

CITY OF ROCKY RIVER

June 8, 2020

The Legislative Meeting of Council was called to order by Mr. Moran, President of Council at 7:00 p.m. via ZOOM.

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

Administration: Mayor Bobst, Director Snyder, Director Thomas

Law Director: Mr. Bemer

The meeting was opened with a Pledge of Allegiance.

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of May 26th be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
Morris – aye	Klym – aye	Moran – aye	
7 ayes		0 nays	PASSED

MAYOR'S REPORT:

The Mayor stated that Senate Bill 310 passed. This is the first allocation to local governments of the CARES Act federal dollars. It is structured through the local Government Fund. It is a 110% of the local government fund allocation, which was already provided to the city. This will be approximately \$416,000 that have be used for COVID related expenses. The city has been very diligent in keeping track of all additional expenses related to COVID-19. Mr. Bemer has drafted the resolution for securing these funds and Director Thomas and the Mayor have registered the city. The city looks forward to receiving these dollars. The Mayor stated that the city is waiting for additional guidance from the United State Treasury as to all the allowable expenses. The administration will share this information with Council. There will be a Finance Committee Meeting soon.

The Mayor along with the Rocky River Police Department sent a letter to the community last Friday. The Mayor hopes that the letter will open up a dialog with the community. The final paragraph noted that the administration would like to discuss the policies that are in place through the police department – hiring practices, training, community outreach, etc. If there are any questions, please contact the Mayor's office or the police department.

Chief Lenart was part of a collaborative of several fire departments that pursued an Aid to Firefighters Federal Grant for PPE with a 10% match. The City of Rocky River will receive \$6,000 worth of PPE with the cost to the city of \$600. The PPE received includes: 400 N95

masks, 3200 surgical masks, eye protection, 2500 shoe covers and almost 800 gowns for the fire department. Thank you to Chief Lenart for his efforts in securing these additional dollars.

Safe Routes to School construction has been completed on Lakeview. The Mayor is concerned that traffic is not stopping when the lights are activated by pedestrians. Information will be forthcoming from the city regarding this issue, alerting residents to this new procedure.

The sidewalk program is beginning in West River Estates continuing the work the city has been doing regarding sidewalks damaged by trees. Work is commencing on Sunnyhill and Thompson Circle with appropriate tree replacement completed in the spring. Director Snyder is leading this effort.

The city is also beginning the 2020 Paving Contract. The bid opening will be held on July 10th. The streets being repaved are listed in the Budget Book.

The Transfer Station will be back to regular hours beginning next Monday. A notice will be sent to residents regarding this information.

The city received a \$1500 contribution from the Rocky River Women's Club for seating at Bradstreet's Landing. The Mayor extends her thanks to the Women's Club for this generous donation.

Memorial Hall will be opened beginning July 1st, for small-defined groups where social distancing and wearing of masks can be observed.

The Senior Center is preparing to begin senior transportation primarily for medical appointments. The city has the disinfecting equipment along with Plexiglas barriers between the driver and passenger along with masks. This will begin on a smaller scale and if it goes well it will be expanded. Seniors have been waiting for this service to be resumed.

Director Huff was on a call with the Ohio Department of Aging to discuss Senior Centers as a unique environment and how best to begin some programming. The Rocky River Senior Center has been very innovated and creative in providing classroom education, zoom meetings, distance learning opportunities along with a planned early July drive-in concert at the Senior Center. Director Huff and her staff have been doing everything they can to keep the seniors engaged. Calls to seniors have been made by Senior's Council and volunteers to check in with individuals.

The outdoor pool opened today. Television crews and photographers were escorted while taking pictures. The spray ground was not in the first round of openings as it is listed with indoor playgrounds and facilities. Some of the requirements are not appropriate or conducive to the outdoor municipal small playgrounds. The Ohio Parks and Recreation Association has been working with the State Department of Health and the Governor's Office to come up with a more manageable plan to open this Wednesday.

