

CITY OF ROCKY RIVER

October 28, 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, Mrs. Gallagher, Mr. O'Boyle,
Mrs. Morris, Mr. Sindelar, Mr. Furry

Council Members Absent: Mr. Shipp

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 Mrs. Gallagher that the reading of the minutes of the October 21st Special Meeting and Committee-of-the-Whole Meeting be waived and that the minutes be accepted as presented.

Vote:	Hunt – aye	Gallagher – aye	O'Boyle – aye	
	Morris – aye	Sindelar – abstain	Furry - aye	
	5 – ayes	1 – abstain	0 - nays	PASSED

MAYOR'S REPORT:

The Mayor announced that the results of the WWTP Sewer Flow and Strength Study have been completed and given to each community. The City of Rocky River's percentage has risen slightly from 22.89% to 23.4%. This is a percentage of a whole and the whole is important because in terms of the contribution of flow to the plant, the city wants that reduced. The flow from the collection system to the plant was down about 2.5 MGD. The percentage is a percentage of a lesser amount which speaks to all the investment that each of the communities has made in the collection system. The Mayor thanked all of Council for their support on a very aggressive sewer plan that Director Snyder has been leading for some time and began approximately 17 years ago. The City of Bay Village's percentage decreased considerably with a lot of evaluation of that, specifically the egg shape sewer that comes in from Bay Village. The City of Fairview Park increased slightly and the City of Westlake increased considerably, going from 33.3% to 36.4%. The results of this study will set the percentages for the next four years. If any community was not in agreement with the numbers, the way the formula was applied or the rain gauges, they have the option to replicate the study at their expense. Everyone agreed that the study was done well. Thank you to Superintendent Barille and Director Snyder for their part in the study.

The Mayor said that the bids for the Senior Center Construction Project came in a week ago Friday. They continue to be evaluated and reviewed. There was a meeting today with the apparent low bidder so legislation will be coming to City Council along with several other pieces of legislation from the Finance Department, in this week's packet.

The Mayor announced that staff members from the Northeast Regional Sewer District will be visiting the city. The Mayor said this is a huge compliment and a feather in Director Snyder's cap. They will be here to discuss the Dye Testing Program and I/I Elimination. The Northeast Regional Sewer District has 50+ communities and for them to

be looking at this city's Private Dye Testing and I/I Program is huge. This program could potentially be replicated throughout the WestShore and even into the Northeast Regional Sewer District footprint.

The City of Rocky River held a Stakeholder Meeting for the Rocky River Park Master Plan. Thank you to Councilwomen Morris and Gallagher and Councilman Hunt for joining in the meeting. The group consisted of about twenty-five residents. There will be an opportunity for more residents to comment as a recorded presentation will be uploaded to the city's website and comments regarding the presentation will be funneled to Director Kathryn Kerber of Community Development. After the meeting SmithGroup commented that they appreciated the thoughtfulness and the engagement of the residents. There were a lot of comments with insight from people who visit and utilize the park often. SmithGroup is taking all that information with a theme emerging regarding stormwater management, erosion control, accessibility and some of the other things that were discussed. The next recorded stakeholder presentation will be on this preferred approach and will have people react to the ideas spoken about at the first meeting to move the process along. The city has heard from residents who were not able to make it. Director Kerber has met with them or has set up an appointment time to meet. Thank you to those that attended.

The Mayor said that the city has grant funded shredding opportunities for city residents twice a year. Somewhere between 250 and 275 cars came through City Hall parking lot this Saturday dropping off 4,160 pounds of paper that was shredded and recycled. Director Snyder added that in the spring the shredding event is even larger with almost 7,000 pounds of material shredded. It is incredible to have all of this removed from the waste stream, put to good use and the city is not paying for it.

The Mayor attended the Meals on Wheels Volunteer Recognition Luncheon last week. Meals on Wheels does incredible work delivering just short of 25,000 meals to individuals in the WestShore communities. Good Soil Lutheran Church hosts Meals on Wheels. It is not just the delivery of meals every week, but touching base with these residents which is so important. Meals on Wheels also works with the Senior Center and the social workers. Many families engage with Meals on Wheels to provide healthy home cooked meals for their loved ones. It is a very important service that the city has and they are to be commended. The Mayor was very pleased to be invited to the luncheon. Meals on Wheels is on path to exceed 25,000 meal deliveries this year.

