

**CITY OF ROCKY RIVER**

**FEBRUARY 24, 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. O'Donnell, Mr. Furry,  
Mrs. Morris, Mr. Klym, Mr. Moran

Absent: Mr. Shepherd

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 Legislative Meeting of February 10<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	O'Donnell – aye	Furry – aye	
	Morris – aye	Klym – aye	Moran – aye	
	6 ayes		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 18<sup>th</sup> be waived and that the minutes be accepted as submitted.

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

**MAYOR'S REPORT:**

The Mayor discussed the fire in Rocky River last evening saying the best news is that no one was hurt, no one was injured, the residents were safe, the firefighters and paramedics were safe and that is the goal whenever fighting a fire. Chief Lenart stated that last night's fire was a "career fire", meaning that a firefighter might never see another fire like that in a career. The building just west of the fire had apartments heavily damaged. Those individuals were assisted by the Red Cross to address their immediate needs. The Mayor will alert the community if there are additional needs of these individuals, as there was an outpouring of concern for these families. A very large thank you to the mutual aid partners, i.e. Lakewood, Fairview Park, Cleveland (in the MetroParks), North Olmsted, Westlake, Bay Village and Avon Lake all joined with Rocky River to combat this fire. All the time spent by the Westshore in training, understanding each city's equipment and developing standard operating procedures was utilized last night. The firefighters did a tremendous job working together and the Westshore is fortunate to have the equipment that was used at last night's fire. Thank you to all of the firefighters of the Westshore, all the Fire Chiefs were there with a special shout out to Chief Lenart and Chief Raffin from Fairview Park who did a tremendous job. Thank you to the Red Cross who came and took care of some of the most important things concerning residents who were displaced from their homes. Both Dominion and First Energy were there at the scene so their process could begin immediately after the fire was extinguished. County Emergency Management was on site last evening with drone coverage encircling the building to direct the firefighters to hot spots. Thank you to the State Fire Marshall who

was on site first thing this morning and conducted a complete review of the entire site using drones to look at much of the building. Thank you to Safety-Service Director Rich Snyder and the Service Department for being on site and helping the police department with things that were needed and cleaning up the site so the westbound lanes of Hilliard could be opened with one lane eastbound opening by 3:00 p.m. this afternoon. Thank you also to President Moran and City Council members for passing on the information and the response of what could they do and how can they help. Thank you for all of the calls from City Council and residents offering help in any way possible as it was very much appreciated. Thank you also to Representative Greenspan and Congressman Gonzales for their calls last evening and offering their help.

The Mayor also reported that “Elle’s Enchanted Forest” has been raising funds for an all-inclusive playground where individuals of all abilities can play. The city is receiving \$79,000 worth of playground equipment with a community build this spring. Safety Service Director Rich Snyder and Recreation Director Bob Holub have been a large part of this project along with Ann Butler, Elle’s mother, who began raising these funds. The city will provide the surface along with site preparation.

**LAW DIRECTOR BEMER:** Mr. Bemer announced that next Tuesday, March 3<sup>rd</sup>, the Northeast Ohio Law Director’s Association is having a seminar, which will include the Attorney General’s Sunshine Law Presentation. All elective officials are to participate in this training once per term of office with an asterisk stating that elective officials can have a representative appear on their behalf. If anyone on Council is interested in attending, let Mr. Bemer know. It will be held at One Cleveland Center where the Bar Association is located and if wanted, Mr. Bemer will attend on your behalf. The afternoon session will discuss Municipal Law, Litigation, Financing and Cannabis Law.

**COMMITTEE REPORTS: Planning, Zoning and Economic Development Committee:** There will be a Planning Commission Meeting this Wednesday, February 26<sup>th</sup> for a final review for the new Valvoline and 700 Lake Project. Included in that meeting will be a Public Hearing, Preliminary Review, for the Goddard School.

**COMMUNICATIONS AND ANNOUNCEMENTS:** Mr. O’Donnell mentioned this evening that residents had trash and residue in their yards from the fire. Mr. Moran asked if additional trucks could be dispatched through this area tomorrow to help with the clean up. Mr. Snyder said he will send additional trucks out tomorrow and if residents need a special pick-up they should call the Service Garage and someone will be there. Mr. Snyder mentioned that the street sweeper went through Rocky River Oval and Winfield today but can send it out again if needed.

**AUDIENCE PARTICIPATION: NONE**

**UNFINISHED BUSINESS:**

Mr. Hunt moved to amend Ordinance No. 5-20 by substitution of attached Exhibit A dated 1.30.20, seconded by Mr. O’Donnell.

Vote:	Hunt – aye	O’Donnell – aye	Furry – aye
	Morris – aye	Klym – aye	Moran – aye
	6 ayes		0 nays

**PASSED**

**AMENDED ORDINANCE NO. 5-20** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 333.09 ENTITLED RECKLESS OPERATION ON STREETS, PUBLIC OR PRIVATE PROPERTY, AS FURTHER DESCRIBED IN THE**

**ATTACHED EXHIBIT “A”**

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

This ordinance has been discussed for several weeks now. This is an amendment to the Codified Ordinance Section 333.09 Reckless Operation penalties in the city, which makes the offense a fourth degree misdemeanor, will carry a potential jail sentence and enhance penalties for repeat offenders. The second sentence in subsection B will be deleted, as it is outdated. Mr. Hunt moved for passage, seconded by Mr. Furry.

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

**ORDINANCE NO. 6-20**

**BY: DAVID W. FURRY**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE CITY OF ROCKY RIVER AND HAZEN AND SAWYER FOR PROFESSIONAL CONSULTING SANITARY ENGINEERING SERVICES FOR 2020 AND 2021 FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$79,200**

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

This ordinance has been discussed for over a month and it is a two-year renewal of an existing agreement with Hazen & Sawyer for professional consulting services at the WWTP. There are two pieces to this agreement; the first is for annual services and has a slight cost of living increase which is spread out over two years; second piece of the agreement will encompass additional services including having Rosalyn Matthews, PhD attend management committee meetings and provide valuable consultation regarding the new feasible alternative study. This was asked for by the Management Committee. Mr. Furry moved for passage of Ordinance No. 6-20, seconded by Mr. O’Donnell.

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

**NEW BUSINESS:**

**ORDINANCE NO. 8-20**

**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”**

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

Mr. Moran stated that this is a first read but was introduced by Councilman Shepherd at last week’s meeting. This will have two more reads and is for an emergency authorization of emergency repairs, up to \$125,000, which is a not to exceed amount. Last year only \$68,000 was actually used. Fabrizi has done this for the last nine years and are holding their bid since that time. Mr. Shepherd will discuss this further next week.

**MISCELLANEOUS BUSINESS:** The Mayor said that several contract awards for the police station will be on next Monday’s agenda. The general trades, the elevator fire suppression, plumbing, HVAC, and the electrical contracts for the base bid along with Alternative I – the garage and Alternative II – the

shell of the firing range. At this time, the city is holding on Alternative III – the outfitting of the firing range, to do additional review with Bowen and Associates, the consulting engineers and architects. Including contingency, the project cost is \$9,512,168. Additional information will also be provided concerning the financial package and the details for the final contract recommendations.

**PUBLIC COMMENT: NONE**

As there was no further business by members of Council, the meeting was adjourned at 7:25 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council