

**CITY OF ROCKY RIVER**

**June 25, 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. O’Donnell, Mr. Furry,  
Mr. Sindelar, Mr. Moran

Absent: Mr. Shepherd, Mr. Klym

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

Law Director: Mr. Bemer

**MOTION:**

Moved by Mr. Moran, seconded by Mr. Furry, that the reading of the minutes of the Legislative Meeting of June 11<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote: Hunt – abstain	O’Donnell – aye	Furry – aye	
Sindelar – aye	Moran - aye		
4 ayes	1 abstain	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 June 18<sup>th</sup> be waived and that the minutes be accepted as submitted.

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

**MAYOR’S REPORT:**

The Mayor attended the Common Ground Meeting this weekend and thanked everyone who was in attendance as well as a huge thank you to the Rocky River Public Library Staff, the League of Women Voters and the Cleveland Foundation for sponsoring this gathering. There was a lot of lively conversation focusing around aging in place and the importance of place. The ground rules were to explore ideas and to connect without conflict. These meetings were conducted throughout the region. More information regarding this meeting can be found on the Cleveland Foundation website.

The Mayor also thanked all the residents including Director Thomas who attended the 10<sup>th</sup> annual Cops Ride Motorcade through Rocky River honoring Ohio’s Fallen Law Enforcement on Sunday. Chief Stillman participated in the motorcade and said that the City of Rocky River had the largest turnout of people showing their support.

Last week, the Planning Commission passed a motion recommending the adoption of the Master Plan back to City Council with a few minor edits that the County Planning Commission will incorporate in

the document. The Planning Commission will approve the minutes of this meeting within the next week or two. There will be a Public Hearing scheduled for the Master Plan.

The Mayor received a letter from the Cuyahoga County Council stating that Resolution R 2018-012 will provide \$1.6 million dollars to the City of Rocky River for the paving of Hilliard Blvd.

Council will also note that there is new legislation that will require suspension of the 72-hour notification rule. Resolution 47-18 is a resolution regarding an award of \$1.1 million dollars from the Cuyahoga County Council for the reconstruction of Bradstreet's Landing. It will be on the County Council's agenda to start the process through the County tomorrow and tonight starts the process here to enter into this agreement with the County. The Mayor thanked Nan Baker for her leadership and assistance as well as Council President Brady and several members of Cuyahoga County Council.

The Mayor thanked Rich Snyder and his crew for completing the project at the Gateway of Rocky River on Lake Road. The whole section between Lake Road and the Marginal has been redone and looks absolutely beautiful.

This Friday, City Hall Campus will have Fire Truck Pizza, Perogie Joe's and Smooth Rider Food Trucks for lunch. The next concert will be held on July 8<sup>th</sup> spotlighting the band "Cheeseburgers and Paradise".

The traveling Viet Nam War Memorial will be at Tri-City West from June 28<sup>th</sup> through July 1<sup>st</sup> for the Westshore Community to visit. Tri-City West is in Westlake, off of Bradley on Clemens Road heading west.

**LAW DIRECTOR'S REPORT:** Mr. Bemer said that Council received a packet entitled Chapter 913 this evening at their places. The highlighted area is the supplemental right of way administration for small cell facilities and wireless support structures. This is the exhibit for Ordinance No. 46-18. Mr. Bemer and Kate Straub completed this packet over the weekend. Given the July 31<sup>st</sup> deadline, Council can refer this to the Planning Commission tonight and still have three full reads prior to July 31<sup>st</sup>. Mr. Bemer said that the Planning Commission will meet on July 5<sup>th</sup> to review Chapter 913. A regular Planning Commission meeting is also scheduled for July 17<sup>th</sup> and the remaining Chapter 11 ordinances will be on that agenda.

