



# CITY OF FAIRVIEW PARK CITY COUNCIL MEETING AGENDA

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COMMITTEE MEETING  
MONDAY, OCTOBER 10, 2016  
Council Caucus Room  
7:00 p.m.

## MEETING CALLED TO ORDER | ROLL CALL

### ENVIRONMENT, PUBLIC WORKS, PLANNING, ZONING AND DEVELOPMENT - Councilman Minek, Chair

- ✧ Ord.16-37 | Approving Tax Abatement Application for 21000 Brookpark Rd
- ✧ Ord.16-38 | Approving Tax Abatement Application for Andrako and Associates

### FINANCE - Councilwoman Cleary, Chair

- ✧ Ord.16-39 | Authorizing Agreement to Sell Property Located at 20520 Lorain Road
- ✧ Ord.16-40 | 2016 Supplemental Appropriations
- ✧ Ord.16-41 | 2017 County Board of Health Contract
- ✧ Ord.16-42 | Authorizing Application and Agreements for Clean Ohio Green Space Conservation Program
- ✧ Res.16-20 | Supporting Application for Clean Ohio Green Space Conservation Program

## BOARD & COMMISSIONS REPORTS

## ROUNDTABLE

*Agenda and meeting documents for this meeting can be viewed online by using this code:*



CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-37  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILMAN MINEK  
CO-SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE ACCEPTING AND APPROVING THE PRE-CONSTRUCTION TAX ABATEMENT APPLICATION OF 21000 FAIRVIEW, LLC. AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code Section 3735.67 the City has a tax abatement plan in place available to all commercial development within the City which plan is intended to be an incentive to new development within the city; and

WHEREAS, 21000 Fairview, LLC, has made application (see attached Exhibit "A") for pre-construction approval of its Tax Abatement request pursuant to said plan; and

WHEREAS, the City's Community Reinvestment Area Housing Council met on September 20, 2016 and reviewed and approved said application; and

WHEREAS, by letter of September 22, 2016, David Coleman, Chairman of the City's Community Reinvestment Area Housing Council informed the Mayor and City Council of the action of the City Community Reinvestment Area Housing Council approving said tax abatement request (see attached Exhibit "B").

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. That the Pre-Construction Tax Abatement Application submitted by 21000 Fairview LLC, as approved by the City's Community Reinvestment Area Housing Council the terms of which are One Hundred Percent (100%) Abatement of new construction on the 21000 Brookpark Road Project for a period of seven (7) years is hereby accepted and approved.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare; and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

Denton  
9/6/10

September 20<sup>th</sup>

12/12/00

**PRE-CONSTRUCTION APPLICATION  
FOR A COMMUNITY REINVESTMENT AREA AGREEMENT  
PROVIDING FOR REAL PROPERTY  
TAX EXEMPTION FOR COMMERCIAL\* PROJECTS**

Please fill out the following application in full. Information provided will be used to determine eligibility for a CRA Agreement providing for real property tax exemption for a commercial project in Fairview Park's Community Reinvestment Area.

1. Name of Applicant: 21000 Fairview LLC
2. Current Address: c/o Ceres Development, 835 Sharon Dr, Suite 400, Westlake, OH 44145
3. Address and Permanent Parcel Number of property ("Project Site") for which exemption is requested: 21000 Brookpark Rd; Parcel: 331-35-002
4. Telephone No.: 440-617-9385
5. Nature of Business at Project Site: Currently Vacant; Mixed-Use Development Proposed
6. Contact Person/Title: David Crisafi, Member
7. Name of Principle Owner(s) and titles: \_\_\_\_\_  
\_\_\_\_\_
8. Type of business organization: (i.e. corporation, partnership, etc.) LLC
9. Does Project involve purchase or lease of property from City pursuant to a Redevelopment Agreement for Redevelopment pursuant to a City Revitalization Plan?  
No
10. History of Business: New mixed-use development proposed on former NASA office site, to include a hotel, apartments and event space.
11. Is the business seasonal in nature?  Yes  No  
If yes, what are the peak months: \_\_\_\_\_  
\_\_\_\_\_

\*Also includes multifamily apartments with four or more units and industrial projects.

12. Project Estimated Employee/Payroll information:

a. Number of current employees 0 Payroll \$ 0

b. Estimated number of new employees 20 (FTE)

Estimated Increase in Payroll \$ 444,225

c. Estimated total employment when project completed 20 (FTE)

Estimated Payroll \$ 444,225

d. Estimated new employment to be realized three years after project completion 20 (FTE)

13. Pre-project market value of existing facility (if any) as determined for local property taxation in most recent tax year.

a. Real property value \$ 1,072,800

b. Tangible personal property value \$ 0

c. Inventory value \$ 0

14. Estimated Project and Investment information:

a. Purchase price of land, and building if any: \$ 5,000,000

b. New building construction: \$ 3,000,000

Square footage: 20,000

c. Building additions: \$ N/A

Square footage: \_\_\_\_\_

d. Improvements to existing building: \$ 32,895,500

e. Machinery & equipment: \$ 177,000

f. Furniture and fixtures: \$ 850,000

g. Increase in inventory: \$ \_\_\_\_\_

15. Project description (attach additional pages if needed)

See attached.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Project involves leasing the facility, Name of Lessee: N/A

17. Estimated Project commencement date: April 2017

18. Estimated Project completion date: December 2018

19. Please describe any environmental impact that the facility may have or any special needs regarding wastewater treatment. Is the company currently subject to monitoring by the Ohio or Federal EPA?  
No known or expected environmental impact. No current monitoring.

20. Please provide, on attached pages, any additional Project information relevant to the City policy factors listed in Section 10 of the City's Guidelines.

21. Does the property owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the State?  
 Yes     No

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State?     Yes     No

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?  
 Yes     No

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

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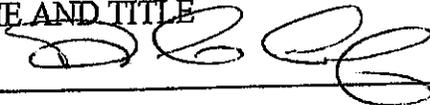
Applicant agrees to supply such additional information as may be required by applicable state law if requested by the City, and hereby authorized any such information to be inspected by the city, or if applicable the State or applicable State Agency.

22. Fees: Community Reinvestment Area applicants shall be charged a one-time fee of \$500.00 when a CRA Pre-Construction Application Agreement is submitted.

The applicant agrees to supply additional information upon request. The applicant believes that the information contained in this application is complete and accurate.

BY: DAVID A. CRISAFI M. MEMBER

NAME AND TITLE



SIGNATURE

8/5/16

DATE

USE ADDITIONAL PAGES IF REQUIRED TO SUPPLY THE REQUESTED INFORMATION.

## **21000 Brookpark Road**

### **Proposed Redevelopment of former NASA Development Engineering Offices**

#### **Project Overview**

The former NASA Development Engineering complex at 21000 Brookpark Road includes two existing buildings on an 8.7 acre site. The larger of the two buildings, commonly referred to as the 'K Building,' is 3 stories plus a basement and houses approximately 167,000 square feet of gross area. The smaller building, known as the 'L Building,' is 4 stories and houses approximately 43,000 square feet, for a total of 210,000 square feet of building area currently on the site. Both buildings were originally constructed by NASA and first occupied in 1964, serving as office space for the agency until being closed in 2013 and sold to a private owner. Employment at the complex declined steadily for several years prior to its closing, and both buildings have remained 100% vacant ever since.

After extensive efforts to market the property to new office tenants failed to generate any interest, the owners began exploring alternative options for its redevelopment and reuse. In partnership with Ceres Enterprises, an experienced and accomplished real estate development and management company based in Westlake, Ohio, the owners are now proposing to rehabilitate the existing buildings to create an innovative and exciting mixed-use project. The proposed development seeks to capitalize on the property's scenic vistas overlooking the Rocky River valley, access to Cleveland Metroparks amenities, and the connectivity offered by multiple adjacent highways and proximity to Cleveland Hopkins International Airport.

The K Building will be converted to house 100 market-rate apartments, with high-quality finishes and amenities, intended to attract young professionals and downsizing empty-nesters. The building's original auditorium will be modified to create a state-of-the-art space for large meetings and events, and the first floor will also include offices and conference rooms for residents and hotel guests who need space available on-demand to host business meetings. A new swimming pool in a glass enclosure will be constructed in an existing outdoor courtyard, and many apartments will include private balconies and patios, with additional site amenities to stimulate outdoor living and interaction.

The L Building will be transformed into a 59-room boutique hotel, designed to celebrate the site's significant historical connections to our nation's space program, and with access to many of the amenities provided for apartment residents. A new 3-story building is also planned adjacent to the L Building, to house a restaurant on the first floor and additional hotel rooms on the upper levels, as well as a roof deck and ground-level patio for outdoor dining overlooking the Rocky River valley.

The proposed project represents a \$40 million investment in a vacant and underutilized property, returning it to productive use and generating substantial new tax revenue for the City of Fairview Park. As indicated in the application for real property tax exemption, operation of the hotel and apartments will create 20 new full-time jobs and approximately \$450,000 in annual payroll. The 100 apartments are also expected to attract approximately 150 residents, with annual incomes of \$55,000 and higher, generating additional income tax revenue for the City. The City will also benefit from new bed taxes and sales taxes generated by the hotel and restaurant.