During the week of November 11th and the week of November 18th, the Private Tree Planting Program will commence along with the Tree Lawn Planting Program. They will run simultaneously.

Trick or Treat is this Thursday and hopefully the weather will be better than predicted. Trick or Treat will run between 6:00 - 8:00 p.m. The Lakeview bridge over I-90 will be open for pedestrian traffic that evening. The completion date for the bridge is set for November 8th. Director Snyder has spoken with the other contractors to prepare their construction sites for Halloween.

The Craft and Quilt Show is this weekend, Friday and Saturday at the Senior Center. In addition, there will also be a variety of entertainment provided.

The Mayor said that Election Day is Tuesday, November 5th. The Polls will be open from 6:30 a.m. to 7:30 p.m. at the following election site locations:

Rocky River Civic Center will host seven precincts;
Rocky River Presbyterian Church will host four precincts which is located on Detroit Road;
Rocky River United Methodist Church will host five precincts also located on Detroit Road.

The Mayor also reminds residents that early voting will run through this Sunday, November 3rd and vote by mail ends tomorrow, Tuesday, October 29th by 8:30 p.m.

The Mayor addressed the members of Bike Rocky River and the Green Team's Efforts for Safe Streets audience regarding their message that she received. Mrs. Umerley is setting up a meeting with members of both groups along

with O.H.M., Director Snyder, Director Kerber and herself. O.H.M. has information to share from the work they have been doing and the Mayor would also like them to hear the results of the Bike Rocky River and Green Team's survey.

LAW DEPARTMENT: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 64-24

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING PARTICIPATION IN THE HERITAGE HOME LOAN PROGRAM WITH THE CLEVELAND RESTORATION SOCIETY, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Furry said this ordinance is for participation in the Heritage Home Loan Program. The city was in this program years ago but it was shelved due to low participation. Currently there is more interest from residents. A little over 5,200 homes qualify for this program and it is not a major expenditure for the city. This Program did not need Council approval, but in the interest of full disclosure it is in front of Council. This is a one-year agreement that can be terminated with thirty days written notice to either party. This program will commence on January 1st, 2025. Mr. Furry asked for passage of Ordinance No. 64-24, seconded by Mr. Sindelar and Mrs. Morris.

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

PASSED

AMENDED ORDINANCE NO. 65-24

BY: PAUL SHIPP

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SMITHGROUP, FOR THE BRADSTREET'S LANDING SPENCER CREEK STREAM RESTORATION TASKS TWO THROUGH FOUR IN AN AMOUNT NOT TO EXCEED \$75,000.00 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Furry said that this has been discussed several times. It is for the Spencer Creek Stream Restoration. Four bids were received and SmithGroup was evaluated to be the best. There has not been a lot of discussion on this so Mr. Furry would like to seek passage on Amended Ordinance No. 65-24, seconded by Mr. Sindelar.

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

PASSED

ORDINANCE NO. 66-24

BY: BRIAN J. SINDELAR

AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC OPT-IN GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN OPT-IN GAS AGGREGATION PROGRAM AS A NOPEC MEMBER

2nd READING

Mr. Sindelar does not have much more to say than what the title just said. The title speaks for itself. This will have one more read and he will then seek passage.

ORDINANCE NO. 67-24

BY: BRIAN J. SINDELAR

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ESTABLISH AN OPT-IN NATURAL GAS PROGRAM PURSUANT TO SELECTION 4929.27(A)(1), OHIO REVISED CODE, JOINTLY THROUGH NOPEC AS A NOPEC MEMBER

2nd READING

Mr. Sindelar said that as the title states it is in accordance with the Ohio Revised Codes, State Law. This ordinance is authorizing that the city takes all the necessary steps to comply, which is the logical conclusion to this entire program for NOPEC. This will have one more discussion and one more read and Mr. Sindelar will then seek passage.

- Mrs. Morris asked when the NOPEC meetings will be held. The meetings will be held on November 6th in Council Chambers from 12:00-1:00 p.m. and 5:00-6:00 p.m.

ORDINANCE NO. 69-24

BY: PAUL SHIPP

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH REDCON, LLC FOR THE ELMWOOD PARK BALLFIELD FENCING AT A COST NOT TO EXCEED \$219,925.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Furry said this has been discussed several times. Three vendors were solicited but only one made a proposal on it and provided an alternative of a black vinyl coated system which would have increased the cost to nearly \$67,000 but could also possibly reduce the life span. They went with the chain link fencing which is in dire need at Elmwood Park.

