

**CITY OF ROCKY RIVER**

**November 26, 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. 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.

**MOTION:**

Moved by Mr. Moran, seconded by Mr. O’Donnell that the reading of the minutes of the Legislative Meeting of November 13<sup>th</sup> 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	<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 November 19<sup>th</sup> be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	O’Donnell – abstain	Furry – aye	
Sindelar – aye	Klym – aye	Moran – aye	
5 ayes	1 abstain	0 nays	<b>PASSED</b>

**MAYOR’S REPORT:**

The Mayor said that the Directors are looking forward to meeting with Council on Friday morning and discussing the Budget for 2019. The Mayor thanked Council for their conscientious approach in their meetings with the Directors to prepare for this Friday’s meeting.

Collective bargaining continues and the Mayor will be meeting with the Police and Service Departments this week. The Mayor thanked Council for adding the emergency language clause in the Wage Ordinance so as the process continues the legislation can be passed with the negotiated rates.

The Mayor gave a brief update regarding Bradstreet’s Landing. The administration continues to work with SmithGroup, JJR as they present proposals to the State of Ohio as well as the Army Corp of Engineers specifically ODNR and the Ohio EPA. As opposed to demolishing the near shore section, the plan will be to build around the existing pier using that structure and reinforcing it so that the city can reclaim the beach and enhance the resiliency of the beach. The administration is very pleased to see that this is being proposed to the ODNR and the Ohio EPA. The timeline is being pushed back because of potential state related changes and the fact that this is a very detailed plan. The administration is seeking additional federal funding through Congresswoman Kaptur’s office in addition to the \$1.1 million dollars from the County and the \$350,000 from

the State of Ohio. Congresswoman Kaptur has a great commitment to the health of the Great Lakes and she and her staff have been very helpful to the city. The Mayor mentioned a possible presentation after the first of year for Bradstreet's Landing and the police station.

All Aglow is scheduled for this Friday, November 30<sup>th</sup>. All Aglow will be held near the Civic Center. There will be live music as well as food trucks beginning at 6:00 p.m. and the Christmas tree lighting at 6:30 p.m. There will be crafts, Santa and cookies. Toy donations are also being accepted for the Twice Blessed Store at Rocky River United Methodist Church.

The Holiday Walk in Downtown Rocky River will be Saturday, December 1<sup>st</sup>. Several participating merchants with historical walking tours, a local artist gift mall, food tastings, a balloon artist, crafts, Jungle Terry will be there and a Lionel train raffle at Jan Dell and Santa.

The 21<sup>st</sup> Annual Rocky River Women's Club Holiday Home Tour will be Sunday, December 2<sup>nd</sup> from 11:00 – 4:00 p.m. Thank you to the Service Garage for working hard getting the areas cleaned up for the festivities.

**COMMITTEE REPORTS: Finance Committee:** Mr. O'Donnell said that he has received some department reports in preparation of the Finance Meeting this Friday. Please have reports to Mr. O'Donnell by Wednesday of this week. The meeting on Friday will begin at 8:00 a.m. to noon.

**Planning, Zoning and Economic Development:** Mr. Moran discussed the BZA Meeting held last week. There were three agenda items. All of Council received a letter from a resident regarding one of the agenda items. It was an issue that was voted on 3-2 and the protest was upheld. The letter Council received asked Council to review the BZA's decision.