The project's substantial economic and community benefits more than justify the requested exemption from new real property taxes for the first 7 years of operation. The property was completely exempt from real property taxes until 2014, and the current taxes will not be affected by the requested exemption, so there will be no negative impact on the City's past or present real property tax receipts. Although once a significant generator of income taxes, the property has been completely vacant for over 3 years and had declining employment for several years prior. As indicated above, there is no real potential for significant future office employment at the site, and without a major transformation the property is likely to remain unused or severely underutilized.

The proposed redevelopment project is not economically viable without the requested real property tax exemption. Projected funding sources include \$7 million in owner equity, and approximately \$9 million in historic tax credit equity\*, with the remaining \$24 million generated through loans and other sources. To support these investments, the project must demonstrate sufficient net income to cover repayment and interest. For a large scale and transformative project of this nature, income margins are especially tight in the early years of operations while occupancy and reputation are still growing. Without the exemption, the sizable increase in property taxes expected immediately upon completion would cut further into the project's net income and therefore limit the dollars available to realize the project.

\*Note: As indicated above, the project is expected to generate approximately \$9 million in equity through federal and state historic tax credits. Although the tax credits are offered by the state and federal government as an incentive to investment, the actual project funds come entirely from private investors who become partners in the ownership. Only after the project is completed and occupied can the investors utilize the tax benefits of the credits, and they must remain in the ownership for a minimum of 5 years after project completion. Because they are only a tool to incentivize private investment, and not a direct investment of public dollars, historic tax credits are generally not considered 'public financing' and are treated entirely differently than grants or other true public funding sources.

## EXHIBIT A ABATEMENT GUIDELINE

<u>INVESTMENT</u>	<u>ABATEMENT</u>	<u>TERM</u>
\$300,000 TO 50,000,000 plus	*0-100%	7 yrs.

<u>SIZE OF INVESTMENT</u>	<u>POINTS</u>	
300,000-650,000	5	_____
650,001-1,000,000	10	_____
1,000,001-5,000,000	15	_____
5,000,001-50,000,000	20	<u>20</u>
Over 50,000,000	25	_____

### \*CONSTRUCTION OF BUILDING

Economy	2	_____
Average	5	_____
Custom	8	_____
Luxury	10	<u>10</u>

### JOBS CREATED (NOT RETAINED)

5-25	2	<u>2</u>
26-50	4	_____
51-100	7	_____
101-250	12	_____
251-500	15	_____
Over 500	25	_____

### AVERAGE SALARY OF JOBS CREATED (PAYROLL TAX REVENUE)

Under \$15,000	0	_____
\$15,001-\$20,000	3	_____
\$20,001-\$25,000	5	<u>5</u>
\$25,001-\$30,000	7	_____
Over \$30,000	10	_____

**PUBLIC SECTOR FINANCING**

**POINTS**

Public sector over 25%	0	_____
Public sector less than 25%	2	_____
No public sector financing	5	<u>5</u>

**JOB PROGRAM PARTICIPATION**

Commitment to job program for 25% of jobs	5	_____
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**PREVAILING WAGE USE**

10	_____
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**USE OF VACANT STRUCTURE**

5	<u>5</u>
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**MANUFACTURING USE**

5	_____
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**OFFICE USE**

10	<u>10</u>
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TOTAL	<u>57</u>
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\*Possible to get over 100 points



# CITY OF FAIRVIEW PARK

20777 Lorain Road  
Fairview Park, Ohio 44126-2018

– Established in 1910 –

Eileen Ann Patton, Mayor

September 22, 2016

Michael Kilbane, President  
Fairview Park City Council  
20777 Lorain Road  
Fairview Park, OH 44126

Re: 21000 Brookpark Road, NASA Site Redevelopment  
Review of pre-construction application for Tax Abatement

Dear Councilman Kilbane:

The Community Reinvestment Area Housing Council for the City of Fairview Park held their meeting on September 20, 2016 and reviewed the application as stated above.

The Council unanimously agreed to recommend that the 21000 Brookpark Road Project be abated at 100% for a period of seven (7) years.

Sincerely,

David Coleman, Chairman  
Community Reinvestment Area  
Housing Council

DC:mcs

cc: Mayor Patton  
Bill McGinty, Director of Law  
Liz Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-38  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILMAN MINEK  
CO-SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE ACCEPTING AND APPROVING THE PRE-CONSTRUCTION TAX ABATEMENT APPLICATION OF ANDRAKO AND ASSOCIATES, INC. AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code Section 3735.67 the City has a tax abatement plan in place available to all commercial development within the City which plan is intended to be an incentive to new development within the city; and

WHEREAS, Andrako and Associates, Inc., has made application (see attached Exhibit "A") for pre-construction approval of its Tax Abatement request pursuant to said plan; and

WHEREAS, the City's Community Reinvestment Area Housing Council met on September 20, 2016 and reviewed and approved said application; and

WHEREAS, by letter of September 22, 2016, David Coleman, Chairman of the City's Community Reinvestment Area Housing Council informed the Mayor and City Council of the action of the City Community Reinvestment Area Housing Council approving said tax abatement request (see attached Exhibit "B").

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. That the Pre-construction Tax Abatement Application submitted by Andrako and Associates Inc., as approved by the City's Community Reinvestment Area Housing Council the terms of which are One Hundred Percent (100%) Abatement of building improvements for a period of seven (7) years is hereby accepted and approved.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare; and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

**PRE-CONSTRUCTION APPLICATION  
FOR A COMMUNITY REINVESTMENT AREA AGREEMENT  
PROVIDING FOR REAL PROPERTY  
TAX EXEMPTION FOR COMMERCIAL\* PROJECTS**

Please fill out the following application in full. Information provided will be used to determine eligibility for a CRA Agreement providing for real property tax exemption for a commercial project in Fairview Park's Community Reinvestment Area.

1. Name of Applicant: Andrako & Associates, Inc.

2. Current Address: 20325 Center Ridge Rd., Ste. 503, Rocky River, OH 44116

3. Address and Permanent Parcel Number of property ("Project Site") for which exemption is requested: 323-20029 20520 LORAIN RD

4. Telephone No.: (440) 333-6375

5. Nature of Business at Project Site: Professional Insurance Agency

6. Contact Person/Title: Francis (Bud) Andrako or Mathinyah Windle

7. Name of Principle Owner(s) and titles: Francis (Bud) Andrako

8. Type of business organization: (i.e. corporation, partnership, etc.) Corporation

9. Does Project involve purchase or lease of property from City pursuant to a Redevelopment Agreement for Redevelopment pursuant to a City Revitalization Plan?

Yes

10. History of Business: See attached Narrative.

11. Is the business seasonal in nature?  Yes  No

If yes, what are the peak months: \_\_\_\_\_

\*Also includes multifamily apartments with four or more units and industrial projects.

12. Project Estimated Employee/Payroll information:

a. Number of current employees 6 FT / 12 PT Payroll \$ 700,000 annually

b. Estimated number of new employees 4

Estimated Increase in Payroll \$ 200,000 annually

c. Estimated total employment when project completed 22

Estimated Payroll \$ 900,000

d. Estimated new employment to be realized three years after project completion 10 FT/15 PT

13. Pre-project market value of existing facility (if any) as determined for local property taxation in most recent tax year.

a. Real property value \$ n/a property vacant

b. Tangible personal property value \$ \_\_\_\_\_

c. Inventory value \$ \_\_\_\_\_

14. Estimated Project and Investment information:

a. Purchase price of land, and building if any: \$ 119,000

b. New building construction: \$ 600,000

Square footage: 7,000

c. Building additions: \$ Parking Garage - 60,000

Square footage: 4,800

d. Improvements to existing building: \$ n/a property vacant

e. Machinery & equipment: \$ \_\_\_\_\_

f. Furniture and fixtures: \$ 150,000

g. Increase in inventory: \$ \_\_\_\_\_

15. Project description (attach additional pages if needed)

See attached Narrative.

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16. Project involves leasing the facility, Name of Lessee: No

17. Estimated Project commencement date: March, 2017

18. Estimated Project completion date: March, 2018

19. Please describe any environmental impact that the facility may have or any special needs regarding wastewater treatment. Is the company currently subject to monitoring by the Ohio or Federal EPA?

None to applicant's knowledge

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20. Please provide, on attached pages, any additional Project information relevant to the City policy factors listed in Section 10 of the City's Guidelines.

21. Does the property owner owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the State?

Yes  No

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State?  Yes  No

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?

Yes  No

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

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Applicant agrees to supply such additional information as may be required by applicable state law if requested by the City, and hereby authorized any such information to be inspected by the city, or if applicable the State or applicable State Agency.

22. Fees: Community Reinvestment Area applicants shall be charged a one-time fee of \$500.00 when a CRA Pre-Construction Application Agreement is submitted.

The applicant agrees to supply additional information upon request. The applicant believes that the information contained in this application is complete and accurate.

