President Russell Sharnsky called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Roth, here; Mr. Russell T. Sharnsky, here; Mrs. Maria Williams, here; Mrs. Barbara Potts, here; Mr. Todd Stock, excused; Mr. Philip Brillhart, here; Mr. Michael Detorakis, excused; and Mrs. Kathleen Baum, here.

ALSO, PRESENT: Bill Arnold, Building and Zoning Department; Chief Russell Hose, Fire Department; Chief Donald Duman, Police Department; R. Bryan Nace, Law Department; Mark Ludwig and Jacob Kaufman, Finance Department; Laurie Beisecker, Parks and Recreation Department; and Tonja Caldwell, Clerk of Council.

Mr. Sharnsky—We have a quorum present. We will follow the pre-printed agenda. There are copies available in the back of the room. At this time, I would ask you to please check to make sure your cell phone is placed in silent mode.

APPROVAL OF MINUTES

Mr. Sharnsky—Our next item of business is the approval of our regular minutes from February 3, 2020. Everyone has received a copy in draft format. Are there any corrections or additions to the minutes as submitted? Hearing none, I would ask the Clerk to please call the roll for approval of the February 3, 2020 regular meeting minutes as submitted.

Mrs. Caldwell—VOTE ON THE APPROVAL OF MINUTES OF FEBRUARY 3, 2020: Stock, excused; Brillhart, yea; Detorakis, excused; Baum, yea; Sharnsky, yea; Williams, yea; Potts, yea. Five yea, two excused on the approval of the February 3, 2020 minutes.

PETITIONS, CLAIMS AND COMMUNICATIONS

Mrs. Caldwell—Council received Mayor’s Court monthly report.

REPORTS OF CITY OFFICIALS

MAYOR’S REPORT, MAYOR ROTH

Mayor Roth—Tonight we have legislation introducing our final budget, which as you know, we have to pass by the end of March. I anticipate that at an upcoming Committee of the Whole meeting that Mr. Kaufman will be ready with the final Exhibit. As Council knows, around 95% of the budget is in place in December and this will be the fine tuning of it with any last-minute changes that we have, and that is normal.

I would like to point out in Ordinance 2020-013 is to establish a Computerization Fund through our Mayor’s Court. We will talk about this more at the next Committee of the Whole meeting, but we’ve had some discussions with Finance and our technology people already. One of the costs to maintain Mayor’s Court is technology and the updating of programs that we have. The State actually allows us to defray some of these costs and that is the purpose of this legislation. We can talk about this in the future, but I think it’s something that makes sense.

Other than that, I will comment on legislation as needed. I do have Mr. Staten’s report for tonight.
LAW DEPARTMENT, R. BRYAN NACE

Mr. Nace—I have no report this evening.

POLICE DEPARTMENT, CHIEF DONALD DUMAN

Chief Duman—The Professional Bowlers Association Tournament of Champions was held at Riviera Lanes between February 3 and February 9 of this year. Everything went smoothly and there were no issues. As far as I know, and Chief Hose can comment on it, I don’t know of any issues that happened. It was very well attended.

Mr. Sharnsky—Fairlawn was actually recognized on the finals program. Usually they call it Akron.

Chief Duman—Yes.

Mr. Sharnsky—It was nice to hear that. It is good to hear that there were no issues.

FIRE DEPARTMENT, CHIEF RUSSELL HOSE

Chief Hose—At the Tournament of Champions, approximately $1,200 was collected by AMF Riviera Lanes and Bowler Corporation to be donated to Akron Children’s Hospital through the Fairlawn Fire Department and Rescue Association. I think that was a nice gesture by them. Apparently, they raffle off the bowling ball from the guy who won. That’s where the donated money came from. Lt. Lesher, from the Fire Department, who pretty much heads this up for us, wanted me to make sure that I thanked Chief Duman for having his officers there. While they weren’t needed, it sure makes keeping egress lanes open; it’s easier when you have a Police Officer in the building.

