

CITY OF ROCKY RIVER

July 18, 2022

The Special Meeting of Council was called to order by Mr. Moran, President of Council, at 7:00 pm in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Sindelar, and Mr. Moran

Administration: Mayor Bobst, Mr. Snyder, Mr. Thomas

Law Director: Mr. O'Shea

The meeting was opened with the Pledge of Allegiance.

The Special Meeting this evening is regarding Resolution Nos. 46-22, 47-22, 48-22 and Ordinance Nos. 49-22, 50-22 and 51-22.

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

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**

1st READING

President Moran explained that the city requests the proceeds of all tax levies for the tax year 2022 from the Cuyahoga County Fiscal Officer in order to receive the funds in a timely manner. This is the first read for this resolution.

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**

1st READING

Mr. Sindelar said that this resolution is to apply for a NOACA grant to purchase a Transit Connect XL Van for the Senior Center. Mr. Sindelar will ask for a picture of this vehicle to share with Council. The main purpose is due to the retirement of a few vehicles and there is an increased trend of ridership for the Senior Center. This purchase will be in 2023 because start to finish this would take about year before delivery. If the city receives this grant, 80% of the purchase price would be covered by this grant. In addition, Giant Eagle has committed to \$5,000 to put towards the city's share of this purchase bringing the total cost for the city to \$2,590.00. The Mayor added that a Public Meeting will be held later this week at the Senior Center so individuals can give input on what is needed in a vehicle. There is a deadline of August 5th for the application so Mr. Sindelar would want to pass this on the second read for

the opportunity for savings.

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

1st READING

Mr. Furry will hold discussion on this resolution until the Committee-of-the-Whole Meeting immediately following the Special Meeting.

ORDINANCE NO. 49-22

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR 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

1st READING

Mr. Hunt will defer discussion on this for the Committee-of-the-Whole Meeting immediately following the Special Meeting.

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"

1st READING

Mr. Shepherd stated that this is for the sidewalk program which encompasses a larger area than last year. This year the program will be for 11,400 square feet as compared to 7,000 square feet in 2021. The price per square foot last year was \$14.22 and this year it is \$13.00 per square foot. Two responsive bids were received and Allega was \$2,420 lower than the next bid and within the engineer's estimate. The focus of this project is on sidewalk problems due to tree lawn trees and utilities between Lake and Detroit Roads and will also encompass making curb ramp improvements to provide ADA compliance. This ordinance and the next ordinance are two of the larger summer construction projects and due to delays with rebidding, Mr. Shepherd will ask for a rule's suspension on both ordinances so the projects can begin soon. Mr. Shepherd forwarded to Council the information received from Director Snyder explaining the history, the bid history and the reference checks on the contractors which all checked out. Mr. Shepherd added that Allega has done satisfactory work for the City of Rocky River and the City of Fairview Park and there are no unresolved findings on the State Auditor's Database. Mr. Snyder added that the sidewalk work contract is 45 days from the "Notice to Proceed". The street program needs to be completed by November 18th.

- Mrs. Morris asked if this is the company residents will ask for bids for their pink dots on their sidewalks. Mr. Shepherd stated that residents can go to any company for bid. Mr. Snyder explained that he spoke with the contractor about sharing the name of this company with residents so they can reach out to them. Director Snyder also has a list of other registered concrete contractors that residents can reach out to also. The price quoted above is for the city only. Any work done outside of this contract is outside the city's purview.
- President Moran said if Council feels the need for this ordinance to be read three times, a

meeting can be held on any day at any time for a third read. Mr. Furry said Council knew this was coming up and that it needed to be rebid, so as soon as these projects can begin the contractor will have more time to complete them. The Mayor reminded Council that six members of Council are needed to vote on a rule's suspension. All of City Council will be in attendance at next Monday's Legislative Meeting.

- Mr. Furry asked if this will be done with the new specifications. Mr. Snyder stated that the new specifications were included, including the six-inches of base and all that was outlined in the revised specifications in the building code.

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"

1st READING

Mr. Shepherd said this is for the annual summer paving program that money has already been allocated for in the budget. Originally, only one bid response was received and was outside the 10% above the engineer's estimate. This is symptomatic of issues with many of the city's projects. The city rebid with a revised proposal and Crossroads came in as the only bid and within the engineer's estimate at \$1,484,483. The city wanted the price to be lower so pulled two streets out lowering the bid. This project will include the City Hall Parking Lot, East Shoreland Ave., Linden Park Parking Lot, Tri-City Parking Lot and Westway Drive. Within these components there are different processes in different sections. The streets pulled out are Beaconsfield and Dorothy which will be repaved with the recycled asphalt pilot program. Mr. Snyder said these were bid simultaneously to provide a price comparison within the two processes. Crossroads has done satisfactory work for the City of Rocky River and they City of Fairview Park and has no unresolved findings on the State Auditor's Database.

