

CITY OF ROCKY RIVER

December 18, 2023

PUBLIC HEARING – AMENDED ORDINANCE NO. 81-23

AMENDED ORDINANCE NO. 81-23 **BY: JEANNE GALLAGHER**
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN REAL
PROPERTIES KNOWN AS AUDITOR’S PERMANENT PARCEL NO. 301-18-083 FROM ITS
PRESENT CLASSIFICATION OF OB-2 OFFICE TO LB LOCAL BUSINESS, AS FURTHER
DESCRIBED IN EXHIBIT “A”

Council Members Present: Mr. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Sindelar, Mr. Moran

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

Law Director: Mr. O’Shea

The meeting was opened with the Pledge of Allegiance.

The Public Hearing for Amended Ordinance No. 81-23 was opened at 7:00 p.m. by Mr. Moran, President of City Council. President Moran turned the meeting over to Councilwoman Gallagher. Mrs. Gallagher said that Amended Ordinance No. 81-23 is to change the zoning classification of the old Jan Dell property on Detroit from OB-2 to Local Business. It is currently a non-conforming retail use and the new owner would like to redevelop the parcel to allow for a use consistent with the city’s Master Plan which seeks to promote a walkable commercial district along Detroit.

President Moran said that if anyone would like to make a public comment regarding Amended Ordinance No. 81-23, please come forward at this time.

PUBLIC COMMENT: David Budge, WXZ Development, owner, said that he is here and happy to answer any questions about the amended ordinance. There were no questions from the audience. President Moran stated that City Council has already looked at this and it will be read for a third time at this evening’s Special Meeting.

As there was no further comment, Mr. Moran moved to close the Public Hearing, seconded Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelcar – aye	Moran - aye	
7 ayes	0 nays		PASSED

The meeting was adjourned at 7:03 p.m.

James W. Moran
Chair of the Finance Committee

Susan G. Pease
Clerk of Council

CITY OF ROCKY RIVER

December 18, 2023

The Committee-of-the-Whole Meeting of Council was called to order by Mr. Moran, President of Council, at 7:03 p.m. immediately following the Public Hearing in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry,
Mrs. Morris, Mr. Sindelar, Mr. Moran

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

Law Director: Mr. O'Shea

UNFINISHED BUSINESS:

AMENDED ORDINANCE NO. 51-23: Mrs. Gallagher said this ordinance is to change the zoning classification of certain real properties from Service Manufacturing to OB Office and is currently on hold.

AMENDED ORDINANCE NO. 80-23: Mrs. Gallagher stated that this amending ordinance is amending various sections of the Rocky River Codified Ordinance Chapter 1163.09 entitled Office Building District Regulations. This has been discussed and changes were sent back to the Planning Commission. The Planning Commission is having a meeting tomorrow evening at 6:00 p.m. in Council Chambers for discussion.

AMENDED ORDINANCE NO. 81-23: Mrs. Gallagher said this was explained in the Public Hearing, but it is to change the zoning classification of the old Jan Dell property on Detroit from OB-2 to Local Business. This will be discussed further at the Special Meeting immediately following this meeting.

ORDINANCE NO. 95-23: Mr. Moran said this is the appropriations for the 2024 Budget. Council has had the opportunity to review this with all the Directors. This will be discussed further at the next meeting this evening.

ORDINANCE NO. 102-23: Mr. Shepherd said this ordinance authorizes the administration to enter into an agreement with MacKay Engineering and Surveying Company to provide engineering services for the city over a two-year period. It sets rates, but as discussed before it is not an exclusive arrangement and the city can hire other engineering firms if needed. This will be read for a third time this evening.

ORDINANCE NO. 103-23: Mr. Shepherd said this ordinance authorizes the administration to enter into a contract with Delta Dental to provide dental insurance coverage for the full-time employees as required by the Collective Bargaining Agreements. This will be read for a third time at the next meeting.

RESOLUTION NO. 104-23: Mr. Shepherd said this resolution authorizes the Mayor or designee to prepare and submit an application to participate in the Ohio Department of Natural Resources Urban Forestry Grant Program. This program is used to obtain trees for tree lawns in the city. This will be read for a third time at the next meeting.

ORDINANCE NO. 105-23: Mr. Shepherd said this is for the general insurance needs for the City of Rocky River for the year 2024.