BY: Francis Anichini, President  
NAME AND TITLE

Francis Anichini  
SIGNATURE

8-18-16  
DATE

USE ADDITIONAL PAGES IF REQUIRED TO SUPPLY THE REQUESTED INFORMATION.

## **NARRATIVE**

### ***ATTACHMENT TO PRE-CONSTRUCTION APPLICATION FOR A COMMUNITY REINVESTMENT AREA AGREEMENT PROVIDING FOR REAL PROPERTY TAX EXEMPTION FOR COMMERCIAL PROJECTS***

History of Business Question #10: Andrako & Associates, Inc. has been in business since 1995 as an independent insurance agency. It was started by Francis (Bud) Andrako and his wife, Monica Andrako. They started with two employees running the business out of their home. In the past four years, the company has significantly grown by obtaining a commercial office in September of 2012, hiring five (5) experienced and trained insurance producers together with nine (8) additional employees. The company has increased its new employment over the last four years over 350% and anticipates that such growth will continue by 15%-20% annually over the next four years.

Project Description Question #15: We plan to build an approx. 7,000 sq. ft. professional insurance office with an attached 60 x 80 parking garage for the employees. We plan to have approximately 35 parking spaces. The building will be one story with a professional and well landscape entrance including a cement driveway with two landscaped islands. The material for the face of the building will be a combination of stone and siding.

## EXHIBIT A ABATEMENT GUIDELINE

<u>INVESTMENT</u>	<u>ABATEMENT</u>	<u>TERM</u>
\$300,000 TO 50,000,000 plus	*0-100%	7 yrs.

<u>SIZE OF INVESTMENT</u>	<u>POINTS</u>	
300,000-650,000	5	—
650,001-1,000,000	10	—
1,000,001-5,000,000	15	—
5,000,001-50,000,000	20	—
Over 50,000,000	25	—

### \*CONSTRUCTION OF BUILDING

Economy	2	—
Average	5	—
Custom	8	—
Luxury	10	—

### JOBS CREATED (NOT RETAINED)

5-25	2	—
26-50	4	—
51-100	7	—
101-250	12	—
251-500	15	—
Over 500	25	—

### AVERAGE SALARY OF JOBS CREATED (PAYROLL TAX REVENUE)

Under \$15,000	0	—
\$15,001-\$20,000	3	—
\$20,001-\$25,000	5	—
\$25,001-\$30,000	7	—
Over \$30,000	10	—

**PUBLIC SECTOR FINANCING**

**POINTS**

Public sector over 25%	0	_____
Public sector less than 25%	2	_____
No public sector financing	5	_____

**JOB PROGRAM PARTICIPATION**

Commitment to job program for 25% of jobs	5	_____
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**PREVAILING WAGE USE**

10	_____
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**USE OF VACANT STRUCTURE**

5	_____
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**MANUFACTURING USE**

5	_____
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**OFFICE USE**

10	_____
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TOTAL	_____
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\*Possible to get over 100 points



# CITY OF FAIRVIEW PARK

20777 Lorain Road  
Fairview Park, Ohio 44126-2018

– Established in 1910 –

Eileen Ann Patton, Mayor

September 22, 2016

Michael Kilbane, President  
Fairview Park City Council  
20777 Lorain Road  
Fairview Park, OH 44126

Re: 20520 Lorain Road, Andrako & Associates, Inc.  
Review of pre-construction application for Tax Abatement

Dear Councilman Kilbane:

The Community Reinvestment Area Housing Council for the City of Fairview Park held their meeting on September 20, 2016 and reviewed the application as stated above.

The Council unanimously agreed to recommend that the 20520 Lorain Road Project be abated at 100% for a period of seven (7) years.

Sincerely,

David Coleman, Chairman  
Community Reinvestment Area  
Housing Council

DC:mcs

cc: Mayor Patton  
Bill McGinty, Director of Law  
Liz Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-39  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ANDRAKO AND ASSOCIATES INC. FOR THE PURCHASE OF THE PROPERTY LOCATED AT 20520 LORAIN ROAD, FAIRVIEW PARK, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the City of Fairview Park owns the property located at 20520 Lorain Road, Fairview Park, Ohio; and

WHEREAS, Andrako and Associates Inc. has offered to purchase the property located at 20520 Lorain Road, Fairview Park, Ohio; and

WHEREAS, Andrako and Associates Inc. intends to build a new building on the property located at 20520 Lorain Road for its business operations; and

WHEREAS, the sale price of the property will be One Hundred Nineteen Thousand Dollars (\$119,000.00), payable as follows: Five Thousand Dollars (\$5,000.00) as a refundable earnest money payment, One Hundred Fourteen Thousand Dollars (\$114,000.00) to be paid at the time of title transfer, and a Ten Thousand Dollar (\$10,000.00) promissory note to, and to be held by, the City of Fairview Park, which will be forgiven in total if the property is developed and opened for business within eighteen (18) months of the date that title transfers to Andrako and Associates Inc.; and

WHEREAS, it is in the best interest of the City of Fairview Park to sell the property at 20520 Lorain Road to Andrako and Associates Inc. under the terms and conditions herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. The Mayor is hereby authorized to enter into an Agreement with Andrako and Associates Inc., according to the terms and conditions contained herein, and execute any and all necessary documents for the sale of the land located at 20520 Lorain Road, Fairview Park, Ohio.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committee that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and provide for the sale of the subject land in a timely fashion and as soon as possible, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

## PURCHASE AGREEMENT

This Agreement is made this \_\_\_\_ day of October, 2016 (the "Agreement") at Fairview Park, Cuyahoga County, Ohio by and between Andrako & Associates, an Ohio corporation with a mailing address of 20950 Lake Road, Rocky River, Ohio 44116 (hereinafter referred to as "Purchaser") and the City of Fairview Park, Ohio, an Ohio municipal corporation, with a mailing address of 20777 Lorain Road, Fairview Park, Ohio 44126 (hereinafter referred to as "Seller").

**SECTION 1 - PROPERTY.** Purchaser agrees to purchase and the Seller agrees to sell the property located at 20520 Lorain Road, Fairview Park, Ohio, permanent parcel number 323-20029 (hereinafter the "Property"), including all land, improvements, appurtenant rights, easements, licenses, governmental permits and privileges under the terms and conditions set out in this Agreement.

### SECTION 2 - TITLE.

**2.1 Deed and Title Evidence.** Seller shall furnish a limited warranty deed (the "Deed") conveying to Purchaser marketable title, free and clear from all encumbrances, except restrictions, easements and reservations of record, which do not materially affect the use or value of the property and a lien for real estate taxes (and assessments, if any) not yet payable. Seller shall also provide an Owners' Fee Policy of Title Insurance, for the value of the property in the amount of the purchase price, showing marketable title as aforesaid.

### SECTION 3 - ESCROW AND TITLE DOCUMENTS.

**3.1 Designation of Escrow Agent.** Maximum Title and Escrow Services, or such other title company as may be chosen by mutual agreement of Seller and Purchaser, is hereby designated as the "Escrow Agent" in connection with this transaction. Immediately following the date the Agreement is executed by both parties, Purchaser and Seller shall open an escrow account with the Escrow Agent. This Agreement shall serve as escrow instructions and shall be subject to the usual conditions of acceptance of the Escrow Agent, insofar as the same are not inconsistent with any of the terms hereof.

**3.2 Title Commitment.** Within fourteen (14) days after the date the Agreement is executed by both parties, Seller and Purchaser shall cause the Escrow Agent to issue to Purchaser a commitment for title insurance in the amount of the value of the property set forth in Section 4.1 below ("Commitment"), setting out the state of title to the Property as of the effective date of the Commitment. The Escrow Agent shall be instructed to deliver a copy of the Commitment to Seller and Purchaser.

**3.3 Title Objections.** Within five (5) days after receipt of the Commitment, Purchaser will give Seller notice ("Objection Notice") of any matter disclosed in the Commitment which is objectionable to Purchaser, in Purchaser's sole discretion ("Defect"). Seller may, but shall not be obligated to, cure any Defect stated on the Objection Notice. If Seller fails to cure or remove a Defect within thirty (30) days following receipt of the Objection Notice or provides Purchaser with written notice that Seller will not cure or remove a Defect, Purchaser shall have the right, at its sole option, to: (i) waive the Defect which Seller has not removed or cured and accept title to the Property subject to the Defect without reduction in the Purchase Price; (ii) extend the Closing Date and all other dates herein for a period mutually agreed to in order to provide Seller with additional time to cure or remove the Defect and do the work contemplated herein; or (iii) terminate this Agreement. Purchaser's failure to provide written notice to Seller of its election within three (3) days after the earlier of: (i) the end of the thirty (30) day cure period, or (ii) receipt of Seller's written notice that Seller will not cure or remove a Defect; shall be deemed to be Purchaser's intent to terminate this Agreement. In the event of such termination, all funds and documents

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deposited by Purchaser into escrow shall be immediately returned to Purchaser and thereupon the parties shall be fully released from all further obligation to the other under this Agreement, except the Seller and Purchaser shall each pay one-half (50%) of the accrued escrow and title charges, if applicable.

