

CITY OF ROCKY RIVER

March 14, 2016

The Regular Meeting of Council was called to order by Mr. Moran, President of Council at 8:00 p.m. in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. O'Donnell, Mr. Shepherd, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Administration: Mayor Bobst, Mrs. Costello, Mr. Thomas

Law Director: Mr. Bemer

Press: Ms. Botos

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry, that the reading of the minutes of the Committee-of-the-Whole Meeting of March 7th be waived, and that the minutes be accepted as submitted

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Legislative Meeting of February 22nd be waived, and that the minutes be accepted as submitted

Vote: Hunt – aye	Shepherd – abstain	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	1 abstain	0 nays	PASSED

MAYOR'S REPORT:

The Mayor announced that the three Collective Bargaining Agreements that were finalized for Fire and the Police Patrolmen and Police Officers are in front of Council this evening. The Police Agreement process went through Fact Finding and the results of what was agreed to as well as the Fact Finding results are included in these Police Agreements. This was the third year of the contract for Fire, which was a wage article opener only and the process went through Fact Finding and Arbitration. The contract is consistent with the conciliators report. The Mayor has shared all the details with all the Councilmen and will be happy to answer any questions anyone may have. The Mayor thanked Law Director Bemer, Director Thomas,

Director Greco, Director Costello, Chief Stillman and Chief Lenart for all their help while going through this process.

Director Thomas shared very good news with the Mayor today. The city received correspondence from OWDA, the Ohio Water Development Authority, that the interest rate for some of the Waste Water Treatment Plant's loans have been renegotiated and there is a reduction that translates into a savings in 2016 of over \$96,000 for the Plant. Director Thomas also did calculations for the remaining balance for the remainder of the term and the city will save \$558,000. The Mayor thanked Director Thomas for his help with the calculations and also sharing this news with the other three cities.

Superintendent Rosemark from the Waste Water Treatment Plant, attended a meeting sponsored by Congresswoman Marcy Kaptur along with other Superintendents of Waste Water Treatment Plants last week. This meeting was about Energy Savings and putting together best practice management tools for Waste Water Treatment Plants for energy efficiency. This document will be finalized in the near future and forwarded to the city. Mayor Bobst followed up after this meeting with Superintendent Rosemark. Superintendent Rosemark will be creating an inventory and survey of the surrounding Waste Water Treatment Plants to understand the things they have been doing for energy savings and their results. Thank you to Congresswoman Kaptur for reaching out to Superintendent Rosemark.

The Mayor announced that the "sweeper" is out in the city cleaning up the streets. The leaf trucks are also ready to begin to pick up any yard waste as the weather continues to be unseasonably warm.

The Mayor announced again that the Cuyahoga Soil and Water Conservation District will be providing an information session regarding storm water maintenance training for homeowner associations concerning detention basins, retention basins, underground holding tanks, bioswales and bioretention which will be held on March 30, 2016. Storm water maintenance is evaluated by the city and reported to the Cuyahoga Soil and Water Conservation District through the NPDES permits.

The City of Rocky River has been awarded "Tree City USA" for the 32nd year in a row. This year the submission was made by Rich Snyder, the city arborist along with Jan Thomas and Director Costello. Rich has been doing an outstanding job on tree planting, tree inventory and giving great recommendations to the residents and the city. On May 10th, "Tree City USA" will be celebrated in Westlake where Rich will receive this award.

The Mayor reported that Ron Landis, one of the city's CSO's passed away last week. Ron had recently retired. Ron was tremendous and was beloved by the Rocky River Police Department, City Hall, the Courts, the Service Department and most importantly, the residents of Rocky River. Ron always had a positive word to say and maintained a close relationship with Rocky River's teenagers. Ron was a great ambassador for the city. Ron was a bright ray of sunshine for everyone in the city. The Mayor extends the city's thoughts, prayers and sympathies to Ron's wife of almost 56 years and his entire family.

Election Day is tomorrow. Polls will be open from 6:30 a.m. until 7:30 p.m. Everyone is encouraged to vote.

The Basketball Challenge Cup games will be played this Friday beginning at 6:00 p.m. at Rocky River High School's main gym.

- Councilman Shepherd received an inquiry regarding spring cleanup at city parks. The Mayor said this was discussed this morning at the Director's meeting. The Recreation Center's summer help is not working yet, but cleanup will begin this week.
- President Moran asked if help will be needed at Rocky River Park again this year. Director Costello will double-check the dates for the beach cleanup.

LAW DIRECTOR'S REPORT: NONE

COMMITTEE REPORTS: NONE

PUBLIC COMMENT – LEGISLATIVE ITEMS: NONE

ORDINANCE NO. 89-15 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE DIRECTING THE MAYOR TO EXECUTE
EASEMENTS TO JOSEPH P. VALORE AND VALORE BUILDERS BY THE CITY OF
ROCKY RIVER, AND AS FURTHER DESCRIBED IN EXHIBITS "A-1" AND "A-2"
ON HOLD

Mr. Hunt said that this ordinance would continue to be on hold. Amended plans were withdrawn from the March 1st Planning Commission Meeting. A couple of dates are being discussed for sometime during the month of April.

