

AGENDA

FAIRLAWN CITY COUNCIL
REGULAR MEETING
JANUARY 17, 2023

- ITEM 1:** CALL TO ORDER AT 6:30 P.M.
- ITEM 2:** PLEDGE OF ALLEGIANCE
- ITEM 3:** ROLL CALL
- ITEM 4:** APPROVAL OF MEETING MINUTES
- ITEM 5:** RECEIVING PETITIONS, CLAIMS AND COMMUNICATIONS
- ITEM 6:** REPORT OF CITY OFFICIALS AND BOARDS
- ITEM 7:** INTRODUCTION OF NEW LEGISLATION FOR REFERENCE TO COMMITTEE

2023 NO.	COMMITTEE	SPONSOR
R/2023-008	MUNICIPAL SERVICES COMMITTEE	MAYOR SHARNSKY
R/2023-009	COMMITTEE OF THE WHOLE	MAYOR SHARNSKY
R/2023-010	FINANCE COMMITTEE	MAYOR SHARNSKY

ITEM 8: PUBLIC HEARINGS:

ITEM 9: COMMITTEE REPORTS ON NEW OR PENDING LEGISLATION

COMMITTEE OF THE WHOLE:

Ordinance 2022-075

Offered by Mayor Sharnsky

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION REPRESENTING THE PART-TIME PATROL OFFICERS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, EFFECTIVE JANUARY 1, 2023, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
03/05/2023	N/A	12/05/2022	12/05/2022	12/19/2022	01/03/2023		

Ordinance 2022-076

Offered by Mayor Sharnsky

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 436 REPRESENTING FAIRLAWN SERVICE DEPARTMENT, EFFECTIVE JANUARY 1, 2023, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
03/05/2023	N/A	12/05/2022	12/05/2022	12/19/2022	01/03/2023		

Ordinance 2022-086

Offered by Mayor Sharnsky

AN ORDINANCE AMENDING AND/OR SUPPLEMENTING CHAPTER 206, “WARDS AND BOUNDARIES” OF TITLE TWO, “GENERAL PROVISIONS;” PART TWO, “ADMINISTRATIVE CODE” OF THE CITY OF FAIRLAWN CODIFIED ORDINANCES

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
03/19/2023	N/A	12/19/2022	12/19/2022	01/03/2023			

Ordinance 2023-001**Offered by Mayor Sharnsky**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE SUMMIT COUNTY PUBLIC DEFENDER'S COMMISSION TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS WHO ARE ARRESTED OR SUMMONED TO FAIRLAWN MAYOR'S COURT OR AKRON MUNICIPAL COURT FOR VIOLATIONS OF LAW WITHIN THE CITY OF FAIRLAWN, OHIO DURING THE YEAR OF 2023

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/03/2023	N/A	01/03/2023	01/03/2023				

Ordinance 2023-002**Offered by Mayor Sharnsky**

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC REPRESENTING THE FULL-TIME PATROL OFFICERS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2023, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/03/2023	N/A	01/03/2023	01/03/2023				

Ordinance 2023-003**Offered by Mayor Sharnsky**

AN ORDINANCE APPROVING THE CONTRACT BETWEEN THE CITY OF FAIRLAWN AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC REPRESENTING THE SERGEANTS OF THE POLICE DIVISION OF THE CITY OF FAIRLAWN, RETROACTIVE TO JANUARY 1, 2023, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/03/2023	N/A	01/03/2023	01/03/2023				

Ordinance 2023-004**Offered by Mayor Sharnsky**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING OF CLEVELAND-MASSILLON ROAD FROM RIDGEWOOD ROAD (SOUTH INTERSECTION) TO KUMHO DRIVE AND SPRINGSIDE DRIVE TO GHENT ROAD IN THE CITY OF FAIRLAWN REFERRED TO AS SUM-CR-17 (CLEVELAND-MASSILLON ROAD) PID 117063

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/03/2023	N/A	01/03/2023	01/03/2023				

Ordinance 2023-006**Offered by Mayor Sharnsky**

AN ORDINANCE APPROVING THE CONTRACT 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, 2023, AND PERMITTING EXTENSIONS THEREOF DURING NEGOTIATIONS OF THE SAME AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/03/2023	N/A	01/03/2023	01/03/2023				

Resolution 2023-009**Offered by Mayor Sharnsky**

A RESOLUTION APPROVING AND CONFIRMING THE MAYOR'S DESIGNATION OF R. BRYAN NACE, DIRECTOR OF LAW, TO BE REPRESENTATIVE'S DESIGNEE ON THE BOARD OF TRUSTEES FOR THE SUMMIT AREA REGIONAL COUNCIL OF GOVERNMENTS

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/12/2023	N/A						

FINANCE COMMITTEE:

Resolution 2023-010

Offered by Mayor Sharnsky

A RESOLUTION ESTIMATING THE AGGREGATE MAXIMUM AMOUNT OF PUBLIC FUNDS TO BE AWARDED AS ACTIVE AND/OR INTERIM DEPOSITS AND SETTING A DEADLINE FOR APPLICATIONS FOR DEPOSITORY DESIGNATIONS

Expiration Date 04/12/2023	Public Hearing N/A	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
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MUNICIPAL SERVICES COMMITTEE:

