

# CITY OF ROCKY RIVER

February 11, 2019

The Regular Meeting of Council was called to order by Mr. Moran, President of Council at 7:00 p.m. in the David J. Cook Council Chambers.

Council Members Present: Mr. Shepherd, Mr. O'Donnell, Mr. Furry  
Mr. Sindelar, Mr. Klym, Mr. Moran

Absent: Mr. Hunt

Administration: Mayor Bobst, Mrs. Costello, Mr. Thomas

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

## MOTION:

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of January 28<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote: Shepherd – abstain	O'Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
5 ayes	1 abstain	0 nays	<b>PASSED</b>

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Committee-of-the-Whole Meeting of February 4<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote: Shepherd – aye	O'Donnell – aye	Furry – aye	
Sindelar – aye	Klym – abstain	Moran – aye	
5 ayes	1 abstain	0 nays	<b>PASSED</b>

Mr. Moran introduced Mr. Chris Grau, the Municipal Information Technologist for the City of Rocky River. Mr. Grau highlighted the projects implemented since April 1, 2018.

- Server virtualization project
- Desktop computer replacements in 2018
- The Fire Department's migration to emergency reporting
- Identifying and implementing financial system replacement (CMI)
- Enterprise Email System
- Evaluation of an enterprise anti-virus solution
- Building inspections application review
- Fire inspections application review
- Addressing network fiber optic and copper cabling throughout the city
- Network firewall and switches
- The police department's new facility

Server virtualization implementation of the VMware: There were four physical servers and are now down to three with nine virtual servers. This gives the city the ability to self-host a new financial system that will save the city close to \$175,000 over a five-year period. The Munis implementation began in August. The server infrastructure was built using the virtual servers. The backend is built and running. The finance department has been working on a chart of accounts, which will be the baseline for the financial system. That is scheduled to “go live” July 1<sup>st</sup>. The Human Resources and the time and attendance piece will “go live” January 1<sup>st</sup>, 2020. The third phase of that project is the EnerGov Module, which will service the Building and Fire Department’s Inspections Program. It allows citizen self-service to begin the process of permitting, sewer billing and vendor interaction.

Mr. Grau has 65 mailboxes remaining to migrate over to the new Enterprise Email System. Mr. Grau also distributed Council’s new email addresses and instructions. The Mayor added that Council’s email will be updated on the city’s website within the next week. Mr. Grau also stated that Sophos Antivirus will replace the existing platform. Discussion ensued. Mr. Moran thanked Mr. Grau for the information this evening.

Director Thomas updated Council regarding Munis. The software is loaded on the server and is running. Some of the steps overlap and are not quite finished even though new steps are beginning. The Chart of Account users and system administration is being set up and then the system will be configured. Conversion of data will be coming up followed by training. The “go live” date is July 1<sup>st</sup>. The Chart of Accounts has been reviewed. A new phase is beginning this week with Tyler staff being onsite. There has not been any glitches and the team from the city and Tyler has been consistent. The tone at the top is committed to “go live” and function by July 1<sup>st</sup>. Some funds will need to be re-numbered and Council will need to approve these changes in an ordinance.

#### **MAYOR’S REPORT:**

The Mayor said that tomorrow evening Chief Stillman, Director Costello and herself will be presenting to the Citizen’s Police Academy Alumni Association the same presentation update Council received for the police facility project.

The Mayor gave a shout-out to the firefighters who participated in the Tackle the Tower, the fight for air competition and fundraiser that was held downtown at the Terminal Tower. Rocky River firefighters took second place running 52 stories in fullout turnout gear and tanks. Congratulations to Adam Petitt, Collin Cunningham, Zach Wallenhorst, Frank Schaefer, Clayton Angeloff and Paul Murray. The city thanks them for their efforts.

The Senior Center Trivia Team won the competition beating Westlake. They will continue on to the County Tournament of 16 teams of Senior Trivia Experts. The final prize is \$2,500 for the Senior Center of the winning team. This Thursday is also the “Not So Newlywed Game” at the Senior Center.