ORDINANCE NO. 106-23: Mr. Shepherd said this is for the general insurance needs for the Municipal Court for 2024.

ORDINANCE NO. 107-23: Mr. Shepherd said this is for the general insurance needs for the WWTP.

Mr. Shepherd discussed Ordinance Nos. 105-23, 106-23 and 107-23 together. This was put out for an RFP and received multiple responses. Consultants reviewed it and came back with what were the best company to go with. At the last meeting, there was some tweaking with recommendations for additional coverages for crime, sewer backup, flood and earthquakes. This would be an additional cost of \$3,852.00. The breakdown is: \$2850 to the city, \$850 to the Municipal Court and the WWTP was \$77.00. In reviewing this, it was determined that originally there were two options for active shooter coverage, and it is recommended the city goes with an option that was not in the original ordinances in the amount of \$9,187.00. This would give the city active shooter coverage with less exclusions and would apply to all public buildings. To make these last-minute changes, the ordinances will need to be amended. Mr. Shepherd will amend the ordinances at the next meeting this evening.

RESOLUTION NO. 108-23: Mr. Shepherd said this is a yearly resolution and authorizes the city to participate in the Ohio Department of Transportation's Cooperative Purchasing program for a two-year period, 2024 and 2025. As discussed, there is no cost to the city but can use this program when their prices are lower and advantageous to the city.

ORDINANCE NO. 109-23: Mr. Moran said this is the ordinance to allow the Mayor and Safety Service Director to purchase gas and oil on the open market during 2024. This will have a second read at the next meeting. President Moran may ask for a rules suspension and pass this on a second read.

ORDINANCE NO. 110-23: Mr. Moran said this gives the city the authorization to purchase tires on the open market. The city has the opportunity to utilize the Cooperative Purchasing Program if the price is lower. This will be discussed further at the next meeting.

ORDINANCE NO. 111-23: Mr. Shepherd said this ordinance authorizes the Mayor to enter a two-year contract Public Health Services Agreement with the Cuyahoga County Board of Health. The contract is attached to the ordinance and itemizes the various health programs and advantages the city receives by doing this. It is required by State Law that the city maintains a health district. The city by itself to provide all these services would be next to impossible. For years the city has joined with the County as a subdivision of them. This agreement will run for two years, 2024 & 2025 at a per capita rate of \$7.25 for 2024 and \$8.00 for 2025. This is based

on the population of the City of Rocky River which is 21,755.

NEW BUSINESS:

ORDINANCE NO. 112-23 & ORDINANCE NO. 113-23: Mr. Hunt said he will discuss these companion pieces together. These two ordinances will be read for the first time at the next meeting. Mr. Hunt anticipates seeking a rules suspension. These two ordinances enact new provisions in the city’s code in response to the passage of State Issue 2 and the ramifications that it brings with it regarding recreational cannabis in the city. Based upon the timeliness of the two ordinances coming before Council and the fact that the Code Section went into effect on December 7th, Council needs to move on this swiftly he will seek a rules suspension.

MOTION:

President Moran moved to close this Committee-of-the-Whole Meeting, seconded by Mr. Furry.

Vote: Hunt – aye Shepherd – aye Gallagher – aye Furry – aye
 Morris – aye Sindelar – aye Moran - aye

The Committee-of-the-Whole Meeting was adjourned at 7:13 p.m.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council

CITY OF ROCKY RIVER

December 18, 2023

The Special Meeting of Council was called to order by Mr. Moran, President of Council, at 7:13 p.m., immediately following the Public Hearing and the Committee-of-the-Whole Meeting in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mrs. Gallagher, Mr. Furry, Mrs. Morris, Mr. Sindelar, Mr. Moran

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

Law Director: Mr. O’Shea

MOTION:

Moved by Mr. Moran seconded by Mr. Furry that the reading of the minutes of the Legislative Meeting of December 11th be waived and that the minutes be accepted as submitted.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – abstain	Sindelar – aye	Moran - aye	
6 ayes	1 abstain	0 nays	PASSED

MAYOR’S REPORT:

The Mayor recalled that two antique cars were stolen from a building on Center Ridge Road and is happy to report that the vehicles were found and the individuals involved were arrested. One of the vehicles was found covered up and intact and the other was chopped severely. It does not look like a GTO any longer but the Impala survived. It was exceptional work on the part of the Detectives. It was very quick work alongside other jurisdictions, but the City of Rocky River took the lead. Congratulations to the Chief and the Department.

