

CITY OF ROCKY RIVER

June 24, 2024

The Legislative Meeting was called to order by Mr. Furry, President of Council, at 7:00 P.M. in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shipp, Mr. O'Boyle,
Mrs. Morris, Mr. Sindelar, Mr. Furry

Council Members Absent: Mrs. Gallagher

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

Law Director: Mr. O'Shea

The meeting was opened with a Pledge of Allegiance.

MOTION:

Moved by President Furry seconded by Mr. Hunt and Mrs. Morris that the reading of the minutes of the June 10th Legislative Meeting be waived and that the minutes be accepted as presented.

Vote:	Hunt – aye	Shipp – aye	O'Boyle – aye	
	Morris – aye	Sindelar – aye	Furry - aye	
	6 – ayes		0 - nays	PASSED

Moved by President Furry seconded by Mr. Hunt and Mrs. Morris that the reading of the minutes of the June 17th Committee-of-the-Whole Meeting be waived and that the minutes be accepted as corrected that Mr. Moran submitted the Cleveland Magazine Statistics that was distributed to Council last week.

Vote:	Hunt – aye	Shipp – aye	O'Boyle – aye	
	Morris – aye	Sindelar – aye	Furry - aye	
	6 – ayes		0 - nays	PASSED

MAYOR'S REPORT:

The Mayor thanked everyone who participated in the “Summer Nights Event Series” that was held yesterday. Everything went well with 210 individuals participating in the “Hilliard Hustle Race” including one race for kids and a separate adult race. There was great participation even though rain began at 2:00 p.m. as the event was starting. The Mayor appreciates the vendors that stayed and were a part of the afternoon. Many of these vendors will return along with new vendors in July and different attractions. The Recreation Department and Administration were happy with the turn-out. A big thank you to the Recreation Department.

The Mayor mentioned that Habitat for Humanity was on City Hall Campus this Saturday. These collections are held usually twice a year. Saturday had twenty-four donors with high quality donations. Habitat for Humanity is very appreciative that they are allowed to set up and of the generosity and thoughtfulness of the residents.

The Mayor announced that mid-year Budget Meetings are scheduled. This is a big part of the Budget process where the past six months is discussed along with the next six months which is the first opportunity to discuss the 2025 Budget. Thank you, Director Thomas.

The Mayor discussed cyber security in the City due to the shut down that was experienced in the City of Cleveland. The Mayor met with IT Director Ricky Bycoskie today to confirm the IT processes of the City of Rocky River. The City of Rocky River's system is backed up daily to the WasteWater Treatment Plant. If the city was to experience a cyber-attack, it would only lose one day of transactions which would be simple to reestablish. Every Friday, on a weekly basis, the system is backed up and monthly everything is backed up on a separate server. There is a great deal of software in the system to protect infected incoming emails and scams. The city also has cyber insurance. The IT Department communicates to the staff and City Council regularly regarding scam emails.

The Rocky River Parks and Recreation Foundation is promoting a "Scavenger Hunt" which includes looking for big dinosaurs in several locations and parks in the city. A clue sheet can be picked up in the lobby of the Recreation Department. Mr. Mark Bacon, who is very active in the Rocky River Rotary and many other Civic Organizations, built the dinosaurs.

