

**CITY OF ROCKY RIVER**

**October 8, 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. Shepherd, Mr. O’Donnell,  
Mr. Furry, Mr. Klym, Mr. Moran

Absent: Mr. Sindelar

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. Furry, that the reading of the minutes of the Committee-of-the-Whole Meeting of October 1<sup>st</sup> be waived and that the minutes be accepted as submitted.

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

Moved by Mr. Moran, seconded by Mr. O’Donnell that the reading of the minutes of the Legislative Meeting of September 24th be waived and that the minutes be accepted as submitted.

Vote:	Hunt – aye	Shepherd – aye	O’Donnell – aye	
	Furry – 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 Special Meeting of October 1<sup>st</sup> be waived and that the minutes be accepted as submitted.

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

**MAYOR’S REPORT:**

The Mayor announced that the Hilliard/Westway/I 90 intersection/ramp area is getting some final pavement. Travel lanes will be maintained but there will be backups. Signage will be posted saying to expect delays. Police will be there to direct traffic.

Cleveland Water has a new policy beginning October 1<sup>st</sup> regarding the replacing of residential lead lines from the street to the house if identified while doing a waterline replacement project. This process will be evaluated on a project-by-project basis. The projects currently underway will have their waterlines replaced using contingency funds already in the contract. Thank you to Cleveland Water, Director Costello and others working together on this new policy.

Salt contracts were in the news today regarding the consortium formed between cities and schools. The consortium of 90 communities and school districts price for salt is over \$80.00 a ton. The Mayor shared that the City's salt contract cost is \$64.76 a ton with ODOT but the price will increase in March 2019 to \$74.76. The cost per ton is escalating but the City of Rocky River is below the bid the consortium received.

Resolution No. 51-18 is before Council this evening with a replacement Exhibit A. The Mayor asked that this ordinance be amended by substitution prior to it being read this evening.

- Mr. O'Donnell stated that it appeared to him that the only change was in the General Bond Retirement Fund being adjusted down from .9 to .78. The Mayor said that that is correct.

Rocky River Park will be closed tomorrow for a large tree-trimming project.

The Senior Center has five attendees participating in the Cavalier Cheerleaders Senior Team!

This is Fire Prevention Week with the theme "Look, Listen and Learn". Look for places in your home where a fire could start, listening for the sound of the smoke alarm and be sure it is in working order and learn two ways out of every room. A Ready Notify will be sent out tomorrow.

The Chamber of Commerce Business Expo will be held this Thursday at the Civic Center beginning at 2:00 p.m.

This Saturday will be the "Monster March" on Detroit and Old Detroit Road. It is Trick or Treat at the Downtown 'Bootiques'. Several stores will be participating from 11:00 a.m. to 1:00 p.m.

The Mayor presented Director Costello a framed note from Denny and Jan Jones, residents of Lakeview, thanking the Director for the work that was completed on Lakeview. Denny and Jan Jones feel Director Costello does a wonderful job and they really appreciate all the work that has been done including the work by Council.

- President Moran congratulated Director Costello on her great job of representing her division as well as the whole city.
- Mr. O'Donnell asked about the timetable for the Hilliard/Westway/I 90 repaving. Director Costello said that the mobilization begins tomorrow with the work beginning on Wednesday and will continue through the end of October.

**LAW DIRECTOR'S REPORT:** Mr. Bemer communicated earlier with Mr. Hunt and asked that Ordinance No. 50-18, the Animal and Fowl Ordinance be held. There is still some additional revisions being made. Mr. Bemer commended Councilman Klym in suggesting that the ordinance mirror the State statute and there are more changes to be made.

**COMMITTEE REPORTS: NONE**

**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. Council anticipates approval from the Planning Commission Meeting on October 23<sup>rd</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”**  
**ON HOLD**

Mr. Hunt said that this is still on hold. As Mr. Bemer indicated in his report, there is still some clean up to the language needed. Mr. Hunt thanked Mr. Bemer and Mrs. Umerley for their diligence and taking care of these issues before the third read.

**RESOLUTION NO. 51-18** **BY: MICHAEL P. O’DONNELL**

Mr. O’Donnell moved to amend Resolution No. 51-18 by substitution, seconded by Mr. Furry.

