

CITY OF ROCKY RIVER

July 17, 2023

The Special Meeting of Council was called to order by Mr. Moran, President of Council, at 7:57 p.m. in the David J. Cook Council Chambers immediately following the CIC and Committee-of-the-Whole Meeting.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Sindelar, Mr. Moran

Law Director: Mr. O'Shea

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

President Moran stated that this evening's Special Meeting is regarding Ordinance Nos. 54-23, 56-23, 57-23, 58-23, 60-23 and Resolution Nos. 49-23 and 59-23.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 49-23

BY: ALL COUNCIL MEMBERS

**A RESOLUTION ESTABLISHING THAT ROCKY RIVER CITY COUNCIL SHALL
RECESS DURING THE MONTH OF AUGUST IN 2023
3rd READING**

Mr. Moran said this is for the August Recess for City Council in 2023. Mr. Moran moved for passage, seconded by Mr. Hunt.

Vote: Hunt – aye	Shepherd – aye	Gallagher - aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes	0 nays		PASSED

ORDINANCE NO. 54-23

BY: JAMES W. MORAN

**AN EMERGENCY ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS
FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING
THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND TO AMEND AMENDED
ORDINANCE NO. 77-22 AND AMENDED ORDINANCE NO. 17-23
ON HOLD**

Mr. Moran said that there will be more adjustments on the supplemental appropriations including the funding received from Mr. Frost. This will be read at next week's Legislative Meeting.

ORDINANCE NO. 56-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH RMH CONCRETE & FOUNDATIONS, INC., FOR PHASE I OF THE 2023 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$388,897.46, AS FURTHER DESCRIBED IN EXHIBIT “A”

2nd READING

This was discussed at length during the Committee-of-the-Whole Meeting and this will be read for a third time at next week’s Legislative Meeting.

ORDINANCE NO. 57-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH AECOM TECHNICAL SERVICES FOR THE PRIVATE PROPERTY DYE TESTING IN AN AMOUNT NOT TO EXCEED \$199,786.00, AS FURTHER DESCRIBED IN EXHIBIT “A”

2nd READING

This was discussed at length during the Committee-of-the-Whole Meeting and this will be read for a third time at next week’s Legislative Meeting.

ORDINANCE NO. 58-23

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, INSTALLATION, EQUIPMENT, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF ROCKY RIVER, OHIO IN COOPERATION WITH THE NORTHEAST OHIO ADVANCED ENERGY DISTRICT

2nd READING

Mr. Moran thanked Jennifer Kuzma again for her presentation this evening. She did a great job of giving Council an outline on what will be done. This is a great opportunity for the city to assist without financial responsibility. This will be discussed further and read for a third time at next week’s Legislative Meeting.

RESOLUTION NO. 59-23

BY: JAMES W. MORAN

AN EMERGENCY RESOLUTION TO APPROVE THE PETITION, ATTACHED HERETO AS EXHIBIT “A”, TO ADD TERRITORY TO THE NORTHEAST OHIO ADVANCED ENERGY DISTRICT AND FOR A SPECIAL ENERGY IMPROVEMENT PROJECT UNDER OHIO REVISED CODE CHAPTER 1710 AND APPROVE THE NECESSITY OF ACQUIRING, INSTALLING, EQUIPPING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF ROCKY RIVER, OHIO IN COOPERATION WITH THE NORTHEAST OHIO ADVANCED ENERGY DISTRICT (HILLIARD APARTMENTS PACE PROJECT)

2nd READING

The city needs to apply for the PACE program first. There needs to be a resolution from Council for the Northeast Ohio Advanced Energy District. This resolution gives Council the opportunity to do that and move forward with the ordinances. This is a second read and will be read for a third time at next week’s Legislative Meeting.

ORDINANCE NO. 60-23

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, INSTALLING, EQUIPPING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF ROCKY RIVER, OHIO IN COOPERATION WITH THE NORTHEAST OHIO ADVANCED ENERGY DISTRICT AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN ENERGY PROJECT COOPERATIVE AGREEMENT, ATTACHED HERETO AS EXHIBIT “A”, AND A SPECIAL ASSESSMENT AGREEMENT, ATTACHED HERETO AS EXHIBIT “B”, WITH RESPECT TO THE SAME
2nd READING

Mr. Moran said that this is 45 pages of information. This ordinance is to levy the stipulated Special Assessment amounts and to authorize a cooperative agreement (Exhibit A) and to authorize a Special Assessment Agreement (Exhibit B). This was outlined again this evening.

- Mrs. Morris wants to be clear on who benefits from the PACE Project. She sees the city benefits as people are investing in this community. How does the lender benefit? Director Thomas said that the lender has a more secure position and will offer a lower rate to the buyer. The lender is secured by Special Assessments that the city will assess. The Special Assessments that are assessed will be billed to the owners with the property tax. Part of this agreement is that the city will distribute the proceeds and is agreeing to that in these ordinances and the proceeds go back to the lender. It appears that they are more secure in this component. The city does not know the arrangement of the cash flow between the borrower and their lender but the city will pay the lender directly.
- Mr. Shepherd said that the lender is going to make their money either way whatever their percentage is, but by doing it this way there are better rates that go to the developer. The lender will make their percentage no matter what.
- Mrs. Morris asked where the energy benefits play into this besides it is a good thing. Mr. Shepherd said less energy use for the world, less operating costs and incentivize this type of investment that may be more expensive. Mr. Shepherd said it may be better for the developer, but the city has never given tax abatement or anything. If the city can do something small like this, it is not a bad thing to do.
- Mrs. Morris said Council is clear that it costs \$5,000 to join the program and \$1,000 yearly after that.
- Mr. Thomas added that this is not in the capacity of the CIC. The CIC has limited capabilities and so the city is joining this other entity in essence to be able to operate this particular development tool.

Mr. Moran moved to close the Special Meeting, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher - aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes	0 nays		PASSED

The meeting was adjourned at 8:11 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council