

CITY OF ROCKY RIVER
October 21, 2024

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

Council Members Present: Mr. Hunt, Mrs. Gallagher, Mr. O'Boyle, Mr. Shipp,
Mrs. Morris, Mr. Furry

Council Members Absent: Mr. Sindelar

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

Law Director: Mr. O'Shea

The meeting was opened with the Pledge of Allegiance.

MOTION:

Moved by President Furry seconded by Mrs. Morris that the reading of the minutes of the Legislative Meeting of September 23rd be waived and that the minutes be accepted.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye
Shipp – aye	Morris – aye	Furry – aye
6 – ayes	0 - nays	

PASSED

Moved by President Furry seconded by Mrs. Morris and Mr. O'Boyle that the reading of the minutes of the Public Hearing regarding Ordinance No. 32-24 and the Committee-of-the-Whole Meeting of October 7th be waived and that the minutes be accepted.

Vote: Hunt – abstain	Gallagher – aye	O'Boyle – aye
Shipp – aye	Morris – aye	Furry – aye
6 – ayes	1 – abstain	0 - nays

PASSED

PUBLIC COMMENT: NONE

President Furry also stated that anything on the agenda not looking for passage this evening should have comment deferred until the Committee-of-the-Whole Meeting immediately following this meeting.

PENDING BUSINESS:

AMENDED ORDINANCE NO. 32-24 **BY: MICHAEL O'BOYLE**
AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP (Exhibit A) REFERENCED
WITHIN PART ELEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY
RIVER CONCERNING LAND USE PLANNING AND ZONING AND FURTHER KNOWN AS
THE DEVELOPMENT CODE
3rd READING

Mr. O'Boyle stated that this is Amended Ordinance No 32-24 and it is to amend the official zoning map referenced within Part Eleven of the Codified Ordinances of the City of Rocky River concerning land planning and zoning and further known as the Development Code. Mr. O'Boyle stated that this ordinance has been thoroughly vetted by the Planning Commission and by City Council. It has gone through two Public Hearings without notable opposition and he does not have anything further to add. Mr. O'Boyle moved for passage Amended Ordinance No. 32-24 seconded by Mr. Furry.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye
Shipp – aye	Morris – aye	Furry – aye
6 – ayes	0 - nays	

PASSED

ORDINANCE NO. 56-24

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PERSPECTUS ARCHITECTURE, FOR ARCHITECTURAL DESIGN AND ENGINEERING SERVICES FOR THE FIRE STATION IN AN AMOUNT NOT TO EXCEED \$836,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Hunt said this ordinance was poised for a third read in September but the Law Director and outside Council were still reviewing the agreement language and it has been on hold. City Council has been provided with the revised exhibit for the agreement regarding the Perspectus Architectural Design Services for the fire station. The agreement has been properly vetted and reviewed by Law Director O'Shea and Council. Mr. Hunt moved for amendment by substitution of the new exhibit to Ordinance No. 56-24 seconded by Mr. Furry and Mrs. Morris.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye
Shipp – aye	Morris – aye	Furry – aye
6 – ayes	0 - nays	

PASSED

AMENDED ORDINANCE NO. 56-24

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PERSPECTUS ARCHITECTURE, FOR ARCHITECTURAL DESIGN AND ENGINEERING SERVICES FOR THE FIRE STATION IN AN AMOUNT NOT TO EXCEED \$836,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Hunt said this has been pending since early September and has been discussed several times. The \$836,000.00 figure did not change even though it was amended with the substitute exhibit. There were twelve proposals before Perspectus Architecture was selected. They were all reviewed by Chief Lenart, Building Commissioner Ray Reich, Mike Balla and Jim Fantozzi, the construction manager at risk as well as Director Snyder. They were scored separately and it was determined that Perspectus would be the best to perform these tasks. Perspectus has significant experience completing fire stations and has done so in Lyndhurst, North Ridgeville and Grandville Township. A search of the Auditor's State Findings was negative as they are in good stead with the State. Mr. Hunt moved for passage of Amended Ordinance No 56-24 seconded by Mrs. Gallagher.

- Mrs. Morris asked what changed in the amended exhibit. Law Director O'Shea said that he hired outside council that lives and breathes this type of contract every day and knows the nuances. They suggested some changes. The Mayor said there was no change regarding scope,

deliverables or the cost. Mr. Hunt said it was nothing substantive but more concerning protection.

Vote:	Hunt – aye	Gallagher – aye	O’Boyle – aye	
	Shipp – aye	Morris – aye	Furry – abstain	
	5 – ayes	1 – abstain	0 – nays	PASSED

- Mr. Furry abstained as he knows the principal Joe Weithman at Mull and Weithman Architects and he was the architect of record at his home.

