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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, OCTOBER 15, 2018**
4

5 The regular meeting of Council was called to order by Council President Pro Tem Minek 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, J. Hinkel, A. Russo and T. Smith

10 Administration – Mayor Patton, Director Leininger, Director Cingle, Director McGinty

11 ABSENT: Engineer Mackay
12

13 THE CHAIR called for a motion to excuse Council President Kilbane from the meeting.

14 Moved and Seconded.

15 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.

16 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith
17

18 THE CHAIR called for a motion to approve the minutes of the regular meetings of October 1, 2018.

19 Moved and Seconded.

20 ROLL ON MOTION: Vote: YES-5, NO-0, ABSTAIN-1 | Motion carried.

21 YES: B. McDonough, B. Minek, J. Hinkel, A. Russo and T. Smith ABSTAIN: P. Wojnar

22 THE CHAIR asked Councilman Wojnar the reason for his abstention.

23 COUNCILMAN WOJNAR said that he was out of town and not at the meeting.
24

25 **COMMITTEE REPORTS**

26 COUNCILMAN WOJNAR reported that The Finance Committee met on Monday, October 8, 2018 at
27 7:00 pm. Present at the meeting were members of Council, Finance Director Greg Cingle and Patrick
28 Muscenti of McGowan and Company. The following issues and legislation were discussed: **Ordinance**
29 **18-37** authorizes the mayor to enter into a contract with McGowan and company for City insurance. Mr.
30 Patrick Muscenti said that they McGowan did a canvas to look at alternate insurance carriers. While they
31 found one that was slightly cheaper, he didn't think it was worth switching. He recommends a renewal of
32 current coverages that is presently before council. Some of the crime portions were increased, and
33 consideration was given to purchase of new fire truck purchase in coverages as well. Coverages for the
34 city's firewall will be investigated with our computer systems services consultant GO2IT (Go to It) to see
35 if additional coverage is needed, and will be addressed if needed. A motion to place on third reading and
36 final passage carried by a vote of 7-0. **Ordinance 18-41** authorizes the Mayor to renew the service
37 agreement with TAC Computer, Inc. for the year 2019. Computer services provided to the Fairview Park
38 Police Department including: support for the Ohio Law Enforcement Network (OLEN), CAD Records,
39 Mobile Data Terminal (MDT) support and providing a direct link with the Rocky River Municipal Court
40 for video arraignments. There are no additional changes to the contract, which remains in the same
41 \$17,000 dollar range, as the last 5 years. A motion to place on second and subsequent third carried by a 7-
42 0 vote. **Ordinance 18-42** is the second supplemental to the 2018 Budget. Finance Director Cingle went
43 through the specifics of the adjustments and net changes to funds. He asked on behalf of the
44 Administration for council to reconsider Ordinance 18-43, to reflect changes made to the Fund that
45 monies would be paid for the Fire Self Contained Breathing Apparatus (SCBA) equipment. Director
46 Cingle said that there would be one final supplemental presented in November for the year. A motion to
47 place on second and subsequent third carried by a 7-0 vote. Council discussed the **issue of sponsoring a**
48 **resolution to support the establishment of a postal banking system** to expand and enhance existing
49 services such as check cashing and international money transfers, and to take necessary steps towards
50 designing and implementing additional financial services. Once a final draft is available, it will be

51 submitted for first reading at the next council meeting on October 15, 2018. The Finance committee ended
52 at 7:29 p.m.

53

54 **LEGISLATION ON FIRST READING**

55 COUNCILMAN WOJNAR placed the following legislation up for first reading and introduction:

56 ORDINANCE NO. 18-44

57 REQUESTED BY: MAYOR EILEEN ANN PATTON

58 SPONSORED BY: COUNCILMAN WOJNAR

59 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE*
60 *CUYAHOGA COUNTY BOARD OF HEALTH FOR HEALTH SERVICES FOR THE YEARS 2019 AND*
61 *2020 AND DECLARING AN EMERGENCY*

