

CITY OF ROCKY RIVER

January 19, 2021

The Special Meeting of Council was called to order by Mr. Moran, President of Council, beginning at 7:00 p.m. via Zoom.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. O'Donnell,
Mr. Furry, Mr. Klym, Mr. Moran

Absent: Mrs. Morris

Administration: Mayor Bobst, Mr. Snyder

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

SPECIAL RECOGNITION FOR DAVID GREENSPAN:

The Mayor shared the contents of the Certificate of Special Recognition presented to David Greenspan from the City of Rocky River. The certificate is a recognition of gratitude for his service to the constituents of the 16th District as a member of the Ohio House of Representatives as well as his service as the first Cuyahoga County District 1 Councilman. On behalf of City Council and the city administration and most importantly the residents of the City of Rocky River, we thank him for his dedication, his tireless public service and wish him continued success in his future in public and private service to the people of northeast Ohio.

The Mayor thanked him and recognized all that he has done for the residents as well as businesses in Rocky River. Representative Greenspan had the seal of every city he represents on the wall of his office showing that he understands who he serves and who elected him to do the important job that he has done in Columbus. Representative Greenspan attended all the Mayors Meetings of the Westshore, listened to discussions and provided an update of County Council or the House of Representatives. However, what really happened was his translation of what was said and turned all that was needed into real things. Everything from his work with the Inspector General of Cuyahoga County, Public Works and making sure cities could apply for reimbursement of materials on many road projects, work on the casino dollars received by local communities through the supplemental grant program of CDBG and the CDSG that was crafted by Representative Greenspan. His help at Bradstreet's Landing, the advocacy to make sure the city could share in the casino dollars. He has drafted, crafted and sponsored numerous pieces of legislation. Dave has been a friend to our community, the residents and the entire Westshore community and his courage and leadership is unmatched.

- President Moran said that Representative Greenspan always listened to so many people through so many programs and always found a way to help. Mr. Greenspan's effort was always appreciated. Thank you for all that you have done. You are a great friend.

- Law Director Bemer said that he had a tour of the new County Administration Building when it first opened but was empty at this point. That day there was one County Councilman in their office working and that was David Greenspan. At that point, Mr. Bemer was impressed with Dave's work ethic, his knowledge and the energy that he provided. Mr. Bemer thanked Mr. Greenspan for his service.
- Mr. Furry thanked Mr. Greenspan for serving his constituents in the Westshore, in the county and state level. Thank you for your service.
- Mr. Klym echoed what everyone said, but stated Dave Greenspan was always there to answer anybody's questions and it was so appreciated. It was so clear that Mr. Greenspan was there to do the work of governing and did so with the highest degree of integrity at all times, even when faced with incredibly difficult circumstances. Mr. Klym thanks you along with all constituents for showing what it is like to be an elected official. Thank you for your service, you will be missed.
- Mr. Shepherd saw your work ethic and professionalism and you will be sorely missed. Mr. Shepherd hopes this is not the end.
- Mr. O'Donnell stated that Mr. Greenspan stood up at an incredibly difficult time and it is an incredible testament to who Mr. Greenspan is. Mr. Greenspan would do the right thing whether or not anyone was looking. Mr. O'Donnell reiterated that if there was anything any one of Council could do to help him in moving forward, please let him know. It was the integrity inside you and the other character traits within you that made us all your friend. Good luck the rest of your way.
- Mr. Hunt remembered meeting Dave at the Force Indoor Baseball Facility and Mr. Hunt was struck at Dave's willingness to get together. Mr. Hunt remembers the tenacity that he showed and the interest he showed in the community. This showed throughout what Mr. Greenspan did in representation in Council and the Legislature. Mr. Hunt wishes him well and thanked him again for his service.

The Mayor also extended great thanks and gratitude to Mr. Greenspan's family who so generously shared of his time. The Mayor also thanked Mr. Greenspan for his support of the new State House Representative. Monique Smith is very lucky to have you as a resource and help in a smooth transition.

