

CITY OF ROCKY RIVER

November 8, 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 Committee-of-the-Whole Meeting on November 1st 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 Legislative Meeting of October 25th 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

President Moran welcomed Chief Lichman to this evening's meeting.

CHIEF LICHMAN – Officer Involved Shooting

The Mayor asked Chief Lichman to attend this evening to update Council and the community regarding the officer involved shooting that occurred in the early morning hours today.

Chief Lichman stated that early this morning at about 1:45 a.m., the Rocky River Police Dispatch received a call from the United States Secret Service who was on the phone with a 42-year-old resident of the Linden House Apartment Building on Linden Road. The resident was making comments relating to wanting to kill former President Trump, herself and comments about killing police officers. Rocky River Police Officers responded while the Secret Service Agent was still on the phone with the subject. They worked together to have the suspect leave her apartment on the second floor, without any weapons. She had reported to the Secret Service that she was in possession of a glock handgun and a knife. As she exited the apartment, the officers were several feet away, down the hallway and around the corner, saw her enter the hallway armed with a large butcher knife in her hand. The officers ordered her to drop the knife several times. She did not do that and instead charged at the officers. One officer was ready with a handgun and the second officer was ready with a taser so they had the option of less lethal force and a lethal force option, if necessary. The woman charged at the officers and did not drop the knife after additional commands the taser was deployed and the officer fired two rounds from his handgun. Both rounds hit the suspect. The officers immediately called for an ambulance and immediately rendered first

aid and did what they could to comfort the woman as they waited for the paramedics. The subject was transported by the Rocky River Fire Department to MetroHealth Medical Center where she was treated and is in stable condition presently under police guard. Charges of felonious assault are pending.

The Ohio Bureau of Criminal Investigation was contacted and responded to process the Crime scene and investigate the circumstances of the officer involved shooting. This is a standard request for BCI and they responded with their crime scene unit. They also conducted a search of the subject's apartment. Chief Lichman does not know the result of the search.

The three Rocky River Officers involved are on temporary administrative leave while the investigation is being conducted. The Crisis Intervention Team has been contacted and have reached out to the officers and will do a debriefing with them before or at the beginning of their return to duty.

Chief Lichman said there have been prior incidents with the subject, including in 2018 when she drove through the police parking lot smashing into several police cars and aiming for one with a police officer in the vehicle. Days later at the hospital, the suspect attacked a Rocky River Officer while hospitalized after that incident.

Chief Lichman said instances like this are clearly tragic but the officers handled themselves very professionally. They created distance, sought cover, used verbal commands, had less lethal options available to them, unfortunately it resulted in the use of deadly force. They immediately gave her first aid and were extremely compassionate to the woman while rendering that aid. They did a fantastic job. Chief Lichman is proud of their conduct in the early morning hours. There is a lot asked of police officers in Rocky River and around the country and how quickly things can go the way they did this morning. They did good work. The officer involved in the shooting is an eleven-year veteran with the Department.

The Mayor stated that there is body camera footage that has been appropriately redacted and the Chief has sent that out to all media requests at this time and will continue to do that as requests come in.

President Moran thanked Chief Lichman for attending the City Council Meeting. Council appreciates hearing this directly from the Chief.

- Mr. Furry asked, assuming the officers are cleared, how long does the process take? Chief Lichman said traditionally three days off is a starting point. He will also follow the lead from the BCI and expects they will be off until their interviews are fully completed with BCI, which should be this week.
- Mr. Klym asked how long has it been since there was an officer involved shooting in Rocky River. Chief Lichman stated the last one was October 25, 2003.

The Mayor stated it has been a long day and a difficult day for the Police Department and the community. The Mayor thanked Chief Lichman for all his efforts today along with the other officers. The Rocky River Fire Department did important work also, but the most important was the first aid provided by the police officers and firefighters who were on the scene. Chief Lichman stated that the City of Fairview Park Police Department sent officers to help and he is very appreciative of that as well. If there are any questions, please call City Hall.