- Mr. Furry asked what part of Westway Drive is being repaved. Mr. Snyder said it is from Northview to Hilliard. This will go along with the grant for paving from Gasser to Wooster on Hilliard Blvd.

Mr. Moran moved to close the Special Meeting, seconded by Mr. Furry. The Special Meeting was adjourned at 7:23 p.m.

Vote: Hunt – aye
Morris – aye
7 ayes

Shepherd – aye
Sindelar – aye
0 nays

Gallagher – aye
Moran - aye

Furry – aye

PASSED

James W. Moran
President of Council

Susan G. Pease
Clerk of Council

CITY OF ROCKY RIVER

July 18, 2022

The Committee-of-the-Whole Meeting of Council was called to order by Mr. Moran, President of Council, immediately following the Special Meeting 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. Snyder, Mr. Thomas

Law Director: Mr. O'Shea

MAYOR'S REPORT:

The Mayor announced the city received the first of the One Ohio Opioid Settlement which came in last week in the amount of \$4,300. Of the settlement dollars, local governments will receive 30%, the Foundation will receive 55% to fund drug prevention programs in the state and the Attorney General's Office receives 15%. There are very specific purposes for the use of the money to remove drugs from the community, assist individuals with opioid addiction, etc. There are five different areas and the money must be used for these purposes through the MOU entered into through Council. Director Thomas will set up a separate fund for these dollars and the money will be dispersed accordingly and appropriately. The Mayor had notes from February stating that one settlement may be \$122,000. The city will continue to monitor this. The police do important work with the WestShore Council of Governments, specifically the WestShore Enforcement Bureau that works specifically in the area of drug prevention and crimes related to drugs. Thank you to City Council for passing this legislation and thank you to our former Law Director Bemer for guiding Council through this process with the Attorney General's Office.

The Mayor said the Salt Contract pricing came in at \$47.24 a ton for the 2022-2023 season. That amount is up \$10.00 a ton from last year but below the high of \$73.00 in 2019-2020 and above the low of \$29.12 in 2017-2018. The average is \$50.95, so it is below the 5- or 6-year average.

The Mayor said the ARPA Fund request is in front of County Council for the Police Station Firing Range. It will be introduced on their agenda tomorrow. At some point, the Mayor, Director Snyder and the Police Chief will be asked to present the project to County Council. The application submitted was very comprehensive. The legislation that is being presented tomorrow is a little more than \$1.2 million to complete this project. The city is pleased with this consideration.

The Mayor gave a construction update: Wooster Road is completed other than a few punch list items; Oak and Collver will begin mid-August; Spencer Rd. will begin August 1st; Morewood has moved over to the other side with the concrete and the Malvern/Telbir Project will begin paving shortly.

The Car Show was canceled yesterday due to the rain. The City will celebrate Christmas in July on the 24th at 12:00 p.m. at the outdoor pool and at 7:00 p.m. at Rocky River Park with Funkology Band performing.

The Mayor announced that Law Director O'Shea has been appointed by the Ohio Municipal League to the Ohio Jail Advisory Board. Congratulations on this appointment.

- Councilman Shepherd added that he heard that some party or class action did not participate in the Opioid Settlement and took it to trial and lost. Mr. Shepherd will gather more information and forward that to the Mayor.
- Mr. Furry asked if all the salt was delivered from 2021-2022. The Mayor stated that the entire contract was utilized.
- Mr. Moran asked about the city's position with the Narcan supply. The Mayor said that during COVID there was a decrease with OPIOID related issues. In the last several months, it has grown and the use of Narcan has increased. The city has been able to secure Narcan through the WestShore Enforcement Bureau and both the police and EMS carry Narcan. Currently, it is not unusual that the police and EMS are giving multiple units of Narcan to revive individuals. Mr. O'Shea stated that drug suppliers are adding fentanyl in unknown amounts in other drugs causing a rise in the number of overdoses.
- The Mayor said that the Director of the Westshore Enforcement Bureau, Matt Venyo or the Rocky Police Department could come to a meeting to discuss this further.

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 41-22: Mr. Moran stated this ordinance has been read twice with a third read next week. This gives authorization to issue bonds on an amortizing payment schedule to replace one-year notes the city had issued. The final invoices will be paid in the amount of \$12.7 million. This will be read for a third time next week.

- Mr. Furry asked if the city could go to market earlier if the rates are favorable on August 13th or does the city wait until September 22nd. Director Thomas said the first part of the process is to get the Moody Rating scheduled for August 1st and cannot do it before 30 days before the maturity of the bond anticipation notes.

RESOLUTION NO. 42-22: Mr. Moran said this resolution makes sure the city can collect the delinquent sanitary sewer accounts. The exhibit will be amended by the end of July due to the city receiving payment for these accounts. The accounts that are not paid will be sent down to the Cuyahoga County Fiscal Officer for collection. This has been read twice.

