

CITY OF ROCKY RIVER

September 13, 2021

The Regular Legislative 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. Shepherd, Mr. O'Donnell, Mr. Furry,
Mrs. Morris, Mr. Klym, Mr. Moran

Absent: Mr. Hunt

Administration: Mayor Bobst, Mr. Thomas

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Legislative Meeting of July 26th, be waived, and that the minutes be accepted as submitted.

Vote: Shepherd – aye	O'Donnell – aye	Furry – aye	
Morris – aye	Klym – aye	Moran – aye	
6 ayes		0 nays	PASSED

MAYOR'S REPORT:

The Mayor opened her report by announcing the passing of Bill Welsh early this past Saturday morning. Bill faithfully attended every City Council Meeting for the last 16 or 17 years. Bill became interested in the work of City Council after a sewer project in his neighborhood. Bill cared deeply for the community, always asked good questions and was very engaged in purchasing items especially fire trucks and police cars. Bill worked for the Sheriff's Office for 41 years and has lived in Rocky River for an extended period of time. The Mayor will miss his timing of her report to be sure it did not last too long. President Moran and the Mayor were able to visit with Bill Tuesday evening and presented him with the plaque that is mounted on the chair that Bill sat in every Monday. This seat will forever be Bill Welsh's seat. Upon leaving Bill's home, the Mayor talked about his influence on Council and the community by attending every meeting and knowing and caring what Council was doing. His attendance was very meaningful and sometimes he was an important defender of the process. The Mayor will miss Bill as Mayor, but also she will miss him personally. Our love is extended to Rosemary Welsh as well. Bill and Rosemary took good care of Council at Christmas with a tray of delicious homemade Christmas cookies that were shared. The Mayor noted that Bill served this body almost as long as most of the current Council members and thought it was fitting to name Bill the Honorary Eighth Member of City Council. Unfortunately, the Mayor and Council President were unable to administer the Oath of Office, but the sentiment is shared among all of Council that that is how we felt about him as he watched over the process of City Council.

The Mayor thanked all the members of the community that participated in the 9/11 Service on Saturday morning. Council members, Chief Lichman and Chief Lenart were in attendance. This year 20-year service commendation bars were presented to all of the city's safety forces that served in 2001 and continue to serve today. The ceremony also included a Tolling of the Bell by Chief Lenart and Captain

Bednarski. There were three tolls, three times, signifying final duty. The Mayor appreciates everyone at Memorial Hall, especially George and Mike for their help with the ceremony. Thank you also to Mary Ellen Umerley for the beautiful program and the Fire Department for the luminaries that represent the 343 firefighters that were lost during 9/11.

The city has received notification of several grants received. A letter was received from F.E.M.A., the Department of Homeland Security and the Aid to Firefighters Assistant Grant that the City of Rocky River will be receiving \$175,686.00 to be used for air tanks, breathing apparatus with a total project cost of \$193,255.00. The city will be paying for 10% of this project or a total of \$17,568. This will bring the SCBA's up to the standards of the entire WestShore so everyone is on the same system with our mutual aid partners. Thank you to Chief Lenart and Captain Bednarski for securing these dollars.

The City received a formal congratulations on receiving a \$100,000 award from the Ohio Department of Natural Resources for the ADA compliant boardwalk at Bradstreet's Landing.

The Cleveland Water Department released their list of funded projects and the city is receiving \$983,000 for Lake Road and Kensington Road. The Lake Road funding is for the replacement of the 16-inch waterline and the abandonment of a 4-inch waterline that is no longer needed. This is a very large project. The Mayor will give Council the total dollars received from the Cleveland Water Department over the past several years.

There is a Grant Program that the city will be pursuing launched by Governor DeWine regarding a Water and Wastewater Infrastructure Grant Program. This program applies to sewer collection systems and WWTP's. The city will use this to apply for additional funds for projects being worked on. The U.S. Congress accepted the city as a high priority community project for the Buckingham, Argyle and Arundel project. The administration is very pleased to secure these outside funds and leverage local funds to complete these necessary projects.

The Mayor announced that the new EMS squad has arrived. It looks incredible and the fire department did a great job at defining what was needed and securing this critical new squad.

