

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, DECEMBER 16, 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. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

10 Administration –Director Cingle, Director Gibbons and Engineer Mackay

11 ABSENT: Mayor Patton
12

13 THE CHAIR made a motion to excuse Councilman B. McDonough from the meeting.

14 Moved and Seconded.

15 THE CHAIR asked for any discussion. No Discussion.

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

17 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
18

19 THE CHAIR made a motion to approve the minutes of the regular meeting of council on Monday, December
20 2, 2019.

21 Moved and Seconded.

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

23 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
24

25 **COMMITTEE REPORTS**

26 COUNCILMAN MINEK reported that the Environment, Public Works, Planning, Zoning & Development
27 Committee met on Monday, December 9, 2019 at 7:00 PM to discuss legislation and issues. Participating in
28 the discussion were Mayor Patton, Finance Director Cingle, Law Director Gibbons, Police Chief Upperman,
29 Mayor Elect Cooney, Ward 5 Councilwoman-elect King, Mr. Berens, former chair of the Shade Tree
30 Advisory Committee and two members of said committee. **Shade Tree Recommendations:** Mr. Berens
31 gave a presentation pertaining to the Cleveland Pear Trees which were planted and not the recommended
32 street trees on Thomas Lane. The Shade Tree Advisory Committee also recommends that City Code be
33 amended to prohibit tree planting under power lines. Discussion regard the appearance of trees which are
34 trimmed by a company contracted by the Illuminating Company. Law Director Gibbons was requested to
35 research the city code and provide the necessary ordinance. Mr. Berens and the two members were thanked
36 for their input and volunteer service on the Shade Tree Advisory Committee. This issue will remain in
37 committee pending the requested ordinance. **Ordinance 19-58** Authorizing participation in ODOT
38 Municipal Bridge Inspection Program 2020-2022. Mayor Patton stated this is a new program and will benefit
39 our city as ODOT will do the inspection. If necessary the city at our expense will make the recommend
40 repairs. The city will apply for any grants or financial assistance. Motion to place on 3rd reading was
41 approved 7-0. **Plastic Retail Bags:** Discussion regard the County ban which becomes effective on 01-01-
42 2020. City of Brooklyn opted out of the County ban. City of Cleveland and North Olmsted are presently
43 discussing the ban. Motion this issue be removed from committee was approved 7-0. **Airport Noise:** Mayor
44 Patton stated several attempts to invite FAA to a meeting were unsuccessful. Thursday, December 12, 2019
45 the 4th Quarter Suburban Mayors' Meeting pertaining to the airport will be held at the Ohio Aerospace
46 Institute in Brookpark, Ohio. Mayors and Council members are invited. The Chair will accompany Mayor
47 Patton and Mayor elect Cooney. Motion this issue remain in committee was approved 7-0. **Lead Paint**
48 **Safety:** Contacted Building Commissioner Maynard who stated presently no lead paint issues in our city.
49 Contacted Monica Rossiter, grant writer if any type program with financial assistance is available. Evidently
50 Cuyahoga County Board of Health offers the Lead Safe Program to smaller suburbs. Funding for lead
51 abatement is typically only available to larger cities. Mayor-elect Cooney stated the Board of Health could

52 be contacted to attend a meeting. Motion this issue remain in committee was approved 7-0. **Community**
53 **Development:** The streetscape program is complete. We had a meeting with Cuyahoga Planning, Regional
54 Collaboration and Development Offices. Forward Fairview Park is involved in future planning. We have
55 received grants for small business, infill development study and presently the Lorain Road Corridor study.
56 We are continuing to apply for grants to renovate portions of Lorain Road. For our benefit we have areas
57 that qualify for ITA (Improvement Target Areas) & LMI (Low to moderate income). Motion this issue
58 remain in committee was approved 7-0. **Municipal Facilities Maintenance:** Most city facilities had issues
59 which through time were resolved with considerable expenditures of monies. Mayor Patton stated the rear
60 garage which was built in 1968 is in need of major renovation. This issue was discussed previously and a
61 figure of \$400,000.00 was mentioned. Motion this issue remain min committee was approved 7-0. **City**
62 **Sewers:** This is a continuing issue due to our antiquated sewer system. The last major sewer renovation was
63 the Clifford Drive where portions of the storm & sanitary sewers were replaced with the financial assistance
64 from District One Public Works Integrating Committee of Cuyahoga County and the Ohio Public Works
65 Commission. The Black & Veatch report has been discussed several times. City is constantly applying for
66 Federal, State or County grants. Some residents contact their Council representative and City Hall to report
67 flooding of their property. Our Service Department personnel check the complaint and if possible resolve
68 the issue. City has contracted with County Public Works to do larger sewer work when necessary. Motion
69 this issue remain in committee was approved 7-0. Thank You, this completes my report.

