

CITY OF ROCKY RIVER

October 9, 2017

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 (7:07), Mr. Moran

Absent: Mr. Klym

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 Legislative Meeting of September 25th and the Special Meeting and the Committee-of-the-Whole Meeting of October 2nd be waived and that the minutes be accepted as submitted

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

PASSED

MAYOR'S REPORT:

The Mayor had the DOPWIC Grant Application paperwork at this evening's meeting for an example of how much time and effort goes into a DOPWIC application. The Mayor thanked Director Costello and Engineers Mike MacKay and Kim Kerber for all their hard work on this grant application.

Homecoming was a great event this past weekend and the Mayor thanked everyone who was part of the weekend.

The Mayor read a letter from Mr. Marty Hughes III, that was attached to a letter from his mother dated August 15, 2007 that was never mailed. His mother, Mrs. Hughes, passed away this past July. In his letter, Mr. Hughes said that his parents lived in Rocky River for 46 years. His mother never missed an opportunity to thank someone or acknowledge their kindness or service. His mother's letter was a letter to the Refuse Workers for decades of exemplary service. Mr. Hughes thought he should mail this letter to the City of Rocky River. The Mayor is making copies of the letter and sending it to the Service Garage.

The Mayor followed up on a question from Mr. Furry from last weeks meeting regarding R.I.T.A. filings, etc. The Mayor received a letter from Director Thomas the next morning outlining R.I.T.A.'s

implementation of their compliance efforts. R.I.T.A. will be mailing about 3,500 letters to residents and will be available to meet with residents on December 4th, 6th and the 18th at the Civic Center. They are also available by phone. Director Thomas is available also for any questions or concerns residents may have.

The Mayor mentioned that the Business Expo will be held this Thursday from 2:00 p.m. until 7:00 p.m. at the Civic Center. More than 100 exhibitors and several restaurants with food samples will be present. Everyone is invited to attend and extra parking will be available at St. Thomas Lutheran Church along with shuttle service.

Renovations will be commencing soon on the restrooms at Rocky River Park beginning in the women's restroom.

Individuals from Smithgroup JJR, will be at Bradstreet's Landing beginning the second round of evaluations. The Mayor expects to receive a report and recommendations in a couple of weeks.

There will be a Safety Committee Meeting next Monday on October 16th beginning at 6:00 p.m. with Chief Stillman and Bowen & Associates. If Council has any questions, please forward to the Mayor or Chief Stillman prior to the meeting.

The Mayor respectfully requested an Executive Session under Article 10, Section 6, Subsection 4, to discuss a collective bargaining matter.

LAW DIRECTOR'S REPORT: Law Director Bemer provided some background on Ordinance No. 73-17 that is new legislation sponsored by Councilman Furry. This is a proposition regarding a greenhouse that is being proposed for the Community Garden by a 501(c)(3) charitable organization called River Sprouts, Inc.

Mr. Bemer also stated that this Thursday, October 12th is a BZA Meeting with one agenda item. The Planning Commission Meeting is scheduled for next Tuesday, October 17th.

COMMITTEE REPORTS: NONE

COMMUNICATIONS AND ANNOUNCEMENTS: President Moran concurred with Mayor Bobst on a very successful Homecoming this past weekend.

MOTION:

Moved by Mr. Moran, seconded by Mr. O'Donnell, that an Executive Meeting under Article 10, Section 6, Subsection 4, to discuss a collective bargaining matter will be held before the end of this meeting.

Vote: Hunt – aye
Furry - aye
6 ayes

Shepherd – aye
Sindelar – aye

O'Donnell – aye
Moran - aye
0 nays

PASSED

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 56-17

BY: THOMAS J. HUNT

**AN EMERGENCY ORDINANCE TO AMEND FIRE CODE CHAPTER 1501 BY MODIFYING SECTION 1501.01 ENTITLED ADOPTION, SECTION 1501.99 ENTITLED PENALTY, AND BY ADDING SECTION 1501.13 ENTITLED NUISANCE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER
ON HOLD**

Mr. Hunt had the opportunity to speak with Law Director Bemer and Fire Prevention Officer Crowe last week but there is more work potentially to be done on this ordinance. This will be discussed further at next week's Committee-of-the-Whole Meeting.

