

# CITY OF ROCKY RIVER

**December 3, 2018**

The meeting of the Committee-of-the-Whole 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, Director Costello, Director Thomas

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

## **MAYOR'S REPORT:**

The Mayor distributed a hand out to Council as an update to Bradstreet's Landing prepared by Director Costello and SmithGroup, JJR pertaining to the information the Mayor discussed last Monday. There is a laminated copy of this handout at Bradstreet's Landing serving as an update to interested residents. SmithGroup, JJR is prepared to present the plans so far to Council after the first of the year. The Mayor said there was an article in the Sunday Plain Dealer about the Euclid Beach Pier that Council may be interested in. SmithGroup, JJR is also working on that project.

The Mayor thanked Council again for the budget process, the thoroughness and attentiveness to all the detail that was presented. The administration is always available for additional questions as the process moves along. The city is still waiting for the new projections from the County regarding property taxes and collective bargaining is not yet completed at this time. The Mayor will let Council know as soon as an agreement is reached.

Thank you to everyone who participated this weekend in all the festivities in the city. Mark Garst shared with the Mayor that the Early Childhood PTA All Aglow was the largest group ever in the Civic Center at one time. Early Childhood PTA did a great job. There were many happy faces, a fun band and illuminated the tree. Thank you to Early Childhood PTA, Rocky River Women's Club for the Home Tour, Bill Brink and all the merchants on Old Detroit on Saturday. Everything worked out very well.

The Mayor discussed the flattening of cardboard at the cardboard bins. The bins in the parking lot can accommodate a great deal of flattened cardboard. The bins are checked daily and items outside the bins are removed. Most of that is cardboard that has not been flattened which creates a big problem at the bins. Over the weekend garbage was discovered by the bins. Information will be sent out on ReadyNotify to remind residents the importance of flattening the cardboard.

The Mayor announced that the Transfer Station will be opened one more day during the week, beginning this Friday.

The Mayor also clarified a ReadyNotify message from Bay Village that was received by Rocky River residents last week. The ReadyNotify was regarding the pick-up of yard waste in Bay Village, not Rocky River. Rocky River is continuing to pick-up leaves and yard waste as the city always does. Bay Village was contacted and asked to define their announcements from Bay Village on ReadyNotify and to send the notice to just Bay Village subscribers.

Last week 434 tons of leaves were collected and more than 1100 tons of leaves this season. Tomorrow the leaf pick up will be in zone 4, which is between Hilliard and Center Ridge Road. The Service Department continues to rotate through the city.

The Mayor shared with Council Building Permits through November 30<sup>th</sup> and comparing it to last year. Residential building permits are up and valuation is up by a couple of million. Commercial permits are down about 2.5 million. Overall, permits at 1,599 are up from 1,531 last year and the total valuation is at \$29.6 million. The Mayor will continue to report the year-end totals.

The Mayor asked Council to look at an article in yesterday's Plain Dealer about local hospitals and what they contribute to local communities. Between the Cleveland Clinic, University Hospital and MetroHealth, they do a number of things for the communities. In Rocky River, they are doing Healthy Rocky River, assist the city through grants, they do training for the firefighters as well as provide equipment for the firefighters, a lot of education in the community and the Stop the Bleed Campaigns. The Mayor wanted to compliment them because of all of this translates into thousands of dollars that are extended to the communities and they are always looking for those types of opportunities. The things they do are very meaningful as in the Autism Center housed at the Rocky River Recreation Center. The Cleveland Clinic leases that space from the Recreation Center. The administration of Rocky River, as well as the residents, appreciate all that they do.

- Mr. Moran asked if the Autism Area is growing? The Mayor responded that Director Mehling mentioned Friday during the Finance Meeting that they are looking for more space at the Recreation Center. Children with autism require numerous visits per week. This model has worked well because while the child is in the Center, it allows parents to focus on their health and wellness needs. The numbers are up. Mr. Klym added that Director Mehling discussed an Adapted Aquatic Program as a learn to swim program that will be added for a child with autism. There is quite a bit of demand for that. Mr. Klym also said that Elle's Enchanted Forest is still on the drawing board. The money is slower than they hoped but it is still something they are fundraising for. It would be an interesting addition if funds can be raised for the adaptive playground. The swim program will have separate trained teachers.
- Mr. Moran asked if the city needs to pay to dispose of the collected leaves. Director Costello said that the landfill company does bill customers generally by the yard, but that for this landfill, Republic bills the city by the ton, which is more economical. Mr. Moran wondered if it is more costly due to water/snow mixed in with the leaves. Director Costello said that the city would need to meet standards from the EPA regarding how to spread the leaves, dry them, and then recollect them.