- Mr. O'Donnell asked if there would need to be a Special Meeting so Ordinance No. 46-18 could be read three times prior to the July 31<sup>st</sup> deadline. The Mayor responded no that with the reading this evening and two in July it will be voted on prior to the July 31<sup>st</sup> deadline.
- Mr. Sindelar asked if the edits would be identified in the Master Plan. The Mayor said that she will share the edits with Council.
- Mr. Furry asked if language should be in Ordinance 46-18 regarding the referral to Planning and the Public Hearing. The Mayor concurred and will have that language included.
- The Public Hearing on the Master Plan will be held before Council on July 16<sup>th</sup>.

**COMMITTEE REPORTS: NONE**



This amended ordinance is on hold. Council is waiting for feedback from the Planning Commission. The Mayor added that a new cover ordinance will be given to Council indicating that this was referred to the Planning Commission.

**ORDINANCE NO. 93-17** **BY: JOHN B. SHEPHERD**  
**AN ORDINANCE AMENDING CHAPTERS 1151, 1155, 1157, 1163, 1165, 1169 AND 1171 OF THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER REGARDING WIRELESS TELECOMMUNICATION FACILITY USE WITHIN RESPECTIVE ZONING DISTRICTS AS FURTHER DESCRIBED IN THE ATTACHED EXHIBITS "A-H"**  
**POSTPONED INDEFINITELY**

Mr. Moran moved to postpone indefinitely Ordinance No. 93-17, seconded by Mr. O'Donnell.

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

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

Mr. Moran said that this has been read twice and was referred to the Planning Commission. The Planning Commission has recommended the adoption of the 2018 Rocky River Master Plan. Mr. Sindelar attended the Planning Commission Meeting last week and said they were a well thought-out group of people. The Mayor added that they went through the Master Plan section by section at that meeting. Mr. Moran thanked Mr. Sindelar for representing Council that evening. There will be a Public Hearing Meeting scheduled for July 16<sup>th</sup> beginning at 7:00 p.m.

**ORDINANCE NO. 37-18** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2018 FORD F-550 ONE TON TRUCK WITH SNOW PLOW PACKAGE FOR THE SERVICE DIVISION UNDER THE STATE COOPERATIVE PURCHASING ACT FROM VALLEY FORD TRUCK, INC., AT A COST NOT TO EXCEED \$58,141.00**  
**2<sup>nd</sup> READING**

This has been discussed several times. The city is seeking to purchase a one-ton truck to replace a vehicle that is out of service. This purchase was in the budget and will be purchased through the State Cooperative Purchasing Plan. This will have a third read at the next Legislative Meeting.

**RESOLUTION NO. 38-18** **BY: CHRISTOPHER J. KLYM**  
**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION FOR A \$150,000.00 NATUREWORKS GRANT AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR BRADSTREETS LANDING PARK PEDESTRIAN BRIDGE IMPROVEMENTS**  
**2<sup>nd</sup> READING**

Mr. Moran said that this resolution is for the bridge that extends over Spencer Creek that needs replaced. The city needs to cover a 25% match from the city and this grant would help complete this project. There will be more discussion at next week's meeting.

**NEW BUSINESS:**

**ORDINANCE NO. 39-18** **BY: DAVID W. FURRY**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH NORTH BAY CONSTRUCTION, INC. FOR THE WWTP 2017-2020 CAPITAL IMPROVEMENTS PROJECT AT THE WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$1,693,700.00**  
**1<sup>st</sup> READING**

Mr. Furry reviewed this last week and will discuss this further at next week's meeting.

**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**  
**1<sup>st</sup> READING**

Mr. Moran said that Councilman Klym discussed part of this at last week's meeting. This authorizes the Mayor to enter into an agreement 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. The engineering will begin as soon as possible.

**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**  
**1<sup>st</sup> READING**

Mr. Moran said that we received part of the outline last week. Homeland Drive, Frazier Drive from Buckingham to BeachCliff, 22 parking spaces at the south driveway at the Ice Rink and a portion of the WWTP drive/operation area is slated to be repaved this year. Crossroads was the low bidder and the city has worked with them before with no problems.

