



CITY OF FAIRVIEW PARK
CITY COUNCIL MEETING
AGENDA

SPECIAL COMMITTEE MEETING
TUESDAY, SEPTEMBER 4, 2018
6:30 p.m.
Council Caucus Room

MEETING CALLED TO ORDER

FINANCE COMMITTEE – Councilman Wojnar, Chair

- ✧ Ord. 18-33 | Authorizing Finance Director to Transfer Funds for Senior Center Roof Replacement
- ✧ Res. 18-13 | Urging Governor and General Assembly to Invest Budget Surplus in Municipalities

BOARD & COMMISSIONS REPORTS

ROUNDTABLE

CITY OF FAIRVIEW PARK
ORDINANCE NO. 18-33
ORIGINATED BY: GREG CINGLE, FINANCE DIRECTOR
REQUESTED BY: MAYOR EILEEN PATTON
SPONSORED BY: COUNCILMAN WOJNAR

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS TO THE SPECIFIED ACCOUNT AND DECLARING AN EMERGENCY.

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 Finance Director be and is hereby authorized to transfer funds to the specified accounts as follows:

FROM:	TO:	AMOUNT
741 Cable TV Franchise Fee Fund	260 Permanent Improvement Fund	\$235,000.00

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 of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance shall take effect and be in force from and after the earliest time by law.

PASSED:
APPROVED:

1st reading: 08.20.18
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. 18-13
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: CITY COUNCIL

A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES AND DECLARING AN EMERGENCY

WHEREAS, the Mayor and Council have been advised of Ohio Governor John Kasich's proposal to use the projected State of Ohio budget surplus of \$147 million at the end of the biennium to fund an income tax withholding reduction and bring the state's rainy day fund to its maximum legal limit; and

WHEREAS, the Ohio General Assembly has repeatedly decreased funding and revenue sharing in recent years by way of significantly reducing the Local Government Fund, eliminating the Estate Tax, and phasing out the Tangible Personal Property Tax; and

WHEREAS, these reductions have resulted in an annual loss of revenue of \$850,000; and

WHEREAS, this substantial revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, bolster public safety services and fight the opioid epidemic; and

WHEREAS, when municipalities experience success in fostering safe communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well.

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

SECTION 1. The Ohio General Assembly should distribute the budget surplus revenue to Ohio's municipalities at the end of the biennium, ensuring that these local communities are able to provide crucial services and improvements in infrastructure and public safety.

SECTION 2. This Council does hereby declare its opposition to depositing the state budget surplus into the Rainy Day Fund and the implementation of an income tax withholding reduction by Governor Kasich and the Ohio General Assembly.

SECTION 3. That the Clerk of Council is hereby directed to forward certified copies of this resolution to Governor Kasich, State Representative Dave Greenspan and State Senator Matt Dolan.

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 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: 08.20.18
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Eileen Ann Patton, Mayor

Liz L. Westbrooks, Clerk of Council



CITY OF FAIRVIEW PARK CITY COUNCIL MEETING AGENDA

TUESDAY, SEPTEMBER 4, 2018

REGULAR COUNCIL MEETING

6:35 p.m. - Study Session – Council Caucus Room

7:00 p.m. - Council Meeting – Council Chambers

Swearing-In of Council At-Large Representative Todd Smith

Meeting Called to Order

Moment of Silent Prayer | Pledge of Allegiance

Roll Call

Disposition of Minutes:

Meetings of Council

Regular Meetings: July 2, July 16, August 20 | **Special Meetings:** July 23, 30, August 1 and 22

Committee Reports

Committee of the Whole – Council President Kilbane

Finance – Councilman Wojnar

~ LEGISLATIVE AGENDA ~

Legislation on First Reading

COUNCILMAN WOJNAR

Res. 18-__ | 2019 Tax Rate Resolution

Legislation on Second Reading

COUNCILMAN WOJNAR

Ord.18-33 | Authorizing Finance Director to Transfer Funds for Senior Center Roof Replacement

Res.18-13 | Urging Governor and General Assembly to Invest Budget Surplus in Municipalities

Audience Input on Legislation Up For Passage

Legislation on Passage Without Three Readings

COUNCILMAN WOJNAR

Ord. 18-__ | Authorizing Sale of Fire Truck

Ord. 18-__ | Weed Cutting Charges for Certain Properties

Reports and Communications from Mayor, Directors and Other City Officials

Public Session

Miscellaneous Business and Reports from Council

Adjournment

Agenda continued on back →

UPCOMING MEETINGS OF COUNCIL:

MON. Sept 10	Council Committee Meeting	7:00 p.m.	Council Caucus Room
MON. Sept 17	Council Regular Meeting	7:00 p.m.	Council Chambers
MON. Sept 24	Council Committee Meeting	7:00 p.m.	Council Caucus Room

