

CITY OF ROCKY RIVER

November 6, 2017

The meeting of the Committee-of-the-Whole 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, Director Costello, Mr. Thomas

Law Director: Mr. Bemer

MAYOR'S REPORT:

The Mayor talked about the Craft and Quilt Show held at the Senior Center this weekend. Over 1,000 visitors passed through the Senior Center during the two-day event. More than 90 quilts were displayed along with several vendors. The highlight of the event was the "River's Got Talent" acts. There were 17 multigenerational acts that performed for three judges. Judge Hagan along with a representative from Playhouse Square and the Beck Center judged the acts. Amanda Semaan, a high school student came in first place and seniors Doug Henderson and Jerry McCabe took second and third place. Mr. Bill Brink was in attendance and has asked the winners of the talent show to be entertainment for the "Holiday Walk" on December 2nd. A big thank you to Director Huff, Laurie Schaefer and the entire staff and volunteers who worked very hard putting the weekend together.

The Mayor discussed the storm last evening. Director Rosemark delivered stats to the Mayor indicating the city had more than 2 inches of rain in a short period of time. Streets were flooding due to restrictors placed in catch basins that slow the flow of water into the system. This protects the residents from flooding basements. The Mayor cautioned drivers not to drive through high water on the streets. Standing water can be dangerous and should be avoided. Fallen tree limbs did cause some power outages. 34 customers were without electricity but were restored by mid-day today. The Mayor talked about First Energy's Mobilization and the tremendous job Mr. Skory does of having crews ready and mobilized to the affected areas. There were 75 out of state crews already in the area prior to the storm hitting ready to mobilize. The Mayor thanked Mr. Skory and First Energy.

The Wastewater Treatment Plant Management Committee met and reviewed the Collective Bargaining Agreement with the Teamsters and recommended it for passage. The Committee also reviewed the 2018 Budget and gave their approval and recommended that for passage also. The Sewer Flow and Strength Study was reviewed to set the rates for the next several years beginning in 2018. The 2017 distributions are as follows: Bay Village is down at 20.9%, Fairview Park is up at 18.79%, Rocky River is down at 24.11% and Westlake is up at 36.20%. The Mayor said that if anyone would like to review the study to let her know.

Thank you to Director Thomas, his staff and Director Costello for all their hard work in having the 2018 Budget ready for distribution to Council this evening. Additional information will be forwarded to Council regarding the Capital Improvement Plan. Detroit Road and Wooster Road will be paved in

2018 along with waterline and paving projects and Capital equipment purchases. The Mayor said that the Directors are ready to meet with Council to discuss their individual budgets.

- President Moran asked whom to notify during a power outage. Director Costello said to call the Illuminating Company, Customer Service line at 1.888.544.4877 or 1.88LIGHTSS even when there are momentary outages that just cause digital clocks to be reset. The city encourages everyone to call so the Illuminating Company realizes there are periodic outages and where the problems are. These numbers are also on the city website.

COMMITTEE REPORTS: Parks and Recreation Committee: Councilman Klym reported from the Parks and Recreation Committee and asked Mr. Mehling to report on the Membership Drive. Mr. Mehling said the Membership Drive began today and will run through December 3rd. Yard signs are throughout the city along with advertisement in the Sun News and the St. Christopher Bulletin. For current members who refer a new member they will receive 10% off their membership rate per referral, up to 2 referrals for a total of 20%. For new members, they will receive a 10% savings and also free group exercise classes from now until December 3rd at no additional cost and also will be able to take advantage of the Kids Cove area.

Mr. Klym reported that there were 971 passes sold for the outdoor pool, which is down six from last year; daily attendance was 9,240 which is 400 down from 2016 and 15,222 swipes of passes which is down from 17,550 last year. These numbers did affect concessions. 2017 had cooler temperatures than 2016.

Changes for the pool next year will be the addition of a few new rules: 1) Limiting the number of 5 guests per individual; 2) Anyone 12 and under will need adult supervision at the pool; 3) Signage will be added at the front entrance indicating that proper swim wear must be worn at the pool per regulations of the Health Department.

Finance Committee: President Moran thanked the Mayor, Director Thomas, Director Costello and everyone else that worked on the 2018 Budget. Council has three weeks to contact the Directors. Mr. Hunt will contact Chief Stillman and Chief Lenart; Mr. Shepherd will contact Director Costello; Mr. O'Donnell will contact Judge Fitzsimmons, Judge Hagan, Ms. Comery and Mr. Bracken; Mr. Furry will contact Superintendent Rosemark; Mr. Klym will contact Mr. Mehling; Mr. Sindelar will contact Director Huff and Mr. Moran will do an overall discussion with Mr. Thomas. Mr. Moran asked Council to follow the outline he distributed this evening. Mr. Moran scheduled the Finance Committee Meeting for Friday, December 1st, beginning at 8:00 a.m. – 12:15 p.m. in Council Chambers.