Mr. Greenspan thanked the Mayor and stated that he left the seals of the city and the county to Representative Smith as a reminder of who we work for. Mr. Greenspan meant what he said in his letter to the residents of the District, Representative Smith's success is our success. The job is not about who is in the seat but it is about representing the 115,000 people that live in the district. Mr. Greenspan stated that the most important punctuation mark is the dash; it joins the beginning and the end. He knows he had a beginning date and we all will all have an end date at some point. It is how powerful or impactful one makes that dash and he knew his dashes were not defined from his first date or the last date in the legislature but each of the four two year

opportunities.

Mr. Greenspan was asked how many bills he passed in four years and he responded 13. He was told that if a representative is there eight years and gets 10 bills done, they have had a successful time. He is very proud of what he did to protect law enforcement members and the military and his other project of bullying and hazing continues. He has helped bring in close to \$3 million in two capital budgets to the district. The past general assembly, he did \$2 million, which might have been the largest capital budget appropriation in the Westshore that people can remember. Senator Dolan deserves a lot of the credit for that as well. They worked hard to bring back some resources to local communities. He has enjoyed nothing more than representing this district. When you do not win an election, it does not mean the community needs you less; it still needs you as much it did today. To turn your back on that community is not the correct way to think. He is not going away and he will continue to be engaged. If anyone needs him in some way, please continue to use him.

Mr. Greenspan thanked the Mayor and Councilmembers and Law Director Bemer stating that Mr. Bemer's input has always been valuable.

The Special Meeting this evening is in regards to Ordinance No. 7-21.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 7-21

BY: DAVID W. FURRY

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE CITY OF ROCKY RIVER AND JORDAN SERVICES LLC. FOR THE #2 PRIMARY DIGESTER CLEANING PROJECT IN AN AMOUNT NOT TO EXCEED \$712,450.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Furry stated that this ordinance is for the completion of Primary Digester #1 and Primary #2 Digester Cleanout. This is for a not to exceed figure of \$712,450. The ordinance is broken down as follows: Approximately \$75,000 is for the remainder clean out of primary digester #1. This was passed last year with Birch Hydro and that procedure had not been done for 20 plus years. The guesstimate on how much dry tons needed to be removed was just that, a guesstimate and that specific project ran out of money. Digester #2 also needed to be cleaned out and Superintendent Barille seeked additional funds to bid out #2 in addition to completing #1. This was very prudent in that the bids for dry ton removal went from \$890/ton to \$710/ton. It is a different service provider but Birch Hydro decreased their bid by \$100/ton but was not the lowest and best bid. Mr. Furry performed a non-certified search on the Auditor of State and did not see anything on the unresolved findings for Jordan Services LLC. Some things did come up that were 3-4 years old and have all been resolved.

This bid also includes \$270,000 for contingencies, which hopefully will not be tapped into too much or tapped out. The price change and project has been approved by the Management

Committee for the WWTP on Friday, January 8th by unanimous vote and very little discussion.

The WWTP received an odor complaint, the first complaint received in several years.

- Mr. Klym asked which building is being discussed. Superintendent Barille said that it is the first building on the right upon entering where the flame is on top of the building.
- The Mayor added that these dollars already exist in the Capital Budget and there will not be an additional request for dollars from any of the participating cities.

Mr. Furry asked to suspend the three read rule and pass this ordinance this evening, seconded by Mr. O'Donnell.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	
Furry – aye	Klym – aye	Moran – aye	
6 ayes		0 nays	PASSED

Mr. Furry moved for passage of Ordinance No. 7-21 seconded by Mr. O'Donnell.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	
Furry – aye	Klym – aye	Moran – aye	
6 ayes		0 nays	PASSED

Mr. Moran moved to close this Special Meeting, seconded by Mr. O'Donnell.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	
Furry – aye	Klym – aye	Moran – aye	
6 ayes		0 nays	PASSED

Mr. Barille thanked Council for suspending the rules. It is very much needed and he appreciates it.

