

CITY OF ROCKY RIVER

June 26, 2017

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

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

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

Absent: Mr. Shepherd

Law Director: Mr. Bemer

Press: Ms. Botos

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Legislative Meeting of June 12th be waived and that the minutes be accepted as submitted

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

Moved by Mr. Moran, seconded by Mr. Furry, that the reading of the minutes of the Committee-of-the-Whole Meeting of June 19th be waived, and that the minutes be accepted as submitted

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

MAYOR'S REPORT:

The Mayor extended thanks to Council and members of the community for attending the celebration last Thursday to celebrate the Senior Center accepting their National Accreditation Award. Thank you to the At-Large Councilman for presenting the commendations from the state and federal elected officials.

The Mayor discussed CCOEM, the Cuyahoga County Office of Emergency Management that answers all cellular 911 calls. Beginning July 1st CCOEM will be able to receive text messages from cell phones. The tag line is “call if you can, text if you can’t”. Once the messages are received, the calls will be sent to the nearest jurisdiction. This has been tested with several of the largest carriers. If your text was not received by CCOEM, you will receive a bounce back message that the transmission didn’t go through.

This Thursday, Leigh Eastman is retiring after 32 years. Leigh has worked for the City of Rocky River in the Office on Aging, Senior Center and the Transportation Coordinator. Cake and refreshments will

be served Thursday afternoon and the entire community is invited to attend. Leigh structured the transportation service and will be truly missed.

This Sunday, July 2nd Jersey Beat, the Frankie Valli Tribute Band will play beginning at 7:00 p.m. in the City Hall Park Gazebo as part of the Summer Concert Series.

LAW DIRECTOR'S REPORT: Law Director Bemer reported that the Planning Commission will meet July 11th and the BZA will meet on July 13th.

Mr. Bemer will not be in attendance at next Monday's Council Meeting. Mr. O'Shea will be in attendance in his absence.

COMMITTEE REPORTS: Councilman Furry said that he attended the Cleveland Airport System Suburban Mayor's Meeting this afternoon at 2:00 p.m. Basically the agenda was meeting Mr. Robert Kennedy the new director of the airport. He has been at Cleveland Hopkins for the last 6 months. He has a vast amount of experience and is customer service oriented.

Mayor Bobst attended this meeting as well and said that Mr. Kennedy does have a great amount of experience. Mr. Kennedy is from the Atlanta Airport. Construction projects were reviewed having to do with runway alignment. Planes could be re-routed during this construction over Rocky River. There is an airport noise hotline and Mr. Kennedy encourages residents to call with any complaints. The Mayors also received an update on the Cleveland/Detroit Metroplex Project. This project allows for satellite navigation. There will be some land based guidance but most of it will be satellite based to create more efficient traffic patterns. With the Satellite navigation planes will be able to take the most direct route, more fuel efficient, better for the environment and the passenger experience quicker. There will be another public meeting this fall that will address any and all concerns of residents. This should be implemented by spring of 2018 and will continue to be monitored for its effectiveness.

COMMUNICATIONS AND ANNOUNCEMENTS: President Moran announced that Council Meetings will begin at 7:00 p.m. beginning at the July 3rd Council Meeting.

PUBLIC COMMENT:

Mr. John Carney, Rocky River Preservation Partners, requests that there is a second read on this ordinance this evening. Mr. Carney supports the recommendations of the Planning Commission. Mr. Carney said they have made progress with property owners on Breezevale Cove. Since last fall, they have acquired Wally Smith's property, Salti's property and the support of other residents.

- Mr. Furry asked about Dr. Harters' stance. Dr. Harters wasn't in support of the project early on. Mr. Carney explained that there was a misunderstanding and after they met and explained things, she is now in support. Mr. Carney confirmed that he has acquired Mr. Smith's property.

Mr. Malcolm Wood, 22740 Lake Road, lives immediately to the west of the proposed land for rezoning and is a retired professional engineer. Mr. Wood is concerned about the amount of liability in connection with this project and who will be responsible for this liability. Mr. Wood discussed engineering concerns regarding this project and distributed his notes to Council for review. Mr. Wood is also concerned about the lakefront setbacks and if followed will only allow for 13 units to be built as

opposed to the 18 the contractor talks about building. Mr. Wood hopes that the City of Rocky River understands the potential liability in permitting this project to continue.

B. J. Alexander, Breezevale Cove, asked for someone to tell her exactly what can be built with R-3 Zoning. The Mayor and President Moran said that the Building Commissioner will go over R-3 Zoning with her at her convenience. Mrs. Alexander said that the developers keep talking about single floor living and she asked if single floor living can be accomplished with R-3 Zoning. Law Director Bemer asked Mrs. Alexander to call Commissioner Reich and Mr. Bemer will be available tomorrow morning to discuss these concerns. The Mayor said she could give Mrs. Alexander a copy of the zoning matrix that Commissioner Reich developed for Council.

Mary Woods, 22740 Lake Road, spoke with Ray Reich. She discussed the definition of cluster homes, townhouses etc. Mr. Bemer asked Mrs. Woods to call Ray Reich and Mr. Bemer will make himself available for the phone call to discuss these definitions.

