

CITY OF ROCKY RIVER

April 8, 2019

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 March 25th 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		PASSED

Moved by Mr. Moran, seconded by Mr. Furry that the reading of the minutes of the Special Meeting and Committee-of-the-Whole Meeting of April 1st be waived and that the minutes be accepted as submitted.

Vote: Hunt – abstain	Shepherd – aye	O’Donnell – abstain	Furry – aye
Sindelar – aye	Klym - abstain	Moran – aye	
4 ayes	3 abstain	0 nays	PASSED

MAYOR’S REPORT:

The Mayor stated that the State Legislature passed the Transportation Budget that will go into effect on July 1st. It provides for a gas tax increase of 10.5% and 19 cents on diesel fuel. The split has been increased for the first time for local communities to a 55/45 split for infrastructure needs. There is no indexing included. There is also legislation attached that forgoes the requirement of a front license plate. There are penalties for communities that utilize traffic cameras resulting in a reduction in local government fund distributions. The City of Rocky River does not use cameras to enforce traffic laws. Also, there is an increase of \$70 million for Public Transportation. Currently, Rocky River receives a local gas tax of \$668,000 which is projected to increase to \$1,086,000 for the fiscal year 2020 and an additional increase of \$421,000 for fiscal year 2021. These dollars can only be used for roads and infrastructure in the community. Some of the Transportation Budget does come back to the city as in the paving of Detroit Road in 2018, Wooster Road this summer and Center Ridge Road in the coming years by the ODOT Urban Paving Program.

The Mayor shared that on Friday, April 19th one of the local civic organizations “Because I said I Would” is receiving a \$10,000 Technology Grant from Cox Cable for the good work that they do across the world. Members of Council are invited to attend this award presentation.

The Senior Center will hold their Volunteer Recognition Luncheon on Monday, April 15th. The luncheon will have a “jungle” theme. This year there are 15,000-16,000 volunteer hours that have been donated to the Senior Center. This is an opportunity to thank the Seniors for all the good work that they do along with serving as role models for the younger generation.

The Mayor respectfully requested an Executive Session this evening under Article X, Section VI, Subsection I to discuss three personnel matters with Council.

LAW DIRECTOR’S REPORT: Mr. Bemer said that he prepared a Memo of Comments regarding Ordinance No. 88-18 for Council. Mr. Bemer is available for any questions or comments regarding this memo.

COMMITTEE REPORTS: Parks and Recreation Committee: There will be a Parks and Recreation Meeting this Thursday morning at 7:45 a.m.

Planning, Zoning and Economic Development Committee: Mr. Moran said that Ordinance No. 88-18 will not be read for a third time this evening. This Ordinance will be referred back to the Planning Commission, BZA and Design Review to work together on this ordinance. Mr. Moran spoke with the Law Director, Council Members and some of the committee chairs. This is an important zoning change request and Mr. Moran wants to be sure it is done right. There will be an opportunity for comments from the audience regarding this legislation.

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 88-18 **BY: JAMES W. MORAN**
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR’S PERMANENT PARCEL NO. 304-29-046, AND THE CONSOLIDATED PARCEL NO. 302-29-047, FROM THEIR PRESENT CLASSIFICATION OF PF PUBLIC FACILITY TO R-2 TWO FAMILY RESIDENTIAL DISTRICT, AS FURTHER DESCRIBED IN EXHIBIT “A” ON HOLD

Mr. Moran said that this ordinance will be referred back to the Planning Commission, BZA and Design Review to work together to gain all their input at the same time.

ORDINANCE NO. 24-19 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITIES OF BAY VILLAGE, WESTLAKE, AND ROCKY RIVER REGARDING THE HOUSING OF JAIL INMATES, ATTACHED HERETO AS EXHIBIT A
2nd READING

Mr. Hunt will defer discussion of this ordinance to the Committee-of-the-Whole Meeting next week. He has not received any comments or questions regarding this legislation thus far. Council did receive an amended memorandum and he will seek to amend by substitution the new exhibit at the appropriate time.

NEW BUSINESS:

ORDINANCE NO. 26-19

BY: MICHAEL P. O'DONNELL

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND, DIVISION OF WATER FOR WATER METER READINGS NEEDED BY THE CITY OF ROCKY RIVER IN THE AMOUNT OF \$34,108.08, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

This ordinance is to pay the City of Cleveland Water Division \$34,108 for water readings used for the calculation of City sewer billing. The actual water readings are purchased from Cleveland Division of Water once a year. Readings could be done more often, but due to the cost, the city has one actual reading a year. The other three quarters are estimated bills and the actual readings are used to do one final bill.

RESOLUTION NO. 27-19

BY: MICHAEL P. O'DONNELL

A RESOLUTION AUTHORIZING THE CERTIFICATION OF UNPAID PROPERTY MAINTENANCE COSTS 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"

1st READING

This resolution is an annual ordinance and is for unpaid private property maintenance costs incurred by the city. These amounts are being sent to the County for inclusion on the property tax bill for the subject properties. The city had advised property owners to perform certain work on their properties, but the work was not performed. The city then had to complete the work and bill the owners. This amount is a little less than \$1,800.00.

