



CITY OF FAIRVIEW PARK CITY COUNCIL MEETING AGENDA

**MONDAY, OCTOBER 17, 2016
REGULAR COUNCIL MEETING**

6:30 p.m. Study Session – Council Caucus Room
7:00 p.m. Council Meeting – Council Chambers

Meeting Called to Order | Moment of Silent Prayer

Pledge of Allegiance

Roll Call

Disposition of Minutes:

Regular Meeting of Council Monday, October 3, 2016

Committee Reports

Environment, Public Works, Planning, Zoning and Development - Councilman Minek, Chair
Finance – Councilwoman Cleary, Chair | Councilman Wojnar, Vice-Chair

~ LEGISLATIVE AGENDA ~

Legislation on First Reading

COUNCILMAN RUSSO

Ord. 16-__ | Authorizing Application and Obligating Funds for Improvements at Nelson Russ Park
Res. 16-__ | Supporting Application for Financial Assistance for Improvements at Nelson Russ Park

COUNCILWOMAN CLEARY

Res. 16-__ | County Fiscal Officer to Advance Taxes 2017
Res. 16-__ | Resolution Supporting OPWC Grant Application for RRWWTP

Legislation on Second Reading

COUNCILMAN MINEK

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

COUNCILWOMAN CLEARY

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

Audience Input on Legislation Up For Passage

Agenda Continued on Back ➔

Legislation on for Passage without Three Readings

COUNCILWOMAN CLEARY

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

Res.16-__ | Repeal and Replace Resolution Awarding City Deposit Institutions for 2017

Reports and Communications from Mayor, Directors and Other City Officials

Public Session

Miscellaneous Business and Reports from Council

Adjournment

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UPCOMING MEETINGS OF COUNCIL:

MON. Oct 24	Council Committee Meeting	7:00 p.m.	Council Caucus Room
MON. Nov 7	Council Regular Meeting	7:00 p.m.	Council Chambers
MON. Nov 14	Council Committee Meeting	7:00 p.m.	Council Caucus Room
MON. Nov 21	Council Regular Meeting	7:00 p.m.	Council Chambers
MON. Nov 28	Council Committee Meeting	7:00 p.m.	Council Caucus Room

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, OCTOBER 3, 2016**
4

5 The regular meeting of Council was called to order by Council President Kilbane at 7:00 p.m.

6 MOMENT OF SILENT PRAYER

7 PLEDGE OF ALLEGIANCE

8 ROLL CALL:

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

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

11 Director Cingle, Law Director W. McGinty, Engineer M. Mackay
12

13 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on
14 Monday, September 19, 2016.

15 Moved and Seconded.

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

17 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
18

19 **COMMITTEE REPORTS**

20 COUNCILMAN MINEK gave the following reports: The Environment, Public Works, Planning, Zoning
21 & Development Committee met on Monday, September 12, 2016 to discuss **Ordinance 16-30**
22 Authorizing Bid and Contract for Masonry and Roof repairs at City Hall. Public Service Development
23 Director Leininger participated in the discussion of the leaking issue and third roof repair above the rear
24 ground floor entrance to City Hall. A motion to amend the Ordinance in Section 3. By removing
25 Municipal Lands and Building Fund (7750) and inserting Permanent Improvement Fund (260) was
26 approved 6-0. Motion to amend will be made prior to third reading passage. A motion to place the
27 ordinance on second reading and return to committee was approved 6-0.
28

29 The Environment, Public Works, Planning, Zoning & Development Committee met again on Monday,
30 September 26, 2016 to discuss **Ordinance 16-30** Authorizing bid and Contact for Masonry and Roof
31 Repairs at City Hall. Public Service Development Director Leininger participated in the discussion. The
32 present roof is the third for this entrance to City Hall. Upon checking the leaking issue it was found the
33 original brick work and other materials need repair. Once the brick work is completed it will have a
34 protective coating. Director Leininger was asked if there is a time frame for the renovation and stated we
35 have to advertise for bids and enter into a contract hopefully before the cold weather. A request was
36 received to keep this ordinance in committee until all members of council are present. A motion to keep
37 this ordinance in committee until a special committee meeting on October 3, 2016 at 6:15pm was
38 approved 5-0. Also discussed was the **issue of Municipal Facilities**: Director Leininger was advised of
39 the status and requested a copy of all the requested issues. The Director was informed Council Clerk
40 Westbrook will provide all the necessary documentation to date. Director Leininger stated the issue of
41 Underground Storage Tanks is continuing with BUSTR and more information is forthcoming. Motion
42 this issue remain in committee was approved 5-0.
43

44 The Environment, Public Works, Planning, Zoning & Development Committee met this evening at 6:15
45 pm to discuss **Ordinance 16-30** Authorizing Bid and Contract for Masonry and Roof Repairs at City
46 Hall. Public Service Development Director Leininger was once again present for discussion. After
47 considerable discussion a motion to place this ordinance on third reading and up for passage was
48 approved 6-0. A motion to amend this evening's Council meeting agenda was approved 6-0. This
49 completes my committee reports.
50

51 COUNCILMAN HINKEL reported the Local Government and Community Services Committee met on
52 Monday, September 26, 2016. The **issue of Dogs in City Parks** was briefly discussed, and by a vote of
53 5-0 was removed from committee. The **issue of Speeding in Crosswalks** was also removed from
54 committee by a vote of 5-0. The **issue of City Playgrounds** was discussed and was voted to remain in
55 committee to address Nelson Russ Park. This ended the meeting for the night.

56
57 COUNCILWOMAN CLEARY gave the following report: The Finance Committee met on Monday
58 September 12th. Mayor Eileen Patton, Law Director Billy McGinty, Finance Director Greg Cingle and
59 Director of Public Services & Development Shawn Leininger were in attendance to discuss the
60 following: **Ordinance 16-22** Amending Section 351.19 of the Codified Ordinances to waiver fees for
61 automobile parking violations. Police Chief Upperman was in attendance to discuss the proposed
62 increases in fees. The fees had not been adjusted since 1993. The motion to place on 2nd, subsequent 3rd
63 carried 6-0. **Ordinance 16-23** Amending Sections 911.15 & 911.16 of the Codified Ordinances entitled,
64 “Sewer Use & Rate” to reflect the changes made by the Cleveland Water Department from quarterly to
65 monthly billing and adjust the rates to reflect monthly rather than quarterly use. The motion to amend the
66 ordinance as follows carried 6-0: to reflect the monthly minimum rate charge of thirteen dollars (\$13.00)
67 per .333 Mcf (Three hundred thirty-three thousandth cubic foot), starting date of new charge and
68 surcharges for extra-strength waste. Motion to pass on emergency carried 6-0. **Ordinance 16-24**
69 Authorizes the Mayor and Director of Public Services and Development to enter into a contract with
70 Cuyahoga County Department of Public Works for storm and sanitary sewer services. Michael Dever,
71 Director of Cuyahoga County Public Works, Bryan Hitch, Sewer Maintenance Superintendent, Hugh
72 Blocksidge Chief Section Engineer and Michael Chambers, Fiscal Administrator were in attendance to
73 describe the public works services that are typically contracted by municipalities that include sewer
74 cleaning, televising and storm and sanitary sewer lining. The motion to amend the ordinance as follows
75 carried 6-0: Section 1 –the amount is not to exceed \$250,000 and Section 4 - to be declared an
76 emergency. The motion to pass on emergency carried 6-0. **Ordinance 16-25** Authorizes the Mayor to
77 enter into a contract with Go2It Group for professional computer support services from October 1, 2016
78 to September 30, 2017. The motion to amend as follows carried 6-0: to be paid from the General Fund
79 (100) and the Recreation Fund (230). The motion to pass on emergency carried 6-0. **Ordinance 16-26**
80 Authorizes the Finance Director to sell one 2005 Harley-Davidson Model HPI Motorcycle. The motion to
81 place on 2nd, subsequent 3rd carried 6-0. **Ordinance 16-27** Authorizes the Mayor to enter into a contract
82 to trade in one 1999 Road Rescue and Purchase one new 2016 Ford F-550 4x4 Braun Chief XL
83 Ambulance from Penn Care, Inc., an authorized vendor of the General Services Administrations for the
84 State of Ohio and to enter into an installment contract with Republic First National Corporation for the
85 purchase of the ambulance. Fire Chief Raffin had discussed the purchase of the ambulance during the
86 Budget Hearings in February 2016. Monies were allocated for the purchase when the budget was passed
87 in March 2016. The motion to amend as follows carried 6-0: in the third “Whereas,” the price is not to
88 exceed \$210,000 and in Section 4: the price is not to exceed \$210,000 from the Emergency Medical
89 Service Collections – Vehicle Purchase Fund (781-1130-5256 200). The motion to place on 2nd,
90 subsequent 3rd carried 6-0. **Ordinance 16-28** Authorizes the Mayor to enter into a service agreement
91 with TAC Computer, Inc. Tom Cravens, President of TAC Computer and Police Chief Erich Upperman
92 were in attendance to discuss the services offered to the Police Department. The cost of the contract is
93 not to exceed \$17,000 and will be paid from the General Fund (100) Police Department. The motion to
94 place on 2nd, subsequent 3rd carried 6-0. **Ordinance 16-32** Authorizes the Mayor to enter into a contract
95 with McGowan and Company for professional services for comprehensive insurance coverage from
96 October 1, 2016 to September 30, 2017. The motion to pass on emergency carried 6-0. **Resolution 16-14**
97 Awards active, interim and inactive deposits funds. The resolution allows the Finance Director to deposit
98 funds in the city’s treasury to the following banking institutions that offer the highest permissible rate of
99 interest for the period from January 1, 2017 to December 31, 2017: Star Ohio, Key Bank/McDonald
100 Investments, Charter One, Fifth Third Bank and Huntington Bank. The motion to place on 2nd,

101 subsequent 3rd carried 5-0. Councilman John Hinkel abstained from vote. **Resolution 16-15** Accepts the
102 amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and
103 certifying them to the County Fiscal Officer. Motion to pass on emergency carried 6-0. That concludes
104 my report.

105
106 COUNCILMAN WOJNAR reported that the Finance Committee met on Monday, September 26, 2016
107 at 7:25 p.m. The committee voted to remove the issue of parking tickets from the committee agenda.
108 Ordinance 16-22, which amends parking fines is being voted on this evening. The vote to remove was 5-0
109 and the meeting ended at 7:26 p.m.

110
111 THE CHAIR asked for a motion to add Ordinance 16-30 to the agenda under Legislation for third
112 reading and final passage.

113 Moved and Seconded.

114 THE CHAIR asked for any discussion. No discussion.

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

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

117

118 **LEGISLATION FOR FIRST READING**

119 COUNCILMAN MINEK placed the following legislation up for first reading and introduction:

120 ORDINANCE NO. 16-37

121 REQUESTED BY: MAYOR EILEEN ANN PATTON

122 SPONSORED BY: COUNCILMAN MINEK

123 CO-SPONSORED BY: COUNCILWOMAN CLEARY

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

125 *APPLICATION OF 21000 FAIRVIEW, LLC. AND DECLARING AN EMERGENCY*

126 ACTION: Ordinance 16-37 was placed on first reading and referred to the Environment, Public Works,
127 Planning, Zoning and Development Committee

128

129 ORDINANCE NO. 16-38

130 REQUESTED BY: MAYOR EILEEN ANN PATTON

131 SPONSORED BY: COUNCILMAN MINEK

132 CO-SPONSORED BY: COUNCILWOMAN CLEARY

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

134 *APPLICATION OF ANDRAKO AND ASSOCIATES, INC. AND DECLARING AN EMERGENCY*

135 ACTION: Ordinance 16-38 was placed on first reading and referred to the Environment, Public Works,
136 Planning, Zoning and Development Committee

137

138 COUNCILWOMAN CLEARY placed the following legislation up for first reading and introduction:

139 ORDINANCE NO. 16-39

140 REQUESTED BY: MAYOR EILEEN ANN PATTON

141 SPONSORED BY: COUNCILWOMAN CLEARY

142 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ANDRAKO*

143 *AND ASSOCIATES INC. FOR THE PURCHASE OF THE PROPERTY LOCATED AT 20520 LORAIN*
144 *ROAD, FAIRVIEW PARK, OHIO, AND DECLARING AN EMERGENCY*

145 ACTION: Ordinance 16-39 was placed on first reading and referred to the Finance Committee.

146

147 ORDINANCE NO. 16-40

148 ORIGINATED BY: THE FINANCE DEPARTMENT

149 REQUESTED BY: MAYOR EILEEN ANN PATTON

150 SPONSORED BY: COUNCILWOMAN CLEARY

151 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*
152 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*
153 *JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY*
154 ACTION: Ordinance 16-40 was placed on first reading and referred to the Finance Committee.

155
156 ORDINANCE NO. 16-41
157 REQUESTED BY: MAYOR EILEEN ANN PATTON
158 SPONSORED BY: COUNCILWOMAN CLEARY
159 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE*
160 *CUYAHOGA COUNTY BOARD OF HEALTH FOR HEALTH SERVICES FOR THE YEAR 2017 AND*
161 *DECLARING AN EMERGENCY*
162 ACTION: Ordinance 16-41 was placed on first reading and referred to the Finance Committee.

163
164 ORDINANCE NO. 16-42
165 REQUESTED BY: MAYOR EILEEN ANN PATTON
166 SPONSORED BY: COUNCILWOMAN CLEARY
167 *AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO SEEK*
168 *FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO GREEN*
169 *SPACE CONSERVATION PROGRAM FOR FUNDING THE COE CREEK DAYLIGHTING AND*
170 *STREAM & HABITAT RESTORATION PROJECT (“PROJECT”) AND DECLARING AN EMERGENCY*
171 ACTION: Ordinance 16-42 was placed on first reading and referred to the Finance Committee.

172
173 RESOLUTION NO. 16-20
174 REQUESTED BY: MAYOR EILEEN ANN PATTON
175 SPONSORED BY: COUNCILWOMAN CLEARY
176 *A RESOLUTION IN SUPPORT OF THE MAYOR FOR THE SUBMITTAL OF AN APPLICATION TO*
177 *SEEK FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO*
178 *GREEN SPACE CONSERVATION PROGRAM FOR FUNDING THE COE CREEK DAYLIGHTING*
179 *AND STREAM & HABITAT RESTORATION PROJECT (“PROJECT”) AND DECLARING AN*
180 *EMERGENCY*
181 ACTION: Resolution 16-20 was placed on first reading and referred to the Finance Committee.

182
183 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

184
185 **LEGISLATION FOR THIRD READING/FINAL PASSAGE**

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

187 ORDINANCE NO. 16-30
188 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
189 SPONSORED BY: COUNCILMAN MINEK
190 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO*
191 *ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST*
192 *RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL FOR*
193 *MASONRY AND ROOF REPAIRS AT CITY HALL AND DECLARING AN EMERGENCY*

194 THE CHAIR asked for any discussion.

195 COUNCILMAN MINEK made a motion to amend Ordinance 16-30 in Section 3 to remove Municipal
196 Lands and Building Fund (7750) and replacing with Permanent Improvement Fund (260).

197 Moved and Seconded.

198 THE CHAIR asked for any discussion. No Discussion.

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

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

201 THE CHAIR asked for further discussion prior to passage. No Discussion.
202 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carries, Ordinance 16-30 Amended passes.
203 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
204
205 COUNCILWOMAN CLEARY placed the following legislation up for third reading and final passage:
206 ORDINANCE NO. 16-22
207 REQUESTED BY: MAYOR EILEEN ANN PATTON
208 SPONSORED BY: COUNCILWOMAN CLEARY
209 CO-SPONSORED BY: COUNCILMAN HINKEL
210 *AN ORDINANCE AMENDING SECTION 351.19 OF THE CODIFIED ORDINANCES OF THE CITY*
211 *OF FAIRVIEW PARK AND DECLARING AN EMERGENCY*
212 THE CHAIR asked for any discussion. No Discussion.
213 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carries, Ordinance 16-22 passes.
214 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
215
216 ORDINANCE NO. 16-24
217 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
218 SPONSORED BY: COUNCILWOMAN CLEARY
219 CO-SPONSORED BY: COUNCILMAN MINEK
220 *AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE AND*
221 *DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY DEPARTMENT*
222 *OF PUBLIC WORKS FOR STORM AND SANITARY SEWER SERVICES*
223 THE CHAIR asked for any discussion.
224 COUNCILWOMAN CLEARY made a motion to amend Ordinance 16-24 in Section 1 to change the
225 amount not to exceed from \$485,000 to \$250,000 and to add the emergency clause in Section 4 for an
226 immediate effective date
227 Moved and Seconded.
228 THE CHAIR asked for any discussion. No Discussion.
229 ROLL ON MOTION: Vote: YES-6, NO-0, ABSTAIN-1 | Motion carries.
230 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary | ABSTAIN: M. Kilbane
231 THE CHAIR stated his abstention was due to the fact that he is employed by the Cuyahoga County
232 Department of Public Works as a Structural Ornamental Iron Worker, and although have nothing to gain
233 monetarily or personally from the passage of this legislation, to avoid any appearance of impropriety has
234 abstained from all discussion and votes on it.
235 THE CHAIR asked for further discussion prior to passage. No Discussion.
236 ROLL ON PASSAGE: Vote: YES-6, NO-0, ABSTAIN-1 | Ordinance 16-24 Amended passes.
237 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary | ABSTAIN: M. Kilbane
238
239 ORDINANCE NO. 16-26
240 REQUESTED BY: MAYOR EILEEN ANN PATTON
241 SPONSORED BY: COUNCILWOMAN CLEARY
242 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO SELL ONE (1) 2005 HD*
243 *HARLEY-DAVIDSON MODEL HPI AND DECLARING AN EMERGENCY*
244 THE CHAIR asked for any discussion. No Discussion.
245 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carries, Ordinance 16-26 passes.
246 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
247
248 ORDINANCE NO. 16-27
249 REQUESTED BY: MAYOR EILEEN ANN PATTON
250 SPONSORED BY: COUNCILWOMAN CLEARY

251 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO TRADE IN ONE*
252 *(1) 1999 ROAD RESCUE AND PURCHASE ONE (1) NEW 2016 FORD F-550 4x4 BRAUN CHIEF XL*
253 *AMBULANCE FROM PENN CARE, INC., AN AUTHORIZED VENDOR OF THE GENERAL SERVICES*
254 *ADMINISTRATION FOR THE STATE OF OHIO, AND TO ENTER INTO AN INSTALLMENT*
255 *CONTRACT WITH REPUBLIC FIRST NATIONAL CORPORATION FOR THE PURCHASE OF THE*
256 *AMBULANCE TO AND DECLARING AN EMERGENCY*
257 THE CHAIR asked for any discussion.
258 COUNCILWOMAN CLEARY made a motion to amend Ordinance 16-27 in the third “Whereas” clause
259 For cost not to exceed \$210,000 and in Section 4 for the price not to exceed \$210,000 and to be paid from
260 the Emergency Medical Service Collections – Vehicle Purchase Fund 781-1130-5256200.
261 Moved and Seconded.
262 THE CHAIR asked for any discussion. No Discussion.
263 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
264 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
265 THE CHAIR asked for further discussion prior to passage. No Discussion.
266 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 16-27 Amended passes.
267 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
268
269 ORDINANCE NO. 16-28
270 REQUESTED BY: MAYOR EILEEN ANN PATTON
271 SPONSORED BY: COUNCILWOMAN CLEARY
272 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH*
273 *TAC COMPUTER, INC. AND DECLARING AN EMERGENCY*
274 THE CHAIR asked for any discussion. No Discussion.
275 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carries, Ordinance 16-28 passes.
276 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
277
278 RESOLUTION NO. 16-14
279 REQUESTED BY: MAYOR EILEEN ANN PATTON
280 SPONSORED BY: COUNCILWOMAN CLEARY
281 *A RESOLUTION AWARDED ACTIVE, INTERIM AND INACTIVE DEPOSITS AND DECLARING AN*
282 *EMERGENCY*
283 THE CHAIR asked for any discussion. No Discussion.
284 ROLL ON PASSAGE: Vote: YES-6, NO-0, ABSTAIN-1 | Resolution 16-14 Amended passes.
285 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, P. Cleary | ABSTAIN: J. Hinkel
286 THE CHAIR asked Councilman Hinkel the reason for his abstention.
287 COUNCILMAN HINKEL said that he is employed at one of the institutions in the Resolution.
288
289 **LEGISLATION ON FOR PASSAGE WITHOUT THREE READINGS**
290 COUNCILMAN MINEK placed the following legislation up for emergency passage:
291 RESOLUTION NO. 16-21
292 REQUESTED BY: MAYOR EILEEN ANN PATTON
293 SPONSORED BY: CITY COUNCIL AS A WHOLE
294 *A RESOLUTION IN SUPPORT OF THE AEROZONE ALLIANCE CONSORTIUM AND DECLARING*
295 *AN EMERGENCY*
296 THE CHAIR asked for any discussion.
297 COUNCILMAN MINEK made a motion to suspend the Charter Provision and Rule 49 requiring three
298 readings.
299 Moved and Seconded.
300 THE CHAIR asked for any discussion. No discussion.

301 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
302 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary
303 THE CHAIR called for any further discussion.
304 COUNCILMAN MINEK made a motion to dispense of Council Rule 53 requiring referral to committee.
305 Moved and Seconded.
306 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
307 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, J. Hinkel, P. Cleary
308 THE CHAIR called for any further discussion prior to passage. No Discussion.
309 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Resolution 16-21 passes.
310 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, J. Hinkel, P. Cleary

311
312 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
313 **OFFICIALS**

314 MAYOR PATTON thanked all the residents who came to attend the meeting. She and Director Leininger
315 will be attending a meeting tomorrow with ODOT regarding construction plans and a planned 120-day
316 closure of the Brookpark Road Bridge in the spring of next year. They are seeking feedback on the
317 closure and any concerns, so if you have any please pass them along so they can be shared. Halloween
318 will be celebrated on Monday, October 31 in the city from 6-8 pm. The Fall Shredding event was a great
319 success with many items being disposed of. MAYOR PATTON thanked all who helped during the event.
320 The Police Department advises that traffic will be briefly slowed between 5:30 and 6:15 p.m. on October
321 7 for the Fairview High School Homecoming parade. On October 22 from 10 am until 2 pm, they will be
322 hosting an Operation Medicine Cabinet event where unused medication can be taken to the back of city
323 hall to be collected and properly disposed. The Recreation Department will be hosting the Fall Family
324 Fest on Saturday, October 29 at the Gemini Center from 10 am until noon. It is a free event with costume
325 parade, face painting, entertainment and more. The Senior Center and the Fairview High School Senior
326 Class will be assisting residents with yard work during their Seniors Helping Seniors event on November
327 2. If you know any senior who may need this service, please contact the Senior Center. MAYOR
328 PATTON thanked Law Director McGinty for creating the 15 pieces of legislation for tonight's meeting.
329

330 DIRECTOR LEININGER announced that leaf collection will be started on Monday, October 24. It is a
331 loose leaf collection and leaves will need to be raked to the tree lawn - but not into the street - and the
332 city will come by to collect them. The schedule will rotate through the, city beginning with the western
333 end and working their way back. A schedule of collection will be posted on the website to keep everyone
334 informed and updated as to here they have been and are headed. He asked for patience during this time as
335 we have a number of trees in our community and it can take time to get around to collecting them. The
336 infrastructure for the new Thomas Lane Development is nearing completion and homes will soon be
337 under construction. The Sidewalks Safety Improvement Project funded by a grant by Cuyahoga County
338 started last week. Replacement of slabs of concrete that may have been lifted by trees or otherwise
339 broken that pose the most risk to pedestrians are being replaced. The work is generally between West
340 210th and West 214th Streets, north of Lorain and South of Westwood and from West 219th St to West
341 West 224th south of Clifford Avenue, north of Lorain. A notice should have been received by impacted
342 residents. If your driveway will be impacted, please call to notify the Police Department to make
343 arrangements to allow overnight parking of your vehicle. DIRECTOR LEININGER thanked council for
344 the passage of the roof repair legislation so the process can be started to get the leak under control.
345

346 DIRECTOR CINGLE reported that the audit will be distributed in the next few days, and to call him if
347 there are any questions. He said that he is looking forward to discussing the supplemental budget at the
348 next committee meeting and to let him know if they have any questions.
349

350 DIRECTOR MCGINTY announced that there has been a change in the Lorain Road Bridge discussion.
351 On September 29, 2016 the City Administration and Councilman Minek were present at a meeting with
352 ODOT District Representative. He said that since the Lorain Bridge between Fairview Park and
353 Cleveland is considered a major bridge, the State decided to transfer some funds and indicated a
354 willingness to commit funds for a safety and pedestrian fence across the bridge. Prior to meeting with the
355 City, they met with Cleveland Councilman Martin Keane. Legislation will be sent shortly with suggested
356 legislation for the council to consider, and if approved by both cities, he believes that the intention is to
357 start in the spring.

358
359 ENGINEER MACKAY said that the contractors for the 2015 water lines and 2016 paving projects are
360 working on completion of punch list items. He reported that Terrace Construction is continuing to make
361 good progress on the 2016 water line projects, and their work is expected to be complete by November 1,
362 2016.

363
364 **PUBLIC SESSION**

365 MS. JESSICA EIDSON – 4548 W 213th St – MS. EIDSON said she was speaking as a Co-Chair for the
366 Friends of Fairview Park Schools organization. She thanked council for their support of Issue 112, and
367 said that they are getting a lot of positive feedback in the community. She advised of the following events
368 and encouraged everyone to attend: *October 5* - Meet, Greet & Eat with Superintendent Wagner at
369 Gunselman’s Tavern from 7:30 to 9:00 p.m.; *October 7 & 14* - Building Tours will continue during the
370 Football games beginning at 6:00 p.m. Free admission to the games will be offered to anyone taking the
371 tour; *October 15*- Pancake Breakfast at Fairview High School Cafeteria from 9:00 to 11:30 a.m. There
372 will be tours on this date as well.

373 THE CHAIR thanked Ms. Eidson and members of the Friends of Fairview Park Schools for donating
374 their time to help with the efforts in passage of Issue 112.

375
376 MR. MICHAEL MICHLOVIC – 20602 Lorain Road – MR. MICHLOVIC spoke about interactions and
377 responses received in regard to complaints and action he has taken since May concerning an interaction
378 at an intersection. He stated that he has also made his dissatisfaction with the library and some of their
379 employees.

380 THE CHAIR asked what specifically he could help him with. He said that since the last meeting, he has
381 researched and been made aware of his situation with the library and that it was not similar to what he
382 shared at previous council meetings. He asked the gentleman to deal directly with the library for his
383 grievances there, as the city has no jurisdiction over this.

384
385 MS. MARY ALICE MASTROVITO - 21467 South Park Drive – MS. MASTROVITO came to give an
386 update on behalf of the Shade Tree Commission. She thanked Mayor Patton for appointing her to the
387 commission. She spoke about the grant received in 2014 to plant trees in Bain Park and along Coe Creek
388 as part of a streambank restoration project. There were 207 trees planted by a wonderful coalition of
389 people, and 75% of them were still alive in the fall of 2015 when follow-up maintenance work was done
390 by the high schools environmental class and students from Prentiss to give the surviving trees the best
391 shot at surviving further. Another inventory was done this fall and 80 trees were still alive and about 15
392 need further assistance. On Wednesday, October 5, Coleen Sliwinski and her Environmental Studies
393 class students will again be at the park, to take care of the trees again. She said that part of her report
394 sounds dismal, but she has seen a wonderful collaboration along the way, in addition to the revitalization
395 of the Shade Tree Commission. She encouraged everyone to attend a Tree Planting demonstration on
396 Saturday, October 22 at 9 am in Bain Park. The city will plant the trees on the tree lawn, but they are
397 welcoming a community effort in learning the proper way to plant and assist in their efforts. MS.
398 MASTROVITO said that the Commission is considering this a pilot project and are very excited and
399 happy to move forward with it.

400 MS. DOREEN PAPAJCIK – 21208 N Park Drive – MS. PAPAJCIK said she is a member of the Green
401 Team and a friend of the Unitarian Universalist Church in Rocky River. She came tonight to officially
402 invite everyone to a Sustainable West Side event happening on Wednesday, October 26 from 6–8:30 PM
403 It will be held at the West Shore Unitarian Universalist Church located at 20401 Hilliard Blvd, Rocky
404 River, OH 44116 She said it is an opportunity to network and learn about other sustainable groups and
405 initiatives in other communities. This event was spearheaded by Mike Foley, Director of Sustainability
406 for the Cuyahoga Council when they came and talked about their office and efforts.

407
408 MR. CHUCK SOTU - 20867 Fairpark Drive – MR. SOTU asked what the term pedestrian friendly fence
409 meant in regard to the plans for the Lorain Road Bridge.

410 MAYOR PATTON explained that the bridge proposed will be about 10 feet tall and goes straight up with
411 a slight curve at the top and coated in vinyl. She said more information will be shared as it is given.

412 MR. SOTU asked what the Aerozone Alliance was and what it was for.

413 MAYOR PATTON explained that it is a collaborative of communities around the Cleveland Hopkins
414 Airport to network and work with surrounding communities in an effort to make it economically strong.

415 MR. SOTU asked where the awarding of contracts is reported and/or listed.

416 MAYOR PATTON explained that the results are reported at council meetings and he can call city hall to
417 find out about anything that is awarded by the Board of Control.

418 MR. SOTU said he was curious about the roof repairs and thought they had been done previously.

419
420 FIRE CHIEF TONY RAFFIN – Thanked Council for their support of the Fire Department and for the
421 passage of legislation tonight. He also thanked residents for their support of the levy and stated that while
422 city hall provides for the legislative side of things, the Department also appreciates them as they are the
423 support side.

424

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

426 COUNCILMAN MCDONOUGH thanked Joe McDonough, John King and Dave Grace, the proprietors
427 of Gunselman’s for their investment. He had the opportunity to get a tour of the new kitchens and what
428 will hopefully be a new brewery in the future. He said he appreciates their investment in the City of
429 Fairview Park.

430

431 COUNCILMAN MINEK thanked residents for the updates on the Shade Tree Commission and the Green
432 Team.

433

434 COUNCILMAN RUSSO announced that on Wednesday, October 5 at 6 p.m. there will be a community
435 input meeting with Director Owens and Gabriel who will be presenting an idea that they have for phases
436 Nelson Russ Park. The meeting will be held at the park and he encouraged everyone to come out and see
437 what they have to offer if they can.

438

439 COUNCILWOMAN CLEARY thanked Doreen Papajcik and Mary Alice Mastrovito for coming out to
440 night and giving updates. She said that she is grateful for the volunteering and expertise of those that
441 work and serve on committees.

442

443 THE CHAIR said with nothing further on the agenda he would entertain a motion to adjourn the regular
444 meeting.

445 Moved and Seconded.

446 THE CHAIR asked for any discussion. No discussion.

447 ROLL ON MOTION: Vote: YES-7, NO-0 | Meeting adjourned at 8:04 p.m.

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

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Michael P. Kilbane, President of Council

Liz L. Westbrooks, Clerk of Council

Eileen Ann Patton, Mayor

CITY OF FAIRVIEW PARK
ORDINANCE NO. 16-
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN RUSSO
CO-SPONSORED BY: COUNCILMAN MCDONOUGH

AN ORDINANCE AUTHORIZING THE EXECUTION AND SUBMISSION OF AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND, AGREEING TO OBLIGATE THE LOCAL FUNDS NECESSARY FOR PROJECT COMPLETION AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio, through the Land and Water Conservation Fund, administered by the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes;

WHEREAS, the City of Fairview Park desires financial assistance under the Land and Water Conservation Fund to fund the proposed improvements to Nelson Russ Park, as designed by DERU Landscape Architecture; and

WHEREAS, the conceptual plans for Nelson Russ Park have been reviewed in an open meeting facilitated by Fairview Park's Recreation Department; and

WHEREAS, grant applications include a local match by the applicant equal to or exceeding fifty percent (50%) of the total project cost.

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 Council of the City of Fairview Park hereby approves the filing of an application for financial assistance under the Land and Water Conservation Fund to implement improvements to Nelson Russ Park, as designed by DERU Landscape Architecture.

SECTION 2. That the Mayor of the City of Fairview Park is authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.

SECTION 3. That this Council does agree to obligate the funds required to satisfactorily complete the proposed project, include as part of the application a local match equaling fifty percent (50%) of the project cost, and become eligible for reimbursement under the terms of the Land and Water Conservation Fund.

SECTION 4. That the Clerk of Council is hereby authorized to attach a certified copy of this Ordinance to the City of Fairview Park's Land and Water Conservation Fund application prior to its filing.

SECTION 5. 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 6. 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 the application must be submitted by the November 15, 2016 deadline 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:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 16-
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN RUSSO
CO-SPONSORED BY: COUNCILMAN MCDONOUGH

A RESOLUTION IN SUPPORT OF THE MAYOR FOR THE SUBMITTAL OF AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio, through the Land and Water Conservation Fund, administered by the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes;

WHEREAS, the City of Fairview Park desires financial assistance under the Land and Water Conservation Fund to fund the proposed improvements to Nelson Russ Park, as designed by DERU Landscape Architecture; and

WHEREAS, the conceptual plans for Nelson Russ Park have been reviewed in an open meeting facilitated by Fairview Park's Recreation Department; and

WHEREAS, grant applications include a local match by the applicant equal to or exceeding fifty percent (50%) of the total project cost.

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

SECTION 1. That the Council of the City of Fairview Park hereby approves the filing of an application for financial assistance under the Land and Water Conservation Fund to implement improvements to Nelson Russ Park, as designed by DERU Landscape Architecture.

SECTION 2. That the Mayor of the City of Fairview Park is authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.

SECTION 3. That the Clerk of Council is hereby authorized to attach a certified copy of this Resolution to the City of Fairview Park's Land and Water Conservation Fund application prior to its filing.

SECTION 4. 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 5. 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 the application must be submitted by the November 15, 2016 deadline 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:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 16-
REQUESTED BY: GREG CINGLE, INTERIM FINANCE DIRECTOR
SPONSORED BY: COUNCILWOMAN CLEARY

A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, Section 321.34 of the Ohio Revised Code of the State of Ohio provides that any money in the County Treasury in the account of the City of Fairview Park, and lawfully applicable to the purpose of the current year may be drawn upon request.

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

SECTION 1. That the Fiscal Officer of Cuyahoga County be and is hereby requested to draw Warrants and is hereby requested to pay to the Director of Finance of the City of Fairview Park any money in the County Treasury to the account of Fairview Park and lawfully applicable to the purposes of the fiscal year 2017. This request includes advances of special assessments.

SECTION 2. That the Clerk of Council is hereby authorized to furnish a certified copy of this Resolution to the County Fiscal Officer.

SECTION 3. 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 4. That this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and for the further reason that it is immediately necessary to obtain the above mentioned advances in order to provide for proper financing of the City's obligations, 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.

PASSED:
APPROVED:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 16-
REQUESTED BY: SHAWN LEININGER, PUBLIC SERVICE & DEVELOPMENT
DIRECTOR
SPONSORED BY: COUNCILWOAMN CLEARY
CO-SPONSORED BY: COUNCILMAN MINEK and COUNCILMAN MCDONOUGH

A RESOLUTION REQUESTING THAT THE CITY OF ROCKY RIVER APPLY FOR FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT PROGRAM FOR THE FUNDING OF THE ROCKY RIVER WASTEWATER TREATMENT PLANT (WWTP) 2017-2020 CAPITAL IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the State Capital Improvements Program under the Ohio the Ohio Public Works Commission ("OPWC") provides financial assistance to political subdivisions for capital improvements to public infrastructure and,

WHEREAS, the City of Rocky River is planning to make capital improvements via the project known as the WWTP 2017-2020 Capital Improvements Project which will replace/repair aging equipment and structures within the Rocky River WWTP and,

WHEREAS, it has been determined by the six (6) year WWTP capital plan submitted with the annual WWTP budget that it is necessary for the City of Rocky River to submit applications for financial assistance for the management of the Rocky River Wastewater Treatment Plant on behalf of all member Cities, including Bay Village, Fairview Park and Westlake and,

WHEREAS, the infrastructure improvements described herein are considered to be an environmental priority need for the City of Rocky River Wastewater Treatment Plant and is a qualified project under the OPWC programs and,

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

SECTION 1. That the City of Rocky River is hereby requested to apply to the Ohio Public Works Commission's State Capital Improvement Program for financial assistance for capital infrastructure improvements projects for the management of the Rocky River Wastewater Treatment Plant on behalf of the City of Fairview Park.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to adoption of this Resolution were adopted in an open meeting of this Council, and any of its committees that result 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 immediate preservation of public peace, health and safety and for the further reason that services referred to above must be expedited due to deteriorating conditions of the WWTP and NPDES requirements, and provided it receives the affirmative vote of majority plus one of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:
APPROVED:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

Denton
9/6/10

September 20th

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).

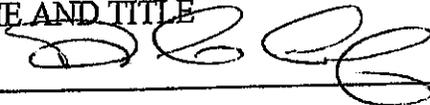
Applicant agrees to supply such additional information as may be required by applicable state law if requested by the City, and hereby authorized any such information to be inspected by the city, or if applicable the State or applicable State Agency.

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	_____
---	---	-------

PREVAILING WAGE USE

10	_____
----	-------

USE OF VACANT STRUCTURE

5	<u>5</u>
---	----------

MANUFACTURING USE

5	_____
---	-------

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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

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.

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

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).

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	_____
---	---	-------

PREVAILING WAGE USE

10	_____
----	-------

USE OF VACANT STRUCTURE

5	_____
---	-------

MANUFACTURING USE

5	_____
---	-------

OFFICE USE

10	_____
----	-------

TOTAL	_____
-------	-------

*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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

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

Ordinance 16-39 | Exhibit A

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

Ordinance 16-39 | Exhibit A

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

Ordinance 16-39 | Exhibit A

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

Ordinance 16-39 | Exhibit A

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]

Ordinance 16-39 | Exhibit A

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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrook, 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>
<u>GENERAL FUND</u>					
<u>1110 SECURITY OF PERSONS AND PROPERTY</u>					
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
TOTAL SECURITY PERSONS AND PROPERTY	\$869,808.43	\$3,065,127.18	\$2,195,318.75	\$3,068,324.34	\$3,197.16
<u>1130 FIRE PREVENTION AND CONTROL</u>					
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)
TOTAL FIRE PREVENTION AND CONTROL	\$528,021.32	\$2,199,317.87	\$1,671,296.55	\$2,193,468.87	(\$5,849.00)
<u>1140 FIRE PROTECTION REGIONAL EMS</u>					
TOTAL FIRE PROTECTION REGIONAL EMS	\$40,000.00	\$132,000.00	\$92,000.00	\$132,000.00	\$0.00
<u>2200 PUBLIC HEALTH</u>					
TOTAL PUBLIC HEALTH	\$200.00	\$840.00	\$640.00	\$840.00	\$0.00
<u>3420 BAIN PARK CABIN</u>					
TOTAL BAIN PARK CABIN	\$1,147.50	\$12,020.00	\$10,872.50	\$13,770.00	\$1,750.00
<u>3810 SENIOR LIFE OFFICE</u>					
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)
TOTAL SENIOR LIFE OFFICE	\$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
<u>4410 PARKS AND PROPERTY MAINTENANCE</u>					
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
TOTAL PARKS AND PROPERTY MAINTENANCE	\$14,360.27	\$11,575.00	(\$2,785.27)	\$11,575.00	\$0.00
<u>4510 PLANNING & DESIGN COMMISSION</u>					
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
TOTAL PLANNING COMMISSION	\$667.95	\$2,392.70	\$1,724.75	\$2,392.70	\$0.00
<u>4520 BUILDING STANDARDS</u>					
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
TOTAL BUILDING STANDARDS	\$107,840.38	\$322,382.61	\$214,542.23	\$314,342.61	(\$8,040.00)
<u>4530 BOARD OF APPEALS</u>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$200.00	\$949.90	\$749.90	\$989.90	\$40.00
TOTAL BOARD OF APPEALS	\$200.00	\$949.90	\$749.90	\$989.90	\$40.00
<u>4570 ARCHITECTURAL BOARD OF REVIEW</u>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL ARCHITECTURAL BOARD OF REVIEW	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>5550 RECYCLING & SOLID WASTE DISPOSAL</u>					
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
TOTAL REFUSE COLLECTION AND DISPOSAL	\$57,575.00	\$99,185.00	\$41,610.00	\$99,185.00	\$0.00
<u>6120 TRAFFIC SAFETY</u>					

	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)
TOTAL TRAFFIC SAFETY	\$62,403.81	\$239,994.33	\$177,590.52	\$229,994.33	(\$10,000.00)
<u>6800 MOTOR VEHICLE MAINTENANCE</u>					
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
TOTAL MOTOR VEHICLE MAINTENANCE	\$37,150.00	\$164,166.90	\$127,016.90	\$174,166.90	\$10,000.00
<u>7710 MAYOR'S OFFICE</u>					
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
TOTAL MAYOR'S OFFICE	\$45,823.98	\$189,241.86	\$143,417.88	\$192,376.86	\$3,135.00
<u>7711 SERVICE & DEVELOPMENT DIRECTOR'S</u>					
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
TOTAL SERVICE DIRECTOR'S OFFICE	\$238,318.04	\$856,918.21	\$618,600.17	\$867,918.21	\$11,000.00
<u>7720 FINANCE DEPARTMENT</u>					
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
TOTAL FINANCE DEPARTMENT	\$108,326.42	\$444,428.54	\$336,102.12	\$444,428.54	\$0.00
<u>7730 LEGAL ADMINISTRATION</u>					
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)
TOTAL LEGAL ADMINISTRATION	\$40,314.68	\$167,659.72	\$127,345.04	\$162,499.72	(\$5,160.00)
<u>7740 ENGINEER</u>					
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>
TOTAL ENGINEER	\$9,223.56	\$37,539.84	\$28,316.28	\$37,539.84	\$0.00
<u>7750 MUNICIPAL LANDS AND BUILDING</u>					
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)
TOTAL MUNICIPAL LANDS AND BUILDING	\$120,277.12	\$398,991.63	\$278,714.51	\$385,641.63	(\$13,350.00)
<u>7760 CIVIL SERVICE</u>					
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
TOTAL CIVIL SERVICE	\$2,823.25	\$4,714.49	\$1,891.24	\$4,714.49	\$0.00
<u>7770 COUNTY DEDUCTIONS AND AUDIT EXAMINERS</u>					
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
TOTAL COUNTY DEDUCTIONS AND AUDIT EXAMINERS	\$39,083.18	\$168,683.21	\$129,600.03	\$168,803.21	\$120.00
<u>7780 LEGISLATIVE</u>					
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
TOTAL LEGISLATIVE	\$49,701.87	\$201,528.22	\$151,826.35	\$201,528.22	\$0.00
<u>7790 OTHER ADMINISTRATIVE</u>					
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)
TOTAL OTHER ADMINISTRATIVE	\$444,839.09	\$1,346,549.34	\$901,710.25	\$1,344,906.18	(\$1,643.16)
TOTAL GENERAL FUND	\$2,898,469.22	\$10,469,283.59	\$7,570,814.37	\$10,469,283.59	\$0.00
<u>101 CONTINGENCY RESERVE FUND</u>					
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
TOTAL CONTINGENCY RESERVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>SPECIAL REVENUE FUNDS</u>					
<u>210 STREET CONSTRUC MAINT & REPAIRS</u>					
6610 <u>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
6620 <u>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
TOTAL STREET CONSTRUC MAINT RP	\$197,469.65	\$676,991.66	\$479,522.01	\$686,060.66	\$9,069.00
<u>220 STATE HIGHWAY FUND</u>					
6610 <u>STREET MAINTENANCE</u>					
TOTAL STREET MAINTENANCE	\$50,000.00	\$75,000.00	\$25,000.00	\$75,000.00	\$0.00
6620 <u>STREET CLEANING</u>					
TOTAL STREET CLEANING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL STATE HIGHWAY FUND	\$50,000.00	\$75,000.00	\$25,000.00	\$75,000.00	\$0.00
<u>230 RECREATION FUND</u>					
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)
TOTAL RECREATION FUND	\$1,079,708.62	\$4,058,046.02	\$2,978,337.40	\$4,058,046.02	\$0.00
<u>232 RECREATION COMMUNITY CENTER FUND</u>					
TOTAL RECREATION COMMUNITY CENTER	\$0.00	\$30.00	\$30.00	\$30.00	\$0.00
<u>240 POLICE AND FIRE PENSION FUND</u>					
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
TOTAL POLICE AND FIRE PENSION FUND	\$252,007.77	\$981,784.38	\$729,776.61	\$982,014.38	\$230.00
<u>245 S.A.V.E. FUND</u>					
TOTAL S.A.V.E FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>250 STREET LIGHTING FUND</u>					
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
TOTAL STREET LIGHTING FUND	\$79,350.00	\$256,300.00	\$176,950.00	\$256,300.00	\$0.00
<u>255 SOLID WASTE FEE</u>					
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
TOTAL SOLID WASTE FEE FUND	\$185,000.00	\$773,115.00	\$588,115.00	\$773,115.00	\$0.00
<u>270 FIRE OPERATING LEVY FUND</u>					
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
TOTAL FIRE OPERATING LEVY FUND	\$71,530.61	\$280,874.39	\$209,343.78	\$281,034.39	\$160.00
<u>275 SAFE ROUTES TO SCHOOL FUND</u>					
TOTAL SAFE ROUTES TO SCHOOL FUND	\$35,196.67	\$441,872.99	\$406,676.32	\$441,872.99	\$0.00
<u>285 FEMA GRANT FUND</u>					
TOTAL FEMA GRANT FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>290 FEDERAL GRANTS FUND</u>					
TOTAL FEDERAL GRANTS FUND	\$36,000.00	\$80,000.00	\$44,000.00	\$80,000.00	\$0.00
<u>295 STATE GRANT FUND</u>					
TOTAL STATE GRANT FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>500 WATER REIMBURSEMENT FUND</u>					

