

CITY OF ROCKY RIVER

JULY 19, 2021

The Special Meeting of Council was called to order by Mr. Moran, President of Council, beginning at 7:00 p.m. in the David J. Cook Council Chambers to hear and consider the following resolutions and ordinances.

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

Assistant Law Director: Mr. O'Shea

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 46-21 **BY: MICHAEL P. O'DONNELL**
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"
ON HOLD

Mr. O'Donnell said that the amendment is still being worked on for this resolution. Resolution No. 46-21 will be put on hold until next week's Legislative Meeting.

RESOLUTION NO. 47-21 **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, 2022 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
3rd READING

Mr. O'Donnell stated that this is an annual ordinance and has been discussed for a number of weeks. It states that Director Thomas has to present this information for the Alternative Tax Budget for 2022, as this is an outline showing the city is looking ahead to the next budget. This is prepared by making projections including known costs that will be part of the 2022 budget, such as certain negotiated wage increases and costs associated with the new Police Department. Mr. O'Donnell moved for passage of Resolution No. 47-21, seconded by Mr. Furry.

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

ORDINANCE NO. 48-21 **BY: MICHAEL P. O'DONNELL**
AN ORDINANCE TO RATIFY THE USE BY REIMBURSEMENT OF CARES ACT
FUNDS PROVIDED TO CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN

THE ATTACHED EXHIBIT “A”
3rd READING

Mr. O’Donnell stated that this ordinance has been discussed for a number of weeks and is to ratify the reimbursement amounts that are on the attachment. The city can take and allocate the federal dollars given to the City in the amount of \$1.6 million because of COVID-19 and apply it to the excess costs. Mr. O’Donnell moved for passage of Ordinance No. 48-21, seconded by Mr. Furry.

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

ORDINANCE NO. 49-21 **BY: CHRISTOPHER J. KLYM**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF
PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH CARRON
ASPHALT PAVING, INC., FOR THE 2021 LINDEN PARK TENNIS COURT
IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$340,872.97, AS FURTHER
DESCRIBED IN ATTACHED EXHIBIT “A”
3rd READING

Mr. Klym said this is the third time Council has discussed this ordinance. Director Holub attended last week’s meeting and had a very detailed discussion regarding these tennis courts and the project and why the recommendations are being made for the manner of replacement for these courts. The replacement will be digging down several feet into the subsoil, removing the subsoil and replacing it and then putting new courts on top with new fencing. The contingency allows for additional striping for pickle ball. These are the only courts the city solely owns. Tri-City Park is shared with Westlake, Fairview Park and the school system. There is a need and these courts will be used for many years into the future. Mr. Klym moved for passage of Ordinance No. 49-21, seconded by Mr. O’Donnell and Mr. Furry.

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

ORDINANCE NO. 50-21 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF
PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH DRS
ENTERPRISES, INC., FOR THE 2021 SIDEWALK PROGRAM IN AN AMOUNT NOT
TO EXCEED \$96,321.06, AS FURTHER DESCRIBED IN EXHIBIT “A”
3rd READING

Mr. Shepherd said this is a portion of the comprehensive program to evaluate and repair sidewalks in Rocky River. This section went out to bid with three responsive bid and DRS was the low bidder. References for DRS were good. Mr. Shepherd moved for passage of Ordinance No. 50-21, seconded by Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	O’Donnell – aye	Furry - aye
	Morris – aye	Klym – aye	Moran - aye	

7 ayes

0 nays

PASSED

ORDINANCE NO. 51-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC., FOR THE 2021 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$808,070.75, AS FURTHER DESCRIBED IN EXHIBIT “A”

3rd READING

Mr. Shepherd said Council has discussed the detailed description of what is being done with the repaving project this summer. Five responsive bids were received with Crossroads being the low bidder, close to \$200,000 below the engineer’s estimate. Crossroads has done work for the city and has good references. Mr. Shepherd moved for passage of Ordinance No. 51-21, seconded by Mr. Furry and Mr. O’Donnell.

Vote: Hunt – aye

Shepherd – aye

O’Donnell – aye

Furry - aye

Morris – aye

Klym – aye

Moran - aye

7 ayes

0 nays

PASSED

ORDINANCE NO. 52-21

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH KONSTRUCTION KING, INC., FOR THE 2021 TREE AND SIDEWALK PROGRAM IN AN AMOUNT NOT TO EXCEED \$164,704.00, AS FURTHER DESCRIBED IN EXHIBIT “A”

3rd READING

Mr. Shepherd said this was discussed in depth at last week’s meeting. This is a different program than the citywide sidewalk program. Under this program, a few limited areas of the city have sidewalks in disrepair caused by incorrect trees planted on tree lawns that caused the damage. The city decided to do a complete replacement in these areas. This was put out to bid and received only one responsive bid most likely as tree removal was part of the bid. The bid was below the engineer’s estimate and their references were checked from the City of Westlake and Brunswick. Konstruction King, Inc. has worked for the City of Rocky River before. Mr. Shepherd moved for passage of Ordinance No. 52-21, seconded by Mr. Furry.

