

CITY OF ROCKY RIVER

November 14, 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

Assistant Law Director: Mr. Dever

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 October 24th and the November 7th Committee-of-the-Whole Meeting 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		PASSED

MAYOR’S REPORT:

The Mayor announced good news relating to ARPA Funding through Cuyahoga County:

- The WestShore Technical Response Team submitted a request for a little over \$89,000 for new and replacement equipment for the Technical Response Team which is on the firefighter side of the safety forces through the WestShore Council of Governments. That was heard in front of the Public Safety Committee and was unanimously approved and forwarded to County Council for their approval. The City of Rocky River extends thanks to Dale Miller and Nan Baker who sponsor and support this request. They each are contributing about \$45,000 from their allocation.
- The Mayor reported that County Council voted on the Consolidate Dispatch Operational Plan request that is a not to exceed \$225,000 and was approved unanimously and should be received shortly.
- The Mayor also announced that a check in the amount of \$1,217,000 was received today and deposited and will be used for the Police Department’s firing range. The Mayor thanked City Council for their support in submitting these requests. This totals more than \$1,500,000 between the city and the WestShore Council’s requests.

The Mayor shared Building Department Stats through October 2022:

- Building Department permits have lagged just slightly by about 50 permits; however, the valuation is slightly above this time last year at \$38,273,000. The city was around \$34,000,000 at the end of September 2022. The Mayor has more detail if City Council would like to have it.

The Fire Department report was distributed, per the request of Councilman Sindelar. Ambulance billing can also be broken down if Council is interested. The administration will also have a year-end report for Council. Councilman Sindelar thanked the Mayor for this information.

The Mayor stated that the parks are being prepared for winter. Swings are coming down and restrooms will be closed so that the waterlines can be winterized.

The Mayor discussed the I & I project taking place on Lakeview last week. This project between Hampton and Lakeview totals about 122 homes so far. 105 homes have been tested and 57 of those tested positive which means dye has floated into the sanitary sewer from a gutter, a drain in the driveway, a window well, etc. About 54% of the homes tested already have tie-ins. This work is with US EPA and removing inflow and infiltration is extremely important work with the US EPA. Thank you to Director Snyder for this interim report. The Mayor stated that at the same time the city is evaluating everything to the lateral to be sure there is not a deficit in the system. A resident can take this information when working with their contractors to distinguish what needs addressed and repaired. The Mayor will share the reports from AECOM with Council. It will be up to the homeowner to make these corrections and bring their home into compliance with the 1972 Clean Water Act.

The 12th Class of the Citizen's Police Academy begins on January 10th, 2023 through March 28th. The classes are from 6:30 – 9:30 p.m. This is a highly successful program. The participants understand the important work of the police concerning how and why things are done. It creates awareness and good will for the police department. Many of the cadets that graduate join the Citizen's Police Academy Alumni and raise critical funds for the police department which is very much appreciated.

The Mayor mentioned that the Senior Center's Senior Theater Group will have a performance of "Justice For All" this Wednesday. The Senior Center is also coordinating leaf raking for senior residents with volunteers from scout troops, the high school and the middle school. Any seniors that need assistance please contact Director Huff's office or the Mayor's office.

The Mayor had a meeting last week through the Cuyahoga County Planning Commission. The Planning Commission works with the Cuyahoga Solid Waste District. The Solid Waste District will recycle campaign signs (sleeves, cardboard, plastic or coroplast) that can be dropped off at the Service Garage. The Solid Waste District also sponsors Fix-it CLE the second Saturday of the month which brings together individuals that have an item that needs fixed with individuals that know how to fix things like a small appliance, clothing that needs to be stitches and things with adhesives and fasteners and it is all to continue to use, reuse the item or upcycle that item. If there are questions please call the Cuyahoga Solid Waste District and if anyone is interested in helping fix things they are looking for people to match up with the need. It will reduce waste, saves money and is a great opportunity for residents.

LAW DEPARTMENT: Mr. Dever shared with Council that his daughter Monica and his niece Bridget were at the Ohio Supreme Court today being sworn-in as new lawyers by the Chief Justice and the rest of the court. Mr. Dever stated it was a great honor to be there and he is a very proud father.

COMMITTEE REPORTS: Parks, Recreation and Health Commission: Mr. Furry reported that the Parks and Rec Commission met last week and the fees that were approved were for softball, personal training and also learning to play guitar and piano which are online programs that were very successful during the pandemic. These fees will not come in front of Council.

