

CITY OF ROCKY RIVER

April 3, 2023

The Committee-of-the-Whole Meeting of Council was called to order by Mr. Moran, President of Council, at 7:25 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. Snyder, Mr. Thomas

Law Director: Mr. O'Shea

MAYOR'S REPORT:

Mayor Bobst indicated:

- As previously reported, the Jail Inspection was scheduled for last Thursday and she is happy to report that the jail passed inspection. The hiring of jailers that are cross trained as dispatchers is currently underway in an effort to staff the jail.
- Director Snyder received word from NOACA that the City will be receiving a grant from the TLCI Implementation Program in the amount of \$369,650. Those dollars will be combined with the State capital dollars that were secured and Director Snyder will be applying for a congestion mitigation and air quality grant.
- Bid openings today were for Safety Town, Center Ridge and Hilliard. The Safety Town bid came in \$269,000 just slightly above the engineer's estimate; on the Hilliard (between Gassar and Wooster) bid there were 6 bidders with Chagrin Valley Paving being the lowest bidder at approximately \$442,000, below the engineer's estimate of \$516,000; there were 3 bidders for paving on Center Ridge (Spencer to the Westlake border) with the lowest bidder being Agresta Construction at \$1,307,000 (engineer's estimate was \$1,302,000), who will be using Chagrin Valley Paving for the asphalt subcontractor. All these bids will be reviewed and vetted. Legislation will be forthcoming following evaluation.
- A citywide yard cleanup will be the week of April 17, which will be an opportunity for everyone to bring their lawn bags and leaf piles to the tree lawn for the Service Department crews to retrieve.
- Trees are arriving this week for the tree lawn tree planting program, so you will start to see those installed.
- Parks are getting in shape for the spring with swings going up, restrooms opening, as well as beach cleanup. Service Director Dave Arendec reported this morning that more than 20 truckloads of debris and driftwood from the beaches.
- Facilities Director Mike Balla reports that so far this year Memorial Hall has 577 events scheduled to occur from now until the end of the year, with many of the regularly scheduled groups still needing to schedule which will likely happen in June. Once that happens the number of events hosted at Memorial Hall will increase. Reviewing the Annual Report shows there are usually close to 1,000 events each year. It's exciting to see that picking back up coming out of the pandemic.
- Saturday's Shredding Day saw between 150-175 residents availing themselves of the service. Although the truck did not fill.
- Finally, Mayor Bobst and Safety Service Director Snyder received notice this afternoon that Chief George Lichman will be the recipient of the Michael J. Kelly Award for Excellence and Innovation. This is an award presented by the Executive Committee of the Ohio Association of

Chiefs of Police. There are two recipients, the other is the individual Chief Lichman worked with on developing a database for Capstone Projects. This was for the Certified Law Enforcement Executive Program. The award criteria is presented to a police executive to recognize the pursuit of excellence in police leadership through innovation and creativity which exemplifies the vision, mission, goals and values of the Ohio Association of Chiefs of Police. We send our congratulations to the Chief for that recognition!

Mayor Bobst respectfully requested an Executive Session under RR Charter Article 10, Section 6, Subsection 1 to discuss a personnel matter.

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: Mr. Furry reiterated a comment he received from a resident who expressed his displeasure at the new sign in front of City Hall, even though he said it was more esthetically pleasing, it doesn't provide any sort of messages of what is going on in the City.

Mrs. Gallagher shared a concern regarding the no turn on red sign at the Wagar and Hilliard intersection in that it is difficult to read. Director Snyder indicated he will review the matter.

Mr. Moran provided comment regarding the construction near Tri-City Park. There is a storm water line being replaced at that location. Director Snyder indicated the job should be complete in a week or two, and that the purpose is to alleviate flooding behind the houses between Delmar and St. Demetrious Church.

UNFINISHED BUSINESS:

ORDINANCE NO. 20-23: Mrs. Morris said this was discussed at the Special meeting earlier this evening. She inquired if there were any questions. Being none, she requested Ordinance 20-23 be added to the Consent Agenda for the next Legislative Meeting.

