

CITY OF ROCKY RIVER

May 24, 2021

The Regular Legislative Meeting of Council was called to order by Mr. Moran, President of Council, at 7:00 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, 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 May 10th be waived, and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
	Morris – abstain	Klym – aye	Moran – aye	
	6 ayes	1 abstain	0 nays	PASSED

Moved by Mr. Moran, seconded by Mr. Furry, that the reading of the minutes of the Committee-of-the-Whole Meeting of May 17th 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 thanked the Rocky River Chamber of Commerce for their beautification efforts this Saturday morning. Thirty volunteers met at Rocky River Park and cleaned the beach of debris and driftwood along with planting flowers and plants around the park. The Chamber has also committed to volunteers maintaining the plantings bi-weekly. The Chamber's program is called "Strengthening Your Roots" and Councilman Klym was instrumental in initiating this program. The Mayor thanked the Chamber, Rich Snyder, Bob Holub and Dave Arendec who also participated. The Service and Parks Department appreciate all the hard work Saturday morning.

The Mayor announced Memorial Day Weekend Activities:

- Saturday morning at 8:30 a.m. residents and families are encouraged to gather for the placement of more than 3,900 flags at Lakewood Park Cemetery. There will be refreshments afterwards. It is an amazing site once the flags are placed.
- On Sunday at 7:00 p.m., the Rocky River High School Jazz Band will be performing a concert at Rocky River Park. This will be the first concert in the new pavilion.

- On Monday, the Memorial Day Ceremony will begin promptly at 10:00 a.m. at Lakewood Park Cemetery. The Masters of Ceremony will be Lieutenant Matt Previts. A few months ago, the Mayor received a package from Kabul, Afghanistan and in the package was an American Flag, a Certificate from NATO Special Operations Component Command Joint Task Force and a photograph to show that this flag flew over the Command Center in Kabul from Lieutenant Previts. The Mayor and administration is very excited to have Lieutenant Previts as the Masters of Ceremonies on Monday. Lieutenant Previts did a wonderful job and is a great representative of the United States Navy. The High School Marching Band will be at the Ceremony along with various Scout Troops. Thank you to the Joint Veterans Council, Richard Healy, the Citizens Police Academy Alumni and the Cemetery Administration for all their help. There will not be a parade this year and parking is available at the Presbyterian Church.

The Red Cross is looking for volunteers for driving, Donor Ambassadors and Disaster Action Team Members. Please contact the Mayor if interested and the Mayor will send additional information or go to the Red Cross Northern Ohio Region website.

The spray ground will be opening later this week. The new pool signage will also be installed this week.

The generator specifications went out this week. Thank you to Director Snyder for getting this project done after collecting grant funds for three years from NOPEC. The six proposals will be evaluated and a recommendation forwarded to City Council.

The Mayor mentioned that Sewer Billing will be mailed this week. The city will also send a ReadyNotify to residents this week, with an explanation of the sewer bills. The bill will be dated June 1st and incorporates the annual adjustment along with the first quarter of the next billing cycle. If there are any questions, please contact the Sewer Department at City Hall.

- Mr. Klym clarified that he helped start the Public Service Committee but there are many members that are critical to this Committee. Steve Polly is the chair, Jim Riedl has been instrumental and Angela Barth does a fantastic job as Executive Director. It was a team effort all the way around. It was not Mr. Klym's idea to do Rocky River Park, although he was very supportive of it. It is a great project and maybe there can be a City Council Day to take on a park clean up down at the park on a Friday. The Mayor thanked Mr. Klym.

LAW DEPARTMENT: Law Director Bemmer informed City Council that the school investigative process went to Hearing on May 12th. No ruling has been made concerning the efficacy of the Garrity Principals regarding certain cell phones of teachers that are no longer with the district. When a decision comes out, Mr. Bemmer will be sure Council is properly informed.

- Mr. Shepherd asked the case number or name of this case. Mr. Bemmer said he would send the case number to Mr. Shepherd.

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: Mr. Shepherd attended the Planning Commission Meeting this week along with Councilperson Morris and Council President Moran. Mr. Shepherd wanted it noted that he was very impressed with the amount of work and diligence the Commission put in. Chairman Bishop runs an excellent meeting and does a very good job of reviewing and facilitating projects and protecting the city and residents. It is obvious, having attended this meeting, that the Commission puts in a lot of work and they are all highly qualified individuals.

Mr. Moran reminded Council that there will not be a City Council Meeting next Monday. Monday is Memorial Day but it is also the fifth Monday of the month. The next meeting will be June 7th and Council will be back in Council Chambers at City Hall to meet at 7:00 p.m.

