

CITY OF ROCKY RIVER

July 25, 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

MOTION:

Moved by Mr. Moran seconded by Mr. Furry that the reading of the minutes of the Special and Committee-of-the-Whole Meetings of July 18th and the Legislative Meeting of July 11th, 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 stated that a construction update was sent out via ReadyNotify last Friday. These updates have the most current information regarding construction. The Mayor reiterated that residents should sign up for ReadyNotify, if not already. The city is capturing email addresses of residents for individual projects of construction areas to send more detailed updates.

The Mayor said the city is still working with ODOT on the Center Ridge Road Capital Project, west of Spencer, including an environmental assessment which happens with all of their projects. This will be bid out at the first of the year, with construction commencing next spring. This is only one segment of Center Ridge Road. The larger segment from Spencer to Wooster has received a \$200,000 Capital Budget allotment towards the work, but that is still a couple of years away.

The Transfer Station has had three fires since early spring. One of the fires was started with a lithium-ion battery for a wheelchair which is combustible during compacting and lit the trailer on fire. There was also a fire in the transfer station starting with hot coals or hot firewood being thrown in. Service workers will be scrutinizing what is thrown into the transfer station hole more rigorously. Residents need to be mindful, thoughtful and careful about what is being thrown into the transfer station.

The Mayor announced that online sewer payments will go live in 4-6 weeks. There is still some work to do, but will be available soon. The next phase may include automatic withdrawal along with paperless billing.

The girl’s hockey locker room is under construction and will be ready for the hockey season.

The Civic Center is now in their staggered closing over the next three weeks. Important maintenance is completed during this time. Call the Civic Center if there are any questions.

The Mayor stated that the Senior Center held a Public Meeting on Tuesday, July 19th regarding the NOACA Grant being considered on Resolution No. 47-22 on tonight's agenda. Director Huff presented a description of the funding available, how the program works, the city's attention to apply for funds and letters of support. Director Huff presented the fleet of vehicles, their design and ridership. The van on Council's agenda this evening is the Transport Vehicle that is being requested with this grant. There were 24 people in attendance along with staff members. The Senior Center Transportation is a beloved program and a deeply valued program by the Seniors. Director Huff has been working hard along with help from Director Snyder and the Mayor. This Friday there will be a meeting with information from last Tuesday's meeting along with looking forward to what Seniors would like.

- Mrs. Gallagher asked how many vehicles the Senior Center has. There are currently four and with this purchase there will be five with one vehicle being retired. The Mayor explained that in these grants there needs to be a combination of wheelchair accessible and regular vehicles.
- Mr. Sindelar asked if residents can attend other recreation centers during the staggered closing of the Civic Center. The Mayor responded yes; residents can attend Westlake Recreation Center.
- Mrs. Morris congratulated Director Thomas on getting the water billing payments online.

LAW DEPARTMENT: Mr. O'Shea commented that he drove by the Sutphen Fire Truck Factory on his way out of Columbus on Friday and was very impressed with what he saw. Mr. O'Shea also discussed the iguana on the loose in Fairview Park.

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

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**
3rd READING

Mr. Moran said this is the third read and gives authorization to issue bonds on an amortizing payment schedule to replace one-year notes the city had issued in the amount of \$9,900,000. The final invoices paid will be \$12.7 million. Director Thomas added that the rating call, which is part of the process, is next Monday at 10:00 a.m. with Moody's. Director Thomas added that Huntington Bank is being used as the paying agent. Mr. Moran congratulated Director Thomas and Director Thomas and the Mayor said it could not be done without City Council's support.

Mr. Moran moved for passage of Ordinance No. 41-22, seconded by Mr. Furry.

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

7 ayes

0 nays

PASSED

AMENDED 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”
3rd READING

Mr. Moran said this resolution makes sure the city can collect the delinquent sanitary sewer accounts. The exhibit has been revised to delete the residents who have made payment. Mr. Moran moved for an amendment by substitution of the new exhibit, seconded by Mr. Furry.

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

Mr. Moran moved for passage of Amended Resolution No. 42-22, seconded by Mr. Furry.

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

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”
3rd READING

Director Thomas puts this together with input from the Mayor as a first pass of the 2023 budget. This is a rough draft called the “alternative tax budget information” for the 2023 budget. Mr. Moran moved for passage of Resolution No. 43-22, seconded by Mr. Furry.

