

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

9 Council - B. McDonough, B. Minek, 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 excuse Council President Kilbane from the meeting.

13 Moved and Seconded.

14 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carried.

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

17 THE CHAIR made a motion to excuse Councilman P. Wojnar from the meeting.

18 Moved and Seconded.

19 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carried.

20 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith  
21

22 THE CHAIR made a motion to approve the minutes of the regular meeting of May 20, 2019.

23 Moved and Seconded.

24 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carried.

25 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith  
26

27 THE CHAIR made a motion to approve the minutes of the special meeting of May 22, 2019.

28 Moved and Seconded.

29 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carried.

30 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith  
31

32 **COMMITTEE REPORTS**

33 COUNCILMAN MCDONOUGH reported that the Local Government and Community Services  
34 Committee met on Tuesday, May 28 at 7:15pm to discuss the **issue of Review of Charter and Codified**  
35 **Ordinances**. In attendance were members of council, Law Director Gibbons, and members of the Charter  
36 Review Commission, John Mandula, Michelle Sayer and J. Patrick Lang. Council discussed and reviewed  
37 the draft ordinances provided by Law Director Gibbons for the following: Gender Neutrality – This  
38 ordinance would cause the Charter to have gender neutral language. This change would result in an  
39 approximate charge of \$240 for publishing print and online changes. A motion to have the ordinance  
40 presented for first reading passed 7-0. Staggering Election Terms- This ordinance would reset the election  
41 terms beginning in the 2023 election, where there would be for 4 year terms for the Mayor, President and  
42 Council At-Large and two year terms for Ward representatives, which would begin a staggered election  
43 cycle beginning in the 2025 of four year terms for the Ward representatives. A motion to have the  
44 ordinance presented for first reading passed 6-0. Zoning Notice 500 feet and voter approval of zoning  
45 changes - This ordinance would remove the provision of voter approval of zoning changes, but adds  
46 provisions to enlarge the notice area from adjacent property owners to those owners that are within 500  
47 feet and would also require a mandatory referral to Planning and Design Commission. A motion to have  
48 the ordinance presented for first reading passed 6-0. Publishing and Posting – This ordinance would  
49 require that legislation and other items required to be posted, be posted in broadly accessible places as  
50 prescribed by Council, including the official City website. A motion to have the ordinance presented for

51 first reading passed 6-0. Primary Election At-Large and May Primary – This ordinance would cause the  
52 city’s primary election be moved from September to May to align with other communities in Cuyahoga  
53 County and State of Ohio and would also reduce the number of individuals filing petitions for the office of  
54 Council-at-Large be changed from not more than 6 to not more than 2. A motion to have the ordinance  
55 presented for first reading passed 5-0. Recall – This ordinance would changes the time period for holding  
56 recall election be changed from not less than 30 - 45 days from delivery of notice to not less than 90 - 120  
57 days at the suggestion of the County Board of Elections. A motion to have the ordinance presented for  
58 first reading passed 5-0. Zoning Changes (60 to 90 days) – This ordinance extends the time period for  
59 submission to an election occurring more than 90 days instead of 60 days after passage of ordinance. This  
60 change was also suggested by the County Board of Elections. A motion to have the ordinance presented  
61 for first reading passed 5-0. Council also discussed the draft ordinances for the following: Public Bidding-  
62 this ordinance proposes an increase of the threshold of public bidding to state thresholds, which is  
63 currently \$50,000. More discussion and input was requested from the Administration regarding this. A  
64 motion to have the ordinance remain in committee passed by a 6-0 vote. **Board of Control - This**  
65 ordinance proposes removing the Board of Control in the city. Additional discussion and input was  
66 requested from the Administration on this. A motion to have the ordinance remain in committee passed by  
67 a 6-0 vote. Vacancy in the Office of Mayor - This change was proposed by the County Board of Elections,  
68 regarding date changes for elections and extension of time for counting of ballots. More input was  
69 requested regarding this from Law Director. A motion to have the ordinance remain in committee passed  
70 by a 5-0 vote. The committee meeting ended at 8:55 pm