MAYOR'S REPORT:

The Mayor said that there was a First Energy settlement. NOPEC and the Ohio's Consumers Council were at the forefront of the settlement negotiations, which resulted in a \$306,000,000 settlement back to consumers of electricity. 2.1 million customers, including a ½ million NOPEC electric customers, many in this community because the aggregate collaborative is the default, will receive this settlement. Customers will receive an average of \$85.71 from First Energy Utility refunds. The breakdown is as follows:

1. Residential customers, once approved by PUCO, will receive a distribution of \$26.91 immediately on residential bills.
2. Starting in 2022 every month there will be a reduction of the bill in the amount of \$1.87 totaling \$22.44.
3. In 2023 every month there will be a reduction of the bill in the amount of \$1.40
4. In 2024 every month there will be a reduction of the bill in the amount of \$1.05
5. In 2025 every month there will be a reduction of the bill in the amount of \$0.58

That is how this will be paid back to electric customers. The Mayor received this information from NOPEC and appreciates their work on behalf of the residents.

The Mayor stated that the 2022 Budget has been submitted this evening to Council. Thank you to Director Thomas and his staff for readying the documents for Council's consideration. The Director and the Mayor are available if there are any questions. The Mayor and Director Thomas will have introductory remarks on December 3rd for the Finance Committee Meeting. The Mayor stated that the administration is still in negotiations with the Police and the Teamsters representing the Service Department.

The Senior Center had a great event last week on Friday and Saturday. The Craft and Quilt Show had 800 attendees on Friday and 500 attendees on Saturday. Director Huff was very pleased with the turnout.

The Mayor respectfully requested an Executive Session to discuss a pending legal matter, under Article 10, Section 6, Subsection 3, to discuss this pending legal matter.

The Mayor noted that City Hall will be closed this Thursday in observance of Veteran's Day. The Mayor extends thanks to all that served, sacrificed and fought. Today, because of our veterans, we enjoy the blessings of freedom and thanks all the veterans for their efforts.

LAW DEPARTMENT: NONE

COMMITTEE REPORTS: Finance Committee: Councilman O'Donnell said the Mayor mentioned that the 2022 Budget Books have been presented this evening to Council. The first read on the 2022 Budget will be this evening, a second read on November 22nd, a Finance Committee Meeting on December 3rd from 8:00 a.m.-12:30 p.m. and the third read possibly on December 13th.

COMMUNICATIONS FROM COUNCIL: NONE

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”
ON HOLD**

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

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”
2nd READING**

Mr. Furry said this is for a consulting engineer and was discussed in depth at last week’s Committee-of-the-Whole meeting. Due to the lengthy agenda this evening, he will discuss this further at next week’s Committee-of-the-Whole Meeting.

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”
2nd READING**

Mr. Furry stated that this is the second read on this and was discussed in depth at last week’s Committee-of-the-Whole Meeting. The three-year average is roughly 311 dry tons. Plant Superintendent Barille said that this year’s use will be roughly 253 tons. This will be discussed in more detail at next week’s Committee-of-the-Whole Meeting.

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”
2nd READING**

Mr. Furry stated that the five-year average is roughly 33,589. Plant Superintendent Barille estimated roughly 42,000 for this year, which is up, but is stocking up on inventory at a lower price of \$1.26 a gallon as opposed to \$1.62. This will be discussed more at next week's Committee-of-the-Whole Meeting.

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"

2nd READING

Mr. Furry stated that the five-year average is almost 179,000 gallons and this year estimating less usage at a little more than 151,000 gallons. Superintendent Barille sent out eight bid requests, with only one response. This will be discussed in more detail at next week's Committee-of-the-Whole Meeting.

- Mr. Shepherd clarified his question from last week: since there is only one bid, did we do any due diligence to verify externally that the price is close to today's market. Mr. Furry will have that information next week.
- Director Snyder stated that the previous two years the price was \$1.26 per gallon.

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"

2nd READING

Mr. Furry stated that this was discussed last week and this is part of the NPDES Permit with the Ohio EPA and is necessary for operations at the WWTP. 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"

2nd READING

Mr. Furry stated that this ordinance is a one-year renewal at the same price. This will be discussed more at next week's Committee-of-the-Whole Meeting.

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"

2nd 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.

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"

2nd 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

2nd 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. The city is not mandated to buy so if the prices are good we go there and as the next two ordinances show, if the prices are higher the city does not use this program.

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

2nd 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

2nd 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.

