

CITY OF ROCKY RIVER

July 20, 2020

The Special Meeting of Council was called to order by Mr. Moran, President of Council, at 7:00 p.m. via Zoom

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

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

Law Director: Mr. Bemer

Assistant Law Director: Mr. O'Shea

The meeting was opened with the Pledge of Allegiance.

The Special Meeting this evening is in regards to Resolution No. 59-20, Ordinance Nos. 60-20 – 63-20 and Resolution No. 64-20.

COMMITTEE REPORTS: NONE

COMMUNICATIONS & ANNOUNCEMENTS: NONE

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 59-20

BY: CHRISTINA MORRIS

A RESOLUTION SUPPORTING THE PLACEMENT OF A PROPOSED SHORE STRUCTURE AND APPROVAL OF A LAKE ERIE SUBMERGED LAND LEASE FROM OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) ADJACENT TO PERMANENT PARCEL NO. 302-09-008 AT 21620 AVALON DRIVE, ROCKY RIVER, OHIO
2nd READING

Mrs. Morris said this is a request for permission for the placement of a proposed shore structure and the approval of a Lake Erie submerged land lease from the Ohio Department of Natural Resources. This will be placed on a consent agenda for next week's Legislative Meeting.

ORDINANCE NO. 60-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH RMH CONCRETE, INC., FOR THE 2020 TREE AND SIDEWALK PROGRAM IN AN AMOUNT NOT TO EXCEED \$82,271.70
2nd READING

Mr. Shepherd stated that RMH Concrete, Inc. was the low bidder by \$4,900.00 and was well below the engineer's estimate of \$106,000. RMH has previously worked for the city and has done a nice job. RMH

has also worked for the City of Perrysburg and the City of Mansfield. References were checked with the City of Mansfield. RMH have no unresolved findings in the Auditor's State Database. This will have three full reads. This is for the sidewalks and replacement of certain conflicting trees on Sunnyhill Drive and Thomson Circle. Mr. Shepherd would like this added to the consent agenda for next week.

ORDINANCE NO. 61-20

BY: JOHN B. SHEPHERD

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO PURCHASE PRINTING SERVICES FOR THE CITY OF ROCKY RIVER FROM ADMIRAL PRODUCTS, INC. FOR TWO (2) YEARS
2nd READING**

Mr. Shepherd stated that this was put out to bid to test the market. There were two responsive bidders and one of the bidders did not give prices on a number of items and therefore was not a proper bid. By default, Admiral Products won the bid. Admiral Products was \$3,000 over the low bid. The city pays for printing as needed. This bid is \$19,000 over the old bid but Mr. Snyder stated that some of the items will not be used as in the Quill from the Senior Center, items from the Recreation Center and the city also received a grant from the Cuyahoga County Solid Waste District that will offset \$4,500 of printing costs. Mr. Shepherd would like this added to the consent agenda for next week.

ORDINANCE NO. 62-20

BY: MICHAEL P. O'DONNELL

**AN EMERGENCY ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY OR REIMBURSE THE CITY FOR ALL OR A PORTION THE COSTS AND ADDITIONAL COSTS OF CONSTRUCTING, EQUIPPING, FURNISHING AND OTHERWISE IMPROVING A NEW POLICE FACILITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO
1st READING**

Mr. O'Donnell stated that Ordinance No. 62-20 will have three full reads. Mr. O'Donnell stated that Council approved \$6,000,000 of bonds last year. This is a similar ordinance but includes an additional \$4,000,000 in notes to the anticipated \$10,000,000 cost in terms of what will be borrowed. This is setting up the ability to borrow the funds. These bonds last only 12 months so every year the city will need to approve ordinances such as this so Council can go ahead with funding. Mr. O'Donnell forwarded Director Thomas' email to Council for the detail he provided. This is a significant piece of legislation. Let Mr. O'Donnell know of any questions.

The Mayor will provide Council with any information needed. The email from Director Thomas noted that in 2019 the city issued other notes (\$750,000) for the new ladder truck. The city received settlement proceeds toward the cost to retire these notes and the interest thereon will be paid off and considered retired. Mr. O'Donnell thanked Prosecutor O'Shea for his help in negotiating this settlement.

