



CITY OF FAIRVIEW PARK CITY COUNCIL MEETING AGENDA

MONDAY, MAY 4, 2020

REGULAR COUNCIL MEETING

6:30 p.m. - Study Session – Council Caucus Room

7:00 p.m. - Council Meeting – Council Chambers

(via Telephone/Video Conference on Zoom and Live Stream on YouTube)

Join Video Meeting: <https://zoom.us/j/97247220668?pwd=RkJvdUlkbHlKQjhQS1o4REFTWWZQZz09>

Meeting Dial-In# (Audio Only): (312) 626 6799 or (301) 715 8592 US

Meeting ID: 972 4722 0668 | Password: 980176 (For Audio & Video)

YouTube Channel: https://www.youtube.com/channel/UC207O_m7DfOP_FcDvoDR5og

Meeting Called to Order

Moment of Silent Prayer | Pledge of Allegiance

Roll Call

Disposition of Minutes

Regular Meeting of Council April 20, 2020

Written Communications, Petitions and Claims

Committee Reports

Local Government and Community Services - Councilwoman Wering, Chair | Councilwoman Adler, Vice Chair

Finance – Councilwoman King, Chair | Councilwoman Adler, Vice Chair

~ LEGISLATIVE AGENDA ~

Legislation on First Reading

COUNCILWOMAN KING

Ord. 20-__ | Authorizing Acceptance and Administration of 2020 NOPEC Energized Community Grant

Legislation on Second Reading

COUNCILWOMAN KING

Ord. 20-12 | Establishing the Retiree Accrued Benefits Fund

Ord. 20-13 | Authorizing Contract with Go2IT for Computer Services

Audience Input on Legislation Up for Passage

Legislation Up for Passage Without Three Readings

COUNCILWOMAN KING

Ord. 20-__ | Authorizing RFP and Contract for HVAC Maintenance and Service for City Buildings

Agenda continued on back →

Reports and Communications from Mayor, Directors and Other City Officials

Public Session

Miscellaneous Business and Reports from Council

Adjournment

UPCOMING MEETINGS OF COUNCIL

**Please note that all council meetings will continue to be by videoconference as long as the Governor's Order and provisions of HB 197 are in effect.*

MON., MAY 11	Committee Meeting	7:00 p.m.
MON., MAY 18	Council Meeting	7:00 p.m.
TUES., MAY 26	Committee Meeting	7:00 p.m.

1
2 **MINUTES OF THE REGULAR MEETING OF FAIRVIEW PARK CITY COUNCIL**
3 **MONDAY, APRIL 20, 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 March 2, 2020.

14 MOVED and SECONDED.

15 THE CHAIR asked if there was any discussion.

16 COUNCILMAN BURGER made a motion to amend line 217 to correct Director to Mayor Cooney.

17 MOVED and SECONDED.

18 THE CHAIR asked if there was any discussion. No Discussion.

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

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

21 ROLL ON MOTION TO APPROVE AS AMENDED: Vote: YES-7, NO-0 | Motion carried.

22 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
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24 THE CHAIR made a motion to approve the minutes of the regular meeting of Council on March 16, 2020.

25 MOVED and SECONDED.

26 THE CHAIR asked if there was any discussion. No Discussion.

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

28 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
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30 THE CHAIR made a motion to approve the minutes of the special meeting of Council on April 13, 2020.

31 MOVED and SECONDED.

32 THE CHAIR asked if there was any discussion. No Discussion.

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

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

37 COUNCILWOMAN WERING reported that the Local Government and Community Services
38 Committee met on Monday, April 13th beginning at 7 PM. In attendance was Council, Mayor Cooney, and
39 City Directors Costello, Riley, Upperman, (Greg), Raffin, and Sillasen, and Long. The committee discussed
40 two related pieces of legislation, Ordinance 20-10 and Resolution 20-04. **Ordinance 20-10** authorizes Mayor
41 Cooney to enter into an agreement with the Cuyahoga County Juvenile Court in connection with the
42 Community Diversion Program. This program establishes legal mechanisms to divert complaints before they
43 are filed for formal court action. The City has participated in this program in the past and has had good success
44 with it. Council made a motion to move this legislation to second read and return it to committee, which
45 passed 7-0. **Resolution 20-04** is related to Ordinance 20-10, as it appoints a volunteer hearing officer to the
46 Community Diversion Program. The City is recommending attorney John Castele serve as volunteer hearing
47 officer, and he has agreed to do so. Council made a motion to move this legislation to second read and return
48 it to committee, which passed 7-0. The Local Government and Community Services committee concluded at
49 7:14 PM.
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51 **WRITTEN COMMUNICATIONS, PETITIONS AND CLAIMS**

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LEGISLATION ON FIRST READING

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

ORDINANCE NO. 20-12

REQUESTED BY: MAYOR PATRICK J. COONEY

SPONSORED BY: COUNCILWOMAN KING

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

ACTION: Ordinance 20-12 was placed on first reading and referred to the Finance Committee.

