

CITY OF ROCKY RIVER

February 14, 2022

The Regular Legislative Meeting of Council was called to order by Mr. Moran, President of Council, at 7:00 p.m. in the Civic Center Community Room.

Council Members Present: Mr. Shepherd, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Sindelar (7:04), Mr. Moran

Absent: Mr. Hunt

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

Law Director: Mr. O'Shea

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 24th be waived and that the minutes be accepted as submitted.

Vote:	Shepherd – aye	Gallagher – aye	Furry - aye	
	Morris – aye	Moran – aye		
	5 ayes	0 nays		PASSED

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Committee-of-the-Whole Meeting on February 7th be waived and that the minutes be accepted as submitted.

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

MAYOR'S REPORT:

The Mayor updated Council on the Morewood Parkway Project. The Mayor first thanked Director Snyder for his report this morning. The maintenance of traffic plan will be reversing from Stratford/Beaconsfield to Wagar, south and to the west. The sanitary sewer connections will begin with the redirection of the sanitary sewer off of Detroit. It will be redirected through the back of ACE Hardware, TEC, by the school property and then connecting to Morewood down to the t-track. It will be much easier to maintain and repair.

The roads have taken a beating with the increased snow plowing. The Streets Department has been mobilized with the hot box of asphalt repairing the roads throughout the city. Westway is particularly bad and is on the schedule for repaving this summer from Northview to the I 90/Hilliard intersection. If Council is aware of potholes or receives complaints about any, please alert the administration so those can be repaired.

The Mayor stated that the bid opening for the Wooster Road Paving Project from Center Ridge south to the Fairview Park line was today. The engineer's estimate for this project is \$730,000 and the apparent low bidder was at \$598,000. Six bids were received. The earlier in the year the city can go out for bids, the more competitive the bids become. A big thank you to Council for the passage of the 2022 Budget making early bidding possible.

The Mayor shared COVID-19 stats:

- This week the city is down to 21 new cases of COVID
- Last week there were 26 new cases
- The week before that there were 69 new cases
- The week before that there were 107 new cases
- The week before that there were 170 new cases
- The week before that there were 220 new cases

This week's numbers show a very dramatic change at less than 10% of the numbers a month ago.

In light of this information, along with discussions with surrounding communities and the County Health Department (although they have not issued a formal opinion regarding mask wearing) the city will be lifting the mask mandate on Monday, February 21st. Masks will no longer be required but encouraged. Those that are not vaccinated are encouraged to wear masks and social distancing will still be in place in many parts of City Hall Campus as well as disinfection.

LAW DEPARTMENT: NONE

COMMITTEE REPORTS: Planning, Zoning and Economic Development: President Moran announced the retirement of Mr. Todd Brandt from the BZA after 16 years of service and was recognized by the Mayor. Mr. Brandt was a great person and a great representative of the city.

COMMUNICATIONS FROM COUNCIL: Mr. Moran said that there were some issues with the snow removal, but overall, it was excellent and the streets looked great. There were challenges with cul-de-sacs and if there are any questions please call the Safety-Service Director. Thank you to Director Snyder and his staff for the great job.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 71-21

BY: CHRISTINA MORRIS

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 905.03 ENTITLED "DRIVEWAY LOCATION AND WIDTH" AND SECTION 905.04 ENTITLED "DRIVEWAY APRON MATERIAL AND THICKNESS", AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
ON HOLD**

Mrs. Morris said this was referred to the Planning Commission and is still on hold. This ordinance will be discussed at the Planning Commission meeting tomorrow evening.

ORDINANCE NO. 105-21

BY: JAMES W. MORAN

**AN EMERGENCY ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTIES KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 301-33-003, FROM ITS PRESENT CLASSIFICATION OF R-6 MULTI-FAMILY RESIDENTIAL, AND PERMANENT PARCEL NOS. 301-33-002, 301-33-004, 301-33-005, AND 301-33-006 FROM THEIR PRESENT CLASSIFICATION OF R-4 MULTI-FAMILY RESIDENTIAL, TO R-5 MULTI-FAMILY RESIDENTIAL, AS FURTHER DESCRIBED IN EXHIBIT "A"
ON HOLD**

Mr. Moran stated that this was referred to the Planning Commission and is still on hold. This ordinance will also be discussed at the Planning Commission meeting tomorrow evening.

ORDINANCE NO. 5-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH QUALITY CONTROL INSPECTIONS, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE WOOSTER ROAD RESURFACING PROJECT IN AN AMOUNT NOT TO EXCEED \$79,638.50, AS FURTHER DESCRIBED IN EXHIBIT "A"
2nd READING

Mr. Shepherd said this was put out for RFP's and six responses were received and Quality Control was the best proposal. The price came in within the usual 10-14% and with the good news from the Mayor the city is within the range. The city has had good experience with QCI. This will be read for a third time in two weeks.

