MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL
MONDAY, NOVEMBER 20, 2017

The regular meeting of Council was called to order by Council President Pro Tem Minek at 7:01 p.m.

MOMENT OF SILENT PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL:
PRESENT: Council–B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary
Administration – Mayor E. Patton, Director Leininger, Director Cingle, Director McGinty, Director Mackay

THE CHAIR called for a motion to excuse Council President Kilbane from the meeting.
Moved and Seconded.
ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carries, Council President is excused.
YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo, P. Cleary

THE CHAIR called for a motion to dispose of the minutes of the Regular Meeting of Council held on Monday, November 6, 2017.
Moved and Seconded.
ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carries.
YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary

COMMITTEE REPORTS
COUNCILMAN MINEK reported that the Environment, Public Works, Planning, Zoning & Development Committee met on Monday, November 13, 2017 to discuss two issues: First issue was the request of Forward Fairview Park to present the Lorain Road Community Survey Results. Also present was Public Service/Development Director Leininger and members of Forward Fairview Park. Ms. Kyle Petras, Vice Chair of Forward Fairview Park gave a very informative explanation of each page of the document. The survey from March to August of this year was directed to revitalizing our Lorain Road corridor. Everybody agreed the corridor has to change. Some ideas; bike lanes, improve crosswalks, trees and landscaping, green infrastructure to help manage storm water, reduce Lorain Road from 4 lanes to 2 and straighten travel lane. Like to see developed; grocers, farmer's markets, bakery, specialty shops, restaurants and entertainment district, retail shopping. The bottom line is money. The Administration is constantly seeking any type funding for the Lorain Road corridor. The recent grant for small business was discussed as a possible contributor to the corridor. The storefront grant would assist. It was agreed that the Administration and City Council would assist with Forward Fairview Park in redeveloping the Lorain Road corridor. Ms. Petras and the members were thanked for the presentation, discussion and encouraged to continue with their goals. The second issue was Safety Fences on Bridges: Motion this issue be removed from further discussions as legislation was passed last week was approved 6-0. This completes my report.

COUNCILMAN HINKEL reported that the Local Government and Community Service Committee met on Monday, November 13 to discuss one ordinance on the agenda. Ordinance 17-53 sets the Gemini Center Membership and Fee Schedule. The fees are to remain the same for the year 2018. Two council members had questions they wanted to speak with Steve Owens about and follow up on. After a short discussion, and by a vote of 6-0, the ordinance was advanced to second reading but was to also be returned to committee. This ended the committee meeting for the night.
COUNCILWOMAN CLEARY reported that The Finance Committee met on Monday, November 13th. Council members were present, along with Law Director Billy McGinty and Sean Leininger, Director of Public Services and Economic Development to discuss the following: Ordinance 17-54, authorizes the submission of an application to the Cuyahoga County Department of Development for the 2018 CDGB grant. This ordinance allows the city to apply for a grant for the playground at Nelson Russ Park. The grant request is not to exceed $50,000 and all costs will be paid on a reimbursement basis, out of the Recreation Fund 230. Director Leininger asked that the ordinance be passed on emergency to allow for the application to be submitted prior to the application deadline date. A letter documenting this request will be sent to council. A motion to pass on emergency carried 6-0. Ordinance 17-55, authorizes the Finance Director to sell two obsolete police vehicles. The police department has recently acquired three new vehicles and is no longer in need of the 2005 and 2011 Ford Crown Victoria Police Interceptor. The Director of Finance will sell the vehicles for the best and highest price via auction, internet sale or by proposal. A motion to place on 2nd, subsequent 3rd carried 6-0. Ordinance 17-56 Authorizes the Mayor to enter into a service agreement with TAC Computer, Inc. TAC Computer is the sole provider of computer services to the police Department and it is in the best interest to continue contracting with this company for computer services. The cost of the contract is not to exceed $17,000 and will be paid from the General Fund 100. A motion to place on 2nd and return to committee carried 6-0.

LEGISLATION ON FIRST READING
COUNCILMAN MINEK placed the following legislation up for first reading and introduction:
ORDINANCE NO. 17-58
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN MINEK
AN ORDINANCE DECLARING THE STRUCTURES LOCATED ON THE PROPERTY AT 21705 BROOKWAY DRIVE A PUBLIC NUISANCE AND AUTHORIZING THE CITY OF FAIRVIEW PARK TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC) AND DECLARING AN EMERGENCY
ACTION: Ordinance 17-58 was placed on first reading and referred to the Environment, Public Works, Planning, Zoning and Development Committee.