ORDINANCE NO. 21-23: Mr. Shepherd noted this ordinance is for a two year lease agreement for the operation of the concessions at the outdoor municipal pool, the Hamilton Ice Arena and the Don Umerley Civic Center. Mr. Shepherd would like to add Ordinance No. 21-23 to the Consent Agenda.

ORDINANCE NO. 22-23: Mr. Hunt indicated this ordinance pertains the change to the Civil Service Rules and Regulations; the changes were attached in the exhibit. This is set for a third read at the next legislative meeting. This has been discussed for the last couple of weeks and he has not received any questions. Mr. Hunt asked that Ordinance No. 22-23 be placed on the Consent Agenda.

ORDINANCE NO. 23-23: Mr. Shepherd said this is a contract for Phase II for Bradstreet's Landing Project. There has been lengthen discussion. He noted one item contained in the minutes from the last meeting wherein he expressed a concern regarding trailers, but the minutes reflect boats. He clarified that he was referring to handheld SUP boards or kayaks. He did speak with the Administration and they are exploring options for possibly handling those types of things across the street, as well as looking into parking issues across the street. He asked if there are any other questions on the Bradstreet's project at this time.

- Mrs. Morris stated a resident mentioned she had read the minutes and she was very concerned about parking because she is a bird watcher and Bradstreet's Landing is a popular location for this hobby, and parking has proved difficult at some times.

Mr. Shepherd indicated this would be read for a third time next week.

ORDINANCE 24-23: Mr. Shepherd indicated this ordinance is for the architectural and design services for the Senior Center improvements. He asked if anyone had any questions.

- Mayor Bobst thanked Facilities Director Mike Balla for his involvement in the process for this project.

Mr. Shepherd requested Ordinance No. 24-23 be added to the Consent Agenda.

ORDINANCE 25-23: Mr. Moran indicated that the Board of Elections requires Council to indicate the compensation for the councilmen position for 2024 and 2025. There was no increase in the salary during the last term. The proposed increase would average for 4 years at about a 1.5% increase, moving up to \$13,500 for both years. This will be read for the 3rd time next week.

ORDINANCE 26-23: Mr. Moran indicated this ordinance is for the salary for the position of Council President. There was no raise in this position over the last term. The increase would be about 1.5% over the last four years, moving up \$1,500 to \$15,000 a year for the term 2024-2025. This will be read for the 3rd time next week.

ORDINANCE 27-23: Mr. Moran indicated this ordinance is for the salary for the position of the Director of Law. This increase is 3% which matches increases provided to City of Rocky River employees. The salary will increase to \$69,525.00. This will be read for the 3rd time next week.

ORDINANCE 28-23: Mr. Moran indicated this ordinance is for the salary for the position of Mayor for the 2024-2025 term. The salary for the position of Mayor has been caught up to the raises of positions that report to the Mayor. The \$120,000 annual salary brings the salary to the level slightly above those other positions. There is also an additional \$500 per year of experience. This will be read for the 3rd time next week.

ORDINANCE 29-23: Mr. Shepherd indicated this ordinance is for the Beach Cliff Boulevard pedestrian improvements as part of the Transportation for Livable Communities Initiative. This project will go from the top of the CYC hill to Detroit Road. It will entail sidewalk replacement, ADA curb ramps, stamped concrete crosswalks in multiple places, and new striping. One of the major improvements for this project is the installation of a pedestrian crossing with rectangular rapid flashing beacon lights just north of the railroad bridge. This should provide a better and safer option for residents who want to cross there and get down to the CYC basin area. It will be funded in part by a NOACA TLCI implementation grant of \$95,500. This was put out for bid and two responses were received. RMH was the low bidder by \$29,649 and they were beneath the engineer's estimate which was \$242,000. They have done work and received favorable references from Mayfield Heights and Mentor. They are prequalified and they have completed several ODOT project satisfactorily. They filled out all the required forms in the bid book. There are no unresolved findings in the State Auditor's database. Mr. Shepherd inquired if anyone had any questions.

