

CITY OF ROCKY RIVER

MARCH 9, 2020

The Legislative Meeting of Council was called to order by Mr. Moran, President of Council at 7:00 p.m. in the David J. Cook Council Chambers.

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

Oath of Office

Mayor Bobst noted the presence of some Law Enforcement Dignitaries in attendance this evening: Chief of the Chiefs Kelly Stillman, Lieutenant George Lichman, who just received his Certified Law Enforcement Executive Certification from the Ohio State Patrol Academy and Retired Lieutenant Larry Stalter. The Mayor welcomed them to this evening's meeting.

The Mayor gave the Oath of Office to Sergeant Matthew D. Blazer. The Mayor stated that Sergeant Blazer will be missed in his role as SRO Officer and D.A.R.E. Instructor within the Rocky River City Schools.

The Mayor then gave the Oath of Office to Lieutenant Ronald G. Flowers. The Mayor stated that Lieutenant Flowers has been a great representative and a great advocate for the Rocky River Police Department.

The Mayor stated how proud she and City Council are of the police division. Chief Stillman has done a tremendous job in community outreach and community policing and it makes a difference. The Mayor and City Council cannot thank Chief enough for his leadership and the leadership now with a new Sergeant and new Lieutenant joining the force.

Chief Stillman congratulated Sergeant Blazer and Lieutenant Flowers for what they accomplished and is expecting great things. Chief Stillman thanked them for what they do for the City of Rocky River day-in and day-out. Chief Stillman and the Mayor congratulated the officer's families and thanked them for their support.

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of February 24th 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 that the reading of the minutes of the Committee-of-the-Whole Meeting of March 2nd 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 discussed the city's efforts concerning the COVID-19, the Coronavirus. The city sent out a communication last Friday afternoon to residents resulting from a conference call and webinar that Fire Chief Lenart and the Mayor had with the Department of Public Safety as well as the head of the Department of Health for the County. There was another meeting today and those two individual were called away because of the first three cases being identified in Cuyahoga County, Ohio in Cuyahoga. Additional information will be coming out. The Emergency Operations Center is now being established for the County along with establishing a 24/7 Hotline for residents and individuals to call. Individuals who are symptomatic should call their physician or one of the hotlines. Many more cases are being anticipated as there are test kits available in the state for individuals to be tested. The city has been coordinating with public health partners and has put into place the additional cleaning of buildings, ordering equipment to disinfect equipment at the Recreation Center, vehicles, along with the buildings themselves. This morning a Continuity of Operation workbook and template was disseminated to Directors for the development for continuity of operation for the entire city. Going forward, depending on the number of cases and the advice of the public health partners, the city may have to cancel or postpone large classes/events at the Senior Center, Recreation Center, etc. The Mayor underscored that the city does not want to create fear, panic or anxiety about the coronavirus and what it may mean, but does want people to have good, credible, reliable facts. Signage has been distributed around the city with basic tips and good practices to control this virus. More information will be sent to residents as soon as the city receives more direction from the County and State.

This Wednesday there will be a meeting of protocols for first responders. Firefighters, paramedics and chiefs met with the County Health Department, Public Safety and Hospital Systems in making sure there are good protocols in place to protect first responders.

A ReadyNotify went out on Friday to residents including other lists, i.e. the "my senior center" list, the Recreation Center list and Memorial Hall users who use the hall on a regular basis.

This afternoon Director Snyder met with the County gaining an opportunity to continue building a relationship with them. It was a fruitful meeting discussing critical projects, as in the Spencer Road project and other county road projects to possibly obtain their partnership financially for these projects.

The Mayor announced that Nan Ellen Passant passed away. Nan Ellen was a Councilwoman in

1992 and 1993. Her husband Jim also served on the School Board. Nan was very involved in a number of activities in the community and she will be missed. Nan's funeral will be held on Saturday, April 4th at St. Christopher Church with visitation Friday evening in Westlake.

- President Moran asked if there was a difference in Corona test kits versus the everyday flu. The Mayor confirmed that there is a specific test for coronavirus.

LAW DIRECTOR BEMER: Mr. Bemer stated that he attended the Public Records Open Meeting Seminar last Tuesday through the Cuyahoga County Law Directors Association. Mr. Bemer signed all of Council up for credit. Mr. Bemer stated it was a good meeting taught by an attorney out of the AG's Office and was primarily a case law study rather than going over the rudiments of the statutory law. President Moran thanked Law Director Bemer for attending and representing all of Council.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: President Moran respectfully requested an Executive Session this evening under Article X, Section VI, Subsection I for the consideration of an appointment of a Public Official, seconded by Mr. O'Donnell.

