

CITY OF ROCKY RIVER

JANUARY 13, 2020

The Legislative 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. 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

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Committee-of-the-Whole Meeting and the Special Meeting of December 16th be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
	Morris – abstain	Klym – aye	Moran – aye	
	6 ayes	1 abstain	0 nays	PASSED

Moved by Mr. Moran, seconded by Mr. O'Donnell that the reading of the minutes of the Committee-of-the-Whole Meeting of January 6th 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	PASSED

MAYOR'S REPORT: The Mayor announced that the Police Station bids were open on Friday at noon. There were 12 bidders; 3 for the plumbing package and 10 for the general trade's package, one contractor bid on both packages. All bids came in either under our Engineer's Estimate or within the 10%. Bowen is currently reviewing the apparent low bidders and will meet again with the City Administration on Friday to go over their analysis. Today the Mayor received word that if the final low bid is successful in accuracy, completeness and capacity to complete the project, that bid will be applied to all the alternates to see what the true costs are. The Mayor will then meet with Director Thomas, Safety Service Director Snyder and Councilman Hunt to discuss any overages for the all-in project. The administration has ideas on how to manage this cost and provide guidance to Bowen to determine any additional funding options / recommendations. Bids will be presented to Council in separate ordinances, but all at the same time.

The Mayor shared Building Department Statistics:

- Building Permits - 1726 permits pulled in 2019 compared to 1701 pulled in 2018
- Total Valuation – \$44,492,000 in 2019 compared to \$31,500,000 in 2018.

The city has not been close to \$44 million since 2013 when the city had a high of \$52 million, which was attributed to one project. The administration is very pleased that there continues to be investment in the city. The Mayor thanked all the Land-Use Commissions: the BZA, the Planning Commission, the Architectural Review Board, the Building Department staff and Law Director Bemer. This is a lot of work to do in one year and with very notable projects. Everyone has done a tremendous job.

The Residence Reference Guide should be arriving in resident's mailboxes within the next few days. The Mayor distributed copies to Council members. The Mayor thanked Mary Ellen Umerley who coordinates this along with Cleveland Magazine. The Mayor thanked Cleveland Magazine and all the advertisers, many who are Chamber of Commerce members for their support. This Guide is distributed to all residential households and businesses in Rocky River, at no charge.

Fire Prevention Officer Rob Crowe will be retiring from the Rocky River Fire Department this week. Rob has been the Fire Prevention Officer for the past 17 years working on community education and outreach work with residents and businesses of the community. Firefighter Joe Williams will be replacing Officer Crowe. Officer Williams has been with the Rocky River Fire Department for 25 years and has been working very closely with Officer Crowe. Officer Crowe will be missed.

Deer culling will begin later this month. The Deer Management Program in the Cleveland MetroParks begins January 21st through March 19th on different days. On the days they are culling, it will begin at noon and continue through to 6:00 a.m. the following morning in the reservation. The Rocky River Reservation will be closed on culling days. They will follow the same safety protocol using sharp shooters at elevated positions and the venison will be donated. The rifles are also noise suppressed. The only issue when this process starts are the deer coming up into the community.

The Mayor announced a new effort in recycling called the "Give Back Box Program". Mr. Snyder informed the Mayor that this is a great way to reduce waste in the form of cardboard boxes and find a new home for gently used household items. More information can be found at givebackbox.com. This message will also be sent out on Ready Notify and Facebook.

The Mayor announced that the City of Rocky River was named at #8 as one of the top ten places in Ohio to live. This particular group is called "Homes Snacks" and looks at medium home values, income, population, density, unemployment rates, crime, education levels, insurance coverage, poverty rates and other indicators. Mr. Bemer noted that Rocky River was the only city mentioned in northeast Ohio.

The Mayor corrected the announcement last week from Nan Baker that the city was receiving \$70,000 from the County for PSAP. The County was actually accepting the \$7,000 contract that was provided to the County from the City of Rocky River.

