

# CITY OF ROCKY RIVER

January 24, 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. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry, Mrs. Morris, Mr. Sindelar, Mr. Moran

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 10<sup>th</sup>, be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry - aye
Morris – aye	Sindelar – aye	Moran – aye	
7 ayes	0 nays		<b>PASSED</b>

## MAYOR’S REPORT:

The Mayor stated that the bid opening for the Wooster Road Paving Project from Center Ridge south to the Fairview Park line is scheduled for February 14<sup>th</sup>. Legislation for Council will come shortly after that. The contract for this project’s construction administration is on tonight’s agenda and Councilman Shepherd will be discussing that later in the meeting.

The Mayor shared COVID-19 stats with a definite drop in last week’s numbers.

- Last week there were 107 new cases
- The week prior to that, 170 new cases
- Two weeks prior to that, 220 new cases

Councilwoman Gallagher had asked where to report positive cases. The Mayor said residents can report positive COVID cases through the Cuyahoga County Board of Health website. If it is a proctor home test with a physician, it does not need to be reported. If a resident has their own COVID test and it is positive, that can be reported but it is not required.

The Mayor discussed sidewalk snow removal as some homeowners and property owners have been diligent in removing the snow from their sidewalks but others have not. Snow removal companies place the snow where the city does not want it. The Safety Service Director posted on the Service Department’s Facebook page and will also send a ReadyNotify out to residents regarding this concern. Inspectors have been on Center Ridge Road working with the various businesses.

The Senior Center is beginning the process for the National Re-Accreditation. Councilwoman Morris was in attendance at a meeting last week where the Mayor swore-in Senior's Council and re-accreditation was discussed. There are approximately 14 committees that are seated for this process with many staff members being involved. Director Thomas, Director Greco and others along with community members are on the committees. This was originally initiated by Deb Huff, the Director of Senior Services. The Mayor publicly thanked Director Huff for her energy and enthusiasm and her special leadership qualities to get this final work completed.

The Recreation Department has several updates: Thank you to Director Snyder, Director Holub, Manager Mike Balla and Chief Lichman who met to discuss Safety Town. This past summer the city hosted a small Safety Town that received great reviews and parents were very happy. Based on this, the city is looking to build a Safety Town by the outdoor pool with 12-14 structures, traffic lights and incorporate the trees. The Westshore Technical class from Lakewood High School will help build the structures and the RRHS art students will assist in painting the structures. As things progress with an actual plan, the Mayor will share that timeline with Council.

Morley Park will receive new playground equipment and the administration is in the process of evaluating possible equipment. Several months ago, there was a survey and those that identified Morley Park as their primary park, will be asked again for feedback on the equipment and amenities.

The small pocket park by the Rocky River Public Library has equipment that is deteriorating and needs to be removed. The city has reached out to the school district as it is their property along with the library to make this area a joint project and possibly tie it in with the library as it is adjacent to that building.

An update to the Wooster Shoreland Park design will be ready soon and will be distributed to Council as soon as possible. The administration will ask for final feedback from surrounding residents through ReadyNotify. The administration has completed the repaving of Wooster Road along with the pedestrian safety project piece. The city has applied three times for Block Grant money but has not received it. The city does have the money in the 2022 Budget. Thank you to Director Snyder for all his work on this.

This Thursday at Rocky River Park, Director Snyder along with MacKay Engineering will be assessing the lakefront right below the overlook, off of the parking lot, to see what can be done with several possible grants that have been identified and that this project would qualify for.

The Mayor has been working on a position description for a Planning and Development Director. This position would work closely with the Mayor, advancing the Master Plan, developing a local economic development strategy that would align with other regional planning work like NOACA focusing on transportation and how transportation can assist especially last mile, first mile. The job description would also include securing grants for small businesses and infrastructure projects that help small businesses and be a liaison with business owners and property owners. The city is currently in the final stages of updating the Development Code and all of these things will come together at the same time with this individual who will work closely with the Boards and Commissions as well as being a liaison

with the Chamber. If there is a thought or an idea that Council has that should be incorporated into the position description, the Mayor would love to hear from Council.

Property Tax notices are late coming out from the County although it is accessible online. The new deadline is February 10<sup>th</sup> for the payment of the first half of property taxes. The city has received one distribution from the County and will receive a second distribution around February 15<sup>th</sup> with another distribution after that. If you have not received a tax bill, please contact the County.

The Mayor shared sad news. Mary Ventimiglia was the executive assistant to the Mayor prior to retiring in 2014 to enjoy a wonderful retirement. The Mayor received word yesterday that Mary had passed away. Mary's laughter would fill the office and Mary really understood what it meant to be a public servant, to drop everything and care for the residents and treating them with kindness, respect and responsiveness. The Mayor along with Council extend their sympathies and condolences to her family and retired Rocky River Police Lieutenant Terry Hudec who was Mary's amazing friend.