70
71 COUNCILWOMAN WERING reported that the Local Government and Community Services Committee
72 met on Monday, December 9 at 7:30pm. In attendance were members of Council, Mayor Patton, Recreation
73 Director Owens, Law Director Gibbons and Police Chief Upperman to discuss the following legislation and
74 issues: **Ordinance19-59**, amends the Fairview Park Chapter 563 Fair Housing Code to include additional
75 protected classes for the prohibition of discrimination. Director Gibbons discussed the recognition of
76 additional protected classes under Federal, State and local laws. He said that while they are not protected
77 classes at the moment under Federal and State laws, it seems to be expanding and is currently being
78 considered under pending lawsuits and legislation. The County and 30 municipalities have passed legislation
79 and/or established Human Rights Commissions to cover additional protections. A motion to place up for 3rd
80 reading and final passage passed by a vote of 7-0. **Ordinance19-60**, amends Fairview Park Codified Section
81 541.12 regarding Ethnic Intimidation, and updating it to include additional protected classes for the
82 prohibition of intimidation. Director Gibbons and Chief Upperman made the suggestion that the legislation
83 be updated to remove Ohio Revised Code sections, and add the Fairview Park codified sections that apply.
84 A motion to amend to remove ORC sections references and add Fairview Park sections passed by a vote of
85 7-0. A motion to and place up for 3rd reading and final passage passed by a vote of 7-0. **Ordinances 19-61,**
86 **19-62 and 19-63** were requested to be kept in Committee by the Mayor until recommendation and reports
87 are back from the Recreation and Planning and Design Commissions. Ordinance19-61, authorizes the
88 dedication of Thomas Park. A motion to amend passed by a vote of 7-0 to change to street address in the
89 introduction from 4200 to 4000 Thomas Lane at passage. Ordinance 19-62 adds Thomas Lane Park and
90 Grannis Park to the list of dedicated city parks in the codified ordinances. Ordinance19-63 amends Section
91 927.05 to add Thomas Lane Park to the listing of city parks where persons who are sex offenders and/or
92 those convicted of violent offenses are prohibited. Motions for Ordinances 19-61 through 19-63 to remain
93 in Committee all passed by a vote of 7-0. **Ordinance19-50** would enact Chapter 704 to provide for housing
94 protections for domestic violence victims & affected landlords. Offenses in the Fairview Park ordinance
95 would be civil versus criminal. Submitted suggested amendments to the legislation will be discussed in the
96 future. A motion to remain in committee passed by a vote of 7-0. **Ordinance19-44** would amend the City
97 Charter to remove the Board of Control. A motion to remove the legislation passed by a vote of 5-2. The
98 following **issues** were motioned and approved to be removed from committee with no further discussion by
99 a vote of 7-0: Responsible Pet Ownership –motion to remove from committee ; Chapter 505 (Animals);
100 Chief Upperman commented that this is a complaint driven ordinance; Autism Safety Roster; Chief
101 Upperman commented that this is complete and that there is a form available. There is currently one sign up
102 and he is working to get it posted to the website; Charter & Codified Ordinances Review; Legislative

103 Records and Council Office. The following **issues** were motioned and approved to remain in committee for
104 further discussion by a vote of 7-0: FPCO 1145.18 Temporary Political Signs; Gemini Memberships
105 (Types) – Council inquired about the cost and availability of acquiring a Once-A-Member, Always-A-
106 Member membership by way of having been a Cleveland Clinic rehabilitation patient; Bain Park
107 Preservation; City Playgrounds will remain in committee for pending park dedications and planned
108 improvements at Bohlken Park; Fairview Park Codified Chapters 707 & 708 covering licenses for Rental
109 Dwellings and Apartment Buildings. The Local Government Committee ended at 8:30 pm.

