

**CITY OF ROCKY RIVER**

**July 8, 2019**

The Regular 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, Mr. Klym, Mr. Moran

Absent: Mr. Sindelar

Administration: Mayor Bobst, Mrs. Costello, Mr. Thomas

Law Director: Mr. Bemer

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 June 24<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	Shepherd – aye	O’Donnell - abstain	
Furry – aye	Klym – abstain	Moran – aye	
4 ayes	2 abstain	0 nays	<b>PASSED</b>

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Special Meeting and the Committee-of-the-Whole Meeting of July 1<sup>st</sup> be waived and that the minutes be accepted as submitted.

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

**MAYOR’S REPORT:**

The Mayor announced that this weekend is “River Days” and the weather looks warm but beautiful. Many city departments, volunteers and civic organizations have worked very hard to put these weekend events together. A schedule of planned events is on the city’s website and a Ready Notify will be sent out to residents midweek. The Mayor noted that the “Taste of River” will be held on Sunday this year along with the Antique Appraisal Fair, the Cowan Pottery Sale and the Antique Car Show. Sunday evening will be “Pie in the Park” with seventy-two pies being served by Council Members along with the band “Revolution Pie” at Rocky River Park.

The Mayor noted that the Hilliard Blvd. Paving Project mobilization began today. Some of this activity will coincide with “River Days” but it should be minimally disruptive. Thank you to the County for understanding the need for the repaving of Hilliard Blvd.

New railings will be installed next week at Rocky River Park along the steps heading down to the beach.

The Mayor is beginning the mid-year budget reviews to discuss with the Directors the first six months of actuals and what the forecast is for the remaining six months. Conversations also begin regarding the 2020 Budget. The Mayor will share highlights with Council.

The Mayor updated Council regarding the Police Station Project. This Wednesday, the jail will close with prisoners being held at Bay Village and Westlake until released or moved into the County facility. The Police Department's Administrative Offices will move in two weeks to the offices on Linden. 911 calls will be going out to Westcom with all police calls coming back to the police dispatchers. The 331-1234 (non-emergency police number) will go directly to the dispatchers.

The Administration received information from Representative Greenspan and the State of Ohio concerning the depth of Lake Erie, the water level along with the strong north wind over the weekend. Additional dollars are being freed up for assistance with temporary shore structure permits, free outside technical assistance, coastal management assistance grants and a coastal erosion loan program the city could take advantage of. The Mayor appreciates their recognition that the lake is high and with inclement weather of rain and high north winds, assistance may be needed in Northeast Ohio.

The Mayor hopes to have an update regarding Bradstreet's Landing for next week's meeting. The city is still on hold waiting for permitting, etc.

The Mayor announced that Captain Adam Petitt of the Rocky River Fire Department, won the Welterweight Division at the National Taekwondo Championship, an AAU Olympic Trial Competition. The Mayor congratulated Captain Petitt on his latest athletic accomplishment.

#### **LAW DIRECTOR'S REPORT: NONE**

**COMMITTEE REPORTS: Parks, Recreation and Health:** Mr. Klym said that there will be a Parks and Recreation Committee Meeting this Thursday morning at 7:45 a.m. The meeting will be held either in the Multi-purpose Room near the pool or the Club Room.

**Planning, Zoning and Economic Development Committee:** Mr. Moran said that the Design Review meeting that was scheduled for this evening was postponed regarding 700 Lake Road. Preservation Partners will be back in front of the Planning Commission next Tuesday.

#### **COMMUNICATIONS AND ANNOUNCEMENTS: NONE**

#### **PUBLIC COMMENT: NONE**

#### **UNFINISHED BUSINESS:**

#### **RESOLUTION NO. 46-19**

**BY: MICHAEL P. O'DONNELL**

**A RESOLUTION ACCEPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF ROCKY RIVER, OHIO FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2020 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"  
3<sup>rd</sup> READING**

Mr. O'Donnell said this has been discussed for the last five or six weeks and he has not had any questions about it. This is the required Alternative Tax Budget. This is a budget that the Finance Director puts together because he is required to by the Ohio Revised Code and submits it to the County. This is a preliminary budget with many assumptions without formal input from the directors themselves. Mr. O'Donnell moved for passage, seconded by Mr. Furry.