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

**AMENDED RESOLUTION NO. 51-18** **BY: MICHAEL P. O’DONNELL**  
**A RESOLUTION ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE CUYAHOGA COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE CUYAHOGA COUNTY FISCAL OFFICER AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”**  
**3<sup>rd</sup> READING**

Mr. O’Donnell explained that the change on the exhibit being substituted this evening for Resolution No. 51-18 is on the second page of the exhibit. The General Bond Retirement Fund Millage has been reduced from .90 to .78. The Mayor summarized that this was a General Bond Retirement of one mil when it first started. The Finance Director has been working with the County to understand the impact of this on the Bond Retirement. The .90 would raise \$775,000, which is more than the city needs. The city would like to have enough for the debt service plus another 10% so that there is some cushion depending on collection and any changes to valuation. The Administration settled on the amount of .78, which reduces the millage; making the proceeds \$672,000.

This is required by the Cuyahoga County Budget Commission and the Revised Code, which requires Council to pass this resolution to put the millage on the real estate property tax bills to be assessed to all residents. Mr. O’Donnell said that with the County’s increase of valuation, in 2019 he would be in favor of using some of the additional funds received to establish and fund the Budget Stabilization Fund and discuss the different uses. Moved for passage by Mr. O’Donnell and seconded by Mr. Furry.

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

- Mr. Furry is happy that the city can give back to the residents.

**RESOLUTION NO. 55-18**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY RESOLUTION RATIFYING THE MAYOR'S OR HER DESIGNEE'S APPLICATION TO PARTICIPATE IN OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION PROGRAM(S) FOR THE COLLVER ROAD / OAK ROAD/ MOREWOOD PARKWAY (FROM WAGAR TO RAILROAD TRACKS) STORM AND SANITARY IMPROVEMENT PROJECT AND TO EXECUTE CONTRACTS AS REQUIRED**

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

Mr. Shepherd said that this is an important and large piece of the sewer remediation project including Collver Road, Oak Road and Morewood Parkway from Wagar to the railroad tracks. This has been discussed at several meetings. This resolution ratifies the application for the loan funding with the District One Public Works Integrating Committee (DOPWIC). The total estimated cost is a little over \$7.8 million.

**ORDINANCE NO. 60-18**

**BY: BRIAN J. SINDELAR**

**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE A NEW HEATING AND COOLING SYSTEM FOR THE SERVICE DIVISION FROM WESTLAND HEATING / AIR CONDITIONING AT A COST NOT TO EXCEED \$49,375.00**

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

Mr. Moran said that Mr. Sindelar has read this ordinance once with the contract totaling \$49,375.00. This ordinance is under the \$50,000 threshold so bidding was not necessary. Mr. Balla generated several quotes for this project and the Westland Contractor proposed to replace the current HVAC with industrial gas furnaces and AC condensers. This ordinance will also be read for a third time at a Special Meeting next week. The contractor can then begin by the end of the month so the Service Building employees have heat.

**NEW BUSINESS:**

**ORDINANCE NO. 56-18**

**BY: DAVID W. FURRY**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT WITH JAMES DIAZ TO PURCHASE SERVICES FOR THE REMOVAL OF DIGESTED SLUDGE CAKE FROM THE WASTEWATER TREATMENT PLANT AT A COST OF \$22.00 PER WET TON FOR 2019 AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Furry will not discuss this tonight, but will discuss further at next week's Committee-of-the-Whole Meeting.

**ORDINANCE NO. 57-18**

**BY: DAVID W. FURRY**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT WITH RUMPKE OF NORTHERN OHIO, INC. FOR THE REMOVAL OF RAW SEWAGE SLUDGE FROM THE WASTEWATER TREATMENT PLANT AT A COST OF \$42.10 PER TON FOR 2019 AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Furry will not discuss this tonight, but will discuss further at next week's Committee-of-the-Whole Meeting.

**ORDINANCE NO. 58-18**

**BY: DAVID W. FURRY**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT WITH RUMPKE OF NORTHERN OHIO, INC. TO PURCHASE SERVICES FOR**

**THE REMOVAL OF GRIT AND SCREENINGS FOR THE WASTEWATER TREATMENT PLANT AT \$65.00 PER TON FOR 2019 AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Furry will not discuss this tonight, but will discuss further at next week's Committee-of-the-Whole Meeting.