NEW BUSINESS:

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

1st READING

Mr. Shepherd stated that this was discussed at length at last week's meeting. Director Snyder put together two tree programs where the tree canopy has been weakened. This resolution allows the city to apply to the ODNR for a matching grant in the amount of \$13,000 to plant trees on public property.

- President Moran asked how many years in a row has the City of Rocky River received the "Tree City USA" award. Director Snyder said 36 years.

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

1st READING

Mr. O'Donnell stated that the 2022 Budget is at Council's desks this evening. Please begin to review the budget and meet with the directors and bring the information back to the Finance Committee Meeting on December 3rd. If anyone has questions, please let Mr. O'Donnell or Mr. Thomas know.

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"

1st READING

Mr. Shepherd said that Council should recall in 2019 the insurances were put out to bid with Crain Langner overseeing the process. Attached to the next three ordinances is a report from Crain Langner where they authorized the current bid from McGowan Insurance as the agent and Zurich American Insurance Co. as the underlying insurance company. For this ordinance, which totals \$247,966.00, will probably be amended as there are open items concerning cyber liability and the underwriter and issues on the crime coverage. Cyber liability is getting more expensive by the year by 53% over the expiring cyber liability that the city had. Recommendations may modify this ordinance. The coverage is similar to last year but the premiums have gone up in part due to the new police station along with a 10% rate increase which is still less than what the city paid in 2019. Mr. Shepherd raised an issue with the uninsured motorist insurance and Mr. Snyder will look into that.

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"

1st READING

Mr. Shepherd stated that this exhibit is the same as attached to Ordinance No. 89-21. This letter shows a couple of quotes, one with terrorist protection. Everything stated above applies to this coverage also. This is for the municipal court with a 14% increase. Mr. Snyder's understanding on the increase for a straight renewal, not including cyber security and crime coverage, is an estimated 14% overall. Based on the assessment by Crain Langner as they reviewed Zurich and BCS, they are leaning towards staying with BCS with the increase in coverage. All the companies listed are highly regarded insurance companies.

- Mrs. Morris asked what crime coverage covers. Mr. Shepherd stated theft, vandalism, etc. On the cyber liability, what does the city need to do to qualify. Mr. Snyder explained that IT Specialist Chris Grau has fire walls in place and everything needs to be monitored for the city to meet a certain level of criteria. When evaluated, they spoke to Mr. Grau directly to determine the level of protection to decrease risk. Mrs. Morris asked what Bricking and Social Engineering means. Mr. Snyder will look into that. Mr. Shepherd noted that the experts commend the city in putting multi-factoring authentication in play.

The experts have recommended to put these insurances out to bid every 3-5 years.

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"
1st READING

Mr. Shepherd stated that everything noted above applies to this ordinance as well. If there are any questions, please let Mr. Shepherd know.

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
1st READING

Mr. O'Donnell stated this is the ordinance for the salaries and wage increases for 2022. Director Greco gave Mr. O'Donnell this summary:

- 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 Asst. Superintendent positions
- There were title changes in the Recreation Department
- One salary cap increase for a part-time position in the Recreation Department – Clerk's cap at \$12.00 per hour (part-time employees)
- Seasonal CDL and summer seasonal did receive increases

- The Public Works Coordinator will now receive a \$400 clothing allowance (Safety Service Department)

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"

1st READING

Mr. Shepherd said this one and the next ordinance will receive three full reads. The Mayor stated there are no plan design changes. The city does not have the ability to make major design changes unless there is a substantial increase, which is controlled through Collective Bargaining. The Mayor was very pleased with this renewal and thanked Director Greco and Director Thomas and the utilization of the plan by the employees in understanding how to use the plan effectively. The HSA was added last year and that has made a significant difference. The city is still self-insured with minimum premium coverage.

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"

1st READING

Mr. Shepherd said there are no plan design changes with the dental coverage. These coverages are mandated under the Collective Bargaining Agreements and the city provide these benefits to all full-time employees whether or not they are represented at the same cost share and same plan.

CONSENT AGENDA:

ORDINANCE NO. 68-21 **BY: CHRISTINA MORRIS**
AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER PERTAINING TO THE OHIO FIRE CODE, SECTION 1501.01 ENTITLED "ADOPTION", AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mrs. Morris stated that this ordinance would amend the code so that the fire code is automatically updated to the State of Ohio Fire Code.