The Special Meeting was adjourned at 7:40 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council

CITY OF ROCKY RIVER

January 19, 2021

The meeting of the Committee-of-the-Whole was called to order by Mr. Moran, President, immediately following the Special Meeting via Zoom.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. O'Donnell,
Mr. Furry, Mr. Klym, Mr. Moran

Absent: Mrs. Morris

Administration: Mayor Bobst, Director Snyder

Law Director: Mr. Bemer

MAYOR'S REPORT:

The Mayor is excited to announce that the city received another grant from NOPEC, the energy aggregation partner in the amount of just under \$60,000. This grant will be used towards the generator for the Civic Center that will power the Civic Center and Recreation Center. These buildings are designated and identified as gathering spaces should there be a natural or man-made disaster in the city. These buildings are also evacuation sites for some of the schools in the city. The bid should come in a little under \$300,000. The city already has \$240,000 through this grant program and with the addition of the \$60,000 it will be enough to cover this new generator. The specs have been written and will be in front of council shortly.

The Mayor talked about other projects:

- The sheet pilings are going in at Bradstreet's Landing. They are alternating on each side of the pier and moving out. This will need reinforced so equipment can get on the deck. The workers are mindful that they need to be out of the water by the middle of April for fish migration concerns.
- Work is beginning on Malvern and Telbir waterlines. Director Snyder is putting together a brochure on what to expect in 2021 for the residents of Rocky River and will include where the city is planting trees, paving, sewer projects and waterline projects with Morewood being a part of that. This will be very helpful for residents and business owners to have some of this detail. Thank you to Director Snyder for doing this.

COMMITTEE REPORTS: NONE.

COMMUNICATION & ANNOUNCEMENTS: President Moran announced the Standing Council Committees for 2021 will continue as is from 2020. This includes:

Buildings, Equipment and Technology

James Moran, Chair

David Furry

Christopher Klym

John Shepherd

Contracts – Government and Judicial

John Shepherd, Chair
David Furry
Thomas Hunt
Christina Morris

Environmental

David Furry, Chair
Michael O'Donnell
Thomas Hunt
Christina Morris

Finance

Michael O'Donnell, Chair
James Moran
Thomas Hunt
John Shepherd

Parks, Recreation and Health

Christopher Klym, Chair
David Furry
James Moran
Christina Morris

Planning, Zoning and Economic Development

Christina Morris, Chair
Christopher Klym
Michael O'Donnell
John Shepherd

Safety

Thomas Hunt, Chair
James Moran
Christopher Klym
Michael O'Donnell

UNFINISHED BUSINESS:

ORDINANCE NO. 1-21: Mr. Furry thanked Mr. Moran for filling in for him last week. This is a renewal of an ordinance that has been in effect for numerous years and is a cooperation with the Cuyahoga Soil and Water Conservation District and the City but this ordinance is for PIPE or Public Information and Public Education more specifically the education and stewardship for the conservation of soil and water resources. This ordinance does have an increase of \$500 annually totaling \$6,000. It is not a major line item in the budget but it was in the budget and since it is a fellow governmental entity, we are providing full disclosure. This MOU can be renewed solely at the City's discretion after the 12-month period. It also may be amended or terminated at any time via mutual consent of both parties. This has been read once and there will be three full reads.

ORDINANCE NO. 2-21: This is a companion piece with Ordinance 1-21 and has been in effect for numerous years and is also a joint cooperation with the Cuyahoga Soil and Water Conservation District and the City and is related to our Municipal Separate Storm Sewer (MS4) EPA Permit and is for minimal control measures 4 and 5. The Cuyahoga Soil and Water Conservation District shall provide technical assistance to the city. Cuyahoga Soil and Water held the price the same at \$11,330. This is not a major line item in the budget but it was in the budget

and since it is a fellow governmental entity, we are providing full disclosure. This MOU can be renewed solely at the City's discretion after the 12-month period. It also may be amended or terminated at any time via mutual consent of both parties. This has been read once and there will be three full reads.