Mr. Snyder stated that on behalf of the Service Department, they would like to thank City Council for approving the new International semi-tractor that was delivered last week and will be used to take refuse to the landfill and yard waste out for disposal. Today the Service Department also received the new 32 cubic yard refuse packer. The Service Department has been working on this chassis and body for about a year. Both of these vehicles will be on the frontline going forward.

The Mayor also announced that HR Director Mike Greco's father passed away suddenly last week. The Mayor, administration and Council express their sympathies to Director Greco. The funeral services are private.

On a happier note, the Mayor announced that Recreation Director Bob Holub and his wife Sarah welcomed their new baby daughter Eva Mae last Friday.

- Mr. O'Donnell asked about the Police Department bids and if they were over the Engineer's estimated. The Mayor explained that the lowest bid was below the Engineer's Estimate at \$5,326,000 for general trades and \$450,000 for plumbing. This does not include the alternates that were bid for the Garage and Firing Range. The bids will now be evaluated by Bowen and

Associates for their accuracy, completeness and contractor capacity.

LAW DIRECTOR BEMER: Mr. Bemer said there is an Airbnb issue in Ward 1. This issue was addressed to the Building Department by neighbors and a complaint has been issued on that particular property owner.

Mr. Bemer said that the Law Director's Association had a seminar on Residential Nuisance Abatement last week. Building Commissioner Ray Reich and Inspector John Peters attended along with Mr. Bemer. Mr. Bemer said it was enlightening regarding litigation concerning the constitutionality of administrative search warrants. Information was received on how best to constitutionally pursue those types of search warrants in administrative reviews of residential properties that appear to be a nuisance.

MUNICIPAL INFORMATION TECHNOLOGIST: Mr. Chris Grau updated Council regarding MUNIS. Mr. Grau stated that in 2018 infrastructure changes to the Data Center were made installing new servers running in a virtual environment. The city moved into a digital financial system called MUNIS and went live with it in September 2019. All the department directors now have real time financial data available. The transition went fairly smooth. Mr. Grau identified areas of improved training that he is working with Tyler Technologies on with recommendations. The Human Capital Management piece will begin in February and will be live by the end of the year. The EnerGov Module will be next, primarily for the Building Department and Fire Department providing real time reporting for inspections and allowing live interaction between residents and the city in permitting processes and inspections. With the transitions, the fiber optic infrastructure on City Hall Campus was replaced last summer and a network replacement project that is nearing completion with the exception of the cameras that are continuing to be installed. This moved the city from a business class network into an enterprise class network that primarily runs in the cloud enabling police officers to view cameras in real time. The Sophos Antivirus platform was implemented throughout the city including the police department. There were 25-35 desktop replacements throughout the city including the police department.

Looking towards the future, later this year passed the EnerGov Module, the new police department building will be equipped with the same technology at City Hall with Meraki switches, cameras and wireless access points. The phone system will also be looked at as parts, licensing and warranty extensions will not be available for the Toshiba phone system.

- Mr. Shepherd asked about the Human Capital Management piece that was referenced. Mr. Grau said this gives the HR Director and Finance a platform to manage personnel from hire to retirement, track promotions, pay scales and benefits. It also includes a time clock for those that need to clock in. This is all included in the original cost.
- Mr. Klym stated that the EnerGov Module is a new product and asked if that will come in front of Council again. Mr. Grau said it will but it is not as expensive as the MUNIS product. Mr. Grau has budgeted about \$295,000 plus a 10% contingency, but does not think the project will come in anywhere near that price. Mr. Klym asked how long to implement, security issues and will there be hardware costs. Mr. Grau said the implementation time line is 6-8 months and the only additional hardware costs would be if inspectors are equipped with iPads or some sort of tablet. There will be no security issues by adding this module. The Mayor stated the city currently has the Franklin System and it has some of the same capabilities as EnerGov and may save some time in implementation. Mr. Grau added that there is a GIS platform that is built in the EnerGov so inspectors can look up things such as water pipes, gas lines that will help with future digging. Mr. Klym asked if this system would provide any real time reference to the city's code sections. Mr. Grau believes it does.

