

CITY OF ROCKY RIVER

April 27, 2020

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

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

Administration: Mayor Bobst, Director Snyder, Director Thomas

Law Director: Mr. Bemer

This is the first WebEx meeting for City Council and President Moran appreciates all the time and effort put in by IT Manager Chris Grau, Law Director Bemer, Mayor Bobst and Clerk Pease.

The meeting was opened with a Pledge of Allegiance.

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Special Meeting of March 16th 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. O'Donnell and Mr. Furry that the reading of the minutes of the Legislative Meeting of April 20th 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 sent out a Ready Notify last Friday, April 24th. The update included the following information:

Friday was Arbor Day. Currently, 214 trees are being planted on tree lawns throughout the City as a part of the annual Free Tree Lawn Planting Program. Streets included in the 2020 planting are Locust Lane, Chatham Place, Medfield, Kenwood, Endsley, Higley, Mitchell, Lakeview and Goldengate. An additional 20-30 trees will be planted in parks, public spaces and on the City Hall campus. Residents who are interested in having their street considered for the 2021 Free Tree Lawn Planting Program, please contact Director of Public Safety Service Rich Snyder.

The Mayor heard from Senator Portman last week regarding eligible expenses that the city can be reimbursed for. The Directors are compiling lists currently of reimbursable expenses using a FEMA template that was used during Super Storm Sandy for reimbursement.

The Mayor also announced that it is anticipated that Norfolk Southern will close down the railroad crossing at Wagar for about a week for upgrades. There will be a well-marked detour that goes around that area. All the Safety Departments and the Service Department are aware of this detour.

On Thursday, April 30th, the Safe Routes to Schools Project at Lakeview and Lakeview Court will commence. This project will be a relatively short duration but there will be some construction going on in the area.

On Monday, May 4th the detour for Story Road will begin with that project taking about 150 days.

The Police Station Storm Water Management System is just about completed. The footers for the Police Station will be marked off this week, weather permitting.

A new waterline will be installed at Rocky River Park and reconnecting the electrical next week. There will also be a French Drain System installed. There will be plaques installed by the Parks and Recreation Foundation commemorating W.B. Smith's very generous contribution for the construction of the Pavilion and his influence during his time on the Parks and Rec Commission. The other plaque is filled with supporters of the project.

The City has been very busy during this shutdown with the floors being refinished and painting being done at Memorial Hall and the Recreation Center.

Tennis Courts at Linden will be resurfaced this spring.

The City is looking forward to when the residents can be back at the Recreation Center. Plexiglas is being installed at the work stations to protect employees.

The chimney at the Hamilton Ice Arena is being restored.

Starting this week, construction updates will be included on Ready Notify along with possible photographs.

In addition, 22 trees will also be planted around the community that the Chamber of Commerce decorated during the holidays and then donated to the City. Director Snyder, Dave Arendec and crew have been working hard on the Arbor Day Tree Trek and Word Scramble Contest from the Chamber and the City of Rocky River. There are some very nice prizes.

- Mr. Furry asked about the City's reaction to Governor DeWine's Press Conference this afternoon. The Mayor stated that the full time employees will be brought back beginning Monday, May 4th. There will not be any programming beginning anywhere until June 1st.

The City is readying facilities to be open but there is not an opening date as of yet until the 10 person gathering is lifted.

The Building Department will be functioning as they have been. There is a box outside the door for permits to be dropped off. Fire, Police, Service Garage and WWTP have moved into a work group configuration and that implementation will continue through June 1st.

- Mr. O'Donnell asked about the snow fence that was installed by the Pickle Ball Courts. The Mayor explained that there was a large group of individuals amplifying 60's music and playing Pickle Ball. Police were called and the group of individuals were asked to disperse. Recreation Director Bob Holub spoke with Fairview Park and Westlake Rec Directors and the decision was made to put a temporary fence around the court for now. Signage will be added allowing people to play but social distancing needs to be observed along with the wearing of gloves. The tennis courts at the Middle School are open. Linden tennis courts are closed for resurfacing.
- Director Snyder stated that he just received an update on the Wagar Road Railroad Crossing construction that it will begin on May 1st. The Mayor asked Director Snyder why Norfolk Southern would begin work on the crossing on a Friday. The Mayor prefers that construction begins on Monday, May 4th, if possible.