- Mrs. Gallagher asked if residents can pay online. Mr. Thomas is working on that process with the account debit function from the sewer billing along with a credit card online payment and a credit card payment in person at City Hall.

RESOLUTION NO. 43-22: Mr. Moran explained that Director Thomas puts this together with input from the Mayor as a first pass of the 2023 budget. This is in a summary form of a rough draft called the "alternative tax budget information". This includes known costs as well as some projections. This has been read twice.

RESOLUTION NO. 44-22: Mr. Moran stated that this is accepting the amounts and tax rates of the County Budget Commission for the levies. This has been read twice with a third read next week. This is an annual resolution. The debt millage went from .78 to .75 mills which means taxes will be reduced.

This will be discussed further at next week's meeting.

ORDINANCE NO. 45-22: Mr. Sindelar stated that this is an ordinance to purchase janitorial supplies from Ohio Valley Supply and Maintenance. This is an annual housekeeping ordinance for toiletries and supplies. Ohio Valley is a long-standing supplier and the city is happy with their service.

RESOLUTION NO. 46-22: Mr. Moran said this was discussed during the Special Meeting and 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. This will be read for a second time next week.

RESOLUTION NO. 47-22: Mr. Sindelar said that this is for the purchase of an XL Connect Van for the Senior Center.

RESOLUTION NO. 48-22: 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 is for \$40,000 for a \$110,215 project to replace approximately 1,535 feet of an existing 4-foot-wide asphalt path on the east and south side with a 6-foot-wide flexible asphalt path similar to the flexi pave installed at the City Hall Park playground areas. This new path will provide ADA accessibility with a porous asphalt solution to assist with storm water mitigation. Mr. Furry forwarded pictures to Council showing existing conditions. This needs to reach the ODNR by August 15th so Mr. Furry will ask for a rule's suspension next week.

ORDINANCE NO. 49-22: Mr. Hunt said this was read for the first time at this evening's Special Meeting. This has been in the works for years through the budget process and in November 2021 leading into the 2022 fiscal year, the funding has been appropriated for the purchase. This would authorize the purchase from Sutphen Corporation at a cost not to exceed \$773,665. Firetrucks and police vehicles are the backbone of safety services and are necessary to respond to emergencies. This is an investment of health, safety and welfare for the community. Mr. Hunt reiterated Chief Lenart's comments and this fire engine would replace a 1996 engine and has had some corrosion issues, heating and cooling issues. The mechanics have kept it functioning but it has been a significant chore. The manufacturer Sutphen would be the same as the manufacturer for the Ladder Truck so there would be familiarity and redundancy in parts. The specs for the new fire engine have gone through a committee within the fire department. The exhibit shows that bid proposals were sent to six manufacturers and followed up to be sure the proposals were received. Only one bid came back and that was from Sutphen. Chief Lenart commented a year ago, trucks were in the \$500-\$600,000 range and the Chief indicated this truck would be projected to be \$725,000, so at \$773,665 it is quite an increase. Moreover, based upon supply chain issues, the build out for this vehicle is 28-30 months. It is recommended to go forward as it will take approximately three years to receive a new vehicle. Mr. Snyder said that the issue now is the individual components where one plant is shut down holding up the whole process.

- Mr. Sindelar asked why only one bid was received. Mr. Snyder said there is a lot of work to be had and the Mayor added there is a lot of money available and the need to accurately make the timeline is very difficult.
- Sutphen has been great with customer service and is an Ohio company. The city mechanics go to Columbus for training.

Mr. Hunt asked Mr. O'Shea about the wording at the end of the contract concerning the controlling jurisdiction for any related litigation is in Franklin. Mr. O'Shea said that is not an issue as everything is e-filed these days. Mr. O'Shea added that Sutphen will insure the engine three days beyond delivery.

Mr. Hunt said there is time sensitivity to lock in this price and potentially to get the equipment underway, so he will request a rule's suspension next week after the second read.

ORDINANCE NO. 50-22: Mr. Shepherd said this is the 2022 Sidewalk Program that was discussed at the Special Meeting in length. Mr. Shepherd will ask for a rule's suspension at next week's meeting so this project can begin.

ORDINANCE NO. 51-22: Mr. Shepherd said this is the 2022 Street Repair Program that was discussed at the Special Meeting in length. Mr. Shepherd will ask for a rule's suspension at next week's meeting so this project can begin.

NEW BUSINESS: NONE

MISCELLANEOUS BUSINESS: City Council discussed the Thai Cravings LLC & Patio Liquor License Request. Mr. Shepherd said it is a transfer and Chief Lichman's report did not have anything that would stop the transfer. The request was approved by Council.

The next Legislative Meeting will be July 25th beginning at 7:00 p.m.

As there was no further business by members of Council, the meeting was adjourned at 8:02 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council