

CITY OF ROCKY RIVER

September 6, 2016

The Committee-of-the-Whole Meeting was called to order by Mr. Moran, President of Council, immediately following the Special Meeting in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. O'Donnell, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Administration: Mayor Bobst, Mrs. Costello

Law Director: Mr. Bemer

Press: Ms. Botos

MAYOR'S REPORT:

The Mayor announced that the Police Department has achieved provisional status with the Ohio Collaborative Law Enforcement Agency Certification. This is a certification process through the Attorney General's office that focuses on community policing issues and policies surrounding use of force and the recruitment and retention of police officers. Rocky River has made it through the first tier. The second tier will be a site visit to see these policies operationalized in the police department. This speaks to the fact that Rocky River has a Chief that is committed to an effective and efficient police department.

Capital Improvement Projects are all moving along with no significant delays at this time. The Wooster Road project is being extended to complete the second phase of that project this year instead of phase two being started and completed in 2017. Contractor Fabrizi approached Director Costello and said the crews are mobilized and they feel they can complete the second phase this year and have it completed by the middle of November. The city approved the continuation of this project. Fabrizi has two to three crews a day working on this project and realize that it is important to maintain access for residents and businesses. The maintenance of the traffic plan is maintained going northbound only. If there is a special need by a resident, the contractor and Director Costello have been great at accommodating that need. This project is being funded by a 2.1 million dollar grant from Cleveland Water. The Mayor thanked the residents for their patience. These projects are disruptive but they are necessary and it is a good investment in the community.

- Director Costello added that currently this project has the approval from Cleveland Water to continue this project up to Shoreland. The city is hoping that as this progress continues and remains ahead of schedule that Cleveland Water will give this project the permission to continue and finish the project. Director Costello added that all the work

that is completed this year is that much less time that Wooster Road will be detoured next year.

The Mayor also discussed the Avalon Project. The concrete is in from the western edge at Lake Road to Wagar Road. The northside from Wagar to Morewood is being prepared with more stabilization work needing to be completed and the concrete will be poured by the last week in September. The Mayor said that the contractors have until mid November to complete the project with asphalt. This project began last September and is one of the largest projects undertaken in the city. This project has been comprised of a deep dig for storm and sanitary sewers, the gas line, the waterline and a full depth repair. It takes a lot of time and the residents and Contractor Fabrizio have all been working together well.

The Federal Aviation Administration (FAA) gave area Mayors and City Council Representatives an update on the new Metroplex Project. Councilman Furry was in attendance at this meeting. On September 15th, from 4:00-8:00 p.m. at the Gemini Center in Fairview Park there will be a Westshore Community Workshop and the Metroplex Project will be discussed. The Metroplex Project is improvements being proposed to air traffic procedures with a more efficient use of air space using satellite based navigation for the planes. It would create a more efficient operation. The FAA wants to explain this to the residents. The FAA wants to hear from residents regarding their concerns regarding air traffic.

The Mayor mentioned that the Senior Center has delivered the Accreditation document last week to the National Council on Aging. This application process has taken about a year and three months to put together. There have been many sub-committees as part of this project meeting monthly or more. There are only 200 accredited senior centers across the United States with about 8 additional cities currently in some part of the accredited process. From this stage there will two peer reviewers of that documentation along with a site visit sometime in November. The Director is hopeful that the Senior Center will know by the end of the year if it has received the accreditation status. The Mayor thanked Director Deborah Huff of the Senior Center and her staff along with many volunteers that were involved in this process. Anne McCauley proofed the entire document along with Jane Linden adding some finishing touches and Joyce Waltz Umerley also reviewed the entire document. There is a copy available at the Senior Center if anyone is interested in looking at the document.

The ODNR Coastal Management Assistance Grant has awarded the city \$45,000 thanks to the efforts of Director Costello. This will be added to the \$350,000 grant already received. The Administration met today with five members of the MetroParks. Joe Roszak, who is in charge of trails for the MetroParks, a resident of Rocky River, a member of Rocky River Parks and Recreation Commission along with the Planning and Grant Department of the MetroParks met with Administration this afternoon. The Mayor had reached out to them asking for their experience and expertise in park planning and offer some guidance regarding Bradstreets Landing. This was a successful meeting and they have offered to do some renderings and brainstorming regarding this project. The city also asked if there was some kind of agreement on beach maintenance the city could enter into with the MetroParks. The city will need to be

going through a RFQ and RFP process for Bradstreets Landing but it will be great to have the insight of these individuals from the MetroPark System.

