

# CITY OF ROCKY RIVER

May 23, 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

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 Committee-of-the-Whole Meeting of May 16<sup>th</sup> and the minutes of the Legislative Meeting of May 9<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 – abstain	Moran - aye	
6 ayes	1 abstain	0 nays	<b>PASSED</b>

## MAYOR’S REPORT:

Director Thomas and the Mayor shared with Council the savings realized by transitioning from C.C.A. to R.I.T.A. The City of Rocky River was paying an average of 3.5% in administrative fees on income tax collection with C.C.A. The last four years with R.I.T.A. averages 1.467% and the city received notification that this year’s cost will be 1.33%. Last year it was 1.52% and covers the administrative costs of collections, registrations, auditing, compliance, record retention, et cetera. R.I.T.A. has honored all the commitments made during the transition in 2016. The Mayor thanked Director Thomas for putting together these calculations to share with Council.

The Mayor stated that the city received funding from Congressman Gonzalez ‘s office for MARCS Radios for the Police Department for 25 in-car mobile units, 55 portable and two controlled units. Thank you to Fairview Park for submitting the request. The total of this funding is several thousand dollars. The request for Rockcliff and Wooster is not being funded at this time.

The city received bids on Friday for the Erie, Fairhill and Nelson Park Sewer Project. The engineer’s estimate was \$2.5 million and the bid came in at \$2.549 million, slightly higher than the engineer’s estimate. Fabrizi Trucking and Paving was the winning bid.

The Mayor discussed the WestCom Dispatching. It is now a requirement to consolidate the police into one location. There must be five communities in a location to receive funding. The city has been working on this and is waiting on numbers to finish calculating. There will be three options and each community is weighing this out:

1. Remain with WestCom and bring over the police dispatch function.
2. Join Southwest that has a dispatch center made up of several communities in the southwest; Berea, Strongsville and several others.

3. Join the largest which is the Chagrin Valley Dispatch that has several communities on the eastside including Solon, Brecksville, Euclid and several other communities on the eastside.

There is a lot to consider in making a decision like this; technology, redundancy, trained staff, succession planning, facilities. If one or two communities leave WestCom there will be challenges as there would not be enough communities. The Mayor will have more concrete information within the next few weeks. There is a capital buy in. The city will put all these numbers together along with a recommendation for Council. The Chiefs have visited the Chagrin Valley Dispatch and the Mayor and Safety Service Director Snyder will visit also. There would be an annual fee if the city does not consolidate. The Mayor will ask County Emergency Management if four communities could collaborate if it would equal or exceed the population needed. The City of North Olmsted will be moving to the Chagrin Valley Dispatch.

A big shout out to the Rocky River Chamber of Commerce. There were 40 volunteers that met at Elmwood Park Cabin on Saturday morning and created a new landscape with new mulch and new plant material. A baby shower was held at the cabin following the planting and residents were thrilled with the new landscaping. Thank you to the Chamber and their program "Strengthening Our Roots" started by Chris Klym in his role with the Chamber.

A big thank you to Director Snyder and employees of City Hall for provided plants and flowers to plant the last planter on Hilliard Blvd. just before the Westlake line. Great job.

Director Holub and the Recreation Center employees also worked on the City Hall Campus Park which helped out the Parks and Service crews.

The Mayor said that the city is in need of lifeguards and camp counselors for the summer. The city is looking for individuals so all the facilities and programs are up and running this summer.

The city has received several phone calls regarding long grass in the city. There is interest afoot regarding "No Mow May" to save the bees. Unfortunately, all neighbors do not share the same interest. The Building Department is out as much as possible to speak with residents. The city has a landscaper under contract that can help on some of these issues.

The Mayor spoke about Sam Coleman, a top distance runner at RRHS and is now one of the nation's top steeplechasers. She will be attending the Ohio State University where her father also attended and was a steeplechaser. In the Olympics, the steeplechase is a 3,000 meter race with 28 barriers and 7 water jumps. The city is very proud of Sam and her successes.

The Dazzle Awards were held over the weekend at Playhouse Square. The Dazzle Awards honor excellence in high school music theater and also recognizes the importance of musical theater and arts education in Northeast Ohio. Rocky River High School won best musical with a budget less than \$12,000 for the production of "Young Frankenstein". Magnificat High School won best musical with a budget of more than \$12,000 for "Mary Poppins". Both schools took home several other awards in other categories. A huge congratulations to both schools.