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

AMENDED 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
3rd READING

Mr. Moran stated that these rates are part of the inside outside millage. Included is an outline of the millage set at 10.55%. Mr. Moran also emphasized that the debt millage went from .78 to .75 mills which means taxes will be reduced. Mr. Moran moved to amend Resolution No. 44-22 by deletion of an attached exhibit stated in the title and in Section 2 of the resolution, seconded by Mr. Furry.

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

Mr. Moran moved for passage of Amended Resolution No. 44-22, 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. 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"

2nd READING

Mr. Sindelar stated that this has been discussed and is a housekeeping ordinance. Ohio Valley is a long-standing supplier and the city is happy with their service. This will be read for a third time after the August Recess. This will be placed on a consent agenda in September.

RESOLUTION NO. 46-22

BY: JAMES W. MORAN

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2022 PURSUANT TO THE OHIO REVISED CODE

2nd READING

Mr. Moran said that this is a request of the Cuyahoga County Fiscal Officer to advance taxes from the proceeds of all tax levies for the tax year 2022 and not wait until the end of the year. Mr. Thomas said this is fine to stay on the agenda through Council's August recess. This will be added to a consent agenda in September.

RESOLUTION NO. 47-22

BY: BRIAN J. SINDELAR

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR ITS ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES (SECTION 5310) PROGRAM FOR A TRANSPORTATION VEHICLE FOR THE ROCKY RIVER SENIOR CENTER

2nd READING

Mr. Sindelar said as the Mayor touched upon earlier in the meeting, Director Huff held a Public Meeting last week. Director Huff does a phenomenal job and the Senior Center Program is invaluable to the city. Every year the budget process is an even process because of dollars from outside sources and grants. Mr. Sindelar will ask for a rule's suspension of the three read rule due to a deadline for this grant request for a new transport vehicle for the Senior Center. Mr. Furry seconded.

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

Mr. Sindelar moved for passage on the second read of Resolution No. 47-22, stating that this is a great opportunity for the city to receive money back, seconded by Mr. Furry.

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

RESOLUTION NO. 48-22

BY: DAVID W. FURRY

**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR A NATUREWORKS GRANT FOR A PATH AT LINDEN PARK
2nd READING**

Mr. Furry said this was read once at the Special Meeting last week and discussed also at last week’s Committee-of-the-Whole Meeting. Mr. Furry stated that this is an authorization to apply for and enter into a grant agreement with ODNR for a NatureWorks Grant to be implemented at Linden Park. The funding request is a grant for \$40,000 of an estimated \$110,215 project. This is to replace approximately 1,535 feet of an existing 4-foot-wide asphalt path on the east and south side of Linden with a 6-foot-wide flexible asphalt path similar to the flexi pave installed at the City Hall Park. This new path will provide ADA accessibility with a porous asphalt solution to assist with storm water mitigation. This is asking for \$40,000 in a grant and is time sensitive as it needs to reach the ODNR by August 15th. Mr. Furry asked for a rule’s suspension for Resolution No. 48-22, seconded by Mr. Sindelar.

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

Mr. Furry moved for passage of Resolution No. 48-22, seconded by Mr. Sindelar.

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

ORDINANCE NO. 49-22 **BY: THOMAS J. HUNT**
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE ONE (1) FIRE ENGINE FROM SUTPHEN CORPORATION FOR THE FIRE DIVISION AT A COST NOT TO EXCEED \$773,665.00, AS FURTHER DESCRIBED IN EXHIBIT A
2nd READING**

Mr. Hunt said this ordinance, should it be passed, would authorize the purchase of a new replacement fire engine for Engine No. 65. This was vetted thoroughly last week and the need to replace the 26-year-old current Engine No. 65 was also discussed. Mr. Hunt spoke with Chief Lenart today regarding timing. The Chief reiterated that it will take 28-30 months for the buildout. Additionally, the contract pricing will be locked in so as not to experience another increase in September. Based upon these factors and the fact that Council will recess in August, Mr. Hunt moved to suspend the three-read rule on this ordinance, seconded by Mr. Furry.

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

Mr. Hunt said the apparatus would be purchased from Sutphen which is the same manufacturer that the ladder truck was purchased through. The cost of this vehicle has increased since first looking for a replacement. Engine No. 65 is functional but is currently working in a back-up role. The new vehicle would not exceed \$773,665.00. Again, this is a 28-30 built time for delivery.

