

CITY OF ROCKY RIVER

February 12, 2024

The Legislative Meeting was called to order by Mr. Furry, President of Council, at 7:00 p.m. in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mrs. Gallagher, Mr. Shipp, Mr. O’Boyle,
Mrs. Morris, Mr. Sindelar, Mr. Furry

Administration: Mayor Bobst, Mr. Thomas, Mr. Snyder

Law Director: Mr. O’Shea

The meeting was opened with the Pledge of Allegiance.

President Furry welcomed former Council President Moran to this evening’s City Council Meeting.

MOTION:

Moved by President Furry seconded by Mrs. Gallagher that the reading of the minutes of the Special Meeting and the Committee-of-the-Whole Meeting of February 5th be waived and that the minutes be accepted as is.

Vote:	Hunt – aye	Gallagher – aye	Shipp – aye	O’Boyle – aye
	Morris – abstain	Sindelar – aye	Furry – aye	
	6 – ayes	1 – abstain	0 - nays	PASSED

MAYOR’S REPORT:

The Mayor announced that six firms replied with proposals for the Center Ridge Gateway Project which is Spencer to Pease Drive with additional resurfacing to Wooster. These six responses will be evaluated and returned to Council with the lowest, best and most qualified proposal. Thank you, Director Snyder. This is a great project with good outside funding.

The Mayor announced more news for Wards II and IV. Playground equipment is being installed at Martin’s Park this week as the weather is cooperating.

There is new interior signage around City Hall, with the offices being marked with good directional signage. The Building Department will now be easy to find.

The administration is continuing preparations for the eclipse on April 8th and will be getting information out to the residents. The city is putting together an inventory of everything that will be happening in the city so it can be well coordinated. Residents can be aware of the happenings and plan accordingly.

The Mayor announced that the City of Rocky River has been selected once again to be the featured community in the “Rating the Suburbs” issue of Cleveland Magazine. This has nothing to do with the scoring, as it is a completely different team, but the administration is very pleased to be involved in the publication of the Rocky River insert. The city receives several copies of the insert and it is a piece that promotes Rocky River and its businesses outside the city. The Resident’s Reference Guide is for circulation within the city to businesses and residents, but the Cleveland Magazine insert is more widespread because it is in the magazine. The Mayor said that Mary Ellen Umerley is the editor in chief of these two publications. She did a beautiful job on the Resident’s

Reference Guide. There have been a lot of positive comments about it. Kathryn Kerber, the Director of Planning and Community Development, will be working on the June insert as well.

The Mayor announced that Building Commissioner Ray Reich has obtained his Commercial Plumbing Inspector credential from the International Code Council. The City of Rocky River has been using SAFEbuilt to help with commercial electrical plan review and commercial plumbing and has been very responsive. The fees are passed through to the developer or contractor but it can take a day or two for inspection. However, with Commissioner Reich obtaining this certification, it will allow the city great flexibility with Ray going out to complete the inspections and move projects along more efficiently. Thank you to Commissioner Reich. There was a lot of studying for this and Ray passed the test on the first try.

The Mayor shared with Council the Building Department Stats for January 2024:

- Residential investment continues with 85 permits being pulled in January as compared to 68 permits last year at this time.
- The residential valuation is \$3.1 million compared to \$1.3 million last year at this time.
- Commercial investment is staying about the same although the valuation is about half \$409,000 versus \$1.3 million last year at this time.
- Overall, the city is outpacing last year at this time. The total investment is about \$3.5 million compared to \$2.7 million last year at this time. Most of this is on the residential side. The city had big commercial projects last year.

The Mayor said that Kathryn Kerber is finalizing the update of the Zoning Map as well as digitizing the Set-back Map which is used often by the Building Department. Kathryn has taken a lot of initiative to get these things where they need to be in a user-friendly format. Thank you, Director Kerber.

The Mayor received an update today regarding state funding. The House passed several bills, a couple of them have to do with education. \$600 million for school building program assistance which could impact the community; \$400 million for higher education; and \$400 million for the Ohio Public Works Commission and the Local Public Infrastructure and State Capital Improvement Program. These are things the city has applied for, specifically \$750,000 for Rockcliff, and the Mayor will confirm tomorrow that was included in the State Capital Bill. HB 2 incorporated \$350 million worth of Strategic Community Spending Investment Funds. Director Snyder applied for those for the Fire Station. This funding is for one-time, large projects, that have a regional impact. The request was for \$3.75 million for that project. The Mayor will confirm with Representative Patton that these were placed in the bills prior to going to the Senate. The Senate has said that even though the House has accelerated this process, the approval will not be given until April, May or June. That is the typical schedule to learn of projects being funded.