62 ACTION: Ordinance 18-44 was placed on first reading and referred to the Finance Committee.

63

64 ORDINANCE NO. 18-45

65 REQUESTED BY: ERICH UPPERMAN, POLICE CHIEF

66 SPONSORED BY: COUNCILMAN WOJNAR

67 CO-SPONSORED BY: COUNCILMAN MINEK

68 *AN ORDINANCE SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO*
69 *THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE 2019 COMMUNITY*
70 *DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR*
71 *POLICE DEPARTMENT RENOVATIONS AND THE INSTALLATION OF AN ADA COMPLIANT*
72 *WOMEN'S RESTROOM AND AUTHORIZING THE MAYOR TO ACCEPT ANY AWARDED GRANT*
73 *FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS NECESSARY TO RECEIVE*
74 *ANY AWARDED GRANT FUNDS AND DECLARING AN EMERGENCY*

75 ACTION: Ordinance 18-45 was placed on first reading and referred to the Finance Committee.

76

77 ORDINANCE NO. 18-46

78 REQUESTED BY: MAYOR EILEEN ANN PATTON

79 SPONSORED BY: COUNCILMAN WOJNAR

80 *AN ORDINANCE TO REPEAL AND REPLACE ORDINANCE 18-25, AN ORDINANCE AUTHORIZING*
81 *THE MAYOR TO ENGAGE THE LAW FIRM OF THE VICKERS LAW GROUP CO., LPA AS SPECIAL*
82 *COUNSEL FOR RESOLUTION OF CONSTRUCTION ISSUES AT THE GEMINI CENTER AND*
83 *DECLARING AN EMERGENCY.*

84 ACTION: Ordinance 18-46 was placed on first reading and referred to the Finance Committee.

85

86 RESOLUTION NO. 18-15

87 REQUESTED BY: COUNCILMAN WOJNAR

88 SPONSORED BY: COUNCILMAN WOJNAR AND COUNCIL PRESIDENT KILBANE

89 *A RESOLUTION IN SUPPORT OF THE ESTABLISHMENT OF A NATIONAL POSTAL BANKING*
90 *SYSTEM*

91 ACTION: Resolution 18-15 was placed on first reading and referred to the Finance Committee.

92

93 **LEGISLATION ON SECOND READING**

94 COUNCILMAN WOJNAR placed the following legislation up for second reading:

95 ORDINANCE NO. 18-41

96 REQUESTED BY: MAYOR EILEEN ANN PATTON

97 SPONSORED BY: COUNCILMAN WOJNAR

98 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH TAC*
99 *COMPUTER, INC. AND DECLARING AN EMERGENCY*

100 ACTION: Ordinance 18-41 was placed on second reading.

101
102 ORDINANCE NO. 18-42
103 ORIGINATED BY: THE FINANCE DEPARTMENT
104 REQUESTED BY: MAYOR EILEEN ANN PATTON
105 SPONSORED BY: COUNCILMAN WOJNAR
106 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER*
107 *EXPENDITURES OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING*
108 *JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018 AND DECLARING AN EMERGENCY*
109 ACTION: Ordinance 18-42 was placed on second reading.

110
111 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

112
113 **LEGISLATION ON PASSAGE WITHOUT THREE READINGS**

114 COUNCILMAN WOJNAR made a motion to reconsider the passage of Ordinance 18-43.
115 Moved and Seconded.

116 ROLL ON MOTION

117 Vote: YES-6, NO-0 | Motion carried. Motion to reconsider was approved.

118 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith

119 ORDINANCE NO. 18-43

120 REQUESTED BY: ANTHONY RAFFIN, FIRE CHIEF

121 SPONSORED BY: COUNCILMAN WOJNAR

122 *AN ORDINANCE AUTHORIZING THE CITY COUNCIL TO ACCEPT THE BID OF THE LOWEST*
123 *RESPONSIVE AND RESPONSIBLE BIDDER AND AUTHORIZING THE MAYOR TO ENTER INTO A*
124 *CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE PURCHASE*
125 *OF SELF CONTAINED BREATHING APPARATUS AS DETERMINED BY THIS COUNCIL, AND*
126 *DECLARING AN EMERGENCY*

127 COUNCILMAN WOJNAR made a motion to suspend the Charter Provision and Rule 49 requiring three
128 readings.

129 Moved and Seconded.

130 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.

131 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith

132 COUNCILMAN WOJNAR made a motion to dispense Rule 53 requiring reference to Committee.

133 Moved and Seconded.

134 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.

135 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith

136 THE CHAIR asked for any further discussion before passage.

137 COUNCILMAN WOJNAR made a motion to amend the ordinance language to remove Fund 100 and
138 replace with Fund 260.

139 Moved and Seconded.

140 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.

141 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith

142 THE CHAIR asked for any further discussion before passage. No Discussion.

143 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 18-43 Amended passes.

