

CITY OF ROCKY RIVER

November 20, 2023

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. Shepherd, Mrs. Gallagher,
Mr. Furry, Mr. Sindelar, Mr. Moran

Council Members Absent: Mr. Hunt, Mrs. Morris

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

Assistant Law Director: Mr. Dever

The meeting was opened with the Pledge of Allegiance.

MAYOR'S REPORT:

The Mayor reported that in addition to moving projects along i.e., specifications, engineering, bidding, awarding the contract, doing the pre-con, watching over the project as it is constructed, Director Snyder also looks at projects after completion. That becomes important to see how something is holding up. The city used the recycling process for pavement on Dorothy and Beaconsfield and Director Snyder along with the contractor have been evaluating it and looking at it to be sure it is holding up as expected. The pavement is not where the city wants it. Through Director Snyder's efforts along with the contractor it is being repaved at no cost to the city during the spring of 2024. Thank you to Director Snyder for continually keeping his eye on finished projects.

The Mayor said the insurance recommendation for the city, court and the WWTP will be coming to Council next week. The request for proposals were due on November 15th. They are currently being evaluated by Crain Langner and they will have a recommendation for all three insurance policies for the city, the court and WWTP. The Mayor shared a bit of background:

- There were seven or eight companies that received the RFP directly along with public notifications for the RFP process.
- McGowan submitted one proposal for the city, the court and the WWTP through Munich RE.
- Wichert submitted one proposal to cover the city and the court through Selective and one additional proposal for the WWTP also through Selective.
- Jackson and Dieken participated in the process but were unable to provide a quote because their lead market company Tokio Marine declined to give them a bid.

Crain Langner is evaluating all of these. The renewal needs to be in place by January 1st, 2024. Council should have the ability to have three reads.

The Citizens Police Academy applications are due by December 12th. It is a great program and will be the thirteenth academy.

This Monday it will be Membership Monday at the Recreation Center. It will be 20% off all memberships. There is also a Post-Fest Fitness week, free of charge on November 27th through December 3rd at the Recreation Center.

Leaf collection continues and the Service Department is into their fifth pass through the city. There were a lot of heavy leaves collected this pass due to the wind last week.

Thursday is Thanksgiving Day and City Hall will be closed in observance of the holiday. City Hall will be open on Friday as will the transfer station. There will be Saturday garbage pick-up.

- Mr. Moran asked if the leaf pick up began this week in section one. Mr. Snyder said that daily updates are provided on Facebook and the city website. The Mayor read today's post which stated that leaf pick up for Monday, November 20th would be between the streets of Detroit and Hilliard, from city limit to city limit.

Mr. Moran welcomed Assistant Law Director Dever for being at this evening's meeting in place of Law Director O'Shea. Mr. Dever said he is delighted to be here for Mr. O'Shea as he is attending to his son's birthday today.

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: NONE

UNFINISHED BUSINESS:

AMENDED ORDINANCE NO. 51-23: Mrs. Gallagher said this ordinance is still on hold.

AMENDED ORDINANCE NO. 80-23: Mrs. Gallagher stated that this amending ordinance was referred to Planning with a recommended maximum building height of 70 feet for Section 1163.09 entitled Height Requirements. The Planning Commission discussed this at their meeting last Tuesday and were not receptive to Council's recommendation. They felt there was not much difference in OB-1 and OB-2 with the height restriction. After discussion Planning moved to recommend amending the height in Ordinance No. 80-23 as referred by City Council from 70 feet to 80 feet in OB-2 Zoning Districts with the inclusion of a clause that reads Planning Commission may allow for up to 25% of the building footprint to increase in height to 100' based on their review of a detailed Development Plan.

The Mayor added that this is unusual. Planning referred this notation and changes back to City Council for discussion before their Public Hearing. This is not their final recommendation. These are discussion points for City Council to consider and then possibly amend it before their Public Hearing. It is Council's choice. The Mayor said there will be a Public Hearing to take comments which may be scheduled in December. This answers a couple of questions of height and the idea about giving the Planning Commission leeway so there are not monolithic looking buildings at a full height. All zoning ordinances and changes in the Development Code must have a Public Hearing with Planning along with City Council holding a Public Hearing on zoning ordinances also.