ZONING/HOUSING/RESIDENTIAL BUILDING DEPARTMENT, WILLIAM ARNOLD

Mr. Arnold—Today, I had the opportunity to attend a workshop on Flood Plain Management and FEMA’s National Flood Insurance Program. This is one of six regional workshops that ODNR has set up around the state and just to give everyone a refresher on the program. It was very well attended by quite a few northeast Ohio officials. Scott Testa from the Service Department was there, as well, so the City was well represented.

Board of Zoning Appeals will hold a meeting this Thursday at 6:30 p.m. We have three businesses that have business before the board.

Mr. Sharnsky—Mr. Arnold, I have a question. The Development Finance Authority came into Council and gave a presentation about the Residential PACE Program and talked about having that implemented sometime in the first quarter of this year. Have you heard anything back on that?

Mr. Arnold—that’s my understanding. I reached out to them around a month or so ago and that’s what they were pushing for, maybe March. I can follow up and see if I can get a firm date for you.

Mr. Sharnsky—Are they going to talk with Council at all? I don’t think there’s any action that Council needed to take, but it would be nice to have more detail on that once it gets implemented.

Mr. Arnold—Okay. I will reach out to them and make that request.

ENGINEERING DEPARTMENT, NICHOLAS SPAGNUOLO (EXCUSED)

Mayor Roth—I have a report from the City Engineer and a report from Mr. Staten. Ernie is taking a well-deserved mini vacation. In Engineering, Dominion and Ohio Edison continue to move the utility lines on Cleveland-
Massillon Road. This is part of the Cleveland-Massillon Road Widening Project. You should expect some lane closures periodically.

The sewer work on Rothrock, 700 feet west of Cleveland-Massillon Road started today. This is the County Department Sanitary Sewers Services. We are adding a sanitary line to serve the property at the corner of Rothrock and Cleveland-Massillon Road which is currently on septic and they are running the sanitary through there and that will connect into the Fairlawn system. They wanted to get this done before the widening of the road because they don’t want the sewer line disturbed once that happens.

**Mr. Sharnsky**—For the businesses and the residents right there off of Rothrock Road?

**Mayor Roth**—Correct. That’s something that they wanted to do for years and they are doing it now because the project is coming up.

**SERVICE DEPARTMENT, ERNEST STATEN (EXCUSED)**

**Mayor Roth**—The FairlawnGig revenues are now exceeding $191,000.00 a month.

**FINANCE DEPARTMENT, MARK LUDWIG**

**Mr. Ludwig**—I have no report this evening.

**FINANCE DEPARTMENT, JACOB KAUFMAN**

**Mr. Kaufman**—I have no report this evening.

**PARK AND RECREATION DEPARTMENT, LAURIE BEISECKER**

**Mrs. Beisecker**—Our Spring Program Guide is currently at the printers and should be distributed to all Fairlawn homes via the West Side Leader by the end of February.

**Mr. Sharnsky**—That used to be mailed, wasn’t it?

**Mrs. Beisecker**—It used to be mailed, yes.

**Mr. Sharnsky**—A lot more cost effective through the West Side Leader?

**Mrs. Beisecker**—Considerably, yes.

**INTRODUCTION OF NEW LEGISLATION**

Resolution 2020-011 **Offered by Council as a Whole**
A RESOLUTION REAPPOINTING BARRY E. THOMAN TO THE FAIRLAWN LOCAL BOARD OF TAX REVIEW FOR A TERM BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2021 (Expires 05/18/2020)
Introduce this into the Committee of the Whole

Ordinance 2020-012 **Offered by Mayor Roth**
AN ORDINANCE ESTABLISHING AN ANNUAL BUDGET FOR THE YEAR 2020 AND APPROPRIATING FUNDS FOR THE PURPOSE THEREOF (Expires 05/18/2020)
Introduce this into the Finance Committee
APPROVED AS SUBMITTED

