

**CITY OF ROCKY RIVER**

**May 4, 2020**

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

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

Administration: Mayor Bobst, Director Snyder, Director Thomas

Law Director: Mr. Bemer

The meeting was opened with a Pledge of Allegiance.

**MOTION:**

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of April 27<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	O’Donnell – aye	Furry – aye
	Morris – aye	Klym – aye	Moran – aye	
	7 ayes		0 nays	<b>PASSED</b>

**MAYOR’S REPORT:**

The Mayor opened up the meeting with very sad news. Jimmy Linden, the city’s former Safety-Service Director passed away suddenly last week. Jimmy was a long-standing resident and began working for the city as a laborer working his way up to becoming the Safety-Service Director. Jimmy earned the respect of so many people. Jimmy was a dear friend, a non-paid city consultant and city historian. Jimmy had great stories about this community. Jimmy loved this City Council and always told the Mayor how fortunate she and the administration were to serve with this Council and he was pleased to serve along with this Council. Jimmy was a great friend of Mike MacKay’s, the city engineer along with Law Director Bemer. Jimmy’s wife Jane worked for the city at Senior Services. This is an immense loss for Jane and his daughter Cathy and the entire family who will be in our thoughts and prayers. There will not be a service at this time due to the pandemic. Contributions can be made to the Rocky River Fire Department in Jimmy’s memory. Jimmy will be missed.

The city has received three checks recently, the first in the amount of \$18,000, a CARES check to the city as a Medicare provider for ambulance service that is being provided. The Bureau of Worker’s Compensation sent two checks including a rebate for \$108,000 from the Retro-rating program and \$281,000, which is the full 2018 premium from the BWC, which will be deposited into all the respective accounts for each department. The letter cited that the reimbursement is due to strong investment returns, prudent fiscal management, but also because of the good work of employers creating a safe work environment and hold the City of Rocky River as one of those employers. This is good news at a time where the city could use these funds. Director Thomas stated that there might be a supplemental action to work these funds into the operating budget for the year, especially related to the worker’s compensation.

The Mayor stated that the budget is being cut in a number of ways, in very strategic ways. The infrastructure projects will be realized as much as possible as engineering has already been completed.

Capital Equipment purchases will be looked at again in September, after the city sees how the finances look at that time. The Mayor thinks that as the 2021 Budget is prepared beginning this July, the cuts will be more apparent. The city is hiring personnel for essential position openings, but other positions are not being filled at this time. The Mayor assures Council and Directors that the best measure of the city's success in cutting the budget is that the residents never realize the budget cuts due to the same high quality of services that they expect.

The Mayor stated that full-time employees are back as of today wearing masks, using social distancing, taking temperatures, assessing their health and those around them. There is limited public access so if someone has essential business at City Hall, please make an appointment. Masks will be required.

The Community Emergency Response Team has been extremely helpful. Julie Morron leads this team in addition to her duties with the police department. The CERT volunteers have been working with the County Emergency Management putting together face shields. There is an article on Cleveland.com regarding this project. They are prepared if needed.

A construction update went out to residents on Friday. The city will continue to send these out to communicate with residents.

The city is working on a couple of projects including touchless restrooms that includes toilets and sinks towards a more touchless environment. The Senior Center is working on a transition at the gift shop becoming the Silver Linings Café with a gift shop, a computer lab and coffee shop. This was part of the Senior Center's Strategic Plan during the National Accreditation process. The Mayor received a communication from the Seniors Council regarding the widespread of support for this transition. The computer lab will be transitioned into a classroom.

Safety-Service Director Snyder discussed the Healthy Urban Tree Canopy Grant received last year from the Cuyahoga County Planning Commission. This was a \$25,000 grant that the city utilized for inventory and an urban site analysis performed on the right away. An outside contractor came in and conducted a full inventory of all the street trees and analyzed the site conditions on each street. This data will be entered into software that will help manage the urban forest. The overall summary of the data analysis stated that the contractor was very impressed with the city street tree program. The trees are well cared for and the species diversity is beyond most of northeast of Ohio. The inventory shows 6,153 available sites where a tree could be planted, of those there were 3,241 trees planted. The current planting rate is at 52.7% on street trees within the city. There are only 70 trees that are recommended for removal, which is only 1% of the overall sites. Maintenance is being recommended on approximately 20%. At the end of this year, the total number of trees will be closer to 3,500 trees. The Mayor added that Rich was the catalyst for all of this with his inventory along with Dave Arendec and the Parks crewmembers who have done a great job planting, maintaining, selecting and working with the public about trees for their streets and yards. Thank you Rich.