ORDINANCE NO. 81-23: Mrs. Gallagher said this is to change the zoning classification of the old Jan Dell property to be zoned from OB-2 Office to Local Business. This was discussed by Planning along with a Public Hearing on November 14th. It was recommended back to Council with clarification of one of the three parcels on Parsons Court to be corrected on the Zoning Map from General Business to Local Business.

ORDINANCE NO. 83-23: Mr. Moran said this is to authorize the city to enter a contract with the Cuyahoga County Board of Health for illicit discharge detection and monitoring for 2024 and 2025 not to exceed \$2,685 per year. Last year, they detected 24 outfall locations with dry weather flow and 10

outfalls had sample results that exceeded the minimum threshold. This will be read for a third read and will be on the consent agenda.

ORDINANCE NO. 84-23: Mr. Sindelar said this is for the purchase of an Avant compact loader for the Service Division. Mr. Sindelar has discussed this for several weeks and there has been little to no questions. This is fine justification as services are advanced in the city in keeping the pier clean and assisting with sidewalk snow removal. This will be on the consent agenda.

ORDINANCE NO. 85-23: Mr. Sindelar said this is to enter a contract with G & B Electric Company for a fire detection system for the Service Garage. This has been discussed for several weeks with little to no discussion other than Council was surprised that the Service Garage did not have fire alarm installation. This will be on the consent agenda.

ORDINANCE NO. 86-23: Mr. Furry stated that Ordinance 86-23 is an ordinance amending the Codified Ordinances of the city of Rocky River specifically 951.01 entitled "Fees" pertaining to the municipal swimming pool. The recreation department has established the need to continue a bi-annual increase in outdoor pool fees. The rate increases are basically around 10% for all membership categories and a flat \$1.00-\$2.00 increase on daily admissions. The 10% is a little higher than previous increases but was precipitated by higher wages for lifeguards, supplies and chemicals. The recreation department also tweaked the family max cost which was formerly capped out at 6 plus to now 5 plus max. They also changed the pricing for large private parties from a flat rate to the daily admission rate. This will be on the consent agenda.

ORDINANCE NO. 87-23: Mr. Furry stated Ordinance 87-23 is an ordinance amending the Codified Ordinances of the city of Rocky River specifically 954.01 entitled fees pertaining to the Civic Center Recreation Facilities. This is for an increase effective 1/1/24 for all admission and membership rates and is a rounded 10% for all membership categories and a flat \$2.00 increase on daily rates. The outdoor pool increase is also due to higher staff wages, chemicals, utilities, supplies, etc. Like the outdoor pool, the revised family max is for a family of 5 as opposed to a family of 6. These rates were last increased three years ago effective January 1, 2021. The attached fee structure was submitted, reviewed and approved by the Parks and Recreation Commission on Thursday October 12th, 2023. This will be on the consent agenda.

ORDINANCE NO 88-23: Mr. Moran said this is to renew for one year the agreement with Ruple Trucking for the removal of digested sludge cake for the winter season at \$56.99 per ton, which is the same price as last year. This will have a second read next week.

ORDINANCE NO. 89-23: This is for the renewal of the agreement with James Diaz Farm for the removal of digested sludge cake for the summer season at \$46.00 per ton, which is the same price as last year. This will have a second read next week.

ORDINANCE NO. 90-23: This is for the renewal for one year with PVS Technologies for the purchase and supply of Ferric Chloride for the WWTP at a cost of \$11.73 per dry ton. This is the same price as last year. This will have a second read next week.

ORDINANCE NO. 91-23: This is for the renewal for one year with PVS Chemical Solutions for the purchase and supply of Sodium Bisulfite for the WWTP at \$1.87 per gallon. This is the same price as last year. This will have a second read next week.

ORDINANCE NO. 92-23: Mr. Moran said this is to amend Chapter 171 of the Municipal Income Tax Sections 171.2803, 2805 and 2828 and 2827. Mr. Moran spoke this evening with Director Thomas and

this is to align the City's income tax code with certain municipal income tax provisions passed as part of the State of Ohio budget bill (House Bill 33). This was reviewed by R.I.T.A. and their determination was no amendments to the revisions needed.

