

CITY OF ROCKY RIVER

December 14, 2020

The Regular Legislative Meeting of Council was called to order by Mr. Moran, President of Council, at 7:00 p.m. via Zoom.

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

Administration: Mayor Bobst, Mr. Thomas, Mr. Snyder

Law Director: Mr. Bemer

Assistant Law Director: Mr. O'Shea

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 Special Meeting of December 4th be waived, and that the minutes be accepted as submitted.

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

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

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

MAYOR'S REPORT:

The Mayor stated that this is the last week for leaf pick up. The Service Department will make it through the city one more time this week. Beginning next week, yard waste and leaves will need to be in brown bags to be picked up. Notices have been sent out to the community along with a notice on the Service Garage Facebook page.

The Chamber of Commerce is holding a Food Drive today and tomorrow from 10:00 a.m. to 4:00 p.m. The Chamber will be accepting food donations for the Rocky River Assistance Program. Residents have been very generous to the Assistance Program and thanked Councilwoman Morris for being the catalyst for the food collection at the Recreation Center that is ongoing. Almost 6,000 items have been collected at the Recreation Center. The leadership of the Civic Organizations and the Assistance Program are very appreciative.

LAW DEPARTMENT: NONE

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 83-20 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE CREATING POSITIONS AND FIXING OR
ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING
JANUARY 1, 2021 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL
DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
3rd READING

This has been discussed since early November. Mr. O'Donnell has not had any questions or much discussion. It is an annual ordinance setting the salaries and hourly rates for all the employees of the city including employees in the collective bargaining units. Mr. O'Donnell moved for passage of Ordinance No. 83-20.

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

ORDINANCE NO. 95-20 **BY: MICHAEL P. O'DONNELL**

Mr. O'Donnell stated that Council should have received an amended exhibit for this ordinance. The amended exhibit affects the budget for 2021. There were changes on the exhibit such as the debt payment for the Municipal Court; some of the budget stabilization fund was used to ease some of the strain in 2021 regarding COVID, adjustments for the Recreation Department and a few others. Obviously, Council took a great deal of time including Friday, December 4th for almost five hours to go through the budget. Mr. O'Donnell moved to amend Ordinance No. 95-20 by substitution of the exhibit, seconded by Mr. Furry.

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

AMENDED ORDINANCE NO. 95-20 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE
CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE
FISCAL YEAR ENDING DECEMBER 31, 2021
3rd READING

As amended, it is pending before Council. This was discussed in great detail during the Finance Committee Meeting. Council appreciates the work of Director Thomas as well as all the Directors for compiling this budget. Mr. O'Donnell also appreciates Council's support in working with the various directors in presenting the information. Since the Finance Committee Meeting, Mr. O'Donnell has not had any questions regarding this ordinance. Mr. O'Donnell moved for passage of Amended Ordinance No. 95-20, seconded by Mr. Furry.

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

Morris – aye
7 ayes

Klym – aye

Moran – aye
0 nay

PASSED

ORDINANCE NO. 97-20

BY: MICHAEL P. O'DONNELL

Mr. O'Donnell said Ordinance No. 97-20 also needs to be amended. Council should have received an update of the exhibit for this ordinance. The notable increase is on the CARES ACT Funding that was received. The amount received was almost \$1.4 million. At this time the total appropriation is a little over half a million dollars. This is money to help pay for all the Coronavirus increase costs the city has. Mr. O'Donnell moved to amend Ordinance No. 97-20 by substitution.

Vote: Hunt – aye
Morris – aye
7 ayes

Shepherd – aye
Klym – aye

O'Donnell – aye
Moran – aye
0 nay

Furry - aye

PASSED

AMENDED ORDINANCE NO. 97-20

BY: MICHAEL P. O'DONNELL

AN EMERGENCY ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020 AND TO AMEND AMENDED ORDINANCE NO. 94-19

3rd READING

Mr. O'Donnell received information from the Finance Director concerning this ordinance. The biggest increases on the attached exhibit is that the city received an additional \$260,000 from the County to go along with the Federal money received under the CARES ACT. The city has allocated more of the federal money which is shown on the updated exhibit. This is all revising the 2020 Budget. Mr. O'Donnell has not had many questions and moved for passage of Amended Ordinance No. 97-20, seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye
7 ayes

Shepherd – aye
Klym – aye

O'Donnell – aye
Moran – aye
0 nay

Furry - aye

PASSED

ORDINANCE NO. 100-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE CITY OF ROCKY RIVER WITH MCGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2021 AT A TOTAL COST OF \$218,360.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd stated that Council received an excel color-coded spreadsheet in packets this week. The front page is the analysis of the different components of the city insurance. Also included are the proposals along with coverage's and an analysis of the cost. This week, the consultants Crain Langner will be available for any of Council to discuss any issues related to this ordinance and the following two ordinances.

- Mr. Furry stated that he has had a professional relationship with an entity that he has a fiduciary responsibility for. The entity had a claim against an underwriter that McGowan was representing. Mr. Furry did not feel that McGowan was representing the entity as well as they should have. This comment relates to Ordinance No. 100-20, 101-20 and 102-20.

