

CITY OF ROCKY RIVER

February 4, 2019

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. Moran

Absent: Mr. Klym

Administration: Mayor Bobst, Director Costello

Law Director: Mr. Bemer

The meeting was opened with the Pledge of Allegiance.

MAYOR'S REPORT:

The Mayor said that there were 195 homes without gas service last Tuesday. Thank you to Dominion Gas, Cleveland Water, First Energy and the Community Emergency Response Team who all worked tirelessly to correct this situation. An emergency like this impacts many of the city's departments, i.e. service, fire, police, recreation and the senior center because of transportation needs. A huge thank you to Director Costello who quickly reacted and responded to this emergency. The city was able to mobilize Dominion Gas immediately. There were times that there were 20-30 trucks on the scene. On Wednesday, there were about 20 homes that had frozen outdoor gas meters. The meters were wrapped in electrical wire insulation and bagged. Dominion will be back out in April to disconnect these meters and residents will receive a credit on their gas bills for any electricity that these meters use. The workers and volunteers all told the Mayor how amazing the residents of Rocky River are. They said the residents are helpful, understanding and kind. Residents called City Hall to compliment the workers as well. Many commented that the guys were the greatest to have in their home. The workers appreciated all the help by the city, residents and the Community Emergency Response Team. On Thursday morning during a conference call with Dominion, one of the heads of Dominion said that they have 1.25 million customers across many states and never have they seen a response as they have seen in Rocky River. There were lessons learned throughout the process as well. The Mayor said that this is all about relationships and being able to pick up the phone and call the head of Cleveland Water, First Energy or someone at Dominion. The City thanks these companies for all their efforts, responsiveness and kindness to the residents.

There was also a power outage in Ward 4 on Friday that lasted about 45 minutes. The Mayor received a call from John Skory, the Regional President of First Energy, as the power came back on. The Mayor appreciated his help.

Cleveland Water and Dominion Gas were still working on Saturday on Detroit Road and inadvertently turned a valve shutting off the water to the high school. The water was restored in about two hours.

The Mayor also thanked Julie Morron, leader of the CERT Team for the Westshore, who came in to help with this emergency.

The Mayor thanked all the residents for their understanding and cooperation regarding the change in refuse collection last week. Thank you to the many employees who were out in the severe weather working on traffic signals and salting various areas of the community. Everyone did a great job.

There continues to be a water break on Morewood Parkway. The head of Cleveland Water is aware of the situation. The Mayor asked him to reconsider the replacement or the relining of that waterline. The city has been turned down through the Suburban Waterline Program in the past. Hopefully this waterline will receive the much-needed attention it needs.

The Rocky River flooding concern is in a better situation today with the slow melt and the lack of rain that was originally predicted for this past weekend. The mouth of the river is open. There was some blockage by the marina, but the temperatures today should rectify it. Director Costello added that CYC was out on the barge with a backhoe breaking up some of the ice.

All of these emergencies showed the importance of ReadyNotify. Thirty-three more residents did register for ReadyNotify since last week. ReadyNotify is used by the city to communicate timely and important information to the residents. Director Costello has the Yacht Club Basin residents on a specific ReadyNotify for updates that concern only those residents.

The Mayor also thanked Shelley Sollars for her assistance with Director Costello through these emergencies while writing a Recycling Grant to the Solid Waste District for some educational materials and a shredding event.

The Mayor announced that Heinen's is celebrating their 90th anniversary throughout 2019 with special events and activities planned. The Mayor extended congratulations to Heinens, a very important and very generous anchor in the community.

- President Moran thanked the Mayor, Director Costello, Shelley and the whole team of employees handling the situation last week. The communication was key and so important for Council to be kept apprised of the situation.

The Mayor thanked President Moran for being on site working and visiting with the team and Councilman Hunt who was out working with residents even as he was impacted by the loss of gas at his home. The Mayor also thanked Sue Botos, a CERT volunteer who donated her time even as her home was impacted as well.

COMMITTEE REPORTS: President Moran said that there will be a BZA Meeting this week with three items on the agenda. There was a meeting this evening for Design and Review, and a couple of issues were discussed.