The Mayor stated that the city receives E.coli counts from the Department of Health. The Department of Health tests Wagar and Parklawn beaches and the city tests all of the beaches.

This is to confirm that the WWTP testing and the Health Departments testing coincide. The test results have been very good. Rocky River Park and Bradstreet's Landing are not designated swimming beaches, but are still monitored.

The Mayor happily announced that the City of Rocky River was ranked the number 2 community in the Cleveland Magazine. The city, schools and safety rankings were all improved. Rocky River is also the featured community in the magazine, which is disseminated to perspective residents and businesses looking to move to the community.

- Mr. Furry thanked the Rocky River Police Department for helping with the RRHS Senior Parade last Friday. It was a great send off.
- Mrs. Morris added that she hopes the parade is incorporated as a yearly tradition.
- The Mayor agreed and stated that the Middle School Eighth Grade Parade was this evening. The parade continued on Detroit Road and did not turn on Lakeview where there were people waiting. The Mayor would be happy to continue these parades in future years.
- Mr. Shepherd participated in the parade and was amazed at the support and enthusiasm extended throughout the community.
- Mr. Moran thanked the Mayor for the copies of the Cleveland Magazine received by Council. Mr. Moran identified that in averaging the last six years of the top four communities, Rocky River comes out as number 1. Rocky River has always been in the top 20 since the articles inception and 17 years out of 20 in the top 10. Thank you to the Mayor, the administration and the residents for this fantastic rating. The Mayor was happy to see how well all the Westshore communities rated.

LAW DIRECTOR BEMER: Mr. Bemer stated that there are six revisions on tonight's agenda articulated by the Charter Review Commission to go to the ballot for the November General Election. Mr. Bemer thanked all of Council, the Mayor and all the Directors for their participation in this process. All comments were very well received. There is an additional document being prepared concerning obsolete items within the Charter that can be corrected through Councilmanic action according to Article X. Those will be submitted to Council Clerk Pease for dissemination and Mr. Bemer will prepare the actual ordinances for those.

COMMITTEE REPORTS: Finance Committee: Mr. O'Donnell said there will be a Finance Committee meeting to discuss the impact of COVID-19 on the city's finances when Council resumes in person meetings. At some point however, he will call a meeting even if it has to be conducted via ZOOM.

- Mr. Moran stated that the Governor still has a 10-person limit regarding meetings. The Mayor stated that she does not know when this regulation will be lifted. The Mayor also stated that by the end of June, the city would have six months of actual income,

especially on the income tax side. If the Finance Meeting can be held in July, having the six-month actuals will be very helpful to the finance discussion. That mid-year review is also the beginning of budget work for 2021. This budget is concerning but it is really next year's budget that will be impacted the most.

- Mr. Furry said looking at the April's report that the revenue was good. His concern is with the income tax collection. The Mayor said that April is really a reflection of March, and those numbers were steady. The May distribution was down \$1.164 million as compared to \$2.2 million last May. R.I.T.A. estimates about a \$1.3 million decrease in revenue.

Parks and Recreation: Councilman Klym reported that there will be a Parks and Recreation Commission Meeting via ZOOM this Thursday beginning at 7:45 a.m.

Charter Review Commission: President Moran thanked all the members of the Charter Review Commission including: John Urban, chair; Trevor McAleer, assistant chair; Linda Bartolozzi; John Lanning; Bill Brink; Anthony Bucaro; Pat Roberts; Steve Polly; and Michael Coyne for their time, thought, discussion and preparation for this Commission. Thank you to Director Bemer for his direction during this process. Council appreciates all their time and effort.