- Mr. Moran asked if Mr. Grau has had communication with other communities. Mr. Grau communicates with Westlake as they have similar technologies. Mr. Grau will be visiting the City of Zanesville who recently initiated a city Wi-Fi system outside the city public buildings. The Mayor noted that Cox has created a Wi-Fi environment in downtown Rocky River.
- Mr. O'Donnell inquired about cities that have been scammed with false invoices. Is the city protected? Mr. Grau believes that if anything would come up, the city would be able to find it and stop it. The Mayor stated that policies are in place that any changes are done in person only, not electronically. The Mayor gave Mr. Grau kudos for all the alerts regarding cyber threats and scams he is aware of and promptly sends out to employees.
- Mr. Klym reiterated that he would like Mr. Grau to attend the December Budget Hearing as Technology is a big part of the budget and growing.

Mr. Moran thanked Mr. Grau for updating Council this evening.

COMMITTEE REPORTS: PLANNING COMMITTEE: Mrs. Morris announced the Public Meeting of the Planning Commission on Wednesday, January 15, 2020, beginning at 7:00 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS: Mr. Moran discussed the Liquor License transfer for Old River Tap and Social at 19245 Detroit Road. This will be discussed further after review by the police department and Mr. Shepherd would like a breakdown of ownership for this establishment.

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

MOTION:

Mr. Hunt moved to amend ordinance No. 97-19 by substitution of the exhibit revised as of January 2, 2020, 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

AMENDED ORDINANCE NO. 97-19

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 331.38 ENTITLED STOPPING FOR SCHOOL BUS; DISCHARGING CHILDREN, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Hunt stated that the exhibit regarding Section 331.38 was revised to a 4th degree misdemeanor and to increase the fine amount from \$500 to \$1,000. Mr. Hunt indicated that the amendment of the reckless operation ordinance will be forthcoming.

- Mr. O'Donnell will support this ordinance but would like it noted that he feels the language may be confusing as it requires the bus driver to extend the arm of the stop sign if he or she is dropping children off. If the arm is broke, there is no defense if someone moves around the bus. Mr. O'Donnell is concerned that there could be a situation where somebody truly did not realize

that the school bus was stopped to drop off children. Mr. Shepherd added that in that particular situation, the red lights on the bus would still be flashing.

- The Mayor would like this shared with the Superintendent of Schools and the Transportation Department. Council said it has been in the city's Code and the State Code for a long time so the school should be aware, but should be informed of the changes made.

Mr. Hunt moved for passage of Amended Ordinance No. 97-19, 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. 103-19

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 STORMWATER POLLUTION PREVENTION TECHNICAL ASSISTANCE, ATTACHED HERETO AS EXHIBIT A

3rd READING

Mr. Furry said that this is a yearly ordinance and is a renewal of Ordinance 8-19. As there are no further questions, Mr. Furry would like to seek passage of Ordinance No. 103-19, 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. 104-19

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

3rd READING

Mr. Furry said that this is a companion ordinance to 103-19 and is a renewal of 7-19. As there has been little discussion regarding this ordinance, Mr. Furry moved to pass Ordinance No. 104-19, 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

RESOLUTION NO. 107-19

BY: JOHN B. SHEPHERD

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA) FOR THE WOOSTER ROAD REHABILITATION PROJET (WESTOVER AVENUE TO CENTER RIDGE ROAD) AS PART OF THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd stated that this resolution authorizes the Mayor into an agreement with NOACA for the continuation of funding for the paving on Wooster Road from the Wooster Road extension from Center

Ridge Road to Westover. This will complete the resurfacing of Wooster Road. It is an 80% sharing and under this agreement, there will be \$1,025,018 available for this project. This resolution is simply to execute a preliminary agreement called a sponsorship, partnership, responsibility agreement with NOACA.