COMMUNICATION & ANNOUNCEMENTS: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 88-18: Mr. Moran said that this ordinance is a zoning change on Wooster Road. This is a Public Facility zoning moving to an R-2 zoning. This ordinance has been referred to the Planning Commission and the Public Hearing minutes should be approved at the February 20th meeting.

ORDINANCE NO. 1-19: Mr. Moran said that this is a \$68,000 for the Engineering Design for the River/Fairview Center Ridge Road project. This has been read twice and will be read for a third time next week. This will be added to a consent agenda.

ORDINANCE NO. 2-19 and 3-19: Mr. Sindelar said that No. 2-19 ordinance is to purchase tires on the Open Market for the best possible prices from January 1st to December 31st, 2019. No. 3-19 is to purchase gasoline, fuel oil and allied products on the Open Market for the best possible prices from January 1st –

December 31st, 2019. Mr. Sindelar said that allied products are products that are allied together and occupy the same space. These two ordinances will be added to the consent agenda.

ORDINANCE NO. 4-19: Mr. Shepherd said that this ordinance is to work on the sewer project at the Yacht Club Basin area, sections of Parklawn, South Island Drive and Wooster Road. This is to remedy the leakage of storm water leaking into the sanitary system causing the pump station to work overtime. Mr. Shepherd said that five bids were received and KMU Trucking & Excavating, LLC were the lowest and best bid by \$7,000 and were under the engineer's estimate. References have been checked and there are no unresolved findings in the state auditor's database. This will be added to the consent agenda.

RESOLUTION NO. 5-19: The Mayor elaborated on this resolution at the January 14th meeting and an attachment is provided with the fifteen-year plan with this resolution. This is a process that the Cuyahoga County Solid Waste District and the Cuyahoga County Solid Waste Policy Committee undertakes every five years as required by Ohio law. The previous resolutions 91-06 and 62-12 were passed by this legislative body. Mr. Furry is expecting three full reads on this but it must be passed by each City/Village/Township by April 11, 2019. The West Shore Regional Meeting will be held on February 19th at 6:00 pm at the Rocky River Library.

ORDINANCE NO. 6-19: Mr. Shepherd said this is regarding the consulting engineer who worked for Dominion. Dominion has paid the city and the city will pay the consulting engineer after passage of this ordinance in the amount of \$1,152.20. This will have three full reads.

ORDINANCE NO. 7-19: This is a renewal of Ordinance 11-17 and is a joint cooperation with the Cuyahoga Soil and Water Conservation District and the City and is related to the Municipal Separate Storm Sewer (MS4) EPA permit and is for minimal control measures 1 & 2. The Cuyahoga Soil and Water Conservation District shall provide technical assistance to the City for better conservation of resources. Ordinance 8-19 is a related companion ordinance but this ordinance is more for PIPE or public information and public education more specifically the education and stewardship for the conservation of soil and water resources. The cost is \$5,500 and is not a major line item in the budget but it was in the budget and since it is a fellow governmental entity the city is providing full disclosure. This MOU can be renewed solely at the City's discretion after the 12-month period. It also may be amended or terminated at any time via mutual consent of both parties. This has been read once and Mr. Furry is anticipating three full reads.

ORDINANCE NO. 8-19: Mr. Furry said that this is the companion piece to Ordinance No. 7-19. This is also related to the MS4 EPA permit and applies to minimum control measures 4 & 5. The Cuyahoga Soil and Water Conservation District shall provide technical assistance related to storm water pollution prevention on construction sites disturbing greater than an acre of total land. They can also provide assistance at the City's request for projects under an acre. This one is significantly more than No. 7-19 at \$11,330 a year but it was also in the budget and since it is a fellow governmental entity the city is providing full disclosure. This has been read once and Mr. Furry is anticipating three full reads and can also be renewed solely at the City's discretion. In addition, this year the District will be helping the Safety Service Director with a grant to request stream restoration funding for Spencer Creek along Bradstreet's Landing.

ORDINANCE NO. 9-19: Mr. Shepherd said that this is an annual street and sewer repair contract with Fabrizi Trucking & Paving Co. This was put out to bid in 2011 and Fabrizi was the low bid. Fabrizi has offered to hold their pricing every year since. The total will be increased to \$125,000 to give the city more latitude. This money does not have to be spent unless there are repairs. Last year there were repairs on Laurel, Hilliard and Kramer totaling roughly \$59,012.70. Director Costello will verify this amount for next week. This will be read for a second time next week.

