MAYOR EILEEN ANN PATTON  
127 SPONSORED BY: COUNCILWOMAN CLEARY  
128 *AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF ALL OF THE*  
129 *STREETS OF FAIRVIEW PARK, OHIO PROVIDING AND SUPPLYING SAID STREETS WITH*  
130 *ELECTRIC STREET LIGHTING FOR THE TAX YEARS 2016 AND 2017, AND DECLARING AN*  
131 *EMERGENCY*

132 ACTION: Ordinance 16-18 was placed on 2<sup>nd</sup> reading and subsequent third reading.

133  
134 RESOLUTION NO. 16-11  
135 ORIGINATED BY: THE FINANCE DEPARTMENT  
136 REQUESTED BY: MAYOR EILEEN ANN PATTON  
137 SPONSORED BY: COUNCILWOMAN CLEARY  
138 *A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET OF THE CITY OF FAIRVIEW PARK,*  
139 *STATE OF OHIO, FOR FISCAL YEAR BEGINNING JANUARY 1, 2017, AND SUBMITTING THE*  
140 *SAME TO THE CUYAHOGA COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY*

141 ACTION: Resolution 16-11 was placed on 2<sup>nd</sup> reading and subsequent third reading.

142  
143 RESOLUTION NO. 16-12  
144 REQUESTED BY: MAYOR EILEEN ANN PATTON  
145 SPONSORED BY: COUNCILWOMAN CLEARY  
146 *A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FINANCIAL*  
147 *ASSISTANCE UNDER THE STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES*  
148 *NATUREWORKS GRANT PROGRAM, AND DECLARING AN EMERGENCY.*

149 ACTION: Resolution 16-12 was placed on 2<sup>nd</sup> reading and subsequent third reading.

150  
151 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

152 MR. TOM BERNS – 19254 North Sagamore Road – MR. BERN said he read the legislation and looked  
153 at the ordinances, and asked if a majority plus one vote was required for passage of the legislation.

154 THE CHAIR explained that only a simple majority approval was required for the legislation. If the  
155 ordinance had been up for passage without-three readings, then a majority plus one voted would have  
156 been required.

157 MR. BERNS remarked that there was an empty room as we get to the end of the road for this legislation  
158 and beginning of a new one. He said nothing that he was getting ready to say would change the way  
159 members would vote, but wanted to offer comments for the record so that people can look back and see  
160 the history and that someone spoke up for them. Mr. BURNS said, the way I see this, the City is trying to  
161 wiggle out of a promise to preserve one acre for a safe neighborhood playground by substituting a quarter  
162 acre, between two houses on Story Road with a ten foot retention basin. The substitute plan was  
163 presented at a town hall meeting last spring. If that plan had been acceptable, hundreds of people would  
164 not have continued to petition the city, they would not have continued to attend city council meetings and  
165 make their voices known, they would not have attended Planning and Design Committee Meetings, they  
166 would not have attended Board of Zoning Appeals meetings. There was lot of turnout at these meetings  
167 and a lot of questions asked. MR. BURNS said as he sees it, there is a high road and a low road; the high  
168 road being a “no” vote, followed by eminent domain seizure of one acre for a public park. He believes  
169 the fair market value of that prior to subdivision would be about seventy-five thousand dollars. At the  
170 town hall meeting, Mayor Patton had suggested seventy-five thousand to a hundred thousand dollars  
171 would be available for playground equipment on the square acre, which he thinks would be adequate to  
172 fund this one acre park that was promised to people when they made their zoning vote. Then there is a  
173 low road. The low road is a “yes” vote that ignore the voices of hundreds of people, when it puts nominal  
174 tax revenues from three houses ahead of the public safety concerns of an entire neighborhood and their  
175 children. It’s been very disappointing for him to watch his neighbors come here and haplessly petition,  
176 and essentially beg public officials to keep their promises. MR. BURNS said it will also be disappointing  
177 to see the people in 2005 proven correct when they said you can’t trust Fairview Park public officials to  
178 keep their word, they’re not trustworthy people, vote against this bill. The legacy of this vote, in his mind  
179 will probably end up doing beyond a simple housing development. He told council they’ve probably  
180 made up their minds how they will vote, he only hopes that they appreciate the gravity of their decision  
181 should they choose what he perceives to be the low road. Thank You.