The Mayor congratulated the Rocky River High School Boys' Varsity basketball team and the three-point shot. It was a couple of seconds before the end of the Bay Village/Rocky River game. The camera person did an awesome job. Councilman Shipp said it was Jamey Pfahl who is a teacher at Kensington and the Women's Varsity Coach that took the video. The player, Danny Berg is a freshman at RRHS.

- Councilman O'Boyle asked if the equipment at Martin's Park is new or refurbished. The Mayor said it is brand new. The city received nice feedback from the residents in that area about the equipment.
- Councilwoman Gallagher asked about the replacement for John Peter's who retired at the end of the year. The Mayor said that John had just retired. Someone was hired, accepted and then didn't accept. Interviews are continuing with two very qualified candidates. This individual will be taking over the rental inspections.

- President Furry asked what the likelihood is that the city will receive the \$3.7 that was requested for the fire station. The Mayor thinks it is significant and considering the age of the fire station, thinks the chances are good as they are looking for transformational projects. It also depends what else is put in front of them and then they will have to prioritize and decide.

LAW DEPARTMENT: Mr. O’Shea said that Council has received 101 pages of the Planning Commission Meeting Minutes of January 18th. Mr. O’Shea wanted Council to receive what is reflective in the digestion of the decision and recommendation that the Planning Commission made. Everything is incorporated in what Council has received this evening.

COMMITTEE REPORTS: NONE

COMMUNICATIONS FROM COUNCIL: President Furry announced that Council will not be meeting next week in honor of President’s Day.

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

AMENDED ORDINANCE NO. 51-23 **BY: JEANNE GALLAGHER**
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTIES KNOWN AS AUDITOR’S PERMANENT PARCEL NOS. 301-17-082, 301-17-083, 301-15-048, AND 301-17-084, FROM THEIR PRESENT CLASSIFICATION OF SM-SERVICE MANUFACTURING TO OB-2-OFFICE, AS FURTHER DESCRIBED IN EXHIBIT “A”
ON HOLD

Mrs. Gallagher said this amended ordinance is to change the zoning classification of parcels on Ingersol Drive and is still on hold.

AMENDED ORDINANCE NO. 80-23 **BY: JEANNE GALLAGHER**
AN ORDINANCE AMENDING VARIOUS SECTIONS OF ROCKY RIVER CODIFIED ORDINANCES CHAPTER 1163 ENTITLED “OFFICE BUILDING DISTRICT REGULATIONS”, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT “A”
ON HOLD

Mrs. Gallagher stated that this is amending various sections of the Codified Ordinance Chapter 1163 entitled Office Building District Regulations. This was referred to Planning with Council’s recommendations and has been sent back to Council with their recommendations. Mrs. Gallagher moved to amend Amended Ordinance No. 80-23 to include language in the revised exhibit, seconded by Mrs. Morris.

Vote:	Hunt – aye	Gallagher – aye	Shipp – aye	O’Boyle – aye
	Morris – aye	Sindelar – aye	Furry – aye	
	7 – ayes	0 - nays		PASSED

Mrs. Gallagher also requested a Public Hearing before Council on this 2nd Amended Ordinance No. 80-23 scheduled for Monday, March 4th.

ORDINANCE NO. 6-24 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AUTHORIZING THE PAYMENT TO ITALIAN CREATIONS INC. IN THE AMOUNT OF FOUR THOUSAND FIVE HUNDRED DOLLARS AND 00/100 (\$4,500.00) FOR THE COST OF FOOD AND CATERING SERVICE FOR THE SENIOR CENTER CHRISTMAS DINNER
2nd READING

Mr. Furry said this was in the 2023 Budget, apparently a purchase order was not precured. The money was in the budget and paid for by attendees. This will be placed on a Consent Agenda for the next Legislative Meeting.

ORDINANCE NO. 7-24 **BY: MICHAEL J. O'BOYLE**
AN ORDINANCE AMENDING THE DEVELOPMENT CODE OF THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, SPECIFICALLY SECTION 1135.09 ENTITLED PUBLIC HEARING AND NOTICE BY PLANNING COMMISSION AND SECTION 1135.13 ENTITLED PUBLIC HEARING AND NOTICE BY CITY COUNCIL, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"
2nd READING

Mr. O'Boyle moved to amend by substitution of the exhibit for Ordinance No. 7-24, seconded by Mrs. Gallagher.

