

CITY OF ROCKY RIVER

September 23, 2019

The Regular Meeting of Council was called to order by Mr. Moran, President of Council at 7:00 p.m. 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, Mr. Thomas

Law Director: Mr. Bemmer

The meeting was opened with the Pledge of Allegiance.

PRESENTATION OF CERTIFICATE OF RECOGNITION TO JUDITH MAJHER

Mayor Bobst noted that there have been ninety-nine graduates of the Citizen's Police Academy. The Mayor appreciates the generosity of time and spirit from these individuals to the Community of Rocky River. This summer, the 2019 National Citizen's Police Academy Association's Annual Training Conference was held in Memphis, TN and Judith Majher was recognized for her efforts and was presented the National Citizen Police Academy Association Alumni Member Outstanding Achievement Award for 2019. This evening, on behalf of City Council, the City Administration and residents of Rocky River, the Mayor would like to also recognize Judith. Mayor Bobst presented a Certificate of Special Recognition, congratulating Judith on her outstanding achievements, her thoughtful and engaged leadership as President of the Rocky River Citizens Police Academy Alumni Association and for her passionate support of the community and the Rocky River Police Department. The Mayor also presented Judith with a brick from the former Police Department Building along with a pin of the City of Rocky River.

Ms. Majher thanked Mayor Bobst, Chief Stillman, but most of all Lieutenant George Lichman. Lieutenant Lichman has inspired the Academy and the members have learned so much in his class. Judith wants to keep that conversation going and keep the involvement in the city.

Lieutenant Lichman said that Judith has been the President of the Citizen's Police Academy Alumni for three years and has agreed to a fourth year as president. The Alumni Association has sponsored and funded every "Coffee with a Cop" program, they hold at least four educational meetings at the Rocky River Public Library that are open to the public. Director Costello and Mayor Bobst have been a part of these meetings. The Alumni also sends a letter every year on the hire anniversary date for Police Department employees with a small gift card and all new hires a welcome letter. About 45% of the Academy are members of the alumni. The Mayor added that the Alumni help with the Bike Patrol and support the Canine Unit.

The Mayor also thanked Lt. Lichman for his great work with the Academy and the Alumni. President Moran stated that he appreciates the Academy and Alumni and thanked everyone for their time and guidance in keeping the community safe.

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell that the reading of the minutes of the Legislative Meeting of September 9th be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell - aye	Furry - abstain
	Sindelar – aye	Klym – aye	Moran – aye	
	6 ayes	1 abstain	0 nays	PASSED

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Special Meeting and the Committee-of-the-Whole Meeting of September 16th be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – abstain	Furry - aye
	Sindelar – abstain	Klym – aye	Moran – aye	
	5 ayes	2 abstain	0 nays	PASSED

MAYOR'S REPORT:

The Mayor extended her appreciation to everyone who was involved in the “Our Lady of the Wayside Run” this Sunday. Thank you to Director Costello and Commissioner Rich Snyder who kept the roads safe and clean. The Service Department did a great job. Thank you to Gina and Mike O'Shea who were a big part of the run. The Mayor commented about the generosity of the running community and how they take their passion and translate it into raising critical funds. This shows their caring, compassion and generosity. Thank you to everyone that made this a successful event.

The Mayor commented on the County Health Legislation that Council passes annually. The County sent their Semi-Annual Statistical Report to the city listing all the ways they are involved: Immunization Clinics, Lead Poisoning Prevention, Breast and Cervical Cancer Prevention Programs, Indoor Air Quality, Maternal and Child Health Care, Rabies/ Rodent/Mosquito Control, Community Hoarding Response, Injury Prevention, Safe Routes to Schools, all the work the County does with schools and Child Care, Food Protection, Drinking Water Quality and Storm Water Management. The County is also a tremendous resource for the city. The City appreciates their partnership with the County Board of Health Department.

The Mayor stated that budgets are due to Director Thomas and herself by Friday. The administration will be working through the month of October putting the budget draft together for presentation to Council the beginning of November. The Mayor will be meeting with the Directors through the month of October to discuss more of the detail in the budget.