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

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 8-20 **BY: JOHN B. SHEPHERD**
AN ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE
DIRECTOR TO RENEW AN AGREEMENT WITH FABRIZI TRUCKING & PAVING
CO., INC. FOR THE EMERGENCY REPAIR OF STREETS AND STORM AND
SANITARY SEWERS WITHIN THE CITY OF ROCKY RIVER AT A COST NOT TO
EXCEED \$125,000.00 AS FURTHER DESCRIBED IN EXHIBIT "A"
2nd READING

Mr. Shepherd stated that this is an annual ordinance that authorizes the city to spend up to \$125,000 as needed for emergency repairs of sanitary sewers, storm sewers and street repairs related thereto. It was put out to bid March 4, 2011 and Fabrizi won that bid and has held their prices at that level since then. Based on input from the city engineer, it was determined that the price could be increased if re-bid.

NEW BUSINESS:

ORDINANCE NO. 9-20 **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 2020 WATER MAIN REPLACEMENT
AND PAVEMENT RESURFACING FOR STORY ROAD IN AN AMOUNT NOT TO
EXCEED \$1,096,000.00**

1st READING

Mr. Shepherd was very pleased to see this ordinance. Story Road is a patchwork of repairs so residents will be happy to see this on the schedule. This project will be a water main replacement along with pavement resurfacing. The water line portion will be reimbursed by the City of Cleveland's Division of Water which will be over half of the cost and the balance will be split between the city and the county. Mr. Shepherd will bring the exact figures to the next meeting. This ordinance will be read two more times.

Ordinance Nos. 10-20 through 15-20

Councilman Hunt spoke on Ordinance No. 10-20 through Ordinance No. 15-20 in depth at last week's meeting. Mr. Hunt hopes that Council has had an opportunity to take a look at all the exhibits attached with detail on these contracts. Mr. Hunt also stated that Council should have received additional information regarding the contingencies on these contracts.

ORDINANCE NO. 10-20

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH VENDRICK CONSTRUCTION INC. AS THE PRIME
CONTRACT FOR GENERAL TRADES FOR CONSTRUCTION OF THE POLICE
STATION FOR THE CITY OF ROCKY RIVER IN AN AMOUNT NOT TO EXCEED
\$6,420,770.00**

1st READING

This ordinance is for the General Trades. VendRick Construction was awarded this contract for \$6,420,770 including alternates 1 and 2 and the contingency amount.

ORDINANCE NO. 11-20

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION FOR THE
INSTALLATION OF AN ELEVATOR IN THE NEW POLICE STATION FOR THE
CITY OF ROCKY RIVER IN AN AMOUNT NOT TO EXCEED \$73,290.00**

1st READING

This ordinance is for the elevator installation awarding the contract to Schindler Elevator in an amount not to exceed \$73,290. The base bid came in at \$69,800 and the contingency of \$3,490 equals the contract amount of \$73,290.

ORDINANCE NO. 12-20

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH ABC PIPING COMPANY FOR FIRE SUPPRESSION FOR THE
POLICE STATION FOR THE CITY OF ROCKY RIVER IN AN AMOUNT NOT TO
EXCEED \$149,500.00**

1st READING

This ordinance is awarding the fire suppression contract to ABC Piping Company in an amount not to exceed \$149,500. The base bid was \$117,000, Alternate 1 was \$15,000 and Alternate 2 was \$10,000 plus the recommended contingency of \$7,500.

ORDINANCE NO. 13-20 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH SONA CONSTRUCTION FOR PLUMBING FOR THE POLICE
STATION FOR THE CITY OF ROCKY RIVER IN AN AMOUNT NOT TO EXCEED
\$580,000.00
1st READING

Mr. Hunt thanked the administration for the additional materials relating to this contract. This ordinance is awarding Sona Construction with the plumbing contract not to exceed \$580,000. The base bid was \$435,000, Alternate 1 at \$102,000 and Alternate 2 at \$7,000 and 6.62% (\$36,000) for the recommended contingency.

- Councilman Furry stated he had discovered some information on Sona last week that was answered successfully. Mr. Furry also checked with two other contacts and everything was fine with Hercules as the subcontractor. Mr. Hunt said additional information was received regarding Sona and Hercules. The Mayor stated that all the contractors are being reviewed by Bowen and Associates.

