

AGENDA

FAIRLAWN CITY COUNCIL
REGULAR MEETING
FEBRUARY 17, 2026

- 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

2026 NO.	COMMITTEE	SPONSOR
O/2026-011	FINANCE COMMITTEE	MAYOR SHARNSKY
O/2026-012	FINANCE COMMITTEE	MAYOR SHARNSKY
O/2026-013	INTERGOVERNMENTAL AFFAIRS COMMITTEE	MAYOR SHARNSKY

ITEM 8: PUBLIC HEARINGS: NONE

ITEM 9: COMMITTEE REPORTS ON NEW OR PENDING LEGISLATION

COMMITTEE OF THE WHOLE:

Ordinance 2025-117

Offered by Mayor Sharnsky

AN ORDINANCE APPROVING THE CONTRACT AND MEMORANDUM OF UNDERSTANDING 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, 2026, 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
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026	02/02/2026	

Ordinance 2025-118

Offered by Mayor Sharnsky

AN ORDINANCE APPROVING THE CONTRACT AND MEMORANDUM OF UNDERSTANDING 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, 2026, 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
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026	02/02/2026	

Ordinance 2025-119

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, 2026, 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
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026	02/02/2026	

Ordinance 2025-120**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, RETROACTIVE TO JANUARY 1, 2026, 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
03/15/2026	n/a	12/15/2025	12/15/2025	01/05/2026	01/20/2026	02/02/2026	

FINANCE COMMITTEE:**Ordinance 2026-011****Offered by Mayor Sharnsky**

AN ORDINANCE ESTABLISHING THE PERMANENT APPROPRIATIONS FOR THE YEAR 2026, APPROPRIATING FUNDS FOR THE PURPOSE THEREOF, AND DECLARING AN EMERGENCY

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
05/17/2026	n/a						

Ordinance 2026-012**Offered by Mayor Sharnsky**

AN ORDINANCE AMENDING AND/OR SUPPLEMENTING THE RULES AND REGULATIONS OF THE BOARD OF AUDIT AND REVIEW

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
05/17/2026	n/a						

MUNICIPAL SERVICES COMMITTEE:**Ordinance 2026-007****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 2026

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
05/02/2026	n/a	02/02/2026	02/02/2026				

PUBLIC AFFAIRS COMMITTEE:**Ordinance 2026-010****Offered by Mayor Sharnsky**

AN ORDINANCE ACCEPTING THE BID OF FABRIZI TRUCKING AND PAVING CO. AS BEING THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE RIVIERA DRIVE STREET REPAIR PROJECT AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE SUM OF \$1,135,530.75

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
05/02/2026	n/a	02/02/2026	02/02/2026				

PUBLIC SAFETY COMMITTEE:**Ordinance 2026-004****Offered by Mayor Sharnsky**

AN ORDINANCE AMENDING AND OR SUPPLEMENTING SECTION 240.06 "PART TIME FIREFIGHTER/EMT-P" OF CHAPTER 240 "DIVISION OF FIRE AND EMERGENCY RESCUE SERVICES;" TITLE SIX "ADMINISTRATION;" PART TWO "ADMINISTRATION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN

Expiration Date	Public Hearing	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
04/20/2026	n/a	01/20/2026	01/20/2026	02/02/2026			

Ordinance 2026-009

Offered by Mayor Sharnsky

AN ORDINANCE AMENDING AND/OR SUPPLEMENTING SECTION 1480.04 "FIRE PROTECTION SYSTEMS" OF CHAPTER 1480 "COMMERCIAL BUILDING REGULATIONS;" TITLE SIX "MISCELLANEOUS BUILDING REGULATIONS;" PART FOURTEEN "BUILDING AND HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF FAIRLAWN AND DECLARING AN EMERGENCY