182

183 **LEGISLATION ON THIRD READING AND FINAL PASSAGE**

184 COUNCILMAN MINEK placed the following legislation up for third reading and final passage:

185 ORDINANCE NO. 16-04

186 REQUESTED BY: MAYOR EILEEN ANN PATTON

187 SPONSORED BY: COUNCILMEN MCDONOUGH AND MINEK

188 *AN ORDINANCE ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF THE THOMAS*  
189 *LANE MAJOR SUBDIVISION PROPOSED BY GARLAND NEW HOMES, INC. AS APPROVED BY THE*  
190 *BOARD OF ZONING APPEALS AT ITS MEETING OF JULY 13, 2015 AND DECLARING AN*  
191 *EMERGENCY*

192 THE CHAIR asked for any discussion.

193 COUNCILMAN MINEK said after many months, he wanted to thank everyone who participated in the  
194 discussions pertaining to this development.

195 COUNCILMAN MCDONOUGH thanked Tom Berns for coming out tonight and agreed that it has been  
196 quite a journey as we’ve gone through the process since the beginning of this ordinance. He thanked his  
197 Ward 1 constituents, Kellie DuBay Gillis, who had it not been for this project, would probably not have  
198 been involved in city politics. Dale and Marsha Smith, Matt Gibel, Scott Harris and former city  
199 councilman John Young. He said that Mr. Young voiced his opinion and things ended up getting violent  
200 for him for expressing what he thought on this proposed project. He said it goes without saying that the  
201 Planning & Design Commission put a lot of thought in this, and he thanked Commission members  
202 Sadonick, Czaplicki, Danko and Councilman Minek. He said they took an exhaustive approach and  
203 reviewed and application and found defects. COUNCILMAN MCDONOUGH said that upon his review,  
204 he believes those defects are still there. He said when those members voted to deny the application and

205 was appealed to the BZA, it really was a second case. There were different documents, submissions and  
206 corrections made in documents. There were things that were never presented to the Planning and Design  
207 Commission. He said that former Directors Rob Berner (Service) and Sara Fagnilli (Law) were here, and  
208 he gives Mr. Sadonick a lot of credit for attempting to bring that to the BZA's attention at that time.  
209 COUNCILMAN MCDONOUGH said that the positives of this process are that this issue has awoken the  
210 Coffinberry neighborhood. He said he was happy to host two town hall community meetings and have a  
211 chance to meet some of the 316 homeowners in Coffinberry, it is a wonderful neighborhood, and even  
212 the neighbors to the East West Valley came out for some of them. Some spoke about the land being  
213 sacred ground where kids were taught, played and grew up. He said that he liked it as a school, it  
214 protected the neighborhood from sex offenders and allowed wonderful greenspace for recreation and the  
215 occasional dog owner. He said he agrees that over time over the last twelve years that memories do fade,  
216 and those promises and things change over time. He looks at it as a homeowner in Fairview Park as a gift  
217 to rezone that property, which was originally owned by one of the original owners of the Cleveland  
218 Browns. He said hearing from other former School Board President, Mr. Rehor and former Council  
219 President, Mr. Bringman awoken the echoes of what the Gemini Project was, and what the spirit of  
220 collaboration was between Council and the Board of Education. COUNCILMAN MCDONOUGH said  
221 that with heavy heart he will have to vote no on this issue, because he really wants to welcome the new  
222 families that are coming in to Thomas Lane Subdivision. We have a wonderful community in Fairview  
223 Park, a great place to raise a family and open business. Of all the places he and his wife could have  
224 picked to have lives Fairview was chosen. He said that it is sad that as he looks at this analytically and  
225 the read the code under Chapter 1191, attended meetings, hosted town halls, looked at the transcripts and  
226 reviewed applications, in his heart he must do what ethically he must. He said he took an oath to vote as  
227 to whether on any issue it follows the Constitution, Charter and codified ordinances, and in this case he  
228 said the evidence presented is that it does not, and so he must vote no. He thanked everyone for the  
229 opportunity to discuss this and allow for his comments.

