

CITY OF ROCKY RIVER

November 22, 2021

The Regular 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, 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. Furry, that the reading of the minutes of the Legislative Meeting of November 8th 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 on November 15th be waived, and that the minutes be accepted with a correction on page 2: “that the total population of the City of Rocky River is 21,755 residents, with a target population being 5,439 residents, which puts Ward 1 a little over 3% larger than the target population”, per Mrs. Morris.

Vote:	Hunt – aye	Shepherd – abstain	O'Donnell – aye	Furry - abstain
	Morris – abstain	Klym – aye	Moran – aye	
	4 ayes	3 abstain	0 nays	PASSED

MAYOR'S REPORT:

The Mayor said that the administration is wrapping up and gearing up on Capital Projects. The 2022 Budget shows a number of projects that are already starting, either feasibility or studying engineering for projects in 2022.

The Mayor stated that “Properties Magazine” featured the new Rocky River Police Station. The Mayor also noted that the magazine was lucky to secure advertising for the publication, thanks to the new Police Station. Let the Mayor know if you would like a copy of the article.

The Mayor announced that Director Snyder received the ODNR Grant that came through Council. This is from the ODNR, a USDA Forest Service Urban and Community Forestry Program Grant that is administered by the Ohio Division of Forestry. Director Snyder was successful in securing \$13,000 for the Tree Lawn Tree Planting Program.

Leaf pick-up continues. The Service Department was out on Saturday doing a great job. The Mayor encouraged residents to look on Facebook, as the Service Department lists where the leaf pick up will be

that day. If residents do not have that access, please call the Service Department and they will give you that information.

The Mayor discussed COVID-19 cases and vaccinations within the last four weeks. The City of Rocky River averaged around 47-50 additional cases every week which is about 200 additional cases in the past four weeks. As of today, November 22, 2021, vaccinations are over 769,000, which is a little over 62% of the entire County. This percentile is increasing.

The State Legislature passed House Bill 172 permitting the shooting-off of fireworks on private property. This includes New Year's Eve, New Year's Day, Cinco de Mayo, Juneteenth, Memorial Day, Labor Day, weekends, and July 3rd, 4th, 5th, Chinese New Year and the Celebration of Diwali. This takes effect on July 1, 2022. There is an opt out provision and as the Mayor receives information from other communities, she will share it with Council. When this is discussed by Council, the Fire and Police Chiefs will share their opinions, density concerns along with storing of fireworks in basements and garages along with commensurate training of the firefighters and FPO, et cetera.

On tonight's agenda is Ordinance No. 101-21 establishing the four city wards. The Mayor reached out to the Board of Elections concerning the 5% and if it is in the state statute or where that 5% comes from. It is not in the state statute, but is a best practice that is used commonly. In reviewing the language in 105.2 of the Administrative Code, it states "significantly similar". Council has a choice to read the legislation or postpone the legislation indefinitely. If Council wants to move the one census block, that is possible. The Mayor received an extension from December 1st to the middle of December.

The Mayor shared a few highlights from the Recreation Department:

- This weekend over 100 residents participated in the Thanksgiving Relay. The recreation staff likes putting these things together and it was great to see the level of participation this weekend.
- The poured-in-place rubber is completed and the playground is ready to go. The swings will be added in the spring.
- The Black Friday membership sale is going strong.

The Mayor discussed the revenue brought in through Memorial Hall. Facilities Director Mike Balla, shared that since June there have been 279 events booked at Memorial Hall. That is an 18% decrease over 2019, but is still very strong. There are a number of inquiries and events already scheduled into 2022. Mr. Balla is looking at the fee schedule also as that has not been updated in some time. This will be shared with Council sometime after the first of the year. It would be for a date in the future because anyone already booked, would have the old rate.

The Mayor stated that the Citizen's Police Academy applications are being accepted for a few more days. There are still a few openings.

The Mayor thanked Councilwoman Morris and others who have been involved in the collection of food. Thank you to Meals on Wheels, the Chamber of Commerce, the Assistance Program and the Senior Center for all that they do during the Holiday Season. The Fire Chief mentioned that during Thanksgiving and the Holidays, it is a tough time for many people. The Chief reminded the administration that there are several resources available to residents, if needed.

The Mayor reminded Council that if anyone would like to enter their vehicle into the car parade on December 4th, please let her know. The Street Dance following the parade will be something new and great fun. After Thanksgiving, trees on City Hall Campus will be decorated by businesses through the Chamber of Commerce. Please join in the festivities on December 3rd and 4th.