ORDINANCE NO. 20-13

REQUESTED BY: MAYOR PATRICK COONEY

SPONSORED BY: COUNCILWOMAN KING

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

ACTION: Ordinance 20-13 was placed on first reading and referred to the Finance Committee.

LEGISLATION ON SECOND READING

COUNCILWOMAN WERING placed the following legislation up for second reading:

ORDINANCE NO: 20-10

REQUESTED BY: MAYOR PATRICK J. COONEY

SPONSORED BY: COUNCILWOMAN WERING

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF FAIRVIEW PARK TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY JUVENILE COURT IN CONNECTION WITH A COMMUNITY DIVERSION PROGRAM TO ADDRESS JUVENILE MISDEMEANOR AND STATUS OFFENDERS IN THE CITY OF FAIRVIEW PARK, ESTABLISHING A COMMUNITY DIVERSION PROGRAM FUND AS A SPECIAL REVENUE FUND, AND DECLARING AN EMERGENCY.

ACTION: Ordinance 20-10 was placed on second reading and returned to the Local Government and Community Services Committee.

RESOLUTION 20-04

REQUESTED BY: MAYOR PATRICK COONEY

SPONSORED BY: COUNCILWOMAN WERING

A RESOLUTION TO EXPRESS THE NEED AND DESIRE OF THE CITY OF FAIRVIEW PARK, OHIO FOR THE APPOINTMENT OF A VOLUNTEER HEARING OFFICER TO PRESIDE AT COMMUNITY DIVERSION PROGRAM HEARINGS.

ACTION: Resolution 20-04 was placed on second reading and returned to the Local Government and Community Services Committee.

AUDIENCE INPUT ON LEGISLATION UP FOR PASSAGE

LEGISLATION ON FOR PASSAGE WITHOUT THREE READINGS

COUNCILMAN MINEK placed the following legislation up for emergency passage:

ORDINANCE NO. 20-14

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

SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE AUTHORIZING MACKAY ENGINEERING & SURVEYING CO. ("CITY ENGINEER") TO PREPARE PLANS AND SPECIFICATIONS AND PROVIDE CONSTRUCTION ADMINISTRATION, INSPECTION, AND BIDDING SERVICES FOR THE TARGETED REPAIR OF CITY SIDEWALKS AND CURB RAMPS AND DECLARING AN EMERGENCY

103 COUNCILMAN MINEK made a motion to suspend the Charter Provision and Rule 49 requiring three
104 readings.
105 Moved and Seconded.
106 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
107 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
108 THE CHAIR asked for any discussion before passage.
109 COUNCILMAN MINEK made a motion to dispense Rule 53 requiring reference to Committee.
110 Moved and Seconded.
111 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
112 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
113 THE CHAIR asked for any further discussion before passage. No Discussion.
114 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-14 passes.
115 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
116
117 ORDINANCE NO. 20-15
118 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
119 SPONSORED BY: COUNCILMAN MINEK
120 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO*
121 *ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST*
122 *RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL TO*
123 *REPAIR UNSAFE AND DETERIORATING SIDEWALKS AND CURB RAMPS, AND DECLARING AN*
124 *EMERGENCY*
125 COUNCILMAN MINEK made a motion to suspend the Charter Provision and Rule 49 requiring three
126 readings.
127 Moved and Seconded.
128 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
129 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
130 THE CHAIR asked for any discussion before passage.
131 COUNCILMAN MINEK made a motion to dispense Rule 53 requiring reference to Committee.
132 Moved and Seconded.
133 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
134 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
135 THE CHAIR asked for any further discussion before passage. No Discussion.
136 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-15 passes.
137 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
138
139 ORDINANCE NO. 20-16
140 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
141 SPONSORED BY: COUNCILMAN MINEK
142 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AGREEMENT WITH THE*
143 *OHIO DEPARTMENT OF TRANSPORTATION (“ODOT”) TO EXECUTE THE LORAIN ROAD*
144 *GUARDRAIL PROJECT (“PROJECT”) ON BEHALF OF THE CITY OF FAIRVIEW PARK, HEREIN*
145 *AFTER KNOWN AS THE LOCAL PUBLIC AGENCY (“LPA”) AND DECLARING AN EMERGENCY*
146 COUNCILMAN MINEK made a motion to suspend the Charter Provision and Rule 49 requiring three
147 readings.
148 Moved and Seconded.
149 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
150 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
151 THE CHAIR asked for any discussion before passage.
152 COUNCILMAN MINEK made a motion to dispense Rule 53 requiring reference to Committee.
153 Moved and Seconded.

