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, here; Mr. Philip Brillhart, here; Mr. Michael Detorakis, here; 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; Ernie Staten, Service Department; Mark Ludwig and Jacob Kaufman, Finance Department; Laurie Beisecker, Parks and Recreation Department; and Cindy Hall, Deputy Clerk of Council.

Mr. Sharnsky—We have a quorum present. We will follow the pre-printed agenda. Our agenda this evening is an amended agenda. There is an item that has been added due to the situation that we are in right now. 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 March 2, 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 March 2, 2020 regular meeting minutes as submitted.

Mrs. Hall—VOTE ON THE APPROVAL OF MINUTES OF MARCH 2, 2020: Detorakis, yea; Brillhart, yea; Stock, yea; Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea. Seven yea on the approval of the March 2, 2020 minutes.

PETITIONS, CLAIMS AND COMMUNICATIONS

Mrs. Hall—Council received nothing.

REPORTS OF CITY OFFICIALS

Mr. Sharnsky—We will move on to our reports from the City Officials. This evening we are going to dispense with the reports from the Administration, except for Mayor Roth.

MAYOR’S REPORT, MAYOR ROTH

Mayor Roth—I did request that my Department Heads not do reports tonight for the sake of saving time and, basically, I want to emphasize what is going on presently. We’ve been meeting for well over a week, determining things as this health issue develops, as to what actions to take. The first thing to announce for the record is that we have cancelled all remaining non-essential meetings for the month of March. All meetings, except Council, are cancelled for the month of April. That means Planning Commission, BZA, Environmental Services, any other meeting of that sort has been cancelled. We will make a determination at the end of May. Hopefully, we will know more then as to how to proceed from there. At this point, I am issuing a Declaration of a State of Emergency. It’s dated today. This is by Executive Order. This will be coupled with the legislation that Council has before them, if they see fit to pass it tonight. I need to read this into the record.
WHEREAS, coronavirus disease 2019 is an emerging infectious disease first identified in December 2019 in Wuhan, Hubei Province in the Peoples Republic of China that causes serious respiratory illness that can cause death; and

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared this a public health emergency of international concern, named the disease coronavirus disease 2019 (COVID-19) and on January 31, 2020, the U.S. Secretary of Health and Human Services declared it a public health emergency in the United States; and

WHEREAS, on March 11, 2020, the WHO characterized the global outbreak of COVID-19 as a pandemic and has indicated this is a first-ever pandemic caused by a coronavirus; and

WHEREAS, there has been evidence of person-to-person and asymptomatic transmission of the virus that causes COVID-19 and, similar to other coronaviruses such as SARS and MERS, it is believed to be spread through droplets of respiratory secretions when an infected person coughs or sneezes; and

WHEREAS, since the emergence of COVID-19, the virus has affected persons all over the world. The virus has demonstrated that it is deadly as there have been over 4,500 deaths reported to date; and

WHEREAS, to date, testing by the Ohio Department of Health confirmed that at least 50 persons were positive for COVID-19 in the State of Ohio creating a potentially dangerous condition which may affect the health, safety and welfare of citizens of Ohio and the citizens of Fairlawn; and

WHEREAS, on March 9, 2020, Ohio Governor Mike DeWine declared a state of emergency for the entire State of Ohio due to the virus; and

NOW THEREFORE, by virtue of the power invested in me by the Charter of the City of Fairlawn, the Constitution and laws of the State of Ohio, I William J. Roth, Jr., Mayor of the City of Fairlawn, hereby order and direct that:

COVID-19 is determined to be a danger and threat to the health, safety and well-being of the citizens of Fairlawn and therefore a State of Emergency is declared for the City of Fairlawn in order to facilitate such actions as are necessary to implement a response to the COVID-19 virus, thereby protecting the lives, safety, health of the citizens of the City of Fairlawn. I direct my Cabinet, under my authority and supervision, to take all lawful actions as may be necessary to protect the health, safety and welfare of the citizens of the City of Fairlawn and the City of Fairlawn employees.

The City will develop and implement procedures, including but not limited to, suspending and/or adopting temporary rules for the City of Fairlawn employees consistent with the recommendations from the Ohio Department of Health, Summit County Department of Public Health, and the Centers for Disease Control, and such other emergency officials to prevent or alleviate this public health threat.

