

1  
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**  
3 **MONDAY, NOVEMBER 7, 2016**  
4

5 The regular meeting of Council was called to order by Council President Pro Tem Minek at 7:03 p.m.

6 MOMENT OF SILENT PRAYER

7 PLEDGE OF ALLEGIANCE

8 ROLL CALL:

9 PRESENT: Council –B. Minek, P. Wojnar 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 excuse Council President Kilbane and Councilman McDonough from  
14 the meeting.

15 Moved and Seconded.

16 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries, members are excused.

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

19 THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on  
20 Monday, October 17, 2016.

21 Moved and Seconded.

22 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries, minutes are approved.

23 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary  
24

25 **COMMITTEE REPORTS**

26 COUNCILMAN HINKEL reported that the Local Government and Community Services Committee met  
27 on Monday, October 24<sup>th</sup> with one item on the agenda which was the issue of **Dogs in City Parks**.  
28 Currently, there are no dogs allowed in any city parks. Council and those in attendance at the meeting  
29 offered their thoughts and questions on the issue. This was a working session, and a motion to remain in -  
30 committee was made and approved by a vote of 7-0 to remain in committee.  
31

32 COUNCILWOMAN CLEARY reported that the Finance Committee met on Monday, October 24th to  
33 discuss the following: **Ordinance 16-43** authorizes the execution and submission of an application for  
34 financial assistance under the State of Ohio Department of Natural Resources Land and Water  
35 Conservation Fund. **Resolution 16-22** supports the Mayor for the submittal of an application for  
36 financial assistance under State of Ohio Department of Natural Resources Land and Water Conservation  
37 Fund. The application for financial assistance are awarded for public recreation purposes, require a  
38 match equal to or exceeding 50% of the project cost by the applicant, and will be used for the proposed  
39 improvements to Nelson Russ Park. The plans for the park have been reviewed in a public meeting at  
40 Nelson Russ conducted by Steve Owens, Director of Recreation and Ward 5 Councilman Angelo Russo.  
41 In order to complete and submit the grant application by the November 15th due date, Shawn Leininger,  
42 Director of Public Service & Development has requested that the ordinance and resolution be passed  
43 without three reads. A motion to pass Ordinance 16-43 and Resolution 16-22 on emergency, without  
44 three readings carried 7-0. **Resolution 16-23** requests the County Fiscal Officer to advance taxes from  
45 the proceeds of tax levies pursuant to Section 321.34 of the Ohio Revised Code. The code provides that  
46 money in the County Treasury in Fairview Park's account may be drawn upon request. Due to the high  
47 volume of items on the committee agenda, it was decided to advance the legislation and return to  
48 committee. Finance Director, Greg Cingle will be invited to attend the next committee meeting to discuss  
49 the resolution. A motion to place on 2nd reading and return to committee carried 7-0. **Resolution 16-24**  
50 requests that the City of Rocky River apply for financial assistance from the Ohio Public Works

51 Commission's State Capital Improvement Program for the funding of the Rocky River Wastewater  
52 Treatment Plans 2017-2010 Capital Improvements Project. Shawn Leininger, Director of Public Service  
53 & Development will be invited to attend the next committee meeting to review the application. A motion  
54 to place on 2nd reading and return to committee carried 7-0. That concludes my report.

55

56 THE CHAIR announced that an executive session would not be held this evening.

57

58 **LEGISLATION FOR FIRST READING**

59 COUNCILMAN HINKEL placed the following legislation up for first reading and introduction:

60 ORDINANCE NO. 16-44

61 REQUESTED AND SPONSORED BY COUNCILMAN HINKEL

62 *AN ORDINANCE AMENDING CHAPTER 505 OF THE CODIFIED ORDINANCES OF THE CITY OF*  
63 *FAIRVIEW PARK TITLED "ANIMALS" PROVIDING FOR FURTHER PROHIBITION OF NUISANCE*  
64 *CONDITIONS AND DECLARING AN EMERGENCY*

65 ACTION: Ordinance 16-44 was placed on first reading and referred to the Local Government and  
66 Community Services Committee.

67

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

69 ORDINANCE NO. 16-45

70 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT

71 SPONSORED BY: COUNCILWOMAN CLEARY

72 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO TRADE-IN (1) SULLAIR 185*  
73 *PORTABLE AIR COMPRESSOR AND TO PURCHASE (1) NEW SULLAIR 185 PORTABLE AIR*  
74 *COMPRESSOR AND DECLARING AN EMERGENCY*

75 ACTION: Ordinance 16-45 was placed on first reading and referred to the Finance Committee.

76

77 RESOLUTION NO. 16-26

78 REQUESTED BY: MAYOR EILEEN ANN PATTON

79 SPONSORED BY: COUNCILWOMAN CLEARY

80 CO-SPONSORED BY: COUNCILMAN MCDONOUGH

81 *A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT GRANT FUNDS FROM THE OHIO*  
82 *DEPARTMENT OF PUBLIC SAFETY DIVISION OF MEDICAL SERVICES FOR THE FIRE*  
83 *DEPARTMENT AND DECLARING AN EMERGENCY*