**Law Director's Report:** Law Director Bemer said he just received a copy of this letter from Ms. Saganich this evening. Ms. Saganich has asked Council, according to the Charter, to have a further hearing on this matter which involved a contest, a challenge to the fence that was heard by the Board of Zoning Appeals. Mr. Bemer explained that Ms. Saganich's first point refers to her fence as a denial based on an exception to the code. Exceptions to the Zoning Code is used in the nomenclature in referring to a use variance. Those terms have been used interchangeably; a use exception is a use variance. The Board of Zoning Appeals had an objection from the adjoining neighbor and the matter that went in front of the BZA was a contest regarding injury to property rights versus the advancement of the applicant's property rights. That was the matter that was heard. It was not a variance or an exception. The Mayor termed it as a protest. As a protest, it goes through the Building Commissioner and the Building Commissioner has a legitimate duty to send it to the BZA for a full adjudication of the application as well as the protest and that is what was had. The Charter Review in front of Council is the opportunity for a grieved party in a situation where a variance has been granted to then approach one of the councilmen and then that councilman puts the matter before Council with a vote of five votes has a hearing on that particular zoning variance that was granted and then another five votes to overturn the BZA decision. It is Mr. Bemer's interpretation of the request that the matter before BZA was not a variance request and a variance was not granted.

- Councilman Furry asked if anyone else disagrees with that interpretation whether it was a variance, or an exception or a protest etc.
- Councilman Klym said that Mr. Bemer's comments are interesting. He would like to look a little closer at that exception language. He also looked at the ordinance that he believes deals with protests with the BZA and it makes specific references to the Charter Section that allows Council to review these matters. He is not sure if this question is right to be before Council yet, because the BZA has not approved their minutes. If they have not approved their minutes then there would be no decision so Council has time to determine if Council will vote on this.

- Councilman O'Donnell looked at the Code also and he would like an opinion from the Law Director on how to respond. He was concerned that exception could be interpreted to mean something that is permitted by the code and not allowed.
- The Mayor added that Council needs to look at the affirmative. This is the granting of a variance or the granting of an exception. In this case provide an opinion on was something granted. A protest was upheld. Exception needs to be defined further and the issue of granting also needs to be presented.
- Mr. Bemer said that the zoning ordinances have been around since the 1920's. They are called measurers to control and provide for orderly development of communities. You must allow for the variance or exception from the restrictions that zoning codes provide. The variance or exception is the zoning code that tells what you can do and if you want to do something outside the code. That is not what was here.
- Mr. Hunt said that this is the point. The code allows for the fence on the lot line. Mr. Bemer said his memo was quite clear that you cannot apply a pending prospective law retroactively to a pending application.
- Mr. Moran said that both the applicant and the protester were at the BZA meeting. The five members listened at length on this issue for almost two hours. There was a conversation regarding what exception means to be sure they did things right.
- Mr. Furry asked if the ordinance in front of Council has been used throughout the past year. Law Director Bemer and the Mayor said no. Mr. Bemer said it is the conservative approach and is consistent with what Case Law declares. The BZA was directed not to consider anything being considered or recommended by the Planning Commission or City Council in its review of zoning ordinances.
- Mr. Moran said that the next BZA meeting is December 13<sup>th</sup> and the minutes will be approved or not approved at that meeting. City Council will have the notes in their packets that week for the December 17<sup>th</sup> meeting.
- Mr. Hunt seconded the request for an opinion from the Law Department.
- Mr. O'Donnell asked if Council were not to take the case, the next step would be to file an appeal in Common Pleas Court. Mr. Bemer said the next remedy would be at the Court of Common Pleas in the County as this is called a Quasi Judicial Determination by an Administrative Board. It comes under Chapter 2506 of the Ohio Revised Code and is commonly known as a 2506 Administrative Appeal.

**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. Mr. Moran spoke with Mr. Shepherd and he asked to hold this until the next meeting so he can be here for the discussion regarding the adjustments from Mr. Bemer.

Prior to reading Amended Ordinance No. 50-18, Mr. Hunt moved for an amendment of Amended Ordinance No. 50-18 by substitution of the most recent exhibit revised as of 11.21.18, seconded by Mr. O’Donnell.

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

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

Mr. Hunt said that this most recent amendment took into account the change of the title for the County Auditor changing to the County Fiscal Officer. This ordinance has been discussed thoroughly by Council. Mr. Moran thanked Mr. Hunt and Director Bemer for clarifying items in this ordinance that could be an issue at some point. Mr. Hunt thanked Council, Director Costello and the Animal Control Officer Jarvis and Council is finally at a point to take a vote.

