

CITY OF ROCKY RIVER
September 16, 2024

The Special Meeting of Council 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, Mr. Shipp,
Mrs. Morris, Mr. Sindelar, Mr. Furry

Administration: Mayor Bobst, Mr. Snyder

Law Director: Mr. O'Shea

The meeting was opened with the Pledge of Allegiance.

PUBLIC COMMENT: NONE

President Furry also stated that anything on the agenda not looking for passage this evening should have comment deferred until the Committee-of-the-Whole Meeting immediately following the Special Meeting.

PENDING BUSINESS:

ORDINANCE NO. 32-24

BY: MICHAEL O'BOYLE

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP REFERENCED WITHIN PART ELEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER CONCERNING LAND USE PLANNING AND ZONING AND FURTHER KNOWN AS THE DEVELOPMENT CODE

2nd READING

Mr. O'Boyle stated that this ordinance is to amend the official zoning map. There is a Public Hearing scheduled for this Ordinance on Monday, October 7, 2024. Mr. O'Boyle moved to amend Ordinance No. 32-24 due to the addition on the cover page of a Whereas stating that this legislation was recommended by the Planning Commission. Mr. Hunt seconded the motion.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

AMENDED ORDINANCE NO. 32-24

BY: MICHAEL O'BOYLE

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP REFERENCED WITHIN PART ELEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER CONCERNING LAND USE PLANNING AND ZONING AND FURTHER KNOWN AS THE DEVELOPMENT CODE

2nd READING

Further discussion on this will be deferred until the following meeting.

ORDINANCE NO. 46-24**BY: THOMAS J. HUNT****AN ORDINANCE ENACTING SECTION 521.13, ENTITLED “SMOKING RESTRICTIONS AT CITY PROPERTIES” IN CHAPTER 521 OF THE ROCKY RIVER CODIFIED ORDINANCES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”****3rd READING**

Mr. Hunt said Council has received a substitute Exhibit A and Mr. Hunt moved to amend the ordinance by substitution of the new Exhibit A, seconded by Mr. Furry. Mr. Hunt draws attention to the exhibit of subsection B with some slight changes of the syntax of how that exclusion of city property is defined. There is new grammatical language in subsection B. Also to be consistent with the reference to the Ohio Revised Code definition of subsection D for marijuana, a new subsection E was added for the definition of “Smoking” as defined in the Ohio Revised Code.

- Mrs. Morris asked if Council was going to exclude public street, sidewalks and tree lawns and now it is not. Mr. Hunt explained that the way it was written those were excluded. This is for only sidewalks and tree lawns by city public property only.

Vote: Hunt – aye	Gallagher – aye	O’Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

AMENDED ORDINANCE NO. 46-24**BY: THOMAS J. HUNT****AN ORDINANCE ENACTING SECTION 521.13, ENTITLED “SMOKING RESTRICTIONS AT CITY PROPERTIES” IN CHAPTER 521 OF THE ROCKY RIVER CODIFIED ORDINANCES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”****3rd READING**

Mr. Hunt stated that this has been vetted with no opposition, questions or concerns. Mr. Hunt moved for passage of this Amended Ordinance No. 46-24, seconded Mr. Furry.

Vote: Hunt – aye	Gallagher – aye	O’Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

ORDINANCE NO. 47-24**BY: THOMAS J. HUNT****AN ORDINANCE AMENDING SECTION 557.01, ENTITLED “PARK REGULATIONS EXCLUDING TRI-CITY PARK” OF CHAPTER 557 OF THE ROCKY RIVER CODIFIED ORDINANCES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”****3rd READING**

Mr. Hunt said this is a companion piece to the previous ordinance. Based upon the fact that there are separate regulations in the code regarding Tri-City Park, this needs to be a separate amendment to the code. It serves the same purpose. Mr. Hunt moved for passage of Ordinance No. 47-24, seconded by Mr. Furry.

Vote: Hunt – aye	Gallagher – aye	O’Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

RESOLUTION NO. 48-24**BY: MICHAEL O’BOYLE****A RESOLUTION SUPPORTING THE PLACEMENT OF A PROPOSED SHORE STRUCTURE AND APPROVAL OF A LAKE ERIE SUBMERGED LAND LEASE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) ADJACENT TO PERMANENT PARCEL NO. 302-01-012 AT 22658 BREEZEVALE ROAD, ROCKY RIVER, OHIO**

3rd READING

Mr. O'Boyle said that this is a resolution supporting the placement of a proposed shore structure and approval of a Lake Erie Submerged Land Lease from the ODNR adjacent to Permanent Parcel #302-01-012. This is being considered along with Resolution No. 55-24 as both are resolutions whereby the city tells the ODNR and the Army Corps of Engineers that the city does not have any purpose for retaining or using this property. Mr. O'Boyle moved Ordinance No. 48-24 for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

RESOLUTION NO. 49-24

BY: BRIAN J. SINDELAR

A RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM FOR THE BEACHCLIFF BOULEVARD AND CORNWALL ROAD STORM SEWER, SANITARY SEWER, WATER MAIN AND PAVEMENT REPLACEMENT AND TO EXECUTE CONTRACTS AS REQUIRED

3rd READING

Mr. Sindelar said this has been discussed for several weeks with little to no discussion. Mr. Sindelar would like to seek passage at this time, seconded by Mr. Furry.

- The Mayor added that Director Snyder submitted the application with the total project cost totaling \$7.411 million. The loan request of DOPWIC which is a zero-interest loan and represents about 30% of the project is \$2.223 million.