71  
72 COUNCILMAN SMITH reported that the Finance Committee met in a special meeting on Wednesday,  
73 May 22<sup>nd</sup> at 7:00 pm. In addition to council members, Finance Director Greg Cingle, Director Shawn  
74 Leininger, Law Director Gibbons and Mayor Patton were in attendance to discuss the following:  
75 **Resolution 19-10** Adopts the alternative tax budget for the city beginning January 1, 2020 and submitting  
76 to the County Fiscal Officer. This budget estimates all revenue collected by County to be paid to the City.  
77 Director Cingle explained that this resolution shows the Budget Commission how many mills the city will  
78 levy, which is 11.8 mills. They will review and send another piece of legislation later which then sets the  
79 tax rates for the city for fiscal year 2020. He reported that there has been has no changes. A motion to  
80 place on 2nd, and return to committee carried by a vote of 6-0. Council also discussed the ordinance to be  
81 considered for emergency passage that evening raising the contingency from 5 to 10 percent in the  
82 additional amount of \$53,009 for the Gemini Center Roof Replacement project due to additional repairs  
83 and modifications to the construction. Director Leininger went over the issues and planned construction of  
84 the project including gaps in the walls between the competition pool and studio 3, gaps around PoolPak  
85 installations, compressor and control board replacements for PoolPaks. An additional vapor barrier is  
86 being installed and glued over the existing vapor barrier and taken over the parapet to ensure that it is  
87 sealed. Council asked about warranties and liability if there are issues with the construction since there is  
88 new construction abutting the old original construction. Director Leininger expressed that he cannot say  
89 with certainty that there will be any other issues with the roof, but they do not envision that happening  
90 either. Passage of the legislation will keep the schedule moving along. The closure will be longer than  
91 expected, and an updated completion schedule will be given when it is known for sure. The additional  
92 contingency cost will be paid with the finance notes issued for the project. A motion to place an ordinance  
93 for emergency passage was approved by a 6-0 vote. The Finance committee ended at 8:53 pm.

94  
95 The Finance Committee also met on Tuesday, May 28 at 7:01 pm. In attendance were to council members,  
96 Finance Director Greg Cingle, Law Director Gibbons and Mayor Patton to discuss the following:  
97 **Resolution 19-10** Adopts the alternative tax budget for the city beginning January 1, 2020 and submitting  
98 to the County Fiscal Officer. This budget estimates all revenue collected by County to be paid to the City.  
99 A question about how delinquencies are handled. Director Cingle said that the city has a 98.31%  
100 collection rate for property tax collection and delinquencies are handled through third parties with the

101 county, which then pays the city. A motion to place on 2nd, and subsequent third carried by a vote of 7-0.  
102 **Ordinances 19-18 and 19-19** set the assessment and charges respectively for the collection of solid waste  
103 for the years 2020 and 2021. Council inquired about the possibility of doing one year and then moving  
104 back to a two year collection, to see where markets go, study the issue further and will allow the new  
105 administration coming in to be part of the discussion for years moving forward. A motion to amend both  
106 ordinances to reflect levying and collection dates for only the year of 2020 passed 7-0. A motion to place  
107 both on 3<sup>rd</sup> reading and final passage was approved with a 7-0 vote. The finance committee ended at  
108 7:15pm

109

110 **LEGISLATION ON FIRST READING**

111 COUNCILMAN MCDONOUGH placed the following legislation up for first reading and introduction:

112 ORDINANCE NO. 19-28

113 REQUESTED BY: MAYOR EILEEN ANN PATTON

114 SPONSORED BY: COUNCILMAN MCDONOUGH

115 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
116 *FAIRVIEW PARK THE PROPOSAL TO AMEND VARIOUS SECTIONS OF THE CHARTER OF THE*  
117 *CITY OF FAIRVIEW PARK TO REPLACE ALL PERSONAL PRONOUNS WITH THE OFFICIAL TITLE*  
118 *OF THE SINGLE CITY POSITION BEING REFERRED TO BY THESE PRONOUNS IN EACH OF*  
119 *THESE SECTIONS AND DECLARING AN EMERGENCY*

120 ACTION: Ordinance 19-28 was placed on first read and referred to the Local Government and  
121 Community Service Committee.