Ordinance 2020-013 Offered by Mayor Roth
AN ORDINANCE AUTHORIZING THE CREATION OF THE COURT COMPUTERIZATION FUND (#228), AFTER APPROVAL FROM THE AUDITOR OF STATE, IN ACCORDANCE WITH SECTIONS 1901.261 AND 5705.12 OF THE OHIO REVISED CODE (Expires 05/18/2020)
Introduce this into the Committee of the Whole

Ordinance 2020-014 Offered by Mayor Roth
AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REPAIR AND IMPROVEMENT OF A COLLAPSED STORM SEWER LINE IN THE CITY OF FAIRLAWN (Expires 05/18/2020)
Introduce this into the Committee of the Whole

Resolution 2020-015 Offered by Mayor Roth
A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PREPARE PLANS, SPECIFICATIONS, COST ESTIMATES, AND TO OBTAIN BIDS FOR THE WIDENING AND IMPROVEMENT OF CLEVELAND-MASSILLOM ROAD PROJECT IDENTIFIED AS PID:103293 (Expires 05/18/2020)
Introduce this into the Municipal Services Committee

Resolution 2020-016 Offered by Mayor Roth
A RESOLUTION CONFIRMING THE APPOINTMENT OF PETER D. JANOS TO THE CHARTER REVIEW COMMISSION (Expires 05/18/2020)
Introduce this into the Committee of the Whole

COMMITTEE OF THE WHOLE CHAIR, RUSSELL SHARNSKY

Ordinance 2019-038 Offered by Mayor Roth
AN ORDINANCE APPROVING THE TRANSFER OF LOT NO. 7 OF FAIRLAWN CORPORATE PARK LOCATED ON THE NORTH SIDE OF SOUTHWESTERN BOULEVARD TO THE COMMUNITY IMPROVEMENT CORPORATION OF FAIRLAWN, OHIO FOR THE PURPOSE OF ECONOMIC DEVELOPMENT AND DECLARING AN EMERGENCY (Expires 02/28/20) (1st Reading 06/03/19) (2nd Reading 06/17/19) (3rd Reading 07/15/19) (Held 08/12/19, 09/03/19, 09/16/19, 10/07/19, 10/21/19, 11/04/19, 11/18/19, 12/02/19, 12/16/19, 01/06/20, 01/21/2020 and 02/03/2020)

Ordinance 2019-097 Offered by Mayor Roth
AN ORDINANCE APPROVING A CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION REPRESENTING THE COMMUNICATIONS SPECIALISTS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, EFFECTIVE JANUARY 1, 2020, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY (Expires 03/15/2020) (1st Reading 12/16/19) (2nd Reading 01/06/2020) (3rd Reading 01/21/2020) (Held 02/03/2020)

Ordinance 2020-007 Offered by Mayor Roth
AN ORDINANCE AMENDING AND SUPPLEMENTING THE CURRENT COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF FAIRLAWN AND THE PART-TIME BARGAINING UNIT EMPLOYEES OF THE DIVISION OF FIRE AND EMERGENCY RESCUE SERVICES OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2020, AND DECLARING AN EMERGENCY (Expires 04/20/2020) (1st Reading 01/21/20) (2nd Reading 02/03/2020)

Resolution 2020-011 Offered by Council as a Whole
A RESOLUTION REAPPOINTING BARRY E. THOMAN TO THE FAIRLAWN LOCAL BOARD OF TAX REVIEW FOR A TERM BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2021 (05/18/2020)

Ordinance 2020-013 Offered by Mayor Roth
AN ORDINANCE AUTHORIZING THE CREATION OF THE COURT COMPUTERIZATION FUND (#228), AFTER APPROVAL FROM THE AUDITOR OF STATE, IN ACCORDANCE WITH SECTIONS 1901.261 AND 5705.12 OF THE OHIO REVISED CODE (Expires 05/18/2020)

Ordinance 2020-014 Offered by Mayor Roth
AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REPAIR AND IMPROVEMENT OF A COLLAPSED STORM SEWER LINE IN THE CITY OF FAIRLAWN (Expires 05/18/2020)

Resolution 2020-016 Offered by Mayor Roth
A RESOLUTION CONFIRMING THE APPOINTMENT OF PETER D. JANOS TO THE CHARTER REVIEW COMMISSION (Expires 05/18/2020)
Mr. Sharnsky—Would the Clerk please read Ordinance 2019-038 by title only as a refresher?

