



# **FAIRVIEW PARK CITY COUNCIL MEETING NOTICE**

**Please be advised of the following meetings of the Fairview Park City Council, which will take place on the 3<sup>rd</sup> Floor of Fairview Park City Hall, 20777 Lorain Road.**

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**WED. May 22 Council Special Committee Meeting**

**8:00 p.m.**

**WED. May 22 Council Special Council Meeting**

**Immediately following  
Special Committee Meeting**

**COUNCIL MEETINGS ARE HELD IN COUNCIL CHAMBERS  
COMMITTEE MEETINGS ARE HELD IN THE CAUCUS ROOM  
(BOTH ROOMS ARE LOCATED ON 3<sup>rd</sup> FLOOR, CITY HALL)**



CITY OF FAIRVIEW PARK  
CITY COUNCIL MEETING

# AGENDA

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WEDNESDAY, MAY 22, 2019

SPECIAL COMMITTEE MEETING

8:00 pm

Council Caucus Room

MEETING CALLED TO ORDER

FINANCE COMMITTEE – Councilman Wojnar, Chair

- ✧ Res. 19-10 | Alternative Tax Budget 2020
- ✧ Ord. 19-\_\_ | Authorizing Increase in Contingency for Gemini Center Roof Replacement

BOARD & COMMISSIONS REPORTS

ROUNDTABLE

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## SPECIAL COUNCIL MEETING

*Immediately following Special Committee Meeting*

Meeting Called to Order | Moment of Silent Prayer

Pledge of Allegiance

Roll Call

Written Communications, Petitions and Claims (must be related to the subject (s) to be considered)

Audience Input on Legislation Up For Passage

Legislation on for Passage Without Three Readings

COUNCILMAN WOJNAR

- ✧ Ord. 19-\_\_ | Authorizing Increase in Contingency for Gemini Center Roof Replacement

Adjournment

\*\*\*Pursuant to Fairview Park Charter Article 4, Section 7(b) and Council Rule 5, no other subject(s) will be considered\*\*\*

CITY OF FAIRVIEW PARK  
RESOLUTION NO. 19-10  
ORIGINATED BY: THE FINANCE DEPARTMENT  
REQUESTED BY: MAYOR EILEEN ANN PATTON  
SPONSORED BY: COUNCILMAN WOJNAR

A RESOLUTION ADOPTING THE ALTERNATIVE TAX BUDGET OF THE CITY OF FAIRVIEW PARK, STATE OF OHIO, FOR FISCAL YEAR BEGINNING JANUARY 1, 2020, AND SUBMITTING THE SAME TO THE CUYAHOGA COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY

WHEREAS, the Mayor has heretofore prepared a tentative budget for the City of Fairview Park, State of Ohio, for the fiscal year beginning January 1, 2020 showing estimates of all balances that will be available at the beginning of the year 2020 for the purpose of such year, and all revenues to be received for such fiscal year, including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites and all other types of classes of revenue; also estimates of all expenditures of changes in or for the purpose of such fiscal year to be paid or met from said revenues or balances; and otherwise conforming with the requirements of law; and

WHEREAS, said budget has been made conveniently available to public inspection for at least ten (10) days by having at least two (2) copies thereof on file in the Office of the Director of Finance.

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

SECTION 1. That the budget of the City of Fairview Park, Ohio, for the fiscal year beginning January 1, 2020, heretofore prepared by the Mayor, and submitted to this Council, copies of which have been and are on file in the office of the Director of Finance be and it is hereby adopted as the official budget of the City of Fairview Park, Ohio for the fiscal year beginning January 1, 2020.

SECTION 2. That the Clerk be, and is hereby authorized and directed to certify a copy of said budget, and a copy of this resolution, and to submit the same to the Cuyahoga County Fiscal Officer.

