

CITY OF ROCKY RIVER

December 17, 2018

The Special Meeting of Council was called to order by Mr. Moran, President of Council, immediately following the Public Hearing in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Absent: Mr. O'Donnell

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

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of December 10th be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	Furry – aye
	Sindelar – aye	Klym – aye	Moran – aye
	6 ayes	0 nays	

PASSED

The Special Meeting this evening is in regards to Amended Ordinance Nos. 87-17, 74-18. Ordinance Nos. 75-18, 86-18, 88-18 Resolution Nos. 85-18, 87-18 and Consent Agenda Ordinance Nos. 79-18 through 83-18 and Resolution No. 84-18.

MAYOR'S REPORT:

The Mayor reiterated to Council that Bowen and Associates will be presenting a review of the police station plans to Council sometime in January and will be asking for Council's feedback.

Bradstreet's Landing will also be reviewed with Council sometime in January or February. The Mayor has shared that SmithGroup, JJR has proposed to build around the existing pier so demolition will not be necessary. As Council knows, financing has been put together for this project thanks to the county and state. The Mayor is also working together with the Army Corp of Engineers, ODNR and Congresswoman Kaptur's Office to secure more funding.

An update on MUNIS will be provided to Council also in January. Director Thomas has already met with key staff members who will be primary users of this software. This presentation will give Council an update regarding the hardware, software and training perspective.

The Amended Wage Ordinance is before Council this evening. The Mayor will discuss some of the highlights when this ordinance is presented this evening.

The Mayor respectfully requested an Executive Session this evening under Article 10, Section 6, and Subsection 4, to discuss two collective bargaining matters.

The Mayor wished everyone a wonderful and safe holiday from the city administration. The Mayor looks forward to meeting Council again on January 7, 2019.

LAW DIRECTOR’S REPORT: NONE

COMMITTEE REPORTS: NONE

COMMUNICATIONS & ANNOUNCEMENTS: President Moran discussed the Liquor License Request for Ferris Steakhouse. Lt. Crates said that there were no problems/concerns regarding this application. Mr. Shepherd said this is a transfer with a modification of the corporate structure. This request was approved.

AUDIENCE PARTICIPATION: NONE

UNFINISHED BUSINESS:

2nd AMENDED ORDINANCE NO. 87-17 BY: JOHN B. SHEPHERD
AN ORDINANCE AMENDING CHAPTER 1153 CAPTIONED SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT REGULATIONS OF THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, AND SPECIFICALLY SECTION 1153.03 ENTITLED USE REGULATIONS, SECTION 1153.09 ENTITLED HEIGHT REQUIREMENTS, SECTION 1153.13 ENTITLED PROJECTIONS INTO REQUIRED SETBACKS, AND SECTION 1153.15 ENTITLED ACCESSORY USES AND STRUCTURES, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”

3rd READING

Mr. Shepherd said that the rear yard lakefront setback section has been removed along with the side yard fences. Both of these items may come back in 2019 as freestanding ordinances. Council is waiting for recommendations from the Planning Commission regarding the rear yard lakefront setback. Mr. Shepherd said that the following is what remains in this ordinance and it has been approved and recommended by the Planning Commission. The height of accessory buildings and structures will not exceed ten feet, except the height of a detached garage shall not exceed twelve feet at the highest point for a flat roof and not exceed fifteen feet at the highest point of a pitched roof. Under 1153.13 has changed the term covered structures to roofed and shade structures such as pergolas. These are things that are attached to a house and cannot project into the minimum front, side or rear yard setback. Residents will need a zoning certificate (building permit) for attached decks less than three feet in height along with changes in dimensions on decks. On play structures the roof area cannot be greater than 50 square feet; side areas of play structures (slides, swings and similar play equipment) will not be included in the calculation for the total surface area and horizontal surfaces have been increased slightly from 100 feet (except for decks which can now go to 250 feet). For air conditioning units, the setback has been kept at 10 feet and two units are allowed in a side yard. The units need to be screened and baffled so as not to exceed 70 decibels noise level as measured at the lot line and generators are allowed on the side yard, baffled and screened like the air conditioner units.

Mr. Shepherd moved to 2nd Amend Ordinance No. 87-17 by substituting Exhibit A, dated December 11, 2018, seconded by Mr. Furry.