ORDINANCE NO. 93-23: Mr. Moran said this to make the supplemental appropriations for the current expenses for this year's budget and to amend amended ordinances 77-22, 17-23, 54-23 and 75-23 to spend an additional \$125,000 to cover electricity and other expenses for the traffic department for the remainder of this fiscal year. This will be read for a second time next week.

ORDINANCE NO. 94-23: Mr. Furry said that this is to purchase playground equipment for Martin's Park at a cost not to exceed \$125,000. Three bids were received and although Snider was not the lowest, they were the best as vetted by the Parks and Recreation Commission, Parks and Recreation Foundation as well Recreation Department staff. One bidder, DWA was \$4.37 less but the equipment was limited to older users and the play value was subpar for what they wanted to accomplish at Martin Park. The city was looking for elements in the 2-12 age range. DWA did the Rocky River Park playground a few years ago. Another bidder at a low under \$9900, less than Snider but had limited equipment included in the bid and when the ad on equipment was added, it exceeded the budgeted amount. There are no unresolved findings in the Auditor's Database. The removal of the current structure and excavation of space will be completed by the city. The structure will meet all ADA requirements and be built with about 35% recycled products. This will have three full reads. Mr. Furry reiterated that Snider Recreation, Inc. has no relation to Director Snyder.

ORDINANCE NO. 95-23: Mr. Moran said this is to make appropriations for the current expenses of the City of Rocky River during the fiscal year ending December 31, 2024. Mr. Moran asked if all of Council has met with their directors. Councilmen Furry has his report almost completely done and has met with Director Holub this morning. Mr. Shepherd stated that he met with his director also. Mr. Furry said that Director Holub requested the AV equipment if available. The Finance Committee Meeting will be held on December 1st beginning at 8:00 a.m.

ORDINANCE NO. 96-23: Mr. Moran said this is a yearly ordinance for the removal of grit and screenings to a municipal landfill by Kimble Company for the WWTP at the cost of \$98.73 per ton. Only one bid was received. Normally the city receives two bids but Rumpke Recycling chose not to bid. This will have two more reads.

ORDINANCE NO. 97-23: This is for the consulting services from Hazen and Sawyer for \$485,300 split between the four cities for 2024 & 2025 for the WWTP. This is for professional services for the Flow and Strength Study for the WWTP and was approved by the Management Committee.

ORDINANCE NO. 98-23: Mr. Shepherd said that Ordinance No 98-23 authorizes the administration to enter into contracts with OCHS, Inc. Life Insurance to provide life insurance to the full-time employees of the City of Rocky River. This will be a three-year contract like the previous life insurance contracts have been. These benefits are mandated under the Collective Bargaining Agreements and offer them to other full-time employees. There is a zero % increase in premiums for 2024, 2025 and 2026. The current coverage is \$50,000 for a full-time active employee. They have the ability to buy supplement coverage on their one to increase it. There has been no changes and no design changes for this renewal.

ORDINANCE NO. 99-23: Mr. Shepherd said that Ordinance No. 99-23 authorizes the administration to enter into contracts with Medical Mutual of Ohio to provide health care, prescription coverage, and optional vision coverage for the full-time employees of the City of Rocky River. The vision coverage is at the option of the employee. The administration, Director Greco and the consultants together did a very

nice job on this. The Medical Insurance coverage is for one year and there are no design changes to the coverage provide the employees. This contract is an administrative services contract so the city is self-insured currently up to \$120,000 and after that amount the city receives stop-loss coverage. The administrative fees have increased an average of 2.76% but accompanied with that are reductions of other fees. The deposit liability fees for 2024 will increase an average of 0.40% for Plan A and the Health Savings Account Plans. The stop loss level for 2024 will increase to \$130,000 thereby decreasing the premium 7.32% for the excess insurance coverage. With all this together, the total cost decreased 5.12%. Mr. Shepherd said that is fabulous news. A neighboring community increased about 6%. The funding for the plan, according to the consultant for risk and claims fluctuations, should increase 2.5% which is funding for claims if they come in. It is important to note that there will be no additional cost increase passed on to the employees.