Expiration Date 05/02/2026	Public Hearing n/a	Accepted 02/02/2026	1 st Reading 02/02/2026	2 nd Reading	3 rd Reading	Hold	Pass
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INTERGOVERNMENTAL AFFAIRS COMMITTEE:

Ordinance 2026-013

Offered by Mayor Sharnsky

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR BOARDING OF PRISONERS BY AND BETWEEN THE COUNTY OF SUMMIT AND THE CITY OF FAIRLAWN

Expiration Date 05/17/2026	Public Hearing n/a	Accepted	1 st Reading	2 nd Reading	3 rd Reading	Hold	Pass
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PLANNING COMMITTEE:

Ordinance 2026-005

Offered by Mayor Sharnsky

AN ORDINANCE APPROVING THE REVISED PLAT OF PHASE II OF THE LINKS SUBDIVISION LOCATED WITHIN THE ROSEMONT GREENS PUD AND AUTHORIZING EXECUTION THEREOF UPON COMPLIANCE WITH DEVELOPMENT REQUIREMENTS

Expiration Date 04/20/2026	Public Hearing set for 03/02/2026	Accepted 01/20/2026	1 st Reading 01/20/2026	2 nd Reading 02/02/2026	3 rd Reading	Hold	Pass
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ITEM 10: OTHER BUSINESS

ITEM 11: ADJOURNMENT

Tonja Caldwell

To: ~Council Members
Cc: ~Department Heads
Subject: February 17, 2026, City Council Legislative Packet

Good afternoon,

I've attached the legislative packet for the February 17, 2026, City Council meeting. A hard copy is in your mailbox.

Please note the following:

DOCUMENT:	Re: LEGISLATION	STATUS:
Exhibit A	Ordinance 2026-011	Will be forwarded to you when it's available.

See you on Tuesday!

Tonja

*Tonja K. Caldwell, MMC
Clerk of Council/
Executive Assistant to the Law Director/
Public Records Coordinator
City of Fairlawn
3487 S. Smith Road
Fairlawn, Ohio 44333
330-668-9513*



AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR BOARDING OF PRISONERS BY AND BETWEEN THE COUNTY OF SUMMIT AND THE CITY OF FAIRLAWN

WHEREAS, Section 1905.35 of the Ohio Revised Code authorizes the City of Fairlawn to incarcerate, in the Summit County Jail, prisoners charged or convicted of violations of the ordinances of the City at the City’s expense; and

WHEREAS, the County of Summit has proposed a first amendment to the Intergovernmental Agreement for the Boarding of Prisoners By and Between the County of Summit and the City of Fairlawn identified as Doc: 18-051 which was authorized by Fairlawn Ordinance 2018-069 and Doc: 23-054 which was renewed by Ordinance 2023-083 for services by the Sheriff in housing municipal prisoners; and

WHEREAS, the proposed amendment to the agreement would be effective upon execution by both parties; and

WHEREAS, the City of Fairlawn does not have adequate facilities to care for and board all those arrested, detained, and imprisoned by the City.

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

Section 1: The Mayor is hereby authorized to enter into a First Amendment to the Intergovernmental Agreement with the County of Summit for boarding of prisoners, under substantially the same terms of the proposed amendment to the agreement, which is attached hereto and made a part hereof and identified as Doc: 26-008.

Section 2: The Finance Director is hereby authorized and directed to make the appropriate entries and issue warrants/vouchers pursuant thereof.

Section 4: 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 5: This Ordinance 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.

Enacted: _____ 2026

Approved: _____ 2026

Jonathon Groza, 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 Ordinance was duly and regularly passed at a meeting on _____ 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

First Amendment to the Agreement for the Boarding of Prisoners
By and Between the County of Summit
and the City of Fairlawn

This Amendment is entered into as of the date signed by the County of Summit Executive and is between the County of Summit, an Ohio Charter County with its principal place of business located at 175 South Main Street, Akron, Ohio (“County”), on behalf of the Summit County Sheriff, and the City of Fairlawn, an Ohio political subdivision, with its principal place of business located at 4060 Columbia Woods Drive, Fairlawn, Ohio (“City”), collectively known as the Parties.

