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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**  
3 **MONDAY, OCTOBER 17, 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, J. Hinkel, A. Russo, P. Cleary  
10 Administration – Mayor E. Patton, Public 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, October 3, 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 reported that The Environment, Public Works, Planning, Zoning &  
21 Development Committee met on Monday, October 10, 2016 at 7:00PM to discuss: **Ordinance 16-37**  
22 accepting and approving the pre-construction tax abatement of 100% for a period of seven (7) years to  
23 21000 Fairview, LLC. At 21000 Brookpark Road (the former NASA property). Mr. David Crisafi,  
24 manager of 21000 Broopark Partners and a principal in Ceres Development gave a short presentation of  
25 the proposed development which will consist of apartments, offices, restaurant and a hotel. An important  
26 part of this proposed development is the passage of Issue 59, amending portions of Chapter 1129 of the  
27 Codified Ordinances as it relates to permitted mixed use development in the Office Building "3" Zoning  
28 District, which will be on the November 8, 2016 ballot. Motion that Ordinance 16-37 be placed on  
29 second reading & subsequent third reading was approved 6-0. Also discussed was **Ordinance 16-38**  
30 accepting and approving the pre-construction tax abatement of 100% for a period of seven (7) years at  
31 20550 Lorain Road (the former Country Inn Motel). Mr. Bud Andrako, President of Andrako Insurance  
32 Consultants who purchased the property was present and stated their plans are to construct an office  
33 building and garage to accommodate their growing business. Motion that Ordinance 16-38 be placed on  
34 second reading and subsequent third reading was approved 6-0. This completes my report!  
35

36 COUNCILWOMAN CLEARY gave the following report: The Finance Committee met on Monday,  
37 October 10th. Finance Director Greg Cingle and Shawn Leininger, Director of Public Service,  
38 Development & Monica Jordan, Community Development Planner were in attendance to discuss the  
39 following: **Ordinance 16-39** Authorizes the Mayor to enter into an agreement with Andrako &  
40 Associates for the purchase of the property located at 20520 Lorain Avenue. Director Leininger provided  
41 an overview of the sale price and payment structure for the property. An overview of the development  
42 plans for this property had been discussed earlier in the evening in the Environment, Public Works,  
43 Planning, Zoning, and Development committee meeting earlier in the evening so, there was no need for  
44 additional discussion regarding the sale of the property. A motion to place on 2nd and subsequent 3rd  
45 carried 6-0. **Ordinance 16-40** Appropriates funds for current expenses and other expenditures of the city  
46 for the period beginning January 1, 2016 and ending December 31, 2016. Finance Director Greg Cingle  
47 provided an overview and explanation for transfers of funds between line items in the ordinance. A  
48 motion to place on 2nd and subsequent 3rd carried 6-0. **Ordinance 16-41** Authorizes the Mayor to enter  
49 into a contract with the Cuyahoga County Board of Heath for Health Services for the year 2017.  
50

51 The Ohio Revised Code mandates that all municipalities to provide health services either through a city  
52 health district or by a valid contract with the county health district. The cost of the contract is not to  
53 exceed Sixty-Nine Thousand Three Hundred Twenty-three Dollars (\$69,323.00) and will be charged to  
54 the General Fund, Public Health line item (100.770.5243100). A motion to place on 2nd and subsequent  
55 3rd carried 6-0. **Ordinance 16-42** Authorizes the Mayor to submit an application to seek financial  
56 assistance from the Ohio Public Works Commission, Clean Ohio Green Space Conservation Program for  
57 funding the Coe Creek Daylighting and Stream and Habitat Restoration Project. Monica Jordan,  
58 Community Development Planner was in attendance to provide pictures of the area and offer an overview  
59 of the project that includes removing the existing pipe from the culvert allow create an open creek.  
60 Director Leininger requested that the ordinance be passed without three readings to allow the application  
61 to be submitted in time for the October 28th deadline. A motion to pass on emergency, without three  
62 readings, carried 6-0. **Resolution 16-20** Supports the Mayor for the submittal of an application to seek  
63 financial assistance from the Ohio Public Works Commission, Clean Ohio Green Space Conservation  
64 Program for funding the Coe Creek Daylighting and Stream and Habitat Restoration Project. The grant  
65 application requires that a supporting resolution accompany the application. Director Leininger requested  
66 that the resolution be passed without three readings to allow the application to be submitted in time for  
67 the October 28th deadline. A motion to pass on emergency, without three readings, carried 6-0. This  
68 concludes my report.