The Mayor announced that the Preventative Maintenance Grant was sent to the County outlining several County roads that will hopefully receive dollars from the County to maintain. These roads include:

- Hilliard, Wooster to Gasser
- Spencer, Center Ridge to the southern corporate line
- Wooster from Westover to Caroline
- Hilliard, various locations, but basically corporate line to corporate line
- Wagar from Center Ridge Road to Avalon
- Hilliard at the Wagar intersection.

The total cost is \$372,000 and the request is for \$117,000. The Mayor appreciates the ability to work with the County since those are County roads that the city utilizes. A big thank you to Director Snyder for all his efforts to stay on top and making sure the work on these roads is identified so when the grant opens up, the city is ready to seize it.

Today, before 5:00 p.m., Director Snyder submitted two requests to the:

- 1) State Capital Budget - The State Capital Budget request is for additional dollars for the Rockland Sewer and the Multi-use Trail coming up out of the MetroParks, a notable project. The city received \$1 million in Federal funds as part of the Confluence Grant that was done 3 or 4 years ago. The city is excited to perhaps obtain some additional dollars for that project from the state. Today, State Representative Tom Patton was at City Hall and had positive things to say to Director Snyder about the request.
- 2) The onetime Capital Transformational Budget that will occur throughout the State of Ohio - This was something that the State Legislature decided to distribute money from the State General Fund in the amount of approximately \$717 million for one-time transformational projects. The City of Rocky River is applying for \$3.75 million for the Fire Station that was built in 1954 & 1955 with minimal renovations and has a lot of needs. The Fire Station needs room to protect personnel and equipment, serve the community, to complete training, and many multijurisdictional things done with the mutual aid partners.

The Mayor announced that this week is the last week of leaf collection although it will still be picked up if placed in yard waste bags.

LAW DEPARTMENT: Director O'Shea echoed what the Mayor reported regarding the Police Department. It was one of those above and beyond scenarios and they should be commended on the extra work they did and the extraordinary result.

COMMITTEE REPORTS: PARKS AND RECREATION COMMISSION: Mr. Furry said the Parks and Recreation Commission met last Thursday with three fees up for approval all of them new programs including:

- A Fall Baseball League – In house
- Cavalittles Basketball Skills Program for Kindergarten thru Grade 2 – no games just skills and drills, 6-8 weeks for 45 minutes
- A Youth Football Clinic springs skills or quarterback skills

The next meeting will be January 11th, 2024.

FINANCE COMMITTEE: President Moran thanked the administration, directors for all the work done in approving and looking at the budget for 2024. Council spent more than 4.5 hours talking to the Directors and Chiefs regarding their outlines for 2024. The projections and

appropriations are set up on that. This ordinance will be voted on later in this meeting.

COMMUNICATIONS FROM COUNCIL: NONE

PUBLIC COMMENT: NONE

PENDING ORDINANCES AND RESOLUTIONS:

**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 is to change the zoning classifications 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 Service Manufacturing to OB-2-Office. This is 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”
REFERRED TO PLANNING**

Mrs. Gallagher stated that this is amending various sections of the Rocky River Codified Ordinance Chapter 1163.09 entitled Office Building District Regulations. This was sent back to the Planning Commission. The Planning Commission will confirm the date at their meeting tomorrow evening for the Public Hearing regarding this ordinance.

**AMENDED ORDINANCE NO. 81-23 BY: JEANNE GALLAGHER
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN
REAL PROPERTIES KNOWN AS AUDITOR’S PERMANENT PARCEL NO. 301-18-
083 FROM ITS PRESENT CLASSIFICATION OF OB-2 OFFICE TO LB LOCAL
BUSINESS, AS FURTHER DESCRIBED IN EXHIBIT “A”
3rd READING**

Mrs. Gallagher said this was explained in the Public Hearing. It is to change the zoning classification of the old Jan Dell property on Detroit from OB-2 to Local Business. There was no comment other than the purchaser of the property at the Public Hearing, so Mrs. Gallagher moved to pass this ordinance, seconded by Mr. Furry.

