

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, APRIL 15, 2019**
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 | PRESENT:

9 Council - B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

10 Administration – Mayor Patton, Director Cingle, Director Leininger, Director Gibbons, Engineer Mackay
11

12 THE CHAIR made a motion to approve the minutes of the regular meeting of April 1, 2019.

13 Moved and Seconded.

14 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.

15 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
16

17 **COMMITTEE REPORTS**

18 COUNCILMAN WOJNAR reported that the Finance Committee met on Monday, April 8th at 7:00 pm.
19 Present at the meeting were members of Council, Director of Public Service and Development, Shawn
20 Leininger and Finance Director Greg Cingle. The following legislation was discussed: **Ordinance 19-13**,
21 authorizes and increasing in expenditure to Cuini and Panichi for the 2018 Audit. Director Leininger said
22 that this legislation allows for an additional \$1,274.00 to be paid to the auditors for an additional 10 hours
23 of work under the 4 year contract previously approved under Ordinance 15-52 covering audit years 2015-
24 2018 by auditors for reporting. A motion to place on second reading and subsequent third passed by a vote
25 of 6-0. **Ordinance 19-15** authorizes the purchase of 2019 Ford F-550 Truck and Dump Body for Service
26 Department. Director Leininger said that this truck will be an addition to the F-550 truck and we already
27 have in the department, which will be used for landscaping, flowers watering, plowing and various other
28 jobs in the city. **Ordinance 19-16** authorizes the purchase of a new 2019 Ford F-350 Truck and the sale of
29 a 1997 Ford F-250 Truck for Service Department. Motions to place Ordinances 19-15 and 19-16 on
30 second reading and subsequent third passed by a vote of 6-0. **Ordinance 19-17** authorizes the bi-annual
31 Street Lighting Assessment for Tax Years 2020-2021 to the county auditor. Director stated that there is no
32 change in the amount, which is \$300,000. A motion to place on second reading and subsequent third
33 passed by a vote of 6-0. **Ordinance 19-18** authorizes the Solid Waste Fee Special Assessment for Tax
34 Years 2020 and 2021. Director Leininger said that there is currently a gap in the assessment and what is
35 owed, which the city has been paying for, but it continually increases. He said that the current rate is about
36 \$14, and residents pay \$10 a month. We are currently in year 8 of a contract that runs that can be renewed
37 through June of 2022 on an annual basis. He estimated that by the time we go out to rebid the cost will
38 likely be \$16-17 or more. He said that he has been doing some research to see what other communities are
39 doing, such as insourcing vs outsourcing, companies available for private trash pick-up, and equipment.
40 The cost for pick up with Republic runs around \$900,000, and about \$727,000 is covered by the fees paid
41 by residents. The balance is paid from the General Fund. Recycling costs are going up due to the lowered
42 market for recyclables. Council asked Director Leininger how the Administration recommends proceeding
43 on this as it was introduced as a temporary fee to the residents, but now in its seventh year. He explained
44 that circumstances such as NASA loss in the city, state revenues received played some part. He said that it
45 was set up as a temporary, and the hope was that there would be a return of the revenue, which is why it is
46 currently renewed every two years. He said the redevelopment of NASA will help some, but will not
47 completely make the city whole again as it was. Members of council asked Director Leininger to provide
48 an analysis of insourcing versus outsourcing, options to piggyback with a nearby city, as well as the
49 tipping fees. Director Leininger said that he can do this, and advised council that there are other fees that
50 need to be considered besides collection such as purchase of equipment, workers compensation, additional

51 labor costs, fuel surcharges and the frequency and level of service. Director Cingle said that last year he
52 looked at scenarios such as the possibility of raising the income tax and eliminate the garbage fees.
53 Council asked about exploring recycling markets by type or other alternatives or and Director Leininger
54 said that doesn't really help as it is typically done at the facilities they are taken to. Council discussed the
55 possibility of looking at using another provider to possibly get a new contract with an offset of the
56 jumping from a rate of \$10 to \$16 in a couple years. Council acknowledged that the current rate is locked
57 in and considered for the 2019 budget, but wants to continue discussion to consider budgeting in the
58 future and other options. A motion to place on second reading and return to committee passed by a vote of
59 5-0. Ordinance 19-19 authorizes the amending of codified ordinance Section 929.06 covering the years the
60 Solid Waste Collection Charges are in effect through December 31, 2019. The amended date would take
61 the expiration date to December 31, 2021. A motion to place on second reading and return to committee
62 passed by a vote of 5-0. The Finance committee ended at 8:01 pm.