### **SECTION 4 - PURCHASE PRICE.**

**4.1 Purchase Price.** The purchase price is in the amount of One Hundred Nineteen Thousand and 00/100 Dollars (\$119,000.00). Subject to and in accordance with the terms and provisions hereof, the Purchase Price shall be payable as follows:

4.1.1 Purchaser shall deposit refundable earnest money (the "Earnest Money Deposit") of Five Thousand and 00/100 Dollars (\$5,000.00) with the Escrow Agent;

4.1.2 One-Hundred Fourteen and 00/100 Dollars (\$114,000.00) to be deposited with the Escrow Agent not less than two (2) days prior to the "Closing" as hereafter defined; and

4.1.3 Ten Thousand and 00/100 Dollars (\$10,000.00) Cognovit Promissory Note (the "Note"), in the form and content as set forth on Exhibit A attached hereto and made a part hereof. The Note shall be forgiven upon Seller's receipt of evidence reasonably satisfactory to Seller that Purchaser has completed construction of an appropriate structure, in full compliance with the applicable rules, regulations, ordinances and laws, for the operation of a business and that such structure has been completed and the business has opened no later than one (1) year from the date of title transfer hereunder. Should Purchaser fail to comply with these conditions on a timely basis, the Note shall be due and payable in accordance with its terms.

**SECTION 5. INSPECTION AND REVIEW PERIOD.** Purchaser shall have a period of thirty (30) days (the "Review Period") after the execution of this Agreement to receive, review and inspect all aspects of the Property to Purchaser's sole satisfaction. Seller shall cooperate with Purchaser in its inspection of the Property and provide any and all available documents, records, reports and/or related information relating to the Property to Purchaser as soon as practicable. If Purchaser notifies Seller during the Review Period that Purchaser does not wish to consummate the transaction contemplated herein, for any reason in its sole and absolute discretion, then all earnest money and interest accrued thereon shall be refunded to Purchaser immediately upon delivery of Purchaser's written notice of termination of this Agreement to Seller and Escrow Agent. Seller shall allow Purchaser access to the Property in order for the Purchaser to exercise its inspection rights. Purchaser shall hold Seller harmless and indemnify Seller against any claim, expense or cost of any kind relating to or arising from Purchaser's inspection of the Property, including without limitation, attorney fees; and Purchaser shall promptly repair any damage and restore the Property to its condition prior to Purchaser's inspection.

**SECTION 6. CONDITION TO CLOSING.** Purchaser's obligation to close this transaction is conditioned upon the Property being approved for tax abatement on terms reasonably acceptable to Purchaser. Purchaser shall take all steps necessary to apply for tax abatement for the Property and the Parties anticipate that the tax abatement will be considered concurrently with this Agreement. In the event the tax abatement is not granted or not granted on terms reasonably acceptable to Purchaser, Purchaser shall have the right to terminate this Agreement by providing written notice of termination to Seller within seven (7) days of the tax abatement decision.

**SECTION 7. CLOSING.** Provided that all of the conditions set forth in this Agreement are fully satisfied, performed and/or waived, the closing shall be held promptly following the expiration of the Review Period at the offices of the Escrow Agent, on a date selected by Purchaser and reasonably acceptable to Seller, but in no event shall the closing be later than December 30, 2016 ("Closing"). All funds and documents

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and any other items required to complete the sale shall be placed in escrow with the Escrow Agent as set forth herein and in no event later than the Closing. The parties agree that time is of the essence of this Agreement.

**SECTION 8. POSSESSION.** Seller shall deliver possession to Purchaser on the date of Closing.

**SECTION 9. PRORATIONS AND HOLDBACKS AND ASSESSMENTS.** Taxes and assessments, if any, shall be prorated as of the date of filing the deed for record, based on the last available tax duplicate. All tax and assessment proration shall be set forth in a closing statement issued by the Escrow Agent and approved in writing by Purchaser and Seller. Any assessments and taxes, if any, owed as of the date of Closing shall be paid in full by Seller.

**SECTION 10. CLOSING COSTS.** At the Closing, Purchaser and Seller shall pay their own respective costs incurred with respect to the consummation of the purchase and sale of the Property as contemplated herein, including, without limitation, attorneys' fees. Notwithstanding the foregoing, Purchaser shall pay at closing: one-half of the cost of the Owners' Fee Policy of Title Insurance, the cost of recording the Deed, and one-half the escrow or closing fee. Seller shall pay at closing: the cost of the Commitment, one-half of the cost of the Owners' Fee Policy of Title Insurance, all applicable transfer taxes, and one-half of the escrow fee or closing fee.

**SECTION 11 - CONDITION OF PROPERTY.** Purchaser agrees to accept, and Seller to deliver, possession of the property subject to the following:

NO WARRANTIES/"AS IS, WHERE IS"; "WITH ALL FAULTS". PURCHASER EXPRESSLY ACKNOWLEDGES THAT PURCHASER AND PURCHASER'S AGENTS HAVE MADE, OR WILL HAVE THE OPPORTUNITY, PURSUANT TO THIS AGREEMENT, TO MAKE INDEPENDENT INVESTIGATIONS OF THE PROPERTY, AND HAVE REVIEWED OR WILL REVIEW ALL MATERIALS REGARDING THE CONDITION OF THE PROPERTY WHICH IT DEEMS NECESSARY. SUBJECT TO PURCHASER'S RIGHTS TO TERMINATE THIS AGREEMENT, PURCHASER IS BUYING THE PROPERTY AS AN "AS IS" "WHERE IS" CONDITION. PURCHASER IS OR, AFTER COMPLETION OF SUCH INSPECTION WILL BE, IN ALL RESPECTS, SATISFIED WITH THE PROPERTY, INCLUDING THE PHYSICAL CONDITION THEREOF, AND, EXCEPT AS EXPRESSLY PROVIDED HEREIN, PURCHASER HAS NOT RELIED UPON ANY REPRESENTATION OR WARRANTY MADE BY SELLER IN CONNECTION WITH THE PROPERTY, INCLUDING SPECIFICALLY, WITHOUT LIMITATION, ANY WARRANTY OR REPRESENTATION AS TO THE CONDITION OF THE TOPOGRAPHY, GRADING, CLIMATE, AIR, FLOOD OR MUDSLIDE HAZARDS, WATER RIGHTS, UTILITIES, PRESENT AND FUTURE ZONING, GOVERNMENTAL ENTITLEMENTS AND RESTRICTIONS, SOIL, SUBSOIL, PAINT OR CONTAMINATION OF SOIL OR WATER, ACCESS TO PUBLIC ROADS OR THE PRESENCE OR ABSENCE OF ANY HAZARDOUS MATERIALS. THE FOREGOING AGREEMENT OF PURCHASER SHALL BE EXTENDED TO AND SHALL BE IN FULL FORCE AND EFFECT AS OF THE CLOSING DATE AND SHALL SURVIVE THE CLOSING DATE. PURCHASER HEREBY DISCLAIMS ANY AND ALL WARRANTIES WITH RESPECT TO THE PROPERTY TO BE SOLD PURSUANT HERETO, INCLUDING WITHOUT LIMITATION, WARRANTIES AS TO QUALITY, HABITABILITY, FITNESS, MERCHANTABILITY AND SUITABILITY FOR ANY PURPOSE. PURCHASER ACKNOWLEDGES THAT PURCHASER'S AGREEMENT HEREUNDER TO PURCHASE THE PROPERTY IN ITS "AS IS" "WHERE IS" CONDITION WAS BARGAINED FOR IN THE PURCHASE PRICE.

**SECTION 12— INFORMATION.** As soon as practicable, but in no event later than three (3) business days after the execution of this Agreement, Seller shall deliver to Purchaser copies of the following (i) the

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current title insurance policy, if available; and (ii) any information relating to environmental conditions with respect to the Property; if any.

**SECTION 13 - BINDING CONTRACT - DEFAULT.** When this Purchase Agreement is signed by the Purchaser and Seller, it shall constitute a binding contract and the entire Agreement between the parties, their heirs, personal representatives, successors, and assigns. Should Seller fail to perform this Agreement, Purchaser may, in addition to any other available remedies, declare this Agreement null and void and receive a refund of any funds paid. Should Purchaser fail to perform this Agreement, Seller may either: (i) retain the Earnest Money Deposit as liquidated damages, declare this Agreement null and void and receive a refund of any funds paid by Seller and, in such event, Purchase shall be solely responsible for all title costs and any other costs incurred with the Escrow Agent; or (ii) pursue any remedies available at law or equity.

**SECTION 14 – MISCELLANEOUS.** This Agreement constitutes the entire Agreement of the parties and there are no other oral or written agreements between the parties other than expressly set forth in this written Agreement. This Agreement shall be binding upon and inure to the benefit of all parties hereto and their respective heirs, executors, administrators and assigns. This Agreement shall be interpreted under Ohio law. In the event that any of the provisions of this Agreement is held to be unenforceable or invalid, the validity and enforceability of the remaining provisions, or portions thereof, shall not be affected thereby. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one Agreement. The parties hereto acknowledge that each participated equally in the negotiation of this Agreement, that each has had an opportunity to obtain independent legal counsel of their choosing and that no court construing this Agreement shall construe it more stringently against one party than against the other, regardless of which party’s counsel drafted or participated in the drafting of this Agreement.

