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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **TUESDAY, SEPTEMBER 3, 2019**
4

5 The regular meeting of Council was called to order by Council President Kilbane at 7:07 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 Gibbons

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12 THE CHAIR made a motion to approve the minutes of the regular meeting of August 19, 2019.

13 Moved and Seconded.

14 ROLL ON MOTION: Vote: YES-6, NO-0, ABSTAIN-1 | Motion carried.

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

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

17 COUNCILMAN WOJNAR said that he was out of town for work.
18

19 **LEGISLATION ON FIRST READING**

20 COUNCILMAN WOJNAR placed a resolution before council for first reading and introduction.

21 RESOLUTION NO. 19-12

22 REQUESTED BY: GREG CINGLE, FINANCE DIRECTOR

23 SPONSORED BY: COUNCILMAN WOJNAR

24 *A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET*

25 *COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE*

26 *COUNTY FISCAL OFFICER*

27 ACTION: Resolution 19-12 was placed on first read and referred to the Finance Committee.
28

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

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

32 THE CHAIR presented a resolution before council for emergency passage.

33 RESOLUTION NO. 19-13

34 REQUESTED AND SPONSORED BY: COUNCIL PRESIDENT KILBANE

35 *A RESOLUTION RECOGNIZING SEPTEMBER 13-22, 2019 AS WELCOMING WEEK AND DECLARING*

36 *AN EMERGENCY*

37 THE CHAIR made a motion to suspend the Charter Provision and Rule 49 requiring three readings.

38 Moved and Seconded.

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

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

41 THE CHAIR asked for any further discussion before passage.

42 THE CHAIR made a motion to dispense Rule 53 requiring reference to Committee.

43 Moved and Seconded.

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

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

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

47 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carried, Resolution 19-13 passes.

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

49 COUNCILMAN WOJNAR presented a resolution before council for emergency passage.
50

51 ORDINANCE NO. 19-45

52 REQUESTED BY: MAYOR EILEEN ANN PATTON
53 SPONSORED BY: COUNCILMAN WOJNAR
54 *AN ORDINANCE MAKING A WRITTEN RETURN TO THE FISCAL OFFICER OF CUYAHOGA COUNTY,*
55 *OHIO, FOR CHARGES FOR THE SERVICES OF THE CITY OF FAIRVIEW PARK, OHIO, FOR CUTTING*
56 *WEEDS ON CERTAIN PARCELS OF LAND DESCRIBED HEREIN, AND AUTHORIZING SAID CHARGES*
57 *TO BE PLACED UPON THE TAX DUPLICATE AND COLLECTED AS OTHER TAXES PURSUANT TO*
58 *SECTION 731.54 OF THE REVISED CODE OF OHIO, AND DECLARING AN EMERGENCY*
59 COUNCILMAN WOJNAR made a motion to suspend the Charter Provision and Rule 49 requiring three
60 readings.
61 Moved and Seconded.
62 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
63 YES: B. McDonough, B. Minek, P. Wojnar, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
64 THE CHAIR asked for any further discussion before passage.
65 THE CHAIR made a motion to dispense Rule 53 requiring reference to Committee.
66 Moved and Seconded.
67 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
68 YES: B. McDonough, B. Minek, P. Wojnar, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
69 THE CHAIR asked for any further discussion before passage.
70 COUNCILMAN WOJNAR made a motion to amend Ordinance 19-45 to strike the language “are attached
71 hereto, marked Exhibit "A"; and considered a part hereof as if rewritten herein.” from Section 3.
72 Moved and Seconded.
73 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
74 YES: B. McDonough, B. Minek, P. Wojnar, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
75 THE CHAIR asked for any further discussion before passage. No Discussion.
76 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carried, Ordinance 19-45 Amended passes.
77 YES: B. McDonough, B. Minek, P. Wojnar, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
78
79 **LEGISLATION ON THIRD READING AND FINAL PASSAGE**
80 COUNCILMAN MINEK placed an ordinance before council for third reading and final passage.
81 ORDINANCE 19-43
82 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
83 SPONSORED BY: COUNCILMAN MINEK
84 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF*
85 *ROCKY RIVER TO IMPLEMENT THE CENTER RIDGE ROAD COMPLETE STREETS PROJECT*
86 *FUNDED BY THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY AND DECLARING AN*
87 *EMERGENCY*
88 THE CHAIR asked for any discussion before passage. No Discussion.
89 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Motion carried, Ordinance 19-43 passes.
90 YES: B. McDonough, B. Minek, P. Wojnar, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
91
92 COUNCILMAN MCDONOUGH made a motion to reconsider Ordinance 19-39.
93 Moved and Seconded
94 THE CHAIR asked for any discussion.
95 COUNCILMAN MCDONOUGH stated that the passage of Ordinance 19-39 is being reconsidered due to
96 not receiving a second on the motion to amend at the previous meeting.
97 THE CHAIR asked for any further discussion. No Discussion.
98 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
99 YES: B. McDonough, B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
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101 COUNCILMAN MCDONOUGH placed Ordinance 19-39 up for third reading and final passage.
102 ORDINANCE NO. 19-39