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 32-20

BY: JOHN B. SHEPHERD

Mr. Shepherd moved to amend Ordinance No. 32-20 to reflect the proper name of GPD Group, seconded by Mr. O'Donnell.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	Furry – aye
Morris – aye	Klym – aye	Moran – aye	
7 ayes		0 nays	PASSED

AMENDED ORDINANCE NO. 32-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OR THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH GPD GROUP, FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE 2018-2019 DETROIT ROAD / WOOSTER ROAD RESURFACING PROJECT IN AN AMOUNT NOT TO EXCEED \$7,310.00 AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd stated that GPD Group is the construction manager on this project. This covers time the construction manager added that was not in the scope of the original agreement. Thermal plastic markings were also added to be used for the street markings as opposed to painting and there was also a federal audit of the project. Mr. Shepherd would like this to be

added to a consent agenda.

RESOLUTION NO. 33-20 **BY: JOHN B. SHEPHERD**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR OR HER
DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY
DEPARTMENT OF PUBLIC WORKS TO PERFORM CERTAIN PREVENTATIVE
MAINTENANCE SERVICES RELATED TO ROADWAYS WITHIN THE CITY OF
ROCKY RIVER AS FURTHER DESCRIBED IN EXHIBIT “A”
2nd READING

Mr. Shepherd stated that in February, 2020 a grant was received in the amount of \$5,872.50 from the County to pay for materials for certain maintenance work on County roads. Director Snyder re-submitted the application and on May 7, 2020 was awarded a new grant in the amount of \$26,633.00, an increase of \$20,633 over the initial grant. This resolution will be added to the consent agenda.

RESOLUTION NO. 34-20 **BY: DAVID W. FURRY**
AN EMERGENCY RESOLUTION REQUESTING THAT THE CITY OF ROCKY
RIVER APPLY FOR FINANCIAL ASSISTANCE FROM THE WATER POLLUTION
CONTROL LOAN FUND PROGRAM FOR THE FUNDING OF THE ROCKY RIVER
WASTEWATER TREATMENT PLANT FINAL CLARIFIER REHABILITATION
PROJECT
2nd READING

Mr. Furry said this is for a low interest funding through the water pollution control loan fund program for the completion of the final clarifier rehab project. This project came out of the critical needs assessment performed in 2018. This loan is requested at \$986,000, which is for design and engineering. The total cost with hard and soft cost is approximately \$7,446,000. Superintendent McConnell anticipates applying for this in 2021. The WWTP has applied for funding from OPWC but was denied. This is a low interest loan. The current interest rates in May were 1.12%. Assuming this loan is approved, each city is responsible for their portion based on the current flow and strength study in place. Rocky River would be responsible for approximately \$237,724 assuming approval of the design and engineering loan. Assuming the construction loan is approved, both loans can be rolled into one and each city's prorated portion of repayment will be based on the current flow and strength study in process. This will be added to the consent agenda for the next scheduled Legislative Meeting on June 22, 2020.

NEW BUSINESS:

RESOLUTION NO. 35-20 **BY: ALL COUNCIL MEMBERS**
AN EMERGENCY RESOLUTION ESTABLISHING THAT ROCKY RIVER CITY
COUNCIL SHALL RECESS DURING THE MONTH OF AUGUST IN 2020
1st READING

Mr. Moran stated that for the last 20 years, Rocky River City Council has recessed and scheduled vacation time during the month of August. This resolution proposes the same recess

for August 2020. The Mayor has mentioned this to the administration so any new legislation will need to be submitted by next week.

- Mr. Klym stated that Council has missed many meetings this year due to COVID-19 and he wonders if Council should recess during the month of August. Mr. Klym stated that he does not have a strong feeling either way, but thought it should be discussed, as this is not a typical year.
- Mr. Moran said this will be discussed further during the next two readings.
- Mr. O'Donnell stated that he had the same thought and is open to it, but the reality is that usually there is 4 or 5 council members in town to take action during the recess.
- Mr. Furry said he will be in town the month of August.

