

CITY OF ROCKY RIVER

September 12, 2022

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, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Moran

Absent: Mr. Sindelar

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

Law Director: Mr. O'Shea

The meeting was opened with a Pledge of Allegiance.

COMMUNITY IMPROVEMENT CORPORATION

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Community Improvement Corporation Meeting of July 25th be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye Shepherd – aye Gallagher – aye Furry – aye Morris – aye
Moran – aye Thomas – aye. Bobst - aye
8 ayes 0 nays

PASSED

MOTION:

Moved by Mr. Moran seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of July 25th be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye Shepherd – aye Gallagher – aye Furry – aye
Morris – aye Moran - aye
6 ayes 0 nays

PASSED

MAYOR'S REPORT:

The Mayor opened up the meeting with a 9/11 remembrance. The Mayor stated that it was 21 years ago yesterday and this date will always be very important to us, as well as the safety forces and the remembrance of lives lost in that tragedy. Innocent individuals that went to work on a sunny day when an unimaginable horror took place. We take time today and yesterday to pause and honor our safety forces and military for the protection provided to us day in and out.

The Mayor discussed the status of the construction projects in the city:

- The final course of asphalt is being applied to Morewood Parkway followed by sealing and striping and should be completed within the next couple of weeks.
- Paving on the northern portion of Morewood Parkway has begun along with East Shoreland and Westway.
- Malvern and Telbir are finished other than some punch list items to be completed.

- The sewer work on Spencer is almost complete and paving will begin soon.
- The Sidewalk Program contractor is about halfway through the work identified. Residents are reaching out to the contractor.
- The city will rebid Bradstreet's Landing Phase II which includes the step revetment on either side of the pier, the boardwalk, the pedestrian bridge, the driveway and circle at the northern end of the parking lot. The bid opening will be the first week of November. There is value engineering being done looking for ways to save and to move the project along. Concrete has been hard to obtain, along with it being expensive.
- The girl's hockey locker room will be complete by the end of the week.

The Mayor announced two grants that the city will receive:

- The MARCS Radio Grant for the WestShore Communities was completed by the City of Fairview Park. This is a Homeland Security/ FEMA Grant, an assistance to Firefighter Grant Program. The WestShore is receiving \$551,000 for updated MARCS Radios which is the communication system for the WestShore and State Agencies. The total program cost is \$606,900 with a local match of 10% which will be about \$55,000 for each community. Thank you to the City of Fairview Park for submitting this request.
- The Cleveland Waterline Grant was approved for Argyle, Arundel, Buckingham and Westmoor thanks to Director Snyder, Kim Kerber and Michael MacKay. Argyle, Arundel and Buckingham are part of the sewer project that Congressman Gonzales assisted the city with. The Cleveland Water Department funded this project along with Westmoor in the amount of \$1,037,000 for these waterline projects.

The Mayor updated Council on the Consolidated Dispatch discussion. This Wednesday, the WestShore Council of Governments will be considering an application to County Council for ARPA dollars to hire a consultant to develop an operations plan to expand Westcom, the WestShore Consolidated Dispatch currently in operation for fire and EMS. The grant will include the police and all six communities of the WestShore Council of Governments. This process will evaluate all four sites located in Lakewood, North Olmsted, University Hospital/St. John and Westlake's Community Center. This is a result of State and County mandates. The county wants at least five communities to consolidate.

- Mrs. Morris asked if Fairview was going to leave Westcom. The Mayor stated that currently Fairview is being dispatched by North Olmsted with fire and EMS out of Westcom. North Olmsted and Lakewood were looking to move over to Chagrin Valley Dispatch on the eastside. There remains a high level of interest in having a dispatch center on the westside.

The Mayor announced that Mr. Eric Pempus retired from the BZA that he chaired for many years. The Mayor sent Mr. Pempus a special recognition letter for his service. Mr. T. Michael Tomsik also retired from the Architectural Review Board. Mr. Tomsik also has made remarkable contributions to that commission. The Mayor hopes that as these gentlemen look around the community, they realize the results of their efforts. The Mayor thanked them for their service and their positive impact on the community.

