

**CITY OF ROCKY RIVER**

**July 11, 2022**

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. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry, Mrs. Morris, Mr. Sindelar, Mr. Moran

Administration: Mayor Bobst, Mr. Thomas, Mr. Snyder

Law Director: Mr. O’Shea

The meeting was opened with a Pledge of Allegiance.

**MOTION:**

Moved by Mr. Moran seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of June 27<sup>th</sup>, be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	<b>PASSED</b>

**MAYOR’S REPORT:**

The “Taste of Rocky River” was held two weeks ago and was a huge success. The Rocky River Chamber of Commerce was thrilled with the turnout and the Mayor has already met with the Chamber to discuss how to expand for next year at the same location. Thank you again to the Chamber of Commerce, sponsors and participating restaurants. It was a great event.

“Pie in the Park” was held last night with “Revolution Pie” Band playing at Rocky River Park. The Mayor thanked the Councilmembers for attending and helped serve the pie. The park was filled with the largest crowd yet. The Mayor thanked the Parks and Recreation Department and Director Holub, the Service Department for their work at the park and Mary Ellen Umerley who secured the pies. The Mayor said that the local bakers are very generous in providing the pies. A big thank you to everyone and the philanthropic efforts of the Parks and Recreation Foundation in building the new pavilion. The band sounded great.

The Mayor stated that bids would be received this week for paving for the sidewalk program and the firetruck pumper bid that was received last week. Legislation will be forthcoming towards the middle to the end of the month knowing that August will be a recess month. The paving bid had to be rebid as the first bid came in higher than the engineer’s estimate. The sidewalk contract needed preliminary work and inventory on the public and private side for the specifications for the scope. This work was completed by Mark Filipic in Safety Services for a more accurate bid. Council will receive this legislation at their places at next Monday’s Council Meeting.

The Mayor shared Building Department Statistics:

- Permits for the end of June 2022 are up at 873 permits. The all-time highest was in 2020 at 716 permits at this point. However, the valuation this year is lower by about \$5 million but ahead of

the five- and ten-year average for valuations. The city is close to \$21,435,000 in new valuation showing that investment continues in both commercial and residential.

The Mayor congratulated Director Snyder in securing the 50/50 Pavement County Grant for Hilliard Blvd. between Gasser and Wooster. This award is not to exceed \$239,000 and will be a 2023 project.

The Mayor shared with Council the following information about Comsat Architects led by Dr. Kul Bhasin, located in Rocky River.

- Comsat Architects develop software architecture, design, and analysis to enable space communications connectivity in Earth and lunar environments. Comsat Architects Employees were awarded for work on NASA Human Research Program. Five employees from Comsat Architects, and their NASA Project Manager were recognized by program leadership for outstanding leadership or scientific accomplishment in support of the mission of the Human Research (HRP). The HRP Program Director awarded the team the Human Research Program Xcellence Award, the highest honor in the program for leading the way in rapid prototyping and agile development that led to the delivery of the Systems Platform for Aggregating and Relating Capabilities (SPARC) tool in under 8 months. The team of awardees will be receiving a patch that was flown aboard the Orbital Atlas-9 Cygnus vehicle which then transferred to the International Space Station, where it flew more than 29.9 million miles between May 24<sup>th</sup> and July 2<sup>nd</sup>, 2018.
- By implementing Agile methodologies, Comsat Architects continuously delivers new, operational releases of SPARC, a web-based application for visualizing and integrating information from multiple sources throughout NASA's Space Operations and Mission Directorate and NASA's Office of the Chief Health and Medical Officer (OCHMO), including human space flight standards, exploration program requirements, and human system risks in record time. The goal of the application is to enable easier access to the information contained within the data, relate the information for use by multiple different stakeholders, and visualize it in a user-friendly way.
- The goal of the Human Research Program is to enable space exploration beyond Low Earth Orbit by reducing risks to human health and performance through a focused program of basic, applied, and operational research. This leads to the development and delivery of human health, performance, and habitability standards; countermeasures and other risk mitigation solutions; and advanced habitability and medical support technologies for humans sent to space.

The Mayor stated that Comstat has very, very talented researchers and software developers dedicated to extremely important work.

The Mayor announced that the Senior Center will be submitting a grant application to NOACA for Senior Transportation new vehicle. Director Snyder has been helpful in assisting Director Huff with the grant proposals. The city has received NOACA dollars before, but there are additional dollars available this year for senior transportation due to federal money. It is anticipated that this will be for a smaller transit vehicle.

The Mayor also announced that the "Memory Lane Car Show" will be held this Sunday.