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 Resolution 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 may be certified to the Cuyahoga County Fiscal Officer by date prescribed by law; 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 from immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:  
APPROVED:

1<sup>st</sup> reading: 05.20.19  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council

# ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit FAIRVIEW PARK CITY

For the Fiscal Year Commencing JANUARY 1, 2020

Fiscal Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

## COUNTY OF CUYAHOGA

### **Background**

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

### **Ohio Revised Code Section 5705.281**

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

### **County Budget Commission Duties**

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

### **County Budget Commission Action**

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

### **Alternative Tax Budget Information Filing Deadline**

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

### 2020 BUDGET TRANSFERS

FROM	TO	AMOUNT
100 General Fund	240 Police & Fire Pension Fund	\$800,000.00
231 Recreation Capital Fund	300 Bond Retirement Fund	\$150,000.00

**DIVISION OF TAXES LEVIED**

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)  
(List All Levies Of The Taxing Authority)

**SCHEDULE 1**

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Commission
GENERAL	CHARTER	00/00/1959		CONT	1/19-12/19	1/20-12/20	8.33 MILLS	\$4,072,202
PERMANENT IMP	CHARTER	5/31/1994		CONT	1/19-12/19	1/20-12/20	0.87 MILLS	\$425,308
FIRE OPERATING LEVY	SPECIAL	11/8/2016		5 YEARS	1/19-12/19	1/20-12/20	1.00 MILLS	\$351,010
RECREATION	CHARTER	11/5/1996		CONT	1/19-12/19	1/20-12/20	1.00 MILLS	\$488,860
POLICE PENSION	INSIDE				1/19-12/19	1/20-12/20	0.30 MILLS	\$146,658
FIRE PENSION	INSIDE				1/19-12/19	1/20-12/20	0.30 MILLS	\$146,658
Totals							11.80 MILLS	\$5,630,696.00

## STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

I Fund BY Type	SCHEDULE 2					
	II Beginning Estimated Unencumbered Fund Balance	III Property Taxes and Local Government Revenue	IV Other Sources Receipts	V Total Resources Available for Expenditures	VI Total Estimated Expenditures & Encumbrances	VII Ending Estimated Unencumbered Balance
100 GENERAL	\$2,510,000.00	\$4,416,464.00	\$6,774,000.00	\$13,700,464.00	\$11,270,000.00	\$2,430,464.00
101 Contingent Reserve	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
210 S.C.M.& R.	\$73,000.00	\$0.00	\$1,009,000.00	\$1,082,000.00	\$1,032,000.00	\$50,000.00
220 STATE HIGHWAY	\$9,000.00	\$0.00	\$82,400.00	\$91,400.00	\$81,400.00	\$10,000.00
230 RECREATION	\$1,380,000.00	\$488,860.00	\$3,859,808.00	\$5,728,668.00	\$4,440,616.00	\$1,288,052.00
231 RECREATION CAPITAL	\$650,000.00	\$0.00	\$0.00	\$650,000.00	\$150,000.00	\$500,000.00
240 POLICE/FIRE PENSION	\$3,000.00	\$293,316.00	\$800,000.00	\$1,096,316.00	\$1,057,500.00	\$38,816.00
250 STREET LIGHTING	\$145,000.00	\$0.00	\$300,000.00	\$445,000.00	\$275,000.00	\$170,000.00
255 SOLID WASTE	\$4,000.00	\$0.00	\$720,000.00	\$724,000.00	\$720,000.00	\$4,000.00
260 PERMANENT IMPROVEMENT	\$335,000.00	\$425,308.00	\$0.00	\$760,308.00	\$710,308.00	\$50,000.00
270 FIRE OPERATING	\$100,000.00	\$351,010.00	\$100.00	\$451,110.00	\$350,000.00	\$101,110.00
285 FEMA GRANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
290 FEDERAL GRANTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
295 STATE GRANTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
300 BOND RETIREMENT	\$864.29	\$0.00	\$1,300,000.00	\$1,300,864.29	\$1,287,395.83	\$13,468.46
500 WATER REIMBURSEMENT	\$15,000.00	\$0.00	\$20,000.00	\$35,000.00	\$25,000.00	\$10,000.00
510 F.P. SANITARY SEWER	\$2,900,000.00	\$0.00	\$2,281,550.00	\$5,181,550.00	\$2,750,000.00	\$2,431,550.00
550 WATER LINE RECONDITIONING	\$40,000.00	\$0.00	\$0.00	\$40,000.00	\$0.00	\$40,000.00
611 SPECIAL HOLDING ACCOUNT	\$375,000.00	\$0.00	\$67,500.00	\$442,500.00	\$75,000.00	\$367,500.00
700 TRUST & AGENCY FUNDS	\$10,000.00	\$0.00	\$30,000.00	\$40,000.00	\$30,000.00	\$10,000.00
709 REDEVELOPMENT FUND	\$316,487.94	\$0.00	\$40,000.00	\$356,487.94	\$0.00	\$356,487.94
710 SENIOR CENTER CONSTRUCTION	\$2,081.07	\$0.00	\$0.00	\$2,081.07	\$0.00	\$2,081.07
711 BAIN PARK RESTORATION	\$100,000.00	\$0.00	\$16,000.00	\$116,000.00	\$20,000.00	\$96,000.00
713 STATE BLDG ASSESSMENT	\$1,850.00	\$0.00	\$3,000.00	\$4,850.00	\$3,250.00	\$1,600.00
714 LAW ENFORCEMENT TRUST	\$30,000.00	\$0.00	\$2,000.00	\$32,000.00	\$8,000.00	\$24,000.00
715 D.U.I. EDUCATION	\$8,000.00	\$0.00	\$2,400.00	\$10,400.00	\$3,000.00	\$7,400.00
716 P.O.P.A.S.	\$32,500.00	\$0.00	\$75,000.00	\$107,500.00	\$75,000.00	\$32,500.00
731 HEALTH INSURANCE	\$211,574.31	\$0.00	\$1,550,000.00	\$1,761,574.31	\$1,550,000.00	\$211,574.31
732 EMPLOYEE SECTION 125	\$3,000.00	\$0.00	\$12,000.00	\$15,000.00	\$12,500.00	\$2,500.00
733 RETIREE ACCRUED BENEFITS	\$200,000.00	\$0.00	\$0.00	\$200,000.00	\$167,591.00	\$32,409.00
741 CABLE FRANCHISE FEE	\$694,515.84	\$0.00	\$280,000.00	\$974,515.84	\$0.00	\$974,515.84
750 JUVENILE DIVERSION	\$20,000.00	\$0.00	\$8,400.00	\$28,400.00	\$8,000.00	\$20,400.00
751 DARE	\$250.00	\$0.00	\$0.00	\$250.00	\$250.00	\$0.00
761 SENIOR LIFE DONATIONS	\$9,500.00	\$0.00	\$3,000.00	\$12,500.00	\$5,000.00	\$7,500.00
781 EMS COLLECTIONS	\$60,000.00	\$0.00	\$350,000.00	\$410,000.00	\$390,000.00	\$20,000.00
811 CAPITAL PROJECTS	\$350,000.00	\$0.00	\$2,610,000.00	\$2,960,000.00	\$2,660,000.00	\$100,000.00
Total	\$10,589,623.45	\$5,974,958.00	\$22,196,158.00	\$38,760,739.45	\$29,356,810.83	\$9,403,928.62

# UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)

(Do Not Include General Obligation Debt Being Paid By Other Sources)

(Do Not Include Special Obligation Bonds & Revenue Bonds)

## SCHEDULE 3

I Purpose Of Bonds Or Notes	II Date Of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Calendar Year	V Amount Required To Meet Calendar Year Principal & Interest Payments	VI Amount Receivable From Other Sources To Meet Debt Payments
2012 G.O. BONDS (Gemini)	12/01/12	12/01/30	\$17,125,000.00	\$1,545,062.50	
Totals			\$17,125,000.00	\$1,545,062.50	



