

CITY OF ROCKY RIVER

April 10, 2023

The Regular Legislative Meeting of Council was called to order by Mr. Moran, President of Council in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Sindelar, Mr. Moran

Law Director: Mr. O'Shea

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

The meeting was opened with a 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 of April 3rd, the Special Meeting of April 3rd, and the Legislative Meeting of March 27th be waived and that the minutes be accepted as submitted.

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

MAYOR'S REPORT:

- Announced that the City received another Cleveland Water grant through the efforts of Director Snyder and Engineer Kim Kerber. Water lines for Rockcliff and Orchard Grove were funded at \$353,000 and \$236,000, respectively. Submission were also made for Rivergate and Sunnyhill which were not funded, but will be resubmitted in an upcoming round of funding. Mayor also provided a side note that Erie Road's water line work started today.
- Rocky River Police, Fire & EMS, together with many of the City's mutual aid partners, participated in an active shooter/mass casualty training event late last week that went extremely well. Mayor Bobst noted how important safety and security are, and that preparedness is also a part of that effort. Working with schools, commercial facilities, etc.
- NOPEC will be holding in-person and virtual meetings that begin on April 17 and running through the month on various dates. This effort is to communicate, educate, and answer questions of residents and small business owners regarding electric and natural gas enrollment with the community aggregation program. Separate mailings for both electric and gas will be sent to residents and small businesses during the month of April for enrollment in those program. If a customer wishes to enroll in the standard rate program, they do not need to take any action and can disregard the mailings. If they want to learn more about alternatives through NOPEC, they can contact NOPEC to inquire about variable rate options, as well as a 100% renewable energy option. If, however, they wish to receive electric and/or natural gas through a source other than NOPEC, then they will need to respond to opt-out of NOPEC. Opt-out responses can be made by returning the opt-out notice to NOPEC by mail or by simply calling NOPEC Customer Service directly. Please be aware there could be fees and penalties to move among the utilities, so make sure you understand exactly what you are doing and what you are getting into. There are no fees to leave or join NOPEC at any time. A link to the NOPEC website is available on the City of Rocky River's website.

- Parks in the City are continuing to be prepared for the season. Court nets are going up, etc. At the Hamilton Ice Arena the ice will be removed beginning on April 28 and the indoor surface will be put down again.
- On Thursday of last week there was an Opening Day Celebration for the Guardians at the Senior Center. An individual had won a contest through Chick-fil-A and chose the Senior Center to receive the prize. There were 300 boxed lunches served, a DJ, dancing, a rousing game of chair volleyball, the Chick-fil-A cow, Slider, and Ketchup, Mustard and Onion. It was a lively and very fun afternoon at the center! Thank you to Chick-fil-A and the Guardians for such a great event.

LAW DEPARTMENT: NONE

COMMITTEE REPORTS:

- Councilman Furry reported that this Thursday the Parks and Recreation Foundation is meeting at 7:45 a.m.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 23-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH PRECISION ENGINEERING & CONTRACTING, INC., FOR PHASE II OF THE BRADSTREET'S LANDING IMPROVEMENT PROJECT AT A COST NOT TO EXCEED \$3,919,007.04, AS FURTHER DESCRIBED IN EXHIBIT "A"

3RD READ

Mr. Shepherd said everyone is excited to see this project moving forward. This matter has been discussed in detail at previous meetings. Mr. Shepherd asked if Council had any questions. There being none, he made a motion for passage of Ordinance 23-23, which was seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye
7 ayes

Shepherd – aye
Sindelar – aye

Gallagher – aye
Moran - aye
0 nays

Furry – aye

PASSED

ORDINANCE 25-23

BY: JAMES W. MORAN

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF COUNCILMEMBERS OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2025

3RD READ

Mr. Moran indicated this ordinance has been read twice before. This ordinance is for the compensation for the position of City Council. There was no raise last term and this will provide a \$1,000 raise for a total of \$13,500 for years 2024 and 2025. This needs to be to the Board of Elections prior to the June deadline for filing petitions for the election. Mr. Moran made a motion for passage of Ordinance 25-23, which was seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye

Shepherd – aye
Sindelar – nay

Gallagher – aye
Moran - aye

Furry – aye

6 ayes

1 nays

PASSED

ORDINANCE 26-23

BY: JAMES W. MORAN

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF THE PRESIDENT OF COUNCIL OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2025