CITY OF FAIRVIEW PARK
RESOLUTION NO. 18-
REQUESTED BY: GREG CINGLE, FINANCE DIRECTOR
SPONSORED BY: COUNCILMAN WOJNAR

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of Fairview Park, Cuyahoga
County, Ohio, met in Regular session on the _____ day of September
(Regular Or Special)
2018, at the office of City Council Chambers with the following members

present: Brian McDonough, Ward 1 _____
William Minek, Ward 2 _____
Paul Wojnar, Ward 3 _____
John Hinkel, Ward 4 _____
Angelo Russo, Ward 5 _____
Todd Smith, Council At-Large _____
Michael Kilbane, Council President _____

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st,

2019; and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Fairview Park,

Cuyahoga County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund			3.33	5.00
General Bond Retirement Fund				0.00
Police Pension			0.30	
Park Fund				0.00
Recreation Fund				1.00
Fire Pension Fund			0.30	
Permanent Improv. Fund				0.87
Fire Fund				1.00
TOTAL	\$0	\$0	3.93	7.87

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Recreation Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on _____ for not to exceed _____ years.		
Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on _____ for not to exceed _____ years.	,20	

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this

Resolution to the Fiscal Officer of said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. _____ Brian McDonough, Ward 1	___ YES ___ NO
Mr./Mrs. _____ Willam Minek, Ward 2	___ YES ___ NO
Mr./Mrs. _____ Paul Wojnar, Ward 3	___ YES ___ NO
Mr./Mrs. _____ John Hinkel, Ward 4	___ YES ___ NO
Mr./Mrs. _____ Angelo Russo, Ward 5	___ YES ___ NO
Mr./Mrs. _____ Todd Smith, Council At-Large	___ YES ___ NO
Mr./Mrs. _____ Michael Kilbane, Council President	___ YES ___ NO
Mr./Mrs. _____	
Mr./Mrs. _____	

Adopted the _____ day of **September**, 20**18**.

Attest: _____

Michael P. Kilbane, President of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Cuyahoga County, ss.

I, Liz L. Westbrooks, Clerk of the Council of the City

of Fairview Park within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

THIS IS THE ORIGINAL

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of **September**, 20**18**

Liz L. Westbrooks, Clerk of Council

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

Resolution No. 18-

COUNCIL OF THE CITY OF

FAIRVIEW PARK

CUYAHOGA County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY FISCAL OFFICER

(City Council)

Adopted _____, 20 ____

Liz L. Westbrooks, Clerk of Council

Filed _____, 20 ____

County Fiscal Officer

By _____
Deputy

CITY OF FAIRVIEW PARK
ORDINANCE NO. 18-33
ORIGINATED BY: GREG CINGLE, FINANCE DIRECTOR
REQUESTED BY: MAYOR EILEEN PATTON
SPONSORED BY: COUNCILMAN WOJNAR

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS TO THE SPECIFIED ACCOUNT AND DECLARING AN EMERGENCY.

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 Finance Director be and is hereby authorized to transfer funds to the specified accounts as follows:

FROM:	TO:	AMOUNT
741 Cable TV Franchise Fee Fund	260 Permanent Improvement Fund	\$235,000.00

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 of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: This Ordinance shall take effect and be in force from and after the earliest time by law.

PASSED:
APPROVED:

1st reading: 08.20.18
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. 18-13
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: CITY COUNCIL

A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES AND DECLARING AN EMERGENCY

WHEREAS, the Mayor and Council have been advised of Ohio Governor John Kasich's proposal to use the projected State of Ohio budget surplus of \$147 million at the end of the biennium to fund an income tax withholding reduction and bring the state's rainy day fund to its maximum legal limit; and

WHEREAS, the Ohio General Assembly has repeatedly decreased funding and revenue sharing in recent years by way of significantly reducing the Local Government Fund, eliminating the Estate Tax, and phasing out the Tangible Personal Property Tax; and

WHEREAS, these reductions have resulted in an annual loss of revenue of \$850,000; and

WHEREAS, this substantial revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, bolster public safety services and fight the opioid epidemic; and

WHEREAS, when municipalities experience success in fostering safe communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well.

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

SECTION 1. The Ohio General Assembly should distribute the budget surplus revenue to Ohio's municipalities at the end of the biennium, ensuring that these local communities are able to provide crucial services and improvements in infrastructure and public safety.

SECTION 2. This Council does hereby declare its opposition to depositing the state budget surplus into the Rainy Day Fund and the implementation of an income tax withholding reduction by Governor Kasich and the Ohio General Assembly.

SECTION 3. That the Clerk of Council is hereby directed to forward certified copies of this resolution to Governor Kasich, State Representative Dave Greenspan and State Senator Matt Dolan.