NEW BUSINESS:

RESOLUTION NO. 6-22 **BY: JEANNE GALLAGHER**
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. 302-01-009 AT 22660 BREEZEVALE ROAD, ROCKY RIVER, OHIO
1st READING

Mrs. Gallagher stated that this ordinance is required by the ODNR and the Army Corps of Engineers stating that the City of Rocky River supports the placement of a revetment adjacent to the property at 22660 Breezevale Road.

- Mr. Furry asked exactly where this is located on Breezevale Cove. The Mayor stated it is west of Mr. Blaha's property in the common area.

ORDINANCE NO. 7-22 **BY: CHRISTINA MORRIS**
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE TWO (2) IDENTICAL PUMPS FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$65,000 AS FURTHER DESCRIBED IN EXHIBIT A
1st READING

Mrs. Morris stated this ordinance is for two new pumps for the WWTP. There are currently two that are operational but are critically failing. These new pumps will replace the current pumps.

RESOLUTION NO. 8-22 **BY: ALL MEMBERS OF COUNCIL**
AN EMERGENCY RESOLUTION TO APPOINT DAVID W. FURRY, COUNCILMEMBER-AT-LARGE, AS A MEMBER OF THE PARKS AND RECREATION COMMISSION OF THE CITY OF ROCKY RIVER
1st READING

President Moran explained that all of Council is appointed to represent various committees. Mr. Furry is the Chair for Parks, Recreation and Health Committee and will also be appointed to the Parks and Recreation Commission, per the Charter.

- Mr. Furry asked if he should abstain on issues until this resolution is passed. The Mayor said Mr. Furry should abstain.

RESOLUTION NO. 9-22 **BY: ALL MEMBERS OF COUNCIL**
A RESOLUTION TO APPOINT CHRISTINA MORRIS, COUNCILMEMBER-AT-LARGE, AS THE ROCKY RIVER CITY COUNCIL REPRESENTATIVE TO S.A.F.E. (SAFE AIR FOR THE ENVIRONMENT) COUNCIL OF GOVERNMENTS
1st READING

Mr. Moran stated that Councilwoman Morris is the Chair for the Environmental Committee and is also appointed to be the representative for S.A.F.E. Council of Governments.

CONSENT AGENDA:

ORDINANCE NO. 1-22 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE AMENDING AMENDED ORDINANCE 92-21 CREATING POSITIONS AND FIXING OR ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING JANUARY 1, 2022 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
3rd READING

Mr. Moran stated that the changes in the Wage Ordinance reflect the new police wages agreed to in their new union contract. No other changes have been submitted.

ORDINANCE NO. 2-22 **BY: JOHN B. SHEPHERD**
AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC. FOR THE 2022 WATER MAIN REPLACEMENT FOR MALVERN AVENUE AND TELBIR AVENUE IN AN AMOUNT NOT TO EXCEED \$1,186,286.75, AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

Mr. Shepherd stated that this ordinance is a paving and major water main replacement for Malvern and Telbir Avenues. Five bids were received with Fabrizi being the low bidder. The Cleveland Water Department will reimburse the City of Rocky River \$614,767 out of the \$1,186,286.75 cost.

ORDINANCE NO. 3-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO RENEW AN AGREEMENT WITH FABRIZI TRUCKING & PAVING COMPANY, INC. FOR THE EMERGENCY REPAIR OF STREETS AND STORM AND SANITARY SEWERS WITHIN THE CITY OF ROCKY RIVER AT A COST NOT TO EXCEED \$50,000.00, AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

Mr. Shepherd stated that the city annually sets aside money for emergency repairs even though the city makes an effort to do these repairs, but sometimes it is necessary to go outside for help. Fabrizi has had this contract since 2011 when Fabrizi was the low bid it and has held the same prices since then. MacKay Engineering has verified that the pricing is very favorable.

ORDINANCE NO. 4-22 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A CONTRACT WITH BUILDING

**TECHNICIANS CORPORATION FOR THE MUNICIPAL COURT ROOF REHABILITATION
AT A COST NOT TO EXCEED \$196,200.00 AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING**

Mr. Shepherd stated that three bids were received and the low bidder was Building Technicians Corporation. It is the city's responsibility under state law and the arrangement with the Court, that the city takes care of the structure of the building. Mr. Shepherd believes the court building is approximately 22-23 years old.

Mr. Moran moved for passage of Ordinance Nos. 1-22, 2-22, 3-22 and 4-22 on the Consent Agenda, seconded by Mr. Furry.

Vote:	Shepherd – aye	Gallagher– aye	Furry - aye	
	Morris – aye	Sindelar – aye	Moran – aye	
	6 ayes		0 nay	PASSED

MISCELLANEOUS BUSINESS: President Moran stated that the next meeting on Monday, February 28th, Council will meet in Council Chambers beginning at 7:00 p.m. Next Monday is a holiday and there will not be a Committee-of-the-Whole Meeting. All of Council agreed.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:26 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council