ORDINANCE NO. 101-20**BY: JOHN B. SHEPHERD**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT WITH McGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2021 AT A TOTAL COST OF \$79,334.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd stated that on the second page of the spreadsheet received by Council, the left side is the same analysis for the WWTP Insurance required and the responsive bids. Crain Langner will be available this week to answer any questions related to the insurance issues in front of Council.

ORDINANCE NO. 102-20**BY: JOHN B. SHEPHERD**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER MUNICIPAL COURT WITH McGOWAN INSURANCE COMPANY, INC., FOR THE YEAR 2021 AT A TOTAL COST OF \$6,015.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd stated that on the back page of the excel spread sheet is an analysis for the Rocky River Court insurance issues. Mr. Shepherd has nothing further to state unless there are any questions.

ORDINANCE NO. 103-20**BY: DAVID W. FURRY**

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH KIMBLE COMPANY FOR THE REMOVAL OF DIGESTED SLUDGE CAKE FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$46.47 PER TON FOR THE YEAR 2021, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

This is an annual ordinance for the removal of digested sludgecake for the WWTP to a landfill. Two bids were received, one from Kimble Company for \$46.47 a ton and one from The Pen Ohio Corp for \$67.50 a ton. This represents a slight increase from the current provider Rumpke of Northern Ohio whose contract is expiring at \$42.87 a ton. This is for the months when the city cannot send it to Mr. Diaz along with Ordinance 88-20 due to regulations set by the EPA for the renewal of our NPDES permit. This is slated for three reads and emergency language will be used and is necessary to comply with the NPDES permit.

ORDINANCE NO. 104-20**BY: DAVID W. FURRY**

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH KIMBLE COMPANY FOR THE YEAR 2021 FOR THE REMOVAL OF GRIT AND SCREENINGS FROM THE WASTEWATER TREATMENT PLANT AT A COST OF \$71.75 PER TON AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

This is an annual renewal ordinance for the removal of grit and screenings from the WWTP. Grit is removed by mechanical means and must be sent to landfill. Three bids were received with a range of \$71.75 to \$94 a ton with Kimble Company being the lowest and best bid. This is slated for three reads and should be noted that emergency language is being utilized and it is necessary for compliance with the NPDES permit.

NEW BUSINESS:

RESOLUTION NO. 105-20

BY: CHRISTINA MORRIS

A RESOLUTION SUPPORTING THE PLACEMENT OF A PROPOSED SHORE STRUCTURE AND APPROVAL OF A LAKE ERIE SUBMERGED LAND LEASE FROM OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) ADJACENT TO PERMANENT PARCEL NO. 302-01-007 AT 22732 LAKE ROAD, ROCKY RIVER, OHIO

1st READING

Mrs. Morris stated that this is for the condo complex at 700 Lake Road. Rocky River Preservation Partners is requesting to place rocks along the shoreline to reduce any kind of shore loss. If there are any questions, please let Mrs. Morris know.

CONSENT AGENDA:

ORDINANCE NO. 84-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH MEDICAL MUTUAL OF OHIO TO PROVIDE HEALTH CARE, PRESCRIPTION INSURANCE COVERAGE, AND OPTIONAL VISION COVERAGE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This is an annual ordinance that will provide health benefits that are negotiated by the collective bargaining units for the organized employees and also to provide these benefits to the full-time employees. There was a zero increase in employee contributions, a 2.8% increase in premium to the city, which is very modest, and in the lower range for the Westshore Communities with no design changes in the plan.

ORDINANCE NO. 85-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DELTA DENTAL TO PROVIDE DENTAL COVERAGE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This is an annual ordinance that fulfills the obligation to the collective bargaining employees and to other full time employees for dental coverage. There is a zero increase in cost to the city and the employees. There are not any substantial design changes to the policy or reductions in benefits.

ORDINANCE NO. 86-20 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
CONTRACTS WITH OCHS, INC. LIFE INSURANCE TO PROVIDE LIFE
INSURANCE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY
RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

The city provides for full-time employees a life insurance benefit and this will continue that benefit. It is at an increase of only .06% and is locked in for three years.

ORDINANCE NO. 88-20 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO RENEW
FOR ONE (1) YEAR THE AGREEMENT WITH JAMES DIAZ TO PURCHASE
SERVICES FOR THE REMOVAL OF DIGESTED SLUDGE CAKE FROM THE
WASTEWATER TREATMENT PLANT AT A COST OF \$30.50 PER WET TON FOR
THE YEAR 2021, AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

This ordinance is for a one-year renewal of an agreement with James Diaz for the removal of digested sludgecake at a cost of \$30.50 per ton. This is a renewal of last year's contract at the same price for 2021. In 2019, two bids were received, one from James Diaz for \$30.50 a ton and one from Quasar Energy Group for \$49.33 a ton. This was an increase of \$8 a ton but is still the least costly alternative during the non-winter months.

