

CITY OF ROCKY RIVER

July 23, 2018

The Regular Meeting of Council was called to order by Mr. Moran, President of Council, immediately following the Finance Committee Meeting in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. O'Donnell, Mr. Furry,
Mr. Sindelar, Mr. Klym, Mr. Moran

Absent: Mr. Shepherd

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

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

President Moran recognized and thanked Chief Stillman, Chief Lenart and Director Grau for attending this evening's Legislative Meeting.

MOTION:

Moved by Mr. Moran, seconded by Mr. Furry, that the reading of the minutes of the Legislative Meeting of July 9th be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	O'Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes		0 nays	PASSED

Moved by Mr. Moran, seconded by Mr. O'Donnell, that the reading of the minutes of the Public Hearing, Special Meeting and the Committee-of-the-Whole Meeting of July 16th be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	O'Donnell – aye	Furry – aye	
Sindelar – aye	Klym – aye	Moran - aye	
6 ayes		0 nays	PASSED

MAYOR'S REPORT:

The Mayor received a letter from Mr. Dennis Kennedy, the County Fiscal Officer of Cuyahoga County regarding the reappraisal of property in Cuyahoga County. Residents will be hearing from the County on or around July 31st regarding the impact of these reappraisals. The County will be scheduling meetings on the east, west and south side for resident taxpayers to meet with them and hear about the process. A press release regarding the reappraisals will be sent out within the next week.

R.T.A. has sent out a notification that 4,600 households in Rocky River have been selected to receive a complimentary one-week pass to ride the R.T.A. busses specifically the CSU line, which has grown about 45% in the last couple of years. The satisfaction surveys are ranked at about 97% of individuals who prefer this service and would recommend it to family members and friends. City Hall has some passes if residents are interested.

The Mayor thanked Mr. Chris Grau for the information Council received this evening regarding the impact of the Munis software platform for residents and employees. This is in response to Mr. Klym's questions last week. This request is to streamline the internal processes but also to give residents access and have transparency in the city's process. If Council would like more information regarding Munis, the administration will be happy to set up a meeting with the Munis representatives and Tyler Technology.

Mr. Grau has launched an app that several communities currently use called "Civically". This is another communication vehicle that many municipalities are using to communicate with residents.

On August 1st, from 12:00 – 4:00 p.m., Congressman Renacci will be hosting the Veteran's Mobile Outreach Program at the Civic Center. The Mayor said that more than \$100,000 in benefits were secured at the last Veteran's Mobile Outreach Program and several medals were applied for. Veterans are encouraged to attend.

Food Truck Friday this week will include the Fire & Ice Pizza Food Truck, 216 Bistro Food Truck and Smokin' Rock n' Roll on Ice Food Truck. The concert this Sunday will host "Rumors" a Fleetwood Mac Tribute Band at the City Hall Gazebo.

LAW DIRECTOR'S REPORT: Mr. Bemer said that the Planning Commission reviewed Ordinance No. 84-17, which was already recommended for passage at the April 30th Planning Commission Meeting, with one change that was done by the withdrawal of any revisions to 1127.37. The cover ordinance has not been changed to reflect that. This can be added to the Special Meeting Agenda for Monday with the amended cover ordinance. The Planning Commission is still working on Ordinance No. 87-17 regarding residential accessory uses along with the solar regulations under Ordinance No. 90-17. The Chapter 913 Right-of-Way Supplemental Regulations regarding the small cell antenna was previously reviewed and the minutes were approved and Council received them in their packets last Friday.

Mr. Bemer spoke with Prosecutor Assistant Law Director O'Shea this afternoon regarding the fire truck litigation. It is going to be at least a month before there are any pleadings. There are 22 defendants that are being named in this litigation and not all of those defendants have filed answers yet.

COMMITTEE REPORTS: Mr. Moran said that the Planning Commission's Meeting was this past Thursday. There was a pre preliminary discussion regarding a development of a multi-unit area at 1560 Wagar. There was also discussion regarding an electronic sign for the Shell Station on Hilliard. This electronic sign was approved for the price of gas to display from 7:00 a.m. to 11:00 p.m.

