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2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, MAY 4, 2020**
4

5 **Meeting was conducted by video teleconference*

6 The regular meeting of Council was called to order by Council President Kilbane at 7:00 p.m.

7 MOMENT OF SILENT PRAYER

8 ROLL CALL | PRESENT:

9 COUNCIL – B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger

10 ADMINISTRATION – Mayor Cooney, Director Costello, Director Cingle, Director Riley and Engineer
11 Mackay

12
13 THE CHAIR made a motion to approve the minutes of the regular meeting of Council on April 20, 2020.

14 MOVED and SECONDED.

15 No Discussion.

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

17 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
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19 **COMMITTEE REPORTS**

20 COUNCILWOMAN WERING reported that the Local Government and Community Services Committee
21 met on Monday, April 27th beginning at 7:09pm. In attendance were members of Council, the Mayor,
22 Directors Riley and Costello. The committee discussed one **issue, the Board of Control**, which is outlined
23 in the City of Fairview Park's Charter, Article 7, Section 4. This issue was brought for discussion due to a
24 concern from Council that primarily unelected officials were making some of the largest purchase decisions
25 in the City. The discussion centered around shifting the power from unelected officials to those who can be
26 held accountable by taxpayers via election without impacting project schedules. Council voted 7-0 to leave
27 the issue in committee pending further investigation. Local Government and Community Services Committee
28 concluded at 7:37 PM.
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30 COUNCILWOMAN KING reported that the Finance Committee met via videoconference on April 27, 2020
31 at 7:04pm. In attendance were the members of Council, Mayor Cooney, Director Riley, Director Cingle,
32 Director Costello and members of the community. The following items were discussed: **Ordinance 20-12**,
33 establishing the retiree accrued benefit fund. There were no questions or discussion needed. A motion to
34 place this on 2nd and subsequent 3rd reading was made and passed with a vote 7-0. **Ordinance 20-13**
35 Authorizing contract with Go2IT for computer services. After a brief discussion regarding emails, a motion
36 was made to place this on 2nd and subsequent 3rd reading read was made and passed with a vote 7-0. A motion
37 was made to remove the issue of the 2020 Budget and Solid waste removal from the committee's agenda
38 and passed with a vote 6-1. The Finance Committee ended at 7:08pm.
39

40 **WRITTEN COMMUNICATIONS, PETITIONS AND CLAIMS**
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42 **LEGISLATION ON FIRST READING**

43 COUNCILWOMAN KING placed the following legislation up for first reading and introduction:

44 ORDINANCE NO. 20-21

45 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT

46 SPONSORED BY: COUNCILWOMAN KING

47 *AN ORDINANCE ACCEPTING THE 2020 NORTHEAST OHIO PUBLIC ENERGY COUNCIL*
48 *ENERGIZED COMMUNITY GRANT TO PROVIDE FINANCIAL ASSISTANCE FOR ENERGY*
49 *EFFICIENCY PROJECTS OR ENERGY INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZING*
50 *THE CITY ADMINISTRATION TO FILE ALL DOCUMENTS AND EXECUTE ALL AGREEMENTS*
51 *NECESSARY TO RECEIVE ANY AWARDED GRANT FUNDS AND DECLARING AN EMERGENCY*

52 ACTION: Ordinance 20-21 was placed on first reading and referred to the Finance Committee.

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54 **LEGISLATION ON SECOND READING**

55 COUNCILWOMAN KING placed the following legislation up for second reading:

56 ORDINANCE NO. 20-12

57 REQUESTED BY: MAYOR PATRICK J. COONEY

58 SPONSORED BY: COUNCILWOMAN KING

59 *AN ORDINANCE ESTABLISHING THE RETIREE ACCRUED BENEFITS FUND, AND DECLARING AN*
60 *EMERGENCY*

61 ACTION: Ordinance 20-12 was placed on second reading.

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63 ORDINANCE NO. 20-13

64 REQUESTED BY: MAYOR PATRICK COONEY

65 SPONSORED BY: COUNCILWOMAN KING

66 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GO2IT GROUP*
67 *FOR PROFESSIONAL SUPPORT SERVICES FOR THE CITY'S COMPUTER SYSTEMS AND DECLARING*
68 *AN EMERGENCY*