- Mrs. Gallagher inquired if the \$95,500 grant money is deducted from the \$225,496.40, or is it separate. Mr. Snyder indicated the \$95,500 is used as part of the payment, so the \$95,500 plus our local match get us to the \$225,496.40.
- Mr. Furry inquired if the ADA curb ramps would be installed along all of Beach Cliff. Director Snyder indicated the scope of the project was only from the top of the CYC hill south to Detroit Road.
- Mrs. Morris inquired regarding the number of crosswalks. Director Snyder indicated the project added a stamped concrete crosswalk that crosses the street at the end of Old Detroit across to the Westlake Hotel side of the street. Stamped concrete crosswalks bring more notice to pedestrian crossings. Mr. Snyder also indicated the sidewalks along the scope of the project are very much in need of these improvements in order to create a safer area for pedestrians.

Mr. Shepherd requested Ordinance No. 29-23 be added to the Consent Agenda.

ORDINANCE 30-23: Mr. Shepherd stated this ordinance is for the improvements to the Tri-City tennis courts. This project was put out to bid and 4 responses were received. Precision Engineering was the low bidder by \$25,374. Their bid of \$869,754 was underneath the engineer's estimate of \$914,000.

Favorable references were received from three construction companies: Independent Construction, Gil Bain Co., and Albert Higley Co. All required forms were completed in the bid book. They have no unresolved findings with the State Auditor's Office. These funds come from the Tri-City Park fund, but three cities participate in this, so the City of Rocky River will pay for one-third of the \$869,000. Mr. Shepherd sent all of Council information regarding the improvements which shows the layout of the courts. Mr. Shepherd inquired regarding specific use of all the courts. Mr. Snyder indicated courts 5-8 will be pickle ball only and 1-4 will be tennis courts. Permanent nets will be up during the summer.

- Mr. Moran inquired regarding any other legislation for this that may be in front of the other communities. Mayor Bobst explained this is another example of the responsibilities of this Council that other councils do not have, i.e. matters involving the WWTP, Rocky River Municipal Court, Tri-City Park, and S.A.F.E. Rocky River's Finance Department and Council deal with all of those matters, so the awarding of this contract and the approval of the budget are ultimately embedded within the City of Rocky River's budget. The other councils do see the appropriation in their budgets for Tri-City Park, but they do not see any other legislation. Director Snyder indicated the Engineering Department from Westlake was involved in the plan review. Director Bob Holub also brought the Recreation Directors from each of the communities into the process as well. He stated it has been a collaborative effort of all three communities.

Mr. Shepherd requested Ordinance No. 30-23 be added to the Consent Agenda.

NEW BUSINESS:

ORDINANCE 31-23: Mr. Shepherd indicated this ordinance is to authorize a contract for the construction management and inspection obligations for the Center Ridge resurfacing project. It has been read once. The scope of this project is set forth in the attachment to the ordinance which is the proposal from Quality Control. They will do preconstruction work which include a conference with ODOT and meeting with the contractors. During the construction phase they will do contract management or administration; they will do inspection services; and they do the material testings with a subcontractor. Also, post-construction there are 29 days when they are still involved for closeout services, including preparation and attendance at the final audit to review the job. They have indicated in the contract that they have the testing laboratory lined up, which is Intertech. The contract also sets forth the wages they charge which seem to be market based. There are other provisions such as a minimum charge of 2-hr for going to the location. This bid came in at 9.4% of the engineer's estimate for the total construction costs and usually the contract administration and inspection services come in the range of 10-14%, so it is in the low range. The project is 85% funded by ODOT and 15% by the City. There is a cap of \$395,000, which Director Snyder explained is the cap ODOT has. Under these urban paving projects ODOT only cover the portion between the curbs, i.e. the street resurfacing; any curb work, curb ramps, and the like are outside of that which is all paid for 100% locally. This contractor has successfully worked in Rocky River multiple times: the Riverdale widening project; the Bradstreet Landing pier renovation project; and the Wooster Road resurfacing project. This is for the repaving for the part of Center Ridge that has needed work for a while, but the funding and participation needed to be lined up. The project is from Spencer to the Westlake border. It will entail full depth concrete repairs, curbs, crosswalks, and ADA improvements. This is billed on an hourly basis, so the price of the ordinance is a not to exceed amount. Mr. Shepherd asked if there were any questions.