ORDINANCE NO. 70-24

BY: PAUL SHIPP

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH NORTHEAST OHIO TRENCHING SERVICES, INC., FOR THE BRADSTREET'S LANDING RESTROOM IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$391,000.00, INCLUDING A CONTINGENCY AMOUNT OF \$35,000.00 FOR A TOTAL OF \$426,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Furry said that Councilman Shipp circulated the bathroom schematics and construction on the restroom improvements at Bradstreet's Landing last week. This will have one more read.

ORDINANCE NO. 71-24

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH RFC CONTRACTING, LLC. FOR OWNER'S REPRESENTATIVE SERVICES FOR THE FIRE STATION IN AN AMOUNT NOT TO EXCEED \$163,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Hunt said this was read for the first time last week and discussed briefly. This ordinance will authorize the Mayor to enter a contract with RFC Contracting, LLC. to engage in the Owners Representative Services for construction of the new fire station. There were six proposals received. RFC Contracting was the best and had the most significant experience as an owner's representative specifically with projects involving fire stations. Currently they are serving as owner's rep for the City of Strongsville Town Center Project, the Euclid Library renovation project, the Westlake Public Library renovation project and the Norwalk Public Library project. RFC Contracting has good recommendations and their proposals were scored by Chief Lenart, Building Commissioner Ray Reich, Director Balla and Director Snyder based upon various criteria. It was determined that they were the best to complete the task at hand. RFC will assist with multiple aspects of the fire station from development through construction. There were no findings in the search of the Auditor's Recovery Database. This will be discussed one more time and then a final read.

NEW BUSINESS:

ORDINANCE NO. 72-24**BY: CHRISTINA MORRIS**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH AECOM TECHNICAL SERVICES FOR FIELD WORK AND HYDRAULIC MODELING OF THE INGERSOLL DRIVE-SMITH COURT SANITARY SEWERSHED IN AN AMOUNT NOT TO EXCEED \$35,600.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

Mrs. Morris said this is a request to enter a contract with AECOM Technical Services for field work and hydraulic modeling to better understand the input and impact of Inflow and Infiltration (I/I) of stormwater into the sanitary sewer on Smith Court and Ingersoll Drive.

The area of Smith Court and Ingersoll Drive is a convergence of sanitary sewers for many of the properties south of the railroad tracks to I-90 and between Lakeview Ave and Wooster Rd. While diagnosing issues pertaining to sanitary backup earlier this year, we identified significant levels of wet weather flow in the sanitary main on Ingersoll Drive, which is indicative of high I/I. Additionally, we have observed a sanitary manhole cover on Smith Court lifted during heavy rain events.

The proposal by AECOM includes using flow meter data (for meters currently in place) plus additional information previously compiled, such as sewer plans and previous modeling to evaluate the current capacity and flow in the sewers. They will create a model to demonstrate how rain events of different strengths affect (and potentially contribute to sewer backups) currently and the impact if development takes place on Ingersoll Drive. Finally, they will evaluate the feasibility of a sanitary relief sewer on the south side of the railroad tracks and how that may benefit all properties upstream.

AECOM has worked closely with the City of Rocky River with our Private I/I program, for the past four years and completed the 2012 Sanitary Sewer Evaluation Study (SSES). Per Mr. Snyder, they have always provided excellent communication and a high level of service.

ORDINANCE NO. 73-24**BY: DAVID W. FURRY**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER A REIMBURSEMENT FOR PHASE ONE OF THE 2020 ROCKY RIVER SEWER AND WATER MAIN PROJECT FOR MOREWOOD PARKWAY IN THE AMOUNT OF \$108,790.56

1st READING

Mr. Furry said that this is an ordinance authorizing the Finance Director to reimburse the City of Cleveland \$108,790.56. Of this figure \$89,571.83 was for construction costs and \$19,218.73 was construction admin costs. This was Phase I of the Sewer and Watermain Project for Morewood Parkway. The city is just returning the City of Cleveland's water money with hopes that they will continue to give the city more in the future. This will have three full reads.