**RESOLUTION NO. 36-20 BY: MAYOR BOBST, LAW DIRECTOR, ALL COUNCIL
A RESOLUTION EXPRESSING THE GRATITUDE OF THE CITY OF ROCKY
RIVER TO THE 2020 CHARTER REVIEW COMMISSION FOR ITS SERVICE TO
THE RESIDENTS OF THE CITY OF ROCKY RIVER**

1st READING

Mr. Moran thanked the Charter Review Commission for their service and wants the community to realize the time that was spent making these revisions. Mr. Bemer stated that Council did an excellent job in choosing the participants for the Charter Review Commission, in particular thankful to John Urban who served on the Commission in 2008 and 2014. Having John as the chairperson as someone who knew the issues and how to proceed in an efficient fashion made the process run smoothly. Meetings were held to two hours, completed the review of the Charter in five meetings with the sixth meeting dedicated to identifying which items should be presented to Council for adoption for the purpose of sending to the Board of Elections for the November Election Ballot. The new members were articulate and thoughtful. It was an excellent process other than the one issue that comes up every revision regarding the length of the Council term. Mr. Bemer said it would be very hard to eliminate the electorate to sanction an elected official or turn them out of office every two years. As Mr. Moran stated, if it was a new Charter for a new city, the consideration of a 4-year term would be a possibility, but two years has worked for the last 60 years. Mr. Moran thanked Kate Straub for her work for the Commission. Kate's previous experience was helpful and she kept everyone informed with her notes and was a person the Commission could turn to for additional information. Thank you to Mr. Bemer and the other Commissions and Committees for all their help.

**ORDINANCE NO. 37-20 BY: ALL MEMBERS OF COUNCIL
AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE
ELECTORS A PROPOSAL TO AMEND SECTION 6 OF ARTICLE X OF THE
CHARTER OF THE CITY OF ROCKY RIVER TO INCLUDE THE USE OF
ELECTRONIC TECHNOLOGY FOR MEETINGS AND HEARINGS IN
CIRCUMSTANCES OF HEALTH AND SAFETY EMERGENCY, AND DECLARING**

AN EMERGENCY

1st READING

Mr. Moran stated that this is one of the items to be on the November Ballot. This discusses electronic technology to be used for meetings going forward.

ORDINANCE NO. 38-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE
ELECTORS A PROPOSAL TO AMEND SECTION 6 OF ARTICLE X OF THE
CHARTER OF THE CITY OF ROCKY RIVER BY PROVIDING THAT DISCUSSION
OF ECONOMIC DEVELOPMENT MATTERS ARE CONFIDENTIAL AND AN
EXCEPTION TO OPEN MEETINGS, AND DECLARING AN EMERGENCY
1st READING

Mr. Moran stated that Section 6, Article X of Economic Development discussion is extremely important and confidential.

- Mr. Klym said Mr. Bemer did a nice job of bringing Section 121, 22 g8 together as there are a couple of subsections included. There is a concept in the second part regarding a unanimous quorum determining that there should be an Executive Session to deal with Economic Development issues. Mr. Klym does not see that concept in this draft. It does not have to be everyone, but everyone present would have to agree to go into Executive Session. Mr. Bemer thought having a quorum is redundant because you cannot go into an Executive Session without that and it is in the last phrase “and when it is determined by the public body that the Executive Session is necessary to protect the interest of the applicant or possible investment, etc.” Mr. Klym wanted to be sure he raised this as the Charter Review Commission does say they want to include the same language in there, but it is being drafted by Mr. Bemer. They are not making the decision of whether it says unanimous or not.

ORDINANCE NO. 39-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE
ELECTORS A PROPOSAL TO ADD SECTION 7 OF ARTICLE X OF THE CHARTER
OF THE CITY OF ROCKY RIVER TO PROVIDE AUTHORITY TO CITY COUNCIL
TO ADOPT LEGISLATION FOR POSTING ALL PUBLIC NOTICES BY
ELECTRONIC MEANS, AND DECLARING AN EMERGENCY
1st READING

Mr. Moran stated that years ago, there were questions regarding advertising. This was a good catch by Mr. Bemer to discuss this with the Charter Review Commission.

