

CITY OF ROCKY RIVER

July 27, 2020

The Legislative Meeting of Council was called to order by Mr. Moran, President of Council at 7:11 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, Director Snyder, Director Thomas

Law Director: Mr. Bemer

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 and Committee-of-the-Whole Meeting of July 20th and the Legislative Meeting of July 13th 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 reported on an updated schedule for the Morewood Parkway, Collver and Oak Sewer Improvement Project. This information was sent to Council earlier. The Public Works Funding has been released by the state so the city is ready to move ahead with this project. Morewood Parkway will be Phase I with the design and engineering already underway, to be finalized by the beginning of 2021. Bidding will be done in the spring followed by construction commencing in June 2021. This project will be completed in about a year and a half. The scope of this project is extensive including the sewers, waterline (with full funding from Cleveland Water) and pavement. Phase II will be Collver and Oak with design commencing currently. The contract will be awarded in the beginning of 2022 and construction season will be April 2022 through July 2023. As the schedule is tightened or modified, council as well as the residents will be informed.

The Mayor stated that the Riverdale widening project is moving along with considerable work underway on the upper slope. In about three weeks, work on the eastern slope (downhill) will begin with the widening following that. QCI has been very helpful with residents, ingress, egress, and any concerns.

Director Snyder is currently working with an independent consultant reviewing the city's insurance bid package. Mr. Snyder is meeting on Thursday with the firm that is doing the

review. Mr. Snyder will update Council following that meeting.

The Mayor has received 7-8 letters from parents regarding youth hockey. At this point, the city is in a holding pattern and is not putting the ice down at this time. The administration is waiting to hear from some of the hockey organizations throughout the state as well as out of state venues for guidance and best practices for handling hockey. There are considerable safety and financial considerations regarding opening the rink. The city is working with the Rocky River High School Hockey Program and their coach, Chris Cogan. If there is a possibility in opening the rink, the city would like to do that, but there are many layers of consideration. The Recreation Commission will be part of the decision making process. This will be decided within the next several weeks.

The SafeWise Organization ranked the City of Rocky River #13 of the top 100 safest cities across the United States. They do a considerable amount of data analysis and their methodology is on their website and how the cities are selected. Safety and schools are important when selecting a hometown to live.

The successful Storybook Walk at Martin Park is being moved to Linden Park with a new reading selection. The partnership between the city and the Rocky River Public Library continues.

The Sunrise Rotary Book Drop has been placed at the Civic Center and residents attending the Pop Tart concert last evening were encouraged to bring a book or two, gently used or new and deposit them in the new book drop. The city is pleased to work with the Sunrise Rotary on this project and the Rocky River Library and Cleveland Books are very excited about this project.

This Friday the Senior Center will host a drive-in concert beginning at 11:30 a.m. with the opportunity to buy a lunch. There will be social distancing and everyone wearing masks while listening to their favorite band the “New Barleycorn”.

On August 9th, the band 42 South will be playing at City Hall Gazebo beginning at 7:00 p.m. 42 South is a country band with a large following. The Mayor appreciates the residents social distancing and mask wearing during the concerts. Thank you to residents as well as the sponsors for the concert series as city dollars are not used for these concerts.

The Mayor welcomed “Go Buddha” at the CVS Plaza on Detroit Road. The Mayor welcomes the new business, a new family and new employees to the city. The Mayor wishes them every success. Thank you to the Rocky River Chamber of Commerce for being so welcoming to new businesses as well as Director Thomas for attending the opening.

Friday is “System Administrator’s Day” so a big thank you to I.T. Director Chris Grau. Thank you for all your good work in technology.

- Councilman Furry asked if the Morewood, Collver and Oak Sewer Improvement Project will wrap up sewer projects in Tangle Town. The Mayor stated that there are a number of inverted sewers in Tangle Town along with inflow. There is still work to be done in

Tangle Town. The Mayor asked Director Snyder to forward an updated color-coded sewer map to Council.

