

## **CITY OF ROCKY RIVER**

**December 19, 2022**

The Committee-of-the-Whole 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, Mr. Furry,  
Mrs. Morris, Mr. Sindelar, Mr. Moran

Absent: Mrs. Gallagher

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

Law Director: Mr. O'Shea

The meeting was opened with a Pledge of Allegiance.

### **MAYOR'S REPORT:**

The Senior Center's post-evaluation for accreditation was held last Wednesday. The Mayor thanked all of Council who were able to be part of the zoom call along with all the administration that participated. It showed great support and engagement to the National Association of Senior Centers National Council on Aging. Results will be available around the middle of January. The Mayor emphasized that some of Rocky River's initiatives will be added to the Best Practices for Senior Centers around the country. This includes the R.E.A.C.H. Program that has recently been discussed by Council that was initiated during COVID and now has even more meaning going into holidays and next year. That program continues to be refined and expanded. Senior Theater, the Computer Café along with the advocacy around changing the definition of aging. The Mayor is very pleased that the Senior Center received a such a good recommendation and guidance. The Mayor also noted that what is really important is that since the first accreditation is that document, recommendation and guidance and translated it into initiatives and impact with the seniors. The Mayor feels that will be the most notable thing included in the evaluation. The Strategic Plan and the addition on the Senior Center will also be included.

The Mayor stated that four architectural firms were at the Senior Center last week for a site visit prior to submitting proposals.

The Mayor announced that ODOT Urban Paving Program moved up the Center Ridge Project to fiscal year 2025 which will actually begin July 2024 through June of 2025 thanks to the good work of Director Snyder. That was escalated by two full years. The engineering is currently being done now.

The Mayor announced that Superintendent Barille of the WWTP received his Class Four certification. It is a Class Four WasteWater Treatment Professional License. Mr. Barille

submitted a 400-page document that supported his application for his Class Four. This is a tremendous achievement.

The Mayor stated that the Rec Department has changed their schedule for the holidays: Christmas Eve will be opened from 7:00 a.m. to noon; Christmas Day closed; New Year's Eve will be opened from 7:00 a.m. to 4:00 p.m.; New Year's Day closed. There are special holiday skating events listed on the website or give the ice-skating rink a call. The rink will be closed on December 25<sup>th</sup>.

City Hall will be closed December 26<sup>th</sup> and January 2<sup>nd</sup> in observance of the Federal Holidays for Christmas and New Year's Day.

**COMMITTEE REPORTS: NONE**

**COMMUNICATIONS FROM COUNCIL: NONE**

**UNFINISHED BUSINESS:**

**AMENDED ORDINANCE NO. 76-22:** President Moran said this is the ordinance fixing the salaries starting January 1, 2023 through December 31, 2023. The exhibit has been amended with some small changes along with some title changes. This will be discussed further at the next meeting.

**AMENDED ORDINANCE NO. 77-22:** President Moran said this is the projected budget and appropriations for the current expenses from January 1<sup>st</sup> 2023 through December 31<sup>st</sup> 2023. This will be discussed further at the following meeting.

**ORDINANCE NO. 82-22:** Mr. Shepherd said this authorizes a contract with Medical Mutual that provides for the health care insurance, prescription coverage and optional vision care for the full-time employees and collective bargaining employees. This will be discussed further at the next meeting where Mr. Shepherd will move to amend the cover page of the ordinance.

**ORDINANCE NO. 83-22:** Mr. Moran said this was discussed at length last week. This is the contract with the Rocky River Firefighters for the next three years for wages and other details. This will be discussed at the next meeting. As this should take effect at the beginning of the year, Mr. Moran will seek a rules suspension of the three-read rule during the Special Meeting this evening.

**ORDINANCE NO. 84-22:** Mr. Moran said that this is the bargaining agreement for the WWTP. This will be a three-year agreement for wages and other details including shifts, vacation, positions, sick leave and health benefits over time. As this should take effect at the beginning of the year, Mr. Moran will seek a rules suspension for three reads at the Special Meeting this evening.