WHEREAS, the Council of the County adopted Resolution Number 2019-047 authorizing the Executive to enter into an agreement on behalf of the County with four options to renew for a term of five years each for the Boarding of Prisoners; and

WHEREAS, the City Council adopted Ordinance Number 2018-069 authorizing the Mayor to enter into the aforementioned agreement on behalf of the City with four options to renew for a term of five years each; and

WHEREAS, the City Council adopted Ordinance Number 2023-083 and the County adopted Resolution No. 2023-369 authorizing the Mayor and County Executive to execute the First Renewal of said agreement which completed on or about January 8, 2024; and

Now, therefore, in consideration of the foregoing and of the mutual agreements, and as authorized by Paragraph VII, of the original 2019 Agreement, the Parties agree to the following Amendment, replacing the language in Paragraph I.a. with the following.

I. Definitions

- a. “City Prisoner” or “City Inmate” means an individual accepted for booking or judicially ordered or sentenced to incarceration in the Summit County Jail solely for a misdemeanor violation of a Fairlawn Code of Ordinances or Ohio Revised Code, a probation violation in Akron Municipal Court, or an order finding the individual in contempt issued by an Akron Municipal Court Judge relating to case(s) instituted by the City. “City Inmate” does not include those inmates charged with felony offenses, in addition to violations of City ordinances, misdemeanors or an order of contempt on a concurrent basis, except when confinement for felony charges is not required (e.g. because of bond or case disposition status) but confinement under the City ordinance, City misdemeanor charge or the contempt order continues.

All other terms and conditions from the original Agreement and Renewal, not inconsistent with this Amendment shall remain in effect.

In Witness Whereof, the Parties have executed this agreement as of the date it is signed by the County Executive.

City of Fairlawn

County of Summit

Mayor Russell T. Sharnsky

Ilene Shapiro, County Executive Date

Summit County Sheriff

Kandy Fatheree, Sheriff

Approved as to Form:

Approved as to Form:

Law Director R. Bryan Nace
City of Fairlawn

Brian Harnak, Director of Law and Risk
Management

AN ORDINANCE AMENDING AND/OR SUPPLEMENTING THE RULES AND REGULATIONS OF THE BOARD OF AUDIT AND REVIEW

WHEREAS, Section 282.03 of the Codified Ordinances of the City of Fairlawn provides that the Board of Audit and Review shall establish its own rules and regulations; and

WHEREAS, the Board of Audit and Review, from time to time, approves changes to its Rules and Regulations; and

WHEREAS, the Board of Audit and Review wishes to amend its Rules and Regulations to better define the bid authorization and bid advertisement procedures and to include additional steps required by the Ohio Revised Code and/or the Code of Federal Regulations.

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

Section 1: This Council hereby approves the amended Rules and Regulations of the Board of Audit and Review, identified as Doc: 26-007, a copy of which is on file in the Office of the Clerk of Council

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 Ordinance shall be in full force and effect from and after its enactment and approval by the Mayor or at the earliest period allowed by law.

Enacted: _____ 2026

Approved: _____ 2026

Jonathon Groza, 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 Ordinance was duly and regularly passed at a meeting on _____, 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

**CITY OF FAIRLAWN, OHIO
BOARD OF AUDIT AND REVIEW
RULES AND REGULATIONS**

A. Meetings and Composition

1. The Board of Audit and Review shall be composed of the Mayor, the Director of Finance, the President of Council, and the Chairperson of the Finance Committee of Council.

- a. In the absence of the President of Council, the Vice President of Council shall serve.
- b. In the absence of the Chairperson of the Finance Committee of Council any member of the Finance Committee of Council shall serve.

2. Officers

- a. The Director of Finance shall serve as President.
- b. The Mayor shall serve as President in the absence of the Director of Finance.
- c. The Assistant Director of Finance shall serve as Secretary of the Board.