COUNCILWOMAN CLEARY placed the following legislation up for first reading and introduction:
ORDINANCE NO. 17-59
ORIGINATED BY: THE FINANCE DEPARTMENT
REQUESTED BY: MAYOR EILEEN 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, 2017 AND ENDING DECEMBER 31, 2017 AND DECLARING AN EMERGENCY.
ACTION: Ordinance 17-59 was placed on first reading and referred to the Finance Committee.

ORDINANCE NO. 17-60
ORIGINATED BY: THE FINANCE DEPARTMENT
REQUESTED BY: MAYOR EILEEN 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, 2018 AND ENDING MARCH 31, 2018 AND DECLARING AN EMERGENCY
ACTION: Ordinance 17-60 was placed on first reading and referred to the Finance Committee.

ORDINANCE NO. 17-61
REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
SPONSORED BY: COUNCILWOMAN CLEARY
AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CONSTRUCTION RESOURCES, INC. TO PREPARE PLANS AND SPECIFICATIONS FOR REPAIRS TO THE GEMINI CENTER NATATORIUM ROOF AND DECLARING AN EMERGENCY
ACTION: Ordinance 17-61 was placed on first reading and referred to the Finance Committee.

LEGISLATION ON SECOND READING
COUNCILMAN HINKEL placed the following legislation up for second reading:
ORDINANCE NO. 17-53
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILMAN HINKEL
AN ORDINANCE SETTING THE MEMBERSHIP USER FEE SCHEDULE FOR THE FAIRVIEW PARK RECREATION AND COMMUNITY CENTER GEMINI CENTER FOR THE YEAR 2018 AND DECLARING AN EMERGENCY.
ACTION: Ordinance 17-53 was placed on second reading and returned to the Local Government and Community Services Committee.

COUNCILWOMAN CLEARY placed the following legislation up for second reading:
ORDINANCE NO. 17-55
REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT
SPONSORED BY: COUNCILWOMAN CLEARY
AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO SELL OBSOLETE VEHICLES AND DECLARING AN EMERGENCY
ACTION: Ordinance 17-55 was placed on second and subsequent third reading.

ORDINANCE NO. 17-56
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH TAC COMPUTER, INC. AND DECLARING AN EMERGENCY
ACTION: Ordinance 17-56 was placed on second reading and returned to the Finance Committee.

AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE

LEGISLATION UP FOR PASSAGE WITHOUT THREE READINGS
COUNCILWOMAN CLEARY placed the following legislation up for emergency passage:
ORDINANCE NO. 17-54
REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT
SPONSORED BY: COUNCILWOMAN CLEARY
CO-SPONSORED BY: COUNCILMEN MINEK AND RUSSO
AN ORDINANCE SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT (“CUYAHOGA COUNTY”) FOR THE 2018 COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT (“CDSG”) PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR THE NELSON RUSS PARK PLAYGROUND PROJECT (“PROJECT”) AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS AND DECLARING AN EMERGENCY
THE CHAIR asked for any discussion.
COUNCILWOMAN CLEARY made a motion to suspend the Charter Provision and Rule 49 requiring three readings. Moved and Seconded. THE CHAIR asked for any discussion. No discussion. ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carries. YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary THE CHAIR asked for any further discussion prior to passage. No Discussion. ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carries, Ordinance 17-54 passes. YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary

LEGISLATION ON THIRD READING AND FINAL PASSAGE
COUNCILWOMAN CLEARY placed the following legislation up for third reading and final passage:
ORDINANCE NO. 17-52
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: COUNCILWOMAN CLEARY
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 2018 AND DECLARING AN EMERGENCY

Moved and Seconded. THE CHAIR asked for any discussion prior to passage. No discussion. ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carries, Ordinance 17-52 passes. YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary

REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY OFFICIALS
MAYOR PATTON announced that the Senior Center wanted to thank all residents for participating in the warm socks collection program. Over 600 pairs of new socks were delivered to the Community West Foundation last week and will be dispersed throughout the greater Cleveland area. Collection boxes are still remain at the Senior Center, Gemini Center and City Hall if you would still like to make a donation. MAYOR PATTON also thanked Longhorn restaurant for serving a Thanksgiving dinner to seniors this Wednesday. Over 170 have signed up with donations going to Toys for Tots. The Gemini Center is in full swing as they finalize plans for Winterfest this Friday, November 24 from 5:30-7:30 pm at Bain Park. There will be various entertainment, a tree lighting ceremony and new this year will be pony rides.

DIRECTOR LEININGER reported that construction on the Nelson Russ pavilion began today and with the favorable weather expected, should be completed in the next couple weeks. Leaf collection continues through the second week of December and is weather dependent, as trucks are also used for snow removal. DIRECTOR LEININGER wished Councilwoman Cleary a Happy Birthday and wished everyone a Happy Thanksgiving.