The Mayor along with Director Thomas participated in a phone conference last Thursday with the County Auditors regarding the Triennial Valuation. This is a reassessment of valuation of properties, which translates into total valuation for the city. This is an evaluation from January 2018 through the end of 2020 and includes the first four months of 2021. Property owners will be alerted to their re-evaluation for their properties in late September. The County will hold meetings in North Olmsted, Middleburg Heights and Lakewood through the month of October so that property owners can discuss their new valuations with the auditors. Across the entire county, the valuation increase averages 16%; Rocky River residential is at 19% with a total valuation of \$1.1 billion. The Mayor will discuss this further as it impacts the budget. More accurate projection numbers will be received from the County in December. The property tax costs are made up of several political subdivisions that have taxing authority, including the city, the schools, the Port Authority, the MetroParks and the library, etc. Currently, of every \$100.00 in property tax, about \$8.30 is paid to the city of Rocky River and the rest is distributed to the other authorities listed on the tax bill. Much of the city's revenue is based on income tax.

The Mayor gave a Building Department update: As of the end of August 1,256 permits have been pulled which is up from this time last year. A total valuation of these permits and improvements is \$31,599,000, which is slightly under last year at this time. The Building Department has a new Property Maintenance Inspector, Kevin, who started today.

The City has begun the evaluation on the insurance coverage provider, McGowan, through Crain Langner who was the consultant last year. Information will be forwarded to Council for any type of renewal or rebid. This renewal is due at the beginning of December.

The Mayor announced that September 22, 2021 at 3:00 p.m. the Police Station dedication will take place. The following weekend will be public tours. There will also be some tours during the dedication.

The Fall Arts Festival is this Saturday on Old Detroit from 10:00 a.m. until 5:00 p.m. The Festival is sponsored by the Rocky River Parks and Recreation Foundation. They have done great projects, most recently the Pavilion at Rocky River Park.

- Mrs. Morris asked if there was any service information for Bill Welsh. Mr. Moran and the Mayor responded that they have not yet seen an obituary.
- Mr. Klym mentioned that the Fall Arts Festival is this weekend, along with music and food. The Foundation has recently announced a membership program that any member of the community can join. There are different levels of membership and it is a nice way to give back to the parks. There will also be annual memberships to help support ongoing projects of the Foundation. If interested, the link is: <https://rrparksandrecfoundation.com/partnership-program>.

LAW DEPARTMENT: Mr. Bemer stated that during Council Recess, the Building Department has continued to be busy. Mr. Bemer passed kudos on to Commissioner Ray Reich, who has been diligent in reviewing ancillary code provisions, property maintenance and building code issues. Mr. Bemer anticipates this to come to Council in the very near future. The Planning Commission process in reviewing the entire Development Code is progressing and he anticipates additional time will be needed to complete this project.

COMMITTEE REPORTS: Parks, Recreation and Health: Mr. Klym reported that the Parks and Rec Committee is meeting this Wednesday at 7:15 p.m. in the Pavilion at the Ice Rink.

COMMUNICATIONS FROM COUNCIL: President Moran said that from all of Council, Bill Welsh was a friend of City Council, the administration and a watchful eye of the city. He was a resident for many years, living at his current address for more than 35 years. He attended almost every Council meeting for the last 16 years and was an involved member of the Charter Review Commission. He listened intently to the police scanner and to say that Bill will be missed is putting it mildly. City Council sends their condolences to Bill's wife Rosemary and may God bless Bill and may he rest in peace in eternity with HIM.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 55-21 **BY: MICHAEL P. O'DONNELL**
AN ORDINANCE DESIGNATING THE PUBLIC DEPOSITORIES FOR THE ACTIVE, AND INTERIM AND/OR INACTIVE FUNDS OF THE CITY OF ROCKY RIVER FOR THE PERIOD BEGINNING NOVEMBER 1, 2021 AND ENDING OCTOBER 31, 2026
ON HOLD

Mr. O'Donnell said this was being discussed before recess and relates to the Public Depositories. Mr. Thomas has asked that this ordinance be held as there may be an amendment with emergency language. Mr. Thomas has not received a response from all of the financial institutions listed.