Director Thomas stated this is for authorization up to \$10 million, but it will be under that amount. The city wants to retain the Bank Qualified Status with this issue and the city is at the threshold. This will contribute to the market of potential bondholders for this issue when it goes into bond as the city wants to be conscience of that threshold. These are one-year notes.

- Mr. Furry stated that the initial note will mature on September 24, 2020 and these notes will segue into bonds. Mr. Furry asked what the administration thinks will be done concerning the

anticipation of the bonds and also asked about the 4% interest rate. Director Thomas stated that the city will get what is available in the market and currently it is much less than 4%. This is the maximum that Council is authorizing to do. In terms of length of time, this is regulatory language. The notes are for one year so this is “bridge financing” to get the construction accomplished. The city might be able to go to bonds next year at maturity. Once this is bonded out, there will be a set amortization schedule.

Mr. O'Donnell stated that this is a lengthy ordinance and he anticipate three full reads. Council has the rest of July and August to consider this legislation.

ORDINANCE NO. 63-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH THE SHELLY COMPANY, FOR THE 2020 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$691,320.25

1st READING

Mr. Shepherd stated that this ordinance is read for the first time this evening and he will request a rule suspension for the three read rule for this ordinance at next week's meeting. The streets being repaved are Archwood Drive, Eastlook Road, Eldora Road, Harwich Court, Idlewild Drive, Kingsbury, Marlys, Middle Post Lane, Old Detroit Entrance, Scenic Road, Shoreland Avenue, Westhaven Lane and Wynwood Drive. This was put out to bid and six responsive bids were received with Shelly Company being the best bid at \$36,000 under the next bid from Crossroads. They were also \$208,000 under the engineer's estimate of \$900,000. The Shelly Company has done work for the City of Rocky River most recently completing the resurfacing of Detroit Road and Wooster Road. The City of Elyria gave a favorable recommendation. There are no unresolved findings in the Auditor of State's Database.

- Mr. Furry asked if the administration considered adding streets to this as the bid was low. The Mayor said no, the city needed this aggressive bid. The city is looking at the tennis courts at Linden Park and a parking lot at Tri-City Park and hoping to leverage these with Shelly Construction under an additional ordinance. Director Snyder added that he has discussed having the Street's Department go out to complete limited repair work on various streets.
- President Moran asked if all these streets will be completed this year. Mr. Snyder said Shelly Construction is confident that it will be completed this year.

Councilman Shepherd will forward Director Snyder's email to Council.

RESOLUTION NO. 64-20

BY: MICHAEL P. O'DONNELL

A RESOLUTION ACCEPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF ROCKY RIVER, OHIO FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2021 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

Mr. O'Donnell stated that this is an annual ordinance. This is a preliminary budget that Finance Director Thomas puts together without consultation with the Directors of each Department or the Mayor. Director Thomas makes certain assumptions and reasonable adjustments. There are adjustments made for equipment purchases and capital projects because of the police station project and meaningful adjustments to certain revenue sources that resulted in appropriations adjustments and the decision to use

the fund balances to pay for some of these things. These are things Council and the administration should watch while preparing the 2021 Budget. This is required by the Revised Code to pass this and get it to the County. Mr. O'Donnell will seek a rule suspension for the three read rule at next week's meeting.

Moved by Mr. Moran, seconded by Mr. Shepherd to close the Special Meeting.

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

The Special Meeting was adjourned at 7:29 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council

CITY OF ROCKY RIVER

July 20, 2020

The meeting of the Committee-of-the-Whole was called to order by Mr. Moran, President, immediately following the Special Meeting via Zoom.

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

Administration: Mayor Bobst, Director Thomas, Director Snyder

Law Director: Mr. Bemer

Assistant Law Director: Mr. O'Shea

MAYOR'S REPORT:

The Mayor reported that the Governor signed legislation authorizing the Public Works Funds be distributed. This means that Morewood, Oak and Collver work can commence. Director Snyder is meeting with MacKay Engineering and will have an updated schedule for this work. The waterline is being worked on at the same time as the paving and sewer project and there was a water main break there last night, as well as at Nelson Park. The city is requesting that the waterline be replaced on Nelson Park. This information will be sent to Cleveland Water, as it will increase the chances of being funded for the replacement of the waterline on Nelson Park.