ORDINANCE NO. 64-24 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING PARTICIPATION IN THE HERITAGE HOME LOAN PROGRAM WITH THE CLEVELAND RESTORATION SOCIETY, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”
2nd READING

Mr. Furry deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.

AMENDED ORDINANCE NO. 65-24 **BY: PAUL SHIPP**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SMITHGROUP, FOR THE BRADSTREET’S LANDING SPENCER CREEK STREAM RESTORATION TASKS TWO THROUGH FOUR IN AN AMOUNT NOT TO EXCEED \$75,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”
2nd READING

Mr. Shipp deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.

ORDINANCE NO. 66-24 **BY: BRIAN J. SINDELAR**
AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC OPT-IN GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN OPT-IN GAS AGGREGATION PROGRAM AS A NOPEC MEMBER
1st READING

Mr. Furry deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.
Mr. Furry expects three full reads.

ORDINANCE NO. 67-24 **BY: BRIAN J. SINDELAR**
AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ESTABLISH AN OPT-IN NATURAL GAS PROGRAM PURSUANT TO SECTION 4929.27(A)(1), OHIO REVISED CODE, JOINTLY THROUGH NOPEC AS A NOPEC MEMBER
1st READING

Mr. Furry deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.

ORDINANCE NO. 68-24 **BY: CHRISTINA MORRIS**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH A. W. FARRELL AND SONS, INC., FOR THE WASTEWATER TREATMENT PLANT SCREEN BUILDING ROOF REPAIR AT A COST NOT TO EXCEED \$83,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”
1st READING

Mrs. Morris said this is an ordinance so the city can submit an insurance claim for damage caused by the tornado. The cost is \$83,000.00. The city will be reimbursed for \$78,000.00 by the Insurance Company making the deductible \$5,000.00. Mrs. Morris requested a rules suspension of the three read rules to pass this ordinance this evening so the screen building roof repair can begin.

- President Furry said this was discussed a few weeks ago regarding the rules suspension and Council agreed.

Mrs. Morris moved for a rule's suspension of the three-read rule, seconded by Mr. Furry.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye	
Shipp – aye	Morris – aye	Furry – aye	
6 – ayes	0 – nays		PASSED

Mrs. Morris moved for passage of Ordinance No. 68-24, seconded by Mr. Furry.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye	
Shipp – aye	Morris – aye	Furry – aye	
6 – ayes	0 – nays		PASSED

Mr. Thomas mentioned that the insurance proceeds were received last week.

ORDINANCE NO. 69-24 **BY: PAUL SHIPP**
AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH REDCON, LLC FOR THE ELMWOOD PARK BALLFIELD FENCING AT A COST NOT TO EXCEED \$219,925.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
1st READING

Mr. Shipp deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.

NEW BUSINESS:

ORDINANCE NO. 70-24 **BY: PAUL SHIPP**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH NORTHEAST OHIO TRENCHING SERVICES, INC., FOR THE BRADSTREET'S LANDING RESTROOM IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$391,000.00, INCLUDING A CONTINGENCY AMOUNT OF \$35,000.00 FOR A TOTAL OF \$426,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
1st READING

Mr. Shipp deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.

ORDINANCE NO. 71-24 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH RFC CONTRACTING, LLC. FOR OWNER'S REPRESENTATIVE SERVICES FOR THE FIRE STATION IN AN AMOUNT NOT TO EXCEED \$163,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
1st READING

Mr. Hunt deferred discussion until the Committee-of-the-Whole Meeting following the Special Meeting.

Mr. Furry adjourned the Special Meeting at 7:16 p.m., seconded by Mr. Hunt.

Vote: Hunt – aye Gallagher – aye O’Boyle – aye
Shipp – aye Morris – aye Furry – aye
6 – ayes 0 – nays

PASSED

David W. Furry
President of Council

Susan G. Pease
Clerk of Council

CITY OF ROCKY RIVER

October 21, 2024

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

Council Members Present: Mr. Hunt, Mrs. Gallagher, Mr. O'Boyle,
Mr. Shipp, Mrs. Morris, Mr. Furry

Council Members Absent: Mr. Sindelar

Administration: Mayor Bobst, Director Snyder, Mr. Thomas

Law Director: Mr. O'Shea

MAYOR'S REPORT:

The Mayor thanked Councilman O'Boyle and Councilwoman Gallagher for attending the celebration for Safety Town on Friday. The Mayor thanked the Police Officers and so many other people that made Safety Town possible. The naming of the Safety Town streets was unveiled naming a street after Harlan Radford who had a big part of raising funds for Safety Town along with the Rotary. The funds were used to purchase the carts used by the Safety Town students. A street was named for the WestShore Technical Carpentry students from Rocky River, Bay Village and Westlake who built all the Safety Town structures. MacKay Engineering has a street named after them as they stepped up to the plate to design Safety Town. One of the streets is also named after Jenny Stratton who painted all of the structures included in Safety Town, at no charge. The structures are all iconic buildings in Rocky River, including City Hall, the Rocky River Public Library, schools, fire station et cetera. Thank you to everyone who joined in the celebration.