- Mrs. Gallagher asked if there is more than one phase on Morewood Parkway. Director Snyder said there will be an additional reimbursement for Oak and Collver. Originally it was one but was broken into two phases. There is a small reimbursement for Oak and Collver. The Mayor explained that the City of Cleveland Division of Water provides the city with a check upfront and they are always pleased when there is money returned.

RESOLUTION NO. 74-24**BY: BRIAN J. SINDELAR**

A RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO ACCEPT AND ADMINISTER FUNDS FOR THE RESURFACING OF A PORTION OF WAGAR ROAD WITHIN

THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Mr. Sindelar said that as the title states, this is a resolution authorizing acceptance of money. He does not think that anyone would not be in favor of receiving money. The portion of Wagar is defined as Detroit to Hilliard Blvd. Mr. Sindelar said it is great to receive money but it is tax money paid by residents being returned to the city.

ORDINANCE NO. 75-24

BY: CHRISTINA MORRIS

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 \$2.16 PER GALLON FOR ONE (1) YEAR AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Mrs. Morris said this is a yearly ordinance that WWTP needs to purchase sodium hypochlorite and this is a lower price than last year. It is a 17% drop in price. Superintendent Barille believes the drop in price is because the supply lines have been returning to normal since COVID. Mrs. Morris said this will have three full reads.

MISCELLANEOUS BUSINESS: NONE

COMMITTEE REPORTS: FINANCE COMMITTEE: Mr. Furry said that the Budget Review form was distributed and the schedule for December 6th is being finalized. If a Director would like to use their own form, that is fine.

COMMUNICATIONS: Mr. Sindelar said that tomorrow evening, the RRHS Girls Soccer Team will be playing in Coshocton at 7:00 p.m. The RRHS Girls Soccer Team will continue their undefeated season in the playoffs. They won the District Championship on Saturday. City Council and the Administration wish them well.

President Furry said the per the Charter, City Council needs to meet twice a month which is generally the second and fourth Monday of the month. On November 11th, Veteran’s Day, there will not be a meeting. There will be a Special Meeting on November 4th and a Special Meeting on November 18th. There will not be a meeting on the Monday before Thanksgiving.

Additionally, President Furry noted that this Saturday clocks are turned back an hour.

PUBLIC COMMENT: Therese Whitmore, 1889 Hampton Road, which is the house that had the house fire. She has lived in her home for 25 years and raised eight children and absolutely loves the neighborhood. Mrs. Whitmore is a full time OBGYN Nurse Practitioner at the Cleveland Clinic and active parishioners at St. Angela’s. She is here to bring to Council’s attention an issue of traffic safety on her street. This concerns the northwest corner of Wooster and Riverwood Avenue. When trying to pull out of her street, it is like a deathtrap due to embedded parking spaces on the west side of Wooster. One cannot safely pull out and see the traffic flow. It is a nightmare waiting to happen. She has complained previously and it has fallen on deaf ears. Councilwoman Gallagher encouraged Mrs. Whitmore to attend this evening’s meeting. She does not have statistics on any major auto accidents or injuries, but she ventures to say there has been some. Her plea is to reduce or eliminate these three to four parking spaces that pose a safety threat to traffic. There is already a side lot, a back lot and street parking on Riverwood.

- The Mayor will ask the Chief about any accidents. The Mayor asked Mrs. Whitmore if she would drive to the light at Shoreland to turn onto Wooster. Mrs. Whitmore has but it is inconvenient. All her children have discussed the danger. The Mayor said the city will look at it. Thank you for bringing it to her attention.