110
111 COUNCILMAN WOJNAR reported that the Finance Committee met on Monday, December 9 at 8:30pm.
112 In attendance were members of Council, Finance Director Cingle, Recreation Director Owens and Police
113 Chief Upperman were in attendance to discuss the following legislation and issues: **Ordinance 19-65**
114 authorizes a contract with Summit County for Health Insurance for the years 2020-2022. There was no
115 additional questions or discussion by Council regarding this legislation and a motion to place on third reading
116 and up for passage passed by a vote of 7-0. **Ordinance 19-66** sets the membership and fees for the Gemini
117 Center for the year 2020. Council asked Director Owens about plans to address the rising debt payments
118 remaining for the Gemini Center and when fees or non-Gemini rates may be raised. They asked why the fees
119 would not be increased incrementally versus all at once. Director Owens presented a Capital expenses plan
120 for the year 2020 through 2022, and mentioned that there are plans to refinance the Gemini Center debt in
121 2022. Council asked that the plan specifics be laid out in detail to reach these goals. Director Cingle
122 commented that the city plans to roll over the bond notes taken this year for the rood replacement in the early
123 part of next year when they come due. Legislation is being prepared to present to Council, and the financial
124 adviser on the notes will be at committee when this is discussed in committee when the legislation is
125 presented to Council early next year. A handout containing the overall debt and payments of the city,
126 including Gemini Center and the Gemini Roof Replacement notes, was discussed. The current remaining
127 principle debt for the Gemini Center is approximately \$17,125,000 million and the new roof debt is
128 \$1,287,000. Discussion regarding the specifics of the planned refinancing in regard to amounts to borrow in
129 order to keep \$3 million in escrow and the rates and circumstances for payments being taxable versus non-
130 taxable rates. Director Cingle said that he does not believe the equation is solved through membership fees,
131 but that the debt service needs to be smoothed out and the operating expenses will need to be dramatically
132 lowered or taxes raised. He reminded Council that the income taxes in the amount of \$2.5 million goes
133 toward the operation of the Gemini Center. He also noted that the Fire Levy renewal is coming in the next
134 year, streets/income tax renewal ending in 2021, and solid waste/rubbish fees likely increasing as well.
135 Council inquired about increasing programming fees and rates outside of membership over a number of
136 years, other than just all at once as being recommended by the Recreation Department. Council noted that
137 surrounding cities charge well above the rates and questioned how much better we could do with
138 membership, since we have higher numbers of resident members. Director Owens said that his main concern
139 is not only losing the membership, but the additional programming and other fees that are lost with
140 memberships for other activities. Suggestions were offered to add additional entrance to the Center as well
141 as updated methods to collect membership dues and fees as ways to alieve some issues that are widely
142 known, and possibly bring back members that have been lost over the years. A motion to place on third
143 reading and up for passage passed by a vote of 7-0. **Ordinance 19-67** authorizes and agreement with TAC
144 Computer, Inc for 2020. Chief Upperman explained that the exhibit originally presented to Council was from
145 a prior year, and numbers were incorrect. He has forwarded updated information numbers, which will require
146 an amendment to the amount in the legislation. He explained that additional costs are for modules for BMV
147 interfacing and issuing E-Cite electronic citations and annual support, which become part of the software
148 already in place in the years after. He explained he is getting pressure from Rocky River to move towards
149 using these services, but has not decided if they will actually be added, in addition, paper tickets were
150 recently ordered. A motion to amend the third Whereas clause to include the supplemental services and
151 annual support that could be added and change the amount in Section 1 to \$23,000. A motion to place up for
152 third reading and final passage passed by vote of 7-0. **Ordinance 19-68** is the final appropriations for the
153 City for the year 2019. Director Cingle went over the additional changes since last committee to Fund