ORDINANCE NO. 5-16 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE ONE (1) 2017 FORD INTERCEPTOR FOR THE FIRE
DIVISION UNDER THE STATE COOPERATIVE PURCHASING ACT FROM
STATEWIDE FORD LINCOLN MERCURY AT A COST NOT TO EXCEED \$27,021.50
2nd READING

This ordinance is for the purchase of a 2017 Ford Interceptor for the Fire Department that will replace the 2007 vehicle that the Chief is currently driving. The administration is purchasing this vehicle through the State's Cooperative Purchasing Act and is satisfied with the price. This will be read for a third time in a couple of weeks.

ORDINANCE NO. 6-16 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND

**WATER CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER,
ATTACHED HERETO AS EXHIBIT A**

2nd READING

This was discussed last week. Based on the full agenda this evening, this will be discussed more at next week's Committee-of-the-Whole Meeting. Councilman Furry also said that this is included in the 2016 Budget.

ORDINANCE NO. 7-16 **BY: DAVID W. FURRY**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND
WATER CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER,
ATTACHED HERETO AS EXHIBIT A**

2nd READING

This ordinance is a companion ordinance to 6-16. This will be discussed also at next week's Committee-of-the-Whole Meeting and this is also included in the 2016 Budget. This will have three full reads.

NEW BUSINESS:

ORDINANCE NO. 8-16 **BY: CHRISTOPHER J. KLYM**
**AN EMERGENCY ORDINANCE AMENDING SECTION 951.01 OF THE CODIFIED
ORDINANCES OF THE CITY OF ROCKY RIVER, REGARDING CITY SWIMMING
POOL FEES AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**

1st READING

Councilman Klym said this was discussed last week. This increase was not in the 2016 Budget but Director Thomas has asked Director Mehling how this will impact the budget if this ordinance is passed. This will have three full reads.

ORDINANCE NO. 9-16 **BY: MICHAEL P. O'DONNELL**
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE ONE (1) 2015 CATERPILLAR WHEEL LOADER FOR
THE SERVICE DIVISION FROM OHIO CAT AT A COST NOT TO EXCEED**

\$123,417.00

1st READING

Councilman O'Donnell said this is for the purchase of a CAT machine for the Service Department at a cost not to exceed \$123,417. Councilman O'Donnell wanted to discuss the bid packets that each Councilman received in their packets this weekend. This bid was not the lowest bid received but the administration feels it is the lowest and best bid received. Some of the tasks that this equipment will be required to perform, i.e. piling salt, filling salt trucks, moving stone, using the forklift to move pallets, storm debris cleanup including moving trees on the beaches and trees in the roadway. Some of the other products on this list would not be

suitable in handling these jobs. Parts and service on some of the other products would be more expensive and hard to find.

- Councilman Sindelar asked if this was a replacement. The Mayor said it is replacing a 2001 loader. Mr. Sindelar asked about the alternative bid received from CAT. Director Costello explained that the alternate bid had a smaller bucket along with other issues. There is specific hydraulic oil that would be needed for the alternative bid vehicle along with a fourth valve that would need to be maintained. There is also a ride control in the vehicle the city is choosing, which will give a smoother ride so anything being transported would not spill or shake out. This was determined by the mechanic, the service commissioner and the streets foreman to be the best choice.
- Councilman Furry commented about the large disparity between bids. He asked which municipalities Director Costello spoke with regarding the other bids. Director Costello asked the mechanic if there was anyone they could talk to and the mechanic responded he has never heard of some of the other companies. There was a comparison done online. Director Costello will forward via email the details of the bids along with pictures of the CAT loader. Director Costello will also call other Safety-Service Directors to see what experience they have had with these other companies.
- President Moran said that due to the disparity in price, it is good that Council is asking these questions
- Councilman O'Donnell said this will have three reads.

ORDINANCE NO. 10-16 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE THREE (3) 2016 FORD INTERCEPTORS FOR THE
POLICE DIVISION UNDER THE STATE COOPERATIVE PURCHASING ACT FROM
STATEWIDE FORD LINCOLN MERCURY AT A COST NOT TO EXCEED \$79,232.00
1ST READING

This will be the first of three reads. This ordinance is for the purchase of three 2016 Ford interceptors for the Police Division. These purchases are in the 2016 Budget and will be purchased out of the POPAS fund. These purchases will be replacing other vehicles.

- Councilman Furry asked if this price included the extra items needed. Director Costello thought there would be some additional cost because some equipment will be transferred from the old vehicles. Director Costello also said that one of these purchases is the low profile vehicle that will be used by the Detective Bureau. The state carries a particular package for these types of cars. Director Costello will have a breakdown for Council.
- Councilman Klym is concerned as to why the city is replacing so many cars at once. Director Costello said that one of the cars being replaced is a 2001 Ford that needs replaced for the Detective Bureau. The other car is replacing a Canine car that was

recently totaled. The third one will be replacing the 2011 vehicle, which is out of service. The engine gave out on that vehicle after 74,222 miles. Director Costello also said that it is good to get your requests in at the State Coop Purchasing as early as possible because there is a limited number of vehicles connected to this purchasing agreement.