Next Tuesday is the Cuyahoga County Solid Waste District Public Meeting at 6:00 p.m. at the Rocky River Library.

Ron Gottschalk, who has served the city for 34 years in various capacities, most recently as the GIS Specialist will be retiring next Friday, February 22<sup>nd</sup>. The city wishes him well.

On Monday, City Hall will be closed in observance of President’s Day. Refuse collection will follow its regular collection schedule.

**LAW DIRECTOR’S REPORT:** Mr. Bemer said that the minutes from the Public Hearing for Ordinance No. 88-18 were finished in draft form today and submitted to the Planning Commission. The next Planning Commission meeting is scheduled for February 20<sup>th</sup> when the minutes should be approved. If Council is interested in drafts before that time, Mr. Bemer will provide them for you.

Mr. Bemer will be out of the country and will not be at the February 25<sup>th</sup> Council Meeting. Mr. O'Shea will attend in his absence.

**COMMITTEE REPORTS:** Mr. Moran said that there was a BZA Meeting on Tuesday, February 7<sup>th</sup>. There were three items on the agenda. One item was pulled, one was tabled and a home on Collver has been approved for construction.

**COMMUNICATIONS AND ANNOUNCEMENTS: NONE**

**PUBLIC COMMENT: NONE**

**UNFINISHED BUSINESS:**

**ORDINANCE NO. 88-18** **BY: JAMES W. MORAN**  
**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 304-29-046, AND THE CONSOLIDATED PARCEL NO. 302-29-047, FROM THEIR PRESENT CLASSIFICATION OF PF PUBLIC FACILITY TO R-2 TWO FAMILY RESIDENTIAL DISTRICT, AS FURTHER DESCRIBED IN EXHIBIT "A" REFERRED TO THE PLANNING COMMISSION**  
**ON HOLD**

Mr. Moran said that this will not be read this evening. The Planning Commission's next meeting will be on February 20<sup>th</sup> to approve the minutes for the Public Hearing held by the Planning Commission.

**RESOLUTION NO. 5-19** **BY: DAVID W. FURRY**  
**A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT**  
**2<sup>nd</sup> READING**

Mr. Furry said that this has been read and discussed twice. This will be discussed further at the next meeting.

**ORDINANCE NO. 6-19** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT TO PAY MACKAY ENGINEERING FOR INSPECTION FEES RELATED TO DOMINION EAST OHIO GAS MAIN WORK ON WAGAR ROAD IN THE CITY OF ROCKY RIVER**  
**2<sup>nd</sup> READING**

Mr. Shepherd said this is a change in policy. The city needs to pay MacKay Engineering for inspection fees related to Dominion East Ohio Gas main work on Wagar Road. Dominion Energy has already reimbursed the city for this expense.

**ORDINANCE NO. 7-19** **BY: DAVID W. FURRY**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER REGARDING STORM WATER POLLUTION EDUCATION, ATTACHED HERETO AS EXHIBIT A**  
**2<sup>nd</sup> READING**

Mr. Furry said this was the second read and he is expecting passage on the third read. This is a renewal of previous ordinances and was discussed at the Committee-of-the-Whole Meeting last week.

- Mr. Klym asked about the relationship to the NPDES Permit and this contract. Does the city have their own NPDES Permit and a separate one for the Wastewater Treatment Plant? Director Costello said that the city is considered a Municipal Small Sewer System (MS4). The city has a separate NPDES Permit number and a separate number from the WWTP. Mr. Klym asked if Westlake, Bay Village and Fairview Park have their own NPDES Permit number also. Director Costello said yes. The Treatment Plant stands alone.

**ORDINANCE NO. 8-19** **BY: DAVID W. FURRY**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A  
MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND WATER  
CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER REGARDING STORM WATER  
POLLUTION PREVENTION TECHNICAL ASSISTANCE ATTACHED HERETO AS EXHIBIT A  
2<sup>nd</sup> READING**

Mr. Furry said this is a companion piece to Ordinance No. 7-19. This has been read twice and is a renewal of previous ordinances and will be read a third time and passage at the next Legislative Meeting.