69

70 **LEGISLATION FOR FIRST READING**

71 COUNCILMAN RUSSO placed the following legislation up for first reading and introduction:

72 COUNCILMAN RUSSO

73 ORDINANCE NO. 16-43

74 REQUESTED BY: MAYOR EILEEN ANN PATTON

75 SPONSORED BY: COUNCILMAN RUSSO

76 CO-SPONSORED BY: COUNCILMAN MCDONOUGH

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

81 ACTION: Ordinance 16-43 was placed on first reading and referred to the Finance Committee.

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83 RESOLUTION NO. 16-22

84 REQUESTED BY: MAYOR EILEEN ANN PATTON

85 SPONSORED BY: COUNCILMAN RUSSO

86 CO-SPONSORED BY: COUNCILMAN MCDONOUGH

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

90 ACTION: Resolution 16-22 was placed on first reading and referred to the Finance Committee.

91

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

93 RESOLUTION NO. 16-23

94 REQUESTED BY: GREG CINGLE, INTERIM FINANCE DIRECTOR

95 SPONSORED BY: COUNCILWOMAN CLEARY

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

99 ACTION: Resolution 16-23 was placed on first reading and referred to the Finance Committee.

100

101 RESOLUTION NO. 16-24  
102 REQUESTED BY: SHAWN LEININGER, PUBLIC SERVICE & DEVELOPMENT DIRECTOR  
103 SPONSORED BY: COUNCILWOMAN CLEARY  
104 CO-SPONSORED BY: COUNCILMAN MINEK and COUNCILMAN MCDONOUGH  
105 *A RESOLUTION REQUESTING THAT THE CITY OF ROCKY RIVER APPLY FOR FINANCIAL*  
106 *ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL*  
107 *IMPROVEMENT PROGRAM FOR THE FUNDING OF THE ROCKY RIVER WASTEWATER*  
108 *TREATMENT PLANT (WWTP) 2017-2020 CAPITAL IMPROVEMENTS PROJECT, AND DECLARING*  
109 *AN EMERGENCY*  
110 ACTION: Resolution 16-24 was placed on first reading and referred to the Finance Committee.

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112 **LEGISLATION FOR SECOND READING**

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

114 ORDINANCE NO. 16-37

115 REQUESTED BY: MAYOR EILEEN ANN PATTON

116 SPONSORED BY: COUNCILMAN MINEK

117 CO-SPONSORED BY: COUNCILWOMAN CLEARY

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

120 ACTION: Ordinance 16-37 was placed on second and subsequent third reading.

121

122 ORDINANCE NO. 16-38

123 REQUESTED BY: MAYOR EILEEN ANN PATTON

124 SPONSORED BY: COUNCILMAN MINEK

125 CO-SPONSORED BY: COUNCILWOMAN CLEARY

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

128 ACTION: Ordinance 16-38 was placed on second and subsequent third reading.

129

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

131 ORDINANCE NO. 16-39

132 REQUESTED BY: MAYOR EILEEN ANN PATTON

133 SPONSORED BY: COUNCILWOMAN CLEARY

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

137 ACTION: Ordinance 16-39 was placed on second and subsequent third reading.

138

139 ORDINANCE NO. 16-40

140 ORIGINATED BY: THE FINANCE DEPARTMENT

141 REQUESTED BY: MAYOR EILEEN ANN PATTON

142 SPONSORED BY: COUNCILWOMAN CLEARY

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

146 ACTION: Ordinance 16-40 was placed on second and subsequent third reading.

147

148 ORDINANCE NO. 16-41

149 REQUESTED BY: MAYOR EILEEN ANN PATTON

150 SPONSORED BY: COUNCILWOMAN CLEARY

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

154 ACTION: Ordinance 16-41 was placed on second and subsequent third reading.

155

156 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

157

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

159 COUNCILWOMAN CLEARY placed the following legislation up for emergency passage:

160 ORDINANCE NO. 16-42

161 REQUESTED BY: MAYOR EILEEN ANN PATTON

162 SPONSORED BY: COUNCILWOMAN CLEARY

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

167 THE CHAIR asked for any discussion.

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

170 Moved and Seconded.

171 THE CHAIR asked for any discussion. No discussion.

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

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

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

175 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carries, Ordinance 16-42 passes.