CITY OF FAIRVIEW PARK  
ORDINANCE NO. 19-  
REQUESTED BY: SHAWN LEININGER, DIRECTOR OF SERVICE & DEVELOPMENT  
SPONSORED BY: COUNCILMAN WOJNAR

AN ORDINANCE INCREASING THE CONSTRUCTION CONTINGENCY LIMIT SET FORTH IN ORDINANCE 18-40 FOR THE GEMINI CENTER NATATORIUM ROOF REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, on November 5, 2018, City Council approved Ordinance 18-40 authorizing the director of Public Service and Development to advertise for bids and the Mayor to enter into a contract with the lowest responsive and responsible bidder as determined by the Board of Control for the Gemini Center Natatorium Roof Replacement Project; and

WHEREAS, Ordinance 18-40 authorized an expenditure not to exceed \$1,732,500 for the Gemini Center Natatorium Roof Replacement Project; and

WHEREAS, the not to exceed expenditure limit included construction costs not to exceed \$1,650,000 and contingency costs not to exceed five percent (5%) of the actual awarded bid price; and

WHEREAS, on February 8, 2019, the Board of Control awarded a contract to Willham Roofing Company, Inc. in an amount of \$1,060,180 with a five percent (5%) contingency of \$53,009; and

WHEREAS, during the removal of the existing roof and PoolPaks additional repairs and modifications to the original scope of work were discovered that must be completed in order to properly repair the roof and PoolPaks; and

WHEREAS, the cost of these known additional repairs and modifications to the original scope of work are estimated at \$78,110, exceeding the available construction contingency by \$25,101; and

WHEREAS, these additional repairs and modifications to the original scope of work that are resulting in insufficient construction contingency funds were discovered during the construction process and make it is necessary to authorize additional contingency funds in an expeditious manner to ensure the timely completion of the roof replacement project and opening of the pools for summer programs and competitions; and

WHEREAS, it is necessary to increase the available construction contingency to an amount not to exceed ten percent (10%), or \$106,018, thereby allowing for the known additional repairs and modifications to the original scope to be completed and providing for a reserve should any additional unforeseen repairs or modifications to the existing scope be discovered.

**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 construction contingency for the Gemini Center Natatorium Roof Replacement Project set forth in Ordinance 18-40 shall be increased from an amount not to exceed five percent (5%) of the actual awarded bid price (\$53,009) to an amount not to exceed ten percent (10%) of the actual awarded bid price (\$106,018).

SECTION 2. That there are available funds to support this increase in the construction contingency by way of the finance notes that has been approved and the funds are to be paid from the Recreation Capital Fund (Fund 231).

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 immediate preservation of the public peace, health, safety and welfare; and for the further reason that the work be started as soon as possible to ensure the timely completion of the project and that the roof and PoolPaks are properly repaired; 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:

1<sup>st</sup> reading:  
2<sup>nd</sup> reading:  
3<sup>rd</sup> reading:

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Michael P. Kilbane, President of Council

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Eileen Ann Patton, Mayor

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Liz L. Westbrooks, Clerk of Council



# CITY OF FAIRVIEW PARK

20777 Lorain Road  
Fairview Park, Ohio 44126-2018  
- Established in 1910 -

Eileen Ann Patton, Mayor

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## MEMORANDUM

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**TO:** Council President Kilbane and Members of City Council

**FROM:** Shawn Leininger, AICP  
Director of Public Service & Development

**RE:** Emergency Legislation – Increasing the Construction Contingency Limit Set Forth in Ordinance 18-40 for the Gemini Center Natatorium Roof Replacement Project

**DATE:** May 21, 2019

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The Administration of the City of Fairview Park is requesting suspension of the rules requiring three readings and passage of the following legislation with one reading on Wednesday, May 22, 2019, as an emergency:

Ordinance 19-\_\_ Increasing the Construction Contingency Limit Set Forth in Ordinance 18-40 for the Gemini Center Natatorium Roof Replacement Project and Declaring an Emergency.