RESOLUTION NO. 56-21**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
2021 PURSUANT TO THE OHIO REVISED CODE****3rd READING**

Mr. O'Donnell stated that this is an annual resolution and has been discussed since July. Essentially, the County collects the tax dollars on behalf of the city and ultimately releases the funds to the city. If this resolution is passed, the County will send the funds to the city earlier. Mr. O'Donnell moved for passage Resolution No. 56-21, seconded by Mr. Furry.

Vote: Shepherd – aye	O'Donnell – aye	Furry – aye	
Morris – aye	Klym – aye	Moran – aye	
6 ayes		0 nays	PASSED

RESOLUTION NO. 57-21**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 2021 PURSUANT TO THE OHIO REVISED CODE****3rd READING**

Mr. O'Donnell stated that this is a companion resolution to 56-21. It is nearly identical except that 57-21 relates to proceeds from special assessments collected by the County. If this collection is requested, the County will provide the funds to the city sooner. Mr. O'Donnell has not had any questions regarding Resolution Nos. 56-21 or 57-21. Mr. O'Donnell moved for passage, seconded by Mr. Furry

Vote: Shepherd – aye	O'Donnell – aye	Furry – aye	
Morris – aye	Klym – aye	Moran – aye	
6 ayes		0 nays	PASSED

ORDINANCE NO. 58-21**BY: JAMES W. MORAN****AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-
SERVICE TO EXTEND 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****2nd READING**

Mr. Moran said that this ordinance is based on a quote received in 2019 and Ohio Valley has agreed to extend the same pricing. The city has had excellent luck with Ohio Valley Supply and Maintenance Co. This will be read for a third time in two weeks.

NEW BUSINESS:**RESOLUTION NO. 59-21****BY: MICHAEL P. O'DONNELL****AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A FUND
ENTITLED “LOCAL FISCAL RECOVERY FUND”, FUND NUMBER 220 TO ACCOUNT FOR
THE AMERICAN RESCUE PLAN ACT (ARPA) RESOURCES PROVIDED TO THE CITY OF
ROCKY RIVER****1st READING**

Mr. O'Donnell stated that the city is receiving just over a million dollars through the American Rescue Plan Act Fund, and in order for the city to comply and receive those dollars a new account needs to be set up. This resolution authorizes the opening of this account. This will have three full reads.

RESOLUTION NO. 60-21

BY: MICHAEL P. O'DONNELL

A RESOLUTION ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE CUYAHOGA COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE CUYAHOGA COUNTY FISCAL OFFICER AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

Mr. O'Donnell said this resolution accepts the rates from the Cuyahoga County Budget Commission who went through and determined what the millage should be. Mr. O'Donnell said this millage is a reduction from last year in particular the General Bond Retirement millage has been reduced to .75 mills. Last year it was .78 mills. It is possible it may be decreased further. Mr. Thomas said the purpose of the levy is to service the debt that was incurred for the Civic Center expansion. With the growth in the tax base, there is no need to collect that amount. Given the late news of the valuation increase, there may be a reason to modify that further by reduction. Mr. O'Donnell stated that this may be amended and will have three reads.

RESOLUTION NO. 61-21

BY: ALL MEMBERS OF COUNCIL

AN EMERGENCY RESOLUTION RATIFYING THE ACCEPTANCE OF THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT

1st READING

Mr. Moran said this provides a settlement from McKesson Corporation, Cardinal Health Inc. and AmerisourceBergen Corporation for the Opioid Settlement Agreement and how much money the city will receive. Mr. Bemer said the Attorney General Office asked the city to adopt this resolution. The Mayor was unavailable, President Moran was unavailable and Mr. Hunt, President Pro Tem signed a resolution that was modified as a potential ratification of that approval by City Council. Mr. Bemer was not clear how much the city would receive but it appears if the state had 100% participation, the distribution of funds would increase, but if it did not the funds would decrease. The Chief of Police has avenues to spend this money, one of which would be to pay the WestShore Enforcement Bureau the city's contribution to fight the Opioid epidemic.