Mrs. Caldwell read Ordinance 2019-038 by title only.

Mayor Roth—We have received the signed contract. It has been fully executed, so I would ask Council to move forward at this time with this ordinance.

Mr. Sharnsky—The Community Improvement Corporation has some business to take care of regarding this ordinance as well.

Mayor Roth—That’s correct. That will be at the March meeting.

Mr. Sharnsky—Are there any comments from members of Council? We have had discussions on this at previous Committee of the Whole meetings. Are there any final comments on this? Hearing none, I’d ask the Clerk to please call the roll for Ordinance 2019-038.

Mrs. Caldwell—VOTE ON ORDINANCE 2019-038: Baum, yea; Detorakis, excused; Brillhart, yea; Stock, excused; Potts, yea; Williams, yea; Sharnsky, yea. Five yea, two excused on the passage of Ordinance 2019-038.

Mr. Sharnsky—Would the Clerk please read Ordinance 2019-097 by title only as a refresher?

Mrs. Caldwell read Ordinance 2019-097 by title only.

Mr. Nace—As we discussed last meeting, we are still hammering out some language on this agreement. We have a tentative agreement in principal, but we still haven’t quite nailed it down. So, I would ask Council to hold this in committee tonight.

Mr. Sharnsky—Are there any comments from members of Council? Hearing none, we will hold this ordinance in committee.

Mr. Sharnsky—Would the Clerk please read Ordinance 2020-007 by title only for the third time?

Mrs. Caldwell read Ordinance 2020-007 by title only.

Mr. Nace—On this one, we do have a signed tentative agreement back from the part-time unit. We’ve discussed in the past that this was really just a wage reopener, but they had requested that we also amend our drug policy, exactly the same as what we did with the full-time fire unit and we agreed that was appropriate so that it’s consistent for all the firefighters. The totality of this agreement is those two items. The wages would match the full-time with 2.5% for the next two years, this year and the next year. And then the drug testing policy would match the full-time firefighters, which has already been approved by Council. We are ready to proceed with this if Council would care to consider it this evening, I would recommend its approval.

Mr. Sharnsky—Are there any comments from members of Council? Hearing none, I would ask the Clerk to please call the roll for Ordinance 2020-007.
Mrs. Caldwell—VOTE ON ORDINANCE 2020-007: Detorakis, excused; Brillhart, yea; Stock, excused; Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea. Five yea, two excused on the passage of Ordinance 2020-007.

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Mr. Sharnsky—Would the Clerk please read Resolution 2020-011 by title only for the first time?

Mrs. Caldwell read Resolution 2020-011 by title only.

Mr. Sharnsky—Mr. Brillhart made the MOTION to accept; Mrs. Baum seconded.

Mayor Roth—This is actually Council’s appointment, so I will let Mr. Kaufman comment.

Mr. Kaufman—Mr. Thoman was first elected to this board in 2014. He’s done a very good job on the board, really takes charge, and makes sure they stay on track. He is a Vice President at Meaden and Moore in Akron. We’re very happy with his service and glad that he is willing to continue again for another two-year term.

Mr. Sharnsky—Are there comments from Council on this reappointment? Hearing none, I would ask the Clerk to please call the roll for Ordinance 2020-011.

Mrs. Caldwell—VOTE ON RESOLUTION 2020-011: Brillhart, yea; Stock, excused; Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea; Detorakis, excused. Five yea, two excused on the passage of Resolution 2020-011.

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Mr. Sharnsky—Would the Clerk please read Ordinance 2020-013 by title only for the first time?