LAW DIRECTOR BEMER: Mr. Bemer thanked Council and the Mayor for participating in the Charter Review Commission process last Thursday using WebEx. Mr. Bemer stated everyone's comments were very well received. If anyone is interested in continuing to participate, the Charter Review Commission will continue using WebEx Virtual Meetings so please notify Kate Straub so you are tied into the process.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 24-20 **BY: MICHAEL P. O'DONNELL**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE
CITY OF CLEVELAND, DIVISION OF WATER FOR WATER METER READINGS
NEEDED BY THE CITY OF ROCKY RIVER IN THE AMOUNT OF \$33,837.24, FOR
THE PERIOD DATED MARCH 1, 2019 TO FEBRUARY 29, 2020 AS FURTHER
DESCRIBED IN THE ATTACHED EXHIBIT "A"
2nd READING

Mr. O'Donnell stated that this ordinance was discussed last week. This is necessary because the

City of Cleveland Division of Water charges about \$34,000 for actual readings so the first three readings are estimated and the fourth quarter readings are actual readings. This will be added to the Consent Agenda for next week's Special Meeting.

ORDINANCE NO. 25-20

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO TO ACCEPT A GRANT UP TO \$29,999.99 FOR THE OPERATION OF THE MARINE PATROL FOR THE YEAR 2020, AND AS FURTHER DESCRIBED IN THE ATTACHED AWARD LETTER

2nd READING

Mr. Hunt said this was read and discussed briefly last week. This is a yearly grant that helps with the operation of the Marine Patrol. The Mayor stated last week that this amount represents 75% of the operation cost and the city pays 25% amounting to \$10,000. The police boat runs between Memorial Day and Labor Day and most summer holidays doing inspections and patrols. This will be added to the Consent Agenda as this legislation needs to be approved by May 8th.

ORDINANCE NO. 26-20

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY WATCHGUARD VIDEO THE SUM OF SIX THOUSAND NINE HUNDRED NINETY DOLLARS (\$6,990.00) FOR REDACTIVE SOFTWARE

2nd READING

Mr. Hunt stated that this ordinance was for software that was provided and received prior to the approval of the purchase order. This will also be added to the Consent Agenda.

ORDINANCE NO. 27-20

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY HALL PUBLIC SAFETY UPFITTERS THE SUM OF TEN THOUSAND THIRTY-SEVEN DOLLARS AND SEVENTY-NINE CENTS (\$10,037.79) FOR SAFETY EQUIPMENT UPGRADES TO ONE 2019 FORD UTILITY POLICE VEHICLE

2nd READING

Mr. Hunt said that this service was already provided to the city and completed prior to the authorization of the purchase order. This is for the upfitting of a 2019 utility cruiser for the police department. This will also be added to the Consent Agenda.

ORDINANCE NO. 28-20

BY: CHRISTOPHER J. KLYM

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH LJB INC., FOR ENGINEERING AND DESIGN FOR THE CENTER RIDGE COMPLETE STREETS PROJECT IN AN AMOUNT NOT TO EXCEED \$15,335.00

2nd READING

Mr. Klym stated that he forwarded an email to Council regarding this ordinance from Director Snyder. The original ordinance (#1-19) was in the amount of \$68,000.00. This supplemental amount is the sum of two contract modifications that were outside the scope of the additional contract with LJB. The modification in the amount of \$9,435 was to perform additional traffic studies on additional intersections on Center Ridge Road. The second modification was to aid in the revision and bidding of the project for the amount of \$5,900.00. The initial bid for construction was over the 10% threshold of the engineer's estimate so the best course of action was to change the scope of the project. This will be placed on the Consent Agenda.

ORDINANCE NO. 29-20 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE DECLARING THE INTENT OF THE CITY OF
ROCKY RIVER TO REIMBURSE CERTAIN COSTS IN CONNECTION WITH THE
CONSTRUCTION, EQUIPPING, FURNISHING AND OTHERWISE IMPROVING
A NEW POLICE STATION, TOGETHER WITH ALL NECESSARY
APPURTENANCES THERETO, FROM THE PROCEEDS OF A FUTURE ISSUE OF
SECURITIES
2nd READING

Mr. O'Donnell stated that this relates to the new Police Station but is not a funding mechanism. This was suggested to be done by Bond Council to approve \$10 million of the project to comply with the Reimbursement Regulations to protect the City's ability to finance the project on a tax-exempt basis. Mr. O'Donnell has not received any questions regarding this ordinance and will place this on the Consent Agenda.

NEW BUSINESS:

Mr. Shepherd briefly discussed the next two ordinances. These ordinances are for a project that has been discussed for years as it is a safety issue and it needs to be completed. This project will widen Riverdale by removing some of the earth and installing a retaining wall. Mr. Snyder's concern that if this is read three times, paving will not commence until October. Mr. Shepherd would like to pass this next week after the second read.

