

CITY OF ROCKY RIVER

September 11, 2017

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. Sindelar, Mr. Klym, Mr. Moran

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

Law Director: Mr. Bemer

Press: Ms. Botos

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 July 24th and the Special Meeting of July 31st be waived and that the minutes be accepted as submitted

Vote: Hunt – aye	Shepherd – aye	O’Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye		
7 ayes		0 nays		PASSED

Moved by Mr. Moran, seconded by Mr. O’Donnell, that the reading of the minutes of the Special Meeting and Committee-of-the-Whole Meeting of September 5th be waived, and that the minutes be accepted as submitted

Vote: Hunt – aye	Shepherd – aye	O’Donnell – aye	Furry - aye	
Sindelar – aye	Klym – aye	Moran - aye		
7 ayes		0 nays		PASSED

MAYOR’S REPORT:

Mayor Bobst extended thanks to everyone who attended this morning’s 9/11 Ceremony. This ceremony is very meaningful to the safety forces and the entire community. A special thank you to Mike Balla for having the flags ready for the ceremony this morning. This evening the Fire Department will have 343 luminaries lining the department’s driveway representing all the fire fighters that were lost during 9/11.

The Mayor discussed the grants being applied for by the city:

Council will receive additional legislation on Friday regarding the additional work by Cleveland Water on the Hampton/Lakeview Project. This work will be significant as it will entail changing out the waterlines. The Cleveland Water Department will be paying for this entire project. This will require an estimated additional cost of \$600,000 from the Cleveland Water Department through their Emergency Waterline Fund. Council will receive legislation to accept those funds for this project.

The totals for the projects of the two DOPWIC resolutions in front of Council have not been finalized yet. The Wastewater Treatment Plant Projects for 2018-2021 are similar to the 2017-2020 projects and the other DOPWIC resolution is for the Collver Road / Oak Road Storm and Sanitary Improvement Project.

The TLCI Implementation Grant for Center Ridge Road in conjunction with Fairview Park is also in front of Council this evening along with new legislation for the Detroit Road TLCI Implementation Grant done in conjunction with the ODOT Urban Paving Program, which will pave most of Detroit during the summer of 2018.

The Bradstreet's Landing Stakeholder Groups began meeting last week. Smith Group JJR met with several stakeholders in small groups. Thank you to Councilman Klym and Councilman Hunt who were present at one of the meetings. The city administration makes up one group along with the City Arborist, Public Works, Director of Recreation, Director of ODNR, Army Corp of Engineers, the Green Team, Parks and Recreation Foundation, the Beautification Committee, Nalu Standup Paddle & Surf, a scout, Harbor Village, representatives from the Beach House and the Normandy, along with Dr. Marsalek and Tom Harper from the Historical Society. There are a lot of individuals involved in this first phase of meetings. There has already been a lot of good ideas and enthusiasm which will be shared at future public meetings.

The Mayor shared Building Department statistics through August, 2017. Residential valuation is at more than \$13.5 million representing 963 permits compared to 868 permits last year for a total valuation of \$8.3 million. The total valuation including commercial and residential is 1126 permits compared to 1009 permits last year. The total valuation is \$20.2 million dollars compared to \$16.7 million dollars in 2016. This has grown each year. This represents the wide spread of investment both in residential and commercial areas.

This weekend is the Fall Arts Festival being held on Old Detroit. A huge thank you to the Parks and Recreation Foundation and all their volunteers especially Terri Jones who is in charge of the event. Thank you too to all the sponsors. There is a new lead sponsor, Joyce Buick, who is a resident of the community. Thank you to the artists, the Service Department, Parks Department and Auxiliaries.

This Sunday, "Our Lady of the Wayside Run" begins at the high school and continues through the streets of Rocky River.

The administration viewed a final presentation from Bowen and Associates regarding the Police Department's updates and renovations. A presentation to Council has been tentatively scheduled for two weeks from tonight beginning at 6:00 p.m. Councilmembers and residents are invited to tour the existing Police Department within the next couple of weeks.

- President Moran verified that the Legislative Meeting on September 25th will begin at 6:00 p.m. for the presentation from Bowen and Associates regarding the renovations of the Police Department.