**ORDINANCE NO. 59-18**

**BY: DAVID W. FURRY**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT WITH RUMPKE OF NORTHERN OHIO, INC., FOR A PERIOD OF ONE YEAR FOR THE REMOVAL OF DIGESTED SLUDGE CAKE TO A MUNICIPAL LANDFILL FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$42.10 PER TON AS FURTHER DESCRIBED IN EXHIBIT "A"**

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

Mr. Furry will not discuss this tonight, but will discuss further at next week's Committee-of-the-Whole Meeting.

**RESOLUTION NO. 61-18**

**BY: MICHAEL P. O'DONNELL**

**A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF ALL TAX LEVIES FOR THE TAX YEAR 2018 PURSUANT TO THE OHIO REVISED CODE**

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

Mr. O'Donnell said that this resolution allows the city to receive the money from the County in a much more timely fashion. This resolution relates to the 2018 real property taxes.

**RESOLUTION NO. 62-18**

**BY: MICHAEL P. O'DONNELL**

**A RESOLUTION REQUESTING THE CUYAHOGA COUNTY FISCAL OFFICER TO ADVANCE TAXES HELD FROM THE PROCEEDS OF SPECIAL ASSESSMENTS FOR THE TAX YEAR 2018 PURSUANT TO THE OHIO REVISED CODE**

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

Mr. O'Donnell said this is the companion piece to Resolution No. 61-18. By making this request the city will receive the proceeds of special assessments for the tax year 2018.

**CONSENT AGENDA:**

**ORDINANCE NO. 52-18**

**BY: BRIAN J. SINDELAR**

**AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE ONE (1) 2018 FORD F-150 EXTENDED CAB PICK-UP TRUCK FOR THE SERVICE DIVISION UNDER THE STATE COOPERTIVE PURCHASING ACT FROM VALLEY FORD TRUCK INC., AT A COST NOT TO EXCEED \$30,402.00**

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

This has been discussed for a number of weeks. This is for the purchase of a Ford F-150 Extended Cab Pick-up truck to be used primarily by the Service Director.

**ORDINANCE NO. 53-18**

**BY: BRIAN J. SINDELAR**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW A CONTRACT FOR ONE (1) YEAR FOR THE PURCHASE OF JANITORIAL SUPPLIES FOR THE CITY OF ROCKY RIVER FROM OHIO VALLEY SUPPLY AND MAINTENANCE CO. AT A COST NOT TO EXCEED \$55,000.00**

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

This has been discussed for a number of weeks. This is an open contract giving the city an opportunity to purchase janitorial supplies from a bid basis. If there is something lower, there is no obligation to purchase from this vendor.

**ORDINANCE NO. 54-18**

**BY: JOHN B. SHEPHERD**

**AN ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2018 CRACK & JOINT SEALING PROGRAM IN AN AMOUNT NOT TO EXCEED \$92,400.00**

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

This has been discussed for a number of weeks. This is an annual ordinance and helps prolong the life of the streets. Specialized Construction has been the lowest bid the past several years.

Moved by Mr. Moran, seconded by Mr. O'Donnell that Ordinance Nos. 52-18, 53-18, 54-18 of the Consent Agenda be passed as read.

Vote:	Hunt – aye	Shepherd – aye	O'Donnell – aye
	Furry – aye	Klym – aye	Moran - aye
	6 ayes		0 nays

**PASSED**

**MISCELLANEOUS BUSINESS:** President Moran announced that there is a BZA Meeting this Thursday beginning at 7:00 p.m. There are approximately five items on the agenda.

**PUBLIC COMMENT:** Mr. Bill Welch asked about the new Ladder Truck timeline. The Mayor and Director Costello said that the Chief went to the pre-construction meeting to review all the specifications. The Mayor or Director has not heard if there is any change in the 10-month timeframe. The Mayor will ask the Chief and report back next week.

President Moran wished Law Director Bemer a Happy Birthday last Friday!

As there was no further business by members of Council, the meeting was adjourned at 7:40 p.m.

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James W. Moran  
President of Council

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Susan G. Pease  
Clerk of Council