- Mr. Moran stated that many people have looked at all the details pertaining to this new engine and having a dealership close by for repairs is a plus. Mr. Moran is excited about the opportunity to keep the city as safe as it can be.
- Director Snyder added that the lead mechanic and diesel mechanics drive to Sutphen for additional training and certification for working on this special equipment almost yearly.

- Mr. Sindelar asked if the old engine has any value. The answer is no, that it is hard to keep the engines certified. Mr. Snyder said there was no value on the current engine.

Mr. Hunt said this is not new and has been discussed during budget meetings for years. Purchases for the fire department come around infrequently. It is well worth protecting the health, safety and welfare of the community and provide the fire department with the best equipment possible. Mr. Hunt moved for passage of Ordinance No. 49-22, seconded by Mr. Sindelar.

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

ORDINANCE NO. 50-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH F. P. ALLEGA CONCRETE CONSTRUCTION CORPORATION FOR THE 2022 SIDEWALK PROGRAM IN AN AMOUNT NOT TO EXCEED \$196,482.24, AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Shepherd said this is the 2022 Sidewalk Program and as discussed last week for the sidewalks between Lake Road and Detroit Road. There were two responsive bids and F. P. Allega was the low bid and came in under the engineer’s estimate. Due to this important work and the August recess, Mr. Shepherd asked for a rule’s suspension of the three-read rule, seconded by Mr. Furry.

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

Mr. Shepherd said this company has worked for the City of Rocky River and has a good reference from the City of Fairview Park. The State Auditor’s Database had no unresolved findings. Mr. Shepherd moved for passage of Ordinance No. 50-22, seconded by Mr. Furry.

- Mr. Sindelar will recuse himself from voting, as he has a close personal relationship with the owners of this corporation.

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

Mayor Bobst added that citations are going out this week for last year’s sidewalk program. Anyone receiving a citation has already received two warnings.

ORDINANCE NO. 51-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC., FOR THE 2022 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$1,265,407.65, AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Shepherd said this is the annual 2022 Street Repair Program. This project will include the City Hall Parking Lot, East Shoreland Ave., Linden Park Parking Lot, Tri-City Parking Lot and Westway Drive. This was rebid and this bid is underneath the engineer’s estimate. This project needs to be completed before November 18th. Mr. Shepherd moved for a rule’s suspension, seconded by Mr. Furry.

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

Mr. Shepherd moved for passage of Ordinance No. 51-22, seconded by Mr. Furry.

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

NEW BUSINESS:

RESOLUTION NO. 52-22 **BY: JAMES W. MORAN**
AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT A NEW FUND ENTITLED “ONE OHIO OPIOID SETTLEMENT FUND”, FUND NUMBER 221, TO ACCOUNT FOR THE RECEIPT AND EXPENDITURE OF MONIES RECEIVED PURSUANT TO THE STATE OF OHIO ONE OHIO MEMORANDUM OF UNDERSTANDING
1st READING

Mr. Moran said the State of Ohio has money that will be coming back to the city. Setting up this account will give the city transparency. This is the first read and will be read again after the August recess.

ORDINANCE NO. 53-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH ANGELO BENEDETTI, INC., FOR THE 2022 ASPHALT SURFACE RECYCLING PROGRAM IN AN AMOUNT NOT TO EXCEED \$237,037.50, AS FURTHER DESCRIBED IN EXHIBIT “A”
1st READING

Mr. Shepherd said that Beaconsfield and Dorothy Avenue are candidates for the test program using recycled asphalt. There is a machine that grinds it up and puts it down. Mr. Snyder stated that these streets were bid with the other project and the pricing came back even. This process has environmental advantages utilizing propane, a cleaner burning fuel. It uses 65% less BTUs to process 1 ton of asphalt which can lead to a reduction of CO2 emissions by up to 65%. It eliminates the need for additional machinery, such as milling machines and occupies less than 100’ of roadway at a time and may be driven on 10 minutes after compaction.

- Mrs. Gallagher asked if it has been done before. Mr. Snyder said this process has not but this is newer technology being used on roadways. This is 100% recycled as the machine mills it, processes it, adds a rejuvenate to the material and lays it back down.

Mr. Shepherd asked if Benedetti, Inc. has been used before. Mr. Snyder stated no. Mr. Shepherd asked if the references checked were using this process also. Mr. Snyder will confirm with references regarding this process.

MISCELLANEOUS BUSINESS: Mr. Moran said that the next meeting for City Council will be a Legislative Meeting on Monday, September 12th. Monday, September 5th is the Labor Day Holiday.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 8:05 p.m. Have a good break.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council