Vote: Hunt – aye Shepherd – aye Gallagher – aye Furry – aye
 Morris – aye Sindelar – aye Moran - aye

7 ayes

0 nays

PASSED

AMENDED ORDINANCE NO. 95-23

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF ROCKY RIVER, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024

3rd READING

President Moran said there was a great outline for this ordinance and he appreciates all the time spent. This was amended with a couple of additions for the WWTP, Utility Fund, the POPAS sourced appropriations, a slight alignment in the insurance budget, severance compensations and the full year salary for the Planning and Community Development Director that is coming on board. This is a great opportunity for City Council to see the outline of what is moving forward for 2024. President Moran moved for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 102-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MACKAY ENGINEERING AND SURVEYING COMPANY A DIVISION OF WALLACE & PANCHER, INC. FOR PROFESSIONAL CONSULTING AND ENGINEERING SERVICES FOR 2024 AND 2025 AS FURTHER DESCRIBED IN EXHIBIT “A”

3rd READING

Mr. Shepherd said this is a two-year contract with MacKay to provide engineering services as needed at the option of the city. As discussed, MacKay has a strong knowledge of the infrastructure of the city and has done a great job when used in the past. There were no questions, so Mr. Shepherd moved to pass Ordinance No. 102-23, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 103-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH DELTA DENTAL TO PROVIDE DENTAL COVERAGE FOR THE FULL-TIME EMPLOYEES OF THE CITY OF ROCKY RIVER, AS FURTHER DESCRIBED IN EXHIBIT “A”

3rd READING

Mr. Shepherd said that as discussed before, the city is required by the Collective Bargaining Agreements to provide this dental benefit for the organized employees and it is also provided to

the other full-time employees of the city. This policy comes at a rate increase of 2.68% for the first year and no rate increase for the second year of this contract. Mr. Shepherd moved this for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

RESOLUTION NO. 104-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER
DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN
THE OHIO DEPARTMENT OF NATURAL RESOURCES URBAN FORESTRY
GRANT PROGRAM FOR TREE LAWN TREE PLANTING TO IMPROVE THE
CITY’S TREE CANOPY**
3rd READING

Mr. Shepherd said that as discussed, there is no cost to the city to submit this application. The city will get funds out of this to help pay for the trees that are planted. Mr. Shepherd moved to pass this resolution, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 105-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY
SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS
INSURANCE COVERAGES FOR THE CITY OF ROCKY RIVER WITH MCGOWAN
INSURANCE COMPANY, INC. FOR THE YEAR 2024 AT A TOTAL COST OF
\$313,791.00, AS FURTHER DESCRIBED IN EXHIBIT “A”**
3rd READING

Mr. Shepherd said that all three insurance ordinances have been discussed at multiple meetings and the city needs to amend as discussed at the last meeting to add a more expanded active shooter coverage and the other coverages for crime, sewer backup for city buildings, flood and earthquakes. The amended ordinances have the new monetary amounts with the total of all policies is \$449,904.50. Mr. Shepherd moved to amend Ordinance No. 105-23 by substitution seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

AMENDED ORDINANCE NO. 105-23 **BY: JOHN B. SHEPHERD**
**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY
SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS
INSURANCE COVERAGES FOR THE CITY OF ROCKY RIVER WITH MCGOWAN
INSURANCE COMPANY, INC. FOR THE YEAR 2024 AT A TOTAL COST OF**

\$328,287.48, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Shepherd moved this amended ordinance for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 106-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER MUNICIPAL COURT WITH MCGOWAN INSURANCE COMPANY, INC., FOR THE YEAR 2024 AT A TOTAL COST OF \$8,700.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Shepherd moved to amend Ordinance No. 106-23 by substitution, seconded by Mr. Furry. As discussed before the city is expanding coverage slightly and the new amended ordinance will reflect the increase of prices for these changes.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

AMENDED ORDINANCE NO. 106-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER MUNICIPAL COURT WITH MCGOWAN INSURANCE COMPANY, INC., FOR THE YEAR 2024 AT A TOTAL COST OF \$8,958.54, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Shepherd moved for passage, seconded by Mrs. Gallagher.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 107-23