ORDINANCE NO. 3-21: Mr. O'Donnell stated that this ordinance authorizes the City of Rocky River to pay the difference to the City of Lakewood for the approximate number of 110 homes in the Valley View neighborhood that use Lakewood's treatment plant. These residents are charged a higher rate from Lakewood, and the City covers the difference. Mr. O'Donnell circulated a memorandum last week to Council showing the rate changes over the years. It would still be a significant capital investment for the City of Rocky River to route all of that wastewater to the WWTP in Rocky River. This is an annual ordinance and will have three full reads.

ORDINANCE NO. 4-21: Mr. Moran said that this ordinance is to purchase one 75 cubic yard transfer trailer for the Service Division at a cost not to exceed \$81,100. Mr. Moran thanked Director Snyder for the pictures showing the refuse transfer trailer that is in poor condition and in need of being replaced. The transfer trailers transport garbage from the transfer station. This will have three full reads.

ORDINANCE NO. 5-21: Mr. Shepherd said that this is authorizes a two-year contract for vending machines at the Civic Center and Ice Rink. The Safety Service Department advertised for bids, but Metropolitan Vending was the only bid received and has provided this service for the past several years. The commissioned rates the city receives on vending sales is 28% on gross sales of snacks and food and 30% on gross sales on coffee and ice cream. Mr. Snyder has determined these rates are in line with what neighboring cities pay. These are the same rates that were under the contract back when this company first won this bid. The only major change in the contract is this vendor use to commit to pay for slightly over \$1,000 for advertising at the rink. This has been taken out of the contract as it has been for the other cities also.

ORDINANCE NO. 6-21: Mr. Moran stated that on December 4, 2020 eight bidders submitted their bids for the attached list of vehicles for the total sum of \$26,053.03. There were 13 items on this list including a 1978 airstream trailer, a backhoe and a refuse packer. Three bidders presented the best bids for these vehicles. This will have two more reads.

ORDINANCE NO. 7-21: This ordinance was passed at the Special Meeting this evening.

NEW BUSINESS:

RESOLUTION NO. 8-21: Mr. Moran said that Councilwoman Morris is not here this evening but this is a new shore structure approval at 21468 Avalon Drive. It is not a dock but a structure to stop erosion. The ODNR requires that the City of Rocky River does not have an objection to the placement of this proposed shore structure within Lake Erie submerged lands adjacent to this property.

- Mr. Furry added that Northern Title handled this transfer last year and at that time nothing was promised about voting for said submerged land lease as Mr. Furry knew nothing about it at the time.

ORDINANCE NO. 9-21: Mr. Hunt said this authorizes the Mayor to enter into an agreement with Brookside Construction Services for the landscaping at the new police station. Four bids were received from Zscape, Brookside, Royal Landscape Gardening Inc. and Green Leaf. The bids were competitive. The base bid of Royal Landscape was lower than Brookside, but the lowest total all-in bid was Brookside. Council should have received a corrected version of this ordinance and the total for this contract should be \$106,710 which removes the inclusion of top soil. The base bid was \$87,710 with an alternate of \$13,500 for the irrigation installation and a \$5,500 contingency. It was determined that it would be in the best interest to have Brookside do all the work. Royal had a lower base bid but their irrigation was higher. A representative from Bowen has reached out in regards to references for Brookside and was told that they have provided quality work and completed projects

within their schedule and budget. Additionally, a search of the Auditor's State Database, indicates that Brookside has no outstanding findings. This will be read for the first time at next week's Legislative Meeting.

- Mr. Snyder explained that the problem regarding the alternate having two different companies perform the installation of the landscaping and irrigation is due to the warranty. One of the requirements of the landscape irrigation is a one-year warranty, but if the installation work is performed by another company, the original contractor may not be as willing to accommodate the warranty as required by the contract. They will be more mindful in making sure the irrigation is working properly.

MISCELLANEOUS BUSINESS: Mr. Moran announced that the next Council Meeting will be January 25th via zoom beginning at 7:00 p.m.

Approval for the Bucci Italian Restaurant Liquor Control Request was granted.

Mr. O'Donnell asked if City Council is on zoom for the foreseeable future. Mr. Moran said for sure next week and he will discuss it with all the Council members regarding future meetings.

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

James W. Moran
President of Council

Susan G. Pease
Clerk of Council