**ORDINANCE NO. 9-19** **BY: JOHN B. SHEPHERD**  
**AN ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO  
RENEW AN AGREEMENT WITH FABRIZI TRUCKING & PAVING CO., INC. FOR THE  
EMERGENCY REPAIR OF STREETS AND STORM AND SANITARY SEWERS WITHIN THE CITY  
OF ROCKY RIVER AT A COST NOT TO EXCEED \$125,000.00 AS FURTHER DESCRIBED IN  
EXHIBIT A  
2<sup>nd</sup> READING**

Mr. Shepherd said that this will be passed on the third read. This is an annual street and sewer repair ordinance with Fabrizi Trucking & Paving Co. who have kept their prices steady since 2011. This sets aside money for emergency repairs, only as needed.

**ORDINANCE NO. 10-19** **BY: CHRISTOPHER J. KLYM**  
**AN ORDINANCE RATIFYING PAYMENT MADE TO TEMPEST INC. FOR PREVENTATIVE  
MAINTENANCE OF THE COMPRESSORS AT THE HAMILTON ICE ARENA FROM AUGUST 2018  
THROUGH DECEMBER 2018 IN THE AMOUNT OF SEVEN THOUSAND FOUR HUNDRED  
SEVENTY-FIVE DOLLARS (\$7,475.00)  
2<sup>nd</sup> READING**

Mr. Klym said that this is a housekeeping ordinance. An invoice came in last year, but the purchase order had not yet been approved and the invoice was inadvertently paid.

**ORDINANCE NO. 11-19** **BY: THOMAS J. HUNT**

Mr. Moran moved to amend Ordinance No. 11-19. The word addendum was removed from the cover ordinance, seconded by Mr. O'Donnell.

Vote: Shepherd – aye  
Sindelar – aye  
6 ayes

O'Donnell – aye  
Klym – aye  
0 nays

Furry – aye  
Moran – aye

**PASSED**

**AMENDED ORDINANCE NO. 11-19**

**BY: THOMAS J. HUNT**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION PATROLMEN OF THE ROCKY RIVER POLICE DIVISION, AND AS FURTHER DESCRIBED IN EXHIBIT “A”**

**2<sup>nd</sup> READING**

Mr. Moran said that this ordinance has been read and discussed several times. Mr. Moran spoke with Mr. Hunt and the Mayor regarding this ordinance. This needs to be approved within 30 days by state law.

Mr. Moran moved to suspend the three read rule on Amended Ordinance No. 11-19, seconded by Mr. Furry.

Vote: Shepherd – aye	O’Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes	0 nays		<b>PASSED</b>

Mr. Moran moved for passage of Amended Ordinance No. 11-19, seconded by Mr. O’Donnell.

Vote: Shepherd – aye	O’Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes	0 nays		<b>PASSED</b>

**ORDINANCE NO. 12-19**

**BY: THOMAS J. HUNT**

Mr. Moran moved to amend Ordinance No. 12-19. The word addendum was removed from the cover ordinance, seconded by Mr. O’Donnell.

Vote: Shepherd – aye	O’Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		<b>PASSED</b>

**AMENDED ORDINANCE NO. 12-19**

**BY: THOMAS J. HUNT**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION SERGEANTS, LIEUTENANTS AND CAPTAIN ROCKY RIVER POLICE DIVISION, AND AS FURTHER DESCRIBED IN EXHIBIT “A”**

**2<sup>nd</sup> READING**

Mr. Moran said that this ordinance has been read and discussed several times. Mr. Moran spoke with Mr. Hunt and the Mayor regarding this ordinance. This needs to be approved within 30 days by state law.

Mr. Moran moved to suspend the three read rule on Amended Ordinance No. 12-19, seconded by Mr. Furry.

Vote: Shepherd – aye	O’Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes	0 nays		<b>PASSED</b>

Mr. Moran moved for passage of Amended Ordinance No. 12-19, seconded by Mr. O’Donnell.