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

**ORDINANCE NO. 48-19** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2019 CHEVROLET MALIBU VEHICLE FOR THE BUILDING DEPARTMENT UNDER THE STATE COOPERATIVE PURCHASING ACT FROM GANLEY CHEVROLET OF AURORA LLC, AT A COST NOT TO EXCEED \$18,007.74**  
**2<sup>nd</sup> READING**

Mr. Moran said that Mr. Sindelar has presented information regarding the purchase of this Chevy Malibu for the Building Department. This is the same type vehicle the city is purchasing for the Senior Center.

**RESOLUTION NO. 49-19** **BY: JOHN B. SHEPHERD**

This resolution sets forth the cooperation between Fairview Park and Rocky River for the Center Ridge Road Project. Fairview Park has received a TLCI Grant and Rocky River received a CMAQ Grant, both administered by NOACA. The first three pages of the attached exhibit set forth the agreement between Rocky River and Fairview Park. Mr. Bemer confirmed that changes made were due to reformatting along with deleting some redundancy. Mr. Shepherd has read through the exhibit and it is ok. Mr. Shepherd moved to amend Resolution No. 49-19 by substitution of the exhibit, seconded by Mr. Furry.

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

**AMENDED RESOLUTION NO. 49-19** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITIES OF FAIRVIEW PARK AND ROCKY RIVER REGARDING CENTER RIDGE 2019-2020 “COMPLETE STREETS” PROJECT, ATTACHED HERETO AS EXHIBIT “A”**  
**2<sup>nd</sup> READING**

Mr. Shepherd deferred further comment on this until next week’s Committee-of-the Whole Meeting.

**ORDINANCE NO. 50-19** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2019 SENIOR MOBILITY VEHICLE WITH 15 TOTAL PASSENGER CAPACITY FOR THE SENIOR CENTER FROM AMERICAN BUS & ACCESSORIES, INC. AT A COST NOT TO EXCEED \$83,885.00**  
**3<sup>rd</sup> READING**

Mr. Moran said there have not been any issues regarding this ordinance. There is a \$60,000 grant from NOACA and private donations totaling \$15,000 leaving the city with a balance of \$8,805 for an \$80,000 vehicle.

Mr. Moran moved for passage, seconded by Mr. O’Donnell and Mr. Furry.

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

**ORDINANCE NO. 51-19** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SITETECH, INC. FOR THE DEMOLITION & SITE WORK FOR THE POLICE STATION FOR THE CITY OF ROCKY RIVER IN AN AMOUNT NOT TO EXCEED \$1,107,000.00**  
**3<sup>rd</sup> READING**

Mr. Hunt said that this has been discussed for a number of weeks. The Mayor's Report was timely with information regarding the transfer of jail inmates to Bay Village and Westlake. This ordinance authorizes the Mayor to enter into an agreement with Sitetech, Inc. for the demolition and site work for the new police station and the beginning of preparation of the work site. Sitetech came in at \$1,107,000 which will include asbestos removal, the creation of a construction zone with secure fencing, demolition of existing structure and removal of debris, installation of all drainage systems and storm water detention water quality system, moving water service lines, installation of temporary construction entrances off of the main city campus drive area and one off of Wagar. Installation of porous pavement to replace the existing grant funded parking area and concrete for sidewalk areas and asphalt for parking sites. The site preparation work will lead right up to the next phase of steel and masonry trades. There are no unresolved findings in the Auditor's Database.

- Mr. Klym asked if construction will affect the traffic flow between the current police station and the gazebo area. The Mayor stated that the driveway traffic will be maintained.

Mr. Hunt moved for passage, seconded by Mr. O'Donnell.