- Councilman O'Donnell spent time looking at the Ward Map. If Council was so inclined, could another section be moved? The Mayor stated that Council is in control of the Ward Map. This configuration was done by Kim Kerber from MacKay Engineering and it is one block and one census track and contiguous to Ward 1 and 3. If Council has other ideas, let the Mayor know and the ideas can be tested, as long as the census block is not split.
- President Moran mentioned the other projects coming up on Hilliard, Center Ridge and Lake Road and how the ward numbers may be affected. The only thing Council knows for sure is there will be change.
- The Mayor added that the target population per ward is 5,439 residents. All of the wards are well within the 5%. The greatest deviation is Ward 1 at just 3% over the target and Ward 3 is 2.3% below the target. This decision is Council's. The Mayor stated that if the thought is to leave the ward boundaries the way are and the legislation is not read, the Mayor will let the Board of Elections know that there are no changes, thus no changes to the precinct. If Council does choose to read it, it will need to move along for the Board of Elections.
- President Moran asked if this could be looked at in a year or two. The Mayor will look at the Administrative Code 105.02 and get this information to Council. There is a mid-census, but not a full census.

LAW DEPARTMENT: NONE

COMMITTEE REPORTS: Planning, Zoning and Economic Development Committee: Mrs. Morris stated that the Krueger Group spoke to the residents adjacent to their apartment complex project on Center Ridge Road next to the Riviera West Condominiums, prior to the Planning Commission Meeting. The Planning Commission Meeting was uneventful due to this communication and the Krueger Group received pre-approval. Residents were encouraged at the quality of the materials for this project.

COMMUNICATIONS FROM COUNCIL: President Moran received a phone call from a resident concerning the sidewalks on Center Ridge Road during the winter. The resident asked if there was anything the city could do to have businesses keep the sidewalks clear. Director Snyder said he could speak to the Building Department and be sure they task the businesses to keep the sidewalks passable. Additionally, the vent rack is sent out throughout the winter months to cut through the snow and open it up for passage. The resident is also concerned about the sidewalks behind the Welsh Home and would like to keep those clear as well.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 71-21

BY: CHRISTINA MORRIS

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 905.03 ENTITLED "DRIVEWAY LOCATION AND WIDTH" AND SECTION 905.04 ENTITLED "DRIVEWAY APRON MATERIAL AND THICKNESS", AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A" ON HOLD

Mrs. Morris said this was referred to the Planning Commission and is still on hold.

ORDINANCE NO. 73-21

BY: CHRISTINA MORRIS

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER SECTION 1153.09 ENTITLED “HEIGHT REQUIREMENTS” AND SECTION 1153.15 ENTITLED “ACCESSORY USES AND STRUCTURES” REGARDING GARAGES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A” POSTPONED INDEFINITELY

Mrs. Morris moved to Postpone Indefinitely Ordinance No. 73-21, 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

RESOLUTION NO. 87-21

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES URBAN CANOPY RESTORATION GRANT PROGRAM FOR TREE LAWN TREE PLANTING TO IMPROVE THE CITY'S TREE CANOPY
2nd READING

Mr. Shepherd stated that this authorizes the administration to apply for funding. This resolution asks for a matching grant in the amount of \$13,000 to plant trees on public property in the areas of Dale, Carmen, Forestview and Northview Road. There is another tree program going on in that area for private property trees, which also has an outside grant. This is scheduled for a third read.

ORDINANCE NO. 88-21

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, 2022
2nd READING

Mr. O'Donnell stated that this is the second read for the 2022 Budget. Mr. O'Donnell spoke with the Mayor and the Finance Director earlier this evening to get additional information. Council should be ready for the Finance Committee Meeting on Friday, December 3rd beginning at 8:15 a.m. Please be sure to speak with the Directors and go through the budget.

ORDINANCE NO. 89-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE CITY OF ROCKY RIVER WITH MCGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2022 AT A TOTAL COST OF \$247,966.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Shepherd said that this insurance is through McGowan but is placed with the underwriter Zurich American Insurance Company. Attached to the ordinance is a review by Crain Langner, Insurance Consultants and Advisors and this was discussed in depth at a prior meeting. Mr. Shepherd has one issue that he discussed with Director Snyder regarding uninsured motorist coverage. In his private practice, he generally tells clients to get this coverage as it protects them. He believes, that all policies have exclusions when driving a city provided vehicle. If a serious accident happens and is caused by another

vehicle who is either under insured or an uninsured driver, the only remedy would be Workman's Compensation. Generally speaking, it is inexpensive coverage. Crain Langner is looking into this and will let Council know what the premium would be. This will apply to the WWTP coverage also.