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT WITH MCGOWAN INSURANCE COMPANY, INC., FOR THE YEAR 2024 AT A TOTAL COST OF \$113,226.00, AS FURTHER DESCRIBED IN EXHIBIT "A"

3rd READING

Mr. Shepherd moved to amend Ordinance No. 107-23 by substitution to reflect the increased coverages discussed previously and the increased rate seconded by Mrs. Gallagher, Mrs. Morris and Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

AMENDED ORDINANCE NO. 107-23 **BY: JOHN B. SHEPHERD**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT FOR VARIOUS INSURANCE COVERAGES FOR THE ROCKY RIVER WASTEWATER TREATMENT PLANT WITH MCGOWAN INSURANCE COMPANY, INC., FOR THE YEAR 2024 AT A TOTAL COST OF \$116,510.48, AS FURTHER DESCRIBED IN EXHIBIT “A”
3rd READING

Mr. Shepherd took this opportunity to thank the administration again for putting this out on an RFP and hiring a consultant to help Council wade through these insurance issues. It is greatly appreciated and Council can be confident that the city did the best it could. Mr. Shepherd moved this ordinance for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

RESOLUTION NO. 108-23 **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 2024 THROUGH 2025
2nd READING

Mr. Shepherd said this allows the city to participate in the Ohio Department of Transportation Cooperative Purchasing Program and use the advantages of scale to get lower prices on items. It does not mandate the city to participate. Mr. Shepherd asked if Council has a problems with suspending the three read rule and pass this resolution this evening. Mr. Shepherd moved for a rule’s suspension, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

Mr. Shepherd said there is no cost for this and moved the resolution for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 109-23

BY: JAMES W. MORAN

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE GASOLINE, FUEL OIL AND ALLIED PRODUCTS ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2024 TO DECEMBER 31, 2024

2nd READING

Mr. Moran said that in 2022 the city saved approximately 7%, about 21 cents a gallon by purchasing on the open market. In 2023, the savings were not as high but this is a way the city can save an additional \$15,000 a year by buying gasoline on the open market. Mr. Moran said this has been read twice with no questions. This has been done for several years. Mr. Moran moved to suspend the three-read rule and pass this on two reads, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

Mr. Moran moved for passage Ordinance No. 109-23, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 110-23

BY: JAMES W. MORAN

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE TIRES ON THE OPEN MARKET AT THE BEST PRICES POSSIBLE FOR THE PERIOD JANUARY 1, 2024 TO DECEMBER 31, 2024

2nd READING

Mr. Moran said this is similar to 109-23, the city receives two or three quotes from the lead mechanic Frank Sinito who shops prices before making a purchase. The city has the opportunity to use the State bid if needed, but usually finds the city saves money by purchasing on the open market. Mr. Moran moved to suspend the three-read rule and pass this on two reads, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

Mr. Moran moved Ordinance No. 110-23 for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 111-23

BY: JOHN B. SHEPHERD

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PUBLIC

HEALTH SERVICES AGREEMENT FOR 2024 AND 2025 WITH THE CUYAHOGA COUNTY BOARD OF HEALTH FOR SERVICES TO THE CITY OF ROCKY RIVER AS FURTHER DESCRIBED IN EXHIBIT "A"

2nd READING

Mr. Shepherd asked if Council would approve a rule suspension on this ordinance. This ordinance allows the city to enter a two-year contract with the Cuyahoga County Board of Health to comply with the State requirement to be part of a Health District. Mr. Shepherd moved to suspend the three-read rule, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

Mr. Shepherd moved for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 112-23

BY: THOMAS J. HUNT

AN ORDINANCE REVISING THE ROCKY RIVER CODIFIED ORDINANCES BY ENACTING SECTION 1195.12 TO ADDRESS THE PROVISIONS OF RECENTLY PASSED STATE ISSUE 2 (CHAPTER 3780 OF THE OHIO REVISED CODE) REGARDING ADULT USE CANNIBUS PROCESSING, DISPENSING, LABORATORIES, CULTIVATION AREAS AND CULTIVATION FACILITIES, PURSUANT TO THE AUTHORITY SET FORTH IN OHIO REVISED CODE SECTION 3780.25 (LOCAL AUTHORITY REGARDING ADULT USE OPