



# CITY OF FAIRVIEW PARK CITY COUNCIL MEETING AGENDA

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COMMITTEE MEETING  
MONDAY, OCTOBER 24, 2016  
Council Caucus Room  
7:00 p.m.

## MEETING CALLED TO ORDER | ROLL CALL

### LOCAL GOV'T & COMMUNITY SERVICES COMMITTEE - Councilman Hinkel, Chair

- ✧ Issue: Dogs in City Parks

### FINANCE - Councilwoman Cleary, Chair

- ✧ Ord. 16-43 | Authorizing Application and Obligating Funds for Improvements at Nelson Russ Park
- ✧ Res. 16-22 | Supporting Application for Financial Assistance for Improvements at Nelson Russ Park
- ✧ Res. 16-23 | County Fiscal Officer to Advance Taxes 2017
- ✧ Res. 16-24 | Resolution Supporting OPWC Grant Application for RRWWTP

## BOARD & COMMISSIONS REPORTS

## ROUNDTABLE

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



CITY OF FAIRVIEW PARK  
ORDINANCE NO. 16-43  
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:

1<sup>st</sup> reading: 10.17.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 16-22  
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:

1<sup>st</sup> reading: 10.17.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 16-23  
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:

1<sup>st</sup> reading: 10.17.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrook, Clerk of Council

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 16-24  
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:

1<sup>st</sup> reading: 10.17.16  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council