The Mayor talked about the accident that occurred last Wednesday on June 19th. One of the electricians, Mr. Randy Snell, was working on the roof of the Firing Range, fell off and unfortunately succumbed to his injuries and passed away. The Mayor thanked the Rocky River Police Department and EMS, the Medical Examiner's Office, the Coroner's Office and OSHA for all their assistance. It was Juneteenth and the activity around City Hall was less than normal. On Friday night, the Mayor and Director Snyder met with the family and expressed our sympathy. Rocky River Police Sergeant Blazer was there with the family as well. The Mayor said she has never met a family so filled with grace and love for their husband and father. They were incredible. The Mayor said unfortunately, many of the staff had not met him and the Mayor asked the family to tell her a little about him. One of the TV Channels noted that he was a man from Alabama and his wife said "Mayor, he was so much more than a man from Alabama". The Mayor saw photographs, text messages, testimonials and emails about a man that lived a life of love, compassion and service. He was very active in his small community about 150 miles outside of Birmingham. Mr. Snell helped people traverse sobriety. He was always there with a helping hand, providing resources for people that need them to get themselves up on their feet. He was thoughtful, as today is his wife's birthday and he had already sent her birthday gifts. He had also sent his grandsons Spider Man items from his trip to Cleveland. He made every person feel special, unique and loved. His commitment to serving others was at his core. The Mayor wrote to them today as the family has been communicating ever since the accident and the Mayor wrote that all the Administration and City Council are all servants and we understand the kindness and the compassion and the respect that he had for others and the city embraces that. It is an important reminder to all of us. He also served in the United States Army for six years. He was a softball coach for his daughter who is a great softball player. He loved unconditionally and freely. The Mayor promised the family that he would not just be the "Man from Alabama". Mr. Snell will be missed by many. He was an incredible blessing to his family and community. The Mayor is humbled to be able to talk about him and remember him. It's been a tough few days and the Mayor appreciates that the family shared so freely and so lovingly.

LAW DEPARTMENT: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 29-24

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC., FOR THE KENSINGTON ROAD IMPROVEMENT PROJECT AT A COST NOT TO EXCEED \$1,609,441.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Sindelar said this has been discussed for a number of weeks and there have been little to no questions regarding this ordinance. Mr. Sindelar moved this ordinance for passage, seconded by Mr. Furry.

Vote: Hunt – aye
Morris – aye
6 – ayes

Shipp – aye
Sindelar – aye

O’Boyle – aye
Furry - aye
0 - nays

PASSED

RESOLUTION NO. 30-24

BY: ALL COUNCIL MEMBERS

A RESOLUTION ESTABLISHING THAT ROCKY RIVER CITY COUNCIL SHALL RECESS DURING THE MONTH OF AUGUST IN 2024

2nd READING

Mr. Furry said that historically City Council has taken recess during the month of August. There are sometimes emergency occasions that Council would need to meet before August, but if not, they will recess during the month of August. President Furry also reminded Council that Council Hot Dog Day is August 4th.

ORDINANCE NO. 31-24

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF SEWER RATES PAID TO THE CITY OF LAKEWOOD FOR WASTEWATER TREATMENT SERVICES FOR THE VALLEYVIEW SEWER DISTRICT

2nd READING

Mr. Furry said that the City of Lakewood has been treating sanitary sewage in the ValleyView Sewer District since 1956. It is more cost effective to send it to Lakewood. It comprises approximately 102 single family homes. Lakewood sewer rates are higher than the City of Rocky River, so the City of Rocky River subsidizes these rates and all Rocky River residents pay the same mcf.

ORDINANCE NO. 32-24

BY: MICHAEL O’BOYLE

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP REFERENCED WITHIN PART ELEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER CONCERNING LAND USE PLANNING AND ZONING AND FURTHER KNOWN AS THE DEVELOPMENT CODE
ON HOLD

Mr. O’Boyle said this is an ordinance to amend the official Zoning Map. This has been referred to the Planning Commission and is currently on hold.

ORDINANCE NO. 33-24

BY: JEANNE GALLAGHER

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE A BOILER FOR THE DON UMERLEY CIVIC CENTER FROM S. A. COMUNALE AT A COST NOT TO EXCEED \$157,220.00, AS FURTHER DESCRIBED IN EXHIBIT “A”

2nd READING

Mr. Furry said this ordinance is to purchase two boilers at a cost not to exceed \$157,220. The city received a few different bids and the city is going with not the lowest but the best bid. C. D. Whitfield had poor references on timing and quality of workmanship. There was an error in the ordinance stating the purchase was for one boiler but it is for the purchase of two boilers. Mr. Furry moved to amend Ordinance No. 33-24 to change it from one boiler to two boilers being purchased, seconded by Mrs. Morris.