**SECTION 15 - NOTICES.**

**Any notice to be given to Purchaser shall be mailed or delivered in person to:**

Bud Andrako  
President  
Andrako & Associates, Incorporated  
20950 Lake Road  
Rocky River, Ohio 44116

**Copy to:**

Name  
Title  
Company  
Address  
City, State Zip

**Any Notice to be given to Seller shall be directed to:**

Eileen A. Patton  
Mayor  
City of Fairview Park  
20777 Lorain Road  
Fairview Park, Ohio 44126

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**Copy to:**

William McGinty  
Law Director  
City of Fairview Park  
20777 Lorain Road  
Fairview Park, Ohio 44126

**[Signature pages immediately follow this page; remainder intentionally blank]**

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IN WITNESS WHEREOF, the parties have set their hands to triplicate originals of this Agreement.

SELLER:

Date \_\_\_\_\_

By: \_\_\_\_\_  
Eileen A. Patton, Mayor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

This legal document is hereby approved:

Date: \_\_\_\_\_

By: \_\_\_\_\_  
William McGinty, Director of Law

PURCHASER:

Date \_\_\_\_\_

By: \_\_\_\_\_  
Bud Andrako, President

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-40  
ORIGINATED BY: THE FINANCE DEPARTMENT  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY

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

WHEREAS, for the ongoing operation of the municipal government, it is necessary to appropriate funds for the fiscal year 2016.

WHEREAS, Ordinance 16-05 Amended, approved March 21, 2016, needs to be adjusted to reflect budgetary changes.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. To provide for the current expenses and other expenditures of the City of Fairview Park, Ohio for the period commencing January 1, 2016 and ending December 31, 2016 as attached in Exhibit "A."

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that it is necessary for the daily operation of municipal departments in 2016 and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

**APPROPRIATIONS 2016**

**CITY OF FAIRVIEW PARK**

	<u>Temporary Ord #15-46A (12/07/15)</u>	<u>Annual Ord #16-05A (3/21/16)</u>	<u>\$ Difference</u>	<u>Supplemental #1 Ord #16-40</u>	<u>\$ Difference</u>
<b><u>GENERAL FUND</u></b>					
<b><u>1110 SECURITY OF PERSONS AND PROPERTY</u></b>					
PERSONNEL SUBTOTAL	\$809,545.93	\$2,881,634.98	\$2,072,089.05	\$2,884,307.14	\$2,672.16
OTHER SUBTOTAL	\$60,262.50	\$183,492.20	\$123,229.70	\$184,017.20	\$525.00
<b>TOTAL SECURITY PERSONS AND PROPERTY</b>	\$869,808.43	\$3,065,127.18	\$2,195,318.75	\$3,068,324.34	\$3,197.16
<b><u>1130 FIRE PREVENTION AND CONTROL</u></b>					
PERSONNEL SUBTOTAL	\$508,986.32	\$2,118,536.35	\$1,609,550.03	\$2,113,487.35	(\$5,049.00)
OTHER SUBTOTAL	\$19,035.00	\$80,781.52	\$61,746.52	\$79,981.52	(\$800.00)
<b>TOTAL FIRE PREVENTION AND CONTROL</b>	\$528,021.32	\$2,199,317.87	\$1,671,296.55	\$2,193,468.87	(\$5,849.00)
<b><u>1140 FIRE PROTECTION REGIONAL EMS</u></b>					
<b>TOTAL FIRE PROTECTION REGIONAL EMS</b>	\$40,000.00	\$132,000.00	\$92,000.00	\$132,000.00	\$0.00
<b><u>2200 PUBLIC HEALTH</u></b>					
<b>TOTAL PUBLIC HEALTH</b>	\$200.00	\$840.00	\$640.00	\$840.00	\$0.00
<b><u>3420 BAIN PARK CABIN</u></b>					
<b>TOTAL BAIN PARK CABIN</b>	\$1,147.50	\$12,020.00	\$10,872.50	\$13,770.00	\$1,750.00
<b><u>3810 SENIOR LIFE OFFICE</u></b>					
PERSONNEL SUBTOTAL	\$73,621.83	\$369,477.04	\$295,855.21	\$384,477.04	\$15,000.00
OTHER SUBTOTAL	\$6,741.54	\$33,600.00	\$26,858.46	\$33,400.00	(\$200.00)
<b>TOTAL SENIOR LIFE OFFICE</b>	\$80,363.37	\$403,077.04	\$322,713.67	\$417,877.04	\$14,800.00

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
<b><u>4410 PARKS AND PROPERTY MAINTENANCE</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$14,360.27	\$11,575.00	(\$2,785.27)	\$11,575.00	\$0.00
<b>TOTAL PARKS AND PROPERTY MAINTENANCE</b>	\$14,360.27	\$11,575.00	(\$2,785.27)	\$11,575.00	\$0.00
<b><u>4510 PLANNING &amp; DESIGN COMMISSION</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$667.95	\$2,392.70	\$1,724.75	\$2,392.70	\$0.00
<b>TOTAL PLANNING COMMISSION</b>	\$667.95	\$2,392.70	\$1,724.75	\$2,392.70	\$0.00
<b><u>4520 BUILDING STANDARDS</u></b>					
PERSONNEL SUBTOTAL	\$105,753.50	\$313,230.51	\$207,477.01	\$303,980.51	(\$9,250.00)
OTHER SUBTOTAL	\$2,086.88	\$9,152.10	\$7,065.22	\$10,362.10	\$1,210.00
<b>TOTAL BUILDING STANDARDS</b>	\$107,840.38	\$322,382.61	\$214,542.23	\$314,342.61	(\$8,040.00)
<b><u>4530 BOARD OF APPEALS</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$200.00	\$949.90	\$749.90	\$989.90	\$40.00
<b>TOTAL BOARD OF APPEALS</b>	\$200.00	\$949.90	\$749.90	\$989.90	\$40.00
<b><u>4570 ARCHITECTURAL BOARD OF REVIEW</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL ARCHITECTURAL BOARD OF REVIEW</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>5550 RECYCLING &amp; SOLID WASTE DISPOSAL</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$57,575.00	\$99,185.00	\$41,610.00	\$99,185.00	\$0.00
<b>TOTAL REFUSE COLLECTION AND DISPOSAL</b>	\$57,575.00	\$99,185.00	\$41,610.00	\$99,185.00	\$0.00
<b><u>6120 TRAFFIC SAFETY</u></b>					

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
PERSONNEL SUBTOTAL	\$44,800.06	\$182,284.89	\$137,484.83	\$182,284.89	\$0.00
OTHER SUBTOTAL	\$17,603.75	\$57,709.44	\$40,105.69	\$47,709.44	(\$10,000.00)
<b>TOTAL TRAFFIC SAFETY</b>	<b>\$62,403.81</b>	<b>\$239,994.33</b>	<b>\$177,590.52</b>	<b>\$229,994.33</b>	<b>(\$10,000.00)</b>
<b><u>6800 MOTOR VEHICLE MAINTENANCE</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$37,150.00	\$164,166.90	\$127,016.90	\$174,166.90	\$10,000.00
<b>TOTAL MOTOR VEHICLE MAINTENANCE</b>	<b>\$37,150.00</b>	<b>\$164,166.90</b>	<b>\$127,016.90</b>	<b>\$174,166.90</b>	<b>\$10,000.00</b>
<b><u>7710 MAYOR'S OFFICE</u></b>					
PERSONNEL SUBTOTAL	\$43,505.20	\$181,031.86	\$137,526.66	\$181,031.86	\$0.00
OTHER SUBTOTAL	\$2,318.78	\$8,210.00	\$5,891.22	\$11,345.00	\$3,135.00
<b>TOTAL MAYOR'S OFFICE</b>	<b>\$45,823.98</b>	<b>\$189,241.86</b>	<b>\$143,417.88</b>	<b>\$192,376.86</b>	<b>\$3,135.00</b>
<b><u>7711 SERVICE &amp; DEVELOPMENT DIRECTOR'S</u></b>					
PERSONNEL SUBTOTAL	\$210,421.79	\$786,050.78	\$575,628.99	\$786,050.78	\$0.00
OTHER SUBTOTAL	\$27,896.25	\$70,867.43	\$42,971.18	\$81,867.43	\$11,000.00
<b>TOTAL SERVICE DIRECTOR'S OFFICE</b>	<b>\$238,318.04</b>	<b>\$856,918.21</b>	<b>\$618,600.17</b>	<b>\$867,918.21</b>	<b>\$11,000.00</b>
<b><u>7720 FINANCE DEPARTMENT</u></b>					
PERSONNEL SUBTOTAL	\$61,376.42	\$233,928.54	\$172,552.12	\$233,428.54	(\$500.00)
OTHER SUBTOTAL	\$46,950.00	\$210,500.00	\$163,550.00	\$211,000.00	\$500.00
<b>TOTAL FINANCE DEPARTMENT</b>	<b>\$108,326.42</b>	<b>\$444,428.54</b>	<b>\$336,102.12</b>	<b>\$444,428.54</b>	<b>\$0.00</b>
<b><u>7730 LEGAL ADMINISTRATION</u></b>					
PERSONNEL SUBTOTAL	\$35,814.68	\$157,159.72	\$121,345.04	\$157,159.72	\$0.00
OTHER SUBTOTAL	\$4,500.00	\$10,500.00	\$6,000.00	\$5,340.00	(\$5,160.00)
<b>TOTAL LEGAL ADMINISTRATION</b>	<b>\$40,314.68</b>	<b>\$167,659.72</b>	<b>\$127,345.04</b>	<b>\$162,499.72</b>	<b>(\$5,160.00)</b>
<b><u>7740 ENGINEER</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$9,223.56	\$37,539.84	\$28,316.28	\$37,539.84	\$0.00