On Wednesday, Magnificat High School will be conducting an emergency drill, which will evacuate the students from Magnificat to City Hall Campus. Director Costello and Mike Balla have been working with Magnificat regarding this drill.

A County Recycling Roundtable will be held on Friday this week. This whole arena has changed significantly over the last few months. The Mayor will share any information from this meeting with Council and the community.

- President Moran asked if some of the additional costs to the city is sorting the recyclables from the blue bag. Would separate bins for these items help with the cost? Director Costello replied that secondary market pressures are driving the cost. For example, glass is transported to Pittsburgh, the closest processing plant that can separate the glass by color. It is a very expensive process. Director Costello has not seen anything that would indicate residential separate bins would help with the cost. It is very difficult to get very clean recycling items. The Mayor added that the most important message the City has today is reuse and reduce. The Mayor has met with a company in the private sector that is starting to

collect single source materials in bins and directly taking them to a manufacturing plant. The Mayor stated that the number one contaminate of recyclables is blue bags. The City pays \$70.00 a ton to recycle and \$50.00 a ton to throw it in a landfill. This is impacting every community. This is a serious and very expensive problem and environmentally a problem the city needs to pay attention too.

LAW DIRECTOR'S REPORT: Mr. Bemer reported that Hope Yantek, from Bea Bubbly LLC reached out to him. Mr. Bemer asked about the rumors of a mobile bar on a bike. Ms. Yantek said she will have nothing like that. She will have a wagon that she will pull to individual customers with untapped kegs and wine according to their private party needs. Ms. Yantek's lawyer is out of town but a letter will be forthcoming detailing her business model. This application will be held until Council receives this letter. The extension is until October 13th.

COMMITTEE REPORTS: Planning, Zoning and Economic Development: President Moran said that there was a Planning Commission Meeting last Tuesday with three issues on the agenda. Valvoline is still working on an egress/ingress situation on Center Ridge Rd; the Bridal Boutique at 20668 Center Ridge Road next to King Wah was passed; and the church situation on Wooster was tabled for more information.

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 61-19

BY: JOHN B. SHEPHERD

**AN EMERGENCY RESOLUTION SUPPORTING THE ESTABLISHMENT OF THE LAKE ERIE
WATER TRAIL AS DESCRIBED IN EXHIBIT A
3rd READING**

Mr. Shepherd said that this resolution will indicate that the city supports and will join the Cleveland MetroParks in their application as a state designated water trail. This designation in setting up a water trail will provide maps and signage to launch watercraft. By obtaining the state designation, they will qualify for reimbursement from state funds for brochures and water trail signs. Safety-Service Director Costello has been invited to be a stakeholder in this process. This will not cost the city anything. Mr. Shepherd moved for passage of Resolution No. 61-19, seconded by Mr. O'Donnell and Mr. Furry. Mr. Moran thanked Mr. Shepherd for all his involvement and representation of Council on this resolution.

Vote: Hunt – aye
Sindelar – aye
7 ayes

Shepherd – aye
Klym – aye

O'Donnell - aye
Moran – aye
0 nays

Furry - aye

PASSED

ORDINANCE NO. 62-19

BY: BRIAN J. SINDELAR

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO
AUTHORIZE A CONTRACT FOR ONE (1) YEAR FOR THE PURCHASE OF JANITORIAL
SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND
MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000.00
3rd READING**

Mr. Sindelar stated that this is literally the annual housekeeping ordinance. Ohio Valley Supply and Maintenance Co. has been the city's preferred supplier for years and were the lowest and best bid. The city can still go out on the Open Market to purchase if pricing is better. Mr. Sindelar moved for passage of Ordinance No. 62-19, seconded by Mr. Furry.

Mr. Shepherd will abstain from voting as Ohio Valley Supply and Maintenance Co. is a client of his. Mr. Furry asked for a notation in the minutes stating that he handled a transfer of the owner of Ohio Valley Supply, which was initiated by the other party last year. He has voted for this in years past.