**LAW DEPARTMENT: NONE**

**COMMITTEE REPORTS: NONE**

**COMMUNICATIONS FROM COUNCIL: NONE**

**PUBLIC COMMENT: NONE**

**UNFINISHED BUSINESS:**

**RESOLUTION NO. 35-22** **BY: JAMES W. MORAN**  
**A RESOLUTION AUTHORIZING THE CERTIFICATION OF UNPAID PROPERTY MAINTENANCE COSTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**  
**3<sup>rd</sup> READING**

President Moran moved to amend Resolution No. 35-22 by substitution of the exhibit, seconded by Mr. Furry. There was a reduction in the property maintenance listed on the exhibit.

Vote:	Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
	Morris – aye	Sindelar – aye	Moran - aye	
	7 ayes		0 nays	<b>PASSED</b>

**AMENDED RESOLUTION NO. 35-22** **BY: JAMES W. MORAN**  
**A RESOLUTION AUTHORIZING THE CERTIFICATION OF UNPAID PROPERTY MAINTENANCE COSTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**  
**3<sup>rd</sup> READING**

President Moran said this is to certify the unpaid property maintenance costs to the Cuyahoga County Fiscal Officer for collection. One of the issues was paid so the remainder of the three will be sent to the Cuyahoga County Fiscal Officer. Mr. Moran moved Amended Resolution No 35-22 for passage, seconded by Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
	Morris – aye	Sindelar – aye	Moran - aye	
	7 ayes		0 nays	<b>PASSED</b>

**ORDINANCE NO. 39-22** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC. FOR THE 2022 WATER MAIN REPLACEMENT AND PAVEMENT RESURFACING FOR ERIE ROAD, FAIRHILL DRIVE AND NELSON PARK DRIVE IN AN AMOUNT NOT TO EXCEED \$2,549,471.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**  
**3<sup>rd</sup> READING**

Mr. Shepherd stated that this ordinance will allow the city to replace the aging waterlines on these streets. The first stage will be Fairhill and Nelson Park followed by Erie. It was put out to bid with two responsive bids with Fabrizi being the low bidder. Fabrizi came in slightly above the engineer's estimate but not outside the 10% rule, so it does not need to be rebid. References and qualification for Fabrizi were all favorable. This includes repaving and curb repair as needed. Mr. Shepherd moved for passage of Ordinance No. 39-22 seconded by Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
	Morris – aye	Sindelar – aye	Moran - aye	

7 ayes

0 nays

**PASSED**

**ORDINANCE NO. 41-22** **BY: JAMES W. MORAN**  
**AN EMERGENCY ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION POLICE STATION IMPROVEMENT BONDS OF THE CITY OF ROCKY RIVER, OHIO IN A PRINCIPAL AMOUNT NOT TO EXCEED \$9,900,000 TO RETIRE, TOGETHER WITH OTHER AVAILABLE MONEY, THE CITY'S BOND ANTICIPATION NOTES ISSUED TO PAY THE COSTS OF CONSTRUCTING, EQUIPPING, FURNISHING AND OTHERWISE IMPROVING A NEW POLICE FACILITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO**  
**2<sup>nd</sup> READING**

Mr. Moran stated this ordinance gives authorization to issue bonds on an amortizing payment schedule to replace one-year notes the city had issued. The city has paid about 22% of the cost of the facility from available reserves. The ordinance authorizes retaining the law firm Calfee, Halter & Griswold to serve as Bond Counsel. Director Thomas added that his office is lining up the schedule to get the transaction accomplished in September when the maturity comes through and this is part of the calendar of events.

**RESOLUTION NO. 42-22** **BY: JAMES W. MORAN**  
**A RESOLUTION AUTHORIZING THE CERTIFICATION OF DELINQUENT SANITARY SEWER ACCOUNTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION, IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**  
**2<sup>nd</sup> READING**

Mr. Moran said this resolution makes sure the city can collect the delinquent sanitary sewer accounts. The hope is the exhibit will be revised by the end of July due to the city receiving payment for these accounts. The accounts that are not paid will be sent down to the Cuyahoga County Fiscal Officer for collection.

**RESOLUTION NO. 43-22** **BY: JAMES W. MORAN**  
**A RESOLUTION ACCEPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF ROCKY RIVER, OHIO FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2023 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**  
**2<sup>nd</sup> READING**

Director Thomas puts this together with input from the Mayor as a first pass of the 2023 budget. This is in a summary form of a rough draft called the "alternative tax budget information". This includes known costs as well as some projections.