230 THE CHAIR asked for any further discussion prior to passage.

231 THE CHAIR said that he was contacted by residents when the property was still in the hands of the  
232 School board, who he contacted and made a request to postpone the vote to allow for the residents of the  
233 City of Fairview Park to speak on this issue. They did not delay their vote, and this is now private  
234 property. He said he was not sure what a no vote was accomplishing, but said that was Councilman  
235 McDonough's prerogative.

236 COUNCILMAN MCDONOUGH said that he appreciates the Council President contacting the Board of  
237 Education to delay the vote. He agreed that it is now private property. He said that for all the folks that  
238 believe in government—he thanked Kevin Kelley from WestLife who provided the audio from the town  
239 halls in 2005 prior to the zoning vote. He said it was never to go to auction, but to be developed  
240 collaboratively and to gather in accordance with the Master Plan. COUNCILMAN MCDONOUGH said  
241 that it has been a learning experience for him, that he has had regrets before sitting on the dais and voting  
242 for something that he thought was the right thing to do and he is not making that mistake again. He said  
243 that he is true to his vote and he wouldn't have it any other way.

244 THE CHAIR asked for any further discussion prior to passage. No Discussion

245 ROLL ON PASSAGE: Vote: YES-3, NO-1 | Ordinance 16-04 passes.

246 YES: B. Minek, M. Kilbane, P. Cleary NO: B. McDonough

247

248 COUNCILWOMAN CLEARY placed the following legislation up for third reading and final passage:

249 ORDINANCE NO. 16-13

250 REQUESTED BY: MAYOR EILEEN ANN PATTON

251 SPONSORED BY: COUNCILWOMAN CLEARY & COUNCILMAN MCDONOUGH

252 CO-SPONSORED BY: COUNCILMAN MINEK

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

256 THE CHAIR asked for any discussion.  
257 MAYOR PATTON thanked City Council for their consideration and passage of the Incentive Grant for  
258 the Hospice of the Western Reserve. We are happy to welcome 120 new employees that will call  
259 Fairview Park their home. It has been a pleasure working with the organization over the past months. She  
260 thanked Law Director McGinty for his expertise in drawing up ordinances and agreement and the  
261 participation from City Council.  
262 THE CHAIR asked for any further discussion prior to passage.  
263 THE CHAIR thanked the Mayor, Director McGinty and the rest of the Administration for the effort in  
264 bringing this together, and also with the current work being done over at NASA.  
265 ROLL ON PASSAGE: Vote: YES-4, NO-0 | Ordinance 16-13 passes.  
266 YES: B. McDonough, B. Minek, M. Kilbane, P. Cleary

267  
268 **LEGISLATION ON FOR PASSAGE WITHOUT THREE READINGS**

269 COUNCILWOMAN CLEARY placed a resolution up for emergency passage.

270 ORDINANCE NO. 16-17

271 REQUESTED BY: MAYOR EILEEN ANN PATTON

272 SPONSORED BY: COUNCILWOMAN CLEARY

273 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH LEBANON*  
274 *FORD FOR THE PURCHASE OF ONE (1) 2016 FORD EXPLORER 4WD, 4-DOOR AUTOMOBILE*  
275 *AND DECLARING AN EMERGENCY*

276 COUNCILWOMAN CLEARY made a motion to suspend the Charter Provision and Rule 49 requiring  
277 three readings.

278 The motion failed due to lack of a second.

279 THE CHAIR explained that the lack of the second was purposely done, as there are not enough members  
280 present for required emergency passage of the legislation. This legislation will be presented again for  
281 emergency passage at a special meeting next week.