- Councilman Klym said that this has been considered for a long time but the Fifth District Court has opined and said that the State has taken over that area and that municipalities cannot legislate reclassifications within their ordinances. The only reason Mr. Klym is voting is that he believes the state has made the change and to do so otherwise would lead Council open to potential litigation. He thinks residents deserve to know that they are safe and the animals around them are safe and that they don’t put their children or others in harms way by dangerous and vicious animals. He would like departments to keep looking at that and making sure residents are safe and aware of these animals and apply these ordinances fully to be sure these animals are looked at that aren’t safe.
- Councilman Sindelar seconded Councilman Klym’s statement. He would not be for it if it were not for the Fifth Circuit also.
- Mr. Hunt said that he has stated from the onset that this should reflect state code. The impetus was never to get rid of the BSL unless it was necessary. It became evident that it was necessary.
- Mr. O’Donnell stated that his concern was if this was left that way it might be unenforceable.

Mr. Hunt moved for passage of 2<sup>nd</sup> Amended Ordinance No. 50-18, seconded by Mr. Furry.

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

**RESOLUTION NO. 70-18** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS**

**FOR THE RESURFACING OF A PORTION OF HILLIARD BOULEVARD WITHIN THE CITY OF ROCKY RIVER**  
**2<sup>nd</sup> READING**

Mr. Moran said that this ordinance authorizes the Mayor to enter an agreement with the Cuyahoga County Department of Public Works for the resurfacing of a portion of Hilliard Blvd. This will be discussed more at next week's meeting.

**RESOLUTION NO. 71-18** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA), FOR TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI) PLANNING, TO FUND IMPROVEMENTS FOR THE "COMMUNITY CONFLUENCE TLCI" PROJECT**  
**2<sup>nd</sup> READING**

Mr. Moran said that this resolution is for a Planning Grant for Rocky River, Lakewood and the Metroparks and will be discussed further at next week's meeting.

**ORDINANCE NO. 72-18** **BY: JOHN B. SHEPHERD**  
**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DELTA DENTAL TO PROVIDE DENTAL COVERAGE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"**  
**2<sup>nd</sup> READING**

Mr. Moran said that this is for dental coverage for full-time city employees. This will be discussed further at next week's meeting.

**ORDINANCE NO. 73-18** **BY: JOHN B. SHEPHERD**  
**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH MEDICAL MUTUAL OF OHIO TO PROVIDE HEALTH CARE, PRESCRIPTION INSURANCE COVERAGE, AND OPTIONAL VISION COVERAGE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"**  
**2<sup>nd</sup> READING**

Mr. Moran said that this is an extension of the current program with a 2.6% increase. The Mayor said that the increase will not be passed on to the employees who have used the plans very effectively. This will be discussed further at next week's meeting.

Ordinance No. 74-18 needs to be amended. Mr. O'Donnell moved to amend Ordinance No. 74-18 by substitution of Amended Ordinance No. 74-18 due to the addition of emergency language so the ordinance can take affect at the beginning of 2019, seconded by Mr. Furry.

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

**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**

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

Mr. O'Donnell said this is the annual salaries and hourly rates for the employees of the City of Rocky River for 2019. Mr. O'Donnell expects additional amendments with agreements being reached with three collective bargaining units. The Mayor stated that the emergency language was in last year's salary ordinance as well and this is due to the process of Collective Bargaining.

### **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**

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

Mr. O'Donnell said that this is one of the most important ordinances that the city has. This is the city's annual budget. This Friday is the Finance Meeting and the 2019 budget will be discussed thoroughly. The Mayor added that she is hoping to have the new property tax valuations and amended revenue numbers from the County for Friday's meeting.

### **ORDINANCE NO. 76-18**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER MUNICIPAL COURT WITH JACKSON DIEKEN & ASSOCIATES FOR THE YEAR 2019 AT A TOTAL COST OF \$9,828.00**

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

Mr. Moran said that this is the insurance coverage for Rocky River Courts from Jackson Dieken & Associates in the amount of \$9,828.00. The city has had good luck with Jackson Dieken and Associates. This will be discussed further at next week's meeting.