Vote:	Hunt – aye	Shepherd – abstain	O'Donnell - aye	Furry - aye
	Sindelar – aye	Klym – aye	Moran – aye	
	6 ayes	1 abstain	0 nays	PASSED

RESOLUTION NO. 63-19

BY: MICHAEL P. O'DONNELL

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES HELD FROM THE PROCEEDS OF SPECIAL ASSESSMENTS FOR THE TAX YEAR 2019 PURSUANT TO THE OHIO REVISED CODE

2nd READING

Mr. O'Donnell stated that this resolution has been discussed a few times. This is an annual ordinance requesting money from the County for special assessments so the city can receive the money sooner. This will be read again in three weeks.

RESOLUTION NO. 64-19

BY: MICHAEL P. O'DONNELL

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2019 PURSUANT TO THE OHIO REVISED CODE

2nd READING

Mr. O'Donnell stated that this is a similar resolution to 63-19. This is an annual ordinance requesting money from the County for tax levies so the city can receive the money sooner. This will be read again in three weeks.

AMENDED RESOLUTION NO. 66-19

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR'S OR HER DESIGNEE'S APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION PROGRAM(S) FOR THE COLLVER ROAD / OAK ROAD / MOREWOOD PARKWAY (FROM WAGAR TO RAILROAD TRACKS) STORM AND SANITARY IMPROVEMENT PROJECT AND TO EXECUTE CONTRACTS AS REQUIRED

2nd READING

Mr. Shepherd stated that this is a major sewer project. This application is to request \$4,399,000 of loan funding. Mr. Shepherd will defer more in-depth conversation on this to the next Committee-of-the Whole Meeting.

RESOLUTION NO. 67-19

BY: DAVID W. FURRY

A RESOLUTION REQUESTING THAT THE CITY OF ROCKY RIVER APPLY FOR FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT PROGRAM FOR THE FUNDING OF THE ROCKY RIVER WASTEWATER TREATMENT PLANT FINAL CLARIFIER REHABILITATION PROJECT, AND DECLARING AN EMERGENCY

2nd READING

Mr. Furry said this is a resolution requesting that the city apply for financial assistance from the Ohio Public Works Commission. Mr. Furry spoke with Superintendent McConnell and the biggest cost is to rehab the traveling bridge, mechanisms and tracks that go over the clarifiers, which was last done in 1982. The secondary is basically 35 years old and in poor shape due to constant use. This has been approved by the WWTP Management Committee and is circulating in front of Councils in the Management Committee. This is a

resolution to apply for money and Superintendent McConnell is also checking with the EPA for possible low interest loans. This will be discussed further at the Committee-of-the Whole Meeting in two weeks.

- Mr. Moran asked if Council needs to receive approval from the other cities. The Mayor said that everyone has co-ownership in the plant and in this case, there are four independent owners.

ORDINANCE NO. 68-19

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2019 CRACK & JOINT SEALING PROGRAM IN AN AMOUNT NOT TO EXCEED \$85,600.00
2nd READING

Mr. Shepherd said this is an annual ordinance where money is set aside to seal the cracks and joints in certain select city streets. Mr. O'Donnell did the math and the unit costs is slightly reduced on this ordinance.

ORDINANCE NO. 69-19

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY SERVICE DIRECTOR TO PURCHASE ONE (1) 2019 REFUSE WHITE GOODS TRUCK CHASSIS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING ACT FROM VALLEY FREIGHTLINER, INC. AT A COST NOT TO EXCEED \$77,906.00
2nd READING

Mr. Sindelar said that the current truck is a 2002 and has body condition issues and a number of repairs on the lift that need to be done. This purchase will be for the chassis only and the bidding of a stainless steel body will be down the line. This truck will pick up white goods, which are bulk items as in sofas, refrigerators, etc. This truck will also be used on weekends.

NEW BUSINESS:

ORDINANCE NO. 70-19

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW A CONTRACT WITH CAR PARTS WAREHOUSE FOR VEHICLE MAINTENANCE ITEMS FOR THE CITY OF ROCKY RIVER WITH AN ANNUAL RENEWAL FOR TWO YEARS AT A COST NOT TO EXCEED \$55,000 PER ANNUM
1st READING

Mr. Sindelar mentioned (before leaving at 7:30 p.m.) that this ordinance be postponed indefinitely. Mr. Moran asked for this ordinance to be postponed indefinitely, seconded by Mr. O'Donnell.