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 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: 08.20.18
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. 18-
REQUESTED BY: ANTHONY RAFFIN, FIRE CHIEF
SPONSORED BY: COUNCILMAN WOJNAR

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO SELL THE CITY'S OBSOLETE AND DILAPIDATED LADDER TRUCK THAT IS NO LONGER OF VALUE OR NEEDED FOR THE OPERATIONS OF THE CITY OF FAIRVIEW PARK AND DECLARING AN EMERGENCY

WHEREAS, the City of Fairview Park ("City") owns a 1995 KME Aerial Fire Apparatus that is no longer in use by the City because of the multiple safety issues and mechanical problems, and;

WHEREAS, the City believes the equipment listed in this Ordinance is no longer able to be used safely for the fire suppression operations of the City, and it is in the best interest of the City to dispose of said equipment as obsolete.

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

SECTION 1. The Director of Finance is hereby authorized to sell the 1995 KME Aerial Fire Apparatus, to D and M Wrecking after receiving a \$5,500 price for purchase, and after having determined the price is fair through research using GovDeals (a government surplus agency,) research which shows that the said price of \$5,500 exceeds the average by over \$500.

SECTION 2. That the proceeds from the sale of the equipment be deposited into the General Fund (Sale of Assets) of the City of Fairview Park.

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 to immediately dispose of old equipment and vehicles, 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. Westbrook, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 18-
REQUESTED BY: MAYOR EILEEN ANN PATTON
SPONSORED BY: CONCILMAN WOJNAR

AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY, OHIO, FOR CHARGES FOR THE SERVICES OF THE CITY OF FAIRVIEW PARK, OHIO, FOR CUTTING WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN, AND AUTHORIZING SAID CHARGES TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURSUANT TO SECTION 731.54 OF THE REVISED CODE OF OHIO, AND DECLARING AN EMERGENCY

WHEREAS, in accordance with and upon written information that noxious weeds were growing on the following parcels of land within the City of Fairview Park:

Location	Permanent Parcel No.
4287 West 220 Street	321-09-044

and that said weeds were about to spread or mature seeds, the Council of the City of Fairview Park, Ohio, has heretofore authorized the Director of Public Service and Development to notify said owners by written notice that said weeds were to be cut within forty-eight (48) hours after receipt thereof; and

WHEREAS, the Director of Public Service and Development caused written notices to be sent to the aforesaid property owners by posting a notice on the property and/or by ordinary mail, notifying said owners to cut said weeds; and

WHEREAS, said owners failed to comply with said notices within the time allotted herein and the Council of this City authorized the Director of Public Service and Development to cause said weeds to be cut and destroyed; and

WHEREAS, said weeds were cut by said City on the aforesaid parcels of land; and

WHEREAS, the City expended the sum hereinafter set forth necessary labor and equipment or contracted for cutting and destroying said weeds; and

WHEREAS, the City has complied with the requirements of Section 731.51 to 731.53 of the Ohio Revised Code of the State of Ohio.

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 Director of Finance for the City of Fairview Park is hereby authorized to pay the total of the sums of money hereinafter set forth out of funds not otherwise appropriated to cover the cost and expenses of cutting noxious weeds on the parcels and land herein defined.

SECTION 2. That, in accordance with Section 731.54 of the Revised Code of the State of Ohio, the Council of the City of Fairview Park, Ohio hereby makes and this ordinance shall be considered as its written return to the Fiscal Officer of Cuyahoga County, Ohio, of its actions under Section 731.54 to and including Section 731.53 of the Revised Code of the State of Ohio.

SECTION 3. That copies of the statements of charges of the services of the City of Fairview Park, and the amounts paid for performing such labor including overhead, for cutting weeds on the respective parcels of land described herein, are attached hereto, marked Exhibit "A"; and considered a part hereof as if rewritten herein.

SECTION 4. That the description of the premises on which said weeds were cut are as heretofore set forth in the preamble hereof, and the respective charges for said services on the following permanent parcels are as follows:

Permanent Parcel No.	Charges
321-09-044	\$300.00

SECTION 5. That, in accordance with Section 731.54 of the Revised Code of Ohio, the Fiscal Officer of Cuyahoga County, Ohio be and he is hereby authorized and directed to enter the aforesaid charges upon the tax duplicate of the hereinbefore described parcels of land as liens upon said parcels of land, and such items shall be collected as other taxes and returned to the City of Fairview Park, Ohio with general fund revenue.

SECTION 6. That the Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the Fiscal Officer of Cuyahoga County.

SECTION 7. 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 8. 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 immediately necessary to certify this amount to the County Fiscal Officer for collection before September 10, 2018, for the benefit of the residents of the City of Fairview Park; and provided it receives the affirmative vote 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

EXHIBIT A
CITY OF FAIRVIEW PARK
20777 Lorain Road
Fairview Park, OH 44126

4287 West 220 Street
Fairview Park, Ohio 44126
Grass/weed cutting cost on Permanent Parcel No. 321-09-044: \$300
Grass/weeds cut May 24, 2018