	<u>Temporary Ord #15-46A</u>	<u>Annual Ord #16-05A</u>	<u>\$ Difference</u>	<u>Supplemental #1 Ord #16-40</u>	<u>\$ Difference</u>
<b>TOTAL ENGINEER</b>	\$9,223.56	\$37,539.84	\$28,316.28	\$37,539.84	\$0.00
<b><u>7750 MUNICIPAL LANDS AND BUILDING</u></b>					
PERSONNEL SUBTOTAL	\$46,326.88	\$155,841.06	\$109,514.18	\$155,841.06	\$0.00
OTHER SUBTOTAL	\$73,950.24	\$243,150.57	\$169,200.33	\$229,800.57	(\$13,350.00)
<b>TOTAL MUNICIPAL LANDS AND BUILDING</b>	\$120,277.12	\$398,991.63	\$278,714.51	\$385,641.63	(\$13,350.00)
<b><u>7760 CIVIL SERVICE</u></b>					
PERSONNEL SUBTOTAL	\$467.00	\$1,664.49	\$1,197.49	\$1,664.49	\$0.00
OTHER SUBTOTAL	\$2,356.25	\$3,050.00	\$693.75	\$3,050.00	\$0.00
<b>TOTAL CIVIL SERVICE</b>	\$2,823.25	\$4,714.49	\$1,891.24	\$4,714.49	\$0.00
<b><u>7770 COUNTY DEDUCTIONS AND AUDIT EXAMINERS</u></b>					
PERSONNEL SUBTOTAL	\$1,205.00	\$5,200.00	\$3,995.00	\$5,320.00	\$120.00
OTHER SUBTOTAL	\$37,878.18	\$163,483.21	\$125,605.03	\$163,483.21	\$0.00
<b>TOTAL COUNTY DEDUCTIONS AND AUDIT EXAMINERS</b>	\$39,083.18	\$168,683.21	\$129,600.03	\$168,803.21	\$120.00
<b><u>7780 LEGISLATIVE</u></b>					
PERSONNEL SUBTOTAL	\$44,834.37	\$178,560.76	\$133,726.39	\$178,560.76	\$0.00
OTHER SUBTOTAL	\$4,867.50	\$22,967.46	\$18,099.96	\$22,967.46	\$0.00
<b>TOTAL LEGISLATIVE</b>	\$49,701.87	\$201,528.22	\$151,826.35	\$201,528.22	\$0.00
<b><u>7790 OTHER ADMINISTRATIVE</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$11,106.94	\$11,106.94	\$16,106.94	\$5,000.00
OTHER SUBTOTAL	\$444,839.09	\$1,335,442.40	\$890,603.31	\$1,328,799.24	(\$6,643.16)
<b>TOTAL OTHER ADMINISTRATIVE</b>	\$444,839.09	\$1,346,549.34	\$901,710.25	\$1,344,906.18	(\$1,643.16)
<b>TOTAL GENERAL FUND</b>	\$2,898,469.22	\$10,469,283.59	\$7,570,814.37	\$10,469,283.59	\$0.00
<b><u>101 CONTINGENCY RESERVE FUND</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
<b>TOTAL CONTINGENCY RESERVE</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>SPECIAL REVENUE FUNDS</u></b>					
<b><u>210 STREET CONSTRUC MAINT &amp; REPAIRS</u></b>					
<u>6610 STREET MAINTENANCE</u>					
PERSONNEL SUBTOTAL	\$118,505.57	\$355,038.43	\$236,532.86	\$364,107.43	\$9,069.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL STREET MAINTENANCE	\$118,505.57	\$355,038.43	\$236,532.86	\$364,107.43	\$9,069.00
<u>6620 STREET CLEANING</u>					
PERSONNEL SUBTOTAL	\$78,964.08	\$321,953.23	\$242,989.15	\$321,953.23	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL STREET CLEANING	\$78,964.08	\$321,953.23	\$242,989.15	\$321,953.23	\$0.00
<b>TOTAL STREET CONSTRUC MAINT RP</b>	\$197,469.65	\$676,991.66	\$479,522.01	\$686,060.66	\$9,069.00
<b><u>220 STATE HIGHWAY FUND</u></b>					
<u>6610 STREET MAINTENANCE</u>					
TOTAL STREET MAINTENANCE	\$50,000.00	\$75,000.00	\$25,000.00	\$75,000.00	\$0.00
<u>6620 STREET CLEANING</u>					
TOTAL STREET CLEANING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL STATE HIGHWAY FUND</b>	\$50,000.00	\$75,000.00	\$25,000.00	\$75,000.00	\$0.00
<b><u>230 RECREATION FUND</u></b>					
PERSONNEL SUBTOTAL	\$366,922.68	\$1,378,946.67	\$1,012,023.99	\$1,427,888.87	\$48,942.20
OTHER SUBTOTAL	\$712,785.94	\$2,679,099.35	\$1,966,313.41	\$2,630,157.15	(\$48,942.20)
<b>TOTAL RECREATION FUND</b>	\$1,079,708.62	\$4,058,046.02	\$2,978,337.40	\$4,058,046.02	\$0.00
<b><u>232 RECREATION COMMUNITY CENTER FUND</u></b>					
TOTAL RECREATION COMMUNITY CENTER	\$0.00	\$30.00	\$30.00	\$30.00	\$0.00
<b><u>240 POLICE AND FIRE PENSION FUND</u></b>					
PERSONNEL SUBTOTAL	\$251,103.59	\$978,470.38	\$727,366.79	\$978,470.38	\$0.00

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
OTHER SUBTOTAL	\$904.18	\$3,314.00	\$2,409.82	\$3,544.00	\$230.00
<b>TOTAL POLICE AND FIRE PENSION FUND</b>	<b>\$252,007.77</b>	<b>\$981,784.38</b>	<b>\$729,776.61</b>	<b>\$982,014.38</b>	<b>\$230.00</b>
<b><u>245 S.A.V.E. FUND</u></b>					
<b>TOTAL S.A.V.E FUND</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>250 STREET LIGHTING FUND</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$79,350.00	\$256,300.00	\$176,950.00	\$256,300.00	\$0.00
<b>TOTAL STREET LIGHTING FUND</b>	<b>\$79,350.00</b>	<b>\$256,300.00</b>	<b>\$176,950.00</b>	<b>\$256,300.00</b>	<b>\$0.00</b>
<b><u>255 SOLID WASTE FEE</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$185,000.00	\$773,115.00	\$588,115.00	\$773,115.00	\$0.00
<b>TOTAL SOLID WASTE FEE FUND</b>	<b>\$185,000.00</b>	<b>\$773,115.00</b>	<b>\$588,115.00</b>	<b>\$773,115.00</b>	<b>\$0.00</b>
<b><u>270 FIRE OPERATING LEVY FUND</u></b>					
PERSONNEL SUBTOTAL	\$70,503.11	\$276,264.39	\$205,761.28	\$276,264.39	\$0.00
OTHER SUBTOTAL	\$1,027.50	\$4,610.00	\$3,582.50	\$4,770.00	\$160.00
<b>TOTAL FIRE OPERATING LEVY FUND</b>	<b>\$71,530.61</b>	<b>\$280,874.39</b>	<b>\$209,343.78</b>	<b>\$281,034.39</b>	<b>\$160.00</b>
<b><u>275 SAFE ROUTES TO SCHOOL FUND</u></b>					
<b>TOTAL SAFE ROUTES TO SCHOOL FUND</b>	<b>\$35,196.67</b>	<b>\$441,872.99</b>	<b>\$406,676.32</b>	<b>\$441,872.99</b>	<b>\$0.00</b>
<b><u>285 FEMA GRANT FUND</u></b>					
<b>TOTAL FEMA GRANT FUND</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>290 FEDERAL GRANTS FUND</u></b>					
<b>TOTAL FEDERAL GRANTS FUND</b>	<b>\$36,000.00</b>	<b>\$80,000.00</b>	<b>\$44,000.00</b>	<b>\$80,000.00</b>	<b>\$0.00</b>
<b><u>295 STATE GRANT FUND</u></b>					
<b>TOTAL STATE GRANT FUND</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>500 WATER REIMBURSEMENT FUND</u></b>					