122

123 ORDINANCE NO. 19-29

124 REQUESTED BY: MAYOR EILEEN ANN PATTON

125 SPONSORED BY: COUNCILMAN MCDONOUGH

126 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
127 *FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE IV, SECTION 1 OF THE CHARTER OF THE*  
128 *CITY OF FAIRVIEW PARK TO PROVIDE THAT THE POSITIONS OF PRESIDENT OF COUNCIL AND*  
129 *THE AT-LARGE MEMBER OF COUNCIL SHALL BE ELECTED IN THE REGULAR MUNICIPAL*  
130 *ELECTION SCHEDULED IN NOVEMBER 2023, FOR A TERM OF FOUR (4) YEARS BEGINNING IN*  
131 *JANUARY 2024, AND EVERY FOUR (4) YEARS THEREAFTER; AND THAT POSITIONS OF THE FIVE*  
132 *(5) WARD MEMBERS OF COUNCIL SHALL BE ELECTED IN THE REGULAR MUNICIPAL*  
133 *ELECTION SCHEDULED IN NOVEMBER 2023, FOR A TERM OF TWO (2) YEARS, FOR TERMS*  
134 *BEGINNING JANUARY 1, 2024, AND SUCH WARD COUNCIL MEMBER POSITIONS SHALL STAND*  
135 *FOR ELECTION IN NOVEMBER 2025, FOR FOUR (4) YEAR TERMS BEGINNING JANUARY 1, 2026,*  
136 *AND EVERY FOUR (4) YEARS THEREAFTER, AND DECLARING AN EMERGENCY*

137 ACTION: Ordinance 19-29 was placed on first read and referred to the Local Government and  
138 Community Service Committee.

139

140 ORDINANCE NO. 19-30

141 REQUESTED BY: MAYOR EILEEN ANN PATTON

142 SPONSORED BY: COUNCILMAN MCDONOUGH

143 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
144 *FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE IV OF THE CHARTER OF THE CITY OF*  
145 *FAIRVIEW PARK TO PROVIDE THAT SECTION 14 REQUIRE THAT NOTICE OF A PUBLIC*  
146 *HEARING BE PROVIDED TO RECORD TITLE HOLDERS OF THE PROPERTY WITHIN AN AREA OF*  
147 *FIVE HUNDRED (500) FEET, OR GREATER AS MAY BE PROVIDED BY ORDINANCE OF COUNCIL*  
148 *AS DISCLOSED BY RECORDS OF THE CUYAHOGA COUNTY OFFICE OF FISCAL OFFICER AND*  
149 *TO REQUIRE THAT ANY SUCH ZONING ACTION SHALL BE REFERRED TO THE PLANNING AND*  
150 *DESIGN COMMISSION AS PROVIDED IN ARTICLE VII, SECTION 2 (d) OF THE CHARTER; AND*

151 *THAT SECTION 16. VOTER APPROVAL OF ZONING CHANGES BE DELETED AND DECLARING AN*  
152 *EMERGENCY*

153 ACTION: Ordinance 19-30 was placed on first read and referred to the Local Government and  
154 Community Service Committee.

155

156 ORDINANCE NO. 19-31

157 REQUESTED AND SPONSORED BY: COUNCILMAN MCDONOUGH

158 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
159 *FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE IV, SECTION 16, SUBSECTIONS (a) AND*  
160 *(b) OF THE CHARTER OF THE CITY OF FAIRVIEW PARK TO PROVIDE THAT COUNCIL SUBMIT*  
161 *AN ORDINANCE, RESOLUTION OR OTHER ACTION EFFECTING A CHANGE IN THE ZONING*  
162 *CLASSIFICATION OR DISTRICT OR EFFECTING CHANGE IN THE USES PERMITTED OF ANY*  
163 *PROPERTY TO THE ELECTORATE AT A REGULARLY SCHEDULED ELECTION IN NOVEMBER OR*  
164 *A REGULARLY SCHEDULED PRIMARY ELECTION MORE THAN NINETY (90) DAYS AFTER THE*  
165 *PASSAGE OF SUCH ORDINANCE, RESOLUTION OR OTHER ACTION AND DECLARING AN*  
166 *EMERGENCY*

167 ACTION: Ordinance 19-31 was placed on first read and referred to the Local Government and  
168 Community Service Committee.

