

CITY OF ROCKY RIVER

May 23, 2016

The Regular 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. O'Donnell, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Absent: Mr. Shepherd

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 Legislative Meeting of May 9th be waived, and that the minutes be accepted as submitted

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

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Special Meeting and the Committee-of-the-Whole Meeting of May 16th be waived, and that the minutes be accepted as submitted

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

Mr. Moran reported that Councilman Shepherd is absent this evening, but will be in attendance at the next meeting which is in two weeks.

MAYOR'S REPORT:

Mayor Bobst reported that beach clean-up efforts at Rocky River Park and Bradstreet's Landing will begin this week through the efforts of the Service Division. Loaders, chain saws and other equipment will be used to get the larger logs off the beach and do general clean-up; the process

requires extra maintenance on City equipment as sand gets into the mechanical components of the equipment. She also acknowledged the volunteer efforts of various groups that assist with the ongoing beach clean-up efforts throughout the season. Additionally, Mayor Bobst noted that clean-up and maintenance of the private beaches in the City (Wagar, Parklawn & Oakwood) are the responsibility of the beach associations, not the City.

She also reported that the part-time seasonal positions started today and they will be helping with landscaping and maintenance of various parks and City owned areas.

This week there will be bid openings for paving and water line projects. Paving projects include Northview from Detroit to Westway, Morewood from Lake to the railroad tracks, Falmouth, Linden, and Tonawanda. Waterline work will be from Hilliard to Pocono, Devon Hill and Country Club. Legislation will be forthcoming for those projects once the bid process is completed.

The Mayor thanked the Beautification Committee for their work this past Saturday planting flowers in the urns on Old Detroit. Volunteer turnout was very good, allowing for completion of the plantings to go very quickly. She thanked Director Costello, Mr. Ron Gottschalk, Bill Brink, and the entire Beautification Committee for their efforts. A special thank you to Einstein Bros. Bagels for providing refreshments.

Also at the corner of Wooster & Detroit a new monument sign will soon be placed. This week significant plantings have been done thanks to JDS Properties. Mr. John Spielberger has placed irrigation and electricity for up lighting on the new sign. The Mayor extended a thank you to Mr. Spielberger for all the work he does in collaboration with the City in the Old Detroit Road area.

Mayor Bobst indicated there is a rain barrel workshop on Thursday, May 26th at the Civic Center beginning at 6:00 p.m., sponsored by the Cuyahoga Soil & Water Conservation District. The cost is \$60 to build a rain barrel with them.

The Mayor attended the Bike to School Program assembly this past Friday. On Wednesday last week at both the Middle School and Kensington School over 400 students rode their bikes to school, breaking records and beating Bay Village. Raleigh Bicycles and Scott Cowen at Century Cycle were both very involved in supporting that program. A big thank you to them, as well as Physical Education teacher Wendy Crites.

The outdoor Spray Ground at the pool will be open later this week.

Finally, the Mayor mentioned the Memorial Day program, indicating that on Saturday, beginning at 8:30 a.m., community members are invited to assist the Joint Veterans Council in placing approximately 3,400 flags on the graves of veterans at Lakewood Park Cemetery, followed by a light lunch at the American Legion Hall at Lake & Linda Road. Community members, families, and students groups are welcome and encouraged to participate. On Monday the parade steps off promptly at 10:00 a.m. Everyone who is participating in the

parade should be at the Rocky River High School Wagar parking lot no later than 9:30 a.m. The program at the cemetery will begin around 10:30 a.m. Monday City Hall is closed in observance of Memorial Day.

LAW DIRECTOR'S REPORT:

Director Bemer reported regarding revisions to the Gardiner contract that were made following the Environmental Committee meeting. Revisions were made to Section 3.05 regarding termination, on page 6. Termination is only permitted in cases of default or a for cause determination, which amplifies both the Sections 3.03 and 3.05 provisions of the contract. Also in the discussion it was noted that there were provisions to bifurcate the two service contracts, one for the HVAC services and the other for the sustainability services. Conversation was had regarding that as well as determining what a cost would be for the contract for services after year 3; those changes are contained on page 67. Also on page 67 a change was made giving the City the opportunity to terminate the sustainability services under our discretion.

COMMITTEE REPORTS: NONE

COMMUNICATION AND ANNOUNCEMENTS:

Council President Moran communicated that all City Council members have the opportunity to participate in Monday's Memorial Day Parade, riding on the antique fire truck.

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

This Ordinance continues to be on hold. Mr. Hunt noted that the Planning Commission will be meeting tomorrow evening at 7 p.m. and the Valore project is one of the items on the agenda. Mayor Bobst indicated there are only four members available for tomorrow's Planning Commission meeting, so Valore has the option of withdrawing from the agenda; however she has not heard at this point in time if they will do that or not.

ORDINANCE NO. 17-16 **BY: DAVID W. FURRY**
AN ORDINANCE AMENDING SECTION 521.11 ENTITLED "COMPOST
ACCUMULATION" OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY
RIVER
ON HOLD

Councilman Furry said this ordinance is to be on hold. After speaking with members of the Green Team he wishes to get clarification on side yard setback definition. He anticipates a substitution exhibit will be ready this week and will seek passage in two weeks.