I hereby direct all City buildings to be closed to all public until further notice. All non-essential persons should not enter City buildings unless it is absolutely necessary. Arrangements are being made to allow for City services to be provided remotely where possible. Check the City website for more information or contact the relative Department Head.

Fairlawn City Council
March 16, 2020
This Executive Order shall take effect immediately and remain in full-force and effect until the emergency no longer exists and shall be terminated by Executive Order upon the determination that the emergency measures are no longer required for the protection of the peace, health, safety and welfare of the citizens of the City of Fairlawn.

I can’t emphasize enough that this is an emergency. This is an Order that has to be issued. It’s expected to be followed through by all the Department Heads. They fully understand it. They were part of crafting this Order and we are all on the same page for preserving what we need to do for the City of Fairlawn. I can’t emphasize enough that for Council and the media, when questions are asked, please go to our website. We have many of the links for the CDC, Department of Health, you name it, we have it there. Unlike the social world of twitter and some of the other stuff, the accurate information will be on government websites like ours. We have the links to it. Please direct your residents to it if they have any questions.

Mr. Sharnsky—Are there any questions for the Mayor? We are not going to have any further reports this evening from the Administration, so we will move down to Item 7 and introduce our new legislation in reference to committees.

**INTRODUCTION OF NEW LEGISLATION**

**Resolution 2020-017**
A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS
Introduce into the Committee of the Whole

**Ordinance 2020-018**
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
Introduce into the Finance Committee

**Ordinance 2020-019**
AN ORDINANCE REQUESTING THAT THE AKRON MUNICIPAL COURT AUTHORIZE THE CITY OF FAIRLAWN TO ESTABLISH A PARKING VIOLATIONS BUREAU AND AUTHORIZING THE MAYOR TO TAKE SUCH OTHER STEPS THAT MAY BE NECESSARY TO ESTABLISH A PARKING VIOLATIONS BUREAU
Introduce into the Committee of the Whole

**Ordinance 2020-020**
AN ORDINANCE ADOPTING A CITY OF FAIRLAWN STORMWATER DRAINAGE MANUAL 2020 EDITION
Introduce into the Committee of the Whole

**Ordinance 2020-021**
Introduce into the Committee of the Whole

**Resolution 2020-022**
A RESOLUTION RECOGNIZING A STATE OF EMERGENCY DUE TO THE COVID-19 CRISIS, AND GRANTING THE MAYOR TEMPORARY EXTRAORDINARY AUTHORITY TO EXPEND FUNDS OF THE CITY FOR CERTAIN PURCHASES OF GOODS AND SERVICES, AND MODIFYING CERTAIN EMPLOYMENT PRACTICES, AND MODIFYING THE CITY COUNCIL SCHEDULE
Introduce into the Committee of the Whole
COMMITTEE OF THE WHOLE CHAIR, RUSSELL SHARNSKY

Ordinance 2019-097 Offered by Mayor Roth

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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

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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

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Resolution 2020-017 Offered by Mayor Roth
A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS

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Ordinance 2020-019 Offered by Mayor Roth
AN ORDINANCE REQUESTING THAT THE AKRON MUNICIPAL COURT AUTHORIZE THE CITY OF FAIRLAWN TO ESTABLISH A PARKING VIOLATIONS BUREAU AND AUTHORIZING THE MAYOR TO TAKE SUCH OTHER STEPS THAT MAY BE NECESSARY TO ESTABLISH A PARKING VIOLATIONS BUREAU

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Ordinance 2020-020 Offered by Mayor Roth
AN ORDINANCE ADOPTING A CITY OF FAIRLAWN STORMWATER DRAINAGE MANUAL 2020 EDITION

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Ordinance 2020-021 Offered by Mayor Roth

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Resolution 2020-022 Offered by Mayor Roth
A RESOLUTION RECOGNIZING A STATE OF EMERGENCY DUE TO THE COVID-19 CRISIS, AND GRANTING THE MAYOR TEMPORARY EXTRAORDINARY AUTHORITY TO EXPEND FUNDS OF THE CITY FOR CERTAIN PURCHASES OF GOODS AND SERVICES, AND MODIFYING CERTAIN EMPLOYMENT PRACTICES, AND MODIFYING THE CITY COUNCIL SCHEDULE

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

Mayor Roth—The matter has been settled. We received a signed copy of the contract, so I would ask Council to look favorably upon passing this tonight.