103 REQUESTED BY: MAYOR EILEEN PATTON
104 SPONSORED BY: COUNCILMAN MCDONOUGH
105 *AN ORDINANCE AUTHORIZING THE SUBMISSION TO THE ELECTORS OF THE CITY OF FAIRVIEW*
106 *PARK THE PROPOSAL TO AMEND ARTICLE VIII, SECTION 6 OF THE CHARTER OF THE CITY OF*
107 *FAIRVIEW PARK TO PROVIDE THAT PUBLIC BIDDING SHALL BE MADE WITH THE LOWEST*
108 CHAIR asked for any discussion.
109 COUNCILMAN MCDONOUGH made a motion to amend Section 3 to add the existing language in the last
110 paragraph that says “No expenditure of more than fifteen thousand dollars (\$15,000.00) shall be made,
111 whether by public bid or otherwise, unless approved by ordinance of Council.”
112 Moved and Seconded.
113 THE CHAIR asked for any further discussion before passage. No Discussion.
114 ROLL ON PASSAGE: Vote: YES-7 NO-0 | Motion carried, Ordinance 19-39 Amended passes.
115 YES: B. McDonough, B. Minek, M. Kilbane, S. Wering, A. Russo and T. Smith
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117 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
118 **OFFICIALS**

119 MAYOR PATTON announced that the City of Fairview Park has been awarded the Ohio State Auditor’s
120 Award with Distinction, which is for excellence in financial reporting. She congratulated Finance Director
121 Cingle, and Finance staff Deanna Lebiecz and Carlene Hayes. MAYOR PATTON announced September
122 events of the Hazardous waste and shredding day, which will take place on September 21 from 9:00 am until
123 noon in the City Hall parking lot, and on Saturday, September 28 in the High School Parking lot will be the
124 Fairview Flea from 10:00 am until 4:00 pm and the Food Truck Festival from 3-7pm. She welcomed Velocity
125 Advisors to the business community of Fairview Park. They are an insurance and financial services firm
126 located in the Commerce Center on Brookpark Road. Recycling calendars are available downstairs for
127 everyone. They are received as part of the Hazardous waste and recycling grant and contains the bulk days
128 in the calendar. MAYOR PATTON reminded everyone that next Tuesday is Primary Election Day for Ward
129 5 only. Their polling place has moved from St. Mary Magdalene and will now vote at Bain Park Cabin.
130

131 DIRECTOR GIBBONS congratulated Director Cingle on the financial award received from the state. He
132 announced that he will be out of town and not at the next council meeting, but that Assistant Law Director
133 Castele will be present for the Law Department.
134

135 **PUBLIC SESSION**

136 MR. JOHN TAYLOR – 22405 Macbeth Ave – MR. TAYLOR said that he is happy to have seen all the
137 summer accolades for other parks and happy to have Nelson Russ back, but voiced concerns with the high
138 grass and overgrowth present at Nelson Russ Park, specifically behind the pavilion and western edge, and
139 the potential to run into problems such as ticks and poison ivy. He said he is hopeful that this will be
140 addressed with future maintenance and fall cleanups.
141

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

143 COUNCILMAN MCDONOUGH invited Mr. Taylor for a personal guided tour to Grannis Park. He also
144 thanked Penn Berens, members of the Shade Tree Committee and volunteers who participated in the recent
145 work done at Grannis Park. He also commended the Boy Scouts, who built fencing at the community gardens
146 to keep wildlife out.
147

148 COUNCILMAN MINEK reported that the Board of Control met on Thursday, August 29, 2019 to discuss
149 awarding a contract for the Police Department Locker Room Renovation Project. Four bids were received.
150 The range was from \$254,000.00 to \$314,724.00 Five alternates were included in the bid price. Payment
151 will consist of a \$50,000.00 grant, partial usage of a \$68,000.00 NOPEC grant and the remainder from Fund
152 250 (permanent Improvement Fund). After considerable discussion a motion to award the contract for the
153 Police Department Locker Room Project to the Cornice Company of Fairlawn, Ohio in the amount not to

154 exceed \$252,175.00. COUNCILMAN MINEK reported that the Board of Zoning and Building Appeals will
155 meet next Monday with 5 docket items: 21801 Elizabeth Ave.- seeking a variance to park a recreational
156 vehicle ; 21705 Brookway - seeking a variance for 2' in side yard for fencing; 4218 W 210 St. – seeking a
157 variance for front yard fencing; 20810 Eastwood - seeking a variance for fencing; and 20542 Lorain Rd. -
158 seeking a variance for signage.

159
160 COUNCILMAN WOJNAR thanked and congratulated Director Cingle on his work and receiving financial
161 award.

162
163 COUNCILWOMAN WERING congratulated Director Cingle and the Finance Department on his work and
164 receiving financial award. She also commended the Administration and Monica Rossiter on the job they do
165 chasing down grants and reallocations of monies that allow new projects and new growth throughout the
166 city.

167
168 COUNCILMAN RUSSO said that he hoped everyone had a wonderful Labor Day and congratulated
169 Director Cingle on the Auditor of State’s Award.

170
171 COUNCILMAN SMITH said that he was able to attend the cleanup and work day at Grannis Park and said
172 it was a productive day. He announced that the Fairview Park Music and Theatre Association Blitz Day will
173 be this Saturday, where the \$10 gold cards with business discounts in the community and surrounding area
174 will be sold. He thanked the Police Department for placing the speed trailer on his street, which is sometimes
175 used as a cut through. He said he believes it slowed some people down. COUNCILMAN SMITH thanked
176 Council for their confidence in him to serve as he marked his 1 year anniversary on Council. He said it has
177 been an honor and hopes to continue doing the job. He congratulated Officer Ed Manning on his retirement
178 after 35 years with the Police Department and thanked him for his service to the City.

179
180 THE CHAIR entertained a motion to adjourn the regular meeting with no further business.
181 Moved and Seconded.

182 ROLL ON MOTION: Vote: YES-7, NO-0 | Meeting adjourned at 7:31 p.m.

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

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Michael P. Kilbane, President of Council

Liz L. Westbrooks, Clerk of Council

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193 Eileen Ann Patton, Mayor

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