84 Resolution 16-26 was placed on first reading and referred to the Finance Committee.

85

86 **LEGISLATION FOR SECOND READING**

87 COUNCILWOMAN CLEARY placed the following legislation up for second reading:

88 RESOLUTION NO. 16-23

89 REQUESTED BY: GREG CINGLE, INTERIM FINANCE DIRECTOR

90 SPONSORED BY: COUNCILWOMAN CLEARY

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

94 ACTION: Resolution 16-23 was placed on second reading and returned to the Finance Committee.

95

96 RESOLUTION NO. 16-24

97 REQUESTED BY: SHAWN LEININGER, PUBLIC SERVICE & DEVELOPMENT DIRECTOR

98 SPONSORED BY: COUNCILWOMAN CLEARY

99 CO-SPONSORED BY: COUNCIL AS A WHOLE

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

105 ACTION: Resolution 16-24 was placed on second reading and returned to the Finance Committee.

106

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

108

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

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

111 ORDINANCE NO. 16-37

112 REQUESTED BY: MAYOR EILEEN ANN PATTON

113 SPONSORED BY: COUNCILMAN MINEK

114 CO-SPONSORED BY: COUNCILWOMAN CLEARY

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

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

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

118 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Ordinance 16-37 passes.

119 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

120

121 ORDINANCE NO. 16-38

122 REQUESTED BY: MAYOR EILEEN ANN PATTON

123 SPONSORED BY: COUNCILMAN MINEK

124 CO-SPONSORED BY: COUNCILWOMAN CLEARY

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

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

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

128 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Ordinance 16-38 passes.

129 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

130

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

132 ORDINANCE NO. 16-39

133 REQUESTED BY: MAYOR EILEEN ANN PATTON

134 SPONSORED BY: COUNCILWOMAN CLEARY

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

136 *AND ASSOCIATES INC. FOR THE PURCHASE OF THE PROPERTY LOCATED AT 20520 LORAIN*

137 *ROAD, FAIRVIEW PARK, OHIO, AND DECLARING AN EMERGENCY*

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

139 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Ordinance 16-39 passes.

140 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

141

142 ORDINANCE NO. 16-40

143 ORIGINATED BY: THE FINANCE DEPARTMENT

144 REQUESTED BY: MAYOR EILEEN ANN PATTON

145 SPONSORED BY: COUNCILWOMAN CLEARY

146 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*

147 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*

148 *JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY*

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

150 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Ordinance 16-40 passes.  
151 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

152

153 ORDINANCE NO. 16-41

154 REQUESTED BY: MAYOR EILEEN ANN PATTON

155 SPONSORED BY: COUNCILWOMAN CLEARY

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

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

160 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Ordinance 16-41 passes.

161 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

162

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

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

165 ORDINANCE NO. 16-43

166 REQUESTED BY: MAYOR EILEEN ANN PATTON

167 SPONSORED BY: COUNCILMAN RUSSO

168 CO-SPONSORED BY: COUNCILMEMBERS MCDONOUGH, MINEK, WOJNAR, HINKEL,  
169 CLEARY AND COUNCIL PRESIDENT KILBANE

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

174 THE CHAIR asked for any discussion.

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

177 Moved and Seconded.

178 THE CHAIR asked for any discussion. No discussion.

179 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.

180 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

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

182 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Ordinance 16-43 passes.

183 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

184

185 RESOLUTION NO. 16-22

186 REQUESTED BY: MAYOR EILEEN ANN PATTON

187 SPONSORED BY: COUNCILMAN RUSSO

188 CO-SPONSORED BY: COUNCILMEMBERS MCDONOUGH, MINEK, WOJNAR, HINKEL,  
189 CLEARY AND COUNCIL PRESIDENT KILBANE

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

193 THE CHAIR asked for any discussion.

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

196 Moved and Seconded.

197 THE CHAIR asked for any discussion. No discussion.

198 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carries.

199 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

200 THE CHAIR asked for any further discussion prior to passage. No Discussion.  
201 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carries, Resolution 16-22 passes.  
202 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