LAW DIRECTOR'S REPORT: Law Director Bemer reported that he spent the month of August working with Building Commissioner Ray Reich and his assistant Kate Straub reviewing a number of ordinances that encompass Title 11 which is the Planning and Zoning Code. There were a couple of other ordinances being reviewed regarding parking; Chapter 558, power tools with an 8:00 p.m. ceiling; and regulation of Peer to Peer Accommodations or Airbnb and how that interfaces with the basic rental properties which will be presented to Council soon. There will be a BZA Hearing this Thursday and a Planning Commission Hearing next Tuesday.

- Councilman Sindelar asked if there was an update regarding the cell tower issue. Mr. Bemer replied that there is a Law Director's Luncheon this Thursday and there will be a report which may have information

regarding that issue. Mr. Bemer noted that there was a denial in part of a summary judgement in a granting that occurred maybe a month ago, but Mr. Bemer does not have the specifics.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: President Moran moved for the suspension of the 72-hour notification rule in regard to Resolution No. 60-17 and Resolution No. 61-17 received this evening to be added to tonight’s agenda, seconded by Mr. O’Donnell.

Vote: Hunt – aye	Shepherd – aye	O’Donnell – aye	Mr. Furry - aye
Sindelar – aye	Klym – aye	Moran – aye	
7 ayes		0 nays	PASSED

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

RESOLUTION NO. 51-17 **BY: JAMES W. MORAN**
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”
2nd READING

Mr. Moran said that this is the resolution that is the next step in the 2018 budget process. The County Budget Commission has determined that for 2018, the City needs to levy 10.80 mills to meet the projected obligations which have been standard over the last couple of years. In addition to the General Fund (6.3 mills), several city activities have levies that are part of the 10.80 mills that include: the Senior Center .5 mill, Refuse & Recycling 1.0 mill, Recreation Center .5 mill, Bond Retirement .9 mill, Fire Pension .3 mill, Police Pension .3 mill and Capital Improvement 1.0 mill. The Bond Retirement rate continues at 0.9 mills since it is projected that a levy of 0.9 mills will be sufficient to service the debt obligations for the year because of the city’s healthy property tax base. This will be read one more time.

RESOLUTION NO. 52-17 **BY: JAMES W. MORAN**
A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES HELD FROM THE PROCEEDS OF SPECIAL ASSESSMENTS FOR THE TAX YEAR 2018 PURSUANT TO THE OHIO REVISED CODE
2nd READING

Mr. Moran said this resolution is a request to the Cuyahoga County Fiscal Officer to advance pay special assessments prior to final reconciliation. The monies will be paid beginning in January with a second payment in February instead of waiting until May. This will be read for a third time in two weeks.

RESOLUTION NO. 53-17 **BY: JAMES W. MORAN**
A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2018 PURSUANT TO THE OHIO REVISED CODE
2nd READING

Mr. Moran said this is similar to Resolution No. 52-17. This is for advance pay for real property taxes prior to final reconciliation. The monies will be paid beginning in January with a second payment in February instead of waiting until May. This will have a third read in two weeks.

RESOLUTION NO. 54-17 **BY: JOHN B. SHEPHERD**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO MAKE APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION PROGRAM(S) FOR THE COLLVER ROAD / OAK ROAD STORM AND SANITARY IMPROVEMENT PROJECT AND TO EXECUTE CONTRACTS AS REQUIRED
2nd READING

Mr. Shepherd said that the application has to be filed by October 5th. This project will replace inverted sewers and sewers in disrepair on Collver and Oak Road much like the other projects done throughout the city. This will be discussed further at next week's Committee-of-the-Whole Meeting.

NEW BUSINESS:

ORDINANCE NO. 55-17 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A REIMBURSEMENT FOR THE 2016 LAKEVIEW AVENUE WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$58,342.42
1st READING

Mr. Moran said that this Ordinance will pay the Division of Water a reimbursement for overpayment on the 2016 Lakeview Avenue Water Main Improvement Project in the amount of \$58,342.42. This will be read two more times.