3RD READ

Mr. Moran indicated this ordinance comparable to Ordinance 25-23 for the position of President of Council. This ordinance provides a \$1,000 raise, as there was no raise for the last term. The salary is \$15,000 a year for the two year term of 2024-2025. Mr. Moran made a motion for passage of Ordinance 26-23, which was seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye
6 ayes

Shepherd – aye
Sindelar – nay

Gallagher – aye
Moran - aye
1 nays

Furry – aye

PASSED

ORDINANCE 27-23

BY: JAMES W. MORAN

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF THE DIRECTOR OF LAW FOR THE YEARS COMMENCING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2025

3RD READ

Mr. Moran indicated this ordinance is for the position of Law Director. This is an increase of 3%, comparable to other increases for City employees. The salary will be \$69,525 starting in 2024 through 2025. This is the third read. Mr. Moran made a motion for passage of Ordinance 27-23, which was seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye
6 ayes

Shepherd – aye
Sindelar – nay

Gallagher – aye
Moran - aye
1 nays

Furry – aye

PASSED

ORDINANCE 28-23

BY: JAMES W. MORAN

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF THE MAYOR OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1, 2024 AND ENDING DECEMBER 31, 2025

3RD READ

Mr. Moran indicated this ordinance is for the position of Mayor, which is a full-time position. This term begins in 2024 and goes through 2025. The base salary is \$120,000, plus an additional \$500 per year of experience as mayor. This is the third read. Mr. Moran made a motion for passage of Ordinance 28-23, which was seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye
7 ayes

Shepherd – aye
Sindelar – aye

Gallagher – aye
Moran - aye
0 nays

Furry – aye

PASSED

ORDINANCE 31-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTION, INC., FOR THE CENTER RIDGE ROAD RESURFACING PROJECT CONSTRUCTION ADMINISTRATION SERVICES IN AN AMOUNT NOT TO EXCEED \$122,687.36, AS FURTHER DESCRIBED IN EXHIBIT “A”

2ND READ

Mr. Shepherd indicated this ordinance is for the construction management administration for the repaving of Center Ridge from Spencer Road to the Westlake border. This has been discussed in detail at prior meetings.

RESOLUTION 32-23

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY OF ROCKY RIVER TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS TO BE AWARDED IN 2023

2ND READ

Mr. Shepherd indicated this ordinance is a program the City has participated in for many years to use the State’s buying power to get better prices for salt.

ORDINANCE 33-23

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO REIMBURSE ZENITH SYSTEMS FOR ELECTRIC UTILITY SERVICE CHARGES DURING THE CONSTRUCTION OF THE POLICE STATION IN AN AMOUNT NOT TO EXCEED \$45,659.50, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

2ND READ

Mr. Hunt indicated this was discussed last week, with questions being answered by both the Mayor and Director Snyder. Further discussion will be had on of this ordinance at the Committee of the Whole meeting next week.

NEW BUSINESS:

ORDINANCE NO. 34-23

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH RMH CONCRETE & FOUNDATIONS, FOR THE SAFETY TOWN PROJECT AT A COST NOT TO EXCEED \$269,610.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
(1ST READ)

Mr. Hunt indicated this ordinance directs the Mayor or the Director of Public Safety Service to enter into a contract with RMH Concrete and Foundations for the Safety Town project. The Mayor has been talking about this in some of her reports for some time now. Mr. Hunt indicated further discussion will be had at the Committee of the Whole meeting next week.

ORDINANCE NO. 35-23

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 14-23
AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE
TWO (2) FORD EXPLORER INTERCEPTORS FROM STATEWIDE FORD
LINCOLN/STATEWIDE EMERGENCY PRODUCTS FOR THE POLICE
DEPARTMENT AT A COST NOT TO EXCEED \$94,906.00 AS FURTHER DESCRIBED
IN EXHIBITS “A” AND “B” (1ST READ)**

Mr. Hunt indicated this ordinance amends Ordinance 14-23 passed on March 27, for the purchase of two vehicles for \$94,906. Unfortunately, in the cover page of that ordinance the funding source was incorrect. This new ordinance corrects the clerical error in order to ensure the funds are paid from the appropriate line fund, which is the POPAS Vehicles and Large Equipment account. This new ordinance is for the same identical amount and the equipment and descriptions are attached as the exhibit. Mr. Hunt made a motion for a rules suspension, which was seconded by Mr. Furry.

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

Mr. Hunt made a motion for passage of Ordinance 35-23, which was seconded by Mr. Furry.

