

CITY OF ROCKY RIVER

May 8, 2017

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. Shepherd, Mr. O'Donnell, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

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

Law Director: Mr. Bemer

Press: Ms. Botos

The meeting was opened with the Pledge of Allegiance.

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Legislative Meeting of April 24th 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 - abstain	
6 ayes	1 abstain	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 May 1st be waived, and that the minutes be accepted as submitted

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

MAYOR'S REPORT:

The second Community Shredding event that was held this past Saturday was a success. Thank you to Director Costello who along with the Community Emergency Response Team Volunteers and Service Department assisted with the shredding. Habitat for Humanity was also at City Hall but a report has not been received yet. The next Community Shredding will be held in September.

Little League Opening Day was held this past Saturday. The parade began at City Hall and continued down Hilliard Blvd. to the Little League Field. The Fire and Police Department, bagpipes, drum corp, baton twirlers and 24 Little League Teams all participated in the parade. Thank you to all the Little League parent volunteers and team sponsors. This is a great tradition.

There is legislation in front of Council this evening awarding the Hampton/Lakeview Avenue Sewer Improvement Project to Fabrizi Trucking and Paving Company, Inc. This is the last of all of the overflows that the city has been working on with USEPA. It is very exciting to see this project begin.

The Mayor announced NOACA's AIM Forward 2040 which is an opportunity for people to provide feedback about regional transportation projects. The Mayor said it is rare that three documents and three planning tools come together at the same time.

- The AIM Forward 2040 is NOACA's Long-Range Transportation Plan, which is the framework for directing investments for all forms of transportation, including motor vehicle, bridge, transit, bicycle, walking and the movement of freight. The plan offers a vision of the region's transportation system through the year 2040 and identifies \$15.8 billion in transportation investments throughout a five county region.
- The TIP is the tool for implementing the Long-Range Transportation Plan. The TIP is the four-year capital improvement program of roadway, transit, bicycle and pedestrian projects scheduled to be implemented in NE Ohio counties.
- The OWP includes NOACA's transportation, air quality, and water quality planning projects, as well as special programs, studies, local assistance, and program administration for the next year.
- Wednesday, May 17th, from noon until 1:00 p.m. NOACA will host a meeting in their downtown office at 1299 Superior Avenue.
- This is something that the city monitors closely. Director Costello along with Engineer MacKay ensure that the critical projects are included in NOACA's planning and funding process.

Bowen and Associates has been working with the Police Department on potential plans and a path forward for the renovations/reconstruction of the police station. The city met last week with Bowen and Associates and gave feedback regarding the plans this far. Bowen and Associates will schedule a time to present to City Council to discuss the process and glean City Council's feedback. They are also working on a security system for City Hall along with better access for the public at the front of the building. This meeting will be scheduled within the next month.

The Mayor announced that "Bike to School" is in session. Please be aware of the extra bicycles on the roadways.

The Household Hazardous Waste Collection numbers were just received. The City of Rocky River was in the top four, recycling 4,517 pounds of material. There were 15 communities that participated with the Cuyahoga County Solid Waste District for a total of more than 45,000 pounds. Thank you to Steve Elek and the entire refuse and recycling team for all their hard work on this. Thank you, most importantly, to the residents who take the time to recycle all these items.

The Historical Society will be meeting at the Senior Center for their monthly meeting this Thursday, May 11th.

The League of Women Voters will hold their annual meeting Thursday evening.

This Saturday at noon, the store Lovely will have a second grand opening at their new storefront location a couple of doors east. “Babycakes”, their second store, will open in Lovely’s former location soon.

Next Monday, Police Officer Alan Bergman will be sworn in at the City Council Meeting.

The city is preparing for Memorial Day and invites Council members to participate in the parade and program that morning. There will be a Ready Notify sent out regarding participation in placing flags on veteran’s graves the Saturday before Memorial Day. The American Legion will have refreshments for the volunteers.

LAW DIRECTOR’S REPORT: Mr. Bemer announced that there is a BZA Planning Commission Meeting this Thursday beginning at 7:00 p.m. The Planning Commission will hold a meeting on May 18th beginning at 7:00 p.m. for the final review of the Tide Dry Cleaning on Center Ridge Road.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: President Moran followed up the Mayor’s announcement regarding Police Officer Alan Bergman swearing in at next week’s City Council Meeting. President Moran said that Council is always excited to have the opportunity to participate in the swearing in of a new officer.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

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 NOS. 302-01-007, 302-01-010, AND 302-01-011 FROM THEIR PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY TO R-4 MULTI-FAMILY, IN THEIR ENTIRETY, AS FURTHER DESCRIBED IN EXHIBIT “A” ON HOLD

Mr. Sindelar said that a Public Hearing has been scheduled for Monday, June 12, 2017. There is nothing new to report at this time.