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

177

178 RESOLUTION NO. 16-20

179 REQUESTED BY: MAYOR EILEEN ANN PATTON

180 SPONSORED BY: COUNCILWOMAN CLEARY

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

186 THE CHAIR asked for any discussion.

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

189 Moved and Seconded.

190 THE CHAIR asked for any discussion. No discussion.

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

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

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

194 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carries, Resolution 16-20 passes.

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

196

197 RESOLUTION NO. 16-25

198 REQUESTED AND SPONSORED BY: COUNCILWOMAN CLEARY

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

201 THE CHAIR asked for any discussion.  
202 COUNCILWOMAN CLEARY made a motion to suspend the Charter Provision and Rule 49 requiring  
203 three readings.  
204 Moved and Seconded.  
205 THE CHAIR asked for any discussion. No discussion.  
206 ROLL ON MOTION: Vote: YES-6, NO-0, ABSTAIN-1 | Motion carries.  
207 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, P. Cleary | ABSTAIN: J. Hinkel  
208 THE CHAIR asked Councilman Hinkel the reason for his abstention.  
209 COUNCILMAN HINKEL said that he is employed at one of the institutions in the Resolution and would  
210 abstain from voting on all subsequent motions and vote for passage for Resolution 16-25.  
211 THE CHAIR called for any further discussion.  
212 COUNCILWOMAN CLEARY made a motion to dispense of Council Rule 53 requiring referral to  
213 committee.  
214 Moved and Seconded.  
215 ROLL ON MOTION: Vote: YES-6, NO-0, ABSTAIN-1 | Motion carries.  
216 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, P. Cleary | ABSTAIN: J. Hinkel  
217 THE CHAIR called for any further discussion prior to passage. No Discussion.  
218 ROLL ON PASSAGE: Vote: YES-6, NO-0, ABSTAIN-1 | Resolution 16-25 passes.  
219 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, A. Russo, P. Cleary | ABSTAIN: J. Hinkel  
220

221 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**  
222 **OFFICIALS**

223 MAYOR PATTON thanked Council for moving legislation forward for passage. She announced that the  
224 trees will be planted and mulched on Saturday beginning at 9am for anyone who would like to  
225 participate. The Recreation Commission will meet on Wednesday, October 26 at the Gemini and the  
226 following day there will be a County-Shared Services Program meeting. The Gemini Center will be  
227 hosting Fall Fest on Saturday, October 29 from 10am until noon. MAYOR PATTON reminded everyone  
228 that Halloween trick-or-treating will be held on Halloween October 31. The Fairview Park High School  
229 seniors will be participating in the Seniors Helping Seniors event on November 2. The Senior Center will  
230 be holding a luncheon honoring the veterans of Fairview on Friday, November 11.

231  
232 DIRECTOR LEININGER reminded everyone that leaf collection will begin on October 24 beginning on  
233 the western side of the city at the North Olmsted border and working eastward s they continue through  
234 the week. The schedule will be posted on the website and he can be contacted with any questions or  
235 updates.

236  
237 DIRECTOR CINGLE asked Council to contact him with any questions on Supplemental Appropriations  
238 Ordinance 16-40.

239  
240 ENGINEER MACKAY said that the contractors continue to work on completion of punch list items for  
241 the 2015 water lines and 2016 paving projects are working on. He reported that Terrace Construction is  
242 continuing to make good progress on the 2016 water line projects, and their work is expected to be  
243 completed by November.