154 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
155 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
156 THE CHAIR asked for any further discussion before passage. No Discussion.
157 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-16 passes.
158 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
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160 COUNCILWOMAN KING placed the following legislation up for emergency passage:
161 ORDINANCE NO. 20-17
162 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
163 SPONSORED BY: COUNCILWOMAN KING
164 CO-SPONSORED BY: COUNCILMAN MINEK
165 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AGREEMENT WITH THE*
166 *OHIO DEPARTMENT OF TRANSPORTATION (“ODOT”) TO EXECUTE THE WEST 210 STREET*
167 *RESURFACING PROJECT (“PROJECT”) ON BEHALF OF THE CITY OF FAIRVIEW PARK, HEREIN*
168 *AFTER KNOWN AS THE LOCAL PUBLIC AGENCY (“LPA”) AND DECLARING AN EMERGENCY*
169 COUNCILWOMAN KING made a motion to suspend the Charter Provision and Rule 49 requiring three
170 readings.
171 Moved and Seconded.
172 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
173 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
174 THE CHAIR asked for any discussion before passage.
175 COUNCILWOMAN KING made a motion to dispense Rule 53 requiring reference to Committee.
176 Moved and Seconded.
177 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
178 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
179 THE CHAIR asked for any further discussion before passage. No Discussion.
180 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-17 passes.
181 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
182
183 ORDINANCE NO. 20-18
184 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT
185 SPONSORED BY: COUNCILWOMAN KING
186 *AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS AND SPECIFICATIONS*
187 *AND PROVIDE BIDDING SERVICES FOR THE RESURFACING OF WEST 210 STREET FROM*
188 *MASTICK ROAD TO LORAIN ROAD AND DECLARING AN EMERGENCY*
189 COUNCILWOMAN KING made a motion to suspend the Charter Provision and Rule 49 requiring three
190 readings.
191 Moved and Seconded.
192 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
193 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
194 THE CHAIR asked for any discussion before passage.
195 COUNCILWOMAN KING made a motion to dispense Rule 53 requiring reference to Committee.
196 Moved and Seconded.
197 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carried.
198 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
199 THE CHAIR asked for any further discussion before passage. No Discussion.
200 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-18 passes.
201 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
202
203 ORDINANCE NO. 20-19
204 REQUESTED BY: MARY KAY COSTELLO, DIRECTOR OF PUBLIC SERVICE & DEVELOPMENT

205 SPONSORED BY: COUNCILWOMAN KING
206 *AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR*
207 *CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES WITH AN OHIO DEPARTMENT*
208 *OF TRANSPORTATION PREQUALIFIED CONSULTANT FOR THE RESURFACING OF WEST 210*
209 *STREET FROM MASTICK ROAD TO LORAIN ROAD AS DETERMINED BY THE BOARD OF CONTROL*
210 *AND DECLARING AN EMERGENCY*

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

213 Moved and Seconded.

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

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

216 THE CHAIR asked for any discussion before passage.

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

218 Moved and Seconded.

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

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

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

222 ROLL ON PASSAGE: Vote: YES-7, NO-0 | Ordinance 20-19 passes.

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

224

225 ORDINANCE NO. 20-20|

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

227 SPONSORED BY: COUNCILWOMAN KING

228 CO-SPONSORED BY: COUNCILMAN MINEK

229 *AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND DEVELOPMENT TO*
230 *ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST*
231 *RESPONSIVE AND RESPONSIBLE BIDDER AS DETERMINED BY THE BOARD OF CONTROL FOR*
232 *THE RESURFACING OF WEST 210 STREET FROM MASTICK ROAD TO LORAIN ROAD AND*
233 *DECLARING AN EMERGENCY*