Director Snyder discussed the Arbor Day Tree Trek, which is a program for the 22 trees donated by the Chamber of Commerce that are planted around town at parks and public spaces. Each of these trees has a tag on it with a sponsorship sign along with a letter on the back. All the letters will need to be unscrambled into a phrase and then returned to the Chamber of Commerce to be entered into a raffle for some prizes. This is a good opportunity to get residents outside. More information can be found on the Service Garage Facebook page and the Rocky River Chamber of Commerce Facebook page. The Mayor pointed out the knowledge that will be learned regarding the benefits of planting trees by participating in the Trek.

The Mayor mentioned that the composting classes are being offered as online classes. Mr. Snyder stated that the Cuyahoga County's Solid Waste District is also putting on a webinar series on recycling called Recycle Right. Information can be found on their website.

- President Moran said that most of Council had an opportunity to work with Jimmy Linden and he was a Rocky River person through and through. He was always available for questions or concerns. All of Council benefitted from his knowledge, his background and his love for his city. Jimmy will be missed by all of us.
- Mrs. Morris asked if there is anything in the works regarding testing for the city's essential workers. The Mayor responded that there is a protocol through the hospital health systems for first responders. The Mayor also noted that none of the city's employees has tested positive. If the city needs to test an employee, there are protocols available for individual tests.
- Mr. Furry was saddened also about the news regarding Jimmy Linden. Mr. Furry has known Jimmy for years and enjoyed working with him and serving with him on Council. Thank you Mayor for the update on the hiring freeze and being proactive as opposed to reactive as the economy is unpredictable. Congratulations and great job to Mr. Snyder on the Tree Canopy results.

**LAW DIRECTOR BEMER:** Mr. Bemer stated that the Charter Review Commission will meet this Thursday at 6:00 p.m. addressing Civil Service, Article IV of the Charter. If Council is interested, let Kate Straub know so she can forward the WebEx meeting information.

**COMMITTEE REPORTS:** Councilman Klym reported that there would be a Parks and Recreation meeting on May 14<sup>th</sup> beginning at 7:45 a.m. via WebEx. Please let him know if you are interested in attending.

**COMMUNICATIONS AND ANNOUNCEMENTS: NONE**

**AUDIENCE PARTICIPATION: NONE**

**UNFINISHED BUSINESS:**

Mr. Shepherd stated that both of these ordinances are for the Riverdale project that will consist of moving earth, stabilize and a concern about finishing prior to the winter. Mr. Shepherd attends to move for a rule suspension on both ordinances.

**ORDINANCE NO. 30-20** **BY: JOHN B. SHEPHERD**  
**AN EMEERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A**  
**CONTRACT WITH GREAT LAKES CONSTRUCTION COMPANY FOR THE 2020**  
**RIVERDALE DRIVE WIDENING PROJECT IN AN AMOUNT NOT TO EXCEED \$832,553.50**  
**INCLUDING ALL ALTERNATIVES**  
**2<sup>nd</sup> READING**

This ordinance was put out to bid with six responsive bids. Great Lakes Construction was the low bid by almost a quarter of a million dollars and came in for the whole project substantially below the engineer's estimate. They have done work for Fairview Park and the company has been checked out and the city feels they will do a good job. The project has an alternate involving painting the steel including priming and stamping the concrete to make it decorative. Mr. Shepherd is in favor of making this look good, as

this is an interesting area of Rocky River.