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

**RESOLUTION NO. 52-19** **BY: JAMES W. MORAN**  
**AN EMERGENCY RESOLUTION ESTABLISHING THAT ROCKY RIVER CITY COUNCIL SHALL RECESS DURING THE MONTH OF AUGUST IN 2019**  
**2<sup>nd</sup> READING**

Mr. Moran stated that the month of August has been set for Council break for many years. This will be read for a third time in two weeks.

**ORDINANCE NO. 53-19** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2020 INTERNATIONAL SINGLE & TANDEM AXLE CAB AND CHASSIS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING CONTRACT NO. 18 FROM RUSH TRUCK CENTERS OF OHIO, INC., AT A COST NOT TO EXCEED \$128,726.00**  
**2<sup>nd</sup> READING**

Mr. Moran said this is a corrective ordinance making sure the purchase order lists the correct vendor of Rush Truck Centers of Ohio, Inc. This will be read for a third time in two weeks.

**RESOLUTION NO. 54-19** **BY: MICHAEL P. O'DONNELL**  
**A RESOLUTION AUTHORIZING THE CERTIFICATION OF DELINQUENT SANITARY SEWER ACCOUNTS TO THE CUYAHOGA COUNTY FISCAL OFFICER FOR COLLECTION, IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**  
**2<sup>nd</sup> READING**

Mr. O'Donnell stated that this has been discussed for a couple of weeks. This is for the collection of delinquent sanitary sewer accounts that will be turned over to the County for collection. This exhibit will be amended prior to passage as residents pay their bill.

- Mr. Furry asked if payments have been forthcoming. Mr. Thomas said that there have been some payments received.

**NEW BUSINESS:**

**RESOLUTION NO. 55-19**

**BY: MICHAEL P. O'DONNELL**

**A RESOLUTION ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE CUYAHOGA COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE CUYAHOGA COUNTY FISCAL OFFICER AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"**

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

Mr. O'Donnell stated that this is another annual ordinance for the millage of the city. This is a standard ordinance that lists the inside millage and outside millage. These rates are the same as the rates that are in place currently. The Mayor noted that this reflects the decrease in millage that Council passed coming out of last year's budget.

**ORDINANCE NO. 56-19**

**BY: JAMES W. MORAN**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL PLANNING SERVICES AGREEMENT BETWEEN THE CUYAHOGA COUNTY PLANNING COMMISSION AND THE CITY OF ROCKY RIVER REGARDING ZONING UPDATES, ATTACHED HERETO AS EXHIBIT A**

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

This authorizes the Mayor to enter into a Professional Planning Services Agreement between the Cuyahoga County Planning Commission and the City of Rocky River regarding zoning updates. The Planning Commission will be updating the city's zoning map and reviewing the Development Code looking at definitions, zoning classifications and making it consistent with the Master Plan. The Mayor stated that this will be a two-phase approach and will take about 4-5 months. There will be public input during that time along with meetings with all the Boards and Commission Members, the Law Director and Building Department staff. The administration would like to begin this work while Council is on recess in August. The County could ratify this in August if City Council approves this ordinance prior to the August Recess. Mr. Moran called a Special Meeting for next Monday to read this and other new ordinances prior to the August Recess.

- Mr. Furry is in favor of this ordinance but asked if other city's have utilized the County for this. The Mayor responded that some cities have done this in the body of their Master Plan. The scope of these has been different than the City of Rocky River. The Mayor will get a comprehensive list to Council.
- Mr. Klym would like one or all of Council to be part of the Stakeholder Group concerning this legislation. Mr. Moran will keep Council apprised of the meeting schedule.
- The Mayor stated the intent this time will be to separate the changes so Council will be able to focus on one area and then move on to another without holding anything up. The Planning Commission will also be addressing Council during this process as often as Council would like.

- Mr. Bemer stated that part of the Development Code is not user friendly from a practical standpoint. The zoning map has not been updated since 1998 by the County Planning Commission and changes have not been properly recorded in the zoning map. With this agreement this will be accomplished in an easier and more efficient way.
- The Mayor is hoping that a guide for investing in the community, whether it is residential or commercial, is developed along with a template on how to go through the process. This will be a catalyst or springboard for an Economic Development Strategic Plan.