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$16,250.00	\$46,144.00	\$29,894.00	\$46,144.00	\$0.00
<b>TOTAL WATER REIMBURSEMENT FUND</b>	\$16,250.00	\$46,144.00	\$29,894.00	\$46,144.00	\$0.00
<b><u>540 GILLES-SWEET FUND</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL GILLES-SWEET FUND</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>711 BAIN PARK RESTORATION</u></b>					
<b>TOTAL BAIN PARK RESTORATION</b>	\$2,875.00	\$40,000.00	\$37,125.00	\$40,000.00	\$0.00
<b><u>714 LAW ENFORCEMENT TRUST FUND</u></b>					
<b>TOTAL LAW ENFORCEMENT TRUST FUND</b>	\$1,400.00	\$2,000.00	\$600.00	\$2,000.00	\$0.00
<b><u>715 D.U.I. EDUCATE FUND</u></b>					
<b>TOTAL D.U.I. EDUCATE FUND</b>	\$1,600.00	\$7,000.00	\$5,400.00	\$7,000.00	\$0.00
<b><u>716 P.O.P.A.S. FUND</u></b>					
PERSONNEL SUBTOTAL	\$15,725.00	\$60,870.00	\$45,145.00	\$60,870.00	\$0.00
OTHER SUBTOTAL	\$4,500.00	\$20,500.00	\$16,000.00	\$20,500.00	\$0.00
<b>TOTAL P.O.P.A.S. FUND</b>	\$20,225.00	\$81,370.00	\$61,145.00	\$81,370.00	\$0.00
<b><u>717 CIVIL REIMBURSEMENT FUND</u></b>					
<b>TOTAL CIVIL REIMBURSEMENT FUND</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>718 COPS GRANT FUND</u></b>					
<b>TOTAL COPS GRANT FUND</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>721 NEW LEVY/PROJECT AMOUNT</u></b>					
<b>TOTAL NEW LEVY/PROJECT AMOUNT</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b><u>741 CABLE TV FRANCHISE FEE</u></b>					
<b>TOTAL CABLE TV FRANCHISE FEE</b>	\$58,506.44	\$184,910.01	\$126,403.57	\$184,910.01	\$0.00

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
<b><u>751 DARE FUND</u></b>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$208.75	\$813.73	\$604.98	\$813.73	\$0.00
<b>TOTAL DARE FUND</b>	<b>\$208.75</b>	<b>\$813.73</b>	<b>\$604.98</b>	<b>\$813.73</b>	<b>\$0.00</b>
<b><u>772 CEMETERY RESTORATION FUND</u></b>					
<b>TOTAL CEMETERY RESTORATION FUND</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>781 EMER MEDICAL SERV COLLECTION</u></b>					
PERSONNEL SUBTOTAL	\$86,406.21	\$301,997.82	\$215,591.61	\$303,297.82	\$1,300.00
OTHER SUBTOTAL	\$7,700.00	\$151,400.00	\$143,700.00	\$150,100.00	(\$1,300.00)
<b>TOTAL EMER MEDICAL SERV COLLECTION</b>	<b>\$94,106.21</b>	<b>\$453,397.82</b>	<b>\$359,291.61</b>	<b>\$453,397.82</b>	<b>\$0.00</b>
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>\$2,181,434.72</b>	<b>\$8,439,650.00</b>	<b>\$6,258,215.28</b>	<b>\$8,449,109.00</b>	<b>\$9,459.00</b>
<b><u>DEBT SERVICE FUNDS</u></b>					
<b><u>300 BOND RETIREMENT FUND</u></b>					
<b>TOTAL BOND RETIREMENT FUND</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL DEBT SERVICE FUNDS</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>CAPITAL PROJECTS FUNDS</u></b>					
<b><u>231 RECREATION CONSTRUCTION FUND</u></b>					
<b>TOTAL RECREATION CONSTRUCTION FUND</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>260 PERMANENT IMPROVEMENT FUND</u></b>					
<b>TOTAL PERMANENT IMPROVEMENT FUND</b>	<b>\$237,161.94</b>	<b>\$439,008.43</b>	<b>\$201,846.49</b>	<b>\$439,008.43</b>	<b>\$0.00</b>
<b><u>709 REDEVELOPMENT FUND</u></b>					
<b>TOTAL REDEVELOPMENT FUND</b>	<b>\$0.00</b>	<b>\$12,500.00</b>	<b>\$12,500.00</b>	<b>\$12,500.00</b>	<b>\$0.00</b>

	<u>Temporary Ord #15-46A</u>	<u>Annual Ord #16-05A</u>	<u>\$ Difference</u>	<u>Supplemental #1 Ord #16-40</u>	<u>\$ Difference</u>
<b><u>710 SENIOR CENTER CONST FUND</u></b>					
TOTAL SENIOR CENTER CONST FUND	\$0.00	\$0.00	\$0.00	\$4,695.00	\$4,695.00
<b><u>811 CAPITAL PROJECTS FUND</u></b>					
TOTAL CAPITAL PROJECTS FUND	\$954,418.88	\$1,350,239.32	\$395,820.44	\$1,350,239.32	\$0.00
TOTAL CAPITAL PROJECTS FUNDS	\$1,191,580.82	\$1,801,747.75	\$610,166.93	\$1,806,442.75	\$4,695.00
 <b><u>ENTERPRISE FUNDS</u></b>					
<b><u>510 FAIRVIEW PARK SANITARY SEWER FUND</u></b>					
PERSONNEL SUBTOTAL	\$61,278.20	\$205,445.73	\$144,167.53	\$205,445.73	\$0.00
OTHER SUBTOTAL	\$587,021.61	\$1,903,069.89	\$1,316,048.28	\$1,903,069.89	\$0.00
TOTAL FAIRVIEW PARK SANITARY SEWER FUND	\$648,299.81	\$2,108,515.62	\$1,460,215.81	\$2,108,515.62	\$0.00
<b><u>550 WATER LINE RECONDITIONING</u></b>					
TOTAL WATER LINE RECONDITIONING FUND	\$539,706.25	\$3,602,802.81	\$3,063,096.56	\$3,602,802.81	\$0.00
TOTAL ENTERPRISE FUNDS	\$1,188,006.06	\$5,711,318.43	\$4,523,312.37	\$5,711,318.43	\$0.00
 <b><u>INTERNAL SERVICE FUNDS</u></b>					
<b><u>731 HEALTH INS RESERVE FUND</u></b>					
PERSONNEL SUBTOTAL	\$325,188.76	\$1,413,863.45	\$1,088,674.69	\$1,413,863.45	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL HEALTH INS RESERVE FUND	\$325,188.76	\$1,413,863.45	\$1,088,674.69	\$1,413,863.45	\$0.00
<b><u>732 EMPLOYEE SECT 125M</u></b>					
PERSONNEL SUBTOTAL	\$3,884.10	\$8,798.57	\$4,914.47	\$8,798.57	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL EMPLOYEE SECT 125M	\$3,884.10	\$8,798.57	\$4,914.47	\$8,798.57	\$0.00
TOTAL INTERNAL SERVICE FUNDS	\$329,072.86	\$1,422,662.02	\$1,093,589.16	\$1,422,662.02	\$0.00
 <b><u>AGENCY FUNDS</u></b>					

	Temporary Ord #15-46A	Annual Ord #16-05A	\$ Difference	Supplemental #1 Ord #16-40	\$ Difference
<b><u>611 SPECIAL HOLD ACCOUNT</u></b>					
PERSONNEL SUBTOTAL	\$5,697.58	\$0.00	(\$5,697.58)	\$0.00	\$0.00
OTHER SUBTOTAL	\$12,257.75	\$59,247.35	\$46,989.60	\$62,857.35	\$3,610.00
<b>TOTAL SPECIAL HOLD ACCOUNT</b>	<b>\$17,955.33</b>	<b>\$59,247.35</b>	<b>\$41,292.02</b>	<b>\$62,857.35</b>	<b>\$3,610.00</b>
<b><u>713 STATE BLDG ASSESSMENT</u></b>					
<b>TOTAL STATE BLDG ASSESSMENT</b>	<b>\$600.00</b>	<b>\$4,023.33</b>	<b>\$3,423.33</b>	<b>\$4,023.33</b>	<b>\$0.00</b>
<b><u>752 GRADE DEPOSITS</u></b>					
<b>TOTAL GRADE DEPOSITS</b>	<b>\$444.03</b>	<b>\$8,138.99</b>	<b>\$7,694.96</b>	<b>\$8,138.99</b>	<b>\$0.00</b>
<b><u>753 STREET CLEANING DEPOSITS</u></b>					
<b>TOTAL STREET CLEANING DEPOSITS</b>	<b>\$0.00</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>	<b>\$0.00</b>
<b><u>754 STREET OPENING DEPOSITS</u></b>					
<b>TOTAL STREET OPENING DEPOSITS</b>	<b>\$0.00</b>	<b>\$2,500.00</b>	<b>\$2,500.00</b>	<b>\$2,500.00</b>	<b>\$0.00</b>
<b><u>757 REZONING-DEPOSITS</u></b>					
<b>TOTAL REZONING-DEPOSITS</b>	<b>\$0.00</b>	<b>\$350.00</b>	<b>\$350.00</b>	<b>\$350.00</b>	<b>\$0.00</b>
<b><u>758 ARCHITECT DEPOSITS</u></b>					
<b>TOTAL ARCHITECT DEPOSITS</b>	<b>\$717.50</b>	<b>\$5,330.19</b>	<b>\$4,612.69</b>	<b>\$5,330.19</b>	<b>\$0.00</b>
<b><u>759 SIDEWALK DEPOSITS</u></b>					
<b>TOTAL SIDEWALK DEPOSITS</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>761 SENIOR LIFE DONATIONS</u></b>					
<b>TOTAL SENIOR LIFE DONATIONS</b>	<b>\$5,325.00</b>	<b>\$15,000.00</b>	<b>\$9,675.00</b>	<b>\$15,000.00</b>	<b>\$0.00</b>
<b><u>790 SURVEY SAN/STORM SEWER</u></b>					
<b>TOTAL SURVEY SAN/STORM SEWER</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b><u>791 PRELIM INVESTIGATION</u></b>					