The Mayor announced two grant applications the city is applying for. This week Director Snyder is submitting a Preventative Maintenance Grant to the County for Hilliard Blvd. and Wagar Road. Director Kerber submitted a Coastal Management Assistance Grant, (CMAG), for Spencer Creek and to compliment some of the work at Bradstreet's Landing in the amount of \$150,000.

On November 4th, tree lawn leaf collection will begin. Up until that point, please bag leaves and yard waste.

The Mayor said that Budget meetings have moved along well and are now complete. The Mayor met with Finance Director Thomas to finalize a few questions. The Budget is on schedule to be given to Council the beginning of November.

Six bids were received and opened on Friday for the Senior Center. They are currently being evaluated by several individuals including QCI. There was a large difference between the lowest and the highest bid. Once that is determined, there will be three pieces of legislation for Council including the award of the contract, the bond documents and a supplemental to the budget.

The Mayor and President Furry noticed that there are a lot of flags around the high school which is breathtaking and beautiful. It is "Salute to Service" this week and the flags are in recognition of that.

The Rocky River Public Library initiated their Strategic Planning process. The Mayor met with the head of the library, Jessica Breslin, to go over several things. If you are asked or would like to provide some opinions, there is a portal on the library's website where they welcome any one's thoughts or perspectives.

The Mayor said there were 16 very qualified fire candidates interviewed. Nine of the candidates are moving along and eventually will make it to the Civil Service Commission.

The City of Rocky River welcomed a couple of new businesses. J. McLaughlin is on Old Detroit Road and is a clothing store for women and may carry men's clothing in the future. Lather Salon moved to a new location changing its name to "The Bank". The Bank is Haley Delzani's new salon on Detroit Road at the former Fifth Third Bank location.

Capital Projects are winding down. The Mayor said that the Sunnyhill is finishing up and Kensington Water and Sewer projects are close to completion. They are now working on catch basins and pavement. Crack sealing is completed. The streets Archwood, Eastlook, Eldora, Kingsbury, Marlys, Middlepost, Scenic, Shoreland, Westhaven and Lakeview portions are paved and the crack sealing is complete. The Dominion Project is still ongoing on Riverwood/Wooster with road repair this week and next.

The city will welcome the Shaker Heights Recreation Staff and other members of the administration tomorrow when they come over to look at Rocky River Recreation facilities. They have heard great things and want to know more about the facilities. Our Recreation Staff will be visiting a couple of Rec Centers specifically natatoriums to look at their HVAC System and more specifically their Dehumidification Systems as the Dectron needs replaced which is a very costly system.

Tomorrow evening at 6:30 p.m. there will be another Public Input Meeting for Rocky River Park that will be held at Memorial Hall.

Halloween will take place from 6:00 – 8:00 p.m. on October 31st as is the tradition. Director Snyder has been working with contractors so roadways will be ready and safe for trick-or-treaters and their families.

On November 1st and 2nd, the Senior Center will hold their Craft and Quilt Show.

- Mr. O'Boyle asked whatever happened to the case of the man on the beach. The Mayor responded that he has not been located yet.
- Mr. Shipp asked for a status update from the contractors working on Lakeview bridge. Director Snyder spoke with them today and it turns out that the condition of the conduit for AT&T was extremely poor. They are waiting for AT&T to come and replace six lines of conduit which has pushed the construction back. They expect final completion no later than November 7th. Mr. Snyder told the contractors that there was no option other than to have the Lakeview bridge open for pedestrians for trick-or-treating on October 31st.
- Mr. Shipp asked about the patching on Wooster between Detroit and Hilliard. Director Snyder said that the contractor has been doing full-depth concrete repairs on Riverwood and that is completed. They are working on the full-depth concrete repairs on Wooster Road. The paving contractor will be onsite to do the paving on Riverwood. Thursday and Friday it will be milled and receive the intermediate course of asphalt and Saturday will be the surface course of asphalt. The contractor will provide notification to the Riverwood residents. As soon as the pavers are

done on Riverwood, they will move to Wooster. Paving on Wooster will hopefully be completed within the next two weeks.

COMMITTEE REPORTS: FINANCE COMMITTEE: President Furry reported future meeting dates. The Finance Budget Meeting will be held on Friday, December 6th. There will be a Public Hearing regarding the Budget on December 9th. City Council will hold a Special Meeting on December 16th and then be on recess until January 6th, 2025. November Meetings: There will not be a meeting on November 11th in honor of Veterans Day. There will be Special Meetings on November 4th and the 18th and possibly no meeting on November 25th, Thanksgiving week.