Vote: Hunt – aye

Shepherd – aye

O’Donnell – aye

Furry - aye

Morris – aye

Klym – aye

Moran - aye

7 ayes

0 nays

PASSED

ORDINANCE NO. 53-21

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH SOFTLINE SOLUTIONS TO INSTALL A POURED IN PLACE RUBBER PLAYGROUND SURFACE FOR ELLE’S ENCHANTED PLAYGROUND FOR THE CITY OF ROCKY RIVER, AT A COST NOT TO EXCEED \$58,371.20, AS DESCRIBED IN EXHIBIT “A”

3rd READING

Mr. Moran said this has been discussed several times and relates to Ordinance No. 43-21 for the foundation of Elle's Enchanted Playground. This is the poured rubber placed product of two different colors put on a limestone base. The product is made from 75% of recycled grounded tires. The poured product is a great addition to Elle's Enchanted Forest for the opportunity of all abilities to access the playground. The successful bidder was Softline Solutions in the amount of \$58,371.20. This bid is about \$7,000-\$9,000 lower than the next bids. There were no unresolved findings in the Auditor's Database. Mr. Moran moved for passage of Ordinance No. 53-21, seconded by Mr. Furry.

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

ORDINANCE NO. 54-21

BY: JOHN B. SHEPHERD

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO RENEW A SERVICE AGREEMENT WITH WESTLAND HEATING AND AIR CONDITIONING FOR MAINTENANCE OF THE DECTRON POOL DEHUMIDIFICATION SYSTEM AT A COST NOT TO EXCEED \$20,000, AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

Mr. Shepherd said that out of the \$20,000, \$9,158 will pay for the proper routine maintenance of this system. The balance is set aside for any unforeseen repairs needed for this equipment. This equipment, the Dectron Pool Dehumidification System has only two vendors in the area that are qualified to work on it. The City of Rocky River was not completely satisfied with the service of the other vendor. The city has had a good experience with the current contractor. Mr. Klym mentioned last week that a neighboring community is spending \$3 million in repairs for their Dectron Unit. Mr. Shepherd moved for passage of Ordinance No. 54-21, seconded by Mr. O'Donnell.

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

ORDINANCE NO. 55-21

BY: MICHAEL P. O'DONNELL

AN ORDINANCE DESIGNATING THE PUBLIC DEPOSITORIES FOR THE ACTIVE, AND INTERIM AND/OR INACTIVE FUNDS OF THE CITY OF ROCKY RIVER FOR THE PERIOD BEGINNING NOVEMBER 1, 2021 AND ENDING OCTOBER 31, 2026
2nd READING

Mr. O'Donnell said that per the Charter, City Council is responsible for the safekeeping of all funds and for the deposit of funds in a financial institution for a five-year period from November 1, 2021 and ending October 31, 2026. The Finance Director has written to a number of financial institutions inquiring if they would apply for public depository designation for the upcoming five-year period. Responses are due back by August 13, 2021.

NEW BUSINESS

RESOLUTION NO. 56-21

BY: MICHAEL P. O'DONNELL

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2021 PURSUANT TO THE OHIO REVISED CODE

1st READING

Mr. O'Donnell stated that this is an annual ordinance. Essentially the County collects the tax dollars on behalf of the city and ultimately releases the funds to the city. If this resolution is passed however, the County will send the funds to the city earlier.

RESOLUTION NO. 57-21

BY: MICHAEL P. O'DONNELL

A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES HELD FROM THE PROCEEDS OF SPECIAL ASSESSMENTS FOR THE TAX YEAR 2021 PURSUANT TO THE OHIO REVISED CODE

1st READING

Mr. O'Donnell stated that this is a companion resolution to 56-21. This is nearly identical except that 57-21 relates to proceeds from special assessments collected by the County. If this collection is requested they will provide them to the city sooner.

- Mr. Moran asked if there are any communities that wait until the end of the year to collect these funds. Mr. Thomas said it would not be the end of the year, but the end of March and August. Mr. Thomas said that looking at the State Code over the years, he believes it is a regulation on the County Auditors as opposed to municipalities.

Mr. Moran moved to close the Special Meeting, seconded by Mr. O'Donnell.

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

The meeting was adjourned at 7:22 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council