

## CITY OF ROCKY RIVER

July 6, 2020

The meeting of the Committee-of-the-Whole was called to order by Mr. Moran, President, immediately following the Finance Committee Meeting and CIC Meeting in the Civic Center Community Room.

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

Absent: Mr. Hunt

Administration: Mayor Bobst, Director Thomas

### **MAYOR'S REPORT:**

The Mayor reported that the city received the CARES Act distribution of \$446,000.

This Friday there will be a bid opening for the paving contract and the printing bid. These bids will be evaluated and given to Council. The streets for the paving contract are listed in the Budget Book.

The Mayor said there has been communication from residents regarding mask mandates in the city, both pro and con. The county is looking at mandating mask wearing along with the state considering that also. The Mayor will be looking at what is decided along with how this mandate will be enforced. The Mayor feels it is important to wear masks.

There has been a food distributor disseminating food in Rocky River. This distributor originally was located on Ingersoll Drive and then moved to a parcel on Lake Road. The city received a few complaints about the motor running because of noise and emissions. The city has had conversation with the distributor and is currently looking for a new location for the truck.

The city submitted two grants last week. Director Snyder submitted a Great Lakes Restoration Initiative, in the amount of \$112,000, to plant tree lawn trees to reduce water runoff. The Mayor stated that Mr. Snyder received amazing letters of support and is very well respected in this arena. The Mayor applied to the Cuyahoga County Planning Commission for a grant to finalize the Development Code and the Zoning Map in the amount of \$38,000.

Cars were entered into in Christensen's Estate over the weekend. All the cars were unlocked. Please remember to lock car doors, garage doors and secure all valuables.

Habitat for Humanity had 53 donors last weekend. Habitat for Humanity is amazed at the quality and generosity of the residents. The donations are sold at their resale shop.

The city is just under 40% in the Recycling Report. The Mayor stated that 40% is good, but there is a long way to go to 100%. The city is working with Councilman Shepherd and one of his constituents on composting in a central location in the city.

The Senior Center had a successful drive-in concert last week along with many contests including best car and best outfit. The Senior Center also won the WestShore Trivia Contest and came in third in the County with the Senior Center receiving \$1,000. The Trivia Contest competition was all done online.

Laurie Rokakis' last day is this Friday. Her advocacy for the Seniors and their families has been unmatched. The Mayor wishes Laurie well and thanked her for all she has done for the city and our seniors.

There is a concert this Sunday featuring Revolution Pie, a Beatles tribute band, at City Hall Campus beginning at 7:00 p.m.

The Mayor announced that resident Joshua O'Halla is a Duct Tape Prom Finalist. Information was sent out on a ReadyNotify and it is on the city's website. Please vote for him. The detail and the significance of his design is amazing.

- President Moran said that in addition to not having "Pie in the Park" this year, City Council's "Hot Dog Day" is also cancelled.

**COMMITTEE REPORTS: Finance Committee:** Mr. O'Donnell thanked the Mayor and Director Thomas for the information provided at the meeting this evening. The Mayor stated that if there is additional interest in the Capital portion of the Budget, please let Mr. O'Donnell know and there can be another discussion at another time. He appreciates everyone attending the meeting.

**Parks and Recreation and Health:** Mr. Klym said there is a zoom Parks and Recreation Commission Meeting this Thursday morning at 7:45 a.m.

**COMMUNICATION & ANNOUNCEMENTS: NONE**

**UNFINISHED BUSINESS:**

**RESOLUTION NO. 35-20:** Mr. Moran stated that this resolution has been read twice and will be read for a third time next week. This is for an August recess that Council has taken for the last 20 years. Council and the Administration will schedule vacation during this time. If a Special Meeting is necessary, Council will be ready. Mr. Moran would like this to be placed on the consent agenda for next week's meeting.

**ORDINANCE NO. 37-20:** Mr. Moran stated that this is a proposal to amend Section 6 of Article X to keep Council up to date on electronic technology to be used for meetings going forward. This is one of the items given to Council by the Charter Review. Thank you again to Kate Straub and Director Bemer for their help. This ordinance will also be on the consent agenda.

**ORDINANCE NO. 38-20:** Mr. Moran stated that the amendment of Section 6, Article X of Economic Development matters provides for important discussion to be confidential and an exception to open meetings. This is also a suggestion from the Charter Review. This will be on the consent agenda.

**ORDINANCE NO. 39-20:** Mr. Moran stated that this ordinance is a submission to the electors to add Section 7 of Article X of the Charter to provide authority to City Council to adopt legislation for

posting all Public Notices by electronic means. This has been read twice and will be placed on the consent agenda.

**ORDINANCE NO. 40-20:** Mr. Moran stated that this ordinance has been read twice and is a submission to the electors to amend Section 2(b)(1)(A) of Article VI of the Charter by deleting City Council review of variances that were granted by the BZA and Building Appeals. Mr. Moran discussed this with Law Director Bemer and as this is from the Charter Review, this will need to be decided by the electors.

- Mr. O'Donnell stated he shares Mr. Moran's concerns, but after consulting the Charter there is not much Council can do. Mr. Moran stated it is up to the residents of Rocky River to agree or not agree.