Mr. Sharnsky—Are there any questions or comments from members of Council on this ordinance? Hearing none, I would ask the Clerk to please call the roll for Ordinance 2019-097.

Mrs. Hall—VOTE ON ORDINANCE 2019-097: Baum, yea; Detorakis, yea; Brillhart, yea; Stock, yea; Potts, yea; Williams, yea; Sharnsky, yea. Seven yea on the passage of Ordinance 2019-097.

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

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

Mr. Sharnsky—Comments?

Mayor Roth—Yes. This is the third reading. If Council sees fit, I would request that this be passed tonight.

Mr. Sharnsky—Mr. Kaufman, anything to add?

Mr. Kaufman—We would appreciate it if you could pass this tonight. We have included it in the permanent budget and upon your approval, we would submit to the Auditor of State for official approval to establish the fund.

Mr. Sharnsky—Questions or comments from members of Council? Hearing none, I would ask the Clerk to please call the roll for Ordinance 2020-013.

Mrs. Hall—VOTE ON ORDINANCE 2020-013: Williams, yea; Potts, yea; Stock, yea; Brillhart, yea, Detorakis, yea; Baum, yea; Sharnsky, yea. Seven yea on the passage of Ordinance 2020-013.

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

Mrs. Hall read Ordinance 2020-014 by title only.

Mayor Roth—We’ve discussed this several times at committee meetings. This covers part of the cost for the installation of the 84” storm sewer that was repaired on an emergency basis. This is the third reading and I would ask Council to look favorably upon passing this tonight.

Mr. Sharnsky—Are there any questions or comments from members of Council? Hearing none, I would ask the Clerk to please call the roll for Ordinance 2020-014.

Mrs. Hall—VOTE ON ORDINANCE 2020-014: Brillhart, yea; Stock, yea; Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea; Detorakis, yea. Seven yea on the passage of Ordinance 2020-014.

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Mr. Sharnsky—Would the Clerk please read Resolution 2020-017 by title only for the first time?
Mrs. Hall read Resolution 2020-017 by title only for the first time.

Mr. Sharnsky—Mr. Stock made the MOTION to accept; Mr. Brillhart seconded. Comments Mr. Mayor?

Mayor Roth—We discussed this at the last Committee of the Whole meeting. This is something that the State of Ohio is requesting that cities pass to participate in. Obviously, we can’t predict the result to it, but it’s one of those deals that is no harm, no foul. I would ask Council to look favorably upon this resolution tonight.

Mr. Sharnsky—Are there questions or comments from members of Council? Hearing none, I would ask the Clerk to please call the roll for Resolution 2020-017.

Mrs. Hall—VOTE ON RESOLUTION 2020-017: Stock, yea; Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea; Detorakis, yea; Brillhart, yea. Seven yea on the passage of Resolution 2020-017.

Mr. Sharnsky—Would the Clerk please read Ordinance 2020-019 by title only for the first time?

Mrs. Hall read Ordinance 2020-019 by title only for the first time.

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

Mayor Roth—This is a first reading only. I would ask you to hold this in committee for further discussion.

Mr. Sharnsky—Are there any comments or questions at this time from Council? Hearing none, we will hold this in committee.

Mr. Sharnsky—Would the Clerk please read Ordinance 2020-020 by title only for the first time?

Mrs. Hall read Ordinance 2020-020 by title only for the first time.

Mr. Sharnsky—Mr. Stock made the MOTION to accept; Mr. Detorakis seconded.

Mayor Roth—This is only the first reading. I would ask that you hold this for the committee agenda. This is really a companion piece tied in with Ordinance 2020-021.

Mr. Sharnsky—Comments from members of Council? Hearing none, we will hold this in committee.

Mr. Sharnsky—Would the Clerk please read Ordinance 2020-021 by title only for the first time?

Mrs. Hall read Ordinance 2020-021 by title only for the first time.

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

Mayor Roth—Again, I would ask that you hold this in committee for further discussions. This and Ordinance 2020-020 are tied in with each other. Mr. Staten, do you have anything to add?
Mr. Staten—Just that we needed to review the Storm Water Manual and the ideas that came out of that review show some discrepancies in the ordinances that we had for these regulations that were talked about a year or so ago. We thought that this would be the time to clean up both.

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

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Mr. Sharnsky—Would the Clerk please read Resolution 2020-022 by title only for the first time?

Mrs. Hall read Resolution 2020-022 by title only for the first time.