Mrs. Caldwell read Ordinance 2020-013 by title only.

Mr. Sharnsky—Comments from the Administration?

Mayor Roth—As I indicated before, this is a tool that we can now use, allowed by the State. To give you an example, some other courts that use this type of cost is Brecksville, Broadview Heights, Brunswick, Hartville, Independence, Mogadore, North Olmstead, North Ridgeville, Walton Hills, and Woodmere. There are some other ones in Summit County too, but this, in addition to the court costs, would help defray computer expenses; technology for the court. I would ask you to place this on the agenda for further discussion. Tonight is only a first reading.

Mr. Sharnsky—Are there any comments from members of Council at this time? I failed to get a Motion to accept. I’m looking for a MOTION to accept at this time.

Mrs. Potts—So moved.

Mrs. Williams—Second.

Mr. Sharnsky—Thank you. If there are no comments from members of Council, we will hold this in committee for further discussion.

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Mr. Sharnsky—Would the Clerk please read Ordinance 2020-014 by title only for the first time?
Mrs. Caldwell read Ordinance 2020-014 by title only.

Mr. Sharnsky—Mr. Brillhart made the MOTION to accept; Mrs. Williams seconded.

Mayor Roth—This actually covers the 84" storm sewer work that we had earlier this year. We’ll talk about this at future committee meeting. I would ask you to place this on the agenda. The City will be reimbursed for the cost of a certain portion of the sewer line that we installed on the private property.

Mrs. Baum—So, Mr. Levy is going to pay?

Mayor Roth—That’s what this would be. I believe it’s a twenty-year assessment on the property.

Mr. Sharnsky—Are there any other comments? Hearing none, we will hold this in committee.

Mr. Sharnsky—Would the Clerk please read Resolution 2020-016 by title only for the first time?

Mrs. Caldwell read Resolution 2020-016 by title only.

Mr. Sharnsky—Mrs. Williams made the MOTION to accept; Mrs. Baum seconded.

Mayor Roth—This is for the Charter Review Board. Mr. Janos is an attorney. He practices law within the City of Fairlawn. He’s a resident, I believe in the Rosemont area. I apologize to Council for not getting a resume, but I think he will do a good job on Charter Review. So, I would ask Council to look favorably upon this resolution.

Mr. Sharnsky—I’ve known Mr. Janos for about seven years. He is actually my next-door neighbor. I think he’s a good fit. He is willing to serve. I think this is a good appointment and I would recommend to my fellow Council members to approve this.

Mrs. Williams—I know him too. We attend church together and he serves on the church board with me.

Mr. Sharnsky—Are there any other comments? Hearing none, I would ask the Clerk to please call the roll for Resolution 2020-016.

Mrs. Caldwell—VOTE ON RESOLUTION 2020-016: Stock, excused; Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea; Detorakis, excused; Brillhart, yea. Five yea, two excused on the passage of Resolution 2020-016.

Mr. Sharnsky—I would like to set the next Committee of the Whole meeting for Monday, February 24, 2020 at 6:00 p.m.

FINANCE COMMITTEE CHAIR, BARBARA POTTS

Ordinance 2020-010
OFFERED BY MAYOR ROTH
AN ORDINANCE AMENDING AND/OR SUPPLEMENTING CHAPTER 880 “MUNICIPAL INCOME TAX” OF TITLE FOUR “TAXATION”; PART EIGHT “BUSINESS REGULATION AND TAXATION CODE” OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN, OHIO (Expires 05/18/2020) (1st Reading 02/03/2020)

Ordinance 2020-012
OFFERED BY MAYOR ROTH
AN ORDINANCE ESTABLISHING AN ANNUAL BUDGET FOR THE YEAR 2020 AND APPROPRIATING FUNDS FOR THE PURPOSE THEREOF (Expires 05/18/2020)
Mrs. Potts—Would the Clerk please read Ordinance 2020-010 by title only for the second time?

Mrs. Caldwell read Ordinance 2020-010 by title only.