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

236 Moved and Seconded.

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

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

239 THE CHAIR asked for any discussion before passage.

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

241 Moved and Seconded.

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

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

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

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

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

247

248 **REPORTS AND COMMUNICATION FROM THE MAYOR, DIRECTORS, AND OTHER CITY** 249 **OFFICIALS**

250 MAYOR COONEY thanked Council for the passage of the legislation and said that it will allow for the city
251 to get started on some exciting projects. The State of the Community address with the Schools the City
252 schools has been postponed until August, and once a date and details are worked out with Superintendent
253 Wagner they will be communicated. The May shredding and household hazardous waste date has been
254 rescheduled to Saturday, August 8. The second shredding and hazardous waste date of Saturday, September
255 16th is still on as planned. MAYOR COONEY thanked Director Costello for her efforts in getting the bulk

256 collection and yard waste resumed in the city with Republic Waste. Issues of several communities were
257 communicated to them and they were able to get those services resumed. He said that if there were any items
258 left at the curb that they can take them back until the next collection, as waste collection will continue through
259 the fall. If there is any debris left behind, please call the Service Department so that they can look into
260 collecting. MAYOR COONEY encouraged residents to consider compost piles, mulching or other was they
261 can lower their waste consumption, as not all waste ends up in a composting pile when picked up by
262 Republic. There will be a composting seminar in the summer and more information will be shared about
263 that. The Senior Life Department is still delivering meals courtesy of the Cleveland Food Bank. If there are
264 any seniors over 60 in need, they can contact the Senior Center at 440.356.4437 where they can be picked-
265 up or delivered. MAYOR COONEY said that he has received questions regarding the reopening of recreation
266 centers, and that the Gemini Center will certainly not be May 1st but they will be taking direction and
267 suggestions from the Governor and the Board of Health as to what needs to be done to ensure things are
268 done properly to reopen. He said it will likely be a much different set-up when things resume. He thanked
269 the members of the Service Department who have been working at the Gemini in cleaning, painting, repairs
270 and installing things at the Gemini Center over the last few weeks. The Building Department is still open for
271 business and has a drop-off box for applications for permits and other items. Permit inspections are still
272 occurring, with about 50 done last week. If there are any questions, Commissioner Maynard or Asst.
273 Commissioner Greer can be contacted. MAYOR COONEY congratulated Lieutenant Mike Wickes and
274 Mike Rutt for 25 years of service with the Police Department, and also to Sergeant Justin Brewer and Officer
275 Ed Manion who have reached their 20 years of service. Thanked the Police Department for their engagement
276 throughout the community, especially at this time. Members of the Fire Department still has station 2 at the
277 Senior Center and once conditions allow, they will begin transitioning back to city hall. The Service
278 Department is out doing work in the parks, some of which is weather dependent. They recently planted trees
279 at Nelson Russ Park, and will be planting another 20 trees along Lorain Road, which is part of the grant
280 received from the County. He thanked the Shade Tree Committee for their efforts in helping to get that grant.
281 MAYOR PATTON thanked city employees for how hard they have been continuing to work, he said he
282 appreciates it, as well as residents who have been communicating suggestions on how to do things that can't
283 be done. He said that the City will remain responsive as they hear things and hopes that everyone remains
284 safe.

285
286 DIRECTOR COSTELLO announced that the composting seminar July 9 at 5:30 p.m. at the Community
287 Garden. She thanked the Mayor, Karen Miller from the Cuyahoga County Solid Waste and Amy Brennan,
288 who is coordinating the community garden. She thanked Council for the passage of the West 210th street
289 resurfacing project and Monica Rossiter for help to secure funding from NOACA and the County for the
290 project. She said that using these funds will be meaningful for the community. DIRECTOR COSTELLO
291 said that the economic development micro grant program has been receiving applications electronically, a
292 total of 12 so far, and 10 of those have been referred to the Finance Director for funding hopefully by the
293 end of the month.

294
295 DIRECTOR CINGLE reported that the Finance Department is busy with the continuation of the on audit,
296 and working with the Mayor on different scenarios for cost cutting measures to the fill hole that exists, and
297 to and preserve fund balances.

298
299 ENGINEER MACKAY said it was good to see everyone and looks forward to things returning to normal,
300 but hopes that everyone stays safe in the meantime. The West 213th water line and resurfacing project is
301 currently being bid and that the bids will be opened May 1.