**NEW BUSINESS:**

**ORDINANCE NO. 85-22:** Mr. Moran said this is a reference coming back from the Building Commissioner and the Law Director regarding attached garages. This will be discussed further

at the next meeting and will be referred to the Planning Commission.

**ORDINANCE NO. 86-22:** Mr. Moran stated that this is for detached garages and will be discussed further at the following meeting.

**ORDINANCE NO. 87-22:** Mr. Hunt stated that this is a proposed authorization for the Mayor to enter into a Memorandum of Understanding with the County, Division of Children and Family Services and on behalf of the Rocky River Police Department. Mr. Hunt said that Law Director O'Shea and/or Prosecutor Dever mentioned this in the past. There was some familiarity when he saw this on the agenda regarding the MOU and the purpose behind it with regard to streamlining some of the investigation that goes on with regard to abuse and neglect of children. The County wants law enforcement to be on the same page with prosecution and investigation. This is an amendment of a prior MOU which reinforces the same primary goals of the original MOU to ensure the prompt reporting of all incidents of suspected child abuse or neglect including human trafficking; to conduct comprehensive and coordinated investigations of suspected child abuse or neglect including human trafficking; and to eliminate all unnecessary interviews with children subject to reports of child abuse or neglect. This will be read for the first time at the Special Meeting and will delve deeper into any questions over the course of the next few meetings and look for passage after the first of the year.

**MISCELLANEOUS BUSINESS:** Mr. Moran said that since City Hall will be closed the two Mondays following the Christmas Holiday, tonight's Special Meeting will take the place of next week's Legislative Meeting. The next meeting will be scheduled for January 9<sup>th</sup> which will be the next Legislative Meeting.

As there was no further business by members of Council, Mr. Moran wished everyone a Merry Christmas. The meeting was adjourned at 7:19 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council

## **CITY OF ROCKY RIVER**

**December 19, 2022**

The Special Meeting of Council was called to order by Mr. Moran, President of Council, immediately following the Committee-of-the-Whole Meeting in the David J. Cook Council Chambers.

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

Absent: Mrs. Gallagher

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 Legislative Meeting and Executive Session of December 12<sup>th</sup>, and the Committee-of-the-Whole Meeting minutes of December 5<sup>th</sup> be waived and that the minutes be accepted as submitted.

|                  |                |             |
|------------------|----------------|-------------|
| Vote: Hunt – aye | Shepherd – aye | Furry – aye |
| Morris – aye     | Sindelar – aye | Moran – aye |
| 6 ayes           | 0 nays         |             |

**PASSED**

### **MAYOR'S REPORT: NONE**

**LAW DEPARTMENT:** Mr. O'Shea stated that during the Director's Meeting this morning another email phishing attempt was discussed. They are getting more creative and aggressive so be careful. If an email is not recognized, just delete the message. Mr. O'Shea reinforced the plea to residents to please lock their car doors and do not leave anything of value in them. Do not leave your car running because of the cold. This is one of the biggest crimes of opportunity that happens in Rocky River and the less opportunity they have the less word on the street that Rocky River is the place to go.

- President Moran reiterated that Mr. Grau will assist and help with any questionable email.

### **COMMITTEE REPORTS: NONE**

### **COMMUNICATIONS FROM COUNCIL: NONE**

### **PUBLIC COMMENT: NONE**

### **UNFINISHED BUSINESS:**

**AMENDED ORDINANCE NO. 76-22** **BY: JAMES W. MORAN**  
**AN EMERGENCY ORDINANCE CREATING POSITIONS AND FIXING OR ESTABLISHING THE**  
**ANNUAL SALARIES AND HOURLY RATES COMMENCING JANUARY 1, 2023 FOR THE**

**APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER**  
**3<sup>rd</sup> READING**

President Moran said this is the amended ordinance fixing the salaries starting January 1 2023 through December 31, 2023. The amendments were to make some additions and changes for new titles, a 3% increase for staff and increase of minimum wage to \$10.10 an hour. This has been discussed for several weeks and reflects all the CBA's that have been discussed at length. Mr. Moran said that Council appreciates all the work that has been done by the administration and the unions bringing things together.

Mr. Moran moved for passage of Amended Ordinance No. 76-22, seconded by Mr. Furry as amended.