	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
TOTAL WATER REIMBURSEMENT FUND	\$16,250.00	\$46,144.00	\$29,894.00	\$46,144.00	\$0.00
<u>540 GILLES-SWEET FUND</u>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL GILLES-SWEET FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>711 BAIN PARK RESTORATION</u>					
TOTAL BAIN PARK RESTORATION	\$2,875.00	\$40,000.00	\$37,125.00	\$40,000.00	\$0.00
<u>714 LAW ENFORCEMENT TRUST FUND</u>					
TOTAL LAW ENFORCEMENT TRUST FUND	\$1,400.00	\$2,000.00	\$600.00	\$2,000.00	\$0.00
<u>715 D.U.I. EDUCATE FUND</u>					
TOTAL D.U.I. EDUCATE FUND	\$1,600.00	\$7,000.00	\$5,400.00	\$7,000.00	\$0.00
<u>716 P.O.P.A.S. FUND</u>					
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
TOTAL P.O.P.A.S. FUND	\$20,225.00	\$81,370.00	\$61,145.00	\$81,370.00	\$0.00
<u>717 CIVIL REIMBURSEMENT FUND</u>					
TOTAL CIVIL REIMBURSEMENT FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>718 COPS GRANT FUND</u>					
TOTAL COPS GRANT FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>721 NEW LEVY/PROJECT AMOUNT</u>					
TOTAL NEW LEVY/PROJECT AMOUNT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>741 CABLE TV FRANCHISE FEE</u>					
TOTAL CABLE TV FRANCHISE FEE	\$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
<u>751 DARE FUND</u>					
PERSONNEL SUBTOTAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER SUBTOTAL	\$208.75	\$813.73	\$604.98	\$813.73	\$0.00
TOTAL DARE FUND	\$208.75	\$813.73	\$604.98	\$813.73	\$0.00
<u>772 CEMETERY RESTORATION FUND</u>					
TOTAL CEMETERY RESTORATION FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>781 EMER MEDICAL SERV COLLECTION</u>					
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)
TOTAL EMER MEDICAL SERV COLLECTION	\$94,106.21	\$453,397.82	\$359,291.61	\$453,397.82	\$0.00
TOTAL SPECIAL REVENUE FUNDS	\$2,181,434.72	\$8,439,650.00	\$6,258,215.28	\$8,449,109.00	\$9,459.00
<u>DEBT SERVICE FUNDS</u>					
<u>300 BOND RETIREMENT FUND</u>					
TOTAL BOND RETIREMENT FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL DEBT SERVICE FUNDS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>CAPITAL PROJECTS FUNDS</u>					
<u>231 RECREATION CONSTRUCTION FUND</u>					
TOTAL RECREATION CONSTRUCTION FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<u>260 PERMANENT IMPROVEMENT FUND</u>					
TOTAL PERMANENT IMPROVEMENT FUND	\$237,161.94	\$439,008.43	\$201,846.49	\$439,008.43	\$0.00
<u>709 REDEVELOPMENT FUND</u>					
TOTAL REDEVELOPMENT FUND	\$0.00	\$12,500.00	\$12,500.00	\$12,500.00	\$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>
<u>710 SENIOR CENTER CONST FUND</u>					
TOTAL SENIOR CENTER CONST FUND	\$0.00	\$0.00	\$0.00	\$4,695.00	\$4,695.00
<u>811 CAPITAL PROJECTS FUND</u>					
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
<u>ENTERPRISE FUNDS</u>					
<u>510 FAIRVIEW PARK SANITARY SEWER FUND</u>					
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
<u>550 WATER LINE RECONDITIONING</u>					
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
<u>INTERNAL SERVICE FUNDS</u>					
<u>731 HEALTH INS RESERVE FUND</u>					
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
<u>732 EMPLOYEE SECT 125M</u>					
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
<u>AGENCY FUNDS</u>					

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

	<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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

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
CO-SPONSORED BY: COUNCILMAN MCDONOUGH

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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

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

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:

1st reading: 10.03.16
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
RESOLUTION NO. 16-
REQUESTED BY: COUNCILWOMAN CLEARY
SPONSORED BY: COUNCILWOMAN CLEARY

A RESOLUTION REPEALING AND REPLACING DUPLICATE RESOLUTION 16-14, AWARDING, ACTIVE, INTERIM AND INACTIVE DEPOSITS AND DECLARING AN EMERGENCY

WHEREAS, On May 16, 2016 Council passed Resolution 16-14 titled, ODOT Winter 2016-2017 Contract for Road Salt, and subsequently passed another Resolution numbered 16-14 titled Awarding Active, Interim and Inactive Deposits for 2017” on October 3, 2016therefore creating a duplicate number; and

WHEREAS, to eliminate numbering duplication, the Resolution 16-14 titled “Awarding Active, Interim and Inactive Deposits for 2017”, must be repealed and reintroduced with the new resolution number given herein; and

WHEREAS, the Finance Department is responsible for all active, interim and inactive funds in the Treasury of the City of Fairview Park at any time during the period beginning January 1, 2017, and of necessity must make deposits of said funds with eligible banking institutions.

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

SECTION 1. Resolution 16-14, titled “Awarding Active, Interim and Inactive Deposits for 2017”, adopted October 4, 2016, shall be, and is hereby repealed and replaced.

SECTION 2. That for the period of January 1, 2017 to December 31, 2017 inclusive, the interim deposits of the City of Fairview Park, Ohio, shall be awarded to the eligible institution or institutions which offers to pay the highest permissible rate of interest and further that the Director of Finance of the City of Fairview Park is authorized at any time during that period of designation to request new bids for interim deposits from eligible institutions upon a determination by resolution that the proposals for interim deposits in force no longer reflect prevailing interest rates. The Director of Finance is authorized to request a new Resolution of Council whenever the Director considers that the term of the bids for interim deposits no longer reflects the prevailing interest rates.

SECTION 2. That following is the list of eligible institutions deemed suitable for business with the City of Fairview Park:

1. Star Ohio
2. Key Bank, N.A./McDonald Investments
3. Charter One
4. Fifth Third Bank
5. Huntington Bank

SECTION 3. 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 4. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and so that the deposits can be made beginning January 1, 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:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council