ODOT has released its Safe Routes to Schools Grants. The Rocky River City School District has received a \$15,000 grant for a non-infrastructure project and the city received partial funding of \$200,000 for the infrastructure projects submitted. Director Costello is talking to Mr. Motl, P.E. at ODOT along with the Schools to decide which one of the two submitted projects should be done with this grant. The city can re-apply in the future for additional grants. Thank you to Director Costello and Superintendent Shoaf and his team of representatives that worked to secure these funds for the community.

This Sunday, September 11th at 8:30 a.m. there will be a ceremony commemorating the 15th anniversary of the 9/11 tragedy at the main flagpole at City Hall. Fire and Police will be represented along with Reverend Fancher who will provide remarks. The Community is invited to join in the ceremony that morning.

The Fall Arts Festival will be held on Saturday, September 17th from 10:00 a.m. to 5:00 p.m. on Old Detroit Road sponsored by the Rocky River Parks and Recreation Foundation. There will be 50+ exhibitors at this event.

Saturday, September 17th, will also be the Community Shredding Event held at Rocky River City Hall from 9:00 a.m. until 12:00 noon. This is a very popular event. Anyone who brings two standard size boxes of materials must have a Rocky River I.D. All materials must be personal material and not material from a business. Personnel along with auxiliaries will be there to manage the traffic. Please stay in your vehicles for this process.

The Mayor said that Directors have begun the City Budget process for 2017. The city is in good shape with some continuing needs that are being addressed, but the city has the resources in the budget. The Directors will draft their budgets throughout the month of September. The Mayor will then meet with them to go over their proposed budgets while Director Thomas puts together the entire budget. This will be given to Council the first week of November for consideration.

- Mr. Furry asked about the stabilization of Avalon. Director Costello said that stabilization is creating a foundation for the sub-street. There were a lot of segments with silty soils that could shift and create voids under the road. The contractors need to possibly remove a lot of the silt and add stones with machines that will level, compact along with proof rolling so that the street is stabilized. This has to be done correctly for a long lasting street.
- President Moran asked about the date for FAA Workshop. The Workshop will be held on September 15th from 4:00 -8:00 p.m. at the Gemini Center in Fairview Park. There will be some introductory remarks but it will be more like an Open House so that residents can come in and look at various flight patterns and how the system works. Mr. Moran asked if they had mentioned any change in the flight patterns recently. Mr.

Moran feels that he sees a lot more planes lately and that more planes are fanning west from the airport. The Mayor said the FAA is asking for public comment so they can address some of the issues. The Mayor said that there is a “super highway” in the sky that allows the FAA to consolidate the flight patterns so that it is more concise. The Mayor said the FAA has to honor what has already been negotiated but the FAA said this will be better if placed in the correct location.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: President Moran thanked the Mayor and Director Mehling on the great concert series this summer. The last concert on August 23rd was the Council Dog Days and it was a great success. Thank you to Director Mehling for his help in setting this up.

UNFINISHED BUSINESS:

ORDINANCE NO. 89-15: Mr. Hunt said that this ordinance is referred back to the Planning Commission based on discussions most recently concerning the no left egress or ingress. The Planning Commission met Tuesday July 19th and the minutes were approved. Mr. O'Donnell asked if the egress or ingress was approved. The Mayor and Law Director Bemer said it had been approved. The Mayor will have Kate Straub forward the approved minutes to Council. Director Costello said that the Administration needs a new legal description for the change in easement. Currently the sewers are being televised to know which sewer to connect to. The easement request is a little larger now to pull out the driveway to accommodate the center triangle created for the “right turn only” drive. The city will need to abandon a sewer line or another easement will be necessary. Director Costello thinks the sewer line can be abandoned. This ordinance has only been read once. The exhibit may need to be amended.

ORDINANCE NO. 26-16: Councilman Sindelar had to leave early this evening. President Moran said that this has been read twice and it is the rezoning application for Lake Road. Council has heard many opinions and information regarding this property.