The Senior Theater has an original play being performed this Wednesday, Thursday and Friday at the Senior Center. The Art Show is up with 52 artists and 151 pieces of art. Friday is "Grillin and Chillin" with Larry at the Senior Center.

This weekend is Memorial Day weekend with many events. Saturday will be flag placement of over 4,000 flags at Lakewood Park Cemetery at 8:30 a.m. The RRHS Jazz Band will be playing at Rocky

River Park on Sunday starting off the Summer Concert Series at 7:00 p.m. The ceremony on Monday will kick off at 10:00 a.m. at Lakewood Park Cemetery.

- Mrs. Morris stated that this is the fourth year in row that RRHS won the Dazzle award for the Best Play. It is a great program.
- Mr. Furry asked about the dispatch issue possibly costing a half a million dollars. The Mayor explained that WestCom has a capital buy in also. In the agreement, a new city must pay a portion equal to the capital investment that all the other communities paid. It is not unusual. There is also an investment that will be needed for WestCom because additional consults will be needed.
- Mr. Sindelar asked how the dispatching works. The Mayor explained that when 911 is called from a cellular phone it goes to the County Communication Center. They will ask where the emergency is and will immediately send the call out. Then we ask what is your emergency: fire, police or EMS and that is sent to WestCom. The location of the Dispatch Center does not matter but the Mayor said governance and cost need to be considered.
- Mr. Furry asked how it came to be a five-community benchmark. The Mayor thinks the average population of a suburb was looked at.

**LAW DEPARTMENT:** Mr. O’Shea was unable to attend this evening’s meeting.

**COMMITTEE REPORTS:** NONE

**COMMUNICATIONS FROM COUNCIL:** NONE

**PUBLIC COMMENT:** NONE

**UNFINISHED BUSINESS:**

**ORDINANCE NO. 71-21** **BY: CHRISTINA MORRIS**  
**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 905.03 ENTITLED “DRIVEWAY LOCATION AND WIDTH” AND SECTION 905.04 ENTITLED “DRIVEWAY APRON MATERIAL AND THICKNESS”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”**  
**2<sup>nd</sup> READING**

Mrs. Morris moved to amend Ordinance No. 71-21 by substitution which was approved by the Planning Commission, 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>

**AMENDED ORDINANCE NO. 71-21** **BY: CHRISTINA MORRIS**  
**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 905.03 ENTITLED “DRIVEWAY LOCATION AND WIDTH”, SECTION 905.04 ENTITLED “DRIVEWAY APRON MATERIAL AND THICKNESS”, SECTION 1111.09 ENTITLED “PAVEMENT, CURBS AND SIDEWALKS”, SECTION 1153.15 ENTITLED “ACCESSORY USES AND STRUCTURES”, AND SECTION 1187.31 ENTITLED “REGULATIONS FOR ACCESS DRIVES”, AS FURTHER DESCRIBED IN THE ATTACHED**

**EXHIBIT “A”  
2<sup>nd</sup> READING**

Mrs. Morris said the exhibit explains the changes made in Amended Ordinance No. 71-21. Mrs. Morris will discuss this further at the next Committee-of-the-Whole Meeting on June 6, 2022. The changes made are italicized and bolded in the exhibit. Commissioner Reich sent an email to Council explaining the changes along with a drawing. Mr. Moran added that he attended the meeting along with Councilwoman Gallagher. The Planning Commission realized that the Codified Ordinance needs to have all the information in one area. This was approved by the Planning Commission. The Mayor will ask Commissioner Reich to attend the June 6<sup>th</sup> Committee-of-the-Whole Meeting.

**MOTION:**

Mr. Shepherd moved for Ordinance No. 24-22 to be removed from the Consent Agenda as he needs to recuse himself from voting on this ordinance because of an investment interest with a company that is involved in this industry, seconded by Mr. Hunt.