LAW DIRECTOR BEMER: NONE

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 57-20

BY: MICHAEL P. O'DONNELL

Mr. O'Donnell stated that this resolution has been discussed for several weeks and this is to aid in the collection of the sanitary sewer collections. Council has received a revised Exhibit A of the outstanding sewer accounts. Mr. O'Donnell moved to amend Resolution 57-20 by substitution for a new Exhibit A, 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 RESOLUTION NO. 57-20

BY: MICHAEL P. O'DONNELL

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”

3rd READING

These are the outstanding delinquent sewer accounts and in over a month the city has collected several that were originally listed. Mr. O'Donnell moved for passage of Amended Resolution No. 57-20, 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

ORDINANCE NO. 62-20

BY: MICHAEL P. O'DONNELL

AN EMERGENCY ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY OR REIMBURSE THE CITY FOR ALL OR A PORTION THE COSTS AND ADDITIONAL COSTS OF CONSTRUCTING, EQUIPPING FURNISHING AND OTHERWISE IMPROVING A NEW POLICE FACILITY TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO

2nd READING

Mr. O'Donnell is holding this over the August break. It is a complicated and lengthy ordinance and it is to authorize the issuance of notes up to \$10,000,000 for the construction of the new police station. Please let Mr. O'Donnell know if there are any questions. Mr. O'Donnell reminded Council that a similar ordinance was passed last year and Mr. O'Donnell will move for passage of this ordinance in September.

ORDINANCE NO. 63-20 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY
SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH THE SHELLY
COMPANY, FOR THE 2020 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO
EXCEED \$691,320.25
2nd READING

Mr. Shepherd stated that this went out to bid with six responsive bids. The Shelly bid came in \$208,000 under the engineer's estimate and \$36,000 below the next closest bid. Shelly Construction has recently completed the Wooster and Detroit Road repaving and their references have all been favorable. As was discussed at last week's meeting, Mr. Shepherd moved for a rules suspension of the three read rule, so this project can commence and finish by the fall. Mr. Shepherd forwarded an email to council breaking down the repairs per street so if there were questions, now would be a good time to ask. Mr. Shepherd moved for a rules suspension, 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

Mr. Shepherd then moved for passage of Ordinance No. 63-20, 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

RESOLUTION NO. 64-20 **BY: MICHAEL P. O'DONNELL**
A RESOLUTION ACCEPTING THE ALTERNATIVE TAX BUDGET INFORMATION
OF THE CITY OF ROCKY RIVER, OHIO FOR THE FISCAL YEAR COMMENCING
JANUARY 1, 2021 AS FURTHER DESCRIBED IN THE ATTACHED
EXHIBIT "A"
2nd READING

Mr. O'Donnell said as discussed last week, he will be seeking a three-read rule suspension for this resolution. This is a preliminary budget that Director Thomas put together without consultation from the Mayor or the Directors. It is just a very cursory initial draft and is required by the Ohio Revised Code to pass this and send it to the County. There is a timing issue so Mr. O'Donnell is moving for a rule suspension, 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

Mr. O'Donnell then moved for passage of Resolution No. 64-20, 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

CONSENT AGENDA:

ORDINANCE NO. 49-20

BY: MICHAEL P. O'DONNELL

AN EMERGENCY ORDINANCE AMENDING ORDINANCE 88-19 CREATING POSITIONS AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING AUGUST 1, 2020 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER

3rd READING

Mr. O'Donnell stated that this has been discussed for many weeks. This is an ordinance amending the previous Amended Ordinance No. 88-19 as a result of a number of title changes and reorganizations in various departments. Mr. O'Donnell will seek and support passage of Ordinance No. 49-20.

ORDINANCE NO. 50-20

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 125.03 ENTITLED "POSTING AND NEWS MEDIA NOTICE" BY ADDING A NEW SUBSECTION FOR THE METHOD OF PROVIDING PUBLIC NOTICES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Moran said that this has been read for the third time. This goes along with the changes requested by the Charter Review to amend Section 125.03 to allow postings to be electronically added to the City's website.

ORDINANCE NO. 51-20

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, REGARDING THE OFFICE OF DIRECTOR OF LAW AND SPECIFICALLY SECTION 135.03 ENTITLED "ASSISTANT; APPOINTMENT AND DUTIES" TO BE CONSISTENT WITH THE CHARTER REGARDING APPOINTMENTS, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Moran thanked Law Director Bemer for finding that this was not consistent with the Charter. The Charter states that the Director of Law appoints the Assistant Law Director. This is the third read for this ordinance.

ORDINANCE NO. 52-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING THE AMENDMENT OF SECTION 1 OF ARTICLE
VII OF THE CHARTER OF THE CITY OF ROCKY RIVER ENTITLED FINANCES
BY DELETING AS OBSOLETE LANGUAGE THE REFERENCE TO PERSONAL
PROPERTY AS A TAXABLE ITEM, AND DECLARING AN EMERGENCY
3rd READING

Thank you to Law Director Bemer for noting that this obsolete language needs to be deleted. Personal property is no longer a permissible taxable item. This is the third read for this ordinance.