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 56-17: Mr. Hunt said that this ordinance is still on hold. Mr. Hunt thanked Director Bemer and Fire Prevention Officer Crowe for their continued work on language for this ordinance. This will be revisited next week.

ORDINANCE NO. 71-17: This ordinance has been discussed for several weeks. It authorizes the Director of Public Safety-Service to purchase gasoline, fuel oil and allied products on the open market at the best prices possible for the period January 1, 2018 to December 31, 2018. This is a cost saving

ordinance that is passed every year. Mr. O'Donnell will seek passage next week. This will be on the consent agenda.

ORDINANCE NO. 72-17: This is a companion ordinance to 71-17. This is also a cost saving ordinance that is passed every year. This allows the Safety-Service Director to purchase tires on the open market for the best possible prices for the period January 1, 2018 to December 31, 2018. Mr. O'Donnell will seek passage on this next week and this will be on the consent agenda.

ORDINANCE NO. 73-17: Mr. Furry said this has been read twice and is anticipating three full reads. This is for the erection of a greenhouse at the Community Garden. This project needed to raise \$20,000 to build and via grants and fundraising from the Rocky River Junior Women's Club, Rotary, Whole Foods and other local entities, there is sufficient funding. This has also been incorporated as a 501 (c) (3) and have officers, a director, etc. The actual structure will be 21 x 24. The primary beneficiary will be the Rocky River Assistance Program, but others might surface. The exhibit will need to be amended by substitution next week because the property damage was reduced to \$20,000, which is the actual cost of the structure. President Moran and the Mayor stated that the Planning Commission approved this project.

ORDINANCE NO. 74-17: Mr. Klym said that this is an annual ordinance required to provide Health Services per the Ohio Revised Code along with air pollution enforcement services. The city contracts with Cuyahoga County to provide most of these services. The City of Cleveland Air Pollution Control provides the air pollution coverage for the city. This is to be renewed at the same price as last year at \$4.12 per capita. This will be on the consent agenda.

ORDINANCE NO. 75-17: Mr. Shepherd said that this is scheduled for a second read. This is an emergency ordinance authorizing the administration to extend the agreement with Fabrizi Trucking & Paving Co. Inc. for the emergency repair of streets and storm and sanitary sewers within the City of Rocky River at a cost not to exceed \$90,000. Due to the depth of these repairs, they cannot be done in-house. This was put out to bid in 2011 and Fabrizi has held their prices. This will have a full three reads.

ORDINANCE NO. 76-17: This ordinance has been read once and is for the purchase of Ferric Chloride from PVS Technologies, Inc. This is the product that has had some volatility as the last five years have had a low of \$297 and a high of \$438. The previous two years were locked in at \$438 and change. The previous year was \$336. The year prior was \$436 and the prior three years were \$297 so has always experienced pricing volatility. Plant Supt. Rosemark was expecting some price increases due to weather related events in their southern plants. Two bids were received from that bid with a range of \$468-\$524. PVS Technologies, the current supplier, was the lowest and best bidder. This is also slated for three full reads also utilizing non-emergency language and is also necessary to comply with the NPDES permit.

ORDINANCE NO. 77-17: This ordinance is for the purchase of sodium hypochlorite. This is used in 3 different application points, effluent, pre-chlorination and primary sludge. The first stage is effluent or disinfection, the second or pre-chlorination is odor control and the third or primary sludge is a thickener to settle the sludge. Only one bid was received with the current supplier, Bonded Chemicals of Columbus at a price per gallon of \$0.689/gallon. This product has also had some volatility as last years pricing was \$.616/gallon while the previous two years were at \$.715/gallon. Only one bid was received but is usually between Bonded Chemicals or JCI Jones Chemical of Sarasota, FL. Supt. Rosemark has

reached out to JCI Jones to ask why they did not bid on this, but hasn't heard back. This is slated for three reads and will not be using emergency language and it is necessary to comply with the NPDES permit.

AMENDED ORDINANCE NO. 78-17: Mr. Hunt said this amended ordinance would add language to the code restricting parking in residential zoned areas on the side of the fire hydrants. There will be no parking on the fire hydrant side of the street. The amendment is due to the removal of the emergency language. This has been read once and will be read two more times.

- Mr. Sindelar said that years ago a questionnaire was sent around in his neighborhood regarding this exact issue. Director Costello said that most of the people didn't return the survey and a majority couldn't be determined so the street was left as is.
- The Mayor said that there will be good communication regarding this change. The Mayor feels the residents understand the safety aspect of this change. Safety vehicles need to be able to travel down the streets. A Ready Notify will be sent out to all residents. Signs will be posted at the entrances of the city. Thank you to Law Director Berner, Director Costello and Fire Prevention Officer Crowe for all their hard work on this issue.

ORDINANCE NO. 96-17: This ordinance was read for the first time during the Special Meeting this evening. This will be read for a second time next week and Mr. Klym will seek passage for this emergency ordinance to address an emergency situation at the Hamilton Ice Rink.