282

283 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**  
284 **OFFICIALS**

285 MAYOR PATTON reported that there is a lot going on for the month of June and that school is out so  
286 drive safely. The first yoga session at Bain Park will be this Sunday at 9 a.m. The Fire Department will  
287 be hosting a heart safety seminar June 8 at 6 p.m. at the Gemini Center. Thursday, June 9 there will be a  
288 Cuyahoga Planning Commission Meeting. Saturday, June 11 the Fairview Park Auxiliary Police will be  
289 having a fundraiser at the Legion Hall on Brookpark Road. Tuesday, June 14 at 11 a.m. the Funsters at  
290 the Senior Center will be having a Stars and Dreams Concert. The Planning and Design Commission will  
291 meet on Wednesday, June 15. The Senior Center will be hosting a fashion show on June 22. The Grand  
292 Opening of Common Threads will be on June 24. The Recreation Department will kick off movie night  
293 that evening at 9:30 p.m. as well as Touch-a-Truck. She asked everyone to mark their calendars for the  
294 Fire Department's Open House in the morning and Food Truck Festival on August 6.

295

296 DIRECTOR LEININGER said that he wanted to give a few updates on projects: Brewer Garret was hired  
297 to begin the upgrades to HVAC controllers in City Hall and that working on June 20. This will give some  
298 control on certain areas. The Street Repair Program will begin this week and notices have been delivered  
299 to residents who will be affected by that work, which include Angela Drive, West Park Drive, West  
300 224th Street at the Mastick Road intersection, Rivercliff Drive, and the entry to Bohlken Park from West  
301 210<sup>th</sup> Street. This work is expected to be completed by August 15. The Safe Routes to School  
302 Infrastructure Improvement program will begin in July at multiple sites around the city. There are various  
303 site projects in this grant, but the main two components are improvement to the traffic signal at Campus  
304 Drive and West 210<sup>th</sup> Street, and extending the median at Fairview Parkway and putting in pedestrian  
305 signals to help people cross the intersection. Work is expected to be completed by the beginning the  
306 school year. DIRECTOR LEININGER said that he was able to attend a luncheon sponsored by Greater

307 Cleveland Partnership with other municipal economic leaders. There are a lot of great things happening  
308 in the region and he is working to figure out how we can bring some of these things to Fairview Park. He  
309 also met with the Forward Fairview Park group and offered the city's assistance as a resource to them.

310  
311 DIRECTOR CINGLE reported that the city's audit continues through the end of the month, and he will  
312 keep everyone updated on any outcomes over the next few weeks.

313  
314 DIRECTOR MCGINTY congratulated President Kilbane on his recent nuptials. He congratulated and  
315 thanked Chief Raffin on his presentation a couple weeks ago. He said that the next issue of the Thomas  
316 Lane subdivision now that it is passed is to join the community, rather than tear it apart. DIRECTOR  
317 MCGINTY said that he will be working this week on upcoming legislation for council consideration.

318  
319 ENGINEER KERBER reported that the 2015 Water Line contractor, Fabrizi Trucking and Paving,  
320 continues to work on West 229<sup>th</sup> Street and West 214<sup>th</sup> Street installing water mains and new  
321 connections. This work should be done by Labor Day. Bids for the 2016 Water Line Projects were  
322 opened on June 3 for parts of Seabury, Cromwell and West 212<sup>th</sup> Street. The bids are currently being  
323 reviewed and will provide a recommendation to the Board of Control once that is completed.

324  
325 **PUBLIC SESSION**

326 MR. PENN BERENS – 21480 Hillsdale Avenue – MR. BERENS said is a member of the Shade Tree  
327 Advisory Committee, which was reactivated earlier this year. He thanked the city for reviving the  
328 committee and earning the Tree City Award for the 25<sup>th</sup> year. He said that an Oak tree received from this  
329 recognition was planted in Bain Park. MR. BERNES said that the Committee has begun to review the  
330 street tree inventory and management plan that was left from 2009 to see how it can be enhanced. He is  
331 grateful to be able to attend Tree Commission Academy, which is provided by the Ohio Department of  
332 Natural Resources.