154 numbers 7790, 550, 611 and 811. A motion to add language to reflect the earlier supplemental of Ordinance
155 19-38 and to add the additional changes to the appropriations passed by a vote of 7-0. A motion to place on
156 third and final passage was approved by vote of 7-0. **Ordinance 19-69** provides for temporary appropriations
157 for the period from January 1 through March 31, 2020. Finance Director Cingle advised that there have been
158 no changes to this temporary budget since the last committee meeting. A motion to place on 3rd reading and
159 final passage passed by a vote of 7-0. **Ordinance 19-70** authorizes a Contract between the City and Mackay
160 Engineering for the years of 2020-2023. Council discussed the rates contained in contract and how they are
161 tied to the city's union contracts and consequences if there was some disparity in the union contract increase
162 or decrease amounts. A motion to place on 2nd reading and return to committee passed by a 7-0 vote.
163 **Resolution 19-22** authorized to enter into a contract with the Western Reserve Area Agency on Aging for
164 the year 2020. The contract provides partial funding for transportation, nutrition and support services, in an
165 amount not to exceed \$18,459. Funds will be deposited into the Special Hold Fund (611). A motion to amend
166 Section 1 to change from the year 2018 to 2020 was approved by a 7-0 vote. A motion to place on 2nd
167 reading and subsequent third also passed by a 7-0 vote. **Ordinance 18-09** authorizes a Fee Agreement with
168 for Litigation of Opioid Epidemic with the law firm of Kelley & Ferraro, LLP. A settlement has been made
169 since the introduction of this legislation. Based on the recommendation of the Law Director, a motion was
170 made to remove this from further consideration, which was approved by a 7-0 vote. This **Solid Waste Fees**
171 **issue** will need to be addressed due to the increases being seen everywhere for landfill costs and other
172 expenses. The city currently covers what is not paid by residents through the yearly \$120 amount. The city's
173 contract with Republic Waste ran from June 30, 2012 through 2017 with the option of an additional extension
174 for each year through 2022 that must be advised by April 1st of each year. We are currently contracted
175 through June 2020. Council inquired why this contract was automatically renewed even though it met the
176 threshold for Council approval. A motion to keep the issue in committee passed by a vote of 7-0. **The issue**
177 **of Budget Discussion** was voted to remain in committee. Director Cingle advised that Departmental Budgets
178 would be available in January for discussion, review and approval in line with past timelines for budget
179 hearings. Council is hopeful that the budget process will be moved up to start in the final quarter of the prior
180 year in the future. A motion to remove the **issue of Salary Review of Elected Officials** was approved by a
181 vote of 7-0. The Finance Committee ended at 9:46 pm.

182 183 **LEGISLATION ON SECOND READING**

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

185 ORDINANCE NO. 19-70

186 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FOUR YEAR CONTRACT WITH*
187 *MACKAY ENGINEERING AND SURVEYING COMPANY FOR PROFESSIONAL CONSULTING*
188 *ENGINEERING SERVICES AND DECLARING AN EMERGENCY*

189 ACTION: Ordinance 19-70 was placed on second reading.

190
191 RESOLUTION NO. 19-22

192 REQUESTED BY: SENIOR LIFE DIRECTOR, REGINA SILLASEN

193 SPONSORED BY: COUNCILMAN WOJNAR

194 CO-SPONSORED BY: COUNCILMAN MINEK

195 *A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE WESTERN*
196 *RESERVE AREA AGENCY ON AGING TO ACCEPT GRANT FUNDS FROM SAID AGENCY FOR THE*
197 *CITY'S PROGRAMS UNDER THE TITLE III OF THE OLDER AMERICANS ACT OF 1965 42 USC 35*
198 *WHICH PROVIDES FUNDING FOR TRANSPORTATION, NUTRITION AND SUPPORT SERVICES AND*
199 *PARTIAL FUNDING FOR SUPPLEMENTAL PROGRAMS THEREUNDER FOR 2020 AND DECLARING*
200 *AN EMERGENCY*