Michael Harvey, 311 North Cliff Drive, is in attendance on behalf of the Goecke's regarding Ordinance No. 44-17. The Goecke's are longtime Rocky River residents and own a 10 year based business in Rocky River. They are interested in repurposing a historical building and reuse it for administrative offices for 7-8 people. The imprint on the neighborhood will be much less. The neighbors have been contacted and everyone is onboard.

UNFINISHED BUSINESS:

Mr. Sindelar moved to amend Ordinance No. 15-17 seconded by Mr. O'Donnell.

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

MOTION TO AMEND PASSED

AMENDED ORDINANCE NO. 15-17

BY: BRIAN J. SINDELAR

AN ORDINANCE TO CHANGE THE DISTRICT CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 302-01-007 FROM ITS PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY TO R-3 MULTI-FAMILY, IN ITS ENTIRETY, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Sindelar said that July 10th will be the third reading providing all Council members are available. President Moran said he will clarify with Councilman Shepherd on his availability for July 10th.

AMENDED ORDINANCE NO. 32-17

BY: BRIAN J. SINDELAR

AN ORDINANCE TO CHANGE THE DISTRICT CLASSIFICATION OF PORTIONS OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NOS. 301-15-012 AND 301-15-019 FROM THEIR PRESENT CLASSIFICATION OF SM SERVICE MANUFACTURING TO OB-1 OFFICE BUILDING DISTRICT AND MIXED USE OVERLAY DISTRICT, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Law Director Bemer said that at the Planning Commission Meeting last week, the specifications of Mixed Use Overlay was discussed and the applicant wasn't able to produce a significant concept plan at last week's meeting. The applicant asked for the Mixed Use Overlay to be withdrawn and will go back to the OB-1 classification. The Public Hearing is scheduled for July 17th.

Councilman Furry asked to Amend Ordinance No. 36-17 from a Memorandum of Understanding to an Agreement, seconded by Mr. O'Donnell and Mr. Sindelar.

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

MOTION TO AMEND PASSED

AMENDED ORDINANCE NO. 36-17

BY: DAVID W. FURRY

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH AND THE CITY OF ROCKY RIVER FOR PHASE II STORMWATER SERVICES IN 2017-2018, ATTACHED HERETO AS SUBSTITUTED EXHIBIT "A"

3rd READING

Mr. Furry said that this has gone from a Memorandum of Understanding to an Agreement and has been discussed several times. Mr. Furry asked for passage of Amended Ordinance No. 36-17, seconded by Mr. Sindelar.

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

PASSED

ORDINANCE NO. 38-17

BY: JOHN B. SHEPHERD

AN ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2017 CRACK & JOINT SEALING PROGRAM IN AN AMOUNT NOT TO EXCEED \$88,687.50

2nd READING

Mr. Moran said that this is for the Crack & Joint Sealing Program Contract. This program gives extra life to the streets. This was the low bid received and about 2% over the cost of last year.

RESOLUTION NO. 39-17

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, 2018

2nd READING

Mr. Moran said that this is the budget estimate for 2018 and is put together without the formal budget process of the Directors and Mayor. This has to be submitted before the end of July.

ORDINANCE NO. 40-17

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE ESTABLISHING THAT ROCKY RIVER CITY COUNCIL SHALL RECESS DURING THE MONTH OF AUGUST IN 2017

2nd READING

Mr. Moran said that Council and Administration takes a break for the month of August as has been done for the last 20 years.

ORDINANCE NO. 41-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC., FOR THE 2017 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$789,947.40

2nd READING

Mr. Moran said that Councilman Shepherd gave an outline of the following streets for new pavement: Buckingham Rd., Elmwood Rd. (from Lake to Avalon), Erie Rd. (west from Elmwood through and including Whittlesay Ln.), High Pkwy. (from 18519 High Pkwy. to East Shoreland), Kensington Oval, Morewood Alley East, Orchard Grove Ave. (to Westmoor), Palmer Dr., Smith Ct. (from Ingersoll to South Falmouth / South Kensington), Southbend Circle/Southbend Dr. (street repairs), Stratford Dr., Wooster Pkwy., and City Hall between the Senior Center and Civic Center. Six bids were received and Crossroads was the low bidder by \$44,000 at a price of \$789,947. The engineer's estimate was \$950,000. Crossroads has done work for the city in the past and has done a good job. Crossroads has worked for Fairview Park and Lorain County and the City of Medina with favorably results.

ORDINANCE NO. 42-17

BY: CHRISTOPHER J. KLYM

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH R. E. WARNER & ASSOCIATES INC. FOR THE HAMILTON ICE ARENA ROOF PROJECT IN AN AMOUNT NOT TO EXCEED \$45,650.00 AND FURTHER APPROVES EXPENDITURES FOR CONTINGENCY

2nd READING

Councilman Klym said this has been discussed a couple of times and he has not received any questions. In particular, this ordinance looks to deal with potential contingency issue on the replacement of the roof of the Hamilton Ice Rink. The administration did accept the bids from R.E. Warner & Associates Inc. for \$45,650. The concern is that if it is not ratified and something was to come up during the month of August, the administration would not be able to address it quickly. This would allow them to keep working if something unexpected is discovered. This will have a third read on July 10th.