203

204 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**  
205 **OFFICIALS**

206 MAYOR PATTON reminded everyone to vote. She announced that a letter was received regarding  
207 NOPEC (North East Ohio Public Energy Council) announcing NextERA Energy Services becoming the  
208 supplier of electricity for a program which currently serves almost 500,000 customers in 13 Northern  
209 Ohio counties. This will replace the current electrical supply contract with NOPEC customers. She urged  
210 anyone with questions to contact Bridget Hinkel in regard to this. There will be a Fairview Hospital  
211 Community group meeting on Thursday, November 10 and a Planning and Design Commission meeting.  
212 On Friday, the Senior Center will be holding a Veteran's Day luncheon. O'Neill Healthcare will also be  
213 hosting a Veteran's Day celebration at noon. On Tuesday, November 15 there will be a grand re-opening  
214 of the First Federal of Lakewood which is open to the public from 5:00-7:00 p.m. They are located at  
215 22380 Lorain Road. The Senior Center will be trying out a new Yoga therapy class for senior citizens on  
216 Thursday, November 17. Winterfest will be held on November 25 at Bain Cabin from 5:30-7:30 p.m. The  
217 tree for this year's festivities was donated by a Fairview Park resident. MAYOR PATTON commended  
218 the high school seniors who participated in the Seniors Helping Seniors event. There were about 60 yards  
219 worked on in this year's program and also participated in a news story special in the morning on the  
220 pledge of allegiance. She reminded everyone that parking will be challenging at city hall due to the  
221 election and that Meals on Wheels will be having their annual bake sale inside.

222

223 DIRECTOR LEININGER announced that Rally House, a specialty sports boutique to Westgate Shopping  
224 Center. He announced that after extensive renovations First Federal of Lakewood is reopening their doors  
225 to the public. DIRECTOR LEININGER reminded that leaf collection continues and to check the website  
226 to see where they will be every day. There are now two crews working on these collections through  
227 December 5, when they will switch and prepare vehicles for the winter snow removal and salt spraying.  
228 The sidewalk safety and improvement project is nearing completion and scheduled for completion this  
229 week. As a result of the good work of City Engineer Mackay and his team, there was some savings in the  
230 project which will allow some sections of sidewalk that had to be removed early on in the process back  
231 on. The city hall roof repair project recently approved by council has been bid and awarded to Midstate  
232 Restoration by the Board of Control. They are tentatively scheduled to begin work next Monday. As  
233 work commences, the main entrance to city hall will need to be temporarily moved to the building and  
234 service entrance. DIRECTOR LEININGER reported that the contract work with Cuyahoga County  
235 Public Works began today with sewer televising and sewer projects. They are working to get West 229<sup>th</sup>  
236 street lined from Lorain to Clifford, which was identified as a priority project, should be done by the end  
237 of the year and help to resolve some of the issues in that area.

238

239 DIRECTOR CINGLE thanked council for the passage of the supplemental appropriation ordinance and  
240 advised that the final 2016 appropriation and 2017 temporary appropriation ordinances will be forwarded  
241 to council for introduction at the next council meeting.

242

243 DIRECTOR MCGINTY thanked council for the passage of ordinance and wished luck to the ballot issue  
244 that will benefit the property at 21000 Brookpark Road. He reported that he has received a list of  
245 legislation that he will be working through for to get introduced. DIRECTOR MCGINTY announced that  
246 there has been a lot of meetings and work, especially over the last 6 weeks, trying to get a healthcare  
247 program together and detailed information will be forward shortly. He reported that he will be attending  
248 an ethics and professionalism seminar on November 30<sup>th</sup> to meet requirement for 2 year reporting period.

249

250 ENGINEER MACKAY reported that the 2015 and 2016 water line and paving projects are all complete  
251 except punch line items, which the contractors is working on. Thomas Lane is also working on some  
252 punch list items, and new home site plans should be coming soon for review for the development.  
253

254 **PUBLIC SESSION**

255 MS. JESSICA EIDSON – 4548 W 213<sup>th</sup> St – MS. EIDSON said she was there to represent Friends of  
256 Fairview Park one last time for Issue 112. She said that she learned in going through this process for the  
257 issue that some cities do not get the support of their city council, and that the community appreciates and  
258 thanks this council for their continued support. She said she is excited and proud to be a six-year resident  
259 of Fairview Park and invited everyone to an election watch party at Gunselman’s at 7:00 p.m.  
260

261 THE CHAIR thanked Ms. Eidson for her involvement and support on Issue 112.  
262

263 MAYOR PATTON announced that Rabon Allen will be putting a tent up, within the restrictions and  
264 approval of the Board of Elections tomorrow near the Senior Center, as a reference center for the School  
265 Issue 112. She also thanked the Friends of Fairview Park Committee for all their hard work.  
266

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

268 COUNCILMAN RUSSO reminded everyone to go vote tomorrow.  
269

270 THE CHAIR said with nothing further on the agenda he would entertain a motion to adjourn the regular  
271 meeting.  
272

272 Moved and Seconded.

273 THE CHAIR asked for any discussion. No discussion.

274 ROLL ON MOTION: Vote: YES-5, NO-0 | Meeting adjourned at 7:35 p.m.

275 YES: B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary  
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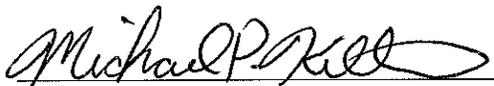
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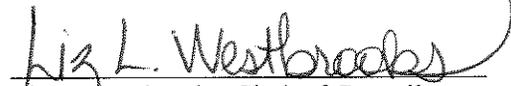
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Michael P. Kilbane, President of Council



Liz L. Westbrooks, Clerk of Council

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Eileen Ann Patton, Mayor

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