ORDINANCE NO. 56-17 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE TO AMEND FIRE CODE CHAPTER 1501 BY MODIFYING SECTION 1501.01 ENTITLED ADOPTION, SECTION 1501.99 ENTITLED PENALTY, AND BY ADDING SECTION 1501.13 ENTITLED NUISANCE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER
1st READING

Mr. Hunt said that this Ordinance was touched on briefly last week. Mr. Hunt has traded emails with Fire Prevention Officer Crowe and will be meeting with him sometime this week. Mr. Hunt will have more information at next week's meeting.

ORDINANCE NO. 57-17 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OCHS, INC. LIFE INSURANCE CO. TO PROVIDE LIFE INSURANCE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"
1st READING

Councilman Hunt thanked the Mayor for her phone call today to discuss this ordinance. Based upon negotiations, the life insurance benefit for full-time employees increased to a \$50,000 death benefit. Dearborn, Medical Mutual

and OCHS, Inc. all submitted bids. Liberty Mutual submitted a bid but then withdrew. The city negotiated with OCHS, Inc. in the best interest of the city. The increased cost will be \$2.50 per month/per employee for the additional \$25,000 in benefit. It doubles the benefit, but not the premium.

- The Mayor added that this is also the State of Ohio's life insurance policy and these rates are guaranteed for three years.

RESOLUTION NO. 58-17 **BY: JOHN B. SHEPHERD**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA), FOR TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) IMPLEMENTATION, TO FUND IMPROVEMENTS FOR CENTER RIDGE ROAD AND TO EXECUTE CONTRACTS
1st READING

Councilman Shepherd said this ordinance will allow the city to participate in the application for funding along with the City Fairview Park for funds for Center Ridge for improvements that were recommended by the TLCI. This will enhance pedestrian accommodations at Linden, Northview, Wagar and Center Ridge Road. The grant will improve pedestrian signals, ADA compliant sidewalks, crossing ramps, better road control for traffic on Wagar and improve crosswalks.

- Councilman Klym asked how much this project would cost. Director Costello responded that the city is waiting on an engineer's estimate with Fairview Park.
- The Mayor added that NOACA passed a resolution at their Regional Meeting last week that the Congestion Mitigation and Air Quality Grant (CMAQ) has been recommended for funding and is being sent to Columbus for final review and acceptance. Thank you to Safety Service Director Costello for her perseverance on this grant. This is for Center Ridge Road signalization.

ORDINANCE NO. 59-17 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A REIMBURSEMENT FOR THE 2016 WOOSTER ROAD WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$371,993.02
1st READING

The Cleveland Water Department paid the City of Rocky River an overpayment in the amount of \$371,993.02. This ordinance will reimburse the Cleveland Water Department.

- Councilman Furry asked why this overpayment is so high. Director Costello said that the Cleveland Water Department pushed forward on Wooster Road finishing it in one season and it was a \$2 million contract.

RESOLUTION NO. 60-17 **BY: JOHN B. SHEPHERD**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA), FOR TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) IMPLEMENTATION GRANT, TO FUND IMPROVEMENTS FOR DETROIT ROAD AND TO

EXECUTE CONTRACTS

1st READING

Councilman Shepherd said that this resolution is also an application to NOACA for a TLCI Implementation Grant to fund improvements for Detroit Road. ODOT is authorized to repave Detroit and Wooster Road next year and part of ODOT's requirement is that the city has ADA compliant crosswalks. The ADA compliant crosswalks are also recommended by the TLCI Study. This application is due October 6th.

- Councilman Sindelar asked about bike lanes being added on Detroit Road. Director Costello said that Detroit Road cannot accommodate a bike lane.

RESOLUTION NO. 61-17

BY: DAVID W. FURRY

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT PROGRAM FOR THE FUNDING OF THE ROCKY RIVER WASTEWATER TREATMENT PLANT 2018-2021 CAPITAL IMPROVEMENTS PROJECT, AND TO EXECUTE CONTRACTS.

1st READING

Mr. Furry thanked Council for allowing this resolution to be added to the agenda. This resolution will be discussed further at next week's Committee-of-the-Whole Meeting.

MISCELLANEOUS BUSINESS: Mr. Moran discussed the Cleveland Yacht Club's requests for liquor licenses. Council Clerk Pease will call CYC to find out what has changed.

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:50 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council