### **ORDINANCE NO. 77-18**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT WITH MCGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2019 AT A TOTAL COST OF \$76,922.00**

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

Mr. Moran said that this is with an insurance company that the city has had for a while. This coverage has a nominal increase and the city has had good luck with this insurance company. This will be discussed further at next week's meeting.

- Mr. Furry asked about the increase of the \$10 million umbrella. Director Costello said that the silo aggregate is for the city. The WWTP has a \$10 million dollar umbrella which is satisfactory as there is not so many types of insurances needed. Mr. Furry asked if the city is over insured. Director Costello said that the recent appraisal is over \$50 million for the WWTP in its current condition. If there was a devastation where everything had to be replaced, this would cover it.
- Mr. Moran stated that this is divided by four but if there was a situation that something happens and the city is caught short, the City of Rocky River would be heavily blamed.

- Mr. Furry asked if the Management Committee reviewed this. The Mayor said they only review it in the context of the budget, but there were no comments about it. The Mayor said that there has been a considerable amount of investment into the WWTP over the past several years.
- Mr. O'Donnell pointed out that associated with the 12.8% increase there is additional coverage.

**ORDINANCE NO. 78-18** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE CITY OF ROCKY RIVER WITH MCGOWAN INSURANCE COMPANY, INC. FOR THE YEAR 2019 AT A TOTAL COST OF \$275,893.00**  
**2<sup>nd</sup> READING**

Mr. Moran said that the rate slightly went down except with the additional coverages the cost has increased.

- Mr. Furry asked about the deadly force insurance. Director Costello said that this is for an active shooter. This covers any damages done in the facility and funeral service coverage for any victims. This also minimizes lawsuits to the municipalities where the event has occurred. This type of coverage has its own silo aggregate coverage. Mr. Furry asked about Section I on the ordinance, should active shooter be listed in the detail. Director Costello will add it.

This will be discussed further at next week's meeting.

Mr. Moran noted that Council received Ordinance No. 82-18, 83-18 and Resolution No. 84-18 to be read tonight. President Moran moved that the 72-hour rule be waived and that Ordinance Nos. 82-18, 83-18 and Resolution No. 84-18 be added to this evening's agenda, seconded by Mr. Hunt.

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

**NEW BUSINESS:**

**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**  
**1<sup>st</sup> 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. This will give the Service Department a brand new vehicle as opposed to a demo vehicle.

**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**  
**1<sup>st</sup> 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 on Ordinance 65-18. This will be the “Swiss army knife” of dump trucks and will be a big help for the Service Garage.

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

This is in conjunction with Ordinance No. 64-18 and Mr. Sindelar will give specifics at next week’s meeting.

**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”**  
**1<sup>st</sup> READING**

This was a software bill that just came up recently but was in the budget for this year. The Courts would like this read three times and paid from this year’s budget. This will be discussed further at next week’s meeting.

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

Mr. O’Donnell said this is the first read and expects three full reads. All the changes on the attached exhibit A 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. The total supplemental request is \$187,600, which is less than the 1% increase of the original appropriations for the year.

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

Mr. Hunt thanked Director Costello for the information regarding this resolution. This resolution is subsequent to a grant application that is due at the end of this week. This is for funding to improve the crosswalk in front of the outdoor pool for safer and easier access to the outdoor pool along with the pedestrian signal at Hilliard and Wagar Road intersection. The engineering will be completed as part of the County project for paving Hilliard Blvd. This will have three full reads.



**CONSENT AGENDA:**

**ORDINANCE NO. 63-18** **BY: CHRISTOPHER J. KLYM**  
**AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE HEALTH CONTRACT FOR 2019 AND 2020 WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY, OHIO FOR SERVICES TO THE CITY OF ROCKY RIVER**  
**3<sup>rd</sup> READING**

This ordinance has been discussed a couple times over the last three weeks. This has a slight increase for 2019 and a larger increase for 2020. This is required by the Ohio Revised Code. Mr. Klym seeks passage tonight.