244  
245 **PUBLIC SESSION**

246 MR. JOHN TAYLOR – 22405 Macbeth Ave – MR. TAYLOR asked about an update in regard to the  
247 lighting and repairs on the bridge on Brookpark Road since his last remarks in March. He also asked  
248 about the planned development of Nelson Russ Park. He said that he made a formal complaint in regard  
249 to trailers being parked in driveways. He said that we have many things on the books in regard to  
250 enforcement and wanted to know who was in charge of enforcement and in the Building Department as

251 we are paying people and taxes to do this. He said that he has neighbors with young people and they have  
252 no neighborhood park close by to go to. MR. TAYLOR said he is hopeful that some type of intervention  
253 will happen and the pace of things will be picked up.

254 THE CHAIR responded that there were two pieces introduced tonight requesting assistance to get the  
255 ball rolling in Nelson Russ Park.

256 THE MAYOR responded that there are some recent updates in regard to the Brookpark Road Bridge; it is  
257 owned by the State, who came and inspected the bridge and have slated it for repairs in 2017. It will be  
258 shut down as they complete the repairs. She explained that it has been in the works for quite a few years,  
259 but since it is owned by the State, the timeline is out of our hands. A number of positive meetings with  
260 them has produced a positive result in that it is on the calendar for next year. MAYOR PATTON stated  
261 that in regard to Nelson Russ Park there have been some exciting meetings and proposed development  
262 plans are available for viewing. She said that is the grants are not received, the plans will still move  
263 forward, but likely spread out a couple more years than anticipated. The complaints that were made in the  
264 Building Department today were immediately looked at by Larry, who is currently doing a report on them  
265 and will follow-up with notice letters on any violations that need to be corrected.

266 MR. TAYLOR said that after his comments in March, he did remember speaking to someone in the  
267 audience from the Building Department, and later saw someone out taking pictures, but that the problem  
268 did not go away. He said that its seven months later and the problem still persists. He asked again about  
269 the oversight of the enforcement of ordinances.

270 MAYOR PATTON replied that we did implement a new program and hired a part-time employee, who is  
271 under the direction of the Building Commissioner. He did a thorough job for the portion of the city that  
272 was slated to be inspected, and as the city's finances allow it, the program will be continued.

273

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

275 COUNCILMAN MCDONOUGH said, "Go Tribe!"

276

277 COUNCILMAN MINEK reported that the Planning and Design Commission will be meeting on  
278 Wednesday, October 19 with two docket items: 22730 Fairview Center Dr - Hospice of the Western  
279 Reserve, Review of plan for signage – replacing face on existing monument sign and 21077, 21087,  
280 21095 Center Ridge Rd., 3160, 3180, 3200, 3220 West 210 St. and 3255 Glenbar Dr. - InSite Real Estate  
281 LLC, Applicant, Review of plan for exterior renovations, new construction, parking facilities, lighting,  
282 landscaping/buffering, refuse storage, fencing and lot split/consolidation.

283

284 COUNCILMAN WOJNAR reported that the next meeting of the Recreation Commission will be on  
285 October 26, 2016 at 6pm at the Gemini Center.

286

287 COUNCILWOMAN CLEARY made a motion to remove the issue of City Parking Tickets from  
288 committee.

289 Moved and Seconded.

290 THE CHAIR asked for any discussion. No discussion.

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

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

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294 THE CHAIR assigned the issue of City Sidewalks to the Environment, Public Works, Planning and  
295 Development Committee.

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

299 Moved and Seconded.

300 THE CHAIR asked for any discussion. No discussion.

301 ROLL ON MOTION: Vote: YES-7, NO-0 | Meeting adjourned at 7:33 p.m.  
302 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, J. Hinkel, A. Russo, P. Cleary

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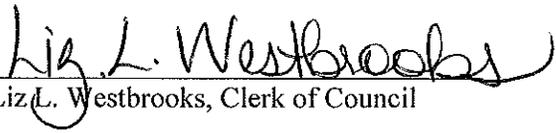
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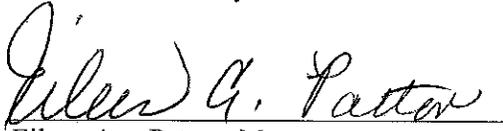
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William F. Minek, Council President Pro Tem

  
Liz L. Westbrook, Clerk of Council

  
Eileen Ann Patton, Mayor