

CITY OF ROCKY RIVER

January 9, 2023

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. Shepherd, Mrs. Gallagher, Mrs. Morris,
Mr. Sindelar (arrived at 7:16), Mr. Moran

Absent: Mr. Hunt, Mr. Furry

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

Law Director: Mr. O'Shea

The meeting was opened with a Pledge of Allegiance.

President Moran opened the meeting wishing everyone a Happy New Year. As there was not a quorum to vote, the minutes will be approved at the next Legislative Meeting.

MAYOR'S REPORT:

The Mayor stated that the Resident's Reference Guide was circulated last week. The Mayor gave credit to Mary Ellen Umerley and all the Directors for this outstanding publication. They review the initial copy to be sure everything is accurate and Mary Ellen confirms that all the edits and reviews are completed. This publication does not cost the city anything. It is paid for with the advertising dollars received. Cleveland Magazine originally said delivery is estimated to be the end of January. The administration was thrilled that delivery was made last week. The cover was specifically staged by Bennett Hickey Floral Design, a new florist in Rocky River. Bennett Hickey was also featured in the magazine. The magazine also says good bye to Jan Dell Florist who has been a part of many important celebrations. The city wishes them a well-deserved retirement.

The Mayor stated that the administration is working on the annual report beginning this month. All reports are due at the end of the month and will be compiled and forwarded to City Council.

The Mayor reported that a letter was received from the MetroParks regarding their Deer Management Program to establish and maintain their balanced eco system in the valley. Deer culling will begin January 17th through March 16th from noon until 6:00 a.m. This is an extended amount of time due to the increase of the deer population. There are several safety protocols in place and abutting residents are alerted. Residents can get more information by going on the Cleveland MetroParks website. All the deer meat is harvested and given to the Cleveland Food Bank.

The WWTP bid opening is scheduled for January 27th regarding the \$30 million dollar Capital Project, the CEPT and the Final Clarifier at the WWTP. There have been five contractors that have pulled the plans.

The ice rink will be staying open a few additional weeks and will be available to residents into April.

An RFP will be going out for concessions and the city will be renegotiating the renewal on the vending machines for all the facilities.

adding “A garage which is joined to the primary dwelling by no less than 8 feet of common wall between the house and garage and directly accessible from the living area of the principal building. The common roof shall be carried over both the primary structure and garage and any access to attic living space shall be directly accessible from the condition living area of the principal building only.” Mrs. Gallagher explained that there have been some garages built that are attached by a breezeway and the additional language is to prevent that from happening. This ordinance has been referred to the Planning Commission.

ORDINANCE NO. 86-22 **BY: JEANNE GALLAGHER**
AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER SECTION 1153.15(d) ENTITLED “DETACHED GARAGES”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A” REFERRED TO THE PLANNING COMMISSION

Mrs. Gallagher said that this ordinance is to amend Codified Ordinance Section 1153.15(d) of the Development Code entitled Accessory Uses in Structures. D. “Adding language to detached garages. A garage attached by a porch or a breezeway or other similar means of connecting one structure to another shall not for the purposes of this code be considered to constitute a party wall or common wall.” This is to deter large garages being built on the pretense of an attached garage when it is attached by a breezeway.

ORDINANCE NO. 87-22 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN CUYAHOGA COUNTY DIVISION OF CHILDREN & FAMILY SERVICES (“CCDCFS”) AND THE CITY OF ROCKY RIVER POLICE DEPARTMENT REGARDING REPORTING AND INVESTIGATIONS OF ABUSE AND NEGLECT, ATTACHED HERETO AS EXHIBIT A
2nd READING

Mr. Moran stated that this is the MOU for reporting investigation of abuse and neglect from the County. Mr. Hunt will report more on this at the next Legislative Meeting.