Vote: Hunt – aye

Shepherd – aye

O'Donnell - aye

Furry - aye

Klym – aye

Moran – aye

6 ayes

0 nays

PASSED

ORDINANCE NO. 71-19

BY: MICHAEL P. O'DONNELL

AN ORDINANCE PURSUANT TO CITY OF ROCKY RIVER, CODIFIED ORDINANCES, SECTION 133.04, ESTABLISHING A SPECIAL PROJECT DESIGNATION FOR THE CITY OF ROCKY RIVER NEW POLICE STATION PROJECT
1st READING

Mr. O'Donnell said that this ordinance is required so that any investment earnings received as proceeds off the debt issued for purposes of funding the new police department will go into a Special Projects Fund so that money

can be used for the purpose of building the new police department. If this is not established, the Codified Ordinances require that money to go into the General Fund, and the money would have to be allocated separately at that time. This allows any proceeds from the debt issuance to go towards the police department project. Council will have a number of weeks to discuss this but Mr. O'Donnell thinks it makes logical sense to have any proceeds from the debt issuance go to the project. This will have three reads.

ORDINANCE NO. 72-19

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE CUYAHOGA COUNTY AND THE CITY OF ROCKY RIVER REGARDING THE ESTABLISHMENT OF THE CITY'S TEMPORARY PUBLIC SAFETY ANSWERING POINT (PSAP), ATTACHED HERETO AS EXHIBIT A

1st READING

This is a first read. Mr. Hunt said that this is a call center for an emergency telephone number for first responders and dispatching services. Mr. Hunt will get more information and will circulate the information he has including a contract with Council. This is necessary for the police department. Council will review this since this is an intergovernmental agreement.

MISCELLANEOUS BUSINESS: Mr. Moran said that next Monday is the fifth Monday of the month, and Council will not be in session next week. The next meeting will be the Committee-of-the-Whole Meeting on October 7th.

This weekend is Homecoming. Parade participants should be at St. Christopher's parking lot by 5:30–5:45 p.m. There will also be a special gathering at 5:00 p.m. in front of the high school honoring Patrick Green who passed away suddenly this summer. Three alumni classes will also be holding reunions this weekend.

PUBLIC COMMENT: Dr. Rudy Breglia, Avon Lake, OH, is a citizen's advocate for seat belts in school busses with no commercial interest. This is a complex issue with a lot of moving parts. Council should have received an email from him and he has also distributed a hand out to Council this evening. Dr. Breglia has already presented to the Rocky River Board of Education and to the Lakewood/Rocky River Rotary Club. His ultimate conclusion is that seat belts save lives and reduce injuries. His number one conclusion is current Ohio school bus safety features are inadequate to protect children fully. Dr. Breglia summarized that the installation of seat belts in school busses is a substantial, critical and recognized improvement in school bus safety and should be a priority for all of us. Dr. Breglia would like Council to prepare or consider a resolution supporting a pilot program in the Rocky River City School District.

- The Mayor asked what the recommendation for safety belts on school busses is from the National Highway Traffic Safety Administration. Dr. Breglia said that they recommend seatbelts on school busses. The National Highway Traffic Safety Administration make the rules and they require seatbelts in cars, small school busses and commercial motor coaches. The National Transportation Safety Board, last May, recommended that all school busses should have seatbelts.
- President Moran said that this is not an issue for individual cities, but a state issue. Rocky River City School District is aware of this and there are many issues and concerns. Council appreciates your comments.
- Mr. Bemer asked Dr. Breglia, if he has approached State Representatives. Dr. Breglia has but does not think this will happen on a state or federal level. It will have to be by school district. He is trying to obtain grant funds for volunteer school districts to conduct pilot programs.

As there was no further business by members of Council, the meeting was adjourned at 7:50 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council

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