

CITY OF ROCKY RIVER

January 11, 2021

The Regular Legislative Meeting of Council was called to order by Mr. Moran, President of Council, at 6:00 p.m. via Zoom.

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

Absent: Mr. Furry

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

Law Director: Mr. Bemer

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 and Committee-of-the-Whole Meeting of December 21st be waived, and that the minutes be accepted as submitted.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye
Morris – aye	Klym – aye	Moran – aye
6 ayes		0 nays

PASSED

MAYOR'S REPORT:

Happy New Year!

The Mayor stated that the Rocky River Public Schools have resumed today with a transitional time around noon so students may be in crosswalks and more busses running at that time. The Hybrid Model will continue until January 26th, when regular school days will begin providing COVID-19 numbers have not increased.

The Mayor reported that the State Capital Budget was finalized and the City of Rocky River was awarded \$200,000 for Bradstreet's Landing. Thank you to Senator Matt Dolan and State Representative David Greenspan for their support. The City of Rocky River is very excited to receive these funds.

The City of Rocky River also received a grant from ODOT for the intersection at W. 210 and Center Ridge Road for a safety survey to be done prior to the repaving of Center Ridge Road. Thank you to Director Snyder who is working with ODOT regarding the repaving of Center Ridge to have that completed in 2023.

The Lake Front Public Access Plan that is funded by NOACA mailed invitation postcards to lakefront residents concerning Planning Meetings to begin the framework for this project. The dates are as follows:

- January 12th at 7:00 p.m. – Eastside – Invitation only
- January 14th at 7:00 p.m. – Westside – Invitation only

- January 28th at 7:00 p.m. – General Public Meeting – Open to Everyone

The Mayor reported Building Statistics: Building permits were down by 50 permits for 2020; however the total valuation for the year was over \$60 million dollars. The total valuation has not been that high in over 10 years. Ruffing Montessori, Magnificat High School and the Rocky River City Schools contributed to this amount but \$41,500,000 dollars was for residential alone. The County valuation was at \$886,000,000, which is an all time high. Investment continues showing confidence in the City of Rocky River.

Rocky River Police Officer Kenny Thompson, who has been an integral part of the Westshore Enforcement Bureau for the past 26 years and had great success in obtaining significant grants, is retiring as Commander for the Bureau. Officer Thompson has done a great job commanding the Enforcement Bureau. Officer Thompson will continue in his role with the Rocky River Police Department.

The Resident's Reference Guide was mailed out last week. This publication is published by Cleveland Magazine at no cost to the city as the cost is paid for out of advertising dollars. The Mayor thanked Cleveland Magazine, all the advertisers that make this publication possible and to Mary Ellen Umerley for her countless hours of work on this publication.

City Hall will be closed next Monday, January 18, 2021 in honor of Martin Luther King Day.

LAW DEPARTMENT: Law Director Bemer discussed inquiries received regarding political yard signs. Mr. Bemer stated that city ordinances addressing political signs comes under the category of non-commercial opinion speech; any signage, banners, displays, etc. representing a political opinion is given the highest degree of constitutional scrutiny, meaning the opinion expressed must have moved from opinion to advocating crimes like hate, i.e., burning a cross, or with the latest events, sedition or the overthrow of the government. A U.S. Supreme Court decision of 4 years ago from Garfield Heights and a second case from Arizona severely restricted any enforcement of political sign restrictions, but without any guidance of what is a legitimate constitutional regulation, the result being no one can enforce such restrictions. The cost of litigation in defending enforcement is staggering, as federal law gives the prevailing party the recovery of those costs; the Arizona case cost that city \$250K. Insurance will generally not cover the cost. So the policy has been to allow the proliferation of political speech to go on unfettered throughout the country.

COMMITTEE REPORTS: Mr. Klym announced that the next Parks and Recreation meeting will be next week on January 21st at 7:45 a.m.

COMMUNICATIONS FROM COUNCIL: Council discussed the Liquor License Request for the Red Barn Hospitality, LLC located at the former Pearl of the Orient. Lieutenant Wagner performed a local records check on the owners and everything came back fine. The request was approved.

PUBLIC COMMENT: NONE

NEW ORDINANCES AND RESOLUTIONS:

ORDINANCE NO. 1-21 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND
WATER CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER

REGARDING STORM WATER POLLUTION EDUCATION FOR A TWELVE (12) MONTH TERM, ATTACHED HERETO AS EXHIBIT

Mr. Moran stated that Ordinance No. 1-21 is a twelve-month educational term in the amount of \$6,000. This is the first read and will be discussed further at next week's Committee-of-the-Whole Meeting.