169

170 ORDINANCE NO. 19-32

171 REQUESTED BY: MAYOR EILEEN ANN PATTON

172 SPONSORED BY: COUNCILMAN MCDONOUGH

173 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
174 *FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE IV, SECTION 11 OF THE CHARTER OF*  
175 *THE CITY OF FAIRVIEW PARK TO PROVIDE THAT ALL ORDINANCES, RESOLUTIONS,*  
176 *STATEMENTS, ORDERS, PROCLAMATIONS AND REPORTS REQUIRED BY LAW OR BY THIS*  
177 *CHARTER, SHALL BE POSTED IN A BROADLY ACCESSIBLE PLACE AS PRESCRIBED BY COUNCIL*  
178 *AND INCLUDE POSTING ON THE OFFICIAL CITY WEBSITE OR OTHER ELECTRONIC MEANS*  
179 *AND DECLARING AN EMERGENCY*

180 ACTION: Ordinance 19-32 was placed on first read and referred to the Local Government and  
181 Community Service Committee.

182

183 ORDINANCE NO. 19-33

184 REQUESTED AND SPONSORED BY: COUNCILMAN MCDONOUGH

185 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
186 *FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE IX, SECTION 3 OF THE CHARTER OF THE*  
187 *CITY OF FAIRVIEW PARK TO MOVE PRIMARY ELECTIONS FROM SEPTEMBER TO MAY AND TO*  
188 *CORRECT SAID SECTION TO PROVIDE THAT IN CASE THERE SHALL NOT BE MORE THAN TWO*  
189 *(2) PERSONS WHO SHALL HAVE FILED PETITIONS FOR THE OFFICE OF COUNCIL AT LARGE AS*  
190 *PROVIDED FOR IN THIS CHARTER, THEN SAID PERSONS SHALL BE THE CANDIDATES AT THE*  
191 *REGULAR MUNICIPAL ELECTION AND THE PRIMARY FOR THE PARTICULAR OFFICE SHALL*  
192 *NOT BE HELD AND DECLARING AN EMERGENCY*

193 ACTION: Ordinance 19-33 was placed on first read and referred to the Local Government and  
194 Community Service Committee

195

196 ORDINANCE NO. 19-34

197 REQUESTED AND SPONSORED BY: COUNCILMAN MCDONOUGH

198 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF*  
199 *FAIRVIEW PARK THE PROPOSAL TO AMEND ARTICLE X, SECTION 3, OF THE CHARTER OF THE*  
200 *CITY OF FAIRVIEW PARK TO PROVIDE THAT IN THE EVENT A RECALL PETITION HAS BEEN*

201 *FOUND SUFFICIENT AND HAS BEEN DELIVERED TO THE OFFICIAL WHOSE RECALL IS*  
202 *SOUGHT AND A RECORD IS MADE OF SUCH DELIVERY, IF SUCH OFFICIAL SHALL NOT RESIGN*  
203 *WITHIN FIVE (5) DAYS AFTER THE DAY ON WHICH SUCH DELIVERY SHALL HAVE BEEN MADE,*  
204 *THE COUNCIL SHALL FIX A DAY FOR HOLDING A RECALL ELECTION NOT LESS THAN NINETY*  
205 *(90) DAYS, NOR MORE THAN ONE HUNDRED TWENTY (120) DAYS FROM THE DATE OF*  
206 *DELIVERY AND DECLARING AN EMERGENCY.*

207 ACTION: Ordinance 19-34 was placed on first read and referred to the Local Government and  
208 Community Service Committee.

209

210 **LEGISLATION ON SECOND READING**

211 RESOLUTION NO. 19-10

212 ORIGINATED BY: THE FINANCE DEPARTMENT

213 REQUESTED BY: MAYOR EILEEN ANN PATTON

214 SPONSORED BY: COUNCILMAN WOJNAR

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

218 ACTION: Resolution 19-10 was placed on second reading and subsequent third.

219

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

221

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

223 COUNCILMAN SMITH placed the following legislation up for third reading and final passage:

224 ORDINANCE NO. 19-18

225 ORIGINATED BY: THE FINANCE DEPARTMENT

226 REQUESTED BY: MAYOR EILEEN ANN PATTON

227 SPONSORED BY: COUNCILMAN WOJNAR

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

231 Moved and Seconded.

232 THE CHAIR asked for any discussion before passage.

233 COUNCILMAN SMITH made a motion to amend Ordinance 19-18 to reflect levying of solid waste  
234 assessment charges for the year of 2020 only, as agreed to in committee.

235 Moved and Seconded.

236 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carried.