Vote: Shepherd – aye	O’Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes	0 nays		<b>PASSED</b>

**ORDINANCE NO. 13-19**

**BY: MICHAEL P. O'DONNELL**

Mr. O'Donnell moved to amend Ordinance No. 13-19 to substitute his name for Council President's on the ordinance, seconded by Mr. Furry.

Vote: Shepherd – aye	O'Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		<b>PASSED</b>

**AMENDED ORDINANCE NO. 13-19**

**BY: MICHAEL P. O'DONNELL**

**AN EMERGENCY ORDINANCE AMENDING SECOND ORDINANCE 74-18 CREATING POSITIONS AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING JANUARY 1, 2019 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER**

**2<sup>nd</sup> READING**

Mr. O'Donnell moved to suspend the three read rule on Amended Ordinance No. 13-19, seconded by Mr. Furry.

Vote: Shepherd – aye	O'Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes	0 nays		<b>PASSED</b>

Mr. O'Donnell moved for passage of Amended Ordinance No. 13-19, seconded by Mr. Furry.

Vote: Shepherd – aye	O'Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes	0 nays		<b>PASSED</b>

**NEW BUSINESS:**

**ORDINANCE NO. 14-19**

**BY: BRIAN J. SINDELAR**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY-SERVICE DIRECTOR TO PURCHASE SIX (6) CONTROLLER UNITS AND FOUR (4) GPS UNITS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING CONTRACT FROM BALDWIN & SOURS, INC. AT A COST NOT TO EXCEED \$17,530.00**

**1<sup>st</sup> READING**

Mr. Sindelar said this ordinance is for the purchase of six controller units and four GPS units for the Service Division. Mr. Sindelar asked if these units are movable. Director Costello said that once they are installed, the controllers will be for that signal only and they are similar to other controllers purchased previously. This will have two more reads.

**ORDINANCE NO. 15-19**

**BY: JOHN P. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC. FOR THE 2019 WATER MAIN REPLACEMENT FOR ERIEWOOD, IN AN AMOUNT NOT TO EXCEED \$333,313.00**

**1<sup>st</sup> READING**

Mr. Shepherd said that this project will ultimately be paid for by the City of Cleveland Water Department. The city did due diligence and received seven bids and Fabrizi was the low bidder. The bid was beneath the engineer's estimate. The city did all the background checks including the Auditor's State Unresolved Database.

This project will not begin until April or May depending on weather conditions but it is important for them to begin their preliminary videoing to get this project moving forward. This will have three full reads.

**ORDINANCE NO. 16-19** **BY: MICHAEL P. O'DONNELL**  
**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A REIMBURSEMENT FOR THE HAMPTON ROAD AND LAKEVIEW AVENUE WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$47,030.00**  
**1<sup>st</sup> READING**

This ordinance involves the Hampton Road and Lakeview Avenue Water Main Improvement Project. Initially the City of Cleveland reimbursed the city for this project in the amount of \$338,200 and the project came in under budget. The city needs to return the balance of money to the City of Cleveland in the amount of \$47,030. This will have three full reads.

**ORDINANCE NO. 17-19** **BY: MICHAEL P. O'DONNELL**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY MACKAY ENGINEERING & SURVEYING COMPANY THE SUM OF SEVENTY-TWO THOUSAND NINE HUNDRED AND TWENTY-SIX DOLLARS AND NINETY-FOUR CENTS (\$72,926.94) FOR WORK PERFORMED ON HILLIARD ROAD RESURFACING AND S. ISLAND/WOOSTER/RIVERDALE SANITARY SEWER WORK FOR THE CITY OF ROCKY RIVER**  
**1<sup>st</sup> READING**

This is the first read and is for engineering services for multiple different projects throughout the city. The Hilliard Road resurfacing project, the S. Island/Wooster/Riverdale Sanitary Sewer work and Parklawn Sanitary Sewer. The work was approved and in the budget and this ordinance pays the engineering costs for this project. Mr. O'Donnell anticipates three full reads.