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

Mayor Roth—This legislation dovetails with my statement ordering a Declaration of Emergency. This enables the Finance Department to carry on, once the budget has passed tonight, with any emergencies that we may have. There are, obviously, checks and balances in place, but this also gives us a little ease, especially with personnel issues, if this does develop further illness we would have more flexibility as Department Heads as to how our troops are managed. So, I would ask Council to look kindly upon this.

Mr. Sharnsky—Are there any comments from Council? Hearing none, I would ask the Clerk to please call the roll for Resolution 2020-022.

Mrs. Hall—VOTE ON RESOLUTION 2020-022: Baum, yea; Detorakis, yea; Brillhart, yea; Stock, yea; Potts, yea, Williams, yea; Sharnsky, yea. Seven yea on the passage of Resolution 2020-022.

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Mr. Sharnsky—I would like to set the next Committee of the Whole meeting based on the Mayor’s State of Emergency. We are cancelling our normally scheduled April 6th meeting, the first Monday. What we are going to do in lieu of having that meeting and having any subsequent meetings between now and our next regular Council meeting, we’re going to schedule a Committee of the Whole meeting for April 20th. We will start at 5:30 p.m. with the Committee of the Whole meeting and then after the Committee of the Whole meeting is completed, we will move on to our regular Council meeting at 6:30 p.m. I think that will give us some time to sort out, and have a better understanding, of what’s going on. That happens to be five weeks from now, and we will have a better understanding of where we’re at and then we can make some plans after that. There’s no reason to get together before that to stay with the Order that the Mayor has given to close down City Hall.

FINANCE COMMITTEE CHAIR, BARBARA POTTS

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APPROVED AS SUBMITTED

Page 7 of 9
Fairlawn City Council
March 16, 2020
Mrs. Potts—Would the Clerk please read Ordinance 2020-012 by title only for the third time?

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

Mrs. Potts—We have to pass this tonight. Mr. Kaufman has done a fantastic job of getting this budget together and he was at our last Committee of the Whole meeting and very meticulous in showing us all the ups and downs and ins and outs. Do you have anything else to add?

Mr. Kaufman—I would like to thank everybody for attending tonight’s meeting given the circumstances. It is imperative that we get this passed. We have to have our permanent budget in place by April 1st in order to operate legally. As stated, we went over this with you at the last Committee of the Whole meeting. We have not made any changes to the Exhibit since then.

Mrs. Potts—Are there any other questions? Hearing none, I would call the question.

Mr. Sharnsky—Would the Clerk please call the roll for Ordinance 2020-012?

Mrs. Hall—VOTE ON ORDINANCE 2020-012: Potts, yea; Williams, yea; Sharnsky, yea; Baum, yea; Detorakis, yea; Brillhart, yea; Stock, yea. Seven yea on the passage of Ordinance 2020-012.

Mrs. Potts—Would the Clerk please read Ordinance 2020-018 by title only for the first time?

Mrs. Hall read Ordinance 2020-018 by title only for the first time.

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

Mrs. Potts—Mr. Kaufman?

Mr. Kaufman—This is the first reading. We ask that you please hold this in committee and we will discuss it with you at the next meeting date.

Mrs. Potts—Very good.

MUNICIPAL SERVICES COMMITTEE CHAIR, TODD STOCK

Mr. Stock—Municipal Services has no report this evening.

PUBLIC AFFAIRS COMMITTEE CHAIR, KATHLEEN BAUM

Mrs. Baum—Public Affairs has no report.

SAFETY COMMITTEE CHAIR, MICHAEL DETORAKIS

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.

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Mr. Sharnsky—I just want to thank everyone again for attending this evening. I am trying to limit, as much as I can, to stay with all the Federal and State guidelines of having meetings, but also to keep the City running. Hopefully, the changes that we’ve made in the short term trying to limit the person-to-person exposure makes everybody feel comfortable. We can continue to practice this social distancing at the next meeting, if everyone so desires, and continue to move forward and hopefully, we’ll get through the crisis. 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 6:49 p.m. The next regular meeting of Council will be Monday, April 20, 2020 at 6:30 p.m.

These are the official minutes of the Fairlawn City Council meeting held on March 16, 2020 and approved by Fairlawn City Council on the ____ day of ___2020____.

Russell T. Sharnsky  
PRESIDENT OF COUNCIL

Recording Secretary, Annie George