302
303 **PUBLIC SESSION**

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

306 COUNCILMAN SIMMERLY thanked Director Costello with her help with public on waste and bulk
307 pickup. He also thanked residents who dropped logs off at his house for delivery to the Senior Center.
308

309 COUNCILMAN MINEK thanked Director Costello for a great job for her help with on the Republic Waste
310 issues. He said that he is working with the Mayor and Director Cingle on an issue he received regarding a
311 constituent email regarding the track and restrooms.

312 COUNCILMAN BURGER read the email regarding the ideology of closing of certain parts of the track and
313 access to the portable restroom.

314 MAYOR COONEY said that rationale to closing the bleachers and portable bathroom was basically around
315 being able to sanitize the bleachers, and ultimately decided that it would not be a good use of resources as
316 the Service Department is already stretched thin. He advised that the garbage will be removed on a regular
317 schedule moving forward.
318

319 COUNCILWOMAN ADLER thanked Mayor Cooney and all Directors for getting the garbage addressed,
320 and said that the Administration has been thrown into a unique situation and it is evident that they truly care
321 about the city, and their efforts are appreciated and noticed.
322

323 COUNCILWOMAN WERING thanked everyone working in the city under these difficult, unprecedented
324 conditions, and that it truly does show that they care in this city, where others perhaps might not. She said
325 that she appreciates their hard work over the last few weeks.
326

327 COUNCILWOMAN KING reported that tonight at 8:20pm, the Fairview High School stadium lights will
328 be on for the Class of 2020 for 20 minutes, and are also asked that everyone turn on their porch lights at
329 home to support and help celebrate them as well. She said this is a great group of kids who are losing out on
330 a lot due to COVID-19, so any help in celebrating them as much as we can is appreciated. She thanked the
331 Administration and Director Costello for their efforts regarding trash collection and everyone else regarding
332 COVID-19, and as she said before, this is a new situation to everyone, and is a learning process where things
333 will be done both right and wrong and we will have to learn from the mistakes and keep going. She told
334 everyone to keep safe.
335

336 COUNCILMAN BURGER said that city has done a great job getting the word spread on the grant program
337 for the businesses in Fairview. He said he has talked to several owners, and that the word is starting to get
338 out but encouraged anyone who is aware of the program or tuning in to also help spread the word to get
339 participation and information out about it as the deadline approaches.
340

341 THE CHAIR thanked the Mayor, Director Costello and members of the Administration for all the hard
342 work and effort they have put forth in the last few weeks, which has basically been a trial by fire, but said
343 that he has been doing a good job and he and the residents appreciate it. He thanked Clerk Westbrook for
344 coordinating the meetings and encouraged residents to hang in there as we continue to weather this storm
345 and said that there is a light at the end of the tunnel.
346

347 THE CHAIR assigned the issue of Board of Control to the Local Government and Community Services
348 Committee.
349

350 THE CHAIR made a motion to move into executive session for the following reasons per the City Charter:
351 to consider compensation of a public employee or official (under personnel matters); and to prepare for,
352 conduct, or review negotiations or bargaining sessions with public employees concerning their
353 compensation or other terms and conditions of their employment.
354 MOVED and SECONDED.

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

356 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.

357 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
358
359 THE CHAIR made a motion to adjourn the executive session and return to the regular meeting.
360 MOVED and SECONDED.
361 THE CHAIR asked for any discussion before passage. No Discussion.
362 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries.
363 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
364
365 THE CHAIR made a motion to adjourn the regular meeting with no further business.
366 MOVED and SECONDED.
367 ROLL ON MOTION: Vote: YES-7, NO-0 | Motion carries, meeting adjourned at 9:08 p.m.
368 YES: B. Simmerly, B. Minek, M. Adler, M. Kilbane, S. Wering, B. King and G. Burger
369
370 **This meeting was available to access/participate by video & teleconference under COVID-19 Open*
371 *Meetings Law Amendments per HB 197 by General Assembly and legal guidance provided by the OH*
372 *Attorney General's Office.*
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376 _____
Michael P. Kilbane, President of Council
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380 _____
Liz L. Westbrooks, Clerk of Council
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CITY OF FAIRVIEW PARK

ORDINANCE NO. 20 -

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

SPONSORED BY: COUNCILWOMAN KING

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

WHEREAS, the City of Fairview Park (“City”) is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is eligible for the 2020 NOPEC Energized Community Grant (“NEC Grant”), as provided for in the NEC Grant program guidelines; and

WHEREAS, the City has been awarded Sixty Five Thousand One Hundred Eighty-Two Dollars (\$65,182) through the 2020 NEC Grant program to fund energy efficiency and/or energy infrastructure projects in the community; and

WHEREAS, the City previously entered into a grant agreement with NOPEC, Inc. on April 3, 2018, to receive one or more NEC grants; and

WHEREAS, the City will submit project proposal/s for approval by NOPEC for which 2020 NEC Grant funds will be requested, or the City will request that funds be held for the City for a future use; and

WHEREAS, the NEC Grant Program covers one hundred percent (100%) of all project costs up to the amount awarded.