**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"**  
**1<sup>st</sup> READING**

This is an annual ordinance for delinquent sewer charges that were billed throughout 2017. Although the amounts were billed these remain unpaid. This will take the unpaid charges and accrued penalties and be assessed against the resident's property tax. Notice was provided of the July 11<sup>th</sup> deadline. This will have three full reads.

**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**

**1<sup>st</sup> READING**

The purpose of this axle cab and chassis is to support and carry around the vacall machine which is used to clean out the drain bases and suck up the leaves around the city. This will have a full three reads.

**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 ARCHITECTURAL SERVICES IN AN AMOUNT NOT TO EXCEED \$876,200.00**

**1<sup>st</sup> READING**

Mr. Hunt said that Council is familiar with Bowen and Associates as they did the initial work regarding the needs assessment of the Police Department. This would authorize the Mayor to enter into a contract for the architectural services for the Rocky River Police Department and jail. It would include the planning facility, creating the architectural renderings and drawings, the creation of bid specs and the review of bids and consultations with contractors at any meetings that are required. This will be discussed further at next week's meeting.

**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 BREEZEVALE COVE STORM SEWER IMPROVEMENT PROJECT AT A COST NOT TO EXCEED \$287,370.00**

**1<sup>st</sup> READING**

There were four bids received and Digioia was the lowest and best bid. This project has been under discussion for quite awhile. Director Costello said that this is a city project and it is not grant funded or a DOPWIC project. It is a failed storm sewer that has sand bags deployed to protect property owners and is necessary because it collects storm water from Lake Road and properties south of Lake Road.

- Mr. Sindelar added that this has nothing to do with the Lake Road project. Director Costello said that this was on the city's radar before the Lake Road project was approved. This sewer is in such a failed state that it must be replaced to continue collecting the water from Lake Road. The city is in the process of getting a construction easement so the city can use the property to the

west for construction. The city will be replacing the pipe from Lake Road to Breezevale Cove with new manholes being added for ease of maintenance.

**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”**  
**1<sup>st</sup> READING**

Mr. Moran thanked Law Director Bemer for presenting this information to Council. This will be referred to the Planning Commission and returned to Council as soon as possible.

**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**  
**1<sup>st</sup> READING**

Mr. Moran said this authorizes the Mayor to apply for the receipt of \$1.1 million dollars for Bradstreet’s Landing Fishing Pier Reconstruction Project. This will be discussed further at next week’s meeting.

**CONSENT AGENDA:**

**ORDINANCE NO. 30-18** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO**  
**PURCHASE ONE (1) 2018 DODGE CHARGER FOR THE POLICE DIVISION UNDER THE**  
**STATE COOPERATIVE PURCHASING ACT FROM GREVE CHRYSLER JEEP DODGE OF**  
**VAN WERT AT A COST NOT TO EXCEED \$26,288.00**  
**3<sup>rd</sup> READING**

Mr. Hunt said that this has been discussed for several weeks. This is for the purchase of a Dodge Charger from the POPAS fund in the amount of \$26,288.00. This was in the 2018 Capital Budget.

**ORDINANCE NO. 31-18** **BY: THOMAS J. HUNT**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO**  
**PURCHASE ONE (1) 2018 FORD INTERCEPTOR FOR THE POLICE DIVISION UNDER**  
**THE STATE COOPERATIVE PURCHASING ACT FROM LEBANON FORD AT A COST**  
**NOT TO EXCEED \$29,504.40**  
**3<sup>rd</sup> READING**

Mr. Hunt said that this is authorization for the purchase of a 2018 Ford Interceptor from the POPAS fund in the amount of \$29,504.40. This was in the 2018 Capital Budget.



**MISCELLANEOUS BUSINESS:** Mr. Moran discussed the Liquor Control application received for 19400 Hilliard Blvd. The Rocky River Police Department has recommended that City Council not approve this application. A Hearing will be requested.

**PUBLIC COMMENT: NONE**

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

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council