

**CITY OF ROCKY RIVER**

**September 24, 2018**

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

The meeting was opened with the Pledge of Allegiance.

**MOTION:**

Moved by Mr. Moran, seconded by Mr. O'Donnell that the reading of the minutes of the Legislative Meeting of September 10th 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	<b>PASSED</b>

Moved by Mr. Moran, seconded by Mr. Furry, that the reading of the minutes of the Committee-of-the-Whole Meeting of September 17<sup>th</sup> be waived and that the minutes be accepted as submitted.

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

**MAYOR'S REPORT:**

The Mayor commented that it was a great Homecoming last weekend. Rocky River has many enthusiastic candy eaters!

The Mayor announced that two exciting applications have been submitted, thanks to Director Costello and Shelley Sollars. The first application is Resolution No. 55-18 for DOPWIC which is in front of Council this evening. This legislation is for the Morewood Parkway, Collver and Oak sewer rehabilitation project. This is a very large project totaling almost \$7.9 million. The request is for a little over \$7.1 million dollars of DOPWIC zero interest loan funds. The rankings will not be announced until sometime December of this year. Another application has been submitted to Cuyahoga County for Story Road. This project is approximately \$630,000. The County portion is about a quarter of a million dollars along with the city's \$380,000 making this a very extensive resurfacing project. Cleveland Water has already given money towards the replacement of the waterline on Story Road.

The Mayor announced that the Senate approved a \$300 million dollar appropriation for the Great Lakes Restoration Initiative. These are important dollars that help with shoreline projects related to erosion or storm water management, etc. The Mayor is hoping that this will have some impact on the work being done at Bradstreet's Landing.

The leaf collection equipment is being readied to begin leaf pick up when needed.

The city hired a new Parks Lead Supervisor, David Arendec. David had been working for Cleveland Heights and is very happy to be joining the City of Rocky River. David has considerable municipal forestry experience. This brings the city's compliment up to two credentialed arborist in addition to Rich Snyder.

The Mayor announced that four houses are being demolished on Smith Court. These houses are owned by the same property owner and there are no plans at this time for redevelopment.

The Mayor commented about the Senior Center Quill. The current edition is filled with a lot going on at the Senior Center during the month of October.

Tomorrow is National Voter Registration Day. The City of Rocky River was selected to be the location for Cuyahoga County. Individuals may stop at the Civic Center tomorrow to register to vote. A Ready Notify was sent out regarding this information.

Saturday will be the Shredding Event. This is limited to residents only with two standard boxes of material per household. This will also be sent out on Ready Notify. A big thank you to Director Costello, Julie Morron and the CERT volunteers who make this event a success.

On October 3<sup>rd</sup>, there will be an Integrated Public Alert and Warning System Trial. Notification will be sent to residents through Ready Notify.

On October 5<sup>th</sup>, from 7:00 a.m. – 9:00 a.m., the Rocky River High School Marching Band will be featured on Fox 8 News. Residents near the high school field will be notified due to the lights turning on around 6:30 a.m.

The Mayor shared that Mr. John Fisher, a property owner that has worked extensively with the city, passed away at the age of 93. Mr. Fisher was one of the owners of Wald and Fisher, Inc. that owns the property where Whole Foods is and also Fitworks, Storage Place and Huntington Bank on Center Ridge Road. Mr. Fisher was always very easy to work with and always willing to do whatever it took with his properties. The Mayor extends her sympathy to Mr. Fisher's family and sons.

- Mr. Hunt asked what portion of Morewood Parkway will Resolution No. 55-18 be impacting. Director Costello said that the project will be between Wagar and south to the tracks. It will involve another layer of moving a sanitary line from the rear yards of the houses on the eastside of the street, from the tracks to the School Board and moving that into the public right away. Mr. O'Donnell asked if the backyards of Morewood Parkway residents will need to be dug up. Director Costello said that this sewer line will actually be abandoned and the city will be looking to get an easement behind Ace Hardware to the Morewood Parkway right away.

**LAW DIRECTOR'S REPORT:** Mr. Bemer said that Amended Ordinance Nos. 87-17 and 90-17 have been approved by the Planning Commission last week and are ready for Council's consideration tonight. However, Amended Ordinance No. 50-18 regarding the Animal Control Ordinance may need a few more tweaks.

- Councilman Shepherd said on the approved minutes from the Planning Commission there was still an issue regarding 87-17 on the lakefront setback. Mr. Bemer said that was withdrawn. Mr. Shepherd said that after discussion on 90-17 there was a vote by the Planning Commission regarding approval but there is not a vote regarding 87-17 noted in the minutes. More discussion ensued. Mr. Shepherd would like clarification on the Planning Commission's approval for 87-17 before reading it a third time.