Mayor Bobst provided a note of clarification that in Section 2, POPAS is all capital letters. However, there is no need to amend the ordinance.

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

CONSENT AGENDA:

ORDINANCE NO. 20-23 **BY: CHRISTINA MORRIS**
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
SAFETY SERVICE TO PURCHASE ELECTRICAL SERVICES AS NEEDED FROM
HERBST ELECTRIC COMPANY FOR THE ROCKY RIVER WASTEWATER
TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$48,500.00 AS FURTHER
DESCRIBED IN EXHIBIT “A”**
3RD READ

Mrs. Morris said this is an ordinance that will cover the IR inspection recommended by Zurich Insurance. These inspections are done every 5 years and the last time it was done was in 2016 by Great Lakes. Infrared testing shows heat issues on the electrical panels, so this is preventative maintenance. This ordinance is for the WWTP. There are not any additional appropriations as these funds have been appropriated, and the Management Committee has also reviewed this.

ORDINANCE NO. 21-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A TWO (2) YEAR
LEASE AGREEMENT FOR CONCESSION SERVICES WITH LAKE ROAD MARKET**

**FOR THE CITY OF ROCKY RIVER RECREATION DEPARTMENT AT VARIOUS
LOCATIONS, AS FURTHER DESCRIBED IN EXHIBIT “A”
3RD READ**

Mr. Shepherd stated that under this agreement Lake Road Market will take over the concessions operations for the municipal pool, the ice arena and the Civic Center. The City will be paid \$9,450 for each year of this two year agreement. This has been discussed over the past several meetings.

ORDINANCE NO. 22-23 **BY: THOMAS J. HUNT**
**AN EMERGENCY ORDINANCE APPROVING CHANGES TO THE CITY OF ROCKY
RIVER CIVIL SERVICE RULES AND REGULATIONS, AS FURTHER DESCRIBED
IN THE ATTACHED EXHIBIT “A”
3RD READ**

Mr. Hunt indicated this ordinance approves the changes to the Civil Service Rules, which are attached to the ordinance. The Civil Service Commission approved the changes by a 3-0 vote, also with the support of both the Fire and Police Chief to make these changes.

ORDINANCE 24-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH MAKOVICH & PUSTI ARCHITECTS, INC., FOR THE ROCKY
RIVER SENIOR CENTER BUILDOUT AND UPDATE PROJECT FOR
ARCHITECTURAL AND ENGINEERING SERVICES IN AN AMOUNT NOT TO
EXCEED \$222,160.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
3RD READ**

Mr. Shepherd indicated there were 5 proposals, which were narrowed to three candidate who were all interviewed and it was determined that Makovich & Pusti would be the best candidate. We are excited to see our Senior Center on the road to be made an even better facility.

ORDINANCE 29-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH
RMH CONCRETE & FOUNDATIONS, INC., FOR BEACHCLIFF BOULEVARD TLCI
PEDESTRIAN CROSSING IMPROVEMENT PROJECT AT A COST NOT TO
EXCEED \$225,496.40, AS FURTHER DESCRIBED IN EXHIBIT “A”
3RD READ**

Mr. Shepherd indicated this project is to improve the area from the railroad tracks up to Detroit of the end of Lake Road. It will install ADA compliant access at the corners, enhance crossings with stamped concrete, along with special warning lights just north of the railroad track bridge so people can have safer access to the Yacht Club. It was put out for bid and RMH was the low bidder. It is substantially funded by the NOACA TLCI Implementation Project.

ORDINANCE 30-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE
DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH**

**PRECISION ENGINEERING & CONTRACTING, INC., FOR THE TRI-CITY PARK
TENNIS COURTS IMPROVEMENT PROJECT AT A COST NOT TO EXCEED
\$869,754.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
3RD READ**

Mr. Shepherd stated that these courts have been problematic for the City because the subsurface was not done correctly many years ago. This project seeks to correct that. The cost is divided equally between three cities, so the City of Rocky River will only be responsible for one-third of the cost. This will double the number of pickle ball courts at this location.

Mr. Moran made a motion for passage of Ordinance Nos. 20-23, 21-23, 22-23, 24-23, 29-23, and 30-23 which was seconded by Mr. Furry.

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

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

The next meeting of City Council will be April 17, 2023.

The meeting was adjourned at 7:40 p.m.

James W. Moran
President of Council

Mary Ellen Umerley
Acting Clerk of Council