DIRECTOR CINGLE asked that if Council has any questions with respect to Ordinances 17-59 and 17-60 prior to next week’s committee meeting to please let him know. He wished Councilwoman Cleary a Happy Birthday and wished all residents a Happy Thanksgiving.

DIRECTOR MCGINTY wished all residents a Happy Thanksgiving and safe travels and also wished Councilwoman MACKAY reported that the Crossroads Asphalt is still planning on finishing its work for the 2017 Street Program work this year and while weather dependent we will keep pressing to complete
this work as soon as possible. The Waterline and Sidewalk projects in the city for the year are complete with the exception of final punch list items. He wished everyone a Happy Thanksgiving and Councilwoman Cleary a Happy Birthday.

PUBLIC SESSION

MR. FRED BILLEY – West 220th St – MR. BILLEY spoke about some concerns about safety issues in the city at several locations: corner of W. 220th and Lorain in the south bound turn lane street repair has already sunk 2 to 3 inches. He indicated that another older street repair has not sunk and at grade and was not sure what this was the case. He spoke about sidewalk hazards on 220th, and said the home at 5696 has a sewer clean out sticking out above grade 3 inches, and their neighbor at 5640 also has two clean-outs in their sidewalk, but at no grade. Another neighbor at 5650 has a clean-out above grade 1.5 inches. He was unsure why there were sewer clean-outs in the sidewalks, but regardless, they are tripping hazards. He stated that cones are places over them to advise people and to keep people from tripping. MR. BILLEY reported that the home at 4804 West Park Dr. has a large and wide island of bushes hanging over the sidewalk, which obstructs the view for vehicles and also forbid children walking by- another clear hazard. He said the island is about an 8’x8’, 10 feet over the sidewalk. He was not sure why they were allowed to have this over a city right-of-way and said that there was an attempt to tie this growth back, but it is not helping, and is not sure why it is not being addressed. MR. BILLEY said that he appreciates the concrete work that was done on West 220th Street and he is sure his neighbors do as well. He hopes that the amounts for salt will be adjusted this winter in this area, and suggested that the weekend shift will consider lifting the plow on the trucks when there is no snow to preserve equipment. He said the work on beautification and repair to the sidewalks and curbs is noticeable. He said that he has spoken to Director Leininger about concerns for new trees planted and hopes that will be addressed. He thanked council and the Administration for their time.

MR. CHUCK SOTU – 20867 Fairpark Drive – MR. SOTU asked about the curb construction and dust flying as they are using the saws. He wondered if they were using wet saws.

DIRECTOR LEININGER replied that they were using wet saws, and also put water down on the sidewalk. He said that there will always be dust when cutting concrete, but they try to minimize as much as possible.

MR. SOTU also asked about a lot of the sewers that have sunk into the streets, which are almost like potholes. He asked if this was a concern.

MR. MACKAY said that they try to address this issue when doing repaving projects in the area of them and said it is a continuing maintenance issue, and they try to keep up with it as much as we can.

MISCELLANEOUS BUSINESS AND COMMENTS BY MEMBERS OF COUNCIL

COUNCILMAN WOJNAR wished Councilwoman Cleary a Happy Birthday and everyone a Happy Thanksgiving.

COUNCILMAN HINKEL wished everyone a Happy Thanksgiving and said he looks forward to seeing everyone at Winterfest.

COUNCILMAN RUSSO said he looks forward to seeing everyone at Winterfest on Friday.

COUNCILWOMAN CLEARY thanked residents for coming out tonight, and Mr. Billey for calling the issues to the city’s attention. She said thinks the Service Department and the Administration does a wonderful job, but appreciates the eyes and ears of residents and letting us know of concerns that we may not see. COUNCILWOMAN CLEARY thanked everyone for the birthday wishes and wished everyone a safe Thanksgiving.
THE CHAIR entertained a motion to remove the issue of Safety Fences on Bridges from the Environment, Public Works, Planning, Zoning and Development Committee.

Moved and Seconded.

ROLL ON MOTION: Vote: YES-6, NO-0 | Issue is removed from committee.
YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary

THE CHAIR announced that council held and executive session on Monday, November 6 for the purpose of conferences with an attorney for the public body concerning disputes involving the public body that are the subject to pending or imminent court action.

THE CHAIR entertained a motion to adjourn the regular meeting with no further business.
Moved and Seconded.

ROLL ON MOTION: Vote: YES-6, NO-0 | Meeting adjourned at 7:27 p.m.
YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and P. Cleary

William F. Minek, Council President Pro Tem   Liz L. Westbrooks, Clerk of Council
Eileen Ann Patton, Mayor