63

64 **LEGISLATION ON FIRST READING**

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

66 ORDINANCE NO. 19-20

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

68 SPONSORED BY: COUNCILMAN WOJNAR

69 CO-SPONSORED BY: COUNCILMAN MINEK

70 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO*
71 *ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND*
72 *BEST BIDDER AS DETERMINED BY THE BOARD OF CONTROL TO MAKE STREETSCAPE*
73 *IMPROVEMENTS AND REPAIRS TO LORAIN ROAD FROM THE WESTERN CORPORATION LIMIT*
74 *TO WEST 221 STREET, AND DECLARING AN EMERGENCY*

75 ACTION: Ordinance 19-20 was placed on first read and referred to the Finance Committee.

76

77 ORDINANCE NO. 19-21

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

79 SPONSORED BY: COUNCILMAN WOJNAR

80 CO-SPONSORED BY: COUNCILMAN MINEK

81 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR*
82 *CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE LORAIN ROAD*
83 *STREETSCAPE PROJECT WITH AN OHIO DEPARTMENT OF TRANSPORTATION PREQUALIFIED*
84 *CONSULTANT AS DETERMINED BY THE BOARD OF CONTROL AND DECLARING AN*
85 *EMERGENCY*

86 ACTION: Ordinance 19-21 was placed on first read and referred to the Finance Committee.

87

88 ORDINANCE NO. 19-22

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

90 SPONSORED BY: COUNCILMAN WOJNAR

91 CO-SPONSORED BY: COUNCILMAN MINEK

92 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO*
93 *ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND*
94 *BEST BIDDER AS DETERMINED BY THE BOARD OF CONTROL TO RENOVATE THE EXISTING*
95 *POLICE DEPARTMENT LOCKER ROOM AND TO ADD A WOMEN'S LOCKER ROOM AND*
96 *DECLARING AN EMERGENCY*

97 ACTION: Ordinance 19-22 was placed on first read and referred to the Finance Committee.

98

99 ORDINANCE NO.19-23

100 REQUESTED BY: GREG CINGLE, FINANCE DIRECTOR

101 SPONSORED BY: COUNCILMAN WOJNAR
102 *AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE COMPUTER EQUIPMENT AND*
103 *SOFTWARE FOR UPGRADES TO THE CITY'S COMPUTER SYSTEMS AND DECLARING AN*
104 *EMERGENCY*

105 ACTION: Ordinance 19-23 was placed on first read and referred to the Finance Committee.

106

107 **LEGISLATION ON SECOND READING**

108 COUNCILMAN WOJNAR placed the following legislation up for second reading and introduction:

109 ORDINANCE NO. 19-13

110 REQUESTED BY: FINANCE DIRECTOR GREG CINGLE

111 SPONSORED BY: COUNCILMAN WOJNAR

112 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENGAGE CIUNI & PANICHI INC. TO PROVIDE*
113 *ADDITIONAL SERVICES AS PART OF THE 2018 FISCAL YEAR AUDIT AND DECLARING AN*
114 *EMERGENCY*

115 ACTION: Ordinance 19-13 was placed on second read and subsequent third reading.

116

117 ORDINANCE NO. 19-15

118 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF SERVICE & DEVELOPMENT

119 SPONSORED BY: COUNCILMAN WOJNAR

120 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT THROUGH THE OHIO*
121 *DEPARTMENT OF ADMINISTRATIVE SERVICE (ODAS) COOPERATIVE PURCHASING PROGRAM*
122 *WITH VALLEY FORD TRUCK, INC. TO PURCHASE A FORD F-550 TRUCK CAB AND CHASIS AND*
123 *EQUIPMENT FOR SAID TRUCK AND DECLARING AN EMERGENCY*

124 ACTION: Ordinance 19-15 was placed on second read and subsequent third reading.

125

126 ORDINANCE NO. 19-16

127 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF SERVICE & DEVELOPMENT

128 SPONSORED BY: COUNCILMAN WOJNAR

129 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT THROUGH THE OHIO*
130 *DEPARTMENT OF ADMINISTRATIVE SERVICE (ODAS) COOPERATIVE PURCHASING PROGRAM*
131 *WITH VALLEY FORD TRUCK, INC. TO PURCHASE A FORD F-350 PICK-UP TRUCK AND*
132 *EQUIPMENT FOR SAID TRUCK AND TO AUTHORIZE THE DIRECTOR OF FINANCE TO SELL BY*
133 *AUCTION A 1997 FORD F-250 PICK-UP TRUCK AND DECLARING AN EMERGENCY*

134 ACTION: Ordinance 19-16 was placed on second read and subsequent third reading.

135

136 ORDINANCE NO. 19-17

137 ORIGINATED BY: THE FINANCE DEPARTMENT

138 REQUESTED BY: MAYOR EILEEN ANN PATTON

139 SPONSORED BY: COUNCILMAN WOJNAR

140 *AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF ALL OF THE*
141 *STREETS OF FAIRVIEW PARK, OHIO PROVIDING AND SUPPLYING SAID STREETS WITH*
142 *ELECTRIC STREET LIGHTING FOR THE TAX YEARS 2020 AND 2021, AND DECLARING AN*
143 *EMERGENCY*