ORDINANCE NO. 40-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE
ELECTORS A PROPOSAL TO AMEND SECTION 2(B)(1)(A) OF ARTICLE VI OF
THE CHARTER OF THE CITY OF ROCKY RIVER BY DELETING CITY

COUNCIL REVIEW OF VARIANCES THAT WERE GRANTED BY THE BOARD OF ZONING AND BUILDING APPEALS, AND DECLARING AN EMERGENCY

1st READING

There have been issues that have come up in the past regarding Council reviewing variances. There are no standards for Council to overstep what has been approved by the BZA. The current language permits Council to begin a variance process over again, rather than being a reviewing body. Mr. Moran looks forward to discussing this further with Mr. Bemer and the rest of Council.

ORDINANCE NO. 41-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS A PROPOSAL TO AMEND SECTION 2 OF ARTICLE V OF THE CHARTER OF THE CITY OF ROCKY RIVER REGARDING THE POWERS AND DUTIES OF THE CIVIL SERVICE COMMISSION TO ADOPT RULES AND REGULATIONS AS APPROVED BY CITY COUNCIL FOR CIVIL SERVICE EMPLOYEES, AND DECLARING AN EMERGENCY

1st READING

Mr. Moran stated that the Civil Service Commission was invited in to this discussion. This will be discussed further at the next meeting.

- Mr. Klym asked that if this passes and that rule changes, would the City of Rocky River be adopting their own Civil Service Commission rules. Mr. Bemer said yes, this emphasizes Home Rule Authority allowing the legislative body, City Council, to adopt the recommendations of the Civil Service Commission. Council would not do the drafting but the rules would not go into effect until adopted by City Council. The process calls for the recommendation of Rules and Regulations going forward and he thinks at this point Council should do this necessary adoption. It would be presented to the Clerk to put on the City Council Agenda for adoption. Council would need to act on it within 45 days. Silence or non-action is an automatic adoption.
- Mr. Furry asked if the Civil Service testing is a joint union with other communities. Mr. Bemer said that was done once but were never able to collaborate again.
- Mr. Klym sees this that now Council goes to the Ohio Revised Code to determine how things are done and the city would now be adopting our own. It may bump into management rights and/or union contracts. Mr. Bemer stated that case law over the years since 1984 have been very specific. Only upon Charter authority's specific authority can a city deviate from Chapter 124 of the Ohio Revised Code. There were three different incidents over the years of Charter Amendments in Rocky River, i.e. probationary period; the number of applicants being passed on after a written exam; and the eligibility and upon testing of the top three individuals for Chief of Police and Fire versus just the top person. There are other instances that come up from time to time. This allows the legislative body to adopt the good efforts of the Civil Service

Commission, what provisions should prevail in Rules and Regulations based on the merit and fitness determinations of the civil service employees. It is not going to change the hire or fire or termination. That is in the contract and will not change. It eliminates going to the ballot to modify a Charter if the city determines they would like to deviate from the Ohio Revised Code on that issue of determining merit and fitness.

ORDINANCE NO. 42-20 **BY: ALL MEMBERS OF COUNCIL**
AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE
ELECTORS A PROPOSAL TO AMEND SECTION 7 OF ARTICLE III OF THE
CHARTER OF THE CITY OF ROCKY RIVER REGARDING THE TIME WITHIN
WHICH AN APPOINTMENT TO FILL A VACANCY TO CITY COUNCIL SHALL BE
MADE, AND DECLARING AN EMERGENCY
1st READING

Mr. Moran stated that this is in the event something drastic happens, 30 days is a short period of time to find a replacement. With this amendment, the 30 days would be extended to 60 days to appoint a new Council member.