**ORDINANCE NO. 41-20:** Mr. Moran stated that this is a submission to the electors to amend Section 2 of Article V of the Charter regarding the powers and duties of the Civil Service Commission to adopt rules and regulations as approved by City Council for Civil Service. The Civil Service Commission was invited to this discussion. Getting this amendment to the electorate will give residents the opportunity to vote on this also. This will be placed on the consent agenda.

**ORDINANCE NO. 42-20:** Mr. Moran stated that this is a submission to the electors to amend Section 7 of Article III of the Charter regarding the time within which an appointment to fill a vacancy to City Council. With this amendment, the 30 days would be extended to 60 days to appoint a new Council member. This will be placed on the consent agenda.

**ORDINANCE NO. 45-20:** Mr. Shepherd said this authorizes to renew a service agreement for one year with Westland Heating and Air Conditioning for maintenance of the Dectron Pool Dehumidification System. It is a \$20,000 agreement with \$10,000 allocated for general routine maintenance of the Dectron Dehumidification Unit. The remaining \$10,000 allows additional funds for any needed repairs to the unit. This is the same pricing as in 2019. Westland is one of two contractors that is certified to work on this product. This will be placed on the consent agenda.

**RESOLUTION NO. 48-20:** Mrs. Morris stated that this resolution will be withdrawn and postponed indefinitely at the next Legislative Meeting.

- Mr. Shepherd asked if adjoining homeowners are notified somewhere along the line with this process. The Mayor will ask Mr. Reich.

**ORDINANCE NO. 49-20:** Mr. O'Donnell said this ordinance has been read once and will have three full reads. This is amending Amended Ordinance No. 88-19 creating positions and fixing or establishing the annual salaries and hourly rates. This has been deemed necessary because of a number of title changes and reorganizations in several departments. There were six different changes. For example, one is the addition of a part-time inspector position for the Safety-Service Department, which was in the budget but not reflected in the wage ordinance. Mr. O'Donnell noted that there are no plans to fill this position but it needs to be reflected in the wage ordinance.

**ORDINANCE NO. 50-20:** Mr. Moran said that this goes along with the electronic change with the Charter Review. This amends Section 125.03 to allow postings to be electronically added to the City's website. Mr. Moran has not received an answer regarding the emergency clause. Mr. Moran will look

into it. Mr. Klym stated that it does not need to be an emergency. No one will ever challenge these. He thinks an ordinance should be passed on a non-emergency basis in case someone does challenge it. Mr. O'Donnell stated that that is the case unless there is a time limit. Mr. Moran will confirm this discussion with Law Director Bemer.

**ORDINANCE NO. 51-20:** Mr. Moran stated that this is amending the Codified Ordinances regarding the Office of Director of Law and specifically Section 135.03 entitled "Assistant: Appointment and duties to be consistent with the Charter. When the Director of Law is elected, this elected position appoints an assistant at that time. This has been read once and will be read for a second time next week.

**ORDINANCE NO. 52-20:** This is amending Section 1 of Article VII of the Charter entitled Finances by deleting as obsolete language the reference to personal property as a taxable item. This has been read once and will be read for a second time next week.

**ORDINANCE NO. 53-20:** Mr. Moran stated that this is amending Section 3 of Article IX of the Charter entitled Declaration of Candidacy by changing the word "shall" to "to" in the second line of this Section.

**ORDINANCE NO. 54-20:** Mr. Moran stated that there is a deletion in Section 3 of Article IV entitled Administrative Departments, Department of Finance by deleting obsolete language regarding the exemption from qualifications for the position of Director of Finance. This had addressed the person who held the office when this requirement was initiated and that person did not necessarily meet the additional qualifications that were put upon the position.

**ORDINANCE NO. 56-20:** Ordinance 56-20 is an emergency ordinance that would authorize the Mayor to enter into a contract modification with SiteTech, Inc. in an amount not to exceed \$9,510.09 to pay for the installation of new underground conduit for AT&T. Mr. Hunt discussed this last week and it will be read for a second time next week.

**RESOLUTION NO. 57-20:** Mr. O'Donnell stated that this is the annual sanitary sewer ordinance. These amounts are due on delinquent sewer accounts and were passed due as of December 31, 2019. Letters were mailed to the outstanding account holders on June 8, 2020 and the attached list are residents that have not yet paid. The list will be updated prior to passage of this ordinance. Mr. O'Donnell noted that the outstanding amount in 2019 was about \$281,000 and this year the amount is \$165,000.

**RESOLUTION NO. 58-20:** Mr. O'Donnell stated that this resolution is a companion resolution to No. 57-20. The amounts owed on this resolution and No. 57-20 become liens on the property tax bill for the County, which will help the city to obtain payment. This is for work that residents needed to complete and have not. The city had it completed and residents were billed on February 12, 2020 and the invoices have gone unpaid.

#### **NEW BUSINESS:**

**RESOLUTION NO. 59-20:** Mrs. Morris stated that this resolution is supporting the placement of a proposed shore structure and approval of a Lake Erie submerged land lease from the ODNR Permanent Parcel No. 302-09-008.

**MISCELLANEOUS BUSINESS:** Mr. Moran thanked everyone in attendance and will be in contact with Council regarding next week's meeting.

As there was no further business by members of Council, the meeting was adjourned at 8:10 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council