Mr. Nolan Andersky, 18850 East Shoreland Ave. is here representing many of his neighbors. His family moved to Rocky River from the City of Cleveland on Bridge Avenue and Gordon Square. They were expecting a calm, family friendly, dog friendly neighborhood. For the past two years, he has seen people speed down their road while children play, elderly people enjoy the sidewalks, while dogs and family walk et cetera. This is often paired with a car zooming by. East Shoreland must be one of the longest, continuous residential streets in Rocky River with no stop signs, stop lights or any ways to break or slow traffic. In May of 2023, he reached out to Ms. Gallagher who was very responsive and connected him to Safety Director Snyder and Chief Lichman. They were instrumental in putting a speed sign on East Shoreland where data was collected over several months. When the study concluded, the average speed down East Shoreland was 29 mph which means that more than half of the drivers are going over 29 mph. This is scary and alarming for residents. Speed has been a constant and consistent issue. When you think of a tragedy that can and has occurred in some neighborhoods because of speeding, it is saddening and disheartening. He shares the same sentiment with everyone in this room, that we want the community to remain safe for all. He is extremely passionate about this topic and he is here tonight after the signs do not seem to be slowing people down and after witnessing countless times a group of teenagers over the last few weeks, using the street as a drag strip. Mr. Andersky has a video that he can send. They are not the only ones that speed. Amazon trucks, other community members use the street as a cut through and landscaping trucks. The drag racing with teenagers hitting highway speeds, created an extreme safety hazard for children, elderly and everyone in between. If they lost control, someone would be seriously injured or worse. He firmly believes the community wants to and can do better to slow drivers down. Councilman Shipp has noted his passion and hope for a citywide speed calming plan. He is asking how soon these physical measures can be implemented. Speed signs do not slow anyone down. Speed tables are needed and have been proven to work in Cleveland, Lakewood and Berea. Rocky River is consistently one of the best suburbs in Cleveland if not number one, so he asks why the city is behind these other communities in their speed reduction efforts. Mr. Andersky has a petition with fifteen household signatures from people that share the same passion and concern.

- The Mayor said that she heard from one of his neighbors, Mr. Fritz and read the email. Chief Lichman said that when he received his email, he sent instructions to the day shift supervisors to have a police officer on East Shoreland a few minutes before and after 2:00 p.m. The supervisor included the information in the morning roll call and the high school Resource Officer immediately recognized the vehicles. The SRO spoke with the students of those vehicles and followed up with their parents making a record of the conversation. If the police recognize or are aware of any other traffic violations by these students, they will be fully cited. They have also instructed the day shift supervisors to have officers there to conduct traffic details regularly, especially in the afternoons during the week. East Shoreland has been a street that the police have been working on regarding traffic calming measures with radar being placed there between July and August. For thirty-three days, the speed limit posted is 25 mph and the average speed was 23.19 mph. The 50th percentile was 24.38 mph and the 85th percentile was 28 mph. The pace speed range was 20-30 with an average volume per day at 462 cars. The Mayor said that if there is one car that goes over that, it is concerning enough. Finally, there have been some Facebook messages that residents have stated they have called the police station, but the Chief and Safety Service Director have not been unaware of any phone calls. Mr. Fritz reported back to the Chief that things have improved greatly.

Mr. Andersky wants to slow everyone down. The Mayor said the Safety Service Director has reached out to NOACA, regarding their street supply program and they will allow the city to put on speed humps with several features to be tested and see how effective they are. Director Snyder said that East Shoreland was one of the streets he was looking to utilize as a pilot program for speed tables. NOACA has speed humps which are not as ideal. He continues to look for speed tables to incorporate on three streets that he has already outlined. As the Mayor mentioned, Director Snyder has been working with the Police Chief on a neighborhood traffic calming program with a set protocol that can be initiated community wide like the City of Lakewood.

Mr. Tim Furey, 19605 Beachcliff Blvd. is a member of the Rocky River Green Team and Bike Rocky River. They are a grassroots organization trying to support safe streets for all. They are trying to support alternatives to

cars on the streets. They are also very much in favor of slowing down traffic. The have talked about speed tables, speed bumps/humps. They have seen other cities use these frequently and they work. The traffic does slow down. He encourages the city to look at these alternatives to slow drivers down. The city has unique opportunities coming up with the Clifton Blvd. Project and further down the road, the Hilliard Bridge upgrade to make some difference in the city from a livability standpoint. If you compare Rocky River to Bay Village, Lakewood, Westlake and even the City of Cleveland, Rocky River falls way behind in terms of safety on the streets for pedestrians, walkers, runners, bikers, et cetera. There is no comparison to our neighboring cities. That is why he is here today to continue to push for development of safer streets.

The Mayor said that her office will be in touch regarding a meeting with O.H.M. The Mayor added that O.H.M. worked with the city on the Clifton/Lake Project as was Lakewood and now they are looking at Lake Road and Hilliard Blvd. as well as things for the Hilliard Bridge. That project will not commence for several years. I-90 needs to be finished before the Hilliard Bridge Project begins.

Mr. Furry moved to adjourn this evening’s meeting, seconded by Mr. O’Boyle.

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

The Legislative Meeting was adjourned at 7:50 p.m.

David W. Furry
President of Council

Susan G. Pease
Clerk of Council