ORDINANCE NO. 14-20 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH IMPERIAL HEATING & COOLING, INC. FOR HVAC FOR
THE POLICE STATION FOR THE CITY OF ROCKY RIVER IN AN AMOUNT NOT
TO EXCEED \$959,800.00
1st READING

This ordinance awards the HVAC work to Imperial Heating & Cooling, Inc. not to exceed \$959,800. The base bid was \$859,950, Alternate 1 was \$39,850 and no alternate for the shell and the contingency is 6.67% (\$60,000) totaling \$959,800.

ORDINANCE NO. 15-20 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH ZENITH SYSTEMS AS THE PRIME ELECTRICAL
CONTRACTOR FOR THE POLICE STATION FOR THE CITY OF ROCKY RIVER IN
AN AMOUNT NOT TO EXCEED \$1,328,808.00
1st READING

Zenith Systems was one of five bids received for the electrical work. Their base bid was \$1,210,658, Alternate 1 at \$42,150 and the contingency of 6.07% (\$76,000) totaling \$1,328,808.00.

Mr. Hunt stated that Council will have multiple weeks to discuss these ordinances.

- Mr. Moran asked about the timing of ordinances and when materials can begin to be purchased. He is wondering if a Special Meeting should be scheduled on the 16th to help with the delay of ordering materials. The Mayor said these ordinances were presented to Council with no need for a Special Meeting in between. These contractors know the ordinances are before Council. Mr. Hunt is not opposed to a Special Meeting but does not think it needs to be as quickly as next week. A Special Meeting may be held on April 6th.

ORDINANCE NO. 16-20 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT BETWEEN THE CITY OF ROCKY RIVER AND ADS
ENVIRONMENTAL SERVICES, INC. FOR THE WASTEWATER TREATMENT
PLANT IN AN AMOUNT NOT TO EXCEED \$367,100.00
1st READING

The strength and flow study allocates expenses of the WWTP among the member cities and was approved as part of the 2020 budget for the WWTP. Three proposals were received with ADS Environmental Services of Huntsville, AL the successful bidder. Approximately 50 flow monitors will be installed and 10 rain gauges will be installed throughout the collection system based on the WWTP recommendations and ADS. Some cities, including Rocky River, are asking for additional meters for more specific work that they are doing separately and the WWTP will be reimbursed by those member cities.

ADS is not local but have done similar work for Erie County since 1992, Elyria and NEORSD since 1995, work in Akron and also work in Michigan and Illinois. There are no unresolved findings with the State.

Council has received the RFP and Superintendent McConnell has a hard copy of the specs and scope.

Mr. Furry moved for a rule suspension on the three read rule regarding Ordinance No. 16-20 for a cost savings, seconded by Mr. O'Donnell.

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

Mr. Furry moved to pass Ordinance No. 16-20, seconded by Mr. O'Donnell.

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

ORDINANCE NO. 17-20 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO
PURCHASE ONE (1) 2020 FORD F-250 CREW CAB PICK-UP TRUCK WITH SNOW
PLOW, HITCH AND LADDER RACK FOR THE WASTEWATER TREATMENT

**PLANT UNDER THE STATE COOPERATIVE PURCHASING ACT FROM
MIDDLETOWN FORD, AT A COST NOT TO EXCEED \$44,378.00**

1st READING

Mr. Moran said this will have three full reads. This will replace a 2007 Chevy Silverado with 60,471 miles on it and is 13 years old with a door that does not work. This truck will be used for the WWTP facility. There is no trade-in value on the current truck so will have to be sold off at the auction.

ORDINANCE NO. 18-20

BY: MICHAEL P. O'DONNELL

**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO
PAY THE CITY OF CLEVELAND DIVISION OF WATER A REIMBURSEMENT FOR
THE ERIEWOOD DRIVE WATER MAIN IMPROVEMENT PROJECT IN THE
AMOUNT OF \$31,435.53**

1st READING

Mr. O'Donnell is pleased to see another of these ordinances in 2020. This relates to the Water Main Improvement Project on Eriewood Drive. The project came in under the estimated amount so the City of Rocky River needs to repay \$31,435.53 to the City of Cleveland, Water Department. Exhibit A of this ordinance concisely demonstrates the math as to the project cost, the amount forwarded to the city and the amount needing to be repaid. This will have three full reads.

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

Mr. Moran stated that an Executive Session under Article X, Section VI, Subsection I for the consideration of an appointment of a Public Official be held before the end of this meeting beginning at 7:54 p.m.

Council reconvened after the Executive Session and as there was no further business by members of Council, the meeting was adjourned at 8:18 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council