- Mr. O'Donnell understands that these ordinances need to be passed so they can get to the Board of Elections. Can these be passed on less than three full reads. Mr. Bemer stated that they need passed with the acknowledgement that the Board of Elections deadline is September 4, 2020. The three read rule can be suspended as these are not items of debate. If Council is interested in these items remaining on the agenda for public consumption for more than just this date, that may be preferred and passed at the next meeting.
- Mr. Klym said in concept the Commission approved each of these. The others have been drafted by Mr. Bemer and that is the language that will be included in the Charter. There was a concept there but the language was drafted by Mr. Bemer and the Charter did not approve the language. The concept goes right over but there may be bits and pieces that should be discussed.
- Mr. Bemer highly questions whether that is accurate. Mr. Bemer knows that definitely the Commission had the language or at least three of the suggested revisions: for emergency virtual meetings, the civil service change and the deletion of councilmanic review of variances that were granted. The Commission approved the specific language.
- Mr. O'Donnell was just questioning the formal reading of these three times not the substance.
- Mr. Furry said that what the Charter Review does, Council adopts.
- The Mayor stated that the Charter already provides for Executive Session so is not sure why this is an issue. One more item is being added that can be convened on. Mr. Klym brings it up because if this does not mirror the state statute properly, this language may

be in conflict and the state language would control. Mr. Bemer said it is the opposite. Home Rule communities can deviate from the state statute.

ORDINANCE NO. 43-20

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MILLER CABLE COMPANY FOR THE CONSTRUCTION OF 2020 CUY-ROCKY RIVER SIGNALS PROJECT IN AN AMOUNT NOT TO EXCEED \$876,175.00 INCLUDING ALTERNATES, AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

This ordinance needs to be in place by June 30th. Mr. Shepherd will request a rules suspension for this ordinance. Ordinance No. 44-20 will mirror this ordinance. The scope of this project is to improve pedestrian transportation and reduce traffic congestion along Center Ridge Road between the intersection of RTA/Savers and Northview/Linden Road. There are 5 total intersections that will receive improvements to the signals and pavement markings, including high visibility crosswalks, ADA curb ramp upgrades, new pedestrian signal heads, and stop line radar detection. This is a cooperative project between the City of Rocky River and the City of Fairview Park, in which the City of Fairview Park is utilizing a TLCI (Transportation and Livable Communities Initiative) grant they were awarded by NOACA to aid in the improvement of the pedestrian crossings. The amount of this grant is \$159,000. The remainder of the cost for construction will be paid by a combination of local funding and \$298,000 that has been awarded to Rocky River by ODOT as part of a CMAQ (Congestion Mitigation and Air Quality Improvement) grant to cover what is primarily the signalization upgrades for Center Ridge. The amount that the City will be responsible for after grant allowance is \$419,175.00. This was put out to bid and Miller Cable was the low bidder and has no unresolved findings in the auditor's database. The total project cost of \$876,175, which is \$66,659.21 under the engineer's estimate (\$942,834.21) and includes \$57,175 of alternates on top of the base bid of \$819,000. A portion of the alternates for this project were upgrades to the electronics for the signal control, which were recommended by our Traffic Engineer, John Delzani, and reaffirmed by Dennis Albrecht, of LJB, Inc, the design engineer. Additional alternate costs were for the upgrade of painted masts and mast arms for the new traffic signals. The upgrade to the painted masts was important to this project because it fell in line not only with the ongoing improvements that are planned for Center Ridge Road, but it also tied in the upgrades to Old Detroit Rd. This project will be broken into two segments, with the pedestrian crossings being completed by October 31, 2020, and the majority of the signalization work occurring between March 1, 2021 and April 31, 2021. The original intent was to have all work completed in 2020, but were forced to rebid the project after no bids came back within 10% of the engineer's estimate. References were checked. ODOT said they were one of the best companies to work with. There were four total bids on this project with Miller Cable being the best and lowest bid including the alternates.

- Mr. Furry is for the project but is concerned about economic conditions and is asking if this is a prudent use of funds. The Mayor responded yes. Mr. Snyder said that he believes the TLCI money and the ODOT money cannot be carried over. The Mayor stated that there is already a considerable amount of funding that has gone into this project along with funding currently on the table including all the engineering

investment.