69 ACTION: Ordinance 20-13 was placed on second reading.

70

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

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

74 COUNCILWOMAN KING placed the following legislation up for emergency passage:

75 ORDINANCE NO. 20-22

76 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT

77 SPONSORED BY: COUNCILWOMAN KING

78 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT TO*
79 *SOLICIT REQUESTS FOR PROPOSAL ("RFP") AND THE MAYOR TO ENTER INTO A CONTRACT*
80 *WITH THE MOST QUALIFIED VENDOR FOR HVAC SERVICES AND MAINTENANCE AS APPROVED*
81 *BY THE BOARD OF CONTROL AND DECLARING AN EMERGENCY*

82 COUNCILWOMAN KING made a motion to suspend the Charter Provision and Rule 49 requiring three
83 readings.

84 Moved and Seconded.

85 THE CHAIR asked for any discussion. No Discussion.

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

87 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger

88 COUNCILWOMAN KING made a motion to dispense Rule 53 requiring reference to Committee.

89 Moved and Seconded.

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

91 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger

92 THE CHAIR asked for any further discussion before passage.

93 COUNCILWOMAN KING made a motion to amend Ordinance 20-22 to 1) Enter the date of May 1-April
94 30, 2020 in 2nd Whereas clause for the first 2 year period; 2) replace the language of "most qualified vendor"
95 with "lowest and most responsible vendor" in Section 2; and 3) add language of "upon approval of Council"
96 for renewals in 2nd Whereas clause and Section 3".

97 Moved and Seconded.

98 THE CHAIR asked for any discussion. No Discussion.

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

100 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger

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

102 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-22 Amended passes.

103 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
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105 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY**
106 **OFFICIALS**

107 MAYOR COONEY reported that that there have been some temporary layoffs made last Friday in the
108 Building, Senior Life and Service Departments, as a result of the COVID-19 crisis and the large projected
109 revenue losses that are anticipated. There has been a nearly 30% decline in the April 2020 income tax
110 advancements as compared to last year. All of the employees that were laid off will continue to receive
111 medical benefits with the City paying it portion. Some did elect not to continue those benefits, and all are
112 eligible for the \$600 per week Federal benefit for the duration of the temporary layoff. City revenue and
113 operations continue to be evaluated on a daily basis so that these employees can return. MAYOR COONEY
114 said that the Senior Life Department will continue weekly meal deliveries and assistance to seniors; the
115 Service Department continues to work on parks, streets and infrastructure needs; the Building Department
116 is still processing permits and housing inspections; and all activities at the Gemini are suspended and the
117 facility is closed, but programming work will continue as guidance continues to be provided from the
118 Governor. MAYOR COONEY thanked the School District, Journey Church and other supporting
119 organizations and volunteers for the food drive that was held at the high school on April 25th. There were
120 hundreds of families helped and it was a successful event. The city has recently received from confirmation
121 of several grants including the Community Development Supplemental Grant for \$50,000, which is slated
122 for the Thomas Lane Greenspace project. The Recreation and Planning and Design Commissions will be
123 presented to in the next 30-60 days before coming to Council. A grant application to the Ohio Office of
124 Criminal Justice Services for reimbursement of expenses related to the COVID-19 crisis was submitted
125 today. As information on this grant, and others related to expenditures of the COVID-19 crisis are received
126 they will be communicated. MAYOR COONEY reported that Monica Rossiter and Director Costello
127 attended a webinar about microenterprise grant funds from the CARES ACT through the County and are
128 looking at ways they can be used for residents and business in Fairview Park. The previously approved
129 Fairview Park micro grant program has sent out checks to 9 local businesses totaling \$28,500 as of last
130 Friday and other applications are still being reviewed, and awards will hopefully be sent out in the next 10-
131 14 days. The process basically works by businesses submitting applications and materials, which are
132 reviewed and scored by Director Costello and Monica Rossiter and are then verified for occupancy and
133 violations status by the Building Department before heading to Finance Director Cingle for checking for any
134 tax violations with RITA. A final review is done by the Mayor and Directors before making awards. Though
135 they are small sum of money, there has been a lot of positive feedback and is meaningful. The city hopes to
136 work to get more monies to continue this fund and will keep everyone posted. MAYOR COONEY urged
137 everyone who has not yet completed the census do so, there has been an increase and the current participation
138 rate is at 76%. He stressed the importance of it for the benefit of various programs, services and institutions
139 in the City. The census can be filled out at 2020census.gov and any questions can be directed to City Hall.
140 The Stay Safe order has been continued as of May 1st and he urged everyone to continue being vigilant in
141 their efforts with proper social distancing, wearing masks and taking care and proper hygiene to limit
142 exposure. While the order does expand businesses allowed to reopen, he urged residents to say something if
143 they see something concerning to Chief Upperman. MAYOR COONEY thanked Council for their continued
144 support, and wished that everyone continue to stay safe and well.