**COMMITTEE REPORTS: NONE**

**COMMUNICATIONS AND ANNOUNCEMENTS: NONE**

**PUBLIC COMMENT: NONE**

**UNFINISHED BUSINESS:**

**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 will wait for clarification from the Planning Commission.

Mr. Shepherd moved to amend Amended Ordinance No. 90-17 for a second time, seconded by Mr. O’Donnell.

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

**2<sup>nd</sup> 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”  
**3<sup>rd</sup> READING****

This amended ordinance will allow solar panels as a matter of right in residential districts so long as they are not less than three feet from the roofline and the panels can cover up to 75% of the rooftop. Other than that, it’s conditional use. The requirement of conditional use will also apply to solar panels that are ground mounted and reviewed on a project by project basis.

- Mr. Sindelar asked about things built prior to this change. Councilman Shepherd said those will be grandfathered in.

Mr. Shepherd moved for passage of 2<sup>nd</sup> Amended Ordinance No. 90-17, seconded by Mr. Furry.

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

**AMENDED ORDINANCE NO. 50-18**

**BY: THOMAS J. HUNT**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 505 ENTITLED ANIMALS AND FOWL OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”  
**ON HOLD****

Mr. Hunt said that this will still be on hold. As Mr. Bemer indicated in his report, there is still some clean up to the language needed. This will be discussed further at next week’s meeting.

**RESOLUTION NO. 51-18**

**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"**

**2<sup>nd</sup> READING**

Council has read this twice and discussed it several times. This is required by the Cuyahoga County Budget Commission which requires Council to pass this resolution to put the millage on the real estate property tax bills to be assessed to all residents. If anyone on Council has thoughts about making any changes to this, please let Mr. O'Donnell know. The County wants this returned by October 1<sup>st</sup>, but have approved receiving it by October 8<sup>th</sup> which will be the third read.

**ORDINANCE NO. 52-18**

**BY: BRIAN J. SINDELAR**

**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2018 FORD F-150 EXTENDED CAB PICK-UP TRUCK FOR THE SERVICE DIVISION UNDER THE STATE COOPERTIVE PURCHASING ACT FROM VALLEY FORD TRUCK INC., AT A COST NOT TO EXCEED \$30,402.00**

**2<sup>nd</sup> READING**

This has been discussed for a number of weeks. This will have a third read in two weeks. There have not been any questions regarding this Ordinance.

**ORDINANCE NO. 53-18**

**BY: BRIAN J. SINDELAR**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW A CONTRACT FOR ONE (1) YEAR FOR THE PURCHASE OF JANITORIAL SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000.00**

**2<sup>nd</sup> READING**

This has been discussed for a number of weeks. This will have a third read in two weeks. Mr. Sindelar said that there have not been any questions regarding this ordinance.

**ORDINANCE NO. 54-18**

**BY: JOHN B. SHEPHERD**

**AN ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2018 CRACK & JOINT SEALING PROGRAM IN AN AMOUNT NOT TO EXCEED \$92,400.00**

**2<sup>nd</sup> READING**

This has been discussed for a number of weeks. This will have a third read in two weeks. There have not been any questions regarding this Ordinance.

**NEW BUSINESS:**

**RESOLUTION NO. 55-18**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY RESOLUTION RATIFYING THE MAYOR'S OR HER DESIGNEE'S APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION PROGRAM(S) FOR THE COLLVER ROAD / OAK ROAD/ MOREWOOD PARKWAY (FROM WAGAR TO RAILROAD TRACKS)**

**STORM AND SANITARY IMPROVEMENT PROJECT AND TO EXECUTE CONTRACTS AS  
REQUIRED  
1<sup>st</sup> READING**

Mr. Shepherd said that as stated in the Mayor's Report, this application has been filed already but the Commission allows council manic approval to come at a later date. Mr. Shepherd anticipates that this will have three full reads due to the cost of the project. It is for waterlines that the city hopes will be reimbursed by the City of Cleveland along with sewers and pavement of Oak, Collver and Morewood as described by the Service Director. Mr. Shepherd said that the loan request covers 90% of the project. The total estimated cost is a little over \$7.8 million.

- Mr. Shepherd asked if there are storm sewers in the backyards on Morewood also. Director Costello said there is a storm sewer there, but the problem is maintaining a sanitary line as a health and welfare issue. A storm line that needs maintained is not as much of an emergency. If there is an engineering way that the storm and sanitary can be moved, it will be done.
- Mr. Klym asked about Spencer Road. Director Costello said that Spencer Road is a County route but she has made a DOPWIC application for Spencer as well. Spencer Road is still on the city's radar. The Street's Department has been doing excellent repairs with new equipment which will buy some time on Spencer. The Mayor said there needs to be continuing conversations with the County much like the discussions regarding Hilliard that the city had to fight for to receive funding. It takes time.

**MISCELLANEOUS BUSINESS: NONE**

**PUBLIC COMMENT: NONE**

As there was no further business by members of Council, the meeting was adjourned at 7:38 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council