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

**ORDINANCE NO. 24-22** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE ADDRESSING THE PROVISIONS OF AMENDED  
SUBSTITUTE HB 172 CONCERNING THE RIGHT OF MUNICIPALITIES TO RETAIN THE  
REGULATIONS AND PROHIBITIONS ON THE POSSESSION, DISCHARGE, IGNITION AND  
EXPLODING OF FIREWORKS THAT EXISTED PRIOR TO THE ENACTMENT OF  
AMENDED SUBSTITUTE HB 172**

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

Mr. Hunt said this has been discussed for several weeks. The Mayor explained in depth the administration’s and law department’s stance on reaffirming the prohibition of the possession and discharge of fireworks in the city as coded in Chapter 1519. Upon passage of this ordinance, the current prohibition will be maintained and not allow the additional 19 days of discharging fireworks. Both Chief Lenart and Chief Lichman feel it is important to re-affirm the existing ban due to the density of the city. Mr. Hunt moved for passage of Ordinance No. 24-22, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – abstain	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
6 ayes	1 abstain	0 nays	<b>PASSED</b>

**NEW BUSINESS:**

**ORDINANCE NO. 29-22** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO  
PURCHASE TWO STATIONARY CARDBOARD COMPACTORS FOR THE SERVICE  
DIVISION FROM ROYAL OAK RECYCLING AT A COST NOT TO EXCEED \$88,246.20, AS  
FURTHER DESCRIBED IN EXHIBIT “A”**

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

Mr. Shepherd said that at the last meeting it was discussed that with this ordinance, the city would be paid for the cardboard as opposed to paying for the cardboard to be picked up. The cost of this equipment is \$88,246.20 but the total cost including installation totals \$134,310. There is also a grant in the amount of \$25,000 and Council will need to pass this on a second read to obtain the grant funding. Mr. Shepherd also stated that there were contractual issues discussed last week. Director Snyder is still working on that

along with Law Director O'Shea.

- Mr. Furry asked if there are any comparisons for the cost since there was only one bid. Director Snyder stated that he spoke with the Solid Waste District and the exact two compactors with River Valley would total \$134,310. The city is saving almost \$50,000. Mr. Snyder will share that information with Council.

**ORDINANCE NO. 30-22**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH S. A. COMUNALE COMPANY, INC. FOR THE CIVIC CENTER HVAC ROOFTOP UNIT REPLACEMENT AT A COST NOT TO EXCEED \$139,750.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Shepherd said this is for a new unit for the Civic Center replacing a 2001 unit. With this contract the city will receive a one-year warranty on parts and labor. It is anticipated that this unit will be more efficient so the city should realize some savings on utilities. S.A. Comunale was the lowest bidder at \$139,000. The next bid was \$148,000 and was incomplete. The other bids were \$193,500 and \$244,000. The current unit is 20 plus years and it is time to replace it. There are no unresolved findings with the State's Auditor's Database.

- Mr. Sindelar asked if this is replacing one main unit. The Mayor stated that this unit is over the gymnasium.
- Mrs. Morris asked if there is a brand name for the unit. Director Snyder will look back at the specs.

**ORDINANCE NO. 31-22**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC., FOR PHASE TWO OF THE 2020 ROCKY RIVER SEWER IMPROVEMENTS PROJECT FOR COLLVER ROAD AND OAK ROAD STORM SEWER, SANITARY SEWER, WATER MAIN AND PAVEMENT REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$1,509,386.60, AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Shepherd stated that this is a major three-way project replacing waterline, sewer and paving. Morewood Parkway was Phase 1. This was put out to bid and Fabrizi was the low bidder at \$1,509,000. The engineer's estimate was \$1.9 million. Fabrizi was \$307,000 lower than the second lowest bid. References were checked with Elyria, Seven Hills and Olmsted Falls and all were positive. Cleveland Water will reimburse the city up to \$296,778 of this project. The remainder will be paid by an Ohio Public Works Commission Loan. This will help with the overflows in the city. There are no unresolved findings with the State's Auditor's Database.

**ORDINANCE NO. 32-22**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH TEMPEST, INC. FOR THE ICE RINK EVAPORATIVE CONDENSER REPLACEMENT AT A COST NOT TO EXCEED \$82,300.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Shepherd said this new unit will replace a unit with an ongoing leak issue. Director Snyder will see what the age of the leaking unit is. This was put out to bid with only one response from Tempest at

\$82,300. Director Holub and Manager Balla looked at this last year and the prices received last year are comparable to this price. Tempest does the maintenance with this along with a warranty. There are no unresolved findings with the State Auditor's Office.