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

PUBLIC COMMENT: Kevin Bednarski, President of Rocky River Firefighters Local 659 addressed Council regarding Ordinance No. 48-18. Captain Bednarski thanked the Mayor, Director Costello, Chief Lenart for their support, Captain George Kraus for his work on the previous truck that was under consideration and Councilman Sindelar for sponsoring this legislation. Captain Bednarski also wanted the firefighter's names who worked on the specs for the new truck added to the Public Record as there was an incredible amount of work and they did a fantastic job. The names are as follows: Lt. Chuck Purpura, Lt. Adam Petitt, Firefighter David Haas, Firefighter Eric Fledderjohann and Firefighter Joe Brutout. The vehicle designed will serve the city well and he respectfully urges passage of this legislation this evening.

UNFINISHED BUSINESS:

AMENDED ORDINANCE NO. 84-17

BY: JOHN B. SHEPHERD

AN ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, CHAPTER 1127 REGARDING DEVELOPMENT PLAN REVIEW

**PROCEDURES AS PROVIDED IN SECTION 1127.03, SECTION 1127.35, AND SECTION 1127.37 AS FURTHER DESCRIBED IN THE ATTACHED EXHIBITS “A”, “B” AND “C”
ON HOLD**

This amended ordinance will be added to the Special Meeting Agenda for passage with an amended cover ordinance.

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 1153.07 ENTITLED SETBACK REQUIREMENTS, 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 EXHIBITS “A-E”
ON HOLD**

This amended ordinance is still on hold. Council is waiting for feedback from the Planning Commission.

AMENDED ORDINANCE NO. 90-17 **BY: JOHN B. SHEPHERD**
**AN ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SECTION 1181.19 ENTITLED SOLAR REGULATIONS, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”
ON HOLD**

This amended ordinance is on hold. Council is waiting for feedback from the Planning Commission.

Mr. Moran moved to amend by substitution the exhibit for Resolution No. 35-18, seconded by Mr. O’Donnell.

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

AMENDED RESOLUTION NO. 35-18 **BY: JAMES W. MORAN**
**A RESOLUTION ADOPTING A COMPREHENSIVE GENERAL PLAN KNOWN AS THE 2018 ROCKY RIVER MASTER PLAN
3rd READING**

Mr. Moran said that the Planning Commission has reviewed and approved the 2018 Rocky River Master Plan. Mr. Moran thanked Councilman Klym for his work and input on changes that were made regarding the Master Plan. Mr. Moran thanked the residents and all the people that were involved in this plan. This comprehensive Master Plan gives the city a great working plan to continue moving forward. Mr. Hunt also thanked Mr. Klym for his involvement and keeping Council up to day with each step. Mr. Moran moved for passage of Amended Ordinance No. 35-18, seconded by Mr. O’Donnell.

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

Mr. O’Donnell moved to amend by substitution of the exhibit for Resolution No. 42-18, seconded by Mr. Furry.

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

AMENDED RESOLUTION NO. 42-18 **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"
3rd READING

This resolution has been discussed the last five or six weeks. This resolution authorizes the certification of delinquent sanitary sewer charges that were due as of December 31st, 2017. The exhibit has been reduced, as some of the residents are now compliant. Mr. O'Donnell moved for passage of Amended Resolution No. 42-18, seconded by Mr. Furry.

Vote:	Hunt – aye	O'Donnell – aye	Furry – aye	
	Sindelar – aye	Klym – aye	Moran - aye	
	6 ayes		0 nays	PASSED

AMENDED ORDINANCE NO. 44-18 **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 ARCHITECTURAL SERVICES IN AN AMOUNT NOT TO EXCEED \$876,200.00
ON HOLD

Mr. Hunt said that based on the discussion from the Finance Committee Meeting earlier this evening, this amended ordinance will be held and placed on the Special Meeting Agenda for next Monday. Mr. Hunt thanked the administration for the information provided and the time for this evening's committee meeting.

AMENDED ORDINANCE NO. 46-18 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 913 ENTITLED
RIGHT OF WAY ADMINISTRATION OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY
RIVER, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
3rd READING

This Amended Ordinance was approved by the Planning Commission. Mr. Moran said that this is the right-of-way administration for small cell. This gives the city the opportunity as things come up to have something in place in the codified ordinances.