Vote:	Hunt – aye	Gallagher – aye	Shipp – aye	O'Boyle – aye
	Morris – aye	Sindelar – aye	Furry – aye	
	7 – ayes	0 - nays		PASSED

Mr. O'Boyle said that per the discussion this will be referred to the Planning Commission.

- Councilman Shipp asked for a summary of this ordinance. The Mayor explained that this is about notification that the city can use a community wide notification system. Mr. Furry stated that it expands how the city can notify residents rather than strictly in the community paper. The Mayor said it is additive. As the administration discussed, this is only for specific reasons regarding any changes to the Development Code and rezonings. Mr. O'Shea said that any additional notifications are made at the city's discretion.

ORDINANCE NO. 8-24 **BY: CHRISTINA MORRIS**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE CITY OF ROCKY RIVER AND ADS ENVIRONMENTAL SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$380,875.00
2nd READING

Mrs. Morris said that this legislation is for the Flow and Strength Study that is performed every four years to determine the city's costs to the WWTP. This legislation also includes additional monitoring to help further identify inflow and infiltration within the WWTP's tributary collection system. RFPs were received by three firms and ADS Environmental Services, Inc. is determined to be the best to perform these services. The Management Committee recommended the contract on January 24th. The WWTP has worked with ADS previously on a similar project. Superintendent Barille would like this to pass as soon as possible. This will be placed on the consent agenda for the next Legislative Meeting.

ORDINANCE NO. 9-24 **BY: CHRISTINA MORRIS**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY SERVICE TO APPROPRIATE FUNDING FOR SYSTEMS GROUP TECHNOLOGY, LLC, IN AN AMOUNT NOT TO EXCEED \$175,000.00, AS FURTHER DESCRIBED IN EXHIBIT "A"
2nd READING

Mrs. Morris said this is a request to spend up to \$175,000 for PLC upgrades to the WWTP. PLC upgrades are the systems that automate and control the WWTP. There has been a lot going on in this and has been ongoing, and this will continue until next year. They have been working on these upgrades for the past three years and are looking to expediate these upgrades. The obsolete equipment is hindering operational efficiency. The current capital project is upgrading 1/3 of the WWTP's PLCs and upgrading the remainder will help plant automation and operational efficiency. The remaining obsolete equipment will be upgraded throughout this year and into next year. The WWTP superintendent will be managing the project which will be based on a time and material basis. The WWTP will still be sourcing hardware to ensure the project is being completed cost effectively. By allowing for additional expenditures more than the vendor limit will allow the project to be addressed quickly to reduce deficiencies in

operations during the upgrades. SG Tech has been providing professional services to the WWTP system integration since 2014 and is the most qualified firm to perform these upgrades. This will be placed on the consent agenda.

- Mr. O'Boyle asked if these are both hardware and software updates. Mrs. Morris said yes, the whole system is being replaced.

NEW BUSINESS:

ORDINANCE NO. 10-24 **BY: JEANNE GALLAGHER**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO PURCHASE ONE (1) NEW 25 CUBIC YARD LEACH REFUSE COLLECTOR FOR THE SERVICE DEPARTMENT UNDER A SOURCEWELL COOPERATIVE PURCHASING CONTRACT FROM BEST EQUIPMENT COMPANY, AT A COST NOT TO EXCEED \$253,971.00, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

1st READING

Mrs. Gallagher said that this ordinance is for the authorization to purchase a new 2024 25 cubic yard Leach Refuse Collector and chassis from Best Equipment not to exceed \$253,971. The procurement is part of the Sourcewell Cooperative purchasing contract and will be added to the frontline day-to-day equipment. As the fleet ages, these are rotated down from frontline to yard waste collection and backups. The most recent purchase was 2019, delivered in 2020 and has over 50,000 miles on it. A 2004 refuse packer that has 111,000 miles was taken out of commission due to overwhelming repairs and sold on Gov.deals for \$5,100. Best Equipment has the packer on hold pending passage or otherwise would have to wait over a year for delivery. In the current fleet there are two refuse packers in good condition, 3 in fair and 3 in poor condition.

- Mrs. Morris asked how many packers the city needs. Mr. Snyder said that on a typical day there are two refuse packers traveling with the scooters in the city, along with a third packer. One packer is used for yard waste collection and one large dump truck or refuse packer for bulk items. On any given day, there could be five packers rolling. If yard waste is heavy, there could be a second truck needed. One of the refuse packers that is in good condition was purchased a few years ago but is not a 25-yard packer. It is only a 15-yard packer that was purchased to subsidize smaller areas.