144 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith

145

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

147 COUNCILMAN WOJNAR placed Ordinance 18-37 up for third reading and final passage:

148 ORDINANCE NO. 18-37

149 REQUESTED BY: GREG CINGLE, FINANCE DIRECTOR

150 SPONSORED BY: COUNCILMAN WOJNAR

151 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MCGOWAN
152 AND COMPANY FOR THE PROFESSIONAL SERVICES OF PROVIDING INSURANCE
153 REQUIREMENTS OF COMPREHENSIVE GENERAL LIABILITY, POLICE PROFESSIONAL
154 LIABILITY, FIREFIGHTER/AMBULANCE ATTENDANTS LIABILITY, BOILER AND MACHINERY
155 INSURANCE, COMPREHENSIVE AUTOMOBILE AND PHYSICAL DAMAGE LIABILITY, PUBLIC
156 OFFICIALS LIABILITY, PROPERTY AND EQUIPMENT COVERAGES, "UMBRELLA" COVERAGE,
157 AND CYBER PROTECTION COVERAGE AND DECLARING AN EMERGENCY
158 THE CHAIR asked for any discussion before passage. No Discussion.
159 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 18-37 passes.
160 YES: B. McDonough, B. Minek, P. Wojnar, J. Hinkel, A. Russo and T. Smith

161

162 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
163 **OFFICIALS**

164 MAYOR PATTON welcomed the audience to those in attendance at the meeting. She said that she
165 participated in a meeting with Councilmen Minek and Russo with CEI/First Energy representatives to
166 discuss the issues with outages in the community. She said that many of the issues are from tree issues, but
167 also animals. Protective steps have been taken, including trimming back trees around electrical wires and
168 placing animal guards up to keep them from entering and destroying wires. They asked that residents to
169 examine their yards carefully, looking at trees and seeing if wires are down and to contact them to address
170 specific problems immediately. This helps to focus in on one address and would help to show a history
171 when looking at a specific area. She said that it appears that when Ward 5 goes out the Gemini Center
172 does also as they are in the same station. MAYOR PATTON said that she thinks that the message was
173 given and received pretty clear about the community's concerns regarding this issue.

174 COUNCILMAN MCDONOUGH asked if there was any mention on the Brookpark Bridge lights and any
175 service First Energy provides for individual residents who experience excessive outages.

176 MAYOR PATTON said that was not mentioned, but the bridge was thoroughly talked about.

177 DIRECTOR LEININGER said that the City was under the understanding that the lighting on the bridge
178 belonged to First Energy/CEI, but after additional research and communications through email that there
179 is an agreement in place between the city and First Energy that goes back a number of years. He said that
180 he is waiting for receipt of that agreement to fully understand, and for further reviewing. DIRECTOR
181 LEININGER said that CEI believes that they are responsible for the light itself, and that the pole, arm and
182 the electric that goes through it is the responsibility of the City. They also believe, based on their
183 investigation of the lights, that they are operating, however, there may be an issue with the electric that is
184 supplying them. He said that there is a bit more work to do to determine responsibilities of parties and the
185 exact issues.

186 MAYOR PATTON said that the agreement goes back to before her time even on council and cannot be
187 located by the city. She said that CEI is sending a copy so that it can be reviewed to determine next steps.

188 MAYOR PATTON gave the report submitted by ENGINEER MACKAY: 1. 2018 Street Repair -
189 Crossroads Asphalt is working on this project and their work should be completed by early November.
190 Please note work on W. 210th will begin on October 15, 2018, and there may be some traffic delays due to
191 this work. Work on Lorain Road will also begin the week of October 15, 2018; 2. 2018 Waterline Project -
192 Catts Construction is working on this project and this project should be completed by the beginning of
193 November. 3. Clifford Road Sewer Project - This project will be bid in the next several weeks and the
194 work should start this year or early next year and be completed by the end of 2019. 4. Lorain Road Slide
195 Area - We are working with ODOT to complete the plans for the repair of the Lorain Road slide area. We
196 expect this project to be completed in 2019.

197 MAYOR PATTON said that Fall Fest at the Gemini Center is on Saturday from noon until 2 pm, and that
198 Andrako is on the Planning and Design docket for landscaping. This is the building at W. 210 and Lorain,
199 and she personally thanked the owner, Bud Andrako for the beautiful transformation on that building.

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