3. The Board of Audit and Review shall meet on the first and third Monday of each month and such other times as designated by the Board upon proper notice. The procedural rules for meetings shall be as the Board of Audit and Review approves. If the Board of Audit and Review is unable to agree upon an appropriate procedure, Roberts Rule of Order shall be used to determine the procedure and any interpretation, if needed, shall be made by the Law Director.

4. Three (3) members of the Board of Audit and Review shall constitute a quorum. A tie vote that cannot be resolved by the Board of Audit and Review shall be referred to council for appropriate action.

5. Records shall be kept of all the proceedings and the records shall be open to the public. A quorum is required to conduct business and all yeas and nays shall be entered on the record with a majority vote numbers present necessary to adopt a question, motion, or order.

B. Approval of Contracts and Disbursements of Funds

1. No contract for the City of Fairlawn in excess of \$5,000.00 shall be awarded except on prior approval of the Board of Audit and Review. Unless previously approved by council, no expenditure shall be made which exceeds 110% of the funds allocated for that purpose and no expenditure shall be made in excess of 100% of any account without the approval of the Board of Audit and Review.

2. No disbursement of funds shall be made until the Board of Audit and Review is satisfied the following conditions have been met:

- a. The funds for the specific purpose have been appropriated by council and are on hand;
- b. The goods or services for which payment has been made have been delivered or rendered to the City;
- c. The expenditure has been duly authorized by the proper officials of the City; and
- d. The requirements, if any, for taking bids, receiving quotations, or letting of contracts have been complied with.

**CITY OF FAIRLAWN, OHIO
BOARD OF AUDIT AND REVIEW
RULES AND REGULATIONS**

C. Disapproval

1. If the Board of Audit and Review believes the conditions in (B) above have not been met but believes the payments should be made, the Board of Audit and Review shall report the facts together with its recommendations to council. If council determines the payments should be made, the Director of Finance may pay the same without further action by the Board of Audit and Review.

2. If the Board of Audit and Review disapproves of awarding any contract, the same may nevertheless be awarded upon its approval by an affirmative vote of the majority of duly elected or appointed members of council.

D. Bid Authorization

1. Any purchase of goods or services reasonably expected to exceed \$75,000.00 shall be competitively bid upon affirmative vote of the majority of the duly elected or appointed members of council.

E. Bid Advertisement

1. Notice or advertisement of the receipt of competitive bids shall be published two or more times in a newspaper of general circulation in the City and may be posted on the newspaper's internet web site.

~~D~~F. Bid Openings

1. Bid openings shall be scheduled by either the Mayor, Director of Public Service, or Finance Director, and may be held in conjunction with regular meetings of the Board of Audit and Review.

2. The Assistant Director of Finance/Tax Administrator, or their designee, shall conduct the bid opening (in person or electronically) and the Clerk of Council, or Deputy Clerk of Council, shall act as recording secretary for the bid opening.

a. These officials may be assisted by such other employees as they determine necessary.

3. Bid openings shall be open to the public, or accessible to the public electronically if the bidding is done electronically, and shall be described as such in the advertisements soliciting such bid.

4. Immediately following the Bid Opening, the Secretary of the Board shall provide copies of the Bid Opening Summary Sheet and each Bidder's Bid Sheets (or documents containing substantially the same information) to the appropriate department officials involved with the particular bid project and to such other individuals as directed by the Board of Audit and Review.

5. The Secretary of the Board shall verify whether the apparent lowest responsive and responsible bidder has any unresolved findings for recovery issued against them, in accordance with ORC 9.24, and retain documentation of such verification.

**CITY OF FAIRLAWN, OHIO
BOARD OF AUDIT AND REVIEW
RULES AND REGULATIONS**

~~4.6.~~ The Secretary of the Board shall verify whether the apparent lowest responsive and responsible bidder has any active exclusion records in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180, and retain documentation of such verification.