Mr. Moran moved for a Special Meeting to be held on June 7th concerning items 34-21, 35-21, 36-21 and 37-21 need to be read for a second time, 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

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 23-21 **BY: CHRISTINA MORRIS**
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 301-22-054, FROM ITS PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY RESIDENTIAL TO LB LOCAL BUSINESS, AS FURTHER DESCRIBED IN EXHIBIT "A"
POSTPONED INDEFINITELY

Mrs. Morris said that this ordinance will be postponed indefinitely. The Planning Commission has found another way to accomplish this while maintaining the current zoning districts of R-1 and LB and still consolidate the lots using the R-1 exclusively for parking. Mrs. Morris moved to postpone indefinitely Ordinance No. 23-21, 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

ORDINANCE NO. 26-21 **BY: CHRISTINA MORRIS**
AN ORDINANCE AMENDING THE BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY CHAPTER 1321, ENTITLED PERMIT, INSPECTION AND LICENSE FEES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
3rd READING

Mr. Morris said this ordinance amends some of the Building Codes and fees. This has been discussed for several weeks. Mrs. Morris moved Ordinance No. 26-21 for passage, 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. 32-21 **BY: CHRISTOPHER J. KLYM**
AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A REPLACEMENT INDOOR TRACK SURFACE FOR THE ROCKY RIVER CIVIC CENTER AT A COST NOT TO EXCEED \$75,760.00 AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

Mr. Klym said this has been discussed for several weeks. Mr. Holub responded to questions from

Council. This Ordinance will allow the city to replace the original indoor track at the Civic Center that has been in place for about 18 years. The track has lost a good amount of the texture and the rigidity. This price comes in under budget and there is a \$5,000 donation to be used for the purchase of a new track. Mr. Klym moved for passage of Ordinance No. 32-21, 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

ORDINANCE NO. 33-21

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 PHASE ONE OF THE 2020 ROCKY RIVER SEWER IMPROVEMENTS PROJECT FOR MOREWOOD PARKWAY STORM SEWER, SANITARY SEWER, WATER MAIN AND PAVEMENT REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$4,092,957.48 AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd said this is a major project for Morewood that starts at Wagar heading east to the railroad tracks. Like most major sewer projects this entails correcting the sewers for inverted sewers, curb repair, repaving and waterlines are being replaced. Possibly new tree lawn trees will be planted.

- Mr. Furry asked if it should be referenced in the body of the ordinance regarding the Cleveland Water Department reimbursement amount. The Mayor stated that amount is not known until the end of the project. Mr. Shepherd said the water reimbursement is not included in the text of the ordinance. Mr. Shepherd will summarize the funding on the third read.

NEW BUSINESS:

ORDINANCE NO. 34-21

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF COUNCILMEMBERS OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2023

1st READING

Mr. Moran stated that this ordinance is the compensation for the position of a Councilmember. The last increase was in 2020 and this compensation will be held at this same level. This will be discussed further at the next meeting.

ORDINANCE NO. 35-21

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE PRESIDENT OF COUNCIL OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2023

1st READING

Mr. Moran stated that this ordinance is the compensation for the position of President of Council. The last increase was in 2020 and this compensation will be held at this same level. This will be discussed further at the next meeting. The Council President is appointed after the Councilmembers are elected.

ORDINANCE NO. 36-21

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE MAYOR OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1, 2022 AND

ENDING DECEMBER 31, 2023

1st READING

Mr. Moran stated that the compensation for the position of Mayor will be \$114,000, which is approximately 1% more than the Chiefs and Directors are paid. This will be for the term of January 1, 2022 through December 31, 2023.

ORDINANCE NO. 37-21

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE DIRECTOR OF LAW FOR THE YEARS COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2023

1st READING

Mr. Moran said that the increase for next year increases from the current salary of \$60,500 to \$62,000. This is a small increase, about 4% over last year's compensation. Thank you to Director Bemer for providing information regarding other comps of Law Directors in other cities. Mr. Moran said that this amount is less than surrounding cities. Mr. Moran suggests that maybe a larger increase for the second year of the contract. This will be discussed more at the next meeting.

- Mr. Klym stated that the increases in Rocky River have been small over a period of time. Positions need to be looked at against how other cities are compensating these positions. The city should be paying for quality and compensating the elected officials and directors correctly for the work that they do. Mr. Klym feels that the position of the Law Director should be increased more than what is included in this ordinance.
- Mr. Moran said some communities have full time verses half time. Some cities have an associate helping out in the Law Department. There is not a job description for this office. Mr. Bemer has taken the Law Department to a new level being involved in all meetings and boards. Mr. Klym stated that if the pay is too low it will affect the candidate pool for the various positions. This will be discussed further at the next meeting.

RESOLUTION NO. 38-21

BY: ALL COUNCIL MEMBERS

A RESOLUTION ESTABLISHING THAT ROCKY RIVER CITY COUNCIL SHALL RECESS DURING THE MONTH OF AUGUST IN 2021

1st READING

Mr. Moran stated that this resolution has always established an August recess for Council to be used for vacation for Councilmembers and the administration for many years.

ORDINANCE NO. 39-21

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 \$30,000.00 FOR THE OPERATION OF THE MARINE PATROL FOR THE YEAR 2021, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Hunt will defer comment on this ordinance until June 7th. This ordinance is a yearly ordinance and is accepting funds from ODNR for the operation of the Marine Patrol. The Patrol will begin Memorial Day weekend and continue through Labor Day. This will be a match of 25% for the city and 75% from the ODNR for the Marine Patrol. This will be discussed more next week.

Mr. Hunt requested that this ordinance be on the Special Meeting Agenda for the 7th. The original deadline date was May 12th but an extension was requested and received until July 2nd. It would behoove Council to pass this sooner than later. Mr. Moran said that Ordinance No. 33-21 through Ordinance 39-21 will be on the Special Meeting Agenda.

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

President Moran thanked everyone for attending and wished everyone a Happy Memorial Day! The next meeting will be held on June 7th at 7:00 p.m. via zoom. The meeting was adjourned at 7:41 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council