- Mr. Furry asked how the calculated bid for Set Inc. got to \$26 million. Mr. Snyder said they had a quantity error. Mr. Furry asked who LJB is and how long have they been doing work on this project. Mr. Snyder said this was started and in the works in December 2019. The recommendations for LJB have been positive and they have been involved in this process. The Mayor said LJB was awarded the contract in December 2018.

Mr. Shepherd asked if there were objections for a rule suspension for this ordinance. Mr. Furry would like to hear more about LJB before voting on this ordinance and is concerned about funding. Mr. Shepherd feels that there is a substantial investment in time, engineering and grants and on the table for this year, it makes sense to see this project through and start trimming next year on projects that the city is not that far into. The Mayor asked Mr. Furry for a list of questions or concerns.

ORDINANCE NO. 44-20 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DLZ OHIO, INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE 2020 CUY-ROCKY RIVER SIGNALS PROJECT IN AN AMOUNT NOT TO EXCEED \$107,863.00 AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Ordinance 44-20 is an emergency ordinance to enter into a contract with DLZ Ohio, Inc for Construction Administration Services for the Center Ridge (CUY-Rocky River Signals Project) for an amount not to exceed \$107,863.00. The city received RFQ’s from two firms for this project on March 6, 2020, DLZ Ohio and CTL Engineering. After scoring the proposals, it was a unanimous decision by Michael Mackay, Kim Kerber, Shelley Sollars, and Director Snyder that DLZ was the best firm for the project due to their knowledge and experience with similar projects. Mr. Snyder would like this ordinance to be approved at the same time as 43-20.

Mr. Shepherd added that Center Ridge is an important artery of the city. If the crossings can be improved for the elderly and traffic, he is in favor of this ordinance.

Mr. Snyder added that DLZ, Inc. has been working on big signalization projects with ODOT in Akron, on Lakewood Heights Blvd., and the Strongsville TICI project. All of these projects are very similar to this project.

ORDINANCE NO. 45-20 **BY: JOHN B. SHEPHERD**
AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO RENEW A SERVICE AGREEMENT FOR ONE (1) YEAR WITH WESTLAND HEATING AND AIR CONDITIONING FOR MAINTENANCE OF THE DECTRON POOL DEHUMIDIFICATION SYSTEM AT A COST NOT TO EXCEED \$20,000. AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

This will be discussed further at the next meeting and this will have three full reads.

RESOLUTION NO. 46-20 **BY: JOHN B. SHEPHERD**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH NORTHEAST OHIO PUBLIC ENERGY COUNCIL
(NOPEC) FOR THE NOPEC 2020 ENERGIZED COMMUNITY GRANT AS FURTHER
DESCRIBED IN EXHIBIT “A”
1st READING

This is an emergency resolution that will allow the city to enter into an agreement with Northeast Ohio Public Energy Council (NOPEC) for the NOPEC Energized Community Grant. This grant is for energy efficiency or energy infrastructure projects. The amount that Rocky River has been awarded for 2020 is \$81,546.00. The city has previously used the funds from this grant to install a generator at City Hall and the intention for this year’s award is to combine the funds with those from the previous two years to install a generator that will provide emergency power to the Civic Center and Memorial Hall. This adds to the service that the city may provide to the community with those buildings being classified as Red Cross Emergency Shelters. This needs to be passed by June 30th so there will be a rule suspension for this at the next Legislative Meeting.

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: Dr. Gary Previts, thanked the Mayor for the Cleveland Magazine and thanked Council for their service and stated that it was great meeting this evening. He learned a lot about signalization and the Charter Review Commission, which he sat on twice. He is interested to see how that goes forward.

Mr. Moran thanked the Mayor for keeping Council updated and thanked Dr. Previts and Mr. Welch for taking part in the Charter Review in the past and participating in this evening’s meeting.

As there was no further business by members of Council, the meeting was adjourned at 8:45 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council