

# CITY OF ROCKY RIVER

October 24, 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 10<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 Mayor reported that the Consolidated Dispatch Operational Plan, the ARPA request, was presented in front of Public Safety and Justice Affairs Committee of County Council and was unanimously recommended its approval by the entire County Council. The city should hear the results within the month on the not to exceed \$225,000 request for the six WestShore Communities. The Mayor would be happy to provide a copy of the application to Council.

The NOACA Planning and Programming Committee unanimously recommended funding to the Rocky River Senior Center in the amount of a little over \$26,000 for the transit van that Council passed the resolution on. The city will find out within the next month or two that the city has received that.

The Center Ridge TLCI Implementation Project that was submitted to NOACA by Director Snyder has made it through the first round and the administration along with the City Engineer will be presenting to NOACA about this project. Director Snyder also sent a letter to ODOT describing all the additional funding and requested the project be moved up so the funding can be leveraged. Thank you to Director Snyder for reaching out and providing them with significant amount of detail.

The Mayor updated Council on Building Department Stats compared to last year’s data:

- As of September 2022, permits totaled 1,359, which includes residential and commercial. This is down about 100 compared to 2021 at 1,440 permits. However, the valuation is almost exactly the same at \$34,000,000, which is tremendous.

The Mayor reported that Bradstreet’s Landing railing for the eastside of the pier has been delivered and is being installed. Once that is installed, railing for the westside will be delivered with the electrician starting on the eastside installing lighting and finish up on the westside.

The Mayor announced that 150 trees have been delivered to the city last week and will be planted throughout the city.

Leaf collection begins Monday, October 31<sup>st</sup>. The receptionist at City Hall will have information regarding the location of leaf pick up along with postings on the Service Department's Facebook page. Leaf collection does not always coincide with refuse pick up.

The Mayor said that Magnificat High School will be holding an evacuation drill about 12:30 p.m. on October 25<sup>th</sup> and will evacuate to City Hall Campus coming down Hilliard and across Wagar to the Civic Center parking lot. Thank you to Director Snyder for the new sidewalk which will make the walk safer for the students.

This Friday, October 28<sup>th</sup> at noon, the Cuyahoga Soil and Water Conservation District will be working with the Community Garden and Director Snyder installing an expansive rain garden with the help of volunteers including River Sprouts. Volunteers should meet at the Community Garden behind the Rocky River Senior Center. The Rocky River Watershed noted that volunteers should meet at the Rocky River Nature Center which is incorrect.

Halloween is this Monday evening from 6:00-8:00 p.m.

The Senior Center Craft Show will be held the following weekend on November 4<sup>th</sup> and 5<sup>th</sup> at the Senior Center.

- Mr. Furry asked what the latest possible completion date is for the pier. Director Snyder said it will be completed in 2022. The Mayor noted that even with making changes to the next Phase including value engineering, adding time and an incentive, the city is not sure how many bids will be received as contractors are exceedingly busy. The scope may change to completing just the pedestrian bridge and a small walkway. When the pier is finished, the park will be opened. The parking lot needs to be redone and it cannot be completed until the lake front is completed. The lack of construction crews is being felt in all the cities. There is a pre-bid meeting this Thursday. Director Snyder said that it is possible that companies are waiting towards the end of the bidding period.

**LAW DEPARTMENT:** Mr. Dever reported that Mr. O'Shea said he is working on the new Development Codes with the Building Department for the city. The Prosecutor's Office has agreed to partner with the Rocky River Court along with the Domestic Relations Court in a grant for guidelines regarding seizure of guns in domestic violence cases as far as the best practice on that. Hopefully by early next year, there will be guidelines on how police should be recommended to handle these situations or threats. This will be used across the County as far as the template for addressing this type of threat.

- Mr. Moran asked if the city will follow what the County does? Mr. Dever said that the Rocky River Court District will be the lead on this issue. All the prosecutors from Westlake, Rocky River and Bay Village met with Judges Fitzsimmons and Hagan on Friday along with a prior meeting with Judge Palos from the Domestic Relations Court. Guidelines need to be in place for reduced charges from domestic violence down to disorderly conduct persisting under the new guidelines that the Federal Government has passed, you could forfeit your right to own a gun if you plead with certain conditions. The Federal Government needs proper guidelines in compliance with second amendment rights as well as quality of proof in making these cases. Mr. Dever said it should be a standard practice as opposed to different jurisdictions handling domestic violence in different ways.

**COMMITTEE REPORTS: Parks, Recreation and Health Commission:** Mr. Furry reported that the Parks and Rec Commission met on October 13<sup>th</sup> at 7:45 a.m. regarding the Hamilton Ice Rink. The next meeting will be November 10<sup>th</sup>.

**Finance Committee:** Mr. Moran distributed a copy of the Budget Review Sheet for 2023 to Council.

- Jim Moran – Finance – Director Thomas
- John Shepherd – Safety-Services – Director Snyder
- Tom Hunt – Safety – Chiefs Lenart and Lichman
- Christina Morris – Environmental – Superintendent Barille
- Dave Furry – Recreation – Director Holub
- Brian Sindelar – Courts – Judges Fitzsimmons/Hagan and Clerk Comery
- Jeanne Gallagher – Senior Center – Director Huff

Council should meet with each Director sometime between November 7<sup>th</sup> through November 28<sup>th</sup>. Mr. Moran said the key is to discuss the financial piece along with new projects/programs and also noted that inflation increases should be discussed concerning the new budget.