ORDINANCE NO. 70-17

BY: JOHN B. SHEPHERD

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH KONSTRUCTION KING, INC. FOR THE 2017 CATCH BASIN PROGRAM AT A COST NOT TO EXCEED \$368,610.00
2nd READING**

Mr. Shepherd said this is for work to be done on the catch basins and sanitary sewer manholes mainly for the West River Estates area. Four bids were received and Konstruction King, Inc. was the low bidder. This was discussed at length at the Special Meeting last week.

NEW BUSINESS:

ORDINANCE NO. 71-17

BY: MICHAEL P. O'DONNELL

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE GASOLINE, FUEL OIL AND ALLIED PRODUCTS ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2018 TO DECEMBER 31, 2018
1st READING**

This ordinance was discussed at length at last week's Committee-of-the-Whole Meeting and is an annual ordinance. This ordinance authorizes the Director of Public Safety-Service to purchase gasoline, fuel oil and allied products on the open market at the best prices possible for the period January 1, 2018 to December 31, 2018.

ORDINANCE NO. 72-17

BY: MICHAEL P. O'DONNELL

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO PURCHASE TIRES ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2018 TO DECEMBER 31, 2018
1st READING**

This is a companion ordinance to 71-17. This allows the Safety-Service Director to purchase tires on the open market for the best possible prices for the period January 1, 2018 to December 31, 2018. This allows the city to shop the price on the open market.

ORDINANCE NO. 73-17 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A GREENHOUSE LEASE AGREEMENT WITH RIVER SPROUTS, INC.
1st READING

Councilman Furry will defer discussion of this ordinance until next week at the Committee-of-the-Whole Meeting.

ORDINANCE NO. 74-17 **BY: CHRISTOPHER J. KLYM**
AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE HEALTH CONTRACT FOR THE YEAR 2018 WITH THE GENERAL HEALTH DISTRICT OF CUYAHOGA COUNTY, OHIO FOR SERVICES TO THE CITY OF ROCKY RIVER, IN THE AMOUNT OF \$4.12 PER CAPITA, NOT TO EXCEED \$83,278.00 ATTACHED HERETO AS EXHIBIT "A"
1st READING

President Moran said that this ordinance was discussed together by Councilman Klym and Mayor Bobst. The rates listed in this ordinance are the same rates as last year. Councilman Klym will discuss this further at next week's Committee-of-the-Whole Meeting.

CONSENT AGENDA:

ORDINANCE NO. 55-17 **BY: JAMES W. MORAN**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A REIMBURSEMENT FOR THE 2016 LAKEVIEW AVENUE WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$58,342.42
3rd READING

Mr. Moran said that this Ordinance will pay the Division of Water a reimbursement for overpayment on the 2016 Lakeview Avenue Water Main Improvement Project in the amount of \$58,342.42.

ORDINANCE NO. 57-17 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OCHS, INC. LIFE INSURANCE CO. TO PROVIDE LIFE INSURANCE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT "A"
3rd READING

Councilman Hunt said that this ordinance has been discussed several times. This ordinance is authorizing the Mayor to enter into a contract with OCHS, Inc. Life Insurance Co. to provide life insurance for full-time employees of the city for a three-year term until 2020. This represents \$50,000 of coverage, per full time employee.

ORDINANCE NO. 59-17

BY: JAMES W. MORAN

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A REIMBURSEMENT FOR THE 2016 WOOSTER ROAD WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$371,993.02

3rd READING

The Cleveland Water Department paid the City of Rocky River an overpayment in the amount of \$371,993.02 for the Wooster Road Water Main Improvement Project. This ordinance will reimburse the Cleveland Water Department.

RESOLUTION NO. 62-17

BY: JOHN B. SHEPHERD

A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR THE YEARS 2018 THROUGH 2019

3rd READING

Mr. Shepherd said that this authorizes the Mayor and Safety-Service Director to participate in the Ohio Department of Transportation Cooperative Purchasing Program at no cost to the city. This is used primarily to purchase salt and an occasional truck or vehicle.

ORDINANCE NO. 63-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO EXTEND THE AGREEMENT WITH FABRIZI TRUCKING & PAVING CO., INC. FOR THE HAMPTON ROAD (SOUTH) LAKEVIEW AVENUE SEWER IMPROVEMENT PROJECT, FOR ADDITIONAL WORK MANDATED BY CLEVELAND WATER DIVISION AT A COST NOT TO EXCEED \$544,700.00

3rd READING

Mr. Shepherd said that this is another ordinance that doesn't cost the city anything as the City of Cleveland will pay for this additional cost. This expands the project to the removal of lead pipes up to resident's homes, if necessary.