ORDINANCE NO. 90-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE 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 \$6,859.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd moved to have Ordinance No. 90-21 amended to have the year changed in the title from 2021 to 2022, seconded by Mr. Furry and Mr. O'Donnell.

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

AMENDED ORDINANCE NO. 90-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER MUNICIPAL COURT WITH MCGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2022 AT A TOTAL COST OF \$6,859.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd stated that this exhibit is the same as attached to Ordinance No. 89-21 and has been covered in depth in prior meetings. The court does not use city owned vehicles.

ORDINANCE NO. 91-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE 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 \$90,093.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd moved to have Ordinance No. 91-21 amended to have the year changed in the title from 2021 to 2022, 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. 91-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT WITH MCGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2022 AT A TOTAL COST OF \$90,093.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd said the underwriter for this ordinance is Zurich American Insurance Company. The uninsured motorist coverage applies to this ordinance as well.

ORDINANCE NO. 92-21 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE AMENDING ORDINANCE 74-21, FOR POSITIONS AND
FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES
COMMENCING JANUARY 1, 2022 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL
DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
2nd READING

Mr. O'Donnell stated this is the ordinance for the salaries and wage increases for 2022. Some of the highlights are listed below and will be discussed further at the Finance Committee Meeting:

- The minimum wage increased to \$9.30 (State of Ohio)
- Fire and Wastewater employees saw a contractual agreement increase of 2.75%
- A Director of Planning and Community Development added to the Building Department
- An Assistant Finance Director was added the Finance Department
- Police and Service employees are still negotiating their contracts
- The Wastewater Management Committee approved salary increases for the Superintendent and Assistant Superintendent positions

If Council has any questions, please let Mr. O'Donnell know.

ORDINANCE NO. 93-21 **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"
2nd READING

Mr. Shepherd said the city is self-insured so this is a fee to administer and have a group setting for the division of benefits along with negotiated group rates. The administrative fees for medical in 2022 increase 0%, deposit liability fees at 0% and a slight increase for individual stop loss rates which averages an increase of \$18.72 per plan. This comes out to a .32% increase in overall premium costs. Overall, medical care inflation has come down. There were no plan design changes and no increase in cost for employees.

ORDINANCE NO. 94-21 **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"
2nd READING

Mr. Shepherd said there are no plan design changes for the dental coverage. The increase for dental was a 1.5% increase for 2022, but it is a two-year contract with a 0% increase for 2023, with no increase in cost for the employees.

NEW BUSINESS:

ORDINANCE NO. 95-21

BY: THOMAS J. HUNT

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE TWENTY FIVE (25) SELF-CONTAINED BREATHING APPARATUS (SCBA) UNITS, SPARE TANKS AND FACEPIECES FOR THE FIRE DIVISION FROM MUNICIPAL EMERGENCY SERVICES AT A COST NOT TO EXCEED \$198,225.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Hunt will ask for a rules suspension for this ordinance this evening. If approved tonight, the city will save \$30,000.00 if the materials are purchased prior to November 28th. Council will not meet again prior to that date. Mr. Hunt moved for a three read rule suspension, 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

Some of the highlights for this ordinance are:

- The purchase of twenty-five self-contained breathing apparatus units for the Fire Department. The old air tanks and bottles were purchased in 2010 and have had significant use.
- The 25 individual units would cover the 25 firefighters plus four additional personnel.
- The SCBA units include a harness, a regulator, a face piece and two air bottles plus four additional face pieces for the remainder of the four individuals potentially using the air tanks.
- The price has been set and will be held until November 28th and includes an extra spare air tank with the value of \$1,200 included in this package.
- The big component of the purchase is from a FEMA Grant that would pay \$175,686.36 from the proposed purchase price of \$198,225.00.
- The city would pay \$22,538.65 for almost \$200,000.00 worth of equipment sorely needed for redundancy with mutual aid partners in the Westshore.
 - Mr. Furry asked if the FEMA Grant should be referenced in the cover ordinance, otherwise it looks like the city is paying the full \$198,225.00.
 - The Mayor stated that language should be added in Section 3 that this is a FEMA Assistance to Firefighters Grant in the amount of \$175,686.36. The request was for \$9,640 but FEMA paid about \$7,000 for each unit. The current Section 3 would become Section 4.
 - Mr. O'Donnell asked if the FEMA Grant letter should be attached to the ordinance. The Mayor agreed.