~~5.7.~~ The Secretary of the Board shall submit copies of the documents referred to in ~~(DE)-(4)-(5),~~ and (6) above to the Board of Audit and Review at the next scheduled meeting.

~~6.8.~~ The appropriate Departmental Official(s) shall submit an analysis of the bids as well as their recommendation to the Board of Audit and Review.

~~7.9.~~ In considering whether or not a bidder is the lowest responsive and responsible bidder, the Board of Audit and Review shall consider if the bidder's proposal responds to the bid specifications in all material respects and contains no irregularities or deviations from the specifications which would affect the amount of the bid or otherwise give the bidder a competitive advantage. ~~Some factors the Board of Audit and Review may consider in determining whether or not a bidder is the lowest responsive and responsible bidder are:~~

~~Experience of the bidder;
Bidder's financial condition;
Conduct and performance on previous contracts;
Facilities;
Management skills; and
Ability to execute the contract properly.~~

~~8.10.~~ Additionally, in determining to award the contract, the Board of Audit and Review shall consider whether or not the bidder:

~~Failed to submit a non-collusion affidavit;
Failed to be current with City of Fairlawn income tax filings and payments;
Failed to comply with bid documents;
Failed to submit its federal tax identification number;
Participated within the submission of more than one bid;
Submitted a materially or mathematically unbalanced bid;
Submitted an irregular proposal;
Ability to supply replacement parts and equipment;
Ability to provide future maintenance and service;
Ability to meet contract deadlines; and
Such other reasons for which the bid was materially deficient; and
Has any unresolved findings for recovery issued against them, in accordance with ORC 9.24,
and
Has any active exclusion records in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180.~~

~~9.11.~~ The Board of Audit and Review in its discretion may waive non-material defects in a bid provided the defects do not prejudice the rights of the public, do not materially affect the amount of the bid, do not give one bidder an advantage over another or are clerical in nature.

**CITY OF FAIRLAWN, OHIO
BOARD OF AUDIT AND REVIEW
RULES AND REGULATIONS**

~~10.12.~~ Notice of decision of the Board of Audit and Review rejecting one or more or all bids shall be sent by the Secretary of the Board to all bidders within 48 hours of the Board of Audit and Review's determination, Saturdays, Sundays, or legal holidays excluded. Notice may be sent to their address by certified mail or via express courier service with a signature required or if the bidding has been performed electronically notice may be sent by electronic means if proof of receipt is obtained. A bidder may protest this determination by filing with the Secretary of the Board of Audit and Review a protest in writing explaining, with sufficient detail, why it believes the Board of Audit and Review's determination is in error within five days of service of the Board of Audit and Review's written notice, Saturdays, Sundays or legal holidays excluded.

~~11.13.~~ If a protest is filed, all bidders shall be sent notice that a timely protest was filed and the location, date, and time the Board of Audit and Review will hear the protest. Notice may be sent to their address by certified mail or via express courier service with a signature required, or if bidding has been performed electronically notice may be sent by electronic means if proof of receipt is obtained.

~~12.14.~~ The Board of Audit and Review shall conduct a hearing on the protest, take such sworn testimony as the Board deems necessary, and receive into evidence relevant documents submitted by any party. The Board of Audit and Review shall in writing either affirm or reverse its earlier determination and shall service a copy thereof on all bidders by certified mail, or via express courier service with a signature required, or if bidding has been performed electronically, notice may be sent by electronic means if proof of receipt is obtained.

~~13.15.~~ If the Board of Audit and Review disapproves the awarding of any contract, the same may nevertheless be awarded upon its approval by affirmative vote of the majority of the duly elected or appointed members of council.