201 ACTION: Resolution 19-22 was placed on second reading.

202 203 **AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE**

204

205 **LEGISLATION ON FOR PASSAGE WITHOUT THREE READINGS**
206 COUNCILWOMAN WERING placed the following legislation up for emergency passage:
207 RESOLUTION NO. 19-23
208 REQUESTED BY: COUNCILWOMAN WERING
209 SPONSORED BY: FAIRVIEW PARK CITY COUNCIL
210 A RESOLUTION DECLARING JANUARY 2020 AS NATIONAL BLOOD DONOR MONTH AND
211 DECLARING AN EMERGENCY
212 COUNCILWOMAN WERING made a motion to suspend the Charter Provision and Rule 49 requiring three
213 readings.
214 Moved and Seconded.
215 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.
216 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
217 THE CHAIR asked for any further discussion before passage.
218 COUNCILWOMAN WERING made a motion to dispense Rule 53 requiring reference to Committee.
219 Moved and Seconded.
220 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.
221 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
222 THE CHAIR asked for any further discussion before passage.
223 COUNCILWOMAN WERING asked for concurrence to read the resolution in pertinent part; Council
224 concurred. COUNCILWOMAN WERING read the resolution.
225 THE CHAIR asked for any further discussion before passage. No Discussion.
226 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Resolution 19-23 passes.
227 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
228
229 **LEGISLATION ON THIRD READING/FINAL PASSAGE**
230 COUNCILMAN MINEK placed the following legislation up for third reading and final passage:
231 ORDINANCE NO.19-58
232 REQUESTED BY: SHAWN LEININGER, SERVICE & DEVELOPMENT DIRECTOR
233 SPONSORED BY: COUNCILMAN MINEK
234 CO-SPONSORED BY: COUNCILWOMAN WERING
235 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE OHIO*
236 *DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN THE MUNICIPAL BRIDGE INSPECTION*
237 *PROGRAM, AND DECLARING AN EMERGENCY.*
238 THE CHAIR asked for any discussion before passage. No Discussion.
239 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 19-58 passes.
240 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
241
242 COUNCILWOMAN WERING placed the following legislation up for third reading and final passage:
243 ORDINANCE NO.19-59
244 REQUESTED BY: COUNCILMAN SMITH
245 SPONSORED BY: COUNCIL PRESIDENT KILBANE
246 *AN ORDINANCE AMENDING SECTIONS 563.01, 563.02(f), 563.03 AND 563.04 OF CHAPTER 563*
247 *ENTITLED "FAIR HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRVIEW*
248 *PARK AND DECLARING AN EMERGENCY*
249 THE CHAIR asked for any discussion before passage. No Discussion.
250 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 19-59 passes.
251 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
252
253 ORDINANCE NO.19-60
254 REQUESTED BY: COUNCILMAN SMITH
255 SPONSORED BY: COUNCIL PRESIDENT KILBANE

256 *AN ORDINANCE AMENDING SECTION 541.12 OF THE CODIFIED ORDINANCES OF THE CITY OF*
257 *FAIRVIEW PARK, OHIO TO ADD PROHIBITION OF INTIMIDATION ON THE BASIS OF SEX,*
258 *GENDER IDENTITY OR EXPRESSION, OR SEXUAL ORIENTATION*
259 THE CHAIR asked for any further discussion before passage.
260 COUNCILMAN SMITH made a motion to amend Section 1 to remove the ORC section references and add
261 applicable Fairview Park codified sections and enforcement.
262 Moved and Seconded.
263 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.
264 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
265 THE CHAIR asked for any further discussion before passage. No Discussion.
266 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Ordinance 19-60 Amended passes.
267 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
268
269 RESOLUTION NO. 19-20
270 REQUESTED AND SPONSORED BY: COUNCIL PRESIDENT KILBBANE
271 CO-SPONSORED BY: COUNCILMAN SMITH
272 *A RESOLUTION AFFIRMING THE CITY OF FAIRVIEW PARK'S COMMITMENT TO DIVERSITY AND*
273 *INCLUSION*
274 THE CHAIR asked for any discussion before passage. No Discussion.
275 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Resolution 19-20 passes.
276 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
277
278 COUNCILMAN WOJNAR placed the following legislation up for third reading and final passage:
279 ORDINANCE NO.19-64
280 REQUESTED BY: SHAWN LEININGER, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
281 SPONSORED BY: COUNCILMAN WOJNAR
282 CO-SPONSORED BY: COUNCILMAN MCDONOUGH
283 *AN ORDINANCE SUPPORTING AND AUTHORIZING THE SUBMISSION OF AN APPLICATION TO*
284 *THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE 2020 COMMUNITY*
285 *DEVELOPMENT SUPPLMENTAL GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE FOR*
286 *IMPROVEMENTS TO THOMAS LANE PARK AND AUTHORIZING THE MAYOR TO ACCEPT ANY*
287 *AWARDED GRANT FUNDS AND FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS*
288 *NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS AND DECLARING AN EMERGENCY*
289 THE CHAIR asked for any discussion before passage.
290 COUNCILMAN SMITH asked Director Gibbons if the city will be ok passing submitting the application
291 prior to the legislation dedicating Thomas Lane Park.
292 DIRECTOR GIBBONS replied that he does not believe that will be an issue, and also didn't think we had
293 an option as the application is due soon.
294 THE CHAIR asked for any discussion before passage. No Discussion.
295 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 19-64 passes.
296 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
297
298 ORDINANCE NO. 19-65
299 REQUESTED BY: MAYOR EILEEN ANN PATTON
300 SPONSORED BY: COUNCILMAN WOJNAR
301 *AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SUMMIT COUNTY,*
302 *OHIO IN ORDER TO IMPLEMENT HEALTHCARE INSURANCE COVERAGE FOR ELIGIBLE*
303 *EMPLOYEES OF THE CITY OF FAIRVIEW PARK FOR YEARS 2020-2022 AND DECLARING AN*
304 *EMERGENCY*
305 THE CHAIR asked for any discussion before passage. No Discussion.
306 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 19-65 passes.