	<u>Temporary Ord #15-46A</u>	<u>Annual Ord #16-05A</u>	<u>\$ Difference</u>	<u>Supplemental #1 Ord #16-40</u>	<u>\$ Difference</u>
TOTAL PRELIM INVESTIGATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL AGENCY FUNDS	\$25,041.86	\$96,589.86	\$71,548.00	\$100,199.86	\$3,610.00
TOTAL ALL FUNDS	\$7,813,605.54	\$27,941,251.65	\$20,127,646.11	\$27,959,015.65	\$17,764.00

**2016 SCHEDULED TRANSFERS TEMPORARY ORDINANCE #15-46**

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
100	240	\$ 237,500.00
100	255	\$ 185,000.00
		\$ 422,500.00

**2016 SCHEDULED TRANSFERS ORDINANCE # 16-05A**

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
100	240	\$ 685,000.00
100	290	\$ 2,880.00
		\$ 687,880.00

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-41  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH FOR HEALTH SERVICES FOR THE YEAR 2017 AND DECLARING AN EMERGENCY

WHEREAS, Chapter 3709 of the Ohio Revised Code mandates that all Ohio municipalities must provide health services either through a city health district or by a valid contract with the county health district; and

WHEREAS, in the past, the City of Fairview Park has contracted for such services with Cuyahoga County Board of Health; and

WHEREAS, the District Advisory Council of the Cuyahoga County General Health District authorized the Chairman of the District Advisory Council to enter into a contract with the City of Fairview Park to provide such services for the year 2017, attached herein as Exhibit "A".

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. The Mayor is hereby authorized to enter into a contract with the Cuyahoga County Board of Health for public health services for the year 2016. The cost will not exceed Sixty-Nine Thousand Three Hundred Twenty-three Dollars (\$69,323.00) to be deducted from the City's taxes by the County Auditor, and will be charged to the General Fund, Public Health line item (100.770.5243100).

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and provide for necessary services for 2017 and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

**CONTRACT FOR PUBLIC HEALTH SERVICES**  
(City with a General Health District - Authority--Sec.3709.08 O.R.C.)

WHEREAS, the District Advisory Council of the Cuyahoga County, Ohio, General Health District, at a meeting held March 21, 2016, by a majority vote of members representing the townships and villages did vote affirmatively on the question of providing public health services to the **City of Fairview Park**, Ohio, and did authorize the Chairman of the District Advisory Council to enter into a contract with the Mayor of **Fairview Park**, Ohio, for providing public health services therein; and

WHEREAS, the Council of the **City of Fairview Park**, at a Council meeting held \_\_\_\_\_, by majority vote of all members did vote affirmatively on the question of contracting with the District Advisory Council of the Cuyahoga County General Health District for providing public health services to the **City of Fairview Park** and did authorize the Mayor to enter into a contract with the Chairman of the District Advisory Council of the Cuyahoga County General Health District to provide public health services.

NOW, THEREFORE, pursuant to such authority, David Smith on behalf of the District Advisory Council of the Cuyahoga County General Health District and Eileen Ann Patton on behalf of the **City of Fairview Park** do agree as follows:

The General Health District of Cuyahoga County, Ohio, hereby agrees to provide health services for the **City of Fairview Park** for the year 2017. These health services will be provided by the District Board of Health of Cuyahoga County and will include all necessary medical, nursing, sanitary, laboratory and such other health services as are required by the Statutes of the State of Ohio. Air pollution enforcement services, as described in Chapter 3704 of the Ohio Revised Code, will be conducted through the designated agent, the Cleveland Division of Air Pollution Control. This authorization is contingent upon renewal of the contract between the Ohio EPA and the City of Cleveland and satisfactory performance of the contract terms and conditions regarding air pollution control in Cuyahoga County. The Board of Health reserves the right to alter, modify or amend this contract provision with notice to the City.

The **City of Fairview Park** hereby agrees, in return for the health services which will be provided by the District Board of Health of Cuyahoga County for the year 2017, to pay to the Cuyahoga County General Health District the sum of Sixty Nine Thousand Three Hundred Twenty Three Dollars (\$69,323.00). This sum of Sixty Nine Thousand Three Hundred Twenty Three Dollars (\$69,323.00) the **City of Fairview Park** hereby directs the Fiscal Officer of Cuyahoga County to place to the credit of the District Health Fund of Cuyahoga County, and the Fiscal Office of Cuyahoga County is hereby authorized to deduct said sum of Sixty Nine Thousand Three Hundred Twenty Three Dollars (\$69,323.00) in equal semi-annual installments of Thirty Four Thousand Six Hundred Sixty One Dollars and Fifty Cents (\$34,661.50) from the regular tax settlement to be made for said city for the year 2017. This contract shall be in full force and effect from January 1, 2017 through December 31, 2017.

This agency is an equal provider of services and an equal employment opportunity employer-Civil Rights Act 1964

IN WITNESS WHEREOF, we hereunder subscribe our names.

**City of Fairview Park**

Cuyahoga County General Health District

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
Chairman, District Advisory Council

Date \_\_\_\_\_

Date \_\_\_\_\_

CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-42  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FOR FUNDING THE COE CREEK DAYLIGHTING AND STREAM & HABITAT RESTORATION PROJECT (“PROJECT”) AND DECLARING AN EMERGENCY

WHEREAS, the Clean Ohio Green Space Conservation Program provides financial assistance to political subdivisions for the preservation of open spaces, sensitive ecological areas and stream corridors; and

WHEREAS, the City of Fairview Park is planning to daylight a 175 linear foot and restore a 200 linear foot segment of Coe Creek; and

WHEREAS, the improvement herein above described is considered to be an environmental need for the community and is a qualified project under the Ohio Public Works Commission program; and

WHEREAS, the City of Fairview Park has received an award from the Ohio Environmental Protection Agency Section 319 subgrant to fund 60% of the Project and the remainder is still required for implementation.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. The Mayor is hereby authorized to make an application to request funds from the District One Natural Resources Assistance Council of Cuyahoga County and the Ohio Public Works Commission for the Project.

SECTION 2. That the Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining such financial assistance in conjunction with the Project, and as approved by the Director of Law, all in accordance with all authority granted to and limitations upon the Director of Finance.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare; and for the further reason that said application is required to be submitted to the District One Natural Resources Assistance Council in a timely manner, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 16-20  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILWOMAN CLEARY

A RESOLUTION IN SUPPORT OF THE MAYOR FOR THE SUBMITTAL OF AN APPLICATION TO SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO GREEN SPACE CONSERVATION PROGRAM FOR FUNDING THE COE CREEK DAYLIGHTING AND STREAM & HABITAT RESTORATION PROJECT (“PROJECT”) AND DECLARING AN EMERGENCY

WHEREAS, the Clean Ohio Green Space Conservation Program provides financial assistance to political subdivisions for the preservation of open spaces, sensitive ecological areas and stream corridors; and

WHEREAS, the City of Fairview Park is planning to daylight a 175 linear foot and restore a 200 linear foot segment of Coe Creek; and

WHEREAS, the improvement herein above described is considered to be an environmental need for the community and is a qualified project under the Ohio Public Works Commission program; and

WHEREAS, the City of Fairview Park has received an award from the Ohio Environmental Protection Agency Section 319 subgrant to fund 60% of the Project and the remainder is still required for implementation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

SECTION 1. The Mayor is hereby supported for the submittal of an application to request funds from the District One Natural Resources Assistance Council of Cuyahoga County and the Ohio Public Works Commission for the Project.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare; and for the further reason that said application is required to be submitted to the District One Natural Resources Assistance Council in a timely manner, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 10.03.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council