Finance Committee: Mr. Moran stated that Council received their 2023 Budge Book this evening. The Finance Meeting is December 2nd and this evening Council will have their first read on the budget legislation.

COMMUNICATIONS FROM COUNCIL: Councilman Shepherd discussed the number of recreation members waiting to play pickleball at the rec center today compared to the number of members that were actually playing. Mr. Shepherd said that possibly the program could be expanded by adding more hours or days for pickleball. Councilman Furry will check with Director Holub.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 65-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR THE BRADSTREET'S LANDING WATERFRONT PHASE II IMPROVEMENT PROJECT CONSTRUCTION MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$217,134.00, AS FURTHER DESCRIBED IN EXHIBIT "A"
2nd READING

Mr. Shepherd stated that this authorizes the city to enter a contract with Quality Control Inspection for Phase II Construction Management Services for the Bradstreet's Landing Project. The city used this company for the first phase of this project and have been happy with their work. Their bid came in at 7% of the estimated cost of Phase II, which is at the low end for a construction oversight of a project this size. The scope of the project and the scope of their services has been discussed.

- Mr. Furry asked if Council will know by the third read if the project is a go or not. The Mayor responded yes, but this legislation will not be passed until that is in place or in process. Mr. Shepherd added that if the project does not go forward, nothing will be paid under this contract.

ORDINANCE NO. 66-22 **BY: BRIAN J. SINDELAR**
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE A COMMODITY BUILDING FOR THE SERVICE DIVISION FROM CLEAR SPAN, AT A COST NOT TO EXCEED \$113,388.67, AS FURTHER DESCRIBED IN EXHIBIT "A"
2nd READING

Mr. Sindelar said that a Commodity Building houses dry goods along with some equipment. This is a parachute type construction and is a low-cost investment for a potential long-term savings by keeping bulk materials dry and away from the elements.

- Mr. Furry said the quote is good for 10 days from August 18th. Mr. Snyder said he confirmed that the quote is still good.

ORDINANCE NO. 67-22 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE GASOLINE, FUEL OIL AND ALLIED PRODUCTS ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023
2nd READING

Mr. Moran said the Safety-Service Director and his assistant have the opportunity to buy gas at a better price than what the state bid is at saving approximately 20-26 cents a gallon on unleaded and more or less on diesel fuel. The city gets gas every three weeks which is a substantial amount of money. The average is \$2.37 for unleaded in 2021 and the state bid was at \$2.59. Thank you to Director Snyder for the extra work and the money he saves the city.

ORDINANCE NO. 68-22

BY: JAMES W. MORAN

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE TIRES ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2023 TO DECEMBER 31, 2023

2nd READING

Mr. Moran said this is similar to the last ordinance but this is for the purchase of tires on the Open Market. The city saves money by purchasing outside the State bid but can still use the State bid if it is a better price.

ORDINANCE NO. 69-22

BY: DAVID W. FURRY

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 953.02 ENTITLED FEES, PERTAINING TO ROCKY RIVER MUNICIPAL ICE SKATING RINK, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Furry said this has been discussed for several weeks and he deferred discussion until next week due to the full agenda.

NEW BUSINESS:

Councilwoman said that the following ordinances are all yearly ordinances.

ORDINANCE NO. 70-22

BY: CHRISTINA MORRIS

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT FOR A PERIOD OF ONE YEAR FOR THE REMOVAL OF GRIT AND SCREENINGS TO A MUNICIPAL LANDFILL FOR THE WASTEWATER TREATMENT PLANT FROM KIMBLE COMPANY, AT A COST OF \$86.35 PER TON AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Councilwoman Morris distributed the cost breakdowns of the chemicals showing the increase in costs for 2023 that she received from Superintendent Barille. This ordinance is for the removal of grit & screenings for the WWTP. This is inorganic material, such as fine particles of sand, corn, or toilet paper that is removed as part of the initial screening process at the plant. This material is taken to a landfill about once a week and Kimble won the competitive bidding process and was the only bid. Superintendent Barille believes that the pricing is acceptable given the economic climate. The WWTP is evaluating their specs to possibly get more bids in the future.

ORDINANCE NO. 71-22

BY: CHRISTINA MORRIS

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH PVS CHEMICAL SOLUTIONS, INC., FOR THE PURCHASE AND SUPPLY OF SODIUM BISULFITE FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT AT A COST OF \$1.87 PER GALLON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This is an agreement for the purchase and supply of Sodium Bisulfite for the WWTP for the removal of the chlorine content in the wastewater and is required by an EPA permit and used only in the summer months. PVS Solutions was the low bidder of three and currently holds the supply contract for 2022. These bids were competitive and saw a minimal price increase.