307 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
308
309 ORDINANCE NO.19-66
310 REQUESTED BY: MAYOR EILEEN ANN PATTON
311 SPONSORED BY: COUNCILMAN MCDONOUGH
312 *AN ORDINANCE SETTING THE MEMBERSHIP USER FEE SCHEDULE FOR THE FAIRVIEW PARK*
313 *RECREATION AND COMMUNITY CENTER GEMINI CENTER FOR THE YEAR 2020 AND DECLARING*
314 *AN EMERGENCY.*
315 THE CHAIR asked for any discussion before passage. No Discussion.
316 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Ordinance 19-66 passes.
317 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
318
319 ORDINANCE NO.19-67
320 REQUESTED BY: MAYOR EILEEN ANN PATTON
321 *SPONSORED BY: COUNCILMAN WOJNAR*
322 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH TAC*
323 *COMPUTER, INC. AND DECLARING AN EMERGENCY*
324 THE CHAIR asked for any further discussion before passage.
325 COUNCILMAN WOJNAR made a motion to amend to add “additional services” and to amend the amount
326 in Section 1 to \$23,000.
327 Moved and Seconded.
328 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.
329 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
330 THE CHAIR asked for any further discussion before passage. No Discussion.
331 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Ordinance 19-67 Amended passes.
332 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
333
334 ORDINANCE NO.19-68
335 ORIGINATED BY: THE FINANCE DEPARTMENT
336 REQUESTED BY: MAYOR EILEEN ANN PATTON
337 SPONSORED BY: COUNCILMAN WOJNAR
338 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES*
339 *OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2019 AND*
340 *ENDING DECEMBER 31, 2019 AND DECLARING AN EMERGENCY*
341 THE CHAIR asked for any further discussion before passage.
342 COUNCILMAN WOJNAR to add language in second whereas clause to reflect the first supplemental
343 appropriation Ordinance 19-38 and to add the additional changes to the appropriations amounts in Exhibit
344 “A”.
345 Moved and Seconded.
346 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.
347 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
348 THE CHAIR asked for any further discussion before passage. No Discussion.
349 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Ordinance 19-68 Amended passes.
350 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
351
352 ORDINANCE NO.19-69
353 ORIGINATED BY: THE FINANCE DEPARTMENT
354 REQUESTED BY: MAYOR EILEEN PATTON
355 SPONSORED BY: COUNCILMAN WOJNAR

356 *AN ORDINANCE APPROPRIATING FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES*
357 *OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND*
358 *ENDING MARCH 31, 2020 AND DECLARING AN EMERGENCY.*

359 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried.
360 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith
361 THE CHAIR asked for any further discussion before passage. No Discussion.
362 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Ordinance 19-69 passes.
363 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

364
365 RESOLUTION NO. 19-21
366 REQUESTED BY: GREG CINGLE, FINANCE DIRECTOR
367 SPONSORED BY: COUNCILMAN WOJNAR
368 *A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE*
369 *PROCEEDS OF TAX LEVIES PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND*
370 *DECLARING AN EMERGENCY*

371 THE CHAIR asked for any discussion before passage. No Discussion.
372 ROLL ON PASSAGE: Vote: YES-6, NO-0 | Motion carried, Resolution 19-21 passes.
373 YES: B. Minek, P. Wojnar, M. Kilbane, S. Wering, A. Russo and T. Smith

374
375 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
376 **OFFICIALS**

377 DIRECTOR CINGLE thanked Council for passing the finance legislation on the agenda tonight. He also
378 wished Councilmen McDonough, Wojnar, Russo and Smith the best of luck in their future endeavors. He
379 said it was a pleasure serving with them. He wished the residents of Fairview Park a Merry Christmas and a
380 healthy, happy and prosperous New Year.