The city received a letter from the ODNR that the Coastal Management Assistance Grant that Director Costello, Director Snyder and Maureen Nakonek submitted was funded. The city will receive \$100,000 for the Pedestrian Bridge at Bradstreet's Landing.

The Mayor reported that the State Capital Budget has not been drafted into legislation. There has been discussion that it will move forward as it provides an economic engine for the state to have capital projects that are ready to be constructed and move ahead. The Senate may do work on the Capital Budget this summer, but more likely it will be September or into the fall. This will not hold up the pier project at Bradstreet's Landing. The administration is meeting virtually on Wednesday to review the biddable specifications. There has been a tremendous amount of work done already and it will be out to bid by the end of July. Legislation will be drafted awarding the contracts when Council returns from recess.

The Mayor said that tomorrow at 10:30 a.m. the Sunrise Rotary is placing a large book drop-off at Memorial Hall. This is part of the Kids Book Project of Cleveland. The Rotary collaborated with them for people to drop off new books or gently worn books to share with children who have limited access to books and libraries. The city is very excited about this project. The website is kidsbookbank.org. The Mayor thanked the Rotary and Larry Faulhaber along with Mike Balla, Rich Snyder, Bob Holub, Mark Garst and George Corrado who helped with the location and installation of the cement pad.

The city received a large amount of sand donated from a project in Fairview Park so the sand volleyball courts have been redone at Linden Park. The Mayor also hopes to have the tennis courts at Linden Park redone with the help of Shelly Construction.

The new Social Worker has begun work at the Senior Center. She has a considerable amount of Social Work expertise as well as working with senior populations and their families.

River Sprouts has begun their harvest at the Community Garden. Their vegetables are being shared with seniors through the Senior Center.

There will be a blood drive at Memorial Hall this Wednesday. Please contact the Red Cross to schedule an appointment, if interested.

There will be a concert this Sunday at the Gazebo at City Hall Park with music provided by the PopTarts, a fun 60's music band beginning at 7:00 p.m.

- Mr. Shepherd asked what the plans are for the tennis courts at Linden Park. The Mayor said test soil borings were done at several locations at Linden Park. The soil is not suitable soil so the construction will dig down 18-24 inches adding stone with heavy compaction along with asphalt and then the coating. The evaluation of what was underneath was not good. The original tennis courts were behind the garages of the apartment building. When the park was renovated, the courts were moved to the current location and there have been issues with soil settling. This will be completed this fall. Mr. Shepherd asked if there was consideration for some of the courts for Pickle Ball. The Mayor said she will discuss this with Director Holub.
- Mr. O'Donnell asked about the Fresh Fork situation. The Mayor spoke with a local pastor and they are very excited in housing the Fresh Fork truck.

COMMITTEE REPORTS: NONE

COMMUNICATION & ANNOUNCEMENTS: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 49-20: Mr. O'Donnell stated that this ordinance is creating positions and fixing the salary for the employees in the city. This has been discussed for a month and was necessary and requested by the HR Director because of title changes and reorganizations in various departments. Essentially this is amending Amended Ordinance No. 88-19 and correct it to use the title changes and other adjustments that were made. There have not been any questions regarding this ordinance and Mr. O'Donnell will seek passage at next week's meeting. Mr. O'Donnell requested that this be placed on the consent agenda.

ORDINANCE NO. 50-20: Mr. Moran said that this goes along with the electronic change with the Charter Review. This amends Section 125.03 with a new subsection to allow postings to be electronically added to the City's website. This will be added to the consent agenda.

ORDINANCE NO. 51-20: Mr. Moran stated this is amending 135.03 of the Codified Ordinances regarding the Director of Law appointing the Assistant Law Director. The Charter states that the Director of Law appoints the Assistant Law Director. This will be added to the consent agenda.

ORDINANCE NO. 52-20: This ordinance is amending Section 1 of Article VII of the Charter deleting obsolete language regarding personal property that is no longer a permissible taxable item. This will be added to the consent agenda.