Vote:	Hunt – aye	Shepherd – aye	Furry – aye
	Sindelar – aye	Klym – aye	Moran – aye
	6 ayes	0 nays	

PASSED

Mr. Shepherd then moved for passage of 2nd Amended Ordinance No. 87-17, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		PASSED

AMENDED ORDINANCE NO. 74-18 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE CREATING POSITIONS AND FIXING OR
ESTABLISHING THE ANNUAL SALARIES AND HOURLY RATES COMMENCING
JANUARY 1, 2019 FOR THE APPOINTED EMPLOYEES IN THE SEVERAL
DIVISIONS AND DEPARTMENTS OF THE CITY OF ROCKY RIVER
3rd READING

Mr. Moran said that this has been discussed for several weeks and has not heard any comments regarding this legislation. This is the annual salaries and hourly rates for the employees of the City of Rocky River for 2019.

Mr. Moran moved to 2nd Amend Ordinance No. 74-18 by substitution, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		PASSED

Mr. Moran then moved for passage of 2nd Amended Ordinance No. 74-18, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		PASSED

ORDINANCE NO. 75-18 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT
EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL YEAR
ENDING DECEMBER 31, 2019
3rd READING

Mr. Moran said that this ordinance is the city's annual budget. Council has had the opportunity to discuss this with all the Directors and the Mayor. This is the Budget Master Plan for the year 2019. All the details will still come before Council to be voted on throughout the year. For the last 12 years, the budget has been approved the year before the money is spent. The Public Hearing for this ordinance was this evening, but there was not any public comment. Mr. Moran thanked Director Thomas for being available to answer questions during the course of the budget review.

Mr. Moran moved to Amend Ordinance No. 75-18 by substitution, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		PASSED

Mr. Moran then moved for passage of Amended Ordinance No. 75-18, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
6 ayes	0 nays		PASSED

RESOLUTION NO. 85-18

BY: JOHN B. SHEPHERD

**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA) PROGRAM GRANT AGREEMENT FOR ITS ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES (SECTION 5310) FOR A TRANSPORTATION VEHICLE FOR THE ROCKY RIVER SENIOR CENTER
2nd READING**

Mr. Shepherd said that this authorizes the city to accept a NOACA grant in the amount of \$60,000 but it needs Council manic approval for the Mayor to enter into this agreement. This will have one more read.

ORDINANCE NO. 86-18

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH RICHARD L. BOWEN AND ASSOCIATES, INC. FOR THE ROCKY RIVER POLICE DEPARTMENT FOR CONSTRUCTION ADMINISTRATION SERVICES IN AN AMOUNT NOT TO EXCEED \$396,443.88
2nd READ**

Mr. Hunt was not going to read this tonight, but after speaking with the Mayor, the Mayor has assured Mr. Hunt that Bowen and Associates will make a presentation to Council sometime in January. This will then be held until Council is satisfied with the outcome of the presentation.

RESOLUTION NO. 87-18

BY: MICHAEL P. O'DONNELL

**AN EMERGENCY RESOLUTION ESTABLISHING A RESERVE BALANCE ACCOUNT IN THE CITY OF ROCKY RIVER IN ORDER TO STABILIZE ANNUAL BUDGETS
2nd READING**

Mr. Moran said that this has been discussed and the Reserve Balance Fund will be established to oversee the money received from the increase of real estate taxes as a result of the higher appraisals from the county.

ORDINANCE NO. 88-18

BY: JAMES W. MORAN

**AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NO. 304-29-046, AND THE CONSOLIDATED PARCEL NO. 302-29-047, FROM THEIR PRESENT CLASSIFICATION OF PF PUBLIC FACILITY TO R-2 TWO FAMILY RESIDENTIAL DISTRICT, AS FURTHER DESCRIBED IN EXHIBIT "A"
1st READING**

This is regarding the Roman Orthodox Church at 3300 Wooster Road. This facility is for sale and this area could be developed as a housing outlet with six homes. This was discussed at the Planning Commission and Council will refer this back to the Planning Commission.

- Mr. Furry asked if this is single family why is the zoning R-2. Mr. Bemer said that they are attached townhouses. Mr. Moran said that the resident homes on Goldengate are R-1. This is a difficult area, situated across the street from Rockport Methodist Church. This is one reason to

refer it back to the Planning Commission.

- The Mayor said there will be Public Hearing before City Council as a requirement of this ordinance.

CONSENT AGENDA:

ORDINANCE NO. 79-18 **BY: BRIAN J. SINDELAR**
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE A 2018 CATCH BASIN/VACUUM TRUCK UNIT WITH
16 CUBIC YARD BODY FOR THE SERVICE DIVISION FROM BEST EQUIPMENT
AT A TOTAL COST NOT TO EXCEED \$174,640.00**
3rd READING

Mr. Sindelar said that this ordinance is for the purchase of a 2018 catch basin/vacuum truck unit with 16 cubic yard body for the Service Division from Best Equipment. This will be attached to the chassis purchased on Ordinance 43-18.