237 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith

238 THE CHAIR asked for any discussion before passage.

239 COUNCILMAN SMITH said that he wanted to let residents know that Council looked at all the  
240 alternatives including bringing rubbish removal back into the city, which showed to be cost-prohibitive.  
241 They have agreed to change the ordinance to one year instead of two year to explore in a year. The refuse  
242 and recycling market is unpredictable right now and what we see from other cities is that it is going up. It  
243 is being kept as-is right now, with residents being charged \$10.00 a month. The city actually pays \$13.94  
244 per household, making up the difference and next year will raise up to \$14.48 per household and residents  
245 will still pay the \$10. He said he hopes this will turn in our favor in the future, but right now the costs  
246 keep going up. This will make us look at this in another year, with a new Administration as part of this, to  
247 explore options once again.

248 THE CHAIR asked for any discussion before passage. No Discussion.

249 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carried, Ordinance 19-18 Amended passes.

250 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith

251  
252 ORDINANCE NO. 19-19  
253 REQUESTED BY: THE FINANCE DEPARTMENT  
254 SPONSORED BY: COUNCILMAN WOJNAR  
255 *AN ORDINANCE AMENDING SECTION 929.06 OF CHAPTER 929 ENTITLED, "SOLID WASTE*  
256 *COLLECTION CHARGES" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRVIEW PARK*  
257 *AND DECLARING AN EMERGENCY*  
258 Moved and Seconded.  
259 THE CHAIR asked for any discussion before passage.  
260 COUNCILMAN SMITH made a motion to amend made a motion to amend Ordinance 19-19 to reflect  
261 levying of solid waste assessment charges for the year of 2020 only, as agreed to in committee.  
262 Moved and Seconded.  
263 ROLL ON MOTION: Vote: YES-5, NO-0 | Motion carried.  
264 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith  
265 THE CHAIR asked for any discussion before passage. No Discussion.  
266 ROLL ON PASSAGE: Vote: YES-5, NO-0 | Motion carried, Ordinance 19-19 Amended passes.  
267 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith

268  
269 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**  
270 **OFFICIALS**

271 MAYOR PATTON thanked the Recreation Department for all the hard work put in for the upcoming  
272 Fairview Flea that will take place on Saturday, June 8 at 9:00 am in the Fairview High School Parking lot.

273  
274 DIRECTOR LEININGER announced that the Dominion Energy project that will be replacing gas lines  
275 along Lorain Road between West 221<sup>st</sup> and the North Olmsted border and will take place in curb lanes in  
276 both directions. The work is scheduled to begin June 4<sup>th</sup> and will take place between 25 and 60 days. The  
277 scope of the project has changed, and instead of opening the road in trenches, there will be pits to feed the  
278 lines underground as they make their way down the road. Lane closures in place around the pits and he  
279 advised caution and patience as the project takes place. DIRECTOR LEININGER also reported that there  
280 was a pre-construction meeting for the water line project on Campus Drive and a portion of W 210<sup>h</sup> St.  
281 The lines on Campus will be replaced between W 213<sup>th</sup> and W 212<sup>th</sup> Streets, and also between Bain Park  
282 Drive and W 210<sup>th</sup> Street. On West 210<sup>th</sup> Street lines will be replaced on the section from Campus to North  
283 Park Dr. The project is scheduled to begin on June 17<sup>th</sup>. Campus Drive will be closed for the duration of  
284 the project, with the exception of the residents that have driveways there.

285  
286 DIRECTOR CINGLE reported that monthly reports for May will be distributed in the next couple days  
287 and that auditors will be on-site this week, as they continue to work on the 2018 audit.

288  
289 DIRECTOR GIBBONS thanked everyone for their hard work on the Charter amendments being  
290 considered. He said it has been a long, complex process that still has work to do, but it has been very  
291 thoughtful. He said residents will have some issues to consider in the fall.

292  
293 ENGINEER MACKAY reported that plans and bidding documents for the 2019 street repair continue and  
294 plan to bid in the next week. The city is also working with ODOT to complete the plans for the Lorain  
295 Road slide project, and expects them to bid the project in the near future also.

296  
297 **PUBLIC SESSION**  
298 MR. JOHN TAYLOR – 22405 Macbeth Ave – MR. TAYLOR asked about updates on the lighting for  
299 Nelson Russ Park and if it was ever going to happen.