Mr. Furry moved to amend by substitution Resolution No. 19-17, seconded by Mr. O’Donnell.

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

PASSED

AMENDED RESOLUTION NO. 19-17 **BY: DAVID W. FURRY**
AN AMENDED EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR A STATE OF OHIO CONGESTION

**MITIGATION AND AIR QUALITY (CMAQ) GRANT REGARDING CONGESTION
REDUCTION, TRAFFIC FLOW IMPROVEMENTS AND INTELLIGENT
TRANSPORTATION SYSTEMS (ITS) FOR CENTER RIDGE ROAD INTERSECTIONS
3rd READING**

Mr. Furry explained that if the requested funds are granted, the City of Rocky River will be responsible for at least twenty percent of the eligible costs. The city will be paying 30%, which will give the city a higher score and a better chance of obtaining the grant. Mr. Furry explained that the percentage is 42% including the engineering costs. Director Costello explained that the city wanted to keep engineering at 100% and by keeping the construction costs, the application works out better. This is a potential expenditure for 2018.

- Mr. Klym verified that this resolution is based on the most recent TLCI Study. This resolution will help accomplish the needs shown from the TLCI Study.
- The Mayor said that it is important to know that that The City of Fairview Park, ODOT and RTA will be giving letters of support that will be submitted with the resolution. The Mayor said that the city appreciates that level of support. The Mayor said that Director Costello did an amazing job on this very detailed grant.

Mr. Furry moved for passage of Amended Resolution No. 19-17, seconded by Mr. O'Donnell.

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

ORDINANCE NO. 21-17 **BY: JAMES W. MORAN**
**AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF
COUNCILMEMBERS OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING
JANUARY 1, 2018 AND ENDING DECEMBER 31, 2019**
3rd READING

Mr. Moran said there will be no increase in the compensation for the Councilmembers for January 1, 2018 and ending December 31, 2019. Council received a raise four years ago and before that it was 8 years. The compensation for this position is \$12,000 a year.

Mr. Moran moved for passage of Ordinance No. 21-17, seconded by Mr. Furry.

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

ORDINANCE NO. 22-17 **BY: JAMES W. MORAN**
**AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE
PRESIDENT OF COUNCIL OF THE CITY OF ROCKY RIVER FOR THE YEARS
COMMENCING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2019**
3rd READING

Mr. Moran said there will be no increase in the compensation for the President of Council for January 1, 2018 and ending December 31, 2019. The Council President received a raise four years ago and before that it was 8 years. The compensation for this position is \$13,500 a year.

Mr. Moran moved for passage of Ordinance No. 22-17, seconded by Mr. O'Donnell.

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

ORDINANCE NO. 23-17

BY: JAMES W. MORAN

**AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE
DIRECTOR OF LAW FOR THE YEARS COMMENCING JANUARY 1, 2018 AND ENDING
DECEMBER 31, 2019**

3rd READING

Mr. Moran said that this is for the position of Law Director for January 1, 2018 and ending December 31, 2019. The compensation for Law Director has been the same since 2009 with no increase. The compensation will be increased by \$3,000. This is the first increase in 8 years.

Mr. Moran moved for passage of Ordinance No. 23-17, seconded by Mr. Furry.

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

ORDINANCE NO. 24-17

BY: JAMES W. MORAN

**AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE
MAYOR OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1,
2018 AND ENDING DECEMBER 31, 2019**

3rd READING

Mr. Moran said that is for the position of Mayor. There has not been a raise since 2009. The city had some difficult times and that is why this position was held steady. This Ordinance is bringing the Mayor's salary to where it should be. The compensation beginning January 1, 2018 and ending December 31, 2019 will be increased to \$99,975.

- Mr. Klym said that this increase puts this position on more equal footing to other cities in the area. This is a full time, detailed and time consuming position and maintaining this level of compensation is very important. Mr. Klym supports the passage of this ordinance.
- Mr. Moran said this has been discussed for more than six months, with information being pulled from surrounding communities and other areas. This also makes the Mayor's salary commensurate with the other director salaries of the city.
- Mr. Shepherd said that there have been increasing duties for the position over the past eight years. Mr. Shepherd appreciates the sacrifice of the Mayor through these hard times.

Mr. Moran moved for passage of Ordinance No. 24-17, seconded by Mr. Furry and Mr. O'Donnell.

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

PASSED

ORDINANCE NO. 27-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH UNITED SURVEY, INC. FOR THE 2017 SANITARY SEWER AND MANHOLE REHABILITATION AT A COST NOT TO EXCEED \$192,720.00

2nd READING

This project was advertised for bid and two bids were received. United Survey was the low bidder. This is a project where the seams of the sewer pipes will be refurbished, sealed up to get better performance and longevity. This project will be monitored.

ORDINANCE NO. 28-17

BY: CHRISTOPHER J. KLYM

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN EIGHT (8) YEAR BEVERAGE SERVICE AGREEMENT WITH CLEVELAND COCA-COLA BOTTLING COMPANY, INC. FOR THE ROCKY RIVER RECREATION DEPARTMENT

2nd READING

This has been discussed three times. This agreement is rebid every few years and two bids were received. There are some stark differences. The following incentives will be received from Coca-Cola:

- A \$6,000 a year sponsorship fee / Pepsi \$0
- Insulated display barrels
- Scoreboard incentives of \$2,500 / Pepsi \$0
- 40% Commission on gross sales
- Dasher Board Ad at Hamilton Ice Arena for \$1,500 a year / Pepsi \$0

This will be read one more time.

ORDINANCE NO. 29-17

BY: JOHN B. SHEPHERD

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO AGREE TO RENEW A CONTRACT FOR ONE (1) YEAR THE PURCHASE PRINTING SERVICES FOR THE CITY OF ROCKY RIVER FROM ADMIRAL PRODUCTS, INC. AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

There will be two more meetings to discuss this ordinance. This contract has been in place for three years. Admiral Products has offered to extend this contract for a fourth year at the same price.

NEW BUSINESS:

ORDINANCE NO. 30-17

BY: JAMES W. MORAN

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017 AND TO AMEND ORDINANCE NO. 66-16

1st READING

Mr. Moran said that Ordinance No. 66-16 was the budget for last year. This ordinance is to make supplemental appropriations for the current expenses. The purpose for the appropriations are as follows:

- Special Project - \$2,000
- Printing - \$3,000
- Lakewood Fees - \$62,000
- Meter Read Cost - \$36,500

This will have two more reads.

ORDINANCE NO. 31-17

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 HAMPTON ROAD (SOUTH) LAKEVIEW AVENUE SEWER IMPROVEMENT PROJECT AT A COST NOT TO EXCEED \$5,078,920.70

1st READING

Mr. Shepherd said that this is a major sewer relocation projects. It is in Ward 4 and will help control the Westway overflow. It was put out to bid with 7 bids returned. Fabrizi was the low bidder by \$243,000 and under the engineer's estimate by \$520,000. Fabrizi has favorable recommendations from Strongsville and Lorain. There are no unresolved findings on the auditor's database. The project will replace the storm and sanitary sewers in between Center Ridge and Hilliard for both Hampton and Lakeview. Director Costello said that the replacement will continue down to Westway along Lakeview and from Hampton along Hilliard to the I 90-entrance ramp. One-way traffic will be maintained. The project includes new curbs, driveway aprons, new streets and sidewalk repair where necessary. The city was awarded an Ohio Public Works no interest loan. This will have a two more reads.

- Mr. Klym asked if this is passed, will Westway be done in time. Director Costello said that Westway's contract is done July 8th, but they are ahead of schedule. As long as there are not consecutive bad weather days, Director Costello anticipates Fabrizi to complete Westway in advance of the July 8th date and able to begin the Hampton/Lakeview project.

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 NO. 301-15-

012 FROM ITS PRESENT CLASSIFICATION OF SM SERVICE MANUFACTURING TO OB-2 OFFICE BUILDING, AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Mr. Sindelar said that this is looking to go to warehousing or manufacturing box buildings for office space. At this time, Mr. Sindelar would like refer this to the Planning Commission for their recommendation. The Mayor said it is a consolidation of parcels and rezone. This area is behind the CVS Plaza on Ingersoll Drive.

- Mr. Bemer said that the property is currently in a family trust. This project requires a lot split. The zoning request is an office OB-2 that provides for heights of 150 feet. There is an option to purchase subject to a rezoning and a lot split. Service Manufacturing is the greatest zoning classification for use, but you cannot serve food in a Service Manufacturing. The Mayor said that mixed use was also discussed.