- Mr. Furry asked about the project Great Lakes is doing for Fairview Park and if it is the project on Mastick Road heading down into the MetroParks. Mr. Snyder will find out. Mr. Furry is in favor of voting on a rules suspension.
- Mr. Moran stated that the cost is a lot to suspend the rules on, but this issue has been discussed for many years. This project is in the budget and due to the timing situation, he is in favor of suspending the rules.
- Mr. Klym concurred and is in favor of the painting of the steel and expects it to be done well. Mr. Klym used this project as an example during the Charter Review Commission last week as the type of discussion Council has in evaluating lowest and best bids and evaluating contracts.

Mr. Shepherd moved for a rules suspension for Ordinance No. 30-20, 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	<b>PASSED</b>

Mr. Hunt echoed everyone's comments regarding this project. Since he has been on Council, this has been one of the biggest issues in the River Valley. This project is welcomed and he is excited about it for the residents down in the Yacht Club Basin. Safety-Service Directors Linden and Costello and now Rich has kept this on the radar. This is a very worthwhile and great project for the residents in the Basin.

Mr. Shepherd moved for passage of Ordinance No. 30-20 seconded by Mr. Furry and Mr. Hunt.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
	Morris – aye	Klym – aye	Moran – aye	
	7 ayes		0 nays	<b>PASSED</b>

**ORDINANCE NO. 31-20** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A**  
**CONTRACT WITH QUALITY CONTROL INSPECTION, INC. FOR THE 2020 RIVERDALE**  
**DRIVE WIDENING PROJECT CONSTRUCTION MANAGEMENT SERVICES IN AN**  
**AMOUNT NOT TO EXCEED \$146,024.00**  
**2<sup>nd</sup> READING**

Mr. Shepherd stated that this grants the contract setting a cap on the contract but is actually based on the number of hours that is put into the project. The hourly rates are set forth in the contract attached to the ordinance. They are in effect the contract manager/administrator and will keep their eye on everything and have the expertise to do so. Originally, the city received four firms that were interested and provided RFQ's for the project that were scored by MacKay Engineering, Rich and two other people and the two highest scoring firms were interviewed. This firm was selected primarily because of their communication skills and they would do the best job with the project.

Mr. Shepherd moved for a rules suspension on Ordinance No. 31-20, seconded by Mr. Hunt and Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
	Morris – aye	Klym – aye	Moran – aye	
	7 ayes		0 nays	<b>PASSED</b>

Mr. Shepherd asked that the minutes reference the considerations for the rules suspension of the prior ordinance as part of the same project.

Mr. Shepherd moved for passage of Ordinance No. 31-20 seconded by Mr. Furry and Mr. Hunt.

Vote:	Hunt – aye	Shepherd – aye	O’Donnell – aye	Furry – aye
	Morris – aye	Klym – aye	Moran – aye	
	7 ayes		0 nays	<b>PASSED</b>

**CONSENT AGENDA:**

**ORDINANCE NO. 24-20** **BY: MICHAEL P. O’DONNELL**  
**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND, DIVISION OF WATER FOR WATER METER READINGS NEEDED BY THE CITY OF ROCKY RIVER IN THE AMOUNT OF \$33,837.24, FOR THE PERIOD DATED MARCH 1, 2019 TO FEBRUARY 29, 2020 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”**  
**3<sup>rd</sup> READING**

Mr. O’Donnell stated that this ordinance has been discussed for several weeks and has not had any questions regarding it. This is an annual ordinance and is necessary because the City of Cleveland Division of Water charges about \$34,000 for actual readings so the first three readings are estimated and the fourth quarter readings are actual readings.

**ORDINANCE NO. 25-20** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO TO ACCEPT A GRANT UP TO \$29,999.99 FOR THE OPERATION OF THE MARINE PATROL FOR THE YEAR 2020, AND AS FURTHER DESCRIBED IN THE ATTACHED AWARD LETTER**  
**3<sup>rd</sup> READING**

Mr. Hunt said this is an annual ordinance that Council has contemplated and subsequently passed as long as he has been on Council. This is for the Marine Patrol budget and directing the Mayor to enter into an agreement to accept grant money from the ODNR. The city will accept 75% of the operation cost and the city will pay 25% amounting to \$10,000. The police boat runs between Memorial Day and Labor Day. Mr. Hunt has not had any questions or comments regarding this ordinance.