381
382 DIRECTOR GIBBONS said that this will be his last meeting as Law Director, and thanked Council for
383 confirming his appointment. He said it has been a pleasure working with them and his fellow Directors. He
384 thanked Mayor Patton for appointing him and said he has learned a lot of things during his time working for
385 the City. He wished the best to the outgoing council members and wished everyone a healthy and happy
386 holiday season.

387
388 ENGINEER MACKAY thanked outgoing councilmembers for all of their support, and wished them the best
389 in the future and hopes to see them in the future. He wished everyone a happy holiday season.

390
391 **PUBLIC SESSION**

392 MS. CAROL CARROLL – Willowood, Lorain Rd – MS. CARROLL commended EMS and the Fire
393 Department for their loyalty and professionalism. She expressed concerns about seniors attempting to cross
394 Lorain Road. She said that a senior was recently hit by a car. She said she is aware that it is a state route, but
395 wanted to know if there was anything that can be done to make it safer for residents crossing.

396 THE CHAIR said thanked Ms. Carroll for bringing it up and said that her concerns would be taken to the
397 Chief of Police to see if perhaps a crosswalk could be installed somewhere along the road.

398 DIRECTOR GIBBONS said thanked Ms. Carroll for bringing this concern and said that he would share with
399 members of the Administration. He said that he believes there are some standards for distances between
400 crosswalks which would be looked into.

401 COUNCILMAN MINEK stated that there has been some conversation to look into possibly installing a
402 flashing crosswalk similar to the one in Kamm’s Corners. He said he will keep in touch with future
403 developments with that.

404
405 MR. CHUCK SOTU – 20867 Fairpark Dr – MR. SOTU spoke in regard to owners and businesses who do
406 not shovel walks along Lorain Road.

407 THE CHAIR advised that citations are issued to those that do not shovel every year if they are in violation.

408

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

410 COUNCILMAN MINEK made a motion to remove the issue of Plastic Retail Bags from the Environment,
411 Public Works, Planning, Zoning and Development Committee.

412 Moved and Seconded.

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

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

415 COUNCILMAN MINEK reported that the Planning and Design Commission will meet on Wednesday with
416 two items on the docket. He said that it has been a very productive past four years, and that he is looking
417 forward to working with new members. He thanked members of the Administration and Council who are
418 departing the city for serving the community. He wished everyone a Merry Christmas and a wonderful New
419 Year.

420

421 COUNCILMAN WOJNAR made a motion to remove the issue of Salary Review of Elected Officials from
422 the Finance Committee.

423 Moved and Seconded.

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

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

426 COUNCILMAN WOJNAR made a motion to remove Ordinance 18-09 from further consideration.

427 Moved and Seconded.

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

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

430 COUNCILMAN WOJNAR thanked everyone that works for the city, and all members of council for the
431 support they have given to him over the past 8 years. He also thanked Finance Director Cingle and former
432 Service Director Leininger who also made his job easier. He gave a special thanks to Council Clerk
433 Westbrooks, he said that she is invaluable to city council, and doesn't think that the city will ever have a
434 Clerk of Council with her ability, knowledge or work ethic. He wished good luck to Mayor-Elect Cooney
435 and new council that will start in January, and wished a Merry Christmas to everyone in the city.

436

437 COUNCILWOMAN WERING made a motion to remove the issues of Responsible Pet Ownership, Chapter
438 505 (Animals), Autism Safety Roster; Charter & Codified Ordinances Review and Legislative Records and
439 Council Office from the Local Government and Community Services Committee.