144 ACTION: Ordinance 19-17 was placed on second read and subsequent third reading.

145

146 ORDINANCE NO. 19-18

147 ORIGINATED BY: THE FINANCE DEPARTMENT

148 REQUESTED BY: MAYOR EILEEN ANN PATTON

149 SPONSORED BY: COUNCILMAN WOJNAR

150 *AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR COLLECTION OF THE MONTHLY*
151 *CHARGE FOR COLLECTION OF SOLID WASTE IN THE CITY OF FAIRVIEW PARK, OHIO FOR THE*
152 *TAX YEARS 2020 AND 2021, AND DECLARING AN EMERGENCY*

153 ACTION: Ordinance 19-18 was placed on second read and returned to the Finance Committee.

154

155 ORDINANCE NO. 19-19

156 REQUESTED BY: THE FINANCE DEPARTMENT

157 SPONSORED BY: COUNCILMAN WOJNAR

158 *AN ORDINANCE AMENDING SECTION 929.06 OF CHAPTER 929 ENTITLED, "SOLID WASTE*
159 *COLLECTION CHARGES" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRVIEW PARK*
160 *AND DECLARING AN EMERGENCY*

161 ACTION: Ordinance 19-19 was placed on second read and returned to the Finance Committee.

162

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

164

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

166 COUNCILMAN MINEK placed the following legislation up for emergency passage:

167 REQUESTED AND SPONSORED BY: COUNCILMAN MINEK

168 CO-SPONSORED BY: COUNCILMEMBERS MCDONOUGH, WOJNAR, WERING, RUSSO SMITH
169 AND COUNCIL PRESIDENT KILBANE

170 *A RESOLUTION COMMENDING DENNIS REHOR FAIRVIEW PARK'S CITIZEN OF THE YEAR 2019*

171 COUNCILMAN MINEK made a motion to suspend the Charter Provision and Rule 49 requiring three
172 readings.

173 Moved and Seconded.

174 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.

175 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

176 COUNCILMAN MINEK made a motion to dispense Rule 53 requiring reference to Committee.

177 Moved and Seconded.

178 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.

179 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

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

181 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carried, Resolution 19-01 passes.

182 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

183

184 COUNCILMAN WOJNAR placed the following legislation up for emergency passage:

185 ORDINANCE NO. 19-24

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

187 SPONSORED BY: COUNCILMAN WOJNAR

188 CO-SPONSORED BY: CONCILMAN MINEK

189 *AN ORDINANCE REPEALING AND REPLACING ORDINANCE 18-47 AND AUTHORIZING THE*
190 *DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO ADVERTISE FOR BIDS AND THE*
191 *MAYOR TO ENTER INTO A CONTRACT FOR THE CAMPUS DRIVE AND WEST 210 STREET WATER*
192 *MAIN REPLACEMENT AND EXTENSION PROJECT AND DECLARING AN EMERGENCY*

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

195 Moved and Seconded.

196 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.

197 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

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

199 Moved and Seconded.

200 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
201 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
202 THE CHAIR asked for any further discussion before passage. No Discussion.
203 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carried, Ordinance 19-24 passes.
204 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
205
206 RESOLUTION NO. 19-02
207 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
208 SPONSORED BY: COUNCILMAN WOJNAR
209 *A RESOLUTION AUTHORIZING PARTICIPATION IN THE 2019 ODOT WINTER CONTRACT FOR*
210 *ROAD SALT AND DECLARING AN EMERGENCY*
211 COUNCILMAN WOJNAR made a motion to suspend the Charter Provision and Rule 49 requiring three
212 readings.
213 Moved and Seconded.
214 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
215 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
216 COUNCILMAN WOJNAR made a motion to dispense Rule 53 requiring reference to Committee.
217 Moved and Seconded.
218 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
219 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
220 THE CHAIR asked for any further discussion before passage.
221 COUNCILMAN WOJNAR made a motion to amend Resolution 19-02 in the 2nd Whereas clause to
222 reflect the correct state contract bid number of “018-20”.
223 Moved and Seconded.
224 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
225 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
226 THE CHAIR asked for any further discussion before passage No Discussion.
227 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carried, Resolution 19-02 Amended passes.
228 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
229