COMMUNICATIONS OR ANNOUNCEMENTS: NONE

UNFINISHED BUSINESS:

Ordinance No. 64-24: Mr. Furry said this is for participation in the Heritage Home Loan Program. The city was in this program years ago but was shelved due to low participation. Currently there is more interest from residents. A little over 5,200 homes can qualify for this program and it is not a major expenditure for the city. This Program did not need Council approval, but in the interest of full disclosure it is in front of Council. This will be read one more time. This is a one-year agreement that can be terminated with thirty days written notice to either party.

Amended Ordinance No. 65-24: Mr. Shipp said this is to enter a contract with SmithGroup for Bradstreet's Landing to complete tasks two through four of the Spencer Creek Stream Restoration. Director Snyder described tasks one as being completed and this is for two, three and four in the actual restoration of the creek. SmithGroup has been on this project the whole way. The Mayor noted that the city has received two grants already for the restoration including \$300,000 from the Ohio EPA and \$200,000 in the State Capitol Funds. The pre-application for \$150,000 from CMAG.

Ordinance Nos. 66-24 and 67-24 : President Furry said that Mr. Tony Ramos, the Relationship Manager from NOPEC was at our meeting a couple of weeks ago. NOPEC provides the natural gas and electric aggregation program for the city. This is an opt-out program which will take about two months to opt-out. This legislation will make it easier to opt-out for those that choose to. Two Public Hearings are scheduled for November 6th in Council Chambers from 12:00 – 1:00 p.m. and 5:00 – 6:00 p.m. No one from the city is required to participate in these and Mr. Ramos will report back to Council regarding the meetings.

- Mrs. Morris asked if the city negotiates at all with NOPEC. The Mayor responded no, NOPEC negotiates on the city's behalf. They are an aggregation.

Ordinance No. 69-24: Mr. Shipp said this is an ordinance to replace the Elmwood Park ballfield fencing with Redcon LLC. The scope includes the removal and replacement of all fence fabric, backstops, outfields, dugouts, et cetera. The fence will be replaced with an aluminum coated steel chain link fence and will be done prior to next season beginning in the spring.

Ordinance No. 70-24: Mr. Shipp said this is an emergency ordinance to authorize the Mayor and Director of Public Safety Service to enter a contract with Northeast Ohio Trenching Services, Inc. for the Bradstreet's Landing Restroom Improvements. Director Snyder supplied a summary that said that Northeast Ohio Trenching Services of Warrensville Heights will complete the site work and construction associated with the installation of new restrooms at Bradstreet's Landing in the amount of \$426,000, including a contingency amount of \$35,000 over base bid. The modular bathroom that is already purchased is ready to be installed. The city received one bid on Friday, October 4th. The bid was 9.5%

greater than the Engineer's Estimate but within the threshold. The Contingency amount was not included in the unit items so Director Snyder is requesting an additional \$35,000 authorization for any unforeseen costs. Northeast Ohio Trenching has installed similar buildings for the City of Fairview Park at Bain Park, constructed the overlook at Rocky River Park last year. There are favorable recommendations from the Greater Cleveland RTA and the City of Tallmadge. There were no findings for recovery from the Auditor of State. Mr. Shipp passed around photographs that Director Snyder printed out. This will have three reads.

- Mrs. Gallagher asked if they were doing the construction. Yes, they will be doing the construction.
- Mrs. Morris asked when it would be completed. Director Snyder said they are ready to begin as soon as this passes. This should be able to be constructed this fall into the winter. They feel confident that this can be completed. They are also doing the site work and landscape. The sewer line is there and it has been determined that the line is reusable.
- Mr. Furry asked if there is a reason there was only one bid. Director Snyder explained that it is seasonality as it is the end of the year and also it is a combination project with building construction plus sewer and site. Not many companies do that. He has not had a chance to see if they have subcontractors, but they are competent. Director Snyder sent advertisements to multiple contractors, it was on the city's website and in the Plain Dealer that goes to the Construct Connecting and Builders Exchange.

Ordinance No. 71-24: Mr. Hunt said this ordinance was read for the first time at the Special Meeting this evening. This ordinance authorizes the city to enter into a contract with R.F.C. Contractors for Owners Representative Services for the fire station construction in an amount not to exceed \$163,000. This will have three full reads. Mr. Hunt highlighted some of the information:

- The RFC Unit that was selected has significant experience as a performing owner representative service as well as other fire stations;
- They will provide project oversight through construction and bring expertise and experience;
- They will oversee project management cost control, time efficiency, communication with the city and the other parties involved.

This will be a full scope of services for the fire station construction.

- Mrs. Morris asked if they have ever worked with Perspectus. Director Snyder said yes and Infinity who is the construction manager at risk.

MISCELLANEOUS BUSINESS: NONE

President Furry adjourned the meeting at 7:40 p.m.

David W. Furry
President of Council

Susan G. Pease
Clerk of Council