**ORDINANCE NO. 26-20** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY WATCHGUARD VIDEO THE SUM OF SIX THOUSAND NINE HUNDRED NINETY DOLLARS (\$6,990.00) FOR REDACTIVE SOFTWARE**  
**3<sup>rd</sup> READING**

Mr. Hunt stated that this ordinance is for software that was provided and received prior to the approval of the purchase order. In an abundance of caution and transparency, this has been placed on the agenda for approval. Mr. Hunt has not had any questions or comments regarding this ordinance.

**ORDINANCE NO. 27-20** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY HALL PUBLIC SAFETY UPFITTERS THE SUM OF TEN THOUSAND THIRTY-SEVEN DOLLARS AND SEVENTY-NINE CENTS (\$10,037.79) FOR SAFETY EQUIPMENT**

**UPGRADES TO ONE 2019 FORD UTILITY POLICE VEHICLE  
3<sup>rd</sup> READING**

Mr. Hunt said that this service was already provided to the city and completed prior to the authorization of the purchase order. In an abundance of caution and transparency, this has been placed on the agenda for approval. This is for the upfitting of a 2019 utility cruiser for the police department. Mr. Hunt has not had any questions or comments regarding this ordinance.

**ORDINANCE NO. 28-20** **BY: CHRISTOPHER J. KLYM**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF  
PUBLIC SAFETY-SERVICE TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH  
LJB INC., FOR ENGINEERING AND DESIGN FOR THE  
CENTER RIDGE COMPLETE STREETS PROJECT IN AN AMOUNT NOT TO EXCEED  
\$15,335.00**  
**3<sup>rd</sup> READING**

Mr. Klym stated that this has been read for the third time and is a follow up to Ordinance No. 1-19 in support of the Center Ridge Complete Streets Project. The original ordinance (1-19) was in the amount of \$68,000.00. This supplemental amount is the sum of two contract modifications that were outside the scope of the additional contract with LJB. The modification in the amount of \$9,435 was to perform additional traffic studies on additional intersections on Center Ridge Road west of Savors to help with work on the Congested Mitigation Project. The second modification was to aid in the revision and bidding of the project of increased engineering costs in the amount of \$5,900.00. The initial bid for construction was over the 10% threshold of the engineer's estimate so the best course of action was to change the scope of the project. Mr. Klym seeks passage of Ordinance No. 28-20 this evening.

**ORDINANCE NO. 29-20** **BY: MICHAEL P. O'DONNELL**  
**AN EMERGENCY ORDINANCE DECLARING THE INTENT OF THE CITY OF ROCKY  
RIVER TO REIMBURSE CERTAIN COSTS IN CONNECTION WITH THE  
CONSTRUCTION, EQUIPPING, FURNISHING AND OTHERWISE IMPROVING  
A NEW POLICE STATION, TOGETHER WITH ALL NECESSARY APPURTENANCES  
THERETO, FROM THE PROCEEDS OF A FUTURE ISSUE OF SECURITIES**  
**3<sup>rd</sup> READING**

Mr. O'Donnell stated that this has been discussed for several weeks and relates to the new police station but is not approving the debt issuance. This is more a treasury regulation authorization that is being recommended from Bond Council. Council will have additional chances to weigh in on the debt issuance. This is compliance with Treasury Regulations and that is why this is necessary. Mr. O'Donnell moved this ordinance for passage on the consent agenda.

Moved by Mr. Moran, seconded by Mr. O'Donnell and Mr. Furry that Ordinance No. 24-20 through 29-20 of the Consent Agenda be passed as read.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
	Morris – aye	Klym – aye	Moran – aye	
	7 ayes		0 nays	<b>PASSED</b>

**MISCELLANEOUS BUSINESS:** Mr. O'Donnell asked about meetings moving forward. Mr. Moran said that next week's meeting is canceled, as there is nothing on the agenda. At this point, there may be one more WebEx meeting during the month of May in two weeks. After that, there will be more discussion regarding the direction Council takes depending on what the Governor's statements are.

**PUBLIC COMMENT: NONE**

As there was no further business by members of Council, the meeting was adjourned at 7:56 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council