ORDINANCE NO. 64-17

BY: JAMES W. MORAN

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017 AND TO AMEND ORDINANCE NO. 66-16 AND AMENDED ORDINANCE NO. 30-17

3rd READING

Mr. Moran said that this has been discussed before. After the annual review of health insurance benefits, several adjustments were needed. Chief Stillman has communicated additional needs and the Law Enforcement Trust money will be used to equip several new patrol vehicles. Also additional salary and pension funds will be used in the Community Diversion Program. The Wastewater Treatment Plant appropriation is needed for the engineering costs approved by City Council with Ordinance No. 49-17. The contract cost is being split between 2017 (\$58,000) and 2018 (\$140,000).

ORDINANCE NO. 65-17

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY- SERVICE TO RENEW AN AGREEMENT FOR THE PURCHASE OF CATIONIC POLYMER FROM POLYDYNE, INC. FOR 2018 FOR THE WASTEWATER TREATMENT PLANT AT A COST OF \$1.40 PER POUND AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This is specifically for the exercise of a one-year renewal of cationic polymer for 2018 from our current supplier Polydyne, Inc, of Riceboro GA. Plant Superintendent Rosemark is pleased with the product's performance and also noted that due to hurricanes hitting the south some of this product has had some pricing volatility and is necessary to comply with the NPDES permit.

ORDINANCE NO. 66-17

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT FOR THE REMOVAL OF RAW SEWAGE SLUDGE FROM THE WASTEWATER TREATMENT PLANT FROM RUMPKE OF NORTHERN OHIO, INC., AT A COST OF \$42.10 PER TON FOR 2018

3rd READING

This is for the removal of raw sewage sludge from the WWTP and is in place for emergency purposes only due to mechanical failure. This has not been utilized in the past and hopefully will not be utilized during this contract but needs to be in place for the NPDES permit.

ORDINANCE NO. 67-17

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT TO PURCHASE SERVICES FOR THE REMOVAL OF GRIT AND SCREENINGS FOR THE WASTEWATER TREATMENT PLANT FROM RUMPKE OF NORTHERN OHIO, INC. AT \$65.00 PER TON FOR 2018 AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This ordinance is for the removal of grit and screenings from the WWTP. Two bids were received in 2016 with Rumpke of Northern Ohio Inc. being the successful bidder at \$65/ton and Rumpke will honor the same pricing for an additional year. This is necessary for compliance with the NPDES permit.

ORDINANCE NO. 68-17

BY: DAVID W. FURRY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO RENEW AN AGREEMENT TO PURCHASE SODIUM BISULFITE FOR THE WASTEWATER TREATMENT PLANT FROM JCI JONES CHEMICALS, INC. AT \$1.145 PER GALLON FOR THE YEAR 2018 AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

This ordinance is a one-year renewal of sodium bisulfite for the WWTP from JCI Jones Chemical at \$1.145 per gallon. In 2015 the WWTP received bids for the purchase of Sodium Bisulfite. This is also necessary for compliance with the NPDES permit.

ORDINANCE NO. 69-17

BY: DAVID W. FURRY

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

3rd READING

This is for the removal of digested sludgecake for the WWTP to a landfill and is a one-year renewal at the current price of \$42.10/ton. Rumpke was the lowest bidder as the other bidder was \$47.95/ton. This was formerly for the months of December 1st to March 31st due to regulations set by the EPA for the renewal of the NPDES permit last year. There is hopefully something in the works to replace Yaworsky Farms. This is necessary to comply with the NPDES permit.

Moved by Mr. Moran, seconded by Mr. O'Donnell and Mr. Hunt that Ordinance Nos. 55-17, 57-17, 59-17, 63-17 through 69-17 and Resolution No. 62-17 of the Consent Agenda be passed as read.

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

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: NONE

President Moran announced that Council, Mayor Bobst, Law Director Bemer and Director Thomas will recess to Executive Session at 7:25 p.m. and thanked the audience for their attendance.

President Moran reconvened to the Regular Meeting of Council.

President Moran reminded everyone about the Safety Committee Meeting being held next Monday beginning at 6:00 p.m. in Council Chambers.

As there was no further business by members of Council, the meeting was adjourned at 7:32 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council