**RESOLUTION NO. 44-22** **BY: JAMES W. MORAN**  
**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"**  
**2<sup>nd</sup> READING**

Mr. Moran stated that each year there is an outline of the millage set at 10.55% with inside and outside millage. In addition to the General Fund of 6.3 mills, several city activities have levies that are part of the total 10.55 mills. These include:

- Senior Center – 0.50 mill
- Refuse & Recycling – 1.00 mill
- Recreation Center – 0.50 mill
- Bond Retirement – 0.65 mill
- Fire Pension – 0.30 mill
- Police Pension – 0.30 mill
- Capital Improvement – 1.00 mill

The debt millage went from .78 to .75 mills which means taxes will be reduced. This will be discussed further at next week's meeting.

**NEW BUSINESS:**

**ORDINANCE NO. 45-22** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE JANITORIAL SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

**1<sup>st</sup> READING**

Mr. Sindelar stated that this is literally a housekeeping ordinance. Mr. Sindelar expects three full reads. Ohio Valley is a long-standing supplier and the city is happy with their service.

- Councilman Shepherd will need to recuse himself as he has a business relationship with Ohio Valley.
- Councilman Furry did a transaction with the owner three years ago. Law Director O'Shea said Mr. Furry does not need to be recused.
- Councilwoman Gallagher is a long-time acquaintance and will need to be recused also.

**CONSENT AGENDA:**

**RESOLUTION NO. 36-22** **BY: ALL COUNCIL MEMBERS**  
**A RESOLUTION ESTABLISHING THAT ROCKY RIVER CITY COUNCIL SHALL RECESS DURING THE MONTH OF AUGUST IN 2022**

**3<sup>rd</sup> READING**

President Moran said for the last 20 plus years Council has passed this resolution to establish a recess for the month of August to allow for vacation for City Council and the administration. Other cities have recess for two months.

**ORDINANCE NO. 37-22** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH AECOM TECHNICAL SERVICES FOR THE PRIVATE PROPERTY DYE TESTING OF LAKEVIEW AND HAMPTON ROADS PROJECT IN AN AMOUNT NOT TO EXCEED \$199,575.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

**3<sup>rd</sup> READING**

Mr. Shepherd said the city is under a mandate by the EPA to remove sanitary sewer overflows in the

city. All have been removed but two. This authorizing a contract with AECOM for the dye testing of Lakeview and Hampton. Public side improvements have been done but the problem is still not rectified. AECOM will handle communications with the residents with public meetings and modeling of the sewers.

**ORDINANCE NO. 38-22** **BY: JAMES W. MORAN**  
**AN EMERGENCY ORDINANCE AMENDING ORDINANCE 19-22, FOR POSITIONS AND**  
**FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES**  
**COMMENCING JANUARY 1, 2022 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL**  
**DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER**  
**3<sup>rd</sup> READING**

This amends Ordinance No 19-22 with an increase maximum for lifeguards to \$15.00 an hour and an increase maximum to \$20.00 for the pool supervisor. The Lead Supervisors in the Service Division will receive a CDL stipend.

**ORDINANCE NO. 40-22** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY**  
**SERVICE TO PURCHASE PARTS AND SERVICE AS NEEDED FROM WESTLAND**  
**HEATING AND AIR CONDITIONING, IN AN AMOUNT NOT TO EXCEED \$35,000.00, AS**  
**FURTHER DESCRIBED IN EXHIBIT “A”**  
**3<sup>rd</sup> READING**

Mr. Sindelar stated that this has been discussed for a couple of weeks with few questions. Westland comes highly recommended and are very amenable to scheduling during an emergency.

President Moran moved for passage of Resolution No. 36-22, Ordinance Nos. 37-22, 38-22 and 40-22, seconded by Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
	Morris – aye	Sindelar – aye	Moran - aye	
	7 ayes	0 nays		<b>PASSED</b>

**MISCELLANEOUS BUSINESS: NONE**

**PUBLIC COMMENT:** Mr. Robert Jurs, 20816 Beaconsfield Blvd. would like to discuss the paint dots on the sidewalks and why this is being done. Mr. Jurs mentioned a city snowplow cracked his sandstone sidewalk this winter. Mr. Jurs asked if the intention of the city is to replace every pink dot placed on a sidewalk? The Mayor explained that if it is an issue with a tree lawn tree or utilities, the city will pay for the replacement. Mr. Snyder added that the code describes the condition of a sidewalk that will need replaced. This program began last year with the intent to go through the city on a five-year rotation. The Master Plan states that Rocky River is a walkable community and there have been many requests by residents to fix the sidewalks. Mr. Snyder said the goal of this program is to alleviate tripping hazards. If there is a subjective reason for not removing a sidewalk, Director Snyder will come out to evaluate. Mr. Jurs asked if this is an attempt to move into a Point-of-Sale Inspections. The Mayor and Director Snyder said this is to make the community safe.

As there was no further business by members of Council, the meeting was adjourned at 7:45 p.m. The next City Council Meeting will be held on July 18, 2022 in Council Chambers, beginning at 7:00 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council