

CITY OF ROCKY RIVER

March 13, 2017

The Regular Meeting of Council was called to order by Mr. Moran, President of Council, immediately following the Community Improvement Corporation Meeting in the David J. Cook Council Chambers.

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

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

Press: Ms. Botos

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Legislative Meeting of February 27th and the Committee-of-the-Whole Meeting of March 6th 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

MAYOR'S REPORT:

The Mayor thanked CEI/First Energy for their quick response during the power outages throughout the city last week totaling thousands of work orders. CEI/First Energy is cautioning the city that there may be more outages with the current weather due to weakening limbs from the wind last week coupled with the heavy snow expected. The city is sending out a Ready Notify to residents telling residents whom to contact in the event that power is lost. The Mayor explained how CEI approaches a storm:

- CEI cuts the power – safety is paramount
- Tree Crews arrive with the assistance of city workers to clear the area
- CEI assesses the damage
- Crews arrive to repair the damage

The city was very pleased with the responsiveness of CEI. If there are residents with special or unique needs, please let City Hall know.

The Mayor received a letter from DOPWIC, the Ohio Public Works Commission confirming the grant and loan that is being extended to the Waste Water Treatment Plant for the 2017-2020 Capital Improvement Projects that totals \$1.4 million dollars for improvements to the plant. This benefits all four communities that utilize the plant. The Mayor thanked Superintendent Rosemark for all her hard work on this grant.

The Mayor discussed the condition of Hilliard Blvd. through Rocky River. This is a county road that is in terrible condition. The city has repaired many potholes, putting down asphalt and crack sealing. Ron Gottschalk from the Safety-Service Department took photos for documentation and submitted the pictures to the County. County Councilwoman Nan Baker's office was also contacted regarding the condition of the road. The city is hoping to hear back from the County regarding a proposal to repave Hilliard Blvd. The Mayor will keep Council informed.

Open Checkbook can be found on the city's website with important information regarding the financial condition and expenditures of the city. This has been updated through the first quarter of 2016.

The Mayor announced that for the 33rd consecutive year, the City of Rocky River has been named a Tree City, USA. The Arbor Day Foundation's annual meeting will be held in Westlake sometime in May and Rich Snyder, the city arborist will accept the recognition.

The Mayor thanked the Fairview Hospital Wellness Center for holding fire training on their site last week for Lakewood, Fairview Park and Rocky River. This was a grant secured by Chief Raffin of Fairview Park. Training was held at this site allowing firefighters to respond to any emergency calls in their community without compromising response time.

The Court's Annual Report was distributed to Council this evening. A copy of this can be found on the Municipal Court's Website.

Building Stats: At the end of February 163 permits have been pulled matching the exact amount of permits pulled last February. The valuation of these permits is estimated to be \$2.2 - \$2.3 million dollars. As spring approaches more building permits will be requested.

The Mayor updated Council on the Marcs Radios System that fire and police utilize along with Directors in various departments of the city. The Mayor said the monthly user fee to the state could be increased from \$10.00 a month per radio to \$20.00 a month per radio. There are two bills, one in the Senate and one that is being presented by Representative Dave Greenspan to take \$2 million dollars out of the state budget and apply it towards the debt service to moderate the user fees.

The city crews are ready for the snow this evening. Depending on the weather, trash collection may be postponed. Residents will receive a Ready Notify tomorrow morning regarding this information if necessary.

LAW DIRECTOR'S REPORT: Mr. Bemer announced that Thursday, March 16th, the Board of Zoning Appeals will be holding hearings on variance requests. Next Tuesday, March 21st, the Planning Commission will be meeting regarding the proposal of Rocky River Preservation Partners of a rezoning on Lake Road. They are asking for a pre-preliminary review by Planning Commission before coming back to City Council with another zoning request.

Law Director Bemer said that the city is looking to pursue litigation with Walter Haverfield, LLP through injunctive relief as well as a question of constitutionality of Senate Bill 331. The city can buy in at a flat fee of \$4500 to become a party plaintiff in this contest. This fee is based on the population of the municipality and will not cover appeals. During the course of discussion with the Mayor and

Director Thomas, it was determined to be in the city's best interest to pursue this litigation. Discussion by Council ensued.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

PUBLIC COMMENT – LEGISLATIVE ITEMS: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 74-16 **BY: BRIAN J. SINDELAR**
AN ORDINANCE TO CHANGE THE DISTRICT CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NOS. 301-32-099, 301-32-100, 301-32-101, AND 301-32-102 FROM THEIR PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY TO R-3 SINGLE FAMILY ATTACHED, IN THEIR ENTIRETY, AS FURTHER DESCRIBED IN EXHIBIT "A"
ON HOLD

Mr. Sindelar stated there was nothing new to report on this ordinance. Mr. Sindelar said that this might be withdrawn by the developer to regroup and work together with the MetroParks on this development.

ORDINANCE NO. 7-17 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A REIMBURSEMENT FOR THE 2016 TONAWANDA WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF \$32,310.09
2nd Reading

President Moran said that the Tonawanda Project estimate was for \$146,037.81 and the net cost was \$113,727.72 thus the project cost was \$32,310.09 under the budget distribution from the Cleveland Water Department. Mr. Moran explained that if all funds are not used, the city has to repay the balance. This will be one more time.