300 DIRECTOR LEINIGNER said that the city has a request in to First Energy, but has not heard anything  
301 back.

302 MR. TAYLOR asked if the lighting system on Brookpark Road will be done by the fall.

303 DIRECTOR LEININGER reported that the tower that was leaning that had to be removed. He said it  
304 could not be replaced because the support deck is a structural part to the bridge and is completely deficient  
305 and cannot be relied upon to replace the support needed and would be costly to replace. They are  
306 comfortable that the lighting currently provided on the bridge is sufficient enough and also requested that  
307 any with any upgrades in the future that they replace that support.

308 MR. TAYLOR said that at the last meeting there were comments giving accolades regarding the care of  
309 Bohlken Park. He said he was saddened to see the moving job done at Nelson Russ Park. He said he  
310 understands the weather has been causing lawn care to be constant, but asked that maybe there be a little  
311 more pride next time.

312

313 MS. MARIANNE DILORETO - 4628 W. 227 St - MS. DILORETO said that she has lived here for 20  
314 years and has flooded at least 5 times. She questioned whether anything was going to be done. She said  
315 that it may help to have the gutters cleaned more frequently in the area, at least 4 times a year.

316 DIRECTOR LEININGER apologized for her experience and replied that the city is doing different  
317 projects around the city and drains that come into our sewers in and around the city. He reported that  
318 despite the project to line sewers recently done on West 229<sup>th</sup> St, flooding is still being experienced. They  
319 asked the County to come and see what may be going on specifically at the West 227<sup>th</sup> and West 229<sup>th</sup>  
320 sewers, especially since this was just done. He said that sandbags have been placed purposely to try and  
321 keep the water on the street, and to let it back into the storm sewer slowly. He said on West 227<sup>th</sup> and  
322 West 229<sup>th</sup> there is a tight sewer main and there wasn't a lot of water coming into the sewer itself, but 12  
323 hours later they were still seeing clear rainwater coming into the sewer, which is typically not the type of  
324 water seen in something like that. DIRECTOR LEININGER said that the city is discovering that no matter  
325 how many improvements we make to our system, there needs to be consideration of the connections  
326 outside of our system coming in. He said that improvements on Clifford and the next project is Woodstock  
327 and that it is a marathon not a sprint. They are working to make areas that will have the biggest impact  
328 priority for projects.

329 MS. MARIANNE DILORETO said that this is a difficult area if you are trying to sell your house and she  
330 will not lie about her experience. She said if the city wants to do something about it she would help.

331 ENGINEER MACKAY asked if he had ever been to her house for any assessments and make suggestions.

332 MS. MARIANNE DILORETO said that she would be willing to have him come out and would speak to  
333 him after the meeting.

334

335 BRIAN GIBBONS - 19510 Lorain Road – MR. GIBBONS spoke about the system redesign with the  
336 Regional Transit Authority and asked everyone to fill out the questionnaire on the website regarding  
337 ridership which will affect all communities. He said that due to lack of responses, the deadline has been  
338 extended and that they are attempting to make more people aware of the critical need for input.

339

#### 340 **MISCELLANEOUS BUSINESS AND COMMENTS BY MEMBERS OF COUNCIL**

341 COUNCILMAN MCDONOUGH thanked Director Leininger for his responses to several inquiries he had  
342 last week. He also thanked the Charter Review Commission and Council for their hard work on the in the  
343 review of the proposed Charter review ordinances. He said he is honored to chair and help to move the  
344 city forward with that.

345

346 COUNCILWOMAN WERING thanked council for the amendment to the solid waste ordinances to make  
347 them one year, rather than tow, which will provide the opportunity for additional discussion in one year  
348 with a new Administration, with further insight into garbage collection and the recycling marketplace.  
349 COUNCILWOMAN WERING also said gave the following statement regarding recent flooding: As we