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

SECTION 1. That the City hereby accepts the 2020 NEC Grant award in the amount of Sixty Five Thousand One Hundred Eighty-Two Dollars (\$65,182) and extends its appreciation to NOPEC.

SECTION 2. That the Mayor and City Administration are authorized to file all documents and execute all agreements necessary to accept the award of the 2020 NEC Grant and receive any grant funds, and appropriate such funds solely for purposes described in this Ordinance.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare; and provided it received an affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED:
APPROVED:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Patrick J. Cooney, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO: 20-12
REQUESTED BY: MAYOR PATRICK J. COONEY
SPONSORED BY: COUNCILWOMAN KING

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

WHEREAS, The Auditor of the State of Ohio has advised that said fund be approved by City Council.

WHEREAS, The City of Fairview Park wishes to maintain funding in order to pay accrued benefits due to retirees upon retirement from the City.

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

SECTION 1. There is hereby established within the City of Fairview Park accounting system the Retiree Accrued Benefits Fund (733) for the purpose of paying retirement benefits.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and immediately establishing the necessary special revenue fund, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:
APPROVED:

1st reading: 04.20.20
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Patrick J. Cooney, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK
ORDINANCE NO. 20-13
REQUESTED BY: MAYOR PATRICK COONEY
SPONSORED BY: COUNCILWOMAN KING

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

WHEREAS, the City's computer systems require monthly maintenance and periodic support services; and

WHEREAS, Go2IT Group has been selected to provide the necessary professional computer services to maintain and operate the City's computer systems from June 1, 2020 to May 31, 2022 to provide pro-active support services, anticipate and prevent IT problems, successful installation and configuration of necessary technologies to monitor and maintain critical technology systems.

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

SECTION 1. The Mayor is hereby authorized to enter into a contract with Go2IT Group to provide managed professional computer maintenance and support services for the City's computer systems in the amount of \$1,980.00 per month, new projects to be billed at the amount of \$115.00 per hour and online backup of data at \$0.50 per gigabyte of online backup storage per month.

SECTION 2. The cost of the professional services contract with Go2IT Group shall be paid from the General Fund (100), the Recreation Fund (232) and the Permanent Improvement Fund (260) as determined by the Finance Director.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and to immediately provide for continued computer maintenance service, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:
APPROVED:

1st reading: 04.20.20
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Patrick J. Cooney, Mayor

Liz L. Westbrook, Clerk of Council

Statement of Work

Project Number: GO2ITMSP SOW02252002

This Statement of Work ("**SOW No SOW02252002 GO2ITMSP SOW**") dated _____ ("**SOW Effective Date**") supplements the Master Customer Agreement") by and between Go2IT Group ("**MSP**") and **The City of Fairview Park**, a municipality located at 20777 Lorain Road, Fairview Park, OH 44126 ("**Customer**").

GO2ITMSP SOW02252002 consists of the terms below, the signature page, and any unique attachments to **GO2ITMSP SOW02252002** which are all incorporated into the Agreement by this reference and are made a part of the Agreement by all intents and purposes.

Capitalized terms used herein, unless otherwise defined, will have the meanings given to them in the Agreement.

1. Services Description.

- a. The Service is designed to provide pro-active support services that anticipate and prevent IT problems before they occur. The Service is built upon the successful installation and configuration of technologies that Go2IT's Technical Support Personnel utilize to monitor and maintain critical technology systems.