Mr. Hunt moved to amend Ordinance No. 95-21, 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

AMENDED ORDINANCE NO. 95-21

BY: THOMAS J. HUNT

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE TWENTY FIVE (25) SELF-CONTAINED BREATHING APPARATUS (SCBA) UNITS, SPARE TANKS AND FACEPIECES FOR THE FIRE DIVISION FROM MUNICIPAL EMERGENCY SERVICES AT A COST NOT TO EXCEED \$198,225.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Hunt said the amended ordinance will reflect the FEMA amount grant and that the city is required to pay a 10% match. Based upon this discussion, Mr. Hunt moved for passage based upon the amendments as suggested this evening, 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. 96-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MACKAY ENGINEERING AND SURVEYING COMPANY A DIVISION OF WALLACE & PANCHER, INC. FOR PROFESSIONAL CONSULTING AND ENGINEERING SERVICES FOR 2022 AND 2023 AS FURTHER DESCRIBED IN EXHIBIT “A”
1st READING

Mr. Shepherd stated that this ordinance is for the city's professional engineering services as needed. MacKay has been with the city for a long time and Director Snyder is very happy with their level of support as well as the historical institutional knowledge of the systems. The rate increases historically match the increase of city employees. This is a two-year contract but is terminable by both sides with 30 days prior notice. If City Council would want to terminate this contract, Council would need a two-thirds vote.

- Mr. Furry asked if this is a cost of living adjustment for the independent contractors.

ORDINANCE NO. 97-21

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE THREE (3) 2021 FORD HYBRID EXPLORER INTERCEPTORS, TWO (2) FOR THE POLICE DEPARTMENT AND ONE (1) FOR THE DIRECTOR OF PUBLIC SAFETY SERVICE UNDER THE OHIO COOPERATIVE PURCHASING ACT FROM VALLEY FORD TRUCK, INC., AT A COST NOT TO EXCEED \$37,000.00 PER VEHICLE, AS DESCRIBED IN EXHIBIT “A”
1st READING

Mr. Moran said the city has the opportunity to purchase these three vehicles from the State Cooperative Purchasing Plan in the amount of \$37,000 each. These vehicles have been test driven by the police department, Director Snyder and reviewed by the mechanics. These vehicles will be available the end of December. Two of them will need the police package added. There is a great savings with this purchase compared to \$46,000 - \$47,585 for the 2022 vehicles. The third vehicle will be replacing a 2016 vehicle with 132,000 miles on it with a steering column problem, water pump problem, bad tires and an oil leak.

- Mr. Snyder stated that these are the first hybrid vehicles in the fleet and will boost the fuel economy along with the environment.
- Mrs. Morris stated that the oil does not need to be changed as often with a hybrid. Instead of 6,000 miles, it is 10,000 miles.

ORDINANCE NO. 98-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE DIRECTING THE MAYOR TO EXECUTE AN EASEMENT TO THE CITY OF CLEVELAND BY THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Mr. Shepherd said the City of Cleveland wants this easement to replace water mains underneath Beaconsfield Blvd. from Wagar Road to a point where the watermain dead ends. The waterlines need replaced as the fire hydrants do not meet the minimum recommended flow volume of 500 gallons per minute. They are as low as 173 gallons per minute on the southside and on the northside three of them are underneath the threshold. This project will be paid for by the City of Cleveland. This does not need to bid out. It is a potential risk to public safety.

- Mr. Furry asked if this touches or crosses the median at all. Mr. Snyder said it does not, it only takes place in the right of way on the southside of Beaconsfield. The connection is from the 12-inch line on Wager to the line on the southside of Beaconsfield. The first recommendation was to do the recirculating line going across the median, but the Homeowners Association and the Fire Chief decided not to do that connection.

RESOLUTION NO. 99-21

ALL MEMBERS OF COUNCIL

AN EMERGENCY RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT

1st READING

Mr. Moran explained that this provides the Mayor the opportunity to receive the funds from the settlement against Johnson and Johnson going on in the State of Ohio. With this resolution, the city can receive funds from the National Opioid Settlement Agreement.