- Mr. Moran asked if this could be used to purchase Narcan. Mr. Bemer said absolutely.
- Mrs. Morris asked if this could be funneled into the Court System. Mr. Bemer said no as the Courts is a separate entity from the city.
- Mr. Furry asked about the subdivision population of 10,000 or more. Mr. Bemer said that it is communities of 10,000 or more, however there were smaller communities that did participate as party plaintiffs in the litigation and would also share.

ORDINANCE NO. 62-21

BY: DAVID W. FURRY

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ROCKY RIVER AND R2O CONSULTING, LLC. FOR PROFESSIONAL ENGINEERING SERVICES - CALIBRATED SANITARY HYDRAULIC MODELING FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT (WWTP) IN

**AN AMOUNT NOT TO EXCEED \$541,181 AS FURTHER DESCRIBED IN EXHIBIT “A”
1st READING**

Mr. Furry will discuss this further at the Committee-of-the Whole Meeting next week.

ORDINANCE NO. 63-21 **BY: MICHAEL P. O'DONNELL**
**AN EMERGENCY ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE
CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL
YEAR ENDING DECEMBER 31, 2021 AND TO AMEND AMENDED ORDINANCE NO. 95-20
1st READING**

Mr. O'Donnell said the Budget was passed last year, but this ordinance will reflect changes of things that were not anticipated on both sides of the ledger. The attached Exhibit A shows the changes and includes change orders for the building of the Police Department, reflects the CARES Act dollars that were received, changes related to the Municipal Court and changes related to the Fire Department for overtime and pension contributions.

ORDINANCE NO. 64-21 **BY: MICHAEL P. O'DONNELL**
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY
THE CITY OF CLEVELAND DIVISION OF WATER A REIMBURSEMENT FOR THE 2020
SHORELAND AVENUE AND STRUHAR DRIVE WATER MAIN IMPROVEMENT PROJECT
IN THE AMOUNT OF \$73,708.97
1st READING**

Mr. O'Donnell said the City of Cleveland Division of Water advanced the funds for this project. As the cost was under budget, the balance needs to be reimbursed to the City of Cleveland Division of Water. This will have three reads.

ORDINANCE NO. 65-21 **BY: MICHAEL P. O'DONNELL**
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY
THE CITY OF CLEVELAND DIVISION OF WATER A REIMBURSEMENT FOR THE 2020
STORY ROAD WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$3,108.56
1st READING**

This is a similar ordinance to 64-21, but related to the Story Road Water Main Project that the City of Cleveland Division of Water advanced funds for this project. The cost came in under budget, so the balance needs to be reimbursed to the City of Cleveland Division of Water. This will have three reads.

RESOLUTION NO. 66-21 **BY: JOHN B. SHEPHERD**
**A RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO PREPARE AND
SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS
COMMISSION STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION
IMPROVEMENT PROGRAM FOR THE ROCKCLIFF DRIVE STORM SEWER, SANITARY
SEWER, WATER MAIN AND PAVEMENT REPLACEMENT AND TO EXECUTE
CONTRACTS AS REQUIRED
1st READING**

Mr. Shepherd said this is the latest continuation of the project to correct problems with the sewer systems in the city. This authorizes the city to apply to the Ohio Public Works Commission for funding for engineering and design of a proposed project on Rockcliff. Rockcliff is off Wooster and is the entrance to the MetroParks. This sewer system has inverted sewers where the sanitary is above the storm and feeds

into the Magnolia Drive system where there is a sanitary overflow. This project will include waterlines being fixed, repaving and sidewalk replacement. This will conform with the short term and intermediate plans set forth by the Community Confluence of the Cuyahoga County Planning Commission. This is the only access point to the MetroParks in the City of Rocky River. The estimated cost of the engineering is \$250,000 and with this application, if authorized, the city is asking for \$200,000 of funding.

- Mrs. Morris asked what the confluence project plan is for Rockcliff. The Mayor said the plan will be determined by the design to enhance the access of the MetroParks and the connectivity to Wooster, Hilliard, Detroit into Lakewood.

PUBLIC COMMENT: NONE

MISCELLANEOUS BUSINESS: Mr. Moran said the next meeting for City Council will be held on September 20th in City Council Chambers beginning at 7:00 p.m. Mr. Moran wished Mr. Furry a happy belated birthday!

The meeting was adjourned at 7:49 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council