Resolution 2023-008

Offered by Mayor Sharnsky

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PREPARE PLANS, SPECIFICATIONS, COST ESTIMATES, AND TO OBTAIN BIDS FOR THE CLEVELAND MASSILLON ROAD RESURFACING COUNTY HIGHWAY 17 PROJECT

Expiration Date 04/12/2023	Public Hearing N/A	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
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PUBLIC AFFAIRS COMMITTEE:

SAFETY COMMITTEE:

INTERGOVERNMENTAL AFFAIRS COMMITTEE:

PLANNING COMMITTEE:

ITEM 10: OTHER BUSINESS

ITEM 11: ADJOURNMENT

A RESOLUTION ESTIMATING THE AGGREGATE MAXIMUM AMOUNT OF PUBLIC FUNDS TO BE AWARDED AS ACTIVE AND/OR INTERIM DEPOSITS AND SETTING A DEADLINE FOR APPLICATIONS FOR DEPOSITORY DESIGNATIONS

WHEREAS, the depository agreements between the City of Fairlawn and previously approved financial institutions expire on April 30, 2023; and

WHEREAS, the City desires to accept applications from eligible institutions wishing to be a public depository of the City, pursuant to Ohio Revised Code Section 135.08 and 135.10, for the five-year period commencing May 1, 2023.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The estimated aggregate amount of public funds to be awarded and be on deposit as active and/or interim funds is Twenty-Five Million and no/100 Dollars (\$25,000,000.00).

Section 2: The applications in the form provided by law will be received from eligible institutions until 12:00 PM on the 8th day of March, 2023, for the deposit of active and/or interim funds of the City of Fairlawn, Ohio, after which time the applications will be examined and the designation of depositories shall be made for a period of five (5) years commencing May 1, 2023.

Section 3: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 4: This Resolution shall be in full force and effect from and after its adoption and approval by the Mayor at the earliest period allowed by law.

Adopted: _____ 2023 Approved: _____ 2023

Barbara Potts, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Resolution was duly and regularly passed at a meeting on _____, 2023.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2023 the within Resolution was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

A RESOLUTION APPROVING AND CONFIRMING THE MAYOR’S DESIGNATION OF R. BRYAN NACE, DIRECTOR OF LAW, TO BE REPRESENTATIVE’S DESIGNEE ON THE BOARD OF TRUSTEES FOR THE SUMMIT AREA REGIONAL COUNCIL OF GOVERNMENTS

WHEREAS, the Summit Area Regional Council of Governments (SARCOG) was created to promote cooperative arrangements and coordinate action among its members in matters relating to the dispatch of public safety services and the operation of the Community Center for Dispatch Operations; and

WHEREAS, Section IV. A. of the Agreement Establishing the Council of Governments states that each political subdivision shall be a member of the SARCOG and shall have one Representative on the SARCOG Board of Trustees; and

WHEREAS, the Agreement indicates that the Representative shall be the member’s Chief Elected Official, which in the City of Fairlawn would be the Mayor, Russell T. Sharnsky; and

WHEREAS, the Representative may designate a designee, who may act on behalf of the political subdivision in the absence of its Representative; and

WHEREAS, in the absence of the Mayor, the Mayor has designated the City of Fairlawn Law Director R. Bryan Nace to be his designee on the SARCOG Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Mayor’s designation of R. Bryan Nace, Law Director, as the Representative’s Designee on the Summit Area Regional Council of Governments Board of Trustees is hereby approved and confirmed.

Section 2: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of the Council pertaining hereto have been conducted in accordance therewith.

Section 3: This Resolution shall be in full force and effect from and after its adoption and approval by the Mayor or at the earliest period allowed by law.

Adopted: _____ 2023 Approved: _____ 2023

Barbara Potts, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

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Tonja K. Caldwell, Clerk of Council

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Tonja K. Caldwell, Clerk of Council

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PREPARE PLANS, SPECIFICATIONS, COST ESTIMATES, AND TO OBTAIN BIDS FOR THE CLEVELAND MASSILLON ROAD RESURFACING COUNTY HIGHWAY 17 PROJECT

WHEREAS, the City of Fairlawn has reached an agreement with Summit County for the Cleveland Massillon Road Resurfacing County Highway 17 Project; and

WHEREAS, the City of Fairlawn has worked with the Summit County Engineer to plan for the necessary repairs to Cleveland Massillon Road; and

WHEREAS, AMATS and ODOT have agreed to fund a portion of the Project; and

WHEREAS, pursuant to Fairlawn Codified Ordinance § 282.15, any purchase of goods or services which is reasonably expected to be more than \$50,000.00 shall be made only pursuant to the receipt and acceptance of a bid taken pursuant to a general appropriation or a special ordinance of Council.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Mayor, or his designee, is hereby authorized to prepare plans, specifications, cost estimates and obtain bids for the **CLEVELAND MASSILLON ROAD RESURFACING COUNTY HIGHWAY 17 PROJECT**.

Section 2: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 3: This Resolution shall be in full force and effect from and after its adoption and approval by the Mayor at the earliest period allowed by law.

Adopted: _____ 2023

Approved: _____ 2023

Barbara Potts, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

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Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

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Tonja K. Caldwell, Clerk of Council