ORDINANCE NO. 8-17 **BY: MICHAEL P. O'DONNELL**
AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE TWO (2) 2017 FORD INTERCEPTORS, ONE FOR THE RECREATION CENTER AND ONE FOR THE WASTE WATER TREATMENT PLANT UNDER THE STATE COOPERATIVE PURCHASING ACT FROM LEBANON FORD AT A TOTAL COST NOT TO EXCEED \$56,006.00
2nd Reading

Mr. O'Donnell said that this is for the purchase of two 2017 Ford Interceptors at a cost not to exceed \$56,006. The vehicles are being purchased through the State's Cooperative Purchasing Plan. The administration is satisfied with the pricing. One vehicle will be purchased from the vehicle purchase account and one from the Waste Water Treatment Plant account. Mr. O'Donnell said that the cost of the vehicle for the Waste Water Treatment Plant will be shared with all four cities. Mr. O'Donnell said that

the vehicle for the Recreation Director will replace a 2002 Rav4 and the other car will be replacing an older pick-up trucks at the Plant. Mr. O'Donnell will seek passage for this ordinance in two weeks.

ORDINANCE NO. 9-17

BY: MICHAEL P. O'DONNELL

AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE TWO (2) 2017 FREIGHTLINER TWO AND ONE HALF TON (2 ½) SINGLE & TANDEM AXLE CAB AND LIGHT DUTY CHASSIS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING PROGRAM FROM VALLEY FREIGHTLINER, INC. AT A COST NOT TO EXCEED \$150,344.00

2nd Reading

This ordinance has been read twice and has been discussed several times. This is for the purchase of two 2017 2 ½ ton dump trucks for the service department. This is just the cab and the chassis only. The dump truck itself will be publicly bid at a later time. These will be purchased from ODOT's Cooperative Purchasing Plan. The administration is satisfied with the pricing. These will replace a 1998 & 1999 vehicles that will be traded in for \$2,500 each for a total of \$5,000. The administration is satisfied with the value of the trade.

RESOLUTION NO. 10-17

BY: THOMAS J. HUNT

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION AND ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR AN INFRASTRUCTURE IMPROVEMENT PROJECT FOR THE SAFE ROUTES TO SCHOOL GRANT

1st READING

This resolution is the legislative support for the grant application that was submitted by Safety-Service Director Costello mirroring the application submitted last year. Safety-Service Director hoped to use last year's legislation but the approval language needed to be updated and approved by Council. This resolution is asking for the balance of \$200,000 for the infrastructure project near Kensington School.

ORDINANCE NO. 11-17

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

1st READING

Councilman Furry said this will be discussed further at next week's Committee-of-the-Whole Meeting.

ORDINANCE NO. 12-17

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

1st READING

Councilman Furry said this will be discussed further at next week's Committee-of-the-Whole Meeting. Mr. Furry is anticipating three reads on Ordinance No. 11-17 and Ordinance No. 12-17.

ORDINANCES UNDER CONSENT:

ORDINANCE NO. 4-17 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE AMENDING ORDINANCE 75-16 CREATING POSITIONS
AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES
COMMENCING JANUARY 1, 2017 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL
DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
3rd READING

Mr. Moran said this is an amendment to Ordinance #75-16 to provide a clothing allowance for the Maintenance Manager Position at the Civic Center. This was originally left off the wage ordinance. There was also a name change in the uniform allowance portion in the police division. The parapolice title is now the police secretary dispatcher with the addition of a new dispatcher.

ORDINANCE NO. 5-17 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE
DIRECTOR TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING
COMPANY, INC. FOR THE 2017 WESTWAY SEWER IMPROVEMENT PROJECT AT A
COST NOT TO EXCEED \$919,989.60
3rd READING

Mr. Shepherd said that the city received eleven bids for this project and Fabrizi was the low bidder by \$134,570 and substantially below the engineer's estimate. This project is important because the Lakeview and Hampton sewers feed into this area. All three projects together will help the sanitary sewer overflow at Westway which is one of two remaining in the city.

AMENDED ORDINANCE NO. 6-17 **BY: MICHAEL P. O'DONNELL**
AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE
FOUR (4) 2017 FORD INTERCEPTORS FOR THE POLICE DIVISION UNDER THE STATE
COOPERATIVE PURCHASING ACT FROM LEBANON FORD AT A COST NOT TO
EXCEED \$107,799.00
3rd READING

Mr. O'Donnell said this amended ordinance had a small typographical error in the title that has been corrected. This is being read for the third time. This is for the purchase of four vehicles at a cost not to exceed \$107,799.00. These will be purchased from the State Cooperative Purchasing Plan. Two will be purchased through the POPAS general fund and two will be purchased out of the equipment purchasing fund.

Moved by President Moran, seconded by Mr. O'Donnell that Ordinance No. 4-17, Ordinance No. 5-17, and Amended Ordinance No. 6-17 of the Consent Agenda be passed as read

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

PASSED

NEW BUSINESS: NONE

MISCELLANEOUS BUSINESS: President Moran and Safety-Service Director Costello discussed the Liquor License Request for the Normandy Apartments. As part of the Normandy renovations, there will be a “Clubhouse” design where residents and or guests can go for a movie, party night and have the opportunity to purchase alcohol. This was approved by Council.

PUBLIC COMMENT: Mr. Keith Rohr, 19039 Lake Road, #6, Rocky River asked if the city had a tree replacement program. The Mayor said that trees are replaced however the city arborist, Rich Snyder is very involved in being sure the correct tree is planted in the correct spot. Every year the city plants at least 100 trees. Mr. Rohr asked why the vehicles are being purchased from Lebanon instead of a dealership in Cuyahoga County. Director Costello said that Lebanon has the State Cooperative bid. The Mayor also said that the city always compares prices in the open market, regardless of the co-op bids.

As there was no further business by members of Council, the meeting was adjourned at 8:48 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council