NEW BUSINESS: Mr. Shepherd will briefly describe the major substance of each of the following ordinances giving Council a chance to review and then further discuss at next week's meeting. All these suggested changes came through the Law Department with input from the Planning and Building Department based on experience, observation, routine or clean up.

ORDINANCE NO. 79-17: This is an ordinance that limits the activities of general noise and disturbances such as power tools and construction tools after 8:00 p.m.

ORDINANCE NO. 80-17: This increases the time period from 7 days to 14 days for the application for approval of a preliminary design to be submitted.

ORDINANCE NO. 81-17: This has to do with the rental of rooms of a resident's home. This seeks regulations of these type of situations and defines those situations as rentals less than 30 days.

ORDINANCE NO. 82-17: This is a companion ordinance to 81-17. It defines a Bed and Breakfast establishment accommodation and a rental unit for a period of thirty days or more. Single room lodging in a boarding house manner is not a permitted rental use in any zoning district.

ORDINANCE NO. 83-17: Item 13 has been added so that the Zoning Administrator can approve any application for building or land use, which contains a minor or minimal deviation from the strict administration of this Development Code.

ORDINANCE NO. 84-17: This will eliminate a certain type of appeal. This will only allow appeals from final decisions.

ORDINANCE NO. 85-17: This will require that protestors will have to state a reason for their protest.

ORDINANCE NO. 86-17: This ordinance will be withdrawn for consideration on next week's agenda as it is addressed in another ordinance.

ORDINANCE NO. 87-17: These are experienced based modifications to the zoning ordinances i.e. setbacks along the lake; garage heights are being increased to 18 feet; house projections into front and side setbacks; a provision eliminating a fence on a property line along the neighbor's driveway; a provision that fireplaces and decks need to pull permits; generators need to be placed in back yards.

ORDINANCE NO. 88-17: An attempt for a better fit with neighborhood businesses.

ORDINANCE NO. 89-17: This will reduce the amount of area for a mixed use overlay district; reduce the requirement from 3 acres to 1 acre.

ORDINANCE NO. 90-17: This will increase the amount of roof that can be covered with solar paneling. Residential solar paneling cannot be less than three feet from the roofline and the total area of the panels do not comprise more than 75% of a single roof surface.

ORDINANCE NO. 91-17: Currently the Code adopts the Ohio State Building Code of whatever code year is in effect.

ORDINANCE NO. 92-17: This corrects a typo of section 1313 to 1311.

ORDINANCE NO. 93-17: This is in regard to Wireless Communications. Currently the city does not have regulations for booster stations. This Code will allow booster stations to be allowed anywhere there is a utility right away as a conditional use. When one is recommended for a location the conditional use ordinances have a set of criteria to determine whether it is appropriate for that use or not.

ORDINANCE NO. 94-17: Mr. Shepherd asked about the deadline date to pass this legislation. Mr. Bemmer will check on the date. Mr. Shepherd asked the Mayor to identify the bullet points of the WWTP Agreement. The Mayor thanked Law Director Bemmer, Dave Matty, Superintendent Rosemark and the employees at the table. Everyone worked very hard on this.

- Sick leave is no longer part of the hours worked calculation as it relates to overtime.
- Language included allowing RRWWTP management more control and flexibility in determining appropriate overtime coverage.
- Break durations are clearly defined.
- Healthcare cost sharing language is now included, spousal coverage requirement instituted.
- Extended time between maintenance rate increases.
- No longevity increase, no increase in night shift premium.
- RRWWTP will provide ½ of required contact hours annually; licensed staff must receive approval in advance for reimbursement of additional courses.
- Uniform allowance increase to \$450 to include employee purchase of boots and outerwear which removes the city's responsibility to provide outerwear.
- One additional week of vacation added at 25 years of service.
- Life insurance increased to \$50,000.
- Rate increases:

- Operations 2% annually, duration of agreement
- All other classifications: Rate adjustment in year one, 1.5%, 2.0%

The Mayor said that the Teamsters are collaborative and reasonable to work with. The Mayor and Superintendent Rosemark are very pleased to present this agreement to Council.

- Mr. O'Donnell asked what contact hours were. The Mayor explained that those are continuing education hours.
- Mr. Furry asked how the spousal coverage requirement is being enforced. The Mayor said it is being monitored. The city needs paperwork stating that there is coverage elsewhere. Children and any other dependents can be on either spouse's plan. If this is violated, employees could be responsible for all their claims and lose their coverage.

ORDINANCE NO. 95-17: Mr. Moran explained that this ordinance is fixing the 2017 annual salaries and hourly rates for the appointed employees. This will change Ordinance No. 4-17, which amended Ordinance No. 75-16. This goes along with the changes described in ordinance No. 94-17.

MISCELLANEOUS BUSINESS: Happy Birthday to President Moran!

As there was no further business by members of Council, the meeting was adjourned at 8:25 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council