Vote: Hunt – aye	Gallagher – aye	O'Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

ORDINANCE NO. 50-24

BY: PAUL SHIPP

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH SAFE SLIDE RESTORATION FOR THE REMOVAL AND REPLACEMENT OF OUTDOOR POOL FEATURES IN AN AMOUNT NOT TO EXCEED \$257,464.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Shipp deferred discussion on this to the Committee-of-the-Whole Meeting immediately following the Special Meeting.

ORDINANCE NO. 51-24

BY: PAUL SHIPP

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH AQUA POOLS AND CONCRETE FOR OUTDOOR POOL RESURFACING IN AN AMOUNT NOT TO EXCEED \$220,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Shipp deferred discussion on this to the Committee-of-the-Whole Meeting immediately following the Special Meeting.

ORDINANCE NO. 52-24

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE THREE (3) STRYKER LIFEPAK 35 HEART MONITOR DEFIBRILLATORS FOR THE FIRE DEPARTMENT, UNDER THE SOURCEWELL COOPERATIVE PURCHASING CONTRACT FROM STRYKER SALES, LLC, AT A COST NOT TO EXCEED \$166,136.78, AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Hunt deferred discussion on this to the Committee-of-the-Whole Meeting immediately following the Special Meeting.

ORDINANCE NO. 53-24

BY: BRIAN J. SINDELAR

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE TWO (2) FORD F550 TRUCKS FOR THE SERVICE DEPARTMENT UNDER THE STATE COOPERATIVE PURCHASING ACT FROM VALLEY TRUCK CENTERS, AT A COST NOT TO EXCEED \$261,962.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Sindelar withheld comment until the next meeting.

RESOLUTION NO. 54-24

BY: THOMAS J. HUNT

A RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO OFFICE OF BUDGET AND MANAGEMENT TO RECEIVE AN APPROPRIATION GRANT OF \$500,000.00 FOR THE ROCKY RIVER FIRE STATION IMPROVEMENTS, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Hunt deferred discussion on this to the Committee-of-the-Whole Meeting immediately following the Special Meeting.

RESOLUTION NO. 55-24

BY: MICHAEL O'BOYLE

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. 301-04-005 AT 60 KENSINGTON OVAL, ROCKY RIVER, OHIO

2nd READING

Mr. O'Boyle said that this is similar to the previous Resolution No. 48-24, except that the property and the submerged land lease are different. This is Kensington Oval and the previous one was Breezevale Road.

ORDINANCE NO. 56-24

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PERSPECTUS ARCHITECTURE, FOR ARCHITECTURAL DESIGN AND ENGINEERING SERVICES FOR THE FIRE STATION IN AN AMOUNT NOT TO EXCEED \$836,000.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

2nd READING

Mr. Hunt deferred discussion on this to the Committee-of-the-Whole Meeting immediately following the Special Meeting.

ORDINANCE NO. 57-24 **BY: BRIAN J. SINDELAR**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO AN AGREEMENT WITH FABRIZI TRUCKING & PAVING COMPANY, INC. FOR THE 2024 AVALON DRIVE STORM SEWER OUTFALL REPLACEMENT PROJECT AT A COST NOT TO EXCEED \$404,460.00 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”
2nd READING

Mr. Sindelar would like to withhold comment on this ordinance until the following meeting.

ORDINANCE NO. 58-24 **BY: BRIAN J. SINDELAR**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO AMEND THE AGREEMENT WITH MACKAY ENGINEERING AND SURVEYING COMPANY A DIVISION OF WALLACE & PANCHER, INC. FOR PROFESSIONAL CONSULTING AND ENGINEERING SERVICES FOR 2024 AND 2025 AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Sindelar would like to withhold comment on this ordinance until the following meeting.

ORDINANCE NO. 59-24 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AMENDING ORDINANCE 101-23, FOR POSITIONS AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING JANUARY 1, 2024 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
2nd READING

Mr. Furry will defer comment until the Committee-of-the-Whole Meeting.

ORDINANCE NO. 60-24 **BY: BRIAN J. SINDELAR**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH AECOM TECHNICAL SERVICES FOR PRIVATE PROPERTY DYE TESTING IN AN AMOUNT NOT TO EXCEED \$91,932.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Sindelar will comment upon this at the next meeting.

ORDINANCE NO. 61-24 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO RATIFY CREDIT CARD CHARGES ACCRUED IN THE MONTHS OF AUGUST AND SEPTEMBER, 2024 AND AUTHORIZE ADDITIONAL CHARGES FROM GLOBAL PAYMENTS DIRECT, INC., IN AN AMOUNT NOT TO EXCEED \$40,000.00, AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Furry will defer comment until the Committee-of-the-Whole Meeting.

RESOLUTION NO. 62-24

BY: PAUL SHIPP

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO MAKE APPLICATION TO AND AUTHORIZE FUNDS FOR THE CUYAHOGA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT (CDSG) PROGRAMS FOR THE SHORELAND / WOOSTER NEIGHBORHOOD PARK PROJECT

2nd READING

Mr. Shipp will defer discussion until the Committee-of-the-Whole Meeting.

ORDINANCE NO. 63-24

BY: DAVID W. FURRY

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, 2024 AND TO AMEND AMENDED ORDINANCE NO. 95-23

2nd READING

Mr. Furry will defer comment until the Committee-of-the-Whole Meeting.

Mr. Furry adjourned the Special Meeting at 7:25 p.m., seconded by Mrs. Morris.

Vote: Hunt – aye	Gallagher – aye	O’Boyle – aye	Shipp – aye
Morris – aye	Sindelar – aye	Furry – aye	PASSED

David W. Furry
President of Council

Susan G. Pease
Clerk of Council