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

**AMENDED ORDINANCE NO. 77-22**  
**AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023**  
**3<sup>rd</sup> READING**

**BY: JAMES W. MORAN**

President Moran said this is the projected budget and appropriations for the current expenses from January 1<sup>st</sup> 2023 through December 31<sup>st</sup>, 2023. As mentioned before through the budget meetings, this was an outline presented by all the Directors to the Mayor and Finance Director. This is the budget for the entire year with a lot of plans going forward for this year. The Director's reports on December 2<sup>nd</sup> were very informative and it tells a great story and showed the involvement of the directors and enthusiasm for their department. Mr. Moran thanked the Mayor and all the Directors. Mr. Moran moved for passage Amended Ordinance No. 77-22, seconded by Mr. Furry,

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

**ORDINANCE NO. 82-22**  
**BY: JOHN B. SHEPHERD**

Mr. Shepherd discussed the amendment for this ordinance. The fourth "Whereas" referred to the healthcare as a minimum premium contract and referred to the prescription coverage as an Administrative Services Only Contract and it turns out that both those terms apply to both coverages. The city spoke with the Insurance Division Consultant and he suggested that the minimum premium contract is the most appropriate term to use. Mr. Shepherd moved to amend Ordinance 82-22 with that change in the fourth whereas and in Section 1 of the cover ordinance, seconded by Mr. Furry.

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

**AMENDED ORDINANCE NO. 82-22**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH MEDICAL MUTUAL OF OHIO TO PROVIDE HEALTH CARE, PRESCRIPTION INSURANCE COVERAGE, AND OPTIONAL VISION COVERAGE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"**  
**2<sup>nd</sup> READING**

**BY: JOHN B. SHEPHERD**

Mr. Shepherd moved for a rule suspension for this ordinance as it needs to be in place by the first of the year to meet the obligations under the Collective Bargaining Agreements and to provide a continuous insurance for the full-time employees. This went out to bid two years ago and will go out to bid next year per the recommendation. This year

there is a modest increase but is below the increases neighboring cities are experiencing and our claims record has been good. Mr. Shepherd moved to suspend the third read rule for Amended Ordinance No. 82-22, seconded by Mr. Furry.

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

Mr. Shepherd moved for passage of Amended Ordinance No. 82-22, seconded by Mr. Furry.

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

#### **ORDINANCE NO. 83-22**

**BY: JAMES W. MORAN**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE ROCKY RIVER FIRE FIGHTERS ASSOCIATION, LOCAL #659, REPRESENTING THE EMPLOYEES OF THE ROCKY RIVER FIRE DIVISION, AS FURTHER DESCRIBED IN EXHIBIT “A”**  
**2<sup>nd</sup> READING**

Mr. Moran said that this is the contract with the Rocky River Firefighters and Council has 30 days to pass it. The next Legislative Meeting is not until January 9<sup>th</sup>, so Mr. Moran will move to suspend the three-read rule. This is a three-year contract with a 3% increase each year and the following additional items:

- Additional steps for the newly hired firefighters
- The acting pay for the MOU between the unions and the management coming into play around July 1<sup>st</sup>
- The squad differential of \$2.00 for the lead squad
- An increased educational differential, paramedic certification at \$2500 and a Bachelor’s Degree at \$1500 promoting continuing education
- Increase in comp time training bank to 48 hours
- Added the Juneteenth Holiday
- No increase in clothing allowance
- No increase in longevity payments

Mr. Moran moved to suspend the three-read rule, seconded by Mr. Furry.

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

Mr. Moran moved for passage Ordinance No. 83-22, seconded by Mr. Furry.

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

#### **ORDINANCE NO. 84-22**

**BY: JAMES W. MORAN**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE TEAMSTERS LOCAL UNION 436 REPRESENTING CERTAIN EMPLOYEES OF THE ROCKY RIVER WASTEWATER TREATMENT PLANT, AS FURTHER DESCRIBED IN EXHIBIT “A”**  
**2<sup>nd</sup> READING**

Mr. Moran said that this contract follows the same increase across the board at 3% and approve this before the end of the year. The contract also includes:

- An added operator license stipend:

- Level one at \$750
- Level two at \$1,000
- Level three at \$1,250
- There is a uniform allowance increase of \$100 up to \$900.
- Contract language was clarified stating the Superintendent can arrange for a temporary job and assignment moving up employees to fill the opening
- Clarified language when employees work on observed holidays verses the actual holiday
- There is a reduced calendar days for internal postings allowing management to speed up the hiring process.