NEW BUSINESS:

RESOLUTION NO. 43-17

BY: JAMES W. MORAN

A RESOLUTION AUTHORIZING THE CERTIFICATION OF DELINQUENT SANITARY SEWER ACCOUNTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION, IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

President Moran said that this list has 537 names for delinquent sanitary sewer accounts. If these are not paid within the next four weeks, these accounts will be added to the homeowner's tax statement with an additional charge. Hopefully this list will be amended because of payments received.

ORDINANCE NO. 44-17**BY: BRIAN J. SINDELAR**

AN ORDINANCE TO CHANGE THE DISTRICT CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 301-23-069 FROM ITS PRESENT CLASSIFICATION OF PF PUBLIC FACILITY TO OB-1 OFFICE BUILDING DISTRICT, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Sindelar said that this is a historic value property nestled in a residential area. This will be referred to the Planning Commission and a Public Hearing will be set following that recommendation.

RESOLUTION NO. 45-17**BY: JAMES W. MORAN**

A RESOLUTION AUTHORIZING THE CERTIFICATION OF UNPAID PROPERTY MAINTENANCE COSTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

This list is from 2015 and 2016. The maintenance costs will be added to the tax base if not received within the next four weeks.

ORDINANCE NO. 46-17**BY: MICHAEL P. O'DONNELL**

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE VEHICLE MAINTENANCE PARTS FOR THE CITY OF ROCKY RIVER FOR A TWO (2) YEAR PERIOD FROM CAR PARTS WAREHOUSE WITH AN OPTION TO RENEW AT A COST NOT TO EXCEED \$55,000 PER ANNUM

1st READING

Mr. O'Donnell said that this ordinance is for the purchase of vehicle maintenance parts. This was the lowest and best bid. The administration has met with Car Parts Warehouse and is satisfied that they will be able to serve the city's needs. It is a two-year contract with an option to renew. The city handles much of its own maintenance on city vehicles. This will have three full reads.

ORDINANCE NO. 47-17**BY: MICHAEL P. O'DONNELL**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO SELL USED CITY VEHICLES WHICH WERE PUBLICLY BID FOR A TOTAL SUM OF \$14,495.59

1st READING

This is for the sale of a number of used city vehicles where they are no longer useful. This is for the city to accept money for vehicles the city no longer uses. This will have three full reads.

- Mr. Furry asked what the mileage is on the 2013 Charger. Mr. O'Donnell said it is 68,237 miles. Director Costello said this vehicle has had a number of engine problems. Things were always fixable, but it hasn't held up like the other Chargers have.

- Mr. Sindelar asked what the typical amount of mileage is on these vehicles. Director Costello said somewhere between 75–82,000 miles.

ORDINANCES UNDER CONSENT:

ORDINANCE NO. 33-17

BY: MICHAEL P. O'DONNELL

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO AGREE TO RENEW A CONTRACT FOR ONE (1) YEAR THE PURCHASE JANITORIAL SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000.00 AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. O'Donnell said that this has been discussed many times. This is an annual ordinance. It is for the purchase of janitorial supplies from Ohio Valley Supply and Maintenance. The city has used them before and is satisfied with the pricing. The pricing is a renewal of pricing that is approximately three years old.

RESOLUTION NO. 34-17

BY: THOMAS J. HUNT

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY TO RECEIVE FUNDING FROM THE CUYAHOGA COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT (CDSG) PROGRAM IN THE AMOUNT OF \$49,950.00 FOR THE WOOSTER ROAD SIGN, SIGNAL AND PEDESTRIAN SAFETY PROJECT

3rd READING

Mr. Hunt said that this has been discussed numerous times. This resolution will authorize the Mayor to enter into an agreement with Cuyahoga County to receive funds from the Community Development Supplemental Grant Program to reimburse the city for the pedestrian safety project at Wooster and Shoreland. This will be completed in the fall.

ORDINANCE NO. 35-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GARDINER COMPANY FOR A THREE YEAR MAINTENANCE SERVICE AGREEMENT FOR THE PUBLIC BUILDINGS OPERATED BY THE CITY OF ROCKY RIVER IN AN AMOUNT NOT TO EXCEED \$36,028.00 ANNUALLY, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This ordinance authorizes the city to enter into a three-year agreement with Gardiner for the maintenance of the HVAC, humidifiers, air conditioners, water pumps, hot water tanks etc. The hard goods will be separate from this ordinance.

- Councilman Klym added that this is also part of the contract the city has with Gardiner that the city utilizes Gardiner for maintenance.

Moved by Mr. Moran, seconded by Mr. O'Donnell that Ordinance No. 33-17, Resolution No. 34-17 and Ordinance No. 35-17 of the Consent Agenda be passed as read

Vote: Hunt – aye
Sindelar – aye
6 ayes

O'Donnell – aye
Klym – aye

Mr. Furry - aye
Moran - aye
0 nays

PASSED

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

As there was no further business by members of Council, President Moran said that next week's meeting will begin at 7:00 p.m. and the meeting was adjourned at 9:08 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council