

CITY OF ROCKY RIVER

September 6, 2016

The Special Meeting of Council was called to order by Mr. Moran, President of Council, at 8:00 p.m. in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. O'Donnell, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Administration: Mayor Bobst, Mrs. Costello

Law Director: Mr. Bemer

Press: Ms. Botos

The meeting was opened with the Pledge of Allegiance.

The Special Meeting this evening is in regards to Ordinance No. 39-16, Resolution No. 41-16 and Ordinances No. 42-16, 43-16 and 44-16.

AUDIENCE PARTICIPATION: NONE

ORDINANCE NO. 39-16

BY: THOMAS J. HUNT

AN ORDINANCE REVISING ROCKY RIVER CODIFIED ORDINANCE SECTION 1123.02 CONCERNING USES AND DEFINITIONS TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MARIJUANA FOR THE PURPOSE OF MEDICAL USE IN ALL ZONING DISTRICTS OF THE CITY OF ROCKY RIVER AND DECLARE AN EMERGENCY
2ND READING

Moved by Mr. Hunt, seconded by Mr. O'Donnell, that the rule requiring that Resolution No. 39-16 be read on three separate days be suspended, and that Ordinance No. 39-16 be placed upon passage based on the fact that on September 8th, the Ohio bill will go into effect with regard to the medical marijuana issue in the state. The city wants to have an ordinance in place by the time this takes effect. Mr. Hunt said that there are other cities that are following suit or are in the process of or have already entered into moratoriums or bans. The City of Lakewood has passed a 6-month moratorium so there is some precedent in getting out in front of this issue.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

Mr. Hunt moved for passage of Ordinance No. 39-16 seconded by Mr. Furry. Mr. Hunt said that Council has had the opportunity to look at this ordinance over the last few weeks. Based upon the reasoning in the above statements along with the communication and the recommendation

Council received from Special Agent Jeff Capretto of the Westshore Enforcement Bureau and the concerns the police and safety forces have in regard to the medical marijuana issue, Mr. Hunt feels this should be passed.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

RESOLUTION NO. 41-16

BY: JAMES W. MORAN

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 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

1ST READING

President Moran said that this resolution is the next step for City Council in the 2017 budget process. This is similar to what has happened in the past with one small change. The General Fund is at 6.3 mills and the other activities are at 10.8. Last year it was at 10.9 and the difference is the Bond Retirement of .9 mills. This has to do with the amount of taxes that is generated from property taxes. The city is receiving more taxes so it can be funded from there. The other mills are the Senior Center, Refuse and Recycling and Recreation, which have all been voted on in the past and continue to stay at .5, 1.0 and .5. This needs to be turned in by September 30th so with the special reading this evening, Council will have the opportunity to have this completed before the end of September.

ORDINANCE NO. 42-16

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AMENDING SECTION 139.01 OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER REGARDING THE POLICE DIVISION AND ENTITLED “COMPOSITION”, AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

1ST READING

The subject matter of 139.01 of the Codified Ordinances deals with the composition of the police department. There is a companion piece of legislation this evening sponsored by Mr. Moran, Ordinance No. 43-16, which would allow for the creation of a full-time dispatch position. The composition as it stands right now has not been updated. The changes being considered would essentially be housekeeping. The city has been acting with these changes for some time. Moved by Mr. Hunt, seconded by Mr. Klym, that the rule requiring that Ordinance No. 42-16 be read on three separate days be suspended, and that Ordinance No. 42-16 be placed upon passage.

- Mr. O'Donnell asked about the numbers being the exact compliment the city currently has and if the police would hire somebody in addition, it would put it right out of ordinance again. The Mayor said that the administration understands that and wants it

exactly as stated because it is consistent with the bargaining agreement. This is the current compliment. Many of these changes were made at the time the department went to 12-hour shifts. These changes do not add any additional expense to the police department.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

Based upon this discussion and the rationale that was discussed, Mr. Hunt moved for passage of Ordinance No. 42-16, seconded by Mr. O'Donnell.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

ORDINANCE NO. 43-16

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AMENDING ORDINANCE 33-16 CREATING THE POSITION OF POLICE DISPATCHER WITHIN THE POLICE DEPARTMENT 1ST READING

Mr. Moran said that this ordinance is amending Ordinance 33-16 creating the position of the police dispatcher. There have been conversations in the past regarding hiring a full time dispatcher instead of taking an officer off the street. There is a person ready to take this position making the approval of this ordinance time sensitive. Moved by Mr. Moran, seconded by Mr. O'Donnell and Mr. Furry, that the rule requiring that Ordinance No. 43-16 be read on three separate days be suspended.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

The Mayor explained that the reason the wage ordinance has to be presented is because of the addition of a full time dispatcher and the city would not be able to compensate this position without approval from Council. Mr. Hunt added that Chief Stillman is interested in the efficiency and effectiveness of the police department and he is adamant that this will help do that.

Mr. Moran moved for passage of Ordinance No. 43-16, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes	0 nays		PASSED

ORDINANCE NO. 44-16

BY: JOHN B. SHEPHERD

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY
SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH SPECIALIZED
CONSTRUCTION, INC. FOR THE 2016 CRACK & JOINT SEALING PROGRAM IN
AN AMOUNT NOT TO EXCEED \$86,625.00**

1ST READING

Mr. Shepherd anticipates that this ordinance will have a full three reads. He will defer discussion to the Committee-of-the-Whole Meeting immediately following this Special Meeting.

As there was no further business by members of Council, the Special Meeting was adjourned at 8:23 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council