Mr. Moran moved to suspend the three-read rule, seconded by Mr. Furry.

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

Mr. Moran moved for passage Ordinance No. 84-22, seconded by Mr. Furry.

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

#### **NEW BUSINESS:**

#### **ORDINANCE NO. 85-22**

**BY: JEANNE GALLAGHER**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 1123.02 OF THE DEVELOPMENT CODE ENTITLED “DEFINITIONS”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”**

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

Mr. Moran stated that this ordinance will be referred to the Planning Commission for review and they will send it back to Council. This ordinance will be amended to add the date of recommendation by the Planning Commission. Mr. O’Shea stated that it defines an attached garage. Mr. Moran spoke with Councilwoman Gallagher regarding clarifying the language.

- Mr. Furry asked if this is to remove the extra living space. The Mayor stated that this is not the intent. The intent is to clarify the detached verses an attached. There was an issue in Ward 1 so this needs to be clarified and there will be a next step to this. When a garage is attached to a house, it can have an entire floor on top of it, but if that same garage was 20 feet away or 15 feet away from the house, it could not because it is detached. This defines that space.
- The Mayor added that this is an important definition and provides clarity for the new Development Code.

#### **ORDINANCE NO. 86-22**

**BY: JEANNE GALLAGHER**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER SECTION 1153.15(d) ENTITLED “DETACHED GARAGES”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”**

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

Mr. Moran stated that this is a sister ordinance to Ordinance No. 85-22. This will define what a detached garage is. This will be referred to the Planning Commission and the Planning Commission will send it back to Council with their recommendation.

**ORDINANCE NO. 87-22**

**BY: THOMAS J. HUNT**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN CUYAHOGA COUNTY DIVISION OF CHILDREN & FAMILY SERVICES ("CCDCFS") AND THE CITY OF ROCKY RIVER POLICE DEPARTMENT REGARDING REPORTING AND INVESTIGATIONS OF ABUSE AND NEGLECT, ATTACHED HERETO AS EXHIBIT A  
1<sup>st</sup> READING**

Mr. Hunt said this was discussed at the Committee-of-the-Whole meeting. Please let Mr. Hunt know if there are any questions or a need for additional information. This will be discussed further in January.

- Mrs. Morris asked if other cities are involved in this MOU. The Mayor and Mr. Hunt said yes. Many cities signed on with the original MOU. This is an amended MOU. The Mayor said the last page of the exhibit is the signature page which has been signed by several other jurisdictions.
- The Mayor offered to send the full document to Council if necessary. The Mayor stated that she feels this collaboration already exists, it already happens and they are already working together. This happened with prior agreements and that's the way law enforcement works. This formalizes and standardizes the response.

**MISCELLANEOUS BUSINESS: NONE**

**PUBLIC COMMENT:** Mr. Sandy Stiassni of Lakewood, Ohio and Irvine, CA. This is his second visit to a Council Committee Meeting. In addition to extending his holiday greeting, this is his 25<sup>th</sup> Council meeting this year on the north and west coast. He complimented this Council on the truly bipartisan approach to business. Local business comes first and partisan issues clearly come second. He has a strong feeling that this Council looks at Rocky River as a unified entity and makes decisions for the benefit of all its residents. He feels this Council is doing a great job. The Mayor has met Mr. Stiassni previously and he understands and is very involved in local government and how effective and non-effective local government can be.

As there was no further business by members of Council, the meeting was adjourned at 7:53 p.m. The next meeting will be held on January 9<sup>th</sup>, 2023. President Moran wished everyone a happy, safe and healthy holiday. Looking forward to next year. The Mayor thanked Council for all the time spent with the Directors and passing the 2023 Budget.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council