350 are all acutely aware, last Tuesday evening, May 28th, the City of Fairview Park experienced a rain event  
351 during which our City received approximately 1inch of rain in a 15-minute period. More than 50 homes  
352 reported that they received water in their basements during this storm, with Ward 4 being  
353 disproportionately affected by the storm. After reviewing our Community’s Facebook page and tree lawns  
354 across the City, I am confident that the true number affected greatly exceeds the 50 official reports. For  
355 those residents who experienced flooding, I feel your frustration, and I am with you. I want to publicly  
356 thank Director Leininger and his Service Department, for quickly mobilizing to investigate the possible  
357 failures and blockages in the public sewer mains and to connect with the homeowners reporting water. I  
358 also want to thank the City for their sewer improvement work over the past several years, including the  
359 ongoing Clifford Drive Sewer Replacement that is currently in process in Ward 4. There are several  
360 additional projects coming up in the next several years to further mitigate flooding and other sewer issues  
361 in our City. I want to acknowledge that storm events like this are not considered common, yet are  
362 increasing in frequency. Storms like this overwhelm sanitary sewer systems which were not designed to  
363 hold storm water at all, not to mention designed in a time that did not foresee weather events like the one  
364 we experienced last Tuesday. However, it should never be an expectation that residents in our City simply  
365 “understand” that sewage in their basements is just a part of living in Fairview Park during an extreme  
366 weather event. I look forward to seeing the improvements in our collection system from current and future  
367 planned infrastructure projects, and it is my expectation that this City, Administration, and Council will  
368 continue to keep sewer infrastructure a priority. Thank you.  
369

370 COUNCILMAN RUSSO thanked Director Leininger for answering questions and keeping track of all the  
371 water and the Charter Review for all the hard work. He said that council has a few more things to review  
372 and he is looking forward to finishing.  
373

374 COUNCILMAN SMITH apologized to Ms. Diloreto for her flooding and said that he can sympathize with  
375 her and has received a number of calls regarding it. He said that he knows it doesn’t make her situation  
376 any better, but things are being done in the city and he encouraged her to get with the City Engineer for  
377 the assistance he has offered in trying to mitigate. He thanked Director Leininger and the Service  
378 Department for all their hard work looking at the homes affected, and making things such as rubbish pick-  
379 ups available for 3 days. He congratulated Fairview schools staff, Mary Kurz, who won Employee of the  
380 Year and Sarah Eppler who won Teacher of the Year. He thanked everyone that came out and supported  
381 the pancake fundraiser breakfast on Memorial Day for the Fairview Park Music and Theatre Association  
382 and said he enjoyed working at the event. COUNCILMAN SMITH said he also had a great time at the  
383 Recreation Department’s big wheel race and is looking forward to possibly having an adult race added  
384 next year. He wished all the Fathers and early Happy Father’s Day next weekend.  
385

386 THE CHAIR reported that the Board of Control met Wednesday, May 29 at 9:00 am to discuss two docket  
387 items; the Lorain Road Streetscape Construction Administration and Inspection. As he previously reported  
388 3 bids were submitted and CTL Engineering Incorporated was deemed the most qualified and information  
389 was forwarded to the Ohio Department of Transportation for approval. The meeting this morning was to  
390 authorize the Mayor to execute a contract with CTL Engineering Incorporated for construction  
391 administration and inspection services in the amount of \$97,804.30. The project will begin in July. The  
392 second item was the Campus Drive and West 210<sup>th</sup> Water Main Replacement Extension Project. Four bids  
393 were received ranging from \$376,325 to \$433,981.92. The City would pay the contractor and would be  
394 reimbursed by the City of Cleveland Division of Water. The contract was awarded to Fabrizi Trucking &  
395 Pavement Company in the amount of \$376,325, and the project should be completed before school  
396 resumes. THE CHAIR announced that the Board of Zoning and Building Appeals will meet next Monday,  
397 June 10 at 7:00 pm in Council Chambers with two docket items; 22985 Lorain Rd.-Loving Cup Kids  
398 Academy, requesting variances for signage and window signage and 20952 Belvidere Ave.,  
399 requesting a variance to install an air conditioning unit in the side yard. THE CHAIR thanked

400 Director Leininger and members of the Service division and the County for assistance with recent  
401 flooding issue, he said rain came down in a short time and the concerns of residents were well-  
402 received and handled. He received many notifications and visited residents from Ward 2. He said he  
403 understands their frustrations, having been a victim himself and he was sorry he could not do more.  
404

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

406 Moved and Seconded.

407 ROLL ON MOTION: Vote: YES-5, NO-0 | Meeting adjourned at 7:48 p.m.

408 YES: B. McDonough, B. Minek, S. Wering, A. Russo and T. Smith  
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Michael P. Kilbane, President of Council

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Liz L. Westbrooks, Clerk of Council

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Eileen Ann Patton, Mayor  
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