ORDINANCE NO. 11-24 **BY: CHRISTINA MORRIS**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND THE CITY OF ROCKY RIVER REGARDING STORM WATER POLLUTION PREVENTION TECHNICAL ASSISTANCE FOR A TWELVE (12) MONTH TERM, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT A

1st READING

Mrs. Morris said this ordinance requests authorization to enter a Memorandum of Understanding with Cuyahoga Soil and Water regarding storm water pollution prevention technical assistance for a twelve (12) month term at a cost not to exceed \$13,000. This will allow the Cuyahoga Sewer and Soil and Water Conservation District to assist the city with inspection of all stormwater control measures for all construction projects with a disturbance greater than one acre in size. They will also provide guidance for projects of less than one acre as requested by the city. These activities are outlined as part of the minimum control measures MCM section as MCM 4 and MCM5 for the city's municipal separate storm sewer system MS4 permit. This is needed for the Ohio EPA. There are other things that this affords that they will provide: technical assistance on local legislation; sound stormwater management, protection of sensitive natural areas, general evaluation of sensitive areas such as creeks, wet plains, soil slips, wetland, watersheds, woodlands or other unique areas. Recommendations for stream bank and wetlands restoration, enhancement of small drainage system and wildlife habitat enhancements, resident and landowner assistance as requested and to advise on maintenance strategies. They will also provide administrative support including an

annual report of all activities, project file management, mapping of facility locations, documentation of plans and recorded agreements, LTOM Plans and Recorded LTMA agreements. The cost is higher but with this agreement comes an opportunity to renew at the same cost next year.

- President Furry said this a companion ordinance to the P.I.P.E. Ordinance that was passed by Council earlier.

RESOLUTION NO. 12-24

BY: BRIAN J. SINDELAR

A RESOLUTION AUTHORIZING THE MAYOR TO RENEW OUR AGREEMENT WITH NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) FOR THE NOPEC 2024 ENERGIZED COMMUNITY GRANT AS FURTHER DESCRIBED IN EXHIBIT “A”

1st READING

Mr. Sindelar said this is to renew an agreement with NOPEC that is based upon certain energy efficiency or infrastructure updates the city performs. The city receives funding or credits back towards energy efficiency to reinvest in more energy saving upgrades for the future.

RESOLUTION NO. 14-24

BY: DAVID W. FURRY

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

Mr. Furry said the purpose of this resolution is to certify special assessments to the County Fiscal Officer for unpaid property maintenance costs. Through its contractor the city is providing maintenance for these properties. On January 31st, 2024, Director Thomas sent a letter to these property owners that the unpaid amount is subject to certification for assessment if not paid by February 29th, 2024. The city of Rocky River will accept a partial payment of the amount due and only the unpaid amount would remain subject to certification for assessment. There may need to be an amendment substitution depending on what if any is collected on Exhibit A.

MISCELLANEOUS BUSINESS: NONE

PUBLIC COMMENT: Mr. James Moran, 2676 Country Club Blvd., addressed Council and the Administration to ask about a project discussed last year regarding the path behind the Recreation Center being extending to the Senior Center. Mr. Moran has utilized that path often and the path has a lot of activity. He witnessed a resident falling on a bad spot on the one side of the path by the woods and pool. Part of the path has caved in 4-6 inches on one side. He feels it needs temporary tamping or cones to alert residents. Director Snyder said that he and Director Holub met with a potential contractor today to discuss some options to rehabilitate the path from behind the ice rink to the Senior Center. It would involve replacing the existing path with an 8-foot-wide asphalt path and also discussed improvements at Linden Park’s asphalt path.

- Mrs. Gallagher asked how long the path is. Mr. Moran said it is about 200 yards long. It starts by the recycling bins to behind the indoor pool up to the outdoor pool and an access drive to Hilliard Blvd.
- Mr. Sindelar asked if the storybook project was still happening at Linden Park. Director Snyder would like to get the path completed first, followed by the storybook project.
- Mr. O’Shea asked if the divot is on city property. Mr. Moran said it is.

President Furry stated that Council will not be in session next Monday to honor President's Day. The next Legislative Meeting will be February 26, 2024 in Council Chambers at 7:00 p.m. Mr. Furry asked Council to review the Planning Commission minutes prior to the next Council meeting.

As there was no further business by members of Council, the meeting was adjourned at 7:46p.m.

David W. Furry
President of Council

Susan G. Pease
Clerk of Council