ORDINANCE NO. 2-21 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER REGARDING STORM WATER POLLUTION PREVENTION TECHNICAL ASSISTANCE FOR A TWELVE (12) MONTH TERM, ATTACHED HERETO AS EXHIBIT A

Mr. Moran stated that Ordinance No. 2-21 is also a twelve-month technical term in the amount of \$11,330. This is the first read and will be discussed further at next week's Committee-of-the-Whole Meeting.

ORDINANCE NO. 3-21 **BY: MICHAEL P. O'DONNELL**
AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF SEWER RATES PAID TO THE CITY OF LAKEWOOD FOR WASTEWATER TREATMENT SERVICES FOR THE VALLEYVIEW SEWER DISTRICT

Mr. O'Donnell stated that this ordinance authorizes the City of Rocky River to pay the City of Lakewood for the approximate number of 110 homes in the Valley View neighborhood that use Lakewood's treatment plant. Mr. O'Donnell sent a memorandum last week to Council showing the rising costs associated with the City of Lakewood.

- The Mayor confirmed for Mr. Klym that residents of Rocky River pay \$38.00 per mcf based on a 10th of a mcf or \$3.80.

ORDINANCE NO. 4-21 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE ONE (1) 75 CUBIC YARD REFUSE TRANSFER TRAILER FOR THE SERVICE DIVISION FROM REFUSE EQUIPMENT & TRUCK SERVICES, INC. AT A COST NOT TO EXCEED \$81,100.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

Mr. Moran thanked Director Snyder for the pictures showing the refuse transfer trailer that is in poor condition and in need of being replaced per this ordinance in the amount of \$81,100.00. The transfer trailers transport garbage from the transfer station.

ORDINANCE NO. 5-21 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A TWO (2) YEAR AGREEMENT FOR FULL SERVICE VENDING WITH METROPOLITAN VENDING COMPANY FOR THE CITY OF ROCKY RIVER RECREATION DEPARTMENT AT VARIOUS LOCATIONS, AS FURTHER DESCRIBED IN EXHIBIT "A"

Mr. Shepherd said that this is a contract for vending machines at the Civic Center. The Safety Service Department advertised for bids, but Metropolitan Vending was the only bid received. Mr. Snyder will call neighboring cities to confirm that the pricing is good. This will be discussed further at next week's meeting.

ORDINANCE NO. 6-21 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY SERVICE TO SELL USED CITY VEHICLES
WHICH WERE OFFERED FOR SALE THROUGH PUBLIC BIDDING FOR A TOTAL
SUM OF \$26,053.03

Mr. Moran stated that on December 4, 2020 eight bidders submitted their bids for the attached list of vehicles for the total sum of \$26,053.03. This will be discussed further at next week's meeting.

ORDINANCE NO. 7-21 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT BETWEEN THE CITY OF ROCKY RIVER AND JORDAN SERVICES
LLC. FOR THE #2 PRIMARY DIGESTER CLEANING PROJECT IN AN AMOUNT
NOT TO EXCEED \$712,450.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

Mr. Moran stated this is to enter into a contract with Jordan Services LLC for the #2 Primary Digester Cleaning Project in the amount of \$712,450.00. This legislation will be read for a second time at next week's Special Meeting as it needs to be passed as soon as possible.

- The Mayor stated that she will forward to Council the email from Superintendent Barille discussing this ordinance. The WWTP, up to this point, has been able to meet permit limits but the plant is at a critical point and the solids will eventually impact the plant's discharge. The plant will move forward immediately upon passage of this ordinance. Additionally, the recycling of solids puts added stress on the plant's assets, leaving them susceptible to failure. We have been operating with reduced solids storage capacity for the past two months. This price change and project was approved by the Management Committee on Friday, January 8th, 2021 by unanimous vote.
- Councilman Shepherd stated this expense will be shared by the four communities that are a part of the WWTP and he has no problems with the rule suspension.

MISCELLANEOUS BUSINESS: The meeting next week will be held on Tuesday, January 19th beginning at 7:00 p.m. in honor of Martin Luther King Day next Monday. Tuesday's meeting will be a Committee of the Whole Meeting along with a Special Meeting to read Ordinance No. 7-21 for a second time.

PUBLIC COMMENT: Mr. Bill Welch asked when the Hilliard Road Bridge Project will begin. The Mayor stated that the cost keeps increasing 10's of millions of dollars. The project is currently working on the design and the Cities of Lakewood and Rocky River are engaged. The Feasibility Study has been completed and it will be a total reconstruction. The Mayor hopes it will have architectural uniqueness. This will be an 18-month build time once demolition begins and will possibly be underway in 2023 through 2024.

President Moran is hoping for a complete trifecta this evening with a win for Ohio State along with the Brown's win last evening and to complete his trifecta, the birth of his ninth grandchild today, a healthy baby girl named Piper James. The meeting was adjourned at 6:40 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council

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