- Councilman Klym reiterated the importance for Council to keep in mind and look at the city's Codified Ordinance section 1135.21 which talks about amendments to change zoning districts and rezoning classifications to properties. This particular ordinance clearly indicates what City Council should consider when looking at amendments for zoning classifications. There are factors listed A through H that Council should look at. H is not that relevant but others that are relevant. Letter E talks about if the property is re-classified, there would be an adverse environmental or health impact on the immediate surrounding area in terms of acceptable air, noise, light or water quality standards. Councilman Klym feels this is important. He realizes that the discussion is not about putting a commercial development next to a residential, but a 4 to 5 story building is a different prospect than having a two story home built. Councilman Klym is pleased to see in Mr. Carney's email today that he was talking about a Development Agreement or giving Council more of an idea of what that development could look like. If an R-4 is

agreed upon and a 36-foot high building is built, how will that impact the current residents.

- President Moran said that there has been a lot of information presented. The request is there that the developers would like to go higher than a R-4, but Council needs to recognize that Council is not approving this change specifically for Mr. Brickman's Company. The Council is approving it for the area, for the entire future of what that is going to be. Once it is approved, it's approved. This is a big future change. Director Costello just spoke about the foundation being done correctly and this is a foundation change for what could be in the future.
- Councilman O'Donnell agrees with these considerations. He would like to know about the statement in the email today from Mr. Carney regarding the fact that they may need until the end of September to proceed. Mr. O'Donnell would like to know if this is going to be put up for a vote or if they ask to pull it back is Council willing to wait for more revisions. The Mayor said they would have to formally withdraw because they submitted the request for the rezoning which is why this is in front of Council. They have the choice prior to Council's vote of withdrawing if they are re-thinking the project. This ordinance can be put on hold. Mr. Moran said that there are four things Council can do: 1) The applicant can withdraw; 2) Council does not read it next week; 3) Council votes yes; 4) Council votes no. Mr. Moran asked if they withdraw, is there something that says Council cannot read it because there is a suggestion from Planning that was presented to Council that says they agree with an R-4. Law Director Bemer said that Council can go forward even though the applicant withdraws but a withdrawal by the applicant should end the process. Council does not have to withdraw it even though the genesis of the entire project came from a redeveloper.
- Mr. Klym would be in favor of holding this ordinance next week and not reading it. This has already been a long process and an important part of discussion in this community and he wouldn't want to rush a vote. If they wish to table it for a couple legislative meetings, he would not be opposed. Mr. O'Donnell agrees with this. Mr. Hunt is not sure if it was implied, but Mr. Hunt agrees with holding the ordinance if necessary. Mr. Shepherd agrees with holding it for awhile and see how it plays out.
- President Moran will communicate this back to Mr. Sindelar.

ORDINANCE 38-16: This will have a second read next week. Mr. Moran said that Director Thomas has selected about 10 banks as possible depositories for the city's funds depending on interest rates. This needs to be put into effect from November 1, 2016 through October 31, 2021.

ORDINANCE 39-16: Mr. Hunt thanked members of Council for passing this Legislation at the Special Meeting this evening.

ORDINANCE 40-16: This ordinance is for supplemental appropriations. Some of the major changes are Gardiner Trane with the energy improvements for the city facilities where \$695,000

needs to be moved into the Capital Improvement Fund; bullet proof vests need to be purchased; funds for wages for casual labor; schedule parking garage appropriation; revised estimate for a third party paid medical mutual and the recreation director needs some additional funds for potential repairs. This will have a second read next week.

ORDINANCE 41-16: This is accepting the rates as determined by the Cuyahoga County Taxing Authority. This was read and discussed at the Special Meeting earlier this evening. This will need to be submitted to the County by the end of September. There will be two more reads on this ordinance.

ORDINANCE 42-16: Passed at this evening's Special Meeting.

ORDINANCE 43-16: Passed at this evening's Special Meeting.

ORDINANCE 44-16: Mr. Shepherd said this is a yearly ordinance for the crack sealant of the city streets. Council received an email forwarded by Mr. Shepherd listing the 22 streets being looked at. Mr. Shepherd said there is a method to how streets are chosen for this process. One bid was received and came in lower than last year from \$10.55 per unit to \$10.50 per unit. The cap authorized on crack sealing has gone up from 8,150 gallons to 8,250 gallons.

- Mr. Hunt asked about the type 3 sealing. Director Costello said it is a reference to the product.

MISCELLANEOUS BUSINESS: President Moran wished a Happy Birthday to Councilman Furry!

As there was no further business by members of Council, the meeting was adjourned at 9:15 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council