- Mr. Sindelar asked what this unit will do. Director Snyder said this will handle the HVAC for the ice and keep the ice cold.

**ORDINANCE NO. 33-22**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC., FOR THE SPENCER ROAD SEWER AND PAVEMENT IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$1,289,929.38 AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Shepherd said this project includes an installation of a new sanitary sewer main on the Rocky River and Fairview line to Robert Rd on the westside of the street with new upright curbs and pavement resurfacing for the entire length from Westwood to Center Ridge Road. The westside of the street's sanitary sewer is emptying into the storm sewer. There were bidding issues with only one bid. Part of the reason is that it is a partial sewer project. The bid is \$551,000 lower than the engineer's estimate at \$1.85 million. References were checked with South Euclid and Olmsted Falls. Ohio Public Works will pay for 30% of the project costs up to \$524,000. There were no unresolved findings in the State Auditor's Database.

- Director Snyder reached out to other contractors after receiving only one bid. One contractor responded and said this was a busy season for them and did not have enough estimators.
- Mr. Furry said Fabrizi shares equipment if they do not get the bid and Fabrizi is already mobilized in the city which helps for a lower bid.
- Director Snyder said the issue on Robert is that the sanitary sits on the eastside of the road and the storm is in the middle. The city is adding an additional sanitary to the westside of the storm so the houses can tie into the new one and merge together further north near Robert. MacKay evaluated this and were good with the pricing.

**ORDINANCE NO. 34-22**

**BY: BRIAN J. SINDELAR**

**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE TWO (2) 25 CUBIC YARD TRAILER MOUNTED SELF-CONTAINED VACUUM LEAF COLLECTORS FOR THE SERVICE DIVISION FROM BELL EQUIPMENT COMPANY, AT A COST NOT TO EXCEED \$230,384.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Sindelar will discuss this at the next Committee-of-the-Whole Meeting on June 6<sup>th</sup>.

**CONSENT AGENDA:**

**ORDINANCE NO. 25-22**

**BY: JAMES W. MORAN**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND, DIVISION OF WATER THE AMOUNT OF \$33,775.08 FOR WATER METER READINGS NEEDED BY THE CITY OF ROCKY RIVER FOR THE PERIOD FROM MARCH 1, 2021 TO FEBRUARY 28, 2022, AS DESCRIBED IN THE ATTACHED EXHIBIT "A"**

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

Mr. Moran said this is payment to the City of Cleveland for the annual cost of the water meter readings for the consumption data needed to generate the sanitary sewer bills in the amount of \$33,775.08. The cost is always within a \$1,000 range and comes down to \$4.44 per connection in the city.

**ORDINANCE NO. 26-22**

**BY: DAVID W. FURRY**

**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE PLAYGROUND EQUIPMENT FOR MORLEY PARK FROM SNIDER RECREATION INC. AT A COST NOT TO EXCEED \$64,760.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

This ordinance is for the purchase of playground equipment for Morley Park. From a distance, the current playground equipment looks fine, closer inspection, not so much.

Six proposals were vetted by the Parks and Rec Commission, the Parks and Rec Foundation as well as Recreation Department staff. Several vendors submitted multiple proposals some meeting the RFP, some did not.

**ORDINANCE NO. 28-22**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE PARTS AS NEEDED FROM BEST EQUIPMENT COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$45,000.00, AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Shepherd said this ordinance approves an additional \$45,000 to be used for parts as needed to repair the leaf grinders and refuse compactor trucks in the Service Department for the remainder of 2022. This will only be spent if needed.

President Moran moved for passage of Ordinance Nos. 25-22, 26-22 and 28-22, 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:** President Moran congratulated Director Thomas for his hard work in transitioning the City of Rocky River from C.C.A. to R.I.T.A. The money saved is additional money that the city can invest in for the city. Thank you and great job.

**PUBLIC COMMENT: NONE**

As there was no further business by members of Council, the meeting was adjourned at 8:08 p.m. The next City Council Meeting will be held on June 6, 2022 in Council Chambers.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council