**COMMITTEE REPORTS:** Councilman O'Donnell said that the Finance Committee Meeting met in Council Chamber's last Friday, November 30<sup>th</sup>, beginning at 8:00 am through 12:36 pm. Mr. O'Donnell said that Council appreciates the administrations help with 11 Directors and a lot of detailed information. It was a good opportunity to look through the budget for 2019. It is a conservative budget where as many of the expenses were included as well as being conservative on the revenue side so that in 2019 the City will be prepared to meet the financial requirements. A Public Hearing will also be scheduled for the Budget. The third read will be no later than December 17<sup>th</sup>.

- President Moran congratulated Councilman O'Donnell and Clerk Pease for pulling everything together for the Finance Meeting. The Directors are proud of what they do and it really shows. Thank you to Director Thomas. Council heard from several Directors about the ease of working with Director Thomas and his direction and support. Thank you to the Mayor for working so closely with everyone and getting the report done.



some of the land uses when the setback issues are transmitted over different zoning districts. It does not apply. Mr. Klym does not understand how it can be tabled and taken off when Council has asked the Planning Commission for their recommendation. They need to respond yes or no and provide it back to Council. Mr. Klym asked if there was a time frame that recommendations from Planning Commission needs to be voted on. Mr. Bemer said that technically it is 60 days but there has not been any objection.

- Mr. Shepherd said that the Planning Commission has recommended specific areas and if Council does not have a difference of opinion on those areas, why not get it off the table. If there is something Council does not agree on, then pull it out.
- The Mayor also stated that legislation could be drafted specifically for this lakefront issue. The Mayor has reached out to the Cuyahoga County Planning Commission to secure a proposal from them about conditional uses, permitted uses etc. One of the issues the Mayor asked about is lakefront setback. They are putting together an entire group to look at lakefront development. That may be something that will be helpful to Council. The Mayor would hope that it would be completed in the first 6 months of next year.
- Mr. Hunt would like to hear more from the Planning Commission regarding the Lake Erie setback. Mr. Bemer said that the Supreme Court in dealing with properties along the lakefront came back with a concept from an 1878 decision that states that a lakefront property line shall be the natural shoreline not disturbed by natural causes. When you are looking at trying to resolve this issue, be mindful that the Supreme Court and the Court of Appeals took an excess of three years and came back with an 1878 decision. Mr. Bemer does not think, without an entire systematic review of the cross reference of multiple districts, the city can come up with anything satisfactory mixing R1's, 2's, 3's, and 4's. The setback falls back to the average setback in R1 and R2. The city's code does not address the setback on lakefront property because of multiple zoning classifications. The city's code does not apply to that type of a situation.
- Mr. Shepherd said to pull out the side yard fence language, the lakefront has already been taken out and unless issues come up this week this will be read for a third time. The Mayor said Exhibit A will be amended by substitution.

**ORDINANCE NO. 70-18:** Mr. Shepherd said that this ordinance authorizes to enter an agreement with the County for the resurfacing of Hilliard Blvd. from River Oaks to the Westlake border. This has been discussed in depth at several meetings and can be put on a Consent Agenda. This project as presented is a \$2 million project. A portion of the Hampton project was used to pave Hilliard at the interchange and now the County's project can extend further west. What the County does not cover will be paid by local dollars.

**ORDINANCE NO.** The city is applying for a grant to study ways to make pedestrian and bike traffic more accessible in the Metroparks primarily at Rockcliff and the entrance by the Detroit Road Bridge in Lakewood. This will be added to the consent agenda.

**ORDINANCE NO. 72-18:** Mr. Shepherd said that this ordinance is to enter into a contract with Delta Dental to provide dental coverage for the full-time employees of the City of Rocky River. This will be added to the consent agenda.

**ORDINANCE NO. 73-18:** Mr. Shepherd said that this ordinance is 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. Mr. Shepherd said that the premium increase for the administrative service only contract was about 2.67%, which will be funded out of reserves that have been maintained for this. This has been run well enough and had a good enough claims history that the city has plenty of reserve to fund this increase out of the reserve. The Mayor responded yes and still have resources for the coming year. This will be added to the consent agenda.