**ORDINANCE NO. 64-18** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2018 FREIGHTLINER REFUSE PACKER CHASSIS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING ACT FROM VALLEY FREIGHTLINER, INC. AT A COST NOT TO EXCEED \$100,371.00**  
**3<sup>rd</sup> READING**

Mr. Sindelar said that as discussed in previous weeks, this is the start of the building of a Refuse Packer. This will be combined with the purchase on Ordinance No. 81-18.

**ORDINANCE NO. 65-18** **BY: BRIAN J. SINDELAR**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2018 FREIGHTLINER TANDEM AXLE DUMP TRUCK CHASSIS FOR THE SERVICE DIVISION UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING CONTRACT FROM VALLEY FREIGHTLINER, INC., AT A COST NOT TO EXCEED \$90,663.00**  
**3<sup>rd</sup> READING**

Mr. Sindelar said that this ordinance seeks to purchase the chassis only with the body being purchased on Ordinance No. 80-18.

**ORDINANCE NO. 66-18** **BY: JOHN B. SHEPHERD**  
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH PERK COMPANY, INC., FOR THE 2018 TREE AND SIDEWALK PROGRAM IN AN AMOUNT NOT TO EXCEED \$157,896.00**  
**3<sup>rd</sup> READING**

Mr. Moran said that this is for sidewalk repairs and tree lawn trees for Archwood and Maryls Drive.

**ORDINANCE NO. 67-18** **BY: DAVID W. FURRY**  
**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE FERRIC CHLORIDE FOR THE WASTEWATER TREATMENT PLANT FROM PVS TECHNOLOGIES, INC., AT \$558.00 PER DRY TON FOR 2019**  
**3<sup>rd</sup> READING**

Two bids were received and the lowest and best bid was still a little over a 19% increase with PVS Technologies and is necessary for the operation of the WWTP.

**ORDINANCE NO. 68-18**

**BY: DAVID W. FURRY**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE SODIUM BISULFITE FOR THE WASTEWATER TREATMENT PLANT FROM PVS CHEMICAL SOLUTIONS, INC. AT \$1.26 PER GALLON FOR THE YEAR 2019**

**3<sup>rd</sup> READING**

Four bids were received with a range from \$1.26 to \$2.1273 gallon. PVS Chemicals Solutions, Inc. was the lowest and best bid at \$1.26/gallon.

**ORDINANCE NO. 69-18**

**BY: DAVID W. FURRY**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE SODIUM HYPOCHLORITE FOR THE WASTEWATER TREATMENT PLANT FROM BONDED CHEMICALS, INC. AT \$0.769 PER GALLON FOR 2019**

**3<sup>rd</sup> READING**

This is for the purchase of Sodium Hypochlorite for the WWTP. Three bids were received with a range of \$.77 to \$1.255/gallon with our current supplier, Bonded Chemicals of Columbus at a price of \$0.77/gallon being the lowest and best bidder.

Moved by Mr. Moran, seconded by Mr. Furry that Ordinance Nos. 63-18, 64-18, 65-18, 66-18, 67-18, 68-18 and 69-18 of the Consent Agenda be passed as read.

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

**PASSED**

**MISCELLANEOUS BUSINESS:** City Council will meet on December 3<sup>rd</sup> for a Committee-of-the-Whole Meeting, December 10<sup>th</sup> will be a Legislative Meeting and December 17<sup>th</sup> will be a Committee-of-the-Whole Meeting along with a Special Legislative Meeting for the last meetings in December.

**PUBLIC COMMENT: NONE**

As there was no further business by members of Council, the meeting was adjourned at 8:15 p.m.

\_\_\_\_\_  
James W. Moran  
President of Council

\_\_\_\_\_  
Susan G. Pease  
Clerk of Council