- Mrs. Morris asked why this and some of the other ordinances end with the statement “and declaring an emergency”. Mr. Moran explained that declaring an emergency means the ordinance goes into effect immediately. If it is not an emergency, it goes into effect in 30 days. Mr. Klym reiterated that he does not think any of these should be an emergency as it is modifying a Codified Ordinance and people should have the chance to file a referendum action if they wish. Mr. Klym also noted, however, that none of these will be referendum as they are house-cleaning measures.

ORDINANCE NO. 53-20: Mr. Moran stated that this is requested by the Charter Review and is shown on the outline of the ordinance regarding the declaration of candidacy to change the word “shall” to “to” in the second line of this section. This will be added to the consent agenda.

ORDINANCE NO. 54-20: Mr. Moran stated that there is a deletion in Section 3 that addressed the person who held the office when this requirement went in. That person did not necessarily meet the additional qualifications that were put upon the position. This was to exempt that person out or grandfather that person in. The Charter Review Commission decided this was obsolete language. This will be added to the consent agenda.

ORDINANCE NO. 56-20: Mr. Hunt said that Ordinance 56-20 has been discussed for the last month and would authorize the Mayor to enter into a contract modification with SiteTech, Inc. who did the demolition and prep work for the police department project. Council will recall that there was an AT&T subsurface line that was damaged during the excavation. It was agreed upon that the amount of \$9,510.09 would be offset against a Bowen invoice so that money was essentially recouped. Mr. Hunt has not had any questions on this but it needed to be done to keep the police station project on schedule. This work was completed. Mr. Hunt would like this to be placed on the consent agenda, as it is ready for a third read.

RESOLUTION NO. 57-20: Mr. O'Donnell stated that this is the annual sanitary sewer ordinance and include delinquent sewer accounts. These accounts on Exhibit A were outstanding as of December 31, 2019. Collection letters were mailed to residents on June 8, 2020. The exhibit will need to be amended by substitution for next week's meeting. Mr. Thomas said there has been payment on 100 accounts with a total amount of \$90,000. This resolution helps the city to collect money that is owed and he will seek passage next week.

RESOLUTION NO. 58-20: Mr. O'Donnell stated that this resolution is a similar resolution to No. 57-20. The amounts owed on this resolution become liens on the property tax bill for the County, which will help the city to obtain payment. This has been discussed for several weeks and will be placed on the consent agenda.

RESOLUTION NO. 59-20: This was discussed at the Special Meeting this evening. Mrs. Morris said this is a request for permission for the placement of a proposed shore structure and the approval of a Lake Erie submerged land lease from the Ohio Department of Natural Resources. This will be added to the consent agenda.

ORDINANCE NO. 60-20: This was discussed this at the Special Meeting. This is for the sidewalk repair and the removal of conflicting trees on Sunnyhill Drive and Thomson Circle. RMH Concrete was the low bidder. This will be on the consent agenda.

ORDINANCE NO. 61-20: Mr. Shepherd said this is the printing ordinance that Admiral Products was awarded the bid. Mr. Shepherd would like this added to the consent agenda for next week.

ORDINANCE NO. 62-20: Mr. O'Donnell said this was discussed at the Special Meeting. Mr. O'Donnell emphasized that this will be read for a second time next week and will be held over the month of August during Council Recess. Please let Mr. O'Donnell know if there are any questions.

ORDINANCE NO. 63-20: Mr. Shepherd said that this was discussed before. Mr. Shepherd will ask for a rule suspension for the third read rule. Mr. Shepherd will forward an email that breaks out the specific repairs for the streets discussed at the Special Meeting.

RESOLUTION NO. 64-20: Mr. O'Donnell said this was discussed at the Special Meeting in detail. Mr. O'Donnell reiterated that this will be read for a second time and will seek a rule suspension to move for passage prior to Council recess.

MISCELLANEOUS BUSINESS: NONE

President Moran stated that next week's meeting will be the last meeting prior to Council Recess and will be conducted via Zoom. As there was no further business by members of Council, the meeting was adjourned at 7:56 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council