ORDINANCE NO. 80-18 **BY: BRIAN J. SINDELAR**
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE A 2018 STAINLESS STEEL DUMP BODY WITH SNOW
PLOW PACKAGE INSTALLED ON SUPPLIED TANDEM AXLE CLASS 8 CAB AND
CHASSIS FOR THE SERVICE DIVISION FROM CONCORD ROAD EQUIPMENT AT
A TOTAL COST NOT TO EXCEED \$70,563.91**
3rd READING

Mr. Sindelar said that this ordinance is for the purchase of a 2018 stainless steel dump body with a snowplow package, which will be attached to the chassis purchased on Ordinance 65-18. This will be the “Swiss army knife” of dump trucks.

ORDINANCE NO. 81-18 **BY: BRIAN J. SINDELAR**
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE
DIRECTOR TO PURCHASE A 32 CUBIC YARD REFUSE PACKER BODY FOR THE
SERVICE DIVISION FROM BEST EQUIPMENT AT A TOTAL COST NOT TO
EXCEED \$70,990.00**
3rd READING

This is a purchase of a 32 cubic yard refuse packer body for the Service Division from Best Equipment. This will be attached to the chassis purchased on Ordinance 64-18.

ORDINANCE NO. 82-18 **BY: JAMES W. MORAN**
**AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO
PAY COURTVIEW JUSTICE SOLUTIONS, INC. THE SUM OF FIFTY SEVEN
THOUSAND FOUR HUNDRED FORTY TWO DOLLARS (\$57,442.00) FOR THE COST
OF SUPPORT SERVICES FOR VARIOUS SOFTWARE APPLICATIONS FOR THE
ROCKY RIVER MUNICIPAL COURT AS FURTHER DESCRIBED IN THE
ATTACHED EXHIBIT “A”**

3rd READING

Mr. Moran said that this has been discussed and is a software service bill that just came up recently but was in the budget for this year. The Courts would like this paid from this year’s budget before the end of the year.

**ORDINANCE NO. 83-18 BY: MICHAEL P. O’DONNELL
AN EMERGENCY ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS
FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO DURING
THE FISCAL YEAR ENDING DECEMBER 31, 2018 AND TO AMEND AMENDED
ORDINANCE NO. 97-17**

3rd READING

Mr. Moran said that Ordinance No. 97-17 was the budget for 2018. There were some amendments that were needed to be made that relate to Health Insurance Premiums, unanticipated severance payments that were necessary as a result of turnover in various departments and compensation issues for overtime, etc.

**RESOLUTION NO. 84-18 BY: THOMAS J. HUNT
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH CUYAHOGA COUNTY TO RECEIVE FUNDING FROM
THE 2019 CUYAHOGA COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT
(CDSG) PROGRAM IN THE AMOUNT OF \$50,000.00 FOR IMPROVEMENTS AT THE
HILLIARD/WAGAR INTERSECTION FOR PEDESTRIAN SIGNALS AND
CROSSWALKS AND THE MID-BLOCK CROSSWALK ACROSS HILLIARD AT THE
OUTDOOR POOL AND PEDESTRIAN SAFETY WALKS AT ROCKY RIVER CITY
CAMPUS**

3rd READING

Mr. Hunt said that this resolution is applying for a grant in the amount of \$50,000 to fund improvements at the crosswalk at Hilliard and Wagar Road along with the mid-block crosswalk across Hilliard at the outdoor pool and will link the sidewalk from Hilliard to the sidewalk on Rocky River City campus. Engineering will be completed as part of the bigger project of repaving Hilliard Blvd.

Moved by Mr. Moran, seconded by Mr. Furry that Ordinance Nos. 79-18, 80-18, 81-18, 82-18, 83-18 and Resolution No. 84-18 of the Consent Agenda be passed as read.

Vote: Hunt – aye Shepherd – aye Furry – aye
 Sindlear – aye Klym – aye Moran - aye
 6 ayes 0 nays **PASSED**

Mr. Moran thanked everyone for coming this evening and wished the audience a safe and happy Christmas and New Year.

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry, that an Executive Session under Article 10, Section 6, and Subsection 4, to discuss two collective bargaining matters.

Vote: Hunt – aye Shepherd – aye Furry - aye
 Sindelar – aye Klym – aye Moran - aye
 6 ayes 0 nays **PASSED**

President Moran reconvened to the Special Meeting of Council.

Mr. Moran moved to close the Special Meeting, seconded by Mr. Furry. The Special Meeting was adjourned at 8:07 p.m.

Vote:	Hunt – aye	Shepherd – aye	Furry – aye
	Sindelar - aye	Klym – aye	Moran - aye
	6 ayes	0 nays	

PASSED

James W. Moran
President of Council

Susan G. Pease
Clerk of Council