ORDINANCE NO. 18-16

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AN AGREEMENT FOR MUTUAL AID SERVICES BETWEEN THE POLICE DEPARTMENTS FOR THE CITIES OF ROCKY RIVER AND CLEVELAND, IN SECURITY ASSISTANCE FOR THE 2016 REPUBLICAN NATIONAL CONVENTION
ON HOLD**

Councilman Hunt said this ordinance is to be on hold in anticipation of pertinent information being received from the administration after a meeting on May 25th regarding security for the RNC.

ORDINANCE NO. 20-16

BY: DAVID W. FURRY

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO A CONTRACT FOR ENERGY SERVICES WITH GARDINER SERVICES COMPANY AT A PROPOSED COST OF \$1,390,520.00
3rd READING**

Mr. Furry indicated Council received a revised exhibit dated 5/18/16 which addressed the issues mentioned by Law Director Bemer, as well as pagination errors corrected. Mr. Furry indicated he is comfortable with the changes. Mr. Furry indicated there will be a supplemental funding for this which will be partially funded in 2016 and the remainder in 2017. Mr. Furry moved to amend the Exhibit for Ordinance No. 20-16, seconded by Mr. O'Donnell.

Vote: Hunt - aye O'Donnell – aye Furry – aye
 Sindelar - aye Klym – aye Moran – aye
 6 ayes 0 nays

PASSED

Mr. Furry indicated this contract has been discussed at the Environmental Committee meeting. He believes this is a win/win for the City, Gardiner and the residents and wanted to seek passage of Ordinance 20-16, seconded by Mr. O'Donnell.

Councilman Klym thanked the administration and Gardiner Services for their work over the past year or so which results in this agreement. He indicated the savings already realized in the Recreation Department has made a difference to the City budget. He acknowledged this is a lot of money to put out in front, but there will be a great deal of savings over time. The scope of this project includes work that needs to be done anyway and it puts the City in the forefront of making necessary energy changes going forward. Moving forward on sustainability is a very good thing for the City to be doing, particularly when we have aging infrastructure.

Vote: Hunt - aye O'Donnell – aye Furry – aye

Sindelar - aye Klym – aye Moran – aye
6 ayes 0 nays

PASSED

ORDINANCE NO. 21-16

BY: MICHAEL P. O'DONNELL

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO EXERCISE THE OPTION TO RENEW FOR ONE (1) YEAR THE PURCHASE OF JANITORIAL SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000 AS FURTHER DESCRIBED IN EXHIBIT “A”

2nd READING

Councilman O'Donnell said that this is an annual housekeeping ordinance for the purchase of janitorial supplies from Ohio Valley Supply. This ordinance exercises an option from last year agreement. The city has had a good experience with Ohio Valley and the administration is satisfied with the pricing. He will seek passage on a third read.

RESOLUTION NO. 22-16

BY: JAMES W. MORAN

A RESOLUTION ACCEPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF ROCKY RIVER, OHIO FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2017

2nd READING

President Moran said this is a mandatory requirement that we present this information to the County. These numbers are not final because that will happen in the Fall in the final budget information. This is an outline for making sure that we are properly funded and an outline for a balanced budget. This is the second read and it will be read a third time when he will seek passage at that time.

ORDINANCE NO. 23-16

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE ADMINISTRATION TO PURCHASE AN ESTIMATED 2,500 TONS OF SALT FOR THE 2016/2017 WINTER SEASON FOR THE SERVICE DEPARTMENT UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING CONTRACT NO. 18 FROM THE STATE-APPROVED VENDOR

2nd READING

Mr. Moran indicated this ordinance is for 2,500 tons of salt. The City used approximately 2,000 tons of salt last year. This being a time sensitive situation as the order is due by the end of this week, Mr. Moran moved that the rule requiring that Ordinance No. 23-16 be read on three separate days be suspended, seconded by Mr. O'Donnell.

Vote: Hunt - aye O'Donnell – aye Furry – aye

Sindelar - aye Klym – aye Moran – aye
6 ayes 0 nays

PASSED

Mr. Moran moved for passage of Ordinance 23-16, seconded by Mr. O'Donnell.

Vote: Hunt - aye O'Donnell – aye Furry – aye
 Sindelar - aye Klym – aye Moran – aye
 6 ayes 0 nays

PASSED

MISCELLANEOUS BUSINESS:

Councilman Sindelar indicated Miss Sophia Sindelar was in attendance in tonight's audience. After hearing from her friend Claudia Walsh about her recent experience attending a City Council meeting, she is here to see and understand for herself regarding the City Council process.

Mr. Moran indicated there is no meeting next week as it is a fifth Monday of the month. The next meeting will be June 6, 2016.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:30 p.m.

James W. Moran
President of Council

Mary Ellen Umerley
Clerk of Council