~~14.16.~~ After awarding a bid the Board of Audit and Review may, upon notice providing the right to a hearing in the same manner set forth above, withdraw its award to a bidder if it finds the bidder has:

- a. Failed to execute required contract documents within thirty (30) days of the award;
- b. Failed to submit a Non-Delinquency of Personal Property Tax Affidavit; or
- c. Failed to comply with contract documents.

~~15.17.~~ Any purchase of goods or services which is expected to be for more than \$75,000.00 shall be made only pursuant to receipt and acceptance of bids taken pursuant to a general appropriation or special ordinance of council with the exception of the following goods or services for which no bidding is required:

- a. Professional and consulting services including but not limited to the services of an attorney-at-law, architect, surveyor, engineer, certified public accountant, construction project manager, consultant, appraiser or a practitioner of medicine or any branch thereof;
- b. The services of any person as an employee on the payroll of the City; and
- c. Goods or materials which are patented or copyrighted or otherwise unique and are supplied by only one supplier, for which there is no reasonable substitute for use to the City.

**CITY OF FAIRLAWN, OHIO
BOARD OF AUDIT AND REVIEW
RULES AND REGULATIONS**

EG. Informal Bidding

1. The Mayor, Department Head or City Council may offer a contract to the Board of Audit and Review of more than \$5,000.00 but less than \$75,000.00 after obtaining offers or price quotations from three different suppliers and submitting same to the Board of Audit and Review.

2. The Board of Audit and Review may proceed with less than three bids if the Board of Audit and Review finds through reasonable diligence three quotations could not be obtained and this fact is documented.

3. The Board of Audit and Review's decision shall designate the supplier with whom an order shall be placed, the goods or services to be ordered, and the price to be paid for the same.

4. The presenting official shall place the order with the supplier designated in accordance with the terms specified with the Board of Audit and Review.

FH. Reports

1. The Board of Audit and Review shall present to council a report of its transactions at the first council meeting of each month. The report shall include a list of its transactions since the previous report, including, but not limited to, expenses approved by the Board of Audit and Review, and any comments the Board of Audit and Review chooses to make.

2. The Board of Audit and Review shall present a supplementary report as of the last day of each calendar month prior to the meeting of the Board of Audit and Review showing the following:

- a. Balances upon deposit with the several depositories of the City, classified as active, inactive, or interim deposits;
- b. Revenues of the City classified as the source for the preceding month and for the fiscal year to date;
- c. Expenditures of the City classified in accordance with accounts established by council in its appropriation ordinances for the preceding month and for the fiscal year to date;
- d. Balances remaining in the several accounts established by council in its appropriation ordinances;
- e. An estimate of revenues to be received by the City classified as to source for the remainder of the fiscal year; and
- f. A statement of the obligations due and to become due and classified in accordance with the accounts established by council in its appropriation ordinances through the remainder of the fiscal year.

GI. Officials' Expenditures

1. Provided Council has approved by general or special appropriation sufficient funds, the following officials may authorize any expenditure relating to their respective department as follows:

- a. By a department head for amounts up to \$400.00 and for amounts between \$400.01 and

**CITY OF FAIRLAWN, OHIO
BOARD OF AUDIT AND REVIEW
RULES AND REGULATIONS**

- \$5,000.00 on non-capital expenditures with the approval of the Mayor. All other expenditures with the approval of the Board of Audit and Review.
- b. By the Mayor for amounts up to \$5,000.00 specifically charged to and not to exceed the amount established in the approved budget for the Mayor's account.
 - c. By any council committee on a majority vote of the committee in an amount up to \$100.00 to be specifically charged to and not to exceed the amount established in the approved council account.