ORDINANCE NO. 72-22

BY: CHRISTINA MORRIS

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH PVS TECHNOLOGIES, INC. FOR THE PURCHASE AND SUPPLY OF FERRIC CHLORIDE FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT AT A COST OF \$1173.00 PER DRY TON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This is an agreement for the purchase and supply of Ferric Chloride for the WWTP which removes phosphorous. There were two bids with a significant increase in price over the past two years. The price has doubled since 2021 due to the economic climate. PVS Technologies won the bid for 2023 and currently holds the contract through 2022.

ORDINANCE NO. 73-22

BY: CHRISTINA MORRIS

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH JAMES DIAZ FARM FOR THE REMOVAL OF DIGESTED SLUDGE CAKE (SUMMER SEASON) FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$46.00 PER TON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This is an agreement with James Diaz for the removal of Digested Sludge Cake. This is a farm that takes the digested sludge cake and uses it as fertilizer. This service is used April through November. James Diaz was the only bidder and historically has been the low bidder for the past five years. Superintendent Barille stated that this price is competitive and assumes due to historical bidding results of this by product, there were less bidders because they had not been competitive in the past.

- The Mayor stated that James Diaz Farm has to be credentialed by the EPA for land application during the summer.
- Mr. Shepherd feels the increase is unusual as it is just a removal. The Mayor asked and Superintendent Barille has reached out to other WWTP and has done record requests. This is a highly competitive price.

ORDINANCE NO. 74-22

BY: CHRISTINA MORRIS

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH RUPLE TRUCKING LLC FOR THE REMOVAL OF DIGESTED SLUDGE CAKE (WINTER SEASON) FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$56.99 PER TON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This is an agreement with Ruple Trucking, LLC for the removal of Digested Sludge Cake in the winter season. This ordinance will have a second read next week at the Special Meeting.

Councilwoman said that the bid was late due to a late bid from the previous hauler. Ruple was the low bidder.

RESOLUTION NO. 75-22 **BY: CHRISTINA MORRIS**
A RESOLUTION REQUESTING THAT THE CITY OF ROCKY RIVER APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) LOAN AGREEMENT ON BEHALF OF THE WASTEWATER TREATMENT PLANT FOR CONSTRUCTION OF THE CEPT AND FINAL CLARIFIER IMPROVEMENTS PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN
1st READING

Councilwoman said this resolution is necessary for the WWTP to apply for a zero-interest loan.

ORDINANCE NO. 76-22 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE CREATING POSITIONS AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING JANUARY 1, 2023 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
1st READING

President Moran said this is a yearly outline and approving a not to exceed numbers for all the positions of the city. There are increases for dollar per hour for the recreation department employees. This will be discussed further next week.

ORDINANCE NO. 77-22 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023
1st READING

President Moran said Council received the 2023 Budget book this evening. President Moran said that this is the 18th time he has reviewed the budget for the City of Rocky River. City Council is responsible for reviewing this great plan. Thank you to the Mayor for all the time put into this plan along with the mid-year discussions with directors regarding their budget. Council looks forward to the discussions with all the directors on December 2nd. Council will be meeting with their directors prior to the Finance Committee Meeting. President Moran stated that tonight is the first scheduled read on the budget followed by a second read on November 28th and if everything is in line the third read will be December 12th.

The Mayor thanked Council for their leadership and also thanked Director Thomas who works the magic with all the directors in getting the budget done prior to the beginning of the next budget year. The directors are anxious to discuss their budgets with Council.

ORDINANCE NO. 78-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF ROCKY RIVER, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT AND REQUESTS THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY
1st READING

Mr. Shepherd said this project is for the resurfacing of Hilliard Blvd. from Gasser to Wooster Road.

Hilliard is a County road and the County will participate for 50% of the project. The County requires that the city enters a cooperation agreement and this authorizes the city to enter this agreement which is attached as the exhibit. It empowers the city to apply for funding under the County motor vehicle license tax funds. The city handles the project, the county reviews the plans, estimates prior to advertisement for bid at the beginning of the project and the city will give the County a complete set of drawings when completed. The estimated cost is \$478,000 and the County has capped their contribution at \$239,000. Mr. Shepherd said the exhibit needs to be referenced in the ordinance.

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

President Moran said that per Councilwoman's request there will be a Special Meeting on November 21st prior to the Committee-of-the-Whole Meeting next week. Ordinance No. 78-22 will also be added to the Special Agenda along with new insurance ordinances that Council will receive in their packet Friday.

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