- Councilman O'Donnell wondered if there would be any insurance reimbursement for the vehicle that was in the accident. Director Costello said she hasn't heard yet, but is expecting something.

ORDINANCE NO. 11-16 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE ONE (1) 2016 DODGE CHARGER FOR THE POLICE
DIVISION UNDER THE STATE COOPERATIVE PURCHASING ACT FROM GREVE
CHRYSLER AT A COST NOT TO EXCEED \$24,810.00
1st READING

This is a companion Ordinance to Ordinance #10-16. This is for the purchase of a 2016 Dodge Charger for the Police Division. The administration is satisfied with the price. There were four police vehicles in the 2016 Budget.

- Councilman Sindelar asked about the purchase of the Dodge Charger when he thought the police department was trying to get away from the Dodge Chargers. The Mayor responded by saying it is replacing a Charger with a 120,000 miles on it and it would be less expensive to put the old equipment into the new Charger. Councilman Hunt said the Chief also said it is just over \$1,000 to move the equipment from one vehicle to another.
- Councilman O'Donnell asked if was from the State Coop. Director Costello said yes and that Greve Chrysler has the Dodge contract with the State Coop.

ORDINANCE NO. 12-16 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT FOR 2016 WAGES WITH THE ROCKY RIVER FIRE FIGHTERS
ASSOCIATION, LOCAL #659, REPRESENTING THE EMPLOYEES OF THE ROCKY
RIVER FIRE DIVISION, AS FURTHER DESCRIBED IN EXHIBIT "A"
1st READING

The administration along with Law Director Bemmer have been involved in negotiating the CBA wage opener for the Fire Fighters as well as the two Bargaining Units of the Police Department. Councilman Hunt thanked the Mayor for speaking about these topics at the beginning of this evening's meeting. Ordinance No. 12-16 deals with the wage opener for the Fire Fighters Union. This was the last year of a three year contract. This did go to Fact Finding and also Arbitration. The Conciliator reported back giving a 2% increase retroactive to January 1st, 2016 along with a 1% increase on July 1, 2016. The bargaining unit also brought up the issue of rank differential. This also was included in the Conciliator's report. Exhibit A sets forth the language to the addendum of this contract. The Lieutenants rank differential moved from 12 to 13-1/2 along

with the wage increases. Mr. Hunt said there is some sense of urgency to get these passed, but does not need to be passed this evening. Councilman Hunt will ask for a rule suspension next week during a Special Meeting on March 21st in order to have a second read and possibly pass this ordinance.

- The Mayor added that the Wage Ordinance will be given to Council in this week's packet.
- President Moran said that there will be a Special Meeting scheduled next week in order to read Ordinance 12-16, 13-16 and 14-16 and possibly pass these ordinances.

ORDINANCE NO. 13-16

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION PATROLMEN BARGAINING UNIT, ROCKY RIVER POLICE DIVISION, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This would be for a new CBA for 2016, 2017 and 2018. The negotiations also went to Fact Finding. The amendments found in Exhibit A have been suggested by Fact Finding. A lot of the changes were influenced by the 12 hour shift language for the patrolmen. Some of the language deals with the clarification of the shift bidding process. The administration was able to maintain some management rights so the Chief will have the final say in regard to where a patrolman will be placed on the 12 hour shift. Amendment language also clarifies grievances in regard to calendar days instead of workdays; uniform allowance has been amended increasing to \$650 in 2017 and \$700 in 2018. There is language for prorating that stipend if an officer leaves before year-end. The wage increase for each year is a 2-1/2% increase. This is in line with other communities. Healthcare components were amended in regard to the payment of premiums. The city will pay up to 4% of any premium increase, an increase after that will be split equally between members and the city and anything over 12% would give the city the right to readjust the plan design. For the length of the new contract, the members will pay 15% of the total premium cost. There is an increase in life insurance from \$25,000 to \$50,000 beginning in 2018. There is also language regarding the purchase of a Patrolman's service weapon at retirement.

- Councilman Shepherd complimented Councilman Hunt on the thoroughness of his report.

ORDINANCE NO. 14-16

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, SERGEANTS, LIEUTENANTS AND CAPTAIN BARGAINING UNIT, OF THE ROCKY RIVER POLICE DIVISION, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Councilman Hunt said that both ordinances 13-16 and 14-16 will have a possible rule suspension next week. Ordinance 14-16 is for the officers of the Police Department and their contract mirrors the contract for the patrolmen.

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: Mr. Bill Welch commented on the purchase of the CAT loader that was discussed this evening. Mr. Welch operated heavy equipment for a living and supports the administration in purchasing the CAT loader. CATS cost a little more but they are top notch and very reliable.

President Moran said it is good to know that other people look at the whole package and appreciates Mr. Welch's feedback.

As there was no further business by members of Council, the meeting was adjourned at 9:02 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council