ORDINANCE NO. 10-19: Mr. Moran said that this is an invoice for maintenance issues on the compressors at the Hamilton Ice Rink. Tempest Inc. has done this work for the city before and this is an ongoing maintenance

contract. This bill is in the amount of \$7,475 and it did not need to come to Council but it is good for Council to understand some of the maintenance issues.

ORDINANCE NO. 11-19 and 12-19: Mr. Hunt said that these two ordinances pertain to the collective bargaining agreements of the Benevolent Association for the Police Division as well as the sergeants, lieutenants and captain of the Police Division. These have been read once at last week's meeting.

The Mayor distributed some of the highlights of the agreement. The Mayor stated that there are 34 sworn employees in the police department but not all of them are covered by this collective bargaining but are involved in the process.

This contract will run from 2019 through 2021 with increases of 2.5% in 2019 and 2020; and a 2.75% increase in 2021. The Mayor noted that the last 3-year contract was 2.5% for each year of the contract.

Article 16 is a uniform allowance. Each year it increases \$50; \$700 for 2019; \$750 for 2020 and \$800 for 2021. The uniform increases from the last contract were \$600, \$650 and \$700 for the respective years.

Article 19A is the firearm certification. In each case it went up \$100 for officers and patrolmen. Officers will move from \$1700 to \$1800 and Patrolmen will move from \$1900 to \$2000.

There are no changes in rank differentials, shift differentials, longevity, detective differentials and education differentials. There were no changes in plan design for health benefits but an HSA option was added and the same cost share formula as in the past contract is continuing with this contract.

There is updated language in the following Articles to reflect past MOUs:

Article 22: Doctor's note is required after three consecutive sick days

Article 22B: Hazardous duty is defined

Article 23B: Clarifies Personal Day requests based on Beck principles – days can be requested off whether or not it creates overtime. The employee cannot be denied those days as long as they are requested 10 days in advance.

The additional costs associated with this contract are: Total additional cost for the uniform allowance will be \$3400 by the third year of the contract. Article 19A totals \$3400 for each year of the contract. The increases for the lieutenants, sergeants and patrolmen over the life of the contract is \$202,239; approximately \$222,000 for the total contract. The individual increases for each year are: 2019 at \$63,500, 2020 at \$65,173 and 2021 at \$73,482 just on wages.

Mr. Hunt said that Council has the whole contract attached to their copy of the ordinance. There is a timing issue so Mr. Hunt will ask for a rules suspension, read these for a second time and vote for passage at next week's Legislative Meeting.

- Mr. Moran said that there is a 30-day notice time-frame. This is one that Mr. Hunt should request a rule suspension.
- Mr. Furry is fine with a rule suspension. The Mayor has kept Council apprised through the process.
- Mr. Shepherd said it is a fair contract and there has not been many changes. Council is under the mandate of the state law.
- The Mayor clarified that there will be three ordinances that will require a rule suspension: each of the collective bargaining agreements and the wage ordinance, which is the companion ordinance to the agreements.
- Mr. Bemer said that in Section II of both the collective bargaining cover ordinances, the word addendum should be eliminated.

ORDINANCE NO. 13-19: Mr. O'Donnell said that this ordinance was introduced last week by Mr. Moran but has been reassigned to Mr. O'Donnell. This reflects the updates of the contracts Mr. Hunt just discussed. This ordinance will also have a rule suspension and only read twice and then a vote for passage at next week's Legislative Meeting. The Mayor added that this ordinance will be seen again once negotiations are complete with the Service Department and the Teamsters.

NEW BUSINESS:

ORDINANCE NO. 14-19: Mr. Sindelar said this ordinance is for the purchase of six controller units and four GPS units for the Service Division. The sign and signal supervisor of the Service Department has made this request. This will utilize the State Cooperative Purchasing Contract in the amount of \$17,530. Director Costello said that the Service Division is coordinating signals so the communication is better in other sections of the system. The Mayor added that this is for congestion mitigation. This will have three full reads.

MISCELLANEOUS BUSINESS: NONE

As there was no further business by members of Council, the meeting was adjourned at 7:45 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council