Vote: Hunt – aye
Morris – aye
6 – ayes

Shipp – aye
Sindelar – aye

O’Boyle – aye
Furry - aye
0 - nays

PASSED

AMENDED ORDINANCE NO. 33-24

BY: JEANNE GALLAGHER

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE TWO (2) BOILERS FOR THE DON UMERLEY CIVIC CENTER

FROM S. A. COMUNALE AT A COST NOT TO EXCEED \$157,220.00, AS FURTHER DESCRIBED IN EXHIBIT "A"
2nd READING

President Furry said Mrs. Gallagher will discuss this more at next week's meeting.

RESOLUTION NO. 34-24 **BY: DAVID W. FURRY**
A RESOLUTION OF THE CITY OF ROCKY RIVER, STATE OF OHIO, SUPPORTING THE OHIO COMMISSION FOR THE UNITED STATES SEMIQUINCENTENNIAL (AMERICA250-OH)
2nd READING

Mr. Furry said the Mayor discussed this a few weeks ago and thanks to Director Kerber for commemorating the Semiquincentennial. As the time gets closer, more information will follow.

RESOLUTION NO. 35-24 **BY: DAVID W. FURRY**
A RESOLUTION ACCEPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF ROCKY RIVER, OHIO FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2025 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
2nd READING

Mr. Furry said this is a very brief first pass of the 2025 Budget in a summary and required form. It is based on information by making projections using what if scenarios but also includes known costs that will be part of the 2025 Budget. It is not the final budget that Council will be addressing in December 2024 and as the Mayor mentioned, she is starting to work on the 2025 Budget.

RESOLUTION NO. 36-24 **BY: DAVID W. FURRY**
A RESOLUTION ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE CUYAHOGA COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE CUYAHOGA COUNTY FISCAL OFFICER
2nd READING

Mr. Furry said this is a companion piece to Resolution No. 35-24 and is another step in the 2025 Budget process. Resolution No. 36-24 authorizes the levying of property tax millage. The total city millage will be set at 9.9 mills which is a reduction of .65 mills from the current 10.55 mills. This reduction is from the Civic Center Bonds being retired. Other city activities included in the millage figure is the Senior Center, Refuse and Recycling, the Recreation Center, Fire Pension, Police Pension and Capital Improvements.

NEW BUSINESS:

RESOLUTION NO. 37-24 **BY: DAVID W. FURRY**
A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2024 PURSUANT TO THE OHIO REVISED CODE
1st READING

Mr. Furry said this resolution is requesting that Cuyahoga County Fiscal Officer advance property taxes collected from the various city levies to the city prior to the final reconciliation settlement and disbursement. By making this request the city will receive the 2024 Property Taxes for the first half collection cycle by mid-January and a second payment in February instead of waiting until the final reconciliation disbursement. The city is basically asking for their own money earlier.

RESOLUTION NO. 38-24 **BY: DAVID W. FURRY**

A RESOLUTION AUTHORIZING THE CERTIFICATION OF DELINQUENT SANITARY SEWER ACCOUNTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION, IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

1st READING

Mr. Furry stated that this is an annual housekeeping issue. It is to certify special assessments to the County Fiscal Officer for unpaid balances due on sanitary sewer accounts as of December 31, 2023. These charges have been billed throughout 2023 and in March and June 2024 and represent unpaid usage charges and accrued penalties. The attached exhibit is expected to be amended at the July 22nd Legislative Meeting. Historically, there is probably a 30% drop in accounts and a little bit less than that equal with dollar amounts received. Residents are receiving notice to either pay it or it will be attached to their taxes. The County adds a 1% fee to the assessment which is retained by the County.