230 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
231 **OFFICIALS**

232 MAYOR PATTON reported that there were 250 tax returns prepared at the Senior Center and the new van
233 that will be arriving in May. They will also be holding a fish fry bingo event later in the week. Recreation
234 Department will be hosting Ice cream with the Easter Bunny on April 14th from 2 to 4pm; Safety Town
235 sign-up is underway. safety town sign up now underway; The Nelson Russ Park grand re-opening is now
236 scheduled for May 16th at 6pm. There will be construction on I-480 and tickets will be issued to violators.
237 On April 27th the Police will be collecting tickets will be collecting prescription drugs as part of the DEA
238 drug take back program from 10-2pm; The Gemini pool area will be closed for approximately 5 weeks
239 while construction takes place on the roof. MAYOR PATTON thanked Westlake and Rocky River mayors
240 for agreeing to let members of the Gemini Center use their facilities during this time. She announced that
241 city hall will be closing at noon on Good Friday and wished everyone a wonderful Easter.
242
243 DIRECTOR LEININGER reported that street painting will begin this week; city crews will be working to
244 do markings on residential streets. The Lorain Road Fencing project will begin in westbound curb lane on
245 the Lorain Road Bridge. DIRECTOR LEININGER welcomed new Chiropractic center and Hylan Dental as
246 newest businesses to enter in the city, and also congratulated PetCo and Omar's Pizza and Mediterranean
247 Grill on excellent progress; GradePower Learning will be having a grand opening on Saturday, April 27th
248 at 11am in the Fairview Shopping Center. DIRECTOR LEININGER announced that property maintenance

249 inspections have begun and residents are encouraged to contact city hall with any issues as their goal is to
250 work with people who may have issues correcting violations.

251

252 DIRECTOR CINGLE reported that the 2018 audit continues and that auditors were on site at city hall last
253 last week. He wished everyone a happy and blessed Easter holiday.

254

255 DIRECTOR GIBBONS reported that the Charter Review Commission has submitted its recommendations
256 for council review. He thanked them for their service and said he was impressed with thorough and
257 sincere deliberation by its members. DIRECTOR GIBBONS announced that he is part of the Northeast
258 Ohio Law Directors Association, and they cover many topics such as municipal bonds, County planning,
259 and public records requests. He encouraged anyone who has in interest in attending to let him know.

260

261 ENGINEER MACKAY reported that plans have been approved for the waterline project on Campus
262 Drive, and that bidding will follow. He said that he plan is to have the project done prior to school going
263 back into session for the next school year. Bidding for the Street Repair program will be done in May and
264 the ODOT Lorain road Slide area project continues to move forward with ODOT.

265

266 **PUBLIC SESSION**

267 MR. JOHN TAYLOR – 22405 Macbeth Ave- MR. TAYLOR expressed his concern with property off the
268 Clague exit off I-480. He said that a past storm destroyed the fence and there are also issues with the grass
269 and trees. He wasn't sure if this is an issue for ODOT or North Olmsted. He commented that the Nelson
270 Russ Park opening may help with some individuals that are currently allowing their dogs off leash inside
271 of the park.

272

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

274 COUNCILMAN MCDONOUGH commented on the State of The Community video and commended
275 Fairview Park students, Andrew and Alex, who filmed and produced a 28-minute video. He also gave
276 kudos to Bridget Hinkel who assisted in the process. He said he is hopeful that it will be posted in the near
277 future to available outlets including the city's website and YouTube.

278

279 COUNCILMAN MINEK wished everyone a Happy Easter.

280

281 COUNCILMAN WOJNAR wished everyone a Happy Easter and congratulated Dennis Rehor on being
282 selected as Citizen of the Year.

283

284 COUNCILWOMAN WERING wished everyone a Happy Easter.

285

286 COUNCILMAN SMITH wished everyone a Happy Easter and offered congratulations to Dennis Rehor.
287 He reminded everyone that lawn refuse pick-up has resumed in the city.

288

289 THE CHAIR reported that Council held an executive session on met in executive session on Monday,
290 April 1, 2019 for the purpose of conferences with an attorney for the public body concerning disputes
291 involving the public body that are the subject to pending or imminent action.

292

293

294 THE CHAIR assigned the issue of Chapter 505 (Animals) to the Local Government and Community
295 Services Committee.

296

297 THE CHAIR entertained a motion to adjourn the regular meeting with no further business.

298

Moved and Seconded.

299 ROLL ON MOTION: Vote: YES-7, NO-0 | Meeting adjourned at 7:35 p.m.
300 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

301
302

303
304 _____
Michael P. Kilbane, President of Council

Liz L. Westbrooks, Clerk of Council

305
306

307 _____
308 Eileen Ann Patton, Mayor

309
310

311
312

313
314

315
316

317
318

319
320

321
322

323
324

325
326

327
328

329
330

331
332

333
334

335
336

337
338

339
340

341
342

343
344

345
346

347
348