ORDINANCE NO. 100-23: Mr. Moran said this ordinance is authorizing to the Safety Services Director to purchase two identical pumps from Berrington Pumps & Systems, Inc. for the WWTP. These pumps run about \$68,000 each along with shipping totaling about \$80,000. They currently have four of these pumps and need to have a backup. Mr. Barille is purchasing one of the pumps along with a backup for if one fails. The pumps will be replaced over the next couple of years as they fail. The new pump lead time is 6-8 weeks. The new pumps are more energy efficient. This will be read for a second time next week.

ORDINANCE NO. 101-23: Mr. Moran said this ordinance is creating positions and fixing or establishing the annual salaries and hourly rates commencing January 1, 2024 for the appointed employees in the several divisions and departments of the City of Rocky River. The outline for the salaries for 2024 includes some of the following adjustments:

- Employees receive a 3% increase for their 2024 salaries.
- A full-time property maintenance inspector has been added.
- The state minimum wage increased to \$10.45 an hour.
- A full-time Sewer Program Coordinator position has been added.
- A part-time Marine Patrol Officer position has been added.
- A school year only School Resource Officer has been added.
- Equalized all full-time Coordinator's salaries.
- A car allowance for the Public Safety Service Director has been added.
- An increased seasonal CDL driver to \$19.25 an hour.

NEW BUSINESS:

ORDINANCE NO. 102-23: Mr. Shepherd said this ordinance authorizes the administration to enter into an agreement with MacKay Engineering and Surveying Company (a division of Wallace and Pancher) for Professional Consulting and Engineering Services for 2024 and 2025. The city has entered into this contract for the last prior four cycles for two-year periods and are continuing that with this contract if it passes. MacKay Engineering has a great institutional and historic knowledge of the city's infrastructure and the city has a good working relationship with their employees. This extension will be at a 3% raise of rates and that comes from the General Fund. The attached contract, even though the term goes for two years, it is terminable by either party on a 30-day notice. This is a non-exclusive contract and the city reserves the right to hire other engineers as necessary if specialists are needed in other areas.

- Mr. Sindelar added a point of interest that 30 days and 2/3rd majority of support for termination.

ORDINANCE NO. 103-23: Mr. Shepherd said this ordinance authorizes the administration to enter into a contract with Delta Dental to provide dental coverage for the full-time employees. This is mandated by the Collective Bargaining agreements and is offered to the other full-time employees. This renewal will be for two years with a 2.68% increase for the first year but no rate increases in the second year. There is

a minimal increase to the dental rates, the premiums as paid by the employees in 2024. There are no plan design changes in this contract.

- Mrs. Gallagher asked if employees pay for their dental. Mr. Shepherd and the Mayor said a small contribution. The Mayor added that by the collective bargaining there is an 85/15 split with the employees for the total premium. There are other parameters regarding the percentages of increase and the ability to provide an offset if the city has had a good claims year.

RESOLUTION NO. 104-23: Mr. Shepherd said this resolution authorizes the Mayor or designee to prepare and submit an application to participate in the Ohio Department of Natural Resources Urban Forestry Grant Program. It addresses the need to restore and improve urban forestry with tree planting. There is no cost for this as it just allows the city to apply for these funds and to enter into any agreements as necessary to obtain the financial assistance if any of these grants are received. Mr. Snyder said this is one of the requirements for an application for ODNR for this Urban Forestry Grant Program to apply for tree lawn trees. Mr. Snyder has until December 29th to complete the application.

MISCELLANEOUS BUSINESS: Mr. Moran reminded Council to contact directors and judges to make sure their reports are ready for Friday, December 1st beginning at 8:00 a.m. If there are any questions, President Moran will help you with the assistance of Director Thomas and the Mayor.

The next meeting will be November 27th at 7:00 p.m. and Council will stand adjourned at 7:45 p.m. Happy Thanksgiving to everyone.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council