ORDINANCE NO. 100-21

BY: CHRISTOPHER J. KLYM

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 951.01 ENTITLED FEES, PERTAINING TO THE MUNICIPAL SWIMMING POOL, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

Mr. Klym said this is a semi-annual review of municipal fees. Mr. Holub will be in attendance at the Finance Committee Meeting, so Mr. Klym will go into more detail then. Mr. Moran raised a question about General Admission prices compared to the Guest Punch Pass prices. Mr. Klym will get an answer on that. Let Mr. Klym know if you have any questions.

ORDINANCE NO. 101-21

BY: JOHN B. SHEPHERD

AN ORDINANCE AMENDING CHAPTER SECTION 105.02 RELATING TO THE ESTABLISHMENT OF FOUR WARDS, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This was discussed briefly in the Mayor's report. His inclination is to hold on this for now because as stated the city is well within the best practices of criteria of 5% for all the wards. Council has not had a chance to see if this is the best way to adjust or not and other issues of developments that are scheduled that will change the populations of the ward. He is not sure when it can be revisited, but suspects it would not be too far in the future. The Mayor thinks it would be the next census. Mr. Shepherd asked if Council can do it next year based on the 2020 Census. The Mayor will ask the Board of Elections.

- Mr. Klym feels the city should be as close to equal as possible. We do not know what will come

up within the next ten years. Maybe Council can change next year if there is a dramatic change. He feels this is an easy way to do it by changing one census track.

- Mr. Furry said since it is within the 5%, he feels there has been enough changes regarding where residents are voting that there has been enough confusion with that.
- Mr. Moran agrees with Mr. Furry and the changes in voting locations over the years. He would rather get more information prior to changing the ward at this point.
- Mr. O'Donnell feels the section added does not fit in Ward 3. He would like to see if it would make more sense to add a different section.
- The Mayor asked if the President or Council Clerk could notify the Board of Elections, that Council will not amend the wards at this point.
- Mr. Shepherd said that if there are changes, it should be read three full times and he does not feel there is enough time.

Mr. Shepherd moved to postpone indefinitely Ordinance No. 101-21, 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. 102-21

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT A PROGRAM PARTNER AGREEMENT TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA), FOR THE INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION AT THE DON UMERLEY CIVIC CENTER, AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Mr. Shepherd said this will provide for the installation of two Dual Port and one DCFC Fast Charging Electric Vehicle Charging Station on the eastside of the Don Umerley Civic Center. 100% of all the costs, engineering, design, planning, construction, operation and maintenance will be covered. NOACA will also cover the service connection. The cost to the city is zero. The city has to have public access to these chargers for no less than 12 hours per day for the useful life of the equipment, which is five years. The city can establish a fee to offset the cost of electricity without making a profit. After the agreement expires in five years, the city can continue to use the chargers or remove them. This will have three full reads.

- Mr. Klym thinks this is fantastic and he is happy to see these are Level 2. He asked if there will be a fee for these stations. Mr. Snyder said it has not been set yet, but the city is allowed to set a fee. The city will pay for the maintenance of the station, but NOACA has everything for the set up. It will be at the back entrance of Memorial Hall and the service will be mounted on the brick wall with three parking stations. Because of the generator installation, the electrical contractor added electrical service specific to these charging stations with a meter. Mr. Shepherd feels the city should charge for the stations.
- The city has NOACA funding left, so the city is looking to incorporate level two stations in front of City Hall in 2022. The Mayor stated that there will be more opportunities for these stations in the future.

CONSENT AGENDA:

ORDINANCE NO. 76-21

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ROCKY RIVER AND HAZEN AND SAWYER FOR PROFESSIONAL CONSULTING SANITARY ENGINEERING SERVICES IN 2022 AND 2023 FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT (WWTP) IN AN AMOUNT NOT TO EXCEED \$187,100.00 AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry said this is a renewal for the professional consulting services at the WWTP. There are several sections; the retainer services had a small increase, miscellaneous services and is reactive for projects and issues that arise, additional engineering. There is a 5% increase over the two-year contract making it a 2.5% increase per year. Mr. Furry has not had any questions regarding this ordinance.

ORDINANCE NO 77-21

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH PVS TECHNOLOGIES, INC. FOR THE PURCHASE AND SUPPLY OF FERRIC CHLORIDE FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT AT A COST OF \$672.00 PER DRY TON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that this has a \$94.00 a dry ton increase with PVS which is the current supplier. The next bid was \$240.00 a dry ton. The WWTP is trying to streamline this for phosphoric reduction but this is necessary for the NPDES Permit.