NEW BUSINESS:

ORDINANCE NO. 1-23 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF SEWER RATES PAID TO THE CITY OF LAKEWOOD FOR WASTEWATER TREATMENT SERVICES FOR THE VALLEYVIEW SEWER DISTRICT
1st READING

Mr. Moran stated that this is a yearly ordinance regarding the Valleyview District where the sewer flows into the City of Lakewood. It would be a costly remedy to reverse the flow back into the City of Rocky River. Instead, the city pays the City of Lakewood for approximately 102 houses at the rate of \$113.37 which includes \$15.70 along with a \$98.28 mcf millage. The rate increases every year for the residents of Lakewood and the Valleyview residents of Rocky River. The Valleyview residents pay the same as other Rocky River residents at \$38.00 mcf, and the City of Rocky River pays the balance.

ORDINANCE NO. 2-23 **BY: CHRISTINA MORRIS**
AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO APPROPRIATE FUNDING FOR SYSTEMS GROUP TECHNOLOGY, LLC, IN AN AMOUNT NOT TO EXCEED \$40,000.00, AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

The WWTP has been upgrading their supervisory control and data acquisitions software which enables the plant to be controlled from any computer in the network on the property. This has been done since 2018. The software needs to be upgraded due to new EPA regulations and before the start of the next clarifier project. This money has been appropriated but is needed sooner and has been approved by the WWTP Management Committee. Mr. Snyder added that this firm is used for the software at the pump stations at Riverdale and Falmouth. This is preventative so the city does not exceed the vendor limit.

ORDINANCE NO. 3-23

BY: JEANNE GALLAGHER

AN ORDINANCE AMENDING ROCKY RIVER CODIFIED ORDINANCES SECTION 1181.13 ENTITLED “LIGHTING REGULATIONS”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

1st READING

Mrs. Gallagher distributed to Council a brief summary of the proposed changes included in this ordinance. This is to amend section 1181.13 of the Development Code entitled Lighting Regulations to add and remove as indicated by the highlighted areas. Mrs. Gallagher moved to refer this ordinance to the Planning Commission, seconded by Mrs. Morris.

[illegible]

ORDINANCE NO. 4-23

BY: JEANNE GALLAGHER

AN ORDINANCE AMENDING VARIOUS SECTIONS OF ROCKY RIVER CODIFIED ORDINANCES CHAPTER 1351 ENTITLED “ARTIFICIAL LIGHTING DEVICES”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

1st READING

Mrs. Gallagher said this ordinance is to amend Sections of Chapter 1351 of the Codified Ordinance Building Code entitled Light Shield Required, specifically Section 1351.02 entitled use in residents or apartment districts, and Section 1351.03 entitled height restrictions installation and shielding to add and remove as indicated by the highlighted areas in the copies distributed. The reason for these various amendments is because the current code has been misinterpreted to mean that all light sources need to be shielded so that any light source cannot be seen from a distance. The light trespass code is enforced by using a light brightness measurement tool called a footcandle. A footcandle is a unit of measurement of one lumen per square foot. If a complaint is received, the Building Department visits the property and take a footcandle measurement at the property line. If it exceeds the one footcandle threshold, the property owner is directed to redirect or shield the light source. Shielding is not a required practice, but a method of correction. This new wording should correct any misinterpretations of the code.

MOTION:

As Mr. Sindelar arrived at 7:16 p.m., Mr. Moran moved, seconded by Mr. Shepherd and Mrs. Morris that the reading of the minutes of the Special Meeting of December 19th and the Committee-of-the-Whole Meeting minutes of December 19th be waived and that the minutes be accepted as submitted.

VOTE: Shepherd – aye Gallagher – abstain Morris – aye Sindelar – aye Moran - aye
4 ayes 1 abstain 0 nays **PASSED**

MISCELLANEOUS BUSINESS: Mr. Moran said that next Monday is a holiday honoring Martin Luther King. Council agreed that the next meeting will be held on Monday, January 23, 2023. January 30th will also be the Fifth Monday of the Month and there will not be a City Council Meeting that evening also.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:33 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council