145
146 DIRECTOR CINGLE reported that the April monthly reports have been distributed, and any questions can
147 be directed to him. He added that the RITA advance that was received last week, and the reconciliation
148 should be received by May 15th and will be reported when they are received.

149
150 DIRECTOR COSTELLO thanked Council for the passage of the HVAC maintenance legislation and will
151 have the RFPs issued shortly for an anticipated June Board of Control review of the findings. Six bids were
152 received and opened on Friday for the water line project with the lowest bid being approximately \$73,000
153 below the Engineer's estimate. This will be presented to City Council and the Board of Control.

154
155 ENGINEER MACKAY reiterated the receipt of the bids for the water line project and said that they will
156 have a report for the Board of Control in a couple of days.

157
158 **PUBLIC SESSION**

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

161 COUNCILMAN SIMMERLY thanked Mayor Cooney and staff on the great job they are doing, as he's sure
162 this was not how he pictured his first year. He also thanked Building Commissioner Walt Maynard for
163 helping him with some questions and concerns from residents in his ward over the past couple weeks.

164
165 COUNCILMAN MINEK said that it looks like there will be several upcoming Board of Control meetings
166 based on the ordinances that are being passed. He also commended the Administration on the good job they
167 are doing during this crisis.

168
169 COUNCILWOMAN ADLER said that she echoes the sentiments of other council members and that she has
170 received nothing but prompt responses from Mayor Cooney and the members of the Administration, and
171 thanked them for their efforts. The transparency of decisions, which have handled compassionately is also
172 appreciated.

173
174 COUNCILWOMAN WERING said that she is proud to be part of a city that is responding the way we are
175 to COVID-19, making difficult decisions when needed and that her heart goes out to the city employees that
176 have been affected and looks forward to welcoming them back. She thanked the Administration for doing a
177 great job in trying to triage, as best we can, all of our responses.

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179 COUNCILWOMAN KING thanked the Administration for all they are doing and said that it is great to be
180 part of this team.

181
182 THE CHAIR asked Director Riley if he had a report as he missed him during the reports of the
183 Administration.

184 DIRECTOR RILEY responded that he had nothing to report.

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186 THE CHAIR told the Mayor he has had to make some difficult decisions over the past few weeks, and in
187 something no one has had to deal with before, and knows that he is doing his best. He thanked him for
188 getting the micro grant monies out to local businesses so quickly to assist them. He said he read an article
189 today that had predictions of illness to continue to go up, so while things are starting to open up and people
190 are combating cabin fever, he hopes everyone keeps in mind that this is not over and will get worse before
191 it gets better.

192 MAYOR COONEY agreed and that we have a long way to go and encourages everyone to stay safe. He
193 said that this is tough on everyone, and he appreciates all the support.

194
195 THE CHAIR announced that Council held executive sessions on April 13 and April 20 to consider
196 compensation of a public employee or official (under personnel matters); and to prepare for, conduct, or
197 review negotiations or bargaining sessions with public employees concerning their compensation or other
198 terms and conditions of their employment.

199
200 THE CHAIR made a motion to adjourn the regular meeting with no further business.
201 MOVED and SECONDED.

202 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries, meeting adjourned at 7:34 p.m.

203 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger

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205 **This meeting was available to access/participate by video & teleconference under Governor DeWine's*
206 *Executive Order, COVID-19 Open Meetings Law Amendments per HB 197 by General Assembly and legal*
207 *guidance provided by the OH Attorney General's Office.*

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211 Michael P. Kilbane, President of Council

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215 Liz L. Westbrooks, Clerk of Council

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