H.J. Disbursements Not Requiring Board of Audit and Review Approval

1. The following disbursements shall not require the approval of the Board of Audit and Review:
 - a. Salaries or wages in accordance with the schedule established by council. Retainers shall be considered salary or wages and charges in excess of retainers shall be reviewed by the Board of Audit and Review.
 - b. Public utility services to the City to which funds have been appropriated by council.
 - c. Refunds of income taxes overpaid.
 - d. Refunds of deposits held in escrow.
 - e. Payments to the public employee retirement system and other pension funds which are legal obligations to the City.
 - f. Insurance premiums for contracts approved by council which funds have been appropriated.
 - g. Expenditures for the Civil Service Commission.
 - h. Refunds of deposits for the Community Center rentals.
 - i. Refunds of cancelled special events.
 - j. Qualified expenditures for the City's health insurance plans.
 - k. Expenditures less than Five Hundred and no/100 dollars (\$500.00) for which the Mayor and Director of Finance determined to be in the best interest of the City.
 - l. For refunds of overpaid and/or cancelled FairlawnGig services.

AN ORDINANCE ESTABLISHING THE PERMANENT APPROPRIATIONS FOR THE YEAR 2026, APPROPRIATING FUNDS FOR THE PURPOSE THEREOF, AND DECLARING AN EMERGENCY

WHEREAS, the Mayor is required by Section 3.05C(8) of the Charter of the City of Fairlawn to prepare and submit to Council an annual budget; and

WHEREAS, Council is required by Section 5705.38 of the Ohio Revised Code to pass a permanent annual appropriation measure by the first day of April of the current year; and

WHEREAS, the Finance Director recommends the appropriations recited herein be made.

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

Section 1: The budget of the operating funds of the City of Fairlawn for the year 2026 is hereby adopted and identified as "Exhibit A", which is incorporated herein by reference and on file in the Office of the Clerk of Council.

Section 2: The Finance Director is hereby authorized to draw warrants for payment from each of the foregoing appropriations upon presentation of proper vouchers approved by the officer authorized to approve same, or on ordinance or resolution of Council; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of law.

Section 3: The Finance Director is hereby authorized to make the appropriate changes to account numbers and/or account titles as is necessary to coincide with the budgetary software package.

Section 4: 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 5: This Ordinance is hereby declared to be an emergency measure for the health, safety and welfare of the residents of the City of Fairlawn for the reason that is necessary to provide safety for the residents and property of the City of Fairlawn and it shall therefore be in full force and effect from and after its enactment and approval by the Mayor at the earliest period allowed by law.

Enacted: _____ 2026

Approved: _____ 2026

Jonathon Groza, 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 Ordinance was duly and regularly passed at a meeting on _____, 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by in Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR BOARDING OF PRISONERS BY AND BETWEEN THE COUNTY OF SUMMIT AND THE CITY OF FAIRLAWN

WHEREAS, Section 1905.35 of the Ohio Revised Code authorizes the City of Fairlawn to incarcerate, in the Summit County Jail, prisoners charged or convicted of violations of the ordinances of the City at the City’s expense; and

WHEREAS, the County of Summit has proposed a first amendment to the Intergovernmental Agreement for the Boarding of Prisoners By and Between the County of Summit and the City of Fairlawn identified as Doc: 18-051 which was authorized by Fairlawn Ordinance 2018-069 and Doc: 23-054 which was renewed by Ordinance 2023-083 for services by the Sheriff in housing municipal prisoners; and

WHEREAS, the proposed amendment to the agreement would be effective upon execution by both parties; and

WHEREAS, the City of Fairlawn does not have adequate facilities to care for and board all those arrested, detained, and imprisoned by the City.

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

Section 1: The Mayor is hereby authorized to enter into a First Amendment to the Intergovernmental Agreement with the County of Summit for boarding of prisoners, under substantially the same terms of the proposed amendment to the agreement, which is attached hereto and made a part hereof and identified as Doc: 26-008.

Section 2: The Finance Director is hereby authorized and directed to make the appropriate entries and issue warrants/vouchers pursuant thereof.

Section 4: 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 5: This Ordinance 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.

Enacted: _____ 2026

Approved: _____ 2026

Jonathon Groza, 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 Ordinance was duly and regularly passed at a meeting on _____ 2026.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2026 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council