Mr. Tom Evans has joined the Architectural Review Board and brings a very important perspective. Mr. Evans currently works for AECOM and is a Landscape Engineer. Mr. Evans helped the city with Stormwater Management as well as other projects.

The Mayor announced that the Senior Center will submit their reaccreditation request to Washington D.C. by the end of the week, three months before the deadline. Thank you to Director Thomas, Director

Greco and Director Snyder for any assistance to Director Huff, Senior Center staff, Seniors Council and numerous volunteers.

The Budget Process has begun. Director Thomas has everything online for the 2023 Budget. Late in July the Mayor met with Directors to discuss the first six months along with the 2023 Budget which will be due by the end of September. The Mayor will then meet one on one to go over the budget. Council will receive the budget prior to November 14th which is the first Legislative Meeting in November.

Collective Bargaining Negotiations will also begin for the Fire Department's three-year contract and the Teamsters will represent the WWTP. These negotiations will impact the budget, but the budget will be populated with best estimates.

There is a Police Entrance Exam on September 22nd. The city is looking for candidates for the Civil Service Exam.

The Mayor announced that the ice is in at the rink and the pool is closed. The girl's locker room is close to completion.

The Fall Arts Festival will be held this Saturday, September 17th.

The Mayor requests a Special Meeting of Council for September 19th.

LAW DEPARTMENT: The Mayor and Mr. O'Shea reiterated to Council not to open any emails they are not expecting. If there is anything unusual, please forward it to IT Director Grau. Mr. O'Shea suggested using the preview pane in Outlook to view emails without actually opening it. If suspicious, please forward to Chris.

COMMITTEE REPORTS: Parks and Recreation Commission: Mr. Furry said there was a Parks and Recreation Commission Meeting last Thursday. Mr. Furry announced that the ice is in and the pool is out with no fees. Director Holub also gave a summer recap.

Mr. Moran added that residents had questions about posts that were removed at Tri-City Park and the concern of cars driving across the grass area. Director Holub does not feel that will be a problem and all three communities agreed to the post removal.

COMMUNICATIONS FROM COUNCIL: President Moran discussed the Liquor License Request for the Olive Scene in Old Rocky River. The police department did not find any unresolved findings.

- Mr. Furry asked if they are applying for a beer and wine carry out. Mr. Shepherd specified that the request is for mixed cocktail drinks and wine in sealed containers. Mr. Furry asked if it was a TREX but it is a NEW request. The Mayor requested Clerk Pease to find out how many liquor permits have been issued and how many are available. The Mayor added that all the Liquor Permits are up for review. Council has received that information also.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 52-22

BY: JAMES W. MORAN

**AN EMERGENCY RESOLUTION AUTHORIZING THE ESTABLISHMENT A NEW FUND ENTITLED “ONE OHIO OPIOID SETTLEMENT FUND”, FUND NUMBER 221, TO ACCOUNT FOR THE RECEIPT AND EXPENDITURE OF MONIES RECEIVED PURSUANT TO THE STATE OF OHIO ONE OHIO MEMORANDUM OF UNDERSTANDING
2nd READING**

Mr. Moran said the city participated in the One Ohio Opioid Settlement Fund. The State of Ohio has funds that will be coming back to the city. Setting up this account will give the city transparency. This will be discussed more at the Committee-of-the-Whole Meeting next week.

**ORDINANCE NO. 53-22 BY: JOHN B. SHEPHERD
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH ANGELO BENEDETTI, INC., FOR THE 2022 ASPHALT SURFACE RECYCLING PROGRAM IN AN AMOUNT NOT TO EXCEED \$237,037.50, AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING**

Mr. Shepherd said that Beaconsfield and Dorothy Avenue are candidates for the pilot program using recycled asphalt. Mr. Snyder reported that Akron and Bedford have used this process before and it lasts about the same amount of time as the standard process. Akron added that their residents like this process better as it has little impact to the residents. There is a machine that grinds the material up and places it down and is energy efficient and better for the environment. The pavement will be drivable in about 20 minutes after placement.