- Mr. Klym asked about the discussion in the Planning Commission minutes regarding the negotiation of various cell phone companies. Mr. Klym is asking if industry means service provider and he is also verifying that an application will only be accepted by one of these four major providers. The Mayor and Law Director confirmed this.

Mr. Moran moved for passage of Amended Ordinance No. 46-18, seconded by Mr. O'Donnell and Mr. Furry.

Vote:	Hunt – aye	O'Donnell – aye	Furry – aye	
	Sindelar – aye	Klym – aye	Moran - aye	
	6 ayes		0 nays	PASSED

ORDINANCE NO. 48-18 **BY: BRIAN J. SINDELAR**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY-SERVICE
DIRECTOR TO PURCHASE ONE (1) 2019 LADDER TRUCK FOR THE FIRE DIVISION FROM
SUTPHEN CORPORATION AT A COST NOT TO EXCEED \$1,199,929.00
3rd READING

committee to complete this project. Two bids were received and North Bay was the lowest and best bid. North Bay is not on the state's Auditors Unresolved Findings list.

ORDINANCE NO. 40-18 **BY: CHRISTOPHER J. KLYM**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SMITHGROUP JJR FOR ENGINEERING AND PERMITTING FOR THE DEMOLITION & REPLACEMENT OF THE NEAR-SHORE PORTION OF FISHING PIER AT BRADSTREET'S LANDING PARK IN AN AMOUNT NOT TO EXCEED \$344,950.00
3rd READING

Councilman Klym said this has been discussed a number of times. This authorizes the Mayor to enter into a contract with SmithGroup JJR for engineering and permitting for the demolition and replacement of the near-shore portion of the fishing pier at Bradstreet's Landing Park. This ordinance is very timely and ties in with Ordinance No. 47-18. SmithGroup JJR are experts in this area and the city is fortunate to have them working on this project.

ORDINANCE NO. 41-18 **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 2018 STREET REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$434,251.10
3rd READING

Mr. Moran said that the city has worked with Crossroads in the past. This is the asphalt program in the amount of \$434,251.10 so the city can continue repairing the streets in Rocky River.

ORDINANCE NO. 43-18 **BY: BRIAN J. SINDELAR**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2018 SINGLE & TANDEM AXLE CAB AND CHASSIS AND LIGHT DUTY CHASSIS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING CONTRACT NO. 18 FROM VALLEY FREIGHTLINER, INC., AT A COST NOT TO EXCEED \$84,256.00
3rd READING

The purpose of this axle cab and chassis is to support and carry the va-call machine which will be purchased in September to clean out the catch basins and suck up the leaves on tree lawns around the city.

AMENDED ORDINANCE NO. 45-18 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH DIGIOIA-SUBURBAN EXCAVATING, LLC COMPANY, INC. FOR THE BREEZEALE COVE STORM SEWER IMPROVEMENT PROJECT AT A COST NOT TO EXCEED \$287,370.00
3rd READING

Mr. Moran said that this has been discussed for a few weeks. This helps the drainage from the south side of Lake Road and properties south of Lake Road and Breezevale Cove.

RESOLUTION NO. 47-18 **BY: JOHN B. SHEPHERD**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE COMMUNITY DEVELOPMENT GRANT AGREEMENT FOR THE BRADSTREET'S LANDING PARK FISHING PIER RECONSTRUCTION PROJECT AS FURTHER DESCRIBED IN EXHIBIT A
3rd READING

Mr. Moran said that Council is in agreement for the city to enter into the Community Development Grant Agreement for Bradstreet’s Landing Park Fishing Pier Reconstruction Project with the County Council. Mr. Moran thanked Mayor Bobst, Director Costello, Director Thomas, Councilman Klym and Councilman O’Donnell for being in attendance at the County Council meeting. Mr. Hunt said that Ward 1 is most appreciative of the time and effort spent on the Bradstreet’s Landing Project. Mr. O’Donnell concurred and thanked the Mayor for her million-dollar speech.

Moved by Mr. Moran, seconded by Mr. O’Donnell that Ordinance Nos. 39-18, 40-18, 41-18, 43-18, Amended Ordinance No. 45-18 and Resolution No. 47-18 of the Consent Agenda be passed as read

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

MISCELLANEOUS BUSINESS: Mr. Moran said that there will be a Special Meeting next Monday, time to be determined

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:55 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council