2. Deliverables Description.

- a. MSP will deliver the Service pursuant to the terms of this SOW. This SOW will serve to describe the on-going Services in detail.
- b. Help Desk Support and Network Monitoring
Remote Help Desk for Customer's IT Network will be provided through remote means by MSP to Customer during normal business hours, Monday through Friday from 8:30 am to 5:00 pm EST. Access to the Go2IT Help Desk by authorized personnel is made via the Go2IT MSP live chat and trouble ticket management system. Network Monitoring Services will be provided 24/7/365. All services qualifying under these conditions, as well as Services that fall outside this scope will fall under the provisions of Section 5 of this SOW. Hardware costs of any kind are not covered under the terms of this Agreement.
- c. Support Tickets and Escalation
Go2IT will respond to Customer's Support Tickets under the provisions of attached Section 5.0. Support Tickets begin at Level 1 and must be opened by the Go2IT Helpdesk Team which will also handle Level 2 Support Tickets. If the Helpdesk team is unable to remediate the issue, the Support Ticket is escalated to Level 3 at which time the Go2IT Professional Services Team will take over. Each Customer Issue will be assigned a Support Ticket number for tracking.
- d. Hardware and Software Licensing and Support
MSP shall provide support of all hardware and systems specified in Section 5.0, provided that all Hardware is covered under a currently active Vendor Support Contract; or replaceable parts are readily available, and all Software is Genuine, Currently Licensed and Vendor-Supported. Should any hardware or systems fail to meet these provisions, they will be excluded from this Service Agreement. Should 3rd Party Vendor Support Charges be required in order to resolve any issues, these will be passed on to the Customer after first receiving the Customer's authorization to incur them.
- e. Virus Recovery for Current, Licensed Antivirus Protected Systems
Damages caused by, and recovery from, virus infection not detected and quarantined by the latest Antivirus definitions are covered under the terms of this Agreement. This Service is limited to those systems protected with a Currently Licensed, Vendor-Supported Antivirus Solution and/or Guardian protected system.
- f. Monitoring Services
MSP will provide on-going monitoring and security services of all critical devices as indicated in attached Section 5.0. MSP will provide monthly reports as well as document critical alerts, scans and event resolutions to Customer. Should a problem be discovered during monitoring, MSP shall make every attempt to rectify the condition in a timely manner through remote means.
- g. Support Services Outside Standard Business Hours
Emergency support based services performed outside of the hours of 8:30 am – 5:00 pm Monday through Friday, excluding public holidays, shall be subject to provisions of Section 5.0. A 24/7/365 emergency support telephone number will be provided for Customer to call outside of normal business hours. This number rings directly to the mobile phone of the emergency technician on call.

3. GO2ITMSP SOW02252002 Terms

3.1 Minimum Compliance Standards

In order for Customer's existing environment to qualify for MSP Services, the following requirements must be met:

- a. All Servers with Microsoft Windows Operating Systems must be running Windows 2003 Server or later, and have all of the latest Microsoft Service Packs and Critical Updates installed.
- b. All Desktop PC's and Notebooks/Laptops with Microsoft Windows Operating Systems must be running Windows 98 or later, and have all of the latest Microsoft Service Packs and Critical Updates installed.
- c. All Server and Desktop Software must be Genuine, Licensed and Vendor-Supported.
- d. The environment must have a currently licensed, up-to-date and Vendor-Supported Server-based Antivirus Solution protecting all Servers, Desktops, Notebooks/Laptops, and Email.
- e. The environment must have a currently licensed, Vendor-Supported Server-based Backup Solution.
- f. The environment must have a currently licensed, Vendor-Supported Hardware Firewall between the Internal Network and the Internet.
- g. Any Wireless data traffic in the environment must be secured with a minimum of 128bit data encryption.

Costs required to bring Customer's environment to Minimum Standards are additional and outlined on the attached Section 5.0.

3.2 Included Services

Service rendered under this Agreement includes the following features:

- a. Go2IT Helpdesk
- b. 24/7 Network Monitoring
- c. Virus Definition Updates
- d. Microsoft Patch Management
- e. On-Site and Remote Backup Monitoring
- f. Online Support Portal (Monitor Support Tickets)
- g. Spyware Monitoring and Removal
- h. Creation of Acceptable Use Policy (AUP)
- i. Add and Remove Users from Server (Active Directory)
- j. Executive Monthly Report
- k. Quarterly On-Site Strategy Meeting (Virtual CIO, or VCIO)
- l. Design Desk Services
- m. Vendor Liaison

3.3 Excluded Services

Service rendered under this Agreement does not include:

- a. Parts, equipment or software not covered by vendor/manufacturer warranty or support.
- b. The cost of any parts, equipment, or shipping charges of any kind.
- c. The cost of any Software, Licensing, or Software Renewal or Upgrade Fees of any kind.
- d. The cost of any 3rd Party Vendor or Manufacturer Support or Incident Fees of any kind.
- e. The cost to bring Customer's environment up to minimum standards required for Service Compliance.
- f. Failure due to acts of God, building modifications, power failures or other adverse environmental conditions or factors.
- g. Service and repair made necessary by the alteration or modification of equipment other than that authorized by Go2IT, including alterations, software installations or modifications of equipment made by Customer's employees or anyone other than Go2IT.
- h. Maintenance of Application software packages, whether acquired from MSP or other source unless specified in Section 5.0.
- i. Programming (modification of software code) and program (software) maintenance unless as specified in Section 5.0.
- j. Travel Costs if company is outside of our 25 mile radius.
- k. Training Services of any kind.