**AMENDED ORDINANCE NO. 74-18:** Mr. O'Donnell said that this is the annual salaries and hourly rates for the employees within the city and has been discussed for three weeks. Mr. O'Donnell noted that the city is still in negotiations with three collective bargaining units so there may be an additional amendment to this ordinance. This will be read for a third time at the Special Meeting on December 17<sup>th</sup>.

**ORDINANCE NO. 75-18:** Mr. O'Donnell said that this is the annual ordinance for the city budget for 2019. This will be read for a third time at the Special Meeting on December 17<sup>th</sup>. The Public Hearing will be set for December 17<sup>th</sup>.

**ORDINANCE NO. 76-18:** Mr. Shepherd said that this ordinance is to enter into an agreement for various insurance coverage's for the Rocky River Municipal Court with Jackson Dieken & Associates for 2019. The contract is in the amount of \$9,828 with a nominal increase. This will be added to the consent agenda.

**ORDINANCE NO. 77-18:** Mr. Shepherd said that this ordinance is to enter into an agreement for various insurance coverage's for the Rocky River Wastewater Treatment Plant with McGowan Insurance Company, Inc. for 2019 in the amount of \$76,922. This will be added to the consent agenda.

**ORDINANCE NO. 78-18:** Mr. Shepherd said that this ordinance is to enter into an agreement for various insurance coverage's for the City of Rocky River with McGowan Insurance Company, Inc. for 2019. This has a substantial increase in price. This ordinance will be amended next week with the additional coverage of Deadly Force under the description in Section 1.

**ORDINANCE NO. 79-18:** 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 added to the chassis purchased on Ordinance 43-18. This will give the Service Department a brand new vehicle.

**ORDINANCE NO. 80-18:** Mr. Sindelar said that this ordinance is for the purchase of a 2018 stainless steel dump body with a snowplow package, which will be added to the tandem chassis purchased on Ordinance 65-18.

**ORDINANCE NO. 81-18:** This is in conjunction with Ordinance No. 64-18 and is the remaining piece of a 32 cubic yard refuse packer body from Best Equipment to complete this new vehicle.

**ORDINANCE NO. 82-18:** This is a software bill in the amount of \$57,442 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.

**ORDINANCE NO. 83-18:** Mr. O'Donnell said this is the supplemental appropriations for 2018. These changes relate essentially to Health Insurance Premiums, unanticipated severance payments that were necessary as a result of turnover in various departments and compensation issues for overtime and pension contribution issues. This will be read for a second time next week.

**RESOLUTION NO. 84-18:** Mr. Hunt said this was read for the first time last week. Upon passage of this resolution, the Mayor would be authorized to enter into an agreement with Cuyahoga County to receive grant funds from the 2019 Cuyahoga Community Development Supplemental Grant Program. The grant would be for \$50,000 and has been applied for. The funds would be used for the improvement of the crosswalk at Wagar and Hilliard Blvd. intersection as well as improvements at the mid-block crosswalk in front of the outdoor pool. There is a reference for improvements on pedestrian safety walks on the City Hall Campus and Mr. Hunt asked Director Costello to expound on that.

- Director Costello said that the walkway would join the mid-block crosswalk from Hilliard to the sidewalk in front of the outdoor pool. There will be additional signals at the mid-block crosswalk that pedestrians can activate.

The engineering for this project will be completed as part of the overall Hilliard Blvd. paving project.

- Mr. Moran asked for more detail of the Wagar/Hilliard signalization. Director Costello is asking for new pedestrian signals to replace the current signals. The new signals will be a countdown signal with numbers.

**NEW BUSINESS: NONE**

**MISCELLANEOUS BUSINESS:** December 10<sup>th</sup> will be a Legislative Meeting with a Public Hearing, Committee-of-the-Whole Meeting and a Special Legislative Meeting on December 17<sup>th</sup>. January 7, 2019 will be the first meeting of the New Year.

President Moran announced that City Council and Law Director Bemer will recess into Executive Session beginning at 7:56 p.m.

President Moran reconvened to the Committee-of-the-Whole Meeting.

As there was no further business by members of Council, the meeting was adjourned at 8:40 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council