The Mayor also shared that Ruth Thurber, who turned 104 on her last birthday and who was a member of the Garden Club, passed away. Ruth did things to enhance the community and was always an eager, creative volunteer and would do the toughest jobs. Ruth was a wonderful friend and did so much for the community. Ruth passed away last Friday. Our thoughts and prayers are with Ruth's family and friends.

- President Moran asked if a notice could go out to residents to clear the fire hydrants on their property of snow. The Mayor stated that the Police Department sent a notice out regarding the clearing of fire hydrants.

**LAW DEPARTMENT:** Mr. O'Shea reported that the sexual offender who received an eviction notice has moved. Thank you to the Police Department and the administration for getting that notice out. Mr. O'Shea also discussed phishing. Recently the city has experienced a substantial increase in SPAM and Phishing emails. Some of these emails indicate they are invoices for goods or services provided to the city and others the need to reset your Office 365 or other passwords. Please be cautious.

**COMMITTEE REPORTS: NONE**

**COMMUNICATIONS FROM COUNCIL: NONE**

**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 was discussed at last week's Planning Commission meeting. Mr. Moran added that it was discussed at great length.

**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 is a zoning change for the property on Hilliard Blvd. by the Hilroc moving from an R-6 and an R-4 to an R-5. Mr. Moran stated that this has been referred to the Planning Commission.

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

Mr. Moran stated that the changes in the Wage Ordinance reflect the new police wages agreed to in their new union contract. The positions affected are: Patrolman, Sergeants, and Lieutenants. No other changes have been submitted. This will be read for a third time in three weeks.

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

Mr. Shepherd stated that he misspoke regarding this ordinance last meeting but this does not include the correction of sewers. This ordinance is a paving and major water main replacement for Malvern and Telbir Avenues only and the funds will come out of the Sewer Rehabilitation Fund. Five bids were received with Fabrizi being the low bidder. The Cleveland Water Department will pay \$614,767, up to their cap, which is more than half of the 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”**

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

Mr. Shepherd stated that the city 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 they bid it and have held the same prices since then. MacKay Engineer 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”**

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

Mr. Shepherd stated that under the arrangement with the Court, the city takes care of the structure of the building and this project will be paid out of the Capital Improvement Fund Account. This is for work on the Municipal Court Building roof that was put out to bid. Three bids were received and the low bidder was Building Technicians Corporation. Mr. Shepherd believes the court is approximately 22-23 years old.

**NEW BUSINESS:**

**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”**

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

Mr. Shepherd explained that there is a revised Ordinance No. 5-22 correcting 5 bids to 6 responsive bids on the document. Mr. Shepherd stated that the Mayor mentioned in her report that bids will be opened February 14<sup>th</sup> for this project for the repaving of Wooster Road between Wooster Parkway and Westover. Six responses from the Request for Qualifications and Proposals were received, with Quality Control Inspections, Inc. being the best suited for this project as the construction management. QCI has been used by the city on the Riverdale Widening Project, the Bradstreet Landing Pier Renovation Project, and consulted with QCI for a constructability review of the plans for the Wooster Road Project. The State Auditors have no unresolved findings for QCI. The bid of \$79,638 includes \$9,615 for material testing and those fees go to the third parties that will do the testing. MacKay has indicated that these construction management fees usually range from 10% to 14% of the project. This particular bid comes in at

10.9% which is towards the low-end including caps. The project itself is 80/20 funded with ODOT with a cap. Mr. Snyder said that depending how the bid for construction is, there should be additional funds from ODOT to pay for a portion of the construction administration. Mr. Shepherd asked about the payment of certain out of pocket expenses including transportation, maintaining field offices etc. Mr. Shepherd came to the conclusion that this is boilerplate language and could not be done without prior approval from the city. Mr. Snyder stated that none of that was outlined in QCI's actual fee proposal.

- Mr. Furry asked for a list of other RFQ's that were submitted for this ordinance. Mr. Snyder will get that to Council.

**MISCELLANEOUS BUSINESS:** President Moran echoed the Mayor's thoughts regarding Mary Ventimiglia. Mary was a great person for the city and residents. Mary was always very positive and upbeat.

**PUBLIC COMMENT: NONE**

President Moran stated that there will not be a meeting next week as it is the fifth Monday of the month. The next scheduled meeting will be a Committee-of-the-Whole Meeting on February 7<sup>th</sup> in the Civic Center beginning at 7:00 p.m.

As there was no further business by members of Council, the meeting was adjourned at 7:41 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council