**CONSENT AGENDA**

**ORDINANCE NO. 1-19** **BY: CHRISTOPHER J. KLYM**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH LJB INC., FOR ENGINEERING AND DESIGN AND THE CITY OF FAIRVIEW PARK FOR THE CENTER RIDGE COMPLETE STREETS PROJECT IN AN AMOUNT NOT TO EXCEED \$68,000.00**  
**3<sup>rd</sup> READING**

Mr. Klym said that this is an ordinance to begin the engineering work to be completed on Center Ridge Road in conjunction with Fairview Park. The city received a Congested Mitigation Air Quality Grant and the City of Fairview Park received a TLCI grant and together signalization upgrades, safer crosswalks, safer transportation environment, ADA compliance on the Rocky River side of Center Ridge Road and an appropriate ADA compliance at the crosswalk by the Force and Savors buildings. This is an exciting project with the total cost being \$68,000 with Fairview Park and Rocky River each paying a portion.

**ORDINANCE NO. 2-19** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE TIRES ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019**  
**3<sup>rd</sup> READING**

**ORDINANCE NO. 3-19**

**BY: BRIAN J. SINDELAR**

**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE GASOLINE, FUEL OIL AND ALLIED PRODUCTS ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2019 TO DECEMBER 31, 2019**

**3<sup>rd</sup> READING**

Mr. Sindelar said that Ordinance No. 2-19 and 3-19 are annual ordinances to allow the Safety Service Coordinator to purchase these items on the Open Market for the best possible prices from January 1<sup>st</sup> to December 31<sup>st</sup>, 2019 for a cost savings.

**ORDINANCE NO. 4-19**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH KMU TRUCKING & EXCAVATING, L.L.C. FOR THE 2018 SANITARY SEWER IMPROVEMENT AT A COST NOT TO EXCEED \$214,601.00**

**3<sup>rd</sup> READING**

Mr. Shepherd said that this is the Yacht Club Sewer Project for sections of Parklawn, South Island and Wooster Road. There were five bids with KMU being the low bidder. This will be paid from the Sewer Rehabilitation Fund.

Moved by Mr. Moran, seconded by Mr. O’Donnell that Ordinance Nos. 1-19, 2-19, 3-19 and 4-19 of the Consent Agenda be passed as read.

Vote: Shepherd – aye	O’Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes		0 nays	<b>PASSED</b>

**MISCELLANEOUS BUSINESS:** Mr. Moran mentioned that he had the opportunity to attend a CERT meeting last week. At the meeting, the Mayor thanked members who helped with the gas emergency two weeks ago. Part of the program was an update for CPR and AED equipment. Mr. Moran said this was a great program for a refresher course. One of the trainers from University Hospital mentioned that 5% of the people in Ohio are certified to perform CPR and utilize AED equipment. In Seattle, Washington 65% of the people are certified to perform CPR and AED equipment. Mr. Moran would like to work together with Council to educate and train others and ourselves to improve that 5% to be closer to the 65% in Seattle, Washington.

**PUBLIC COMMENT:** Mr. Bill Welsh asked if the employees at the Rec Center in the Fitness Room are certified in CPR and AED equipment. The Mayor said that they have been trained. The Mayor mentioned that Compression Only CPR is being adopted more than Mouth-to-Mouth CPR. All of the city’s lifeguards receive CPR training.

Due to the Cuyahoga County Solid Waste District Public Meeting at 6:00 p.m. at the Rocky River Library next Tuesday, Mr. Klym moved to set aside next week’s Committee-of-the-Whole Meeting and hold the next Council Meeting on Monday, February 25<sup>th</sup>, seconded by Mr. Furry.

Vote: Shepherd – aye	O’Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes		0 nays	<b>PASSED</b>

As there was no further business by members of Council, the meeting was adjourned at 8:16 p.m.

\_\_\_\_\_  
James W. Moran  
President of Council

\_\_\_\_\_  
Susan G. Pease  
Clerk of Council