MOTION:

Mr. Moran moved to amend ordinance No. 109-19 by substitution of Mr. Sindelar’s name with Mr. Moran’s name as sponsor of this ordinance, 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

AMENDED ORDINANCE NO. 109-19 **BY: JAMES W. MORAN**
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-
SERVICE TO PURCHASE VEHICLE MAINTENANCE PARTS FOR THE CITY OF ROCKY
RIVER FOR A TWO (2) YEAR PERIOD FROM CAR PARTS WAREHOUSE AT A COST NOT
TO EXCEED \$55,000 PER ANNUM**
2nd READING

Mr. Moran reviewed this with Mr. Snyder regarding the bid that went out with items used such as filters, headlights, bulbs etc. This allows the city to purchase from this supplier at lower cost but the city can still purchase elsewhere. This will be discussed further at next week’s meeting.

NEW BUSINESS:

ORDINANCE NO. 1-20 **BY: MICHAEL P. O’DONNELL**
**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF
CLEVELAND DIVISION OF WATER A REIMBURSEMENT FOR THE HOMELAND DRIVE
AND RIVERWOOD AVENUE WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT
OF \$91,771.77**
1st READING

Mr. O’Donnell said this was discussed last week. This is similar to two ordinances council passed in 2019. This relates to a reimbursement to the City of Cleveland Division of Water for Homeland Drive and Riverwood Avenue Water Main Improvement Project in the amount of \$91,771.77. This will have three full reads.

ORDINANCE NO. 2-20 **BY: MICHAEL P. O’DONNELL**
**AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF SEWER RATES PAID TO THE
CITY OF LAKEWOOD FOR WASTEWATER TREATMENT SERVICES FOR THE
VALLEYVIEW SEWER DISTRICT**
1st READING

This is an annual ordinance that will have three full reads. The Wastewater Treatment Services are provided to the Valleyview neighborhood by the City of Lakewood. This ordinance authorizes the payment to the City of Lakewood from the City of Rocky River. There is an increase of about 5% in the price from last year. The City of Rocky River charges \$38.00 per mcf, which is currently being reviewed. It would be a significant cost to the City of Rocky River to put in a pump station and an expansion down Wooster to the T-track to provide this service to the Valleyview neighborhood.

ORDINANCE NO. 3-20 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENGAGE JAMES G. ZUPKA, CPA, INC. FOR PROFESSIONAL SERVICES FOR THE FISCAL PERIODS JANUARY 1, 2019 THROUGH DECEMBER 31, 2023 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
1st READING

Mr. O'Donnell stated that this ordinance as drafted will allow the city to retain a new audit firm covering the next five-year period. The last two audits were conducted by the Auditor of State. Approximately five bidders participated and Mr. Zupka's firm was the lowest and best bid. Previously the city used Ciuni Panichi, Inc. for the audit for a ten-year period.

ORDINANCE NO. 4-20 **BY: JOHN B. 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 2020 WATER MAIN REPLACEMENT FOR SHORELAND AVENUE AND STRUHAR DRIVE IN AN AMOUNT NOT TO EXCEED \$895,602.00
1st READING

Mr. Shepherd said these funds come from the sewer rehabilitation fund but will be reimbursed by the City of Cleveland's Water Department. Six bids were received and this was the low bid at \$76,000 under the next closest bid and well below the engineer's estimated of \$975,000. Fabrizi has done satisfactory work in the city in the past and received favorable recommendations from Aurora, Brecksville and Mayfield Village. Fabrizi has no unresolved findings in the Auditor's State Database. This will have a full three reads.

PUBLIC COMMENT: NONE

MISCELLANEOUS BUSINESS: President Moran noted that Mr. Bill Welch was not at this evening's meeting. Rocky River City Council along with the administration hopes that Bill is doing well.

President Moran thanked Mary Ellen Umerley for her work on the Resident's Reference Guide.

Next week's Committee-of-the-Whole Meeting has been canceled in honor of Martin Luther King Day. The next City Council Meeting will be held on Monday, January 27th, beginning at 7:00 p.m.

Mr. Moran moved to close the Legislative Meeting at 8:07 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council