As currently approved by Ordinance 18-40, the City is authorized to expend \$1,732,500 from Fund 231 for the Gemini Center Natatorium Roof Replacement Project. This maximum expenditure includes \$1,650,000 for awarded construction costs and construction contingency costs not to exceed five percent (5%) of the awarded based bid (\$82,500). On February 8, 2019, the Board of Control awarded a contract to Willham Roofing Company, Inc. in an amount of \$1,060,180, with a five percent (5%) contingency of \$53,009, totaling \$1,113,189.

Several issues have been exposed during construction resulting in the need for additional repairs and modifications to the original scope of work. These include the following:

1. On the roof, a raised divider wall is to be constructed along the eastern end of the competition pool. This divider wall allows the roof over the pool to be separated from the rest of the Gemini Center. The divider wall cannot be placed in the planned location as the tie-in surface is not able to be made air tight. To resolve this the divider wall must be constructed approximately two feet to the east. Moving it requires the removal and relocation of the existing roof hatch to the southeast corner of the storage room. The estimated cost for this item is \$10,623.
2. A new return duct over the competition pool must be built on the other side of a structural steel roof joist. The original configuration utilized a portion of the curb rather than a duct to connect the interior to the PoolPak on the roof. Additionally, this original configuration was offset from the return opening in the PoolPak creating a 90-degree bend over the structural steel roof joist. This restricts airflow into the PoolPak unit and also creates a point where the new roof could not be made air tight and prevent warm humid air from entering the curb. The existing return will be abandoned in place, the roof will be repaired and a new return will be constructed and painted to

match the existing return providing proper airflow and an air tight connection through the curb. The estimated cost for this item is \$28,292.

3. Due to limited space within the curb to insulate and install vapor barrier to the ducts, a multi-step spray foam insulation will be applied to achieve the necessary insulating (R) value and air tightness. The estimated cost for this item is \$4,200.

There are also several repairs to the PoolPak units that need to be completed prior to returning the units to the roof. These include the following:

1. There are two previously identified refrigerant leaks in circuit 1 and circuit 2 of the leisure PoolPak. As refrigerant had to be recovered from the units prior to their removal from the roof, it has been determined it is more cost effective to complete the repairs while they are evacuated and prior to recharging the system with refrigerant once returned to the roof. Since the roof replacement project has commenced, a compressor has failed in circuit 2 that requires replacement. Completing the compressor replacement while the unit is on the ground eliminates the need to bring a crane and rigging to the site to lift the compressor to the rooftop and transport it to the far end of the roof at a later date, resulting in cost savings. The estimated cost for these items is \$26,185.
2. Since the roof replacement project commenced, two control boards serving the competition pool have failed and require replacement. Replacement of the control boards is necessary to confirm proper operation of the unit upon its placement on the new curb and roof. The estimated cost for this item is \$8,810.

The estimated total of the current change order is \$78,110. In order to complete the known additional repairs and modifications to the original scope and provide for a reserve should any additional unforeseen repairs or modifications to the existing scope be discovered, the Administration is requesting to increase the available construction contingency to an amount not to exceed ten percent (10%) of the awarded bid amount of \$1,060,180, or \$106,018.

These additional repairs and modifications to the original scope of work are necessary to properly repair the roof and the PoolPaks. The increased construction contingency is available by way of the finance notes issued for the project. Further, with completion of these additional repairs and modifications to the original scope of work, the current project cost is \$1,138,290, significantly less than the \$1,732,500 previously authorized.

To ensure the timely completion of the roof replacement project and opening of the pools for summer programs and competitions, the City Administration respectfully requests passage on first read.

cc: Eileen Patton, Mayor  
Joseph Gibbons, Law Director  
Greg Cingle, Finance Director  
Steve Owens, Recreation Director  
Liz Westbrook, City Council Clerk