ORDINANCE NO. 28-19

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN AGREEMENT WITH AECOM TECHNICAL SERVICES FOR THE RIVERDALE DRIVE SLOPE SUPPRESSION AND WIDENING PROJECT IN AN AMOUNT NOT TO EXCEED \$128,111.00

1st READING

This ordinance authorizes the Administration to enter into an agreement with AECOM Technical Services for a project that would provide design services and bid specs to stabilize the road surface for Riverdale and hopefully to widen the road. Mr. Shepherd will forward a letter he received from Director Costello to all of Council indicating the history, the studies that have been done and the problems with pictures showing the soil problem. This would be the first step to remedy this situation.

ORDINANCE NO. 29-19

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO TO ACCEPT A GRANT UP TO \$30,000.00 FOR THE OPERATION OF THE MARINE PATROL FOR THE YEAR 2019, AND AS FURTHER DESCRIBED IN THE ATTACHED AWARD LETTER

1st READING

Council should be familiar with the substance of this ordinance, as it has been a yearly ordinance for the last several years. This is accepting grant money from the state to operate the Marine Patrol Boat from Memorial Day through Labor Day. This will be discussed further at the Committee-of-the-Whole Meeting next week.

CONSENT AGENDA:

ORDINANCE NO. 18-19

BY: MICHAEL P. O'DONNELL

AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF SEWER RATES PAID TO THE CITY OF LAKEWOOD FOR WASTEWATER TREATMENT SERVICES FOR THE VALLEYVIEW SEWER DISTRICT

3rd READING

Mr. O'Donnell said that this has been discussed for the last six weeks. This is an annual ordinance regarding the Valleyview sanitary sewer lines that run into Lakewood. The City of Rocky River pays the City of Lakewood for providing this service. Residents that live in the Valleyview area pay the same rate as every other Rocky River resident. The City of Rocky River appreciates very much the cooperation of the City of Lakewood in this regard.

ORDINANCE NO. 19-19

BY: MICHAEL P. O'DONNELL

AN ORDINANCE DECLARING THE INTENT OF THE CITY OF ROCKY RIVER TO REIMBURSE CERTAIN COSTS IN CONNECTION WITH THE ACQUISITION AND EQUIPPING OF A NEW LADDER FIRE TRUCK AND THE CONSTRUCTION, EQUIPPING, FURNISHING AND OTHERWISE IMPROVING A NEW POLICE FACILITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, FROM THE PROCEEDS OF A FUTURE ISSUE OF SECURITIES, AND DECLARING AN EMERGENCY

3rd READING

Mr. O'Donnell said that this ordinance has been discussed the last six weeks. This ordinance is necessary in the event the city might use bond proceeds to pay the city back for the replacement of the new ladder truck and the new police station. This is not an approval of the cost amounts and Council will have plenty of other times to discuss those amounts that will come before Council many times prior to the completion of either of these projects. Mr. O'Donnell has not had any questions regarding this ordinance.

ORDINANCE NO. 20-19

BY: CHRISTOPHER J. KLYM

AN ORDINANCE AMENDING SECTION 951.01 OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, REGARDING CITY SWIMMING POOL FEES AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Klym said that this has been discussed a number of times. It has been three years since the fees have been raised at the outdoor pool. Most fees are being increased by \$2.00. The early bird pass fee for resident's first family member will be going from \$77.00 to \$79.00. The seniors, who are defined as age 60+, stay the same and the daily rate actually decreases 50 cents. Rocky River is very competitive with other community pricing.

ORDINANCE NO. 23-19

BY: CHRISTOPHER J. KLYM

AN ORDINANCE AMENDING SECTION 953.02 ENTITLED "FEES" OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, REGARDING THE ICE SKATING RINK, AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

3rd READING

Mr. Klym noted that these fees have not been increased in four years. The Learn to Skate fees do increase \$10.00 for both residents and non-residents but the cost for skate rental has been removed during lessons. There will be an increase for youth hockey travel teams based on the increases from USA Hockey. This has been discussed for several weeks with no questions or comments.

ORDINANCE NO. 25-19

BY: JOHN B. SHEPHERD

**AN EMERGENCY ORDINANCE AUTHORIZING THE CITY OF ROCKY RIVER TO PURCHASE SALT FROM THE STATE-APPROVED VENDOR AN ESTIMATED 2,500 TONS OF SALT FOR THE 2019/2020 WINTER SEASON FOR THE SERVICE DEPARTMENT UNDER THE OHIO DEPARTMENT OF TRANSPORTATION’S COOPERATIVE PURCHASING CONTRACT NO. 18
3rd READING**

Mr. Shepherd said the city has 2,300 tons left over from this season and with this order of 2,500 tons will put the city right at the amount anticipated for next year. Buying through the State Transportations Cooperative Purchasing Program the city can buy 10% higher or 10% lower than the 2,500. This order needs to be in by April 19th.

Moved by Mr. Moran, seconded by Mr. Furry that Ordinance Nos. 18-19, 19-19, 20-19, 23-19 and 25-19 of the Consent Agenda be passed as read.

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

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

MOTION:

Moved by Mr. Moran, seconded by Mr. O’Donnell, that an Executive Meeting under Article X, Section VI, and Subsection I, be held before the end of this meeting to discuss three personnel matters.

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

As there was no further business by members of Council, the meeting was adjourned at 8:10 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council