- Mr. Furry inquired about any updated unresolved findings. Director Snyder indicated he checked previously. Mr. Shepherd indicated he does have a note that there were no unresolved findings with the Auditor's Office.
- Mr. Furry also inquired regarding the project timeline. Director Snyder indicated this ordinance is for construction administration, not for construction. He expects a first read on the construction portion by April 24, so he expects construction to commence in June and will be completed this year, as there is a 120-day construction period for the project.
- Mr. Furry indicated he has received a resident complaint regarding mud and dirt on Center Ridge from a private construction project. Director Snyder spoke regarding the timing of this project. He has been working with ODOT to get this project moved up for 2 years because the roadway is in such poor condition. The City will work with the private contractor to keep the issues at a minimum in this regard, as well as ensure the integrity of the work the City does is not damaged by other work being performed.

RESOLUTION 32-23: Mr. Shepherd indicated this ordinance is an annual occurrence that authorizes the City to participate in the ODOT Road Salt program. Under that program the State determines how many cities want to participate and how much salt they want to order, then they get the best pricing they can and it is pasted on to the cities that participate. It is anticipated that the City of Rocky River will have 1,800 tons of salt at the end of this season which includes the salt that we are required to purchase under last year's contract. The City's target is 4,000 tons, so we will put in a request for 2,200 tons for next year, knowing that we have the ability to go 10% below or 10% over it.

ORDINANCE 33-23: Mr. Hunt indicated this ordinance was read for the 1st time at the Special meeting earlier this evening. This ordinance stems from the remainder of the Zenith Electric contract for construction at the Police Department. Public Facilities and Maintenance Director Mike Balla provide information that during the construction a temporary electrical feed was supplied by the City to the construction site, but once the new electric main was installed for the police station when Zenith oversaw that transfer and we took possession, the electric charges were never transferred into the City's name. Mr. Hunt is going to obtain from Director Snyder the specifics of the billing and will review that information prior to the next meeting. First Energy provided copies of the bills from Feb. 3, 2021 through July 1, 2022, so there is additional information that he will review. Essentially, the City was not paying for its electricity at the police station for that period, as it was being billed to Zenith.

- Mr. Furry inquired as to why it took 1-1/2 years to figure that out. Director Snyder indicated Zenith's accounting department identified the issue and Mr. Snyder wanted to make absolutely sure this was the City's responsibility before moving forward in the process to get it paid. He has fully vetted the bills and has determined it is indeed the City's responsibility. Director Snyder indicated this was an entirely new meter that was installed and was originally billed to Zenith as a part of the new connection, rather than the City. The City did not know of the issue because Zenith was paying the bills, so there was never an issue with electricity at the station. Contract language indicates the City is responsible for the utility.

MISCELLANEOUS BUSINESS:

Mr. Moran made a motion to break into an Executive Session under RR Charter Article 10, Section 6, Subsection 1 to discuss a personnel issue, Mr. Furry seconded.

Vote: Hunt – aye
Morris – aye

Shepherd – aye
Sindelar – aye

Gallagher – aye
Moran – aye

Furry – aye

7 ayes

0 nays

PASSED

Following the Executive Session, as there was no further business by members of Council, Mr. Moran adjourned the meeting at 8:50 p.m. The next meeting will be a Legislative Meeting on April 10th.

James W. Moran
President of Council

Mary Ellen Umerley
Acting Clerk of Council