3.4 Travel costs to and from Customer's primary and other department/building locations within the City of Fairview Park for on-site support is included within this agreement.

4.0 Fee Schedule and Contract Duration

Fees for the service will be **\$1,980.00** per month.. Hourly fees for support of non-managed hardware and new projects will be billed at **\$115.00 per hour**. Fees for Go2IT Online Backup will be **\$0.50 per GB** of Online Backup Storage per month. Customer will be billed on the 1st of each month. The Service will begin on **June 1, 2020**. The Service will be suspended if payment is not received within 30 days following date due. Customer agrees to an initial **24 month contract** and will automatically renew each month thereafter and remain in force until a 30 day written notice of termination is delivered to Go2IT by Customer or by Go2IT to Customer. Additional Services may be added by Customer by signing a new SOW outlining additional service.

5.0 **Supported Technologies and Personnel**

All servers, workstations, printers, wireless networks, and other related network infrastructure equipment located at all City of Fairview Park facilities.

GO2ITMSP SOW02252002 is effective only upon execution by Go2IT and Customer. Each party hereto warrants and represents that GO2ITMSP SOW02252002, the Agreement, constitute the legal, valid and binding obligation of such party as of the SOW Effective Date.

Go2IT

City of Fairview Park

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

CITY OF FAIRVIEW PARK

ORDINANCE NO. 20 -

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

SPONSORED BY: COUNCILWOMAN KING

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

WHEREAS, the City requires heating, ventilation and air conditioning (HVAC) maintenance and service for all buildings and structures owned by the City; and

WHEREAS, the Director of Public Services desires to solicit RFPs for the required HVAC maintenance and service for 1 two (2) year period, and after said two (2) year period there shall be an annual option to renew the contract three (3) separate times, upon agreement by all parties, for a maximum contract period of five (5) consecutive years; and

WHEREAS, the RFP will require vendors to provide information pertaining to qualifications, apprenticeship programs, and experience as it relates to municipal operations.

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

SECTION 1. That the Director of Public Service & Development is hereby directed and authorized to solicit RFPs for HVAC maintenance and service for all municipally-owned buildings and structures.

SECTION 2. That the Mayor is authorized to enter into contract with the most qualified vendor as approved by the Board of Control, in an amount not to exceed Twenty-Seven Thousand Dollars (\$27,000), per year, to be paid from the General Fund (Fund 100).

SECTION 3. That after the initial two (2) year period, and upon agreement by all parties, the Mayor may annually renew said contract three (3) separate times in an amount not to exceed Twenty Seven Thousand Dollars (\$27,000), for a maximum contract period of five (5) consecutive years.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare and provide for the services in a timely manner, and provided it receives the affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:
APPROVED:

1st reading:
2nd reading:
3rd reading:

Michael P. Kilbane, President of Council

Patrick J. Cooney, Mayor

Liz L. Westbrooks, Clerk of Council

CITY OF FAIRVIEW PARK

CITY COUNCIL VIRTUAL MEETINGS



Due to current restrictions associated with the ongoing coronavirus pandemic (COVID-19), we're not meeting in person. However, we still want to hear from you!

AGENDA /LEGISLATION

Visit the City Council Meeting Information and Active Legislation web page site for access to meeting log/dial-in information, electronic agenda and attachments:



www.fairviewpark.org/government/city-council-members/meeting-information-and-materials/

YOUTUBE LIVE

This meeting will be live streamed on our YouTube channel at:
https://www.youtube.com/channel/UC207O_m7DfOP_FcDvoDR5og



EMAIL

Questions or comments can be sent in by 4:30 pm in advance of the meeting to clerkofcouncil@fairviewpark.org. Be sure to reference the agenda item in your email!



GENERAL INFO

For all other City information, please visit our website at www.fairviewpark.org or call **440.333.2200**.