ORDINANCE NO. 53-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING THE AMENDMENT OF SECTION 3 OF ARTICLE
IX OF THE CHARTER OF THE CITY OF ROCKY RIVER ENTITLED
DECLARATION OF CANDIDACY BY CHANGING THE WORD “SHALL” TO
“TO” IN THE SECOND LINE OF THIS SECTION, AND DECLARING AN
EMERGENCY
3rd READING

Mr. Moran said that this is requested by the Charter Review and is shown on the outline of the ordinance regarding the declaration of candidacy to change the word “shall” to “to” in the second line of this section.

ORDINANCE NO. 54-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING THE AMENDMENT OF SECTION 3 OF ARTICLE
IV OF THE CHARTER OF THE CITY OF ROCKY RIVER ENTITLED
ADMINISTRATIVE DEPARTMENTS, DEPARTMENT OF FINANCE, BY
DELETING OBSOLETE LANGUAGE REGARDING THE EXEMPTION FROM
QUALIFICATIONS FOR THE POSITION OF DIRECTOR OF FINANCE, AND
DECLARING AN EMERGENCY
3rd READING

Mr. Moran stated that there is a deletion in Section 3 to address the person who held the office when this requirement was written. That person did not necessarily meet the additional qualifications that were added to the position. The Charter Review Commission decided this was obsolete language. This is the third read for this ordinance.

ORDINANCE NO. 56-20 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT MODIFICATION WITH SITETECH, INC. FOR CONDUIT
PLACEMENT WORK NECESSARY TO PROCEED WITH THE CITY OF ROCKY
RIVER POLICE STATION PROJECT IN AN AMOUNT NOT TO EXCEED \$9,510.09,
AS FURTHER DESCRIBED IN EXHIBIT “A”
3rd READING

Mr. Hunt said that there have not been any questions or comments regarding this ordinance since June. Ordinance 56-20 is an emergency ordinance that would authorize the Mayor to enter into a contract modification with SiteTech, Inc. in an amount not to exceed \$9,510.09 to pay for the installation of new underground conduit. The City has offset payment to Bowen in the amount of \$9,510.09 for this repair. Mr. Hunt thanked Council in anticipation of passage this evening.

RESOLUTION NO. 58-20

BY: MICHAEL P. O'DONNELL

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"
3rd READING

Mr. O'Donnell stated that this is for the collection of two delinquent accounts for property maintenance work that was performed by the city but not reimbursed by the residents. Resolution No. 58-20 will aid in the collection of delinquent property maintenance accounts.

RESOLUTION NO. 59-20

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. 302-09-008 AT 21620 AVALON DRIVE, ROCKY RIVER, OHIO
3rd READING

Mrs. Morris said this has been discussed several times. This is a request for permission for the placement of a proposed shore structure and the approval of a Lake Erie submerged land lease from the Ohio Department of Natural Resources.

ORDINANCE NO. 60-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH RMH CONCRETE, INC., FOR THE 2020 TREE AND SIDEWALK PROGRAM IN AN AMOUNT NOT TO EXCEED \$82,271.70
3rd READING

Mr. Shepherd stated that this is for the sidewalk repair and the removal of conflicting trees on Sunnyhill Drive and Thomson Circle. This has had three full reads.

ORDINANCE NO. 61-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO PURCHASE PRINTING SERVICES FOR THE CITY OF ROCKY RIVER FROM ADMIRAL PRODUCTS, INC. FOR TWO (2) YEARS
3rd READING

Mr. Shepherd said this has had three reads and has been discussed for several weeks. This was put out to bid and the city received two responsive bids. Admiral Products was the only bid that gave firm prices on all the items, therefore was the only bid the city could accept. It is a two-year contract.

Moved by Mr. Moran, seconded by Mr. Furry that Ordinance Nos. 49-20, 50-20, 51-20, 52-20, 53-20, 54-20, 56-20, 60-20, 61-20 and Resolution Nos. 58-20, 59-20 of the Consent Agenda be passed as read

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

MISCELLANEOUS BUSINESS: Mr. Moran noted that the next scheduled City Council Meeting will be Tuesday, September 8th following Council Recess in August.

Mr. Moran also noted that Mr. Dan Zerbey has passed away. Mr. Zerbey was a very involved resident who worked for the school district along with taking tickets at athletic events. Dan and his wife Nancy were always very involved in the city and schools. Council sends their condolences to the Zerbey family as Dan will be missed.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:48 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council