Mrs. Potts—We haven’t had a chance to talk about this yet in the Committee of the Whole. Mr. Kaufman, would you grace us with your presence at our next Committee of the Whole?

Mr. Kaufman—Yes. I could. There’s no urgency here. This is the second reading and we intend to go the full three-readings. We look forward to discussing this with you at a future committee meeting.

Mrs. Potts—We’ll put this on hold and add it to the agenda.

Mr. Sharnsky—Very well.

Mrs. Potts—Would the Clerk please read Ordinance 2020-012 by title only for the first time?

Mrs. Caldwell read Ordinance 2020-012 by title only.

Mr. Sharnsky—Mrs. Baum made the MOTION to accept; Mrs. Williams seconded.

Mrs. Potts—As the Mayor said, this is something we do annually for the final budget for the year. So, I would ask Mr. Kaufman if he would also talk to us about this at our next Committee of the Whole meeting. Are there any questions? That concludes the report from the Finance Committee.

MUNICIPAL SERVICES COMMITTEE CHAIR, TODD STOCK (EXCUSED)

Resolution 2020-015
Offered by Mayor Roth
A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PREPARE PLANS, SPECIFICATIONS, COST ESTIMATES, AND TO OBTAIN BIDS FOR THE WIDENING AND IMPROVEMENT OF CLEVELAND-MASSILLON ROAD PROJECT IDENTIFIED AS PID:103293 (Expires 05/18/2020)

Mrs. Potts—Would the Clerk please read Resolution 2020-015 by title only for the first time?

Mrs. Caldwell read Resolution 2020-015 by title only.

Mr. Sharnsky—Mr. Brillhart made the MOTION to accept; Mrs. Potts seconded.

Mayor Roth—This resolution is to formally give the City permission to go out for bid for the Cleveland-Massillon Road Widening Project. Obviously, it’s been worked on for years, but this actually allows us now to put the bid out and advertise for bids.

Mrs. Potts—So, timeliness is everything.

Mr. Sharnsky—Are the bid documents already prepared? Everything is ready to go?

Mayor Roth—Yes. We need Council’s approval on it so we can move forward.
Mrs. Potts—Then I would like to call the question.

Mr. Sharnsky—Would the Clerk please call the roll for Resolution 2020-015?

Mrs. Caldwell—VOTE ON RESOLUTION 2020-015: Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea; Detorakis, excused; Brillhart, yea; Stock, excused. Five yea, two excused on the passage of Resolution 2020-015.

PUBLIC AFFAIRS COMMITTEE CHAIR, KATHLEEN BAUM

Mrs. Baum—Public Affairs has no report.

SAFETY COMMITTEE CHAIR, MICHAEL DETORAKIS (EXCUSED)

Mrs. Williams—Safety Committee has no report this evening.

INTERGOVERNMENTAL AFFAIRS COMMITTEE CHAIR, MARIA WILLIAMS

Mrs. Williams—Intergovernmental Affairs has no report this evening.

PLANNING COMMITTEE CHAIR, PHILIP BRILLHART

Mr. Brillhart—Planning Committee has no report this evening.

Mr. Sharnsky—Is there any other business to come before Council this evening?

Mrs. Baum—I would like to ask that they add two more squares, that are new on the agenda. One for passed and one for hold, so that we can checkmark it.

Mr. Sharnsky—Alright, duly noted. Is there any other business to come before Council this evening? Hearing none, I will entertain a Motion to adjourn. Mr. Brillhart made a MOTION to adjourn; Mrs. Baum seconded. Everyone voted in favor. The meeting adjourned at 6:54 p.m. The next regular meeting of Council will be Monday, March 2, 2020 at 6:30 p.m.

These are the official minutes of the Fairlawn City Council meeting held on February 18, 2020 and approved by Fairlawn City Council on the ___ day of March 2020.

Russell T. Sharnsky
President of Council

Cynthia L. Hall
Deputy Clerk of Council

Recording Secretary, Cynthia L. Hall