ORDINANCE NO. 69-21 **BY: CHRISTINA MORRIS**
AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 903.04 ENTITLED "SIDEWALK, MATERIAL, WIDTH AND THICKNESS", AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mrs. Morris stated this ordinance changes the gravel base under the sidewalk from 4 inches to 6 inches. This allows the trees to have a better root system without destroying the sidewalks. Mrs. Morris has not had any questions regarding this ordinance.

ORDINANCE NO. 70-21

BY: CHRISTINA MORRIS

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1370 – PROPERTY MAINTENANCE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 1370.01 ENTITLED “DEFINITIONS”, SECTION 1370.10 ENTITLED “INTERIORS”, SECTION 1370.11 ENTITLED “PESTS”, AND SECTION 1370.13 ENTITLED “EXTERIOR AREAS”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

3rd READING

Mrs. Morris said this ordinance amends four sections:

1. It will update the property maintenance codes to be pulled from the most current edition of the International Property Maintenance Code;
2. Pest control to be the explicit responsibility of the building owner rather than the tenant;
3. It makes basement rooms conditional on exits;
4. It updates the stacking of firewood rules for safety reasons.

Mrs. Morris has not had any questions regarding this ordinance.

ORDINANCE NO. 72-21

BY: CHRISTINA MORRIS

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1340 - SMOKE AND CARBON MONOXIDE (CO) DETECTOR REQUIREMENTS FOR LEASED AND RENTED PROPERTIES OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 1340.03 ENTITLED “STANDARDS FOR THE INSTALLATION OF CARBON MONOXIDE DETECTORS”, SECTION 1340.04 ENTITLED “STANDARDS FOR THE MAINTENANCE AND USE OF SMOKE AND CARBON MONOXIDE DETECTORS” AND SECTION 1340.05 ENTITLED “TAMPERING PROHIBITED” AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

3rd READING

Mrs. Morris said this ordinance brings older code up to new standards and requires new construction, rentals and leases to have carbon monoxide and smoke detector alarms installed. It also adds new rules to help the Building Department to enforce.

ORDINANCE NO. 74-21

BY: MICHAEL P. O'DONNELL

AN EMERGENCY ORDINANCE AMENDING ORDINANCE 83-20 FOR POSITIONS AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING JANUARY 1, 2021 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER

3rd READING

Mr. O'Donnell said this has been discussed a number of times and does not change the rates the salaries or hourly rates for 2021, but is amended to account for the additional pay period of 27 pays this year and not the typical 26 pays.

ORDINANCE NO. 75-21

BY: JOHN B. SHEPHERD

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

3rd READING

Mr. Shepherd said the city is required by State Law to participate in a health district that provides basic health services to the community. The city achieves this with a service agreement with the Cuyahoga County Board of Health. Services provided include: immunizations, outreach flu clinics, newborn home visits, lead poisoning prevention, medical handicap care, a health improvement partnership program, indoor air quality program, food protection, stormwater surface water quality, testing of streams and outfalls, watershed protection program, recreation facilities, pool inspections and larvae application for mosquito control and many other services.

Mr. Moran moved for passage of Ordinance Nos. 68-21, 69-21, 70-21, 72-21, 74-21 and 75-21, on the Consent Agenda, seconded by Mr. O'Donnell and Mr. Furry.

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

MISCELLANEOUS BUSINESS: Mr. Moran said the RRHS girls' soccer team is doing well and continuing to move forward; the football team has won two play-off games and the girls Cross Country Team made it to state. President Moran wished Mr. Thomas a happy birthday and Mr. Hunt wished President Moran a happy birthday as well.

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell that an Executive Session under Article 10, Section 6, Subsection 3, to discuss a pending legal matter, be held before the end of this meeting.

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

PUBLIC COMMENT: Mrs. Lisa Haveman explained that “bricking” is email malware that could turn the device into a brick and social engineering is equivalent to phishing.

Mr. Moran announced that Council will move into Executive Session at 8:01 p.m.

As there was no further business by members of Council, the meeting was adjourned at 8:25 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council