NEW BUSINESS:

**ORDINANCE NO. 54-22 BY: BRIAN J. SINDELAR
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE TWO (2) 2023 INTERNATIONAL HV507 SINGLE-AXLE TRUCK CHASSIS FOR THE SERVICE DIVISION UNDER THE STATE COOPERATIVE PURCHASING ACT FROM RUSH TRUCK CENTER, AT A COST NOT TO EXCEED \$180,527.88, AS DESCRIBED IN EXHIBIT “A”
1st READ**

Mr. Moran said this ordinance is self-explanatory and would be about \$90,000 per truck. Director Snyder said that this is for the chassis only with bidding in the future for snow and plow package. This ordinance will be on the Special Meeting Agenda for next week.

**ORDINANCE NO. 55-22 BY: JOHN B. SHEPHERD
AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO EXTEND A CONTRACT FOR ONE (1) YEAR FOR THE PURCHASE OF PRINTING SERVICES FOR THE CITY OF ROCKY RIVER FROM ADMIRAL PRODUCTS, INC., AS FURTHER DESCRIBED IN EXHIBIT “A”
1st READ**

Mr. Shepherd said that Admiral Products has done printing for the city for many years. The printing has been reduced but this ordinance will extend an existing two-year contract for an additional year.

**ORDINANCE NO. 56-22 BY: JOHN B. SHEPHERD
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH A & A SAFETY, INC. FOR THE 2022 ROAD STRIPING PROJECT IN AN AMOUNT NOT TO EXCEED \$121,819.35, AS FURTHER**

DESCRIBED IN EXHIBIT “A”

1st READ

Mr. Shepherd said only one bid was received but \$121,819 is well below the engineer’s estimate and both Director Snyder and the engineer agree this is a good price for the Road Striping Project. This is a project that has to be completed prior to the winter weather. This will be added to the Special Meeting Agenda. The Mayor and Director Snyder said this is striping for the long lines on major roads, i.e., Center Ridge, Hilliard, Detroit and Lake Roads. Most municipalities do a hybrid with a contractor doing the longer lines and the smaller lines are done in house. This will be done on a bi-annual basis or every three years. This company is out of Cincinnati but does work in this area. Bay Village had positive recommendations for A & A Safety, Inc.

RESOLUTION NO. 57-22

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM FOR THE ROCKCLIFF DRIVE STORM SEWER, SANITARY SEWER, WATER MAIN AND PAVEMENT REPLACEMENT PROJECT AND TO EXECUTE CONTRACTS AS REQUIRED

1st READ

Mr. Shepherd said the Rockcliff Project has been discussed regarding the replacement of the inverted sewers. This is an application to the OPWC for funding for this project.

RESOLUTION NO. 58-22

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) TRANSPORTATION FOR LIVABLE COMMUNITIES’ INITIATIVE FOR THE CENTER RIDGE GATEWAY PROJECT AND TO EXECUTE CONTRACTS AS REQUIRED

1st READ

This is an application for outside funding from NOACA and TLCI grants for the Center Ridge Gateway Project from Spencer to Pease Drive outlined in the Master Plan for boulevards, pedestrian and signal improvements leveraged with state capital funding received and ODOT urban repaving.

RESOLUTION NO. 59-22

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY OF ROCKY RIVER DIRECTOR OF PUBLIC SAFETY SERVICE TO DISPOSE OF CERTAIN SURPLUS CITY PROPERTY, INCLUDING MOTOR VEHICLES, NO LONGER NEEDED FOR PUBLIC USE BY INTERNET AUCTION FOR THE PERIOD OF OCTOBER 11, 2022 THROUGH DECEMBER 31, 2027

1st READ

Mr. Shepherd said there is a state law allowing online auction but a resolution needs to be passed by Council. This will be discussed further at the Committee-of-the-Whole Meeting next week.

RESOLUTION NO. 60-22

BY: DAVID W. FURRY

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY OFFICE OF EMERGENCY MANAGEMENT TO PARTICIPATE IN THE CUYAHOGA COUNTY 2022-2027 ALL-HAZARDS MITIGATION PLAN

1st READ

Mr. Furry deferred discussion on this resolution until next week's Committee-of-the-Whole Meeting.