440 Moved and Seconded.

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

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

443 COUNCILWOMAN WERING made a motion to remove Ordinance 19-44 from further consideration.

444 Moved and Seconded.

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

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

447 COUNCILWOMAN WERING thanked the outgoing Administration and Councilmen McDonough,
448 Wojnar, Russo and Smith for giving her a better appreciation for what the job of council representative
449 entails, and a pleasure to serve and learn from and with. She said that she considers them all role models and
450 she really appreciates their service and guidance over the last year, and wished them the best in their future
451 endeavors. She wished everyone Happy Holidays.

452

453 COUNCILMAN RUSSO thanked the Administration and Council for their support and guidance over the
454 last 5 years. He said it has been an honor and a privilege to work with everyone; it has been a lot of fun and
455 he has learned a lot about how the city works and things he's never realized before. He wished everyone
456 incoming the best of luck and said that he is very proud to have Councilwoman King taking his spot and
457 representing his Ward. He wished everyone a Merry Christmas.

458 COUNCILMAN SMITH thanked Director Gibbons, Prosecutor Castele, Chief Upperman and Clerk
459 Westbrooks for their help on Ordinance 19-60. He thanked Council for their consideration and support for
460 Ordinances 19-59 and 19-60. He thanked Director Gibbons for his service and said it was a pleasure working
461 with him. COUNCILMAN SMITH wished everyone Happy Holidays. He said to the council members that
462 are leaving; I would like to thank Councilman McDonough for his years of service to our city and for all his
463 accomplishments. And for his vast knowledge of our city codes. I would like to thank Councilman Wojnar
464 for his years of service to our city and for his accomplishments. And for all your hard work chairing the
465 Finance Committee. I would like to thank Councilman Russo for his years of service, accomplishments,
466 volunteerism, and involvement in our city. To the council members that are remaining: I would like to thank
467 Councilman Minek for continuing his many years of service to our city and his many years of institutional
468 knowledge. I would like to thank Councilwoman Wering for continuing to serve our city. I'm so happy we
469 appointed you. You're doing a wonderful job. I would like to thank Council president Kilbane for continuing
470 all your years of service to our city and for your leadership and guidance. I would also like to thank our
471 Clerk of Council, Liz Westbrooks. Thank you for all the hard work you do behind the scenes to make
472 everything run so smoothly. I truly appreciate all that you do. To all my fellow council members, my friends:
473 Thank you for having the faith and confidence in me when you appointed me among the applicants to fill
474 this vacant position a year and 4 months ago. For believing that my experience and involvement over the
475 past 17 years most qualified me for this position. I sincerely thank you. This is my last city council meeting.
476 Serving as the Fairview Park City Council At-Large representative has been one of the proudest things I've
477 done in my life. I feel like I was just getting started and my time was cut short, but I am truly honored to
478 have had the opportunity to serve in this great city and to have worked with such wonderful people. Not only
479 with my colleagues on city council but with the Administration, Directors, Chiefs, Departments, city
480 employees, and especially the citizens. We truly do have a wonderful city. It has been an honor to serve the
481 city that I opened my business in 18 years ago, that I chose to live in 17 years ago, where I have raised my
482 children their entire life, my home. To give back to the community that I love so much. Thank you.

483
484 THE CHAIR wished the outgoing Councilmen McDonough, Wojnar, Russo and Smith a fond farewell, but
485 said that he knows they are not really going anywhere, as they are some of the most civically-engaged,
486 hardworking citizens the city has and he's sure they will remain active whether they are seated on Council
487 or not. He said it was a pleasure working with them. He thanked Director Gibbons for his time working for
488 the city, and welcomed Mayor-Elect Cooney and incoming council members-elect.

489
490 THE CHAIR made a motion to adjourn into executive session for the purposes of considering the
491 employment and compensation of a public official or employee.

492 Moved and Seconded.

493 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried. Council adjourned into executive session.

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

495 THE CHAIR made a motion to exit executive session and reconvene the regular meeting.

496 Moved and Seconded.

497 ROLL ON MOTION: Vote: YES-6, NO-0 | Motion carried. Council returned to the regular meeting.

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

499

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

501 Moved and Seconded.

502 ROLL ON MOTION: Vote: YES-6, NO-0 | Meeting adjourned at 8:29 p.m.

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

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510 William F. Minek, Council President Pro Tem
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514 Liz L. Westbrooks, Clerk of Council
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