ORDINANCE NO. 39-24

BY: CHRISTINA MORRIS

AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) IDENTICAL WESTECH DIGESTER MIXER FROM BISSNUSS INC. FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$165,000
1st READING

Mrs. Morris stated that the WWTP needs a new digester mixer. Councilwoman Morris forwarded photos of a digester to City Council. It is a mixer and it goes into the digester and mixes it up so it processes waste faster. Currently there are four mixers that have a life span each of four years before needing to be rebuilt. The WWTP schedules to rebuild one every two years. This one is overdue, but at its last inspection it was doing well. It is now showing signs of age. The lead times are too long to rebuild, currently at 3-4 months versus 2-3 weeks which it has been in the past. With the new mixer the WWTP will pull out the one that is being replaced and rebuild if possible, keeping it on the shelf as a backup. The lead time to purchase is 34 weeks and Superintendent Barille feels the current one will last that long. The mixer is a custom and sole source purchase. It is a unique item. It is purchased from Bissnuss and manufactured by WesTech and will cost \$155,000 with a padding of \$10,000 for installation and set up if needed. There is no impact on the budget as there was money to cover this.

ORDINANCE NO. 40-24

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH COLE EXCAVATING, LLC. FOR THE 2024 STORM SEWER OUTFALL REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$314,715.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
POSTPONED INDEFINITELY

Mr. Sindelar said there is a slight change to this ordinance. The city received only two bids for this contract and they were diametrically different. It indicates some confusion and the city would like to redo the description of what is needed. Mr. Sindelar moved to postpone this indefinitely, seconded by Mr. Furry.

Vote:	Hunt – aye	Shipp – aye	O’Boyle – aye
	Morris – aye	Sindelar – aye	Furry - aye
	6 – ayes		0 - nays

PASSED

ORDINANCE NO. 41-24

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH ANGELO BENEDETTI, INC. FOR THE 2024 ASPHALT SURFACE RECYCLING PROJECT IN AN AMOUNT NOT TO EXCEED \$126,874.50, AS FURTHER DESCRIBED IN EXHIBIT “A”
1st READING

Mr. Sindelar will hold discussion until next week's Committee-of-the-Whole Meeting. Mr. Sindelar asked Director Snyder if this process had been done before. Director Snyder said this method was used on Dorothy and Beaconsfield. The city received mixed results that he took back to Benedetti, Inc. They told Director Snyder that the Chemical Company that created the binding agent had an issue with the product and it has since been worked out. Benedetti, Inc. will resurface Dorothy completely again this year at no cost to the city. Mr. Sindelar noted that Benedetti, Inc. is one of the only companies that does this.

ORDINANCE NO. 42-24

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR THE SENIOR CENTER ADDITION CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES IN AN AMOUNT NOT TO EXCEED \$316,370.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Sindelar will hold discussion until next week's Committee-of-the-Whole Meeting but said it is nice to see that the city is getting closer to the actual project now.

ORDINANCE NO. 43-24

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC. FOR THE 2024 STREET REPAIR PROGRAM PHASE II AT A COST NOT TO EXCEED \$440,750.25, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Sindelar said this is a continuing ongoing effort for infrastructure in a quality city with the best streets in Cuyahoga County if not the state. The city is continuing that trend.

COMMITTEE REPORTS: NONE

COMMUNICATIONS: NONE

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: Mark Szabo, 18510 Hilliard Blvd., Apt. 308, addressed Council regarding the fact that Fairview Park, Lakewood and Cleveland Heights have all passed resolutions opposing House Bill 68. House Bill 68 denies gender affirming care to transgender youth. Mark said this goes against the Ohio Constitution because in 2011 the state passed a Constitutional Amendment that says "No Federal State or Local Law or Rule shall prohibit the purchase or sale of healthcare or health insurance. No Federal State or Local Law or Rule shall impose a penalty or fine for the sale or purchase of healthcare or health insurance". Gender affirming care is important. Every major credible medical institution has ruled and said that gender affirming care is the best practice for providing care for transgender youth. Mark is urging Council to pass a resolution that coincides with what Lakewood, Fairview and Cleveland Heights have passed opposing House Bill 68. Thank you.

As there was no further business by members of Council, the Legislative Meeting was adjourned at 7:35 p.m.

David W. Furry
President of Council

Susan G. Pease
Clerk of Council