**RESOLUTION NO. 57-19**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) ENERGIZED COMMUNITY GRANT(S)**

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

Rocky River is a member of the Northeast Ohio Public Energy Council (NOPEC) and by virtue of membership the city is authorized to apply for grants. In 2018 the city applied for a grant. This ordinance will allow the city to extend this grant agreement and the hope is to combine the funds from that grant with funds received in later year grants. The project earmarked for these grants is a diesel generator for the Civic Center, which is a designated Red Cross Facility and is necessary in case of an emergency. This allows the city to take that grant and continue it and together with a grant this year and next have enough money to do the project.

**ORDINANCE NO. 58-19**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC., FOR THE 2019 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$839,446.00**

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

The Street Repair Program is an annual ordinance. This will provide new pavement for Addington Blvd., Beach Cliff Blvd., Dale Ave., Harwich Court, Kingsbury Drive, Kings Mill Run, Laurel Avenue, Purnell Avenue, Riverwood Avenue and Sunnyhill Drive. Director Costello said that there will be full depth repairs on Addington Blvd. and asphalt will be applied moving through Christenson Estates in the same way. Mr. Shepherd stated that the city does have a comprehensive inventory of all the streets. There is a set of criteria that each street is rated on. Based upon those scores determines which streets are repaved. Council received a color-coded paving program map this evening. Director Costello stated that Story Road will be repaved in 2020 along with a new waterline. Hilliard Blvd. will hopefully be repaved this year, but a portion of it may need to be repaved in 2020. This project was put out to bid and Mr. Shepherd will discuss this further at next week's meeting.

- Mr. Moran asked about Dale Avenue. If asphalt goes over the top of this street, will it smooth it out? Director Costello said that the streets will be milled, followed by a seal, stone and asphalt over that. In 2014 River Oaks was paved in this manner and has really held up. The price for this is a very good price and is the same contractor as the Hilliard Blvd. Project.
- Mr. Furry asked about the logistics of Shelley repaving Laurel, Purnell and Riverwood. Director Costello said that their bid came in third.

**MISCELLANEOUS BUSINESS: NONE**

**PUBLIC COMMENT:** Ms. Pat Roberts, Ward 1, said that this is only her second Council Meeting she has ever attended and has lived in Rocky River for 33 years. Ms. Roberts builds and designs emergency rooms. She is concerned about the removal of the asbestos, lead and mold in the police building. She is asking who the point

person and the responsible person is over this whole project to make sure that all the vendors are doing what they are suppose to do. Director Costello said that Bowen and Associates are the construction administrators. They are designing the new building and are there as the city's hire and represents the city. They will be on site every minute the contractors are working. The Mayor understands her concern. There was a very extensive evaluation and inventory of the building as it exists today. The Building Commissioner will also be involved. Mr. Moran said that this is a great question. This process has been going on and has not just been the lowest bid. Council and the Administration are aware of the steps being taken. The Mayor stated that the city has a very close relationship with the EPA.

Ms. Roberts also stated that she hopes a provision is made concerning a certain percentage of green space being mandatory with new buildings along with the zoning map changes.

**Dr. Gary Previts, Bradfords Gate**, asked about Spencer Road being added to the paving program map. Director Costello said that Spencer Road is County Route 100 and she has applied for funds in the past from the County. Director Costello is not comfortable using 100% of the city's funds for this work and will continue to pursue applying for funds. The Mayor added that the evaluation of the streets has very objective criteria. Each street is evaluated each year and then are ranked. The streets that are ranked at the top of the list that need paving and also need sewer or waterlines get priority. The city wants to do those projects before putting down the pavement. Dr. Previts stated that the condition of Spencer Road is like the condition of Hilliard Blvd. a couple of years ago and it gets a fair amount of traffic. Until funding comes through for Spencer, Director Costello said that the repairs the city crews have made on Spencer are very professional.

As there was no further business by members of Council, the meeting was adjourned at 7:57 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council