ORDINANCE NO. 30-20 **BY: JOHN B. SHEPHERD**
AN EMEERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH GREAT LAKES CONSTRUCTION COMPANY FOR THE 2020
RIVERDALE DRIVE WIDENING PROJECT IN AN AMOUNT NOT TO EXCEED
\$832,553.50 INCLUDING ALL ALTERNATIVES
1st READING

This ordinance authorizes the contract with the company that will be doing the work. The next ordinance is for a construction manager. This was put out to bid with six responsive bids. Great Lakes Construction was the low bid on the base bid and also with the alternate added in. The alternate is the price to paint the bare steel. This bid is lower by \$254,000 to the next closest bid and it is well below the engineer's estimate. This company has experience on projects like this and is currently working on a project in Fairview Park. There were no unresolved findings in

the State's Auditor's Database.

Mr. Snyder stated that this is an earth moving project and a concrete project which are both weather dependent. If the construction continues late into the season the greater the chance the conditions will be wet. A portion of the Riverdale hill will be excavated to sink steel posts and then the adding of concrete walls, similar to a sound wall found along the highway. More soil will be excavated to actually widen the road. Once the uphill side is done, an additional wall will be added to the downhill side as the roadway is lessening there too. If everything works out perfectly, Riverdale may be paved this year. Residents have been alerted that the paving may not be until next year.

There are four alternates overall. The first is for the staining and the embossing of the concrete walls. It is coloring the concrete and then giving it a rock/stone ascetic appeal. The steel beams will deteriorate faster if not painted. The amount for alternate one is \$15,000 through Great Lakes. The engineer is recommending this alternate.

Mr. Shepherd added that this project has been discussed for years. The engineering ordinance was approved several years ago and is in the budget. Mr. Shepherd said it makes sense to do it right and thinks the aesthetics are important as well as the longevity of the structure.

- Mr. Klym asked about traffic during this project. Mr. Snyder stated there is a plan with always one lane of traffic for in and out. The construction administrator for this project is very focused on communication.
- Mr. Furry is asking about the fire trucks turning at CYC and come back up. The Mayor stated that other smaller vehicles are sent down to prepare the hydrants and get hoses ready for the larger fire truck that comes down and turn at CYC, then come back up. Chief Lenart has also discussed mutual aid with other municipalities to have their truck positioned at the top of the hill ready to swap out if necessary.
- Mr. Furry asked about the maintenance of the painted steel. Mr. Snyder said it is an industrial grade coating, so there should not be much maintenance.

ORDINANCE NO. 31-20 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR THE 2020
RIVERDALE DRIVE WIDENING PROJECT CONSTRUCTION MANAGEMENT
SERVICES IN AN AMOUNT NOT TO EXCEED \$146,024.00
1st READING

Mr. Shepherd stated that this is the companion ordinance for No. 30-20. On the first ordinance, the funds come out of the Capital Improvement Fund-Capital Improvement Roads account. The funds for this ordinance come out of the Capital Improvement Fund-Engineering Service account. Part of the project had four responsive firms that provide RFQ's that were scored by MacKay Engineering Company. The two highest scoring firms were GPD and QCI. Both firms

were interviewed and QCI was selected as the best company as their communication abilities were the best for the residents. Mr. Shepherd asked if hourly rates were confirmed. Mr. Snyder stated that the hourly rates were comparable. Mr. Shepherd said they are billing on the hour with a cap. This company will be earning their paycheck with this project and their contract amount was reasonable.

- Mr. Furry asked about the language under Article V. Mr. Shepherd says he sees this language all the time in business contracts. Their concern is the city raiding their employees. Mr. Bemer has discussed this with Mr. Snyder and Mr. Snyder let them know that there is no intent of soliciting their employees. Mr. Bemer objected to paragraphs of Indemnification and it was removed. QCI accepted all the revisions Mr. Bemer requested.
- Mr. O'Donnell stated that there is still a section of Indemnification. Mr. Bemer explained that this paragraph is the only one that they would be obligated to the City.
- Mrs. Morris asked if this construction would help the dust issue many residents complain about. Mr. Snyder said that South Island is gravel and could be the cause of the dust. The Mayor stated that there has been a great deal of construction in that area which could be part of the cause of increase in dust.
- Mr. Snyder said one more important item is that photographs will be taken of pre-construction for comparison after construction is completed. AECOM did a lot of extensive engineering for this project.
- Mr. Moran asked if work was just on weekdays only. Mr. Snyder concurred. The Mayor stated that if the company requests to work the weekends the payroll costs are the company's responsibility unless the overtime is requested by the city.

MISCELLANEOUS BUSINESS: Mr. Moran wished Councilman Hunt and Mayor Bobst happy birthdays this week.

PUBLIC COMMENT: NONE

Mr. Moran thanked everyone for their help and assistance this evening with the virtual meeting. Thank you to the Mayor for her communications to the residents. Next week's meeting will also be a virtual meeting. As there was no further business by members of Council, the meeting was adjourned at 8:16 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council