ORDINANCES UNDER CONSENT:

ORDINANCE NO. 16-17

BY: MICHAEL P. O'DONNELL

AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE TWO STAINLESS STEEL DUMP BODIES WITH SNOW PLOW PACKAGES FOR THE SERVICE DIVISION FROM CONCORD ROAD EQUIPMENT MFG INC AT A TOTAL COST NOT TO EXCEED \$89,843.52

3rd READING

This is a companion ordinance to Ordinance No. 9-17, which was for the purchase of two 2- 2 ½ ton dump truck chassis. This ordinance is for the dump bodies that are to be installed on the truck chassis with snow plow packages. The price of \$89,843.52 is a very good price. It was compared to steel dump bodies that were purchased in 1996 for \$115,000. Concord Road Equipment Mfg. Inc. was the lowest and best bid received.

ORDINANCE NO. 18-17

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO TO GRANT UP TO \$30,000.00 FOR THE OPERATION OF THE MARINE PATROL FOR THE YEAR 2017, AND AS FURTHER DESCRIBED IN THE ATTACHED AGREEMENT

3rd READING

Mr. Hunt said that this is identical to last year's agreement. This is a 75/25 percent split. The budget specifically accounts for \$20,000 in personnel expenses, \$2,000 for fuel, \$2,800 for equipment and dock expenses, \$4,000 for vessel insurance and \$2,000 for marine patrol training and \$10,000 in miscellaneous expenses. The city received an extension from the ODNR so the ordinance could have a full three reads.

ORDINANCE NO. 20-17

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ROCKY RIVER AND HAZEN AND SAWYER FOR PROFESSIONAL SERVICES RELATIVE TO THE PREPARATION OF A NO FEASIBLE

ALTERNATIVES STUDY AS FURTHER DESCRIBED IN EXHIBIT “A” AT A COST NOT TO EXCEED \$274,600

3rd READING

This ordinance is authorizing the Mayor to enter into an agreement with Hazen and Sawyer for professional services relative to the preparation of a No Feasible Alternatives Study at a cost not to exceed \$274,600. Per the NPDES renewal permit with the Ohio EPA, the city is required to submit this prior to January 1, 2019. The intent is to investigate ways to eliminate bypass of secondary treatment of any sanitary wastes. Qualifications were requested of seven engineering firms and Hazen and Sawyer were determined to be the most qualified. Funds will be paid out of the WWTP Capital Fund Professional Services Account. This bidder also has no unresolved findings in the auditor’s database.

ORDINANCE NO. 25-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH UTILICON CORPORATION FOR THE 2017 WATER MAIN REHABILITATION FOR KENSINGTON OVAL, IN AN AMOUNT NOT TO EXCEED \$127,514.33

3rd READING

Utilicon was the low bidder at \$127,514.33. This is for the Water Main Rehabilitation for Kensington Oval. This will be fully reimbursed by the City of Cleveland Water Department.

ORDINANCE NO. 26-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE ADMINISTRATION TO PURCHASE AN ESTIMATED 2,300 TONS OF SALT FOR THE 2017 / 2018 WINTER SEASON FOR THE SERVICE DEPARTMENT UNDER THE OHIO DEPARTMENT OF TRANSPORTATION’S COOPERATIVE PURCHASING CONTRACT NO. 18 FROM THE STATE-APPROVED VENDOR

3rd READING

Mr. Shepherd said that this purchase is for salt from ODOT at a reasonable price. If the city experiences a bad winter and there is not enough salt, the prices sky rocket. The city puts a lot of analysis into the amount of salt purchased.

Moved by Mr. Moran, seconded by Mr. O’Donnell and Mr. Furry that Ordinance No. 16-17, 18-17, 20-17, 25-17 and 26-17 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 said that May 29th is the Memorial Day Parade and Council members have the opportunity to participate in the parade and ceremony at the cemetery.

Mr. Moran said that next week’s meeting will begin at 7:00 p.m.

The Mayor thanked Council for passage of the ordinance for the sewer flow and strength study. With all the rain it was a great week to begin the study.

- Mr. O'Donnell and Mr. Shepherd commented that they have not received any calls from residents regarding flooding basements this spring. Improving the system appears to be working.

PUBLIC COMMENT: Mrs. Mary Wood asked about the wording on Ordinance No. 15-17 regarding the R-4 Zoning. President Moran said that this is procedural and is in the initial stages. Everything will be discussed at the Public Hearing.

As there was no further business by members of Council, the meeting was adjourned at 9:01 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council