ORDINANCE NO. 78-21

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH PVS CHEMICAL SOLUTIONS, INC., FOR THE PURCHASE AND SUPPLY OF SODIUM BISULFITE FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT AT A COST OF \$1.62 PER GALLON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that there was a three-year lock at a \$1.26 a gallon but is increasing to \$1.62 a gallon. When bid out in 2019 the four bids ranged from \$1.26 to \$2.12 a gallon. This price is still better than what it was before. This is a one-year renewal with the current provider with a price increase. This is necessary for production.

ORDINANCE NO. 79-21

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH BONDED CHEMICALS, INC. FOR THE PURCHASE AND SUPPLY OF SODIUM HYPOCHLORITE FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT AT A COST OF \$1.30 PER GALLON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that this is a price increase. The city was paying .79 a gallon. When it was last bid out the range was from .79 - \$1.25 a gallon. This is necessary for disinfection, pre-chlorination and odor control. It is also necessary for the NPDES Permit.

ORDINANCE NO. 80-21**BY: DAVID W. FURRY**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH AND THE CITY OF ROCKY RIVER FOR PHASE II STORMWATER SERVICES FOR 2022 AND 2023, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that this is working with the Cuyahoga County Board of Health and the City of Rocky River developing a Stormwater Management Program for the U.S. EPA Phase II StormWater regulations. The cost is only \$2,685 a year for a two-year term but since it is a governmental entity, there is full disclosure.

ORDINANCE NO. 81-21**BY: DAVID W. FURRY**

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO RENEW FOR (1) YEAR THE AGREEMENT WITH KIMBLE COMPANY FOR THE REMOVAL OF DIGESTED SLUDGE CAKE TO A LANDFILL FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$46.47 PER TON, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that this ordinance is a one-year renewal with Kimble Company at the same price. The WWTP is happy with their service.

ORDINANCE NO. 82-21**BY: DAVID W. FURRY**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO RENEW FOR (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 2022, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that this is a one-year renewal of an existing agreement. This is the most economical way of removing sludge cake in the non-winter months. Kimble Company is used during the winter months.

ORDINANCE NO. 83-21**BY: DAVID W. FURRY**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO RENEW FOR ONE (1) YEAR THE AGREEMENT WITH KIMBLE COMPANY FOR THE REMOVAL OF GRIT AND SCREENINGS TO A LANDFILL FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$71.75 PER TON, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Furry stated that this is a one-year renewal at the existing price of \$71.75 a ton with Kimble Company and is necessary for the operating of the WWTP and NDPES permit.

RESOLUTION NO. 84-21**BY: JOHN B. SHEPHERD**

A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR THE YEARS 2022 THROUGH 2023

3rd READING

Mr. Shepherd stated that this ordinance is in front of Council every two years. It allows the city to buy through the ODOT Cooperative Purchasing Program for volume purchasing. The city is not mandated to purchase and no cost to the city.

ORDINANCE NO. 85-21

BY: JAMES W. MORAN

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE GASOLINE, FUEL OIL AND ALLIED PRODUCTS ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2022 TO DECEMBER 31, 2022

3rd READING

Mr. Moran stated that this is a situation that the city receives better pricing going out on the Open Market instead of the ODOT Cooperative Purchasing Program for gasoline, fuel oil and allied products. By going through local bids, the city saves about 10%.

ORDINANCE NO. 86-21

BY: JAMES W. MORAN

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE TIRES ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2022 TO DECEMBER 31, 2022

3rd READING

Mr. Moran said this ordinance is an opportunity to participate in the ODOT Cooperative Purchasing Program but the city saves money by purchasing locally. As long as the price is better, the city will continue this process.

Mr. Moran moved for passage of Ordinance Nos. 76-21, 77-21, 78-21, 79-21, 80-21, 81-21, 82-21, 83-21, 85-21, 86-21 and Resolution No. 84-21 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: Mr. O'Donnell reminded Council to forward their Finance summaries to the Clerk of Council by next Tuesday.

PUBLIC COMMENT: NONE

President Moran stated that the next City Council meeting will be December 6th, as next Monday is the fifth Monday of the month. There will be a meeting on December 13th and two meetings on December 20th. There will also be a Finance Committee Meeting on December 3rd beginning at 8:15 a.m.

President Moran wished everyone a Happy Thanksgiving.

As there was no further business by members of Council, the meeting was adjourned at 8:37 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council