Mr. Moran also discussed the projected outline:

- November 7<sup>th</sup> – Council should receive Budget Books
- November 14<sup>th</sup> – First Read
- November 21<sup>st</sup> - Discussion
- November 28<sup>th</sup> – Second Read
- December 2<sup>nd</sup> – Special Finance Committee Meeting, 8:00 a.m. – 12:00 p.m.
- December 5<sup>th</sup> – Public Hearing on the Budget followed by a Committee-of-the-Whole Meeting with the possibility of a continuation of the December 2<sup>nd</sup> Special Finance Committee Meeting
- December 12<sup>th</sup> – Third Read
- December 19<sup>th</sup> – Possible Special Meeting
- December 26<sup>th</sup> – City Hall Closed – Legal Holiday – No City Council Meeting
- January 2<sup>nd</sup> – City Hall Closed – Legal Holiday – No City Council Meeting

**COMMUNICATIONS FROM COUNCIL: NONE**

**PUBLIC COMMENT: NONE**

**UNFINISHED BUSINESS:**

**AMENDED ORDINANCE NO. 64-22** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2023 FORD F550 TRUCK FOR THE SERVICE DIVISION UNDER THE STATE COOPERATIVE PURCHASING ACT FROM VALLEY TRUCK CENTERS, AT A COST NOT TO EXCEED \$123,870.00, AS DESCRIBED IN EXHIBIT “A”**  
**3<sup>rd</sup> READING**

Mr. Sindelar said that there has been little discussion since the first week. Mr. Sindelar discussed the need for this at that time. Mr. Sindelar moved for passage of Amended Ordinance No. 64-22, 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>

**NEW 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"**

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

Mr. Shepherd stated that this contract constitutes the construction management services, administration and inspection services for Phase II of the Bradstreet's Landing Project. Phase II includes the construction of a stepped revetment wall, boardwalk, pedestrian bridge, turnaround, concrete walks and landscaping and appurtenances in the base bid and an alternate bid for construction of a new driveway, parking lot and restored and sodded park area which may come later. This was put out to bid and the city received one responsive bid. Quality Control is the same group that oversaw Phase I and the city is happy with their work. This type of contract usually run in the 7-15% range of total project cost. This project is estimated to be \$3 million dollars so the 7% would be in the low range. This will have three full reads. Quality Control will be present for the pre-bid meeting.

- Mr. Furry asked if this is on a contingency if no one bids on Phase II construction. Mr. Snyder stated that they will only bill for services provided. The Mayor added that the administration will know what is happening with the entire project before Council passes this legislation. Mr. Shepherd said the hourly rates attached to the ordinance appear to be very reasonable.

**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"**

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

Mr. Sindelar said that a Commodity Building houses top soil, mulch, stone along with some equipment. This is a lighter construction with a concrete pad, preformed concrete blocks with support poles and a nylon tent structure covering. A picture of the structure circulated around Council. The city will install the concrete pad. Three bids were received and the lowest is \$59,000 lower than the next bid. There are no unresolved findings in the Auditor's Database.

- Mr. Furry asked where this will be located. The Mayor said to the west where the piles are located now at the Service Garage.
- Mrs. Morris asked if it is open in the front. Director Snyder said yes so the pay loader can get in. It will keep the materials and equipment that are under it dry.
- Director Snyder said it is 38 feet deep and 100 feet long. Director Snyder believes there will be 5 bays at 20 feet wide. The covering is a vinyl type material. The current salt barn is the same type structure and has been there about 12 years. Clear Span is making some repairs to the salt barn but it is still very solid.

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

Mr. Moran said the Service Director goes out to the Open Market for special bids for gasoline and oil. The pricing for unleaded in January was a 20 cents better price over the state bid and 18 cents better on diesel. In October it is 58 cents better price on unleaded and 52 cents on diesel. It is great that the city can save this amount on the Open Market. 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**  
**1<sup>st</sup> 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 bids if it is a better price. Mr. Snyder added that the city's mechanics obtain three quotes for the same or comparable tires each time.

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

This is basically the two-year adjustment of Hamilton Ice Arena fees with some procedural changes. The procedural change which, where applicable, a Civic Center member rate was added to stay consistent with previous resident rates to offset member rate increases.

The Parks and Rec Commission did tweak some suggested fee increases suggested by the Rec Department. That was basically done so resident rate increases should be equal to or less than non-resident rate increases. The Program Fee increase were to offset increased wages, supplies as well as to continue to stay at market value more or less. Most area rinks, although City owned, are leased to profit entities so it is somewhat difficult to give an apples-to-apples comparison.

Ice rental and pavilion rental fees (which were included as an attachment) are being increased to bring us closer to neighboring communities while still offering discounted rates for residents. This will have three full reads.

**MISCELLANEOUS BUSINESS: NONE**

**PUBLIC COMMENT: NONE**

As there was no further business by members of Council, the meeting was adjourned at 7:42 p.m. The next meeting will be held on November 7<sup>th</sup> as next Monday will be the fifth Monday of the month. Have a safe Halloween on Monday, October 31<sup>st</sup> from 6:00 – 8:00 p.m. Thank you all for coming.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council