ORDINANCE NO. 89-20 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO RENEW
FOR ONE (1) YEAR THE PURCHASE OF SODIUM HYPOCHLORITE FOR THE
WASTEWATER TREATMENT PLANT FROM BONDED CHEMICALS, INC. AT
\$0.769 PER GALLON FOR THE YEAR 2021, AS FURTHER DESCRIBED IN EXHIBIT
"A"
3rd READING

This ordinance is for a one-year renewal with Bonded Chemicals Inc. for the purchase of sodium hypochlorite at the current price of \$0.769 a gallon. Sodium hypochlorite is used in three different application points. It was bid last year with three bids within a range of \$.769 to \$1.255 a gallon.

ORDINANCE NO. 90-20 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO RENEW
FOR ONE (1) YEAR THE PURCHASE OF SODIUM BISULFITE FOR THE
WASTEWATER TREATMENT PLANT FROM PVS CHEMICAL SOLUTIONS, INC.
AT \$1.26 PER GALLON FOR THE YEAR 2021, AS FURTHER DESCRIBED IN
EXHIBIT "A"
3rd READING

This ordinance is for a one-year renewal with PVS Chemical Solutions, Inc. for the purchase of sodium

bisulfite. This is a one-year renewal with the current provider PVS Chemical Solutions at the current rate of \$1.26 a gallon. The was last bid out in 2019 with four bids received with a range from \$1.26 to \$2.1273 a gallon with PVS Chemicals Solutions, Inc. being the lowest and best bid at \$1.26 a gallon. This is necessary to comply with our NPDES permit.

ORDINANCE NO. 91-20

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO RENEW FOR ONE (1) YEAR THE PURCHASE OF FERRIC CHLORIDE FOR THE WASTEWATER TREATMENT PLANT FROM PVS TECHNOLOGIES, INC. AT \$578.00 PER DRY TON FOR THE YEAR 2021, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This ordinance is for a one-year renewal with PVS Technologies Inc. for the purchase of ferric chloride. This product has had some volatility but it will be renewed at \$578 a dry ton. This is necessary to comply with the NPDES permit and running the WWTP.

AMENDED ORDINANCE NO. 96-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE LEASE AND OPERATING AGREEMENTS WITH CLEVELAND CLINIC CHILDREN'S HOSPITAL FOR REHABILITATION FOR SPACE AT THE ADDITION TO THE DON UMERLEY CIVIC CENTER

3rd READING

The Cleveland Clinic has been a good tenant on the second floor of the Civic Center by the weight room. This will extend the relationship for another three years and the tenant will have a set of one-year options to renew. The first year the rent will be held as it was this year thereafter the annual increase will be approximately 2.5%.

ORDINANCE NO. 98-20

BY: CHRISTOPHER J. KLYM

AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 954.01 ENTITLED FEES, PERTAINING TO THE CIVIC CENTER RECREATION FACILITIES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Klym said this has been discussed on many occasions including with Director Holub who attended the December 4th Finance Committee Meeting. This involves the increases in fees of the Recreation Center and changes to policies that are there. Mainly it deals with the membership for the rec center. The last increase was in 2015. Mr. Klym noted that this includes a reduction in the fees for part-time city employees and for the first time there will be a 10% discount for non-active and veteran military members.

RESOLUTION NO. 99-20

BY: CHRISTOPHER J. KLYM

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION FOR A COASTAL MANAGEMENT ASSISTANCE GRANT (CMAG) FOR THE BRADSTREET'S LANDING INTERPRETIVE ACCESS BOARDWALK UNDER THE OHIO DEPARTMENT OF

NATURAL RESOURCES' OHIO COASTAL MANAGEMENT PROGRAM, AND IF GRANTED, TO ACCEPT SAID GRANT

3rd READING

Mr. Klym said this has been discussed a number of times. It is signaling Council's support for a grant application to the Coastal Management Assistant Program maintained by the Ohio Department of Natural Resources. This grant is for funds for the boardwalk that will be between the pier and the bridge over Spencer Creek. The pier is under construction; the bridge will be next year. The city has grant funds for the bridge but this will be just for the boardwalk. It is not for the revetment on the shoreline or any shoreline change, just the walkway between the two. If this grant is received, the city will have an additional cost to spend for the completion of the boardwalk. This grant would be for \$100,000 for a \$400,000 project. This is another piece of the puzzle at Bradstreet's Landing which everyone is excited and looking forward to in the near future.

Mr. Moran moved for passage of Ordinance Nos. 84-20, 85-20, 86-20, 88-20, 89-20, 90-20, 91-20, Amended 96-20, 98-20 and Resolution No. 99-20 on the Consent Agenda, seconded by Mr. O'Donnell.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry - aye
	Morris – aye	Klym – aye	Moran – aye	
	7 ayes		0 nay	PASSED

MISCELLANEOUS BUSINESS: Next Monday there will be a Committee of the Whole Meeting along with a Special Meeting with five of the ordinances being up for passage next week. This will be the last Council meeting for 2020 unless something major comes up before the end of the year.

The next meeting will be held on January 11th as a Legislative Meeting. Mr. Moran asked that this meeting begin at 6:00 p.m.

Mr. O'Donnell wished the Brown's well tonight and Mr. Shepherd thanked everyone for moving things along tonight.

PUBLIC COMMENT: NONE

The Meeting was adjourned at 7:40 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council