333  
334 **MISCELLANEOUS BUSINESS AND COMMENTS BY MEMBERS OF COUNCIL**

335 COUNCILMAN MCDONOUGH thanked everyone that was involved with the Memorial Day Ceremony  
336 and parade. He advised of a transformer that blew and the work done by the fire department and The  
337 Illuminating Company to replace it. He lost air conditioning as a result of the transformer issue, but  
338 Fairview Heating and Cooling for service who fixed this. He encouraged anyone who has an issue with  
339 their heating or cooling to call them for service.

340  
341 COUNCILMAN MINEK said, Thank You, I would like to share something which happened Friday  
342 night. At approximately 7:30 p.m. I had received two telephone calls from Mr. Tunnell 21490 Westwood  
343 and Mr. Allen 4061 W. 215 St. complaining of noise from motorists driving over a steel plate covering an  
344 excavation in the eastbound lane of Westwood Road, East of W. 215 St. I went to the area and was met  
345 by Mr. Tunnell & Mr. Allen who stated the Cleveland Water Department had been working at the  
346 location for eight days replacing a water line valve. Water Department finished today, back filled the  
347 excavation and placed the steel plate. Motorists started driving over the plate causing excessive noise  
348 and the plate shifted. Mr. Tunnell telephoned the Water Department spoke to a female, informed her of  
349 the dangerous condition and the female responded that the Water Department is not responsible after 24  
350 hours. Mr. Tunnel stated they just left at which time the female hung up the telephone. I contacted our  
351 Police Department and requested Lieutenant Wilson contact our Service Department Foreman, Water  
352 Department personnel and a police unit if available for traffic control. Officer Franks and Auxiliary  
353 Officer Ziegler responded and began traffic control. Foreman Kevin Bridegum arrived, viewed the  
354 problem and stated he would make the necessary telephone calls. A short time later C.J. from Fabrizi  
355 Construction, the contractor replacing the main water line on W. 214 St. from Lorain Road to Westwood  
356 Road arrived and under no obligation to assist us stated he would go to their construction site get their  
357 front end loader, remove the steel plate, clean the area and put down cold patch. C.J. did a tremendous

358 favor to our city by his assistance. I would like to thank residents Mr. Tunnell & Mr. Allen, Officers  
359 Lieutenant Wilson, Patrolman. Franks Auxiliary Officer Ziegler, Service Foreman Bridegum and C.J.  
360 from Fabrizi Construction. Once again individuals working together solved what could have been a  
361 serious issue. COUNCILMAN MINEK read an email from a resident thanking everyone involved for  
362 their prompt service to fix the problem.

363  
364 COUNCILWOMAN CLEARY thanked everyone for organizing the Memorial Day service and those that  
365 were in attendance.

366  
367 THE CHAIR welcomed new firefighter Joshua Myers to the city's Fire Department.

368 THE CHAIR assigned the issue of Autism Safety Roster to the Local Government and Community  
369 Services Committee.

370 THE CHAIR made a motion to adjourn the regular meeting.

371 Moved and Seconded.

372 THE CHAIR asked for any discussion. No discussion.

373 ROLL ON MOTION: Vote: YES-4, NO-0 | Meeting adjourned at 7:43 p.m.

374 YES: B. McDonough, B. Minek, M. Kilbane, P. Cleary

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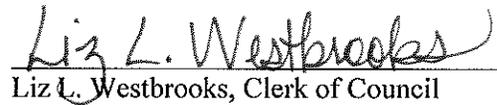
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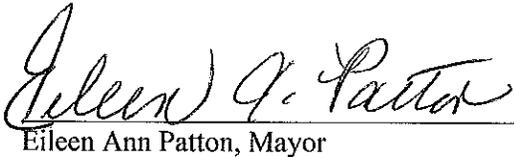
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Michael P. Kilbane, President of Council

  
Liz L. Westbrooks, Clerk of Council

  
Eileen Ann Patton, Mayor