ORDINANCE NO. 61-22

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2022 FORD F250 TRUCK WITH BOSS PLOW FOR THE RECREATION DEPARTMENT UNDER THE STATE COOPERATIVE PURCHASING ACT FROM VALLEY TRUCK CENTERS, AT A COST NOT TO EXCEED \$68,262.00, AS DESCRIBED IN EXHIBIT "A"

1st READ

Mr. Moran said that occasionally the city has the opportunity to use the State Cooperative Purchasing Act. Valley Truck Centers is the bidder on this for ODOT. Mr. Moran asked if a truck is being replaced with this purchase. Director Snyder said this will replace a 15-year-old Chevy Silverado in poor condition. This truck will continue to be used but will not be a front-line vehicle. Eventually it will be sold online.

ORDINANCE NO. 62-22

BY: BRIAN J. SINDELAR

AN ORDINANCE TO AMEND CHAPTER 947 OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, ENTITLED "MEMORIAL HALL," AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READ

Mr. Moran stated that Chapter 947 lists the fees for Memorial Hall that have not been updated for many years. The increases will help Memorial Hall to stay even on costs. This will be discussed further next week.

RESOLUTION NO. 63-22

BY: CHRISTINA MORRIS

AN EMERGENCY RESOLUTION REQUESTING THAT THE CITY OF ROCKY RIVER APPLY FOR FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT PROGRAM AND REVOLVING LOAN PROGRAM FOR THE FUNDING OF THE ROCKY RIVER WASTEWATER TREATMENT PLANT CEPT AND FINAL CLARIFIER REHABILITATION PROJECT(S)

1st READ

Mrs. Morris said this is a resolution to allow the WWTP to apply for the loan program for the project in the second quarter of 2023 along with other funding. This is a zero percent loan from Ohio Public Works.

CONSENT AGENDA:

ORDINANCE NO. 45-22

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE JANITORIAL SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Moran said this is for a one-year renewal to purchase supplies from Ohio Valley. Ohio Valley is a long-standing supplier and the city is happy with their service.

Mr. Moran moved for passage of Ordinance No. 45-22, seconded by Mr. Furry.

Vote: Hunt – aye

Shepherd – abstain

Gallagher – abstain

Furry – aye
4 ayes

Morris – aye
2 abstain

Moran - aye
0 nays

PASSED

RESOLUTION NO. 46-22

BY: JAMES W. MORAN

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2022 PURSUANT

TO THE OHIO REVISED CODE

3rd READING

Mr. Moran said this has been discussed for many weeks and allows the city to advance the tax levies as soon as possible.

Mr. Moran moved for passage of Ordinance No. 46-22, seconded by Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
	Morris – aye	Moran - aye		
	6 ayes	0 nays		PASSED

MISCELLANEOUS BUSINESS: Mr. Moran discussed a request from a resident to review the language in the Sidewalk Program. Director Snyder said that the interpretation is a cracked block is a broken block. The city is willing to speak to any residents with questions about their sidewalk markings. Mr. Moran said that one of the biggest problems is getting concrete and the prices are very high. If sidewalk blocks are marked, the city provides the current sidewalk contractor along with a list of other registered contractors to residents. Mr. Moran believes there is an issue with residents not receiving call backs from the city's contractor. If residents do not receive a call back from the contractor, the residents should call the city to report that issue. The Mayor stated that the code allows for the city to replace sidewalk blocks and bill the resident. The city could explore this option if Council is interested.

The Safety Service Director and Building Department will be meeting to identify ways to streamline the process for future phases of the Sidewalk Program project.

Director Snyder stated that the city does not guarantee that the city's contractor will replace the resident's personal sidewalk blocks or at the same price. However, the contractor usually quotes the residents the same pricing as the city. Mr. Snyder said it is a small percentage of residents that have called the city regarding sidewalk replacement.

Mr. Hunt said he has been with Director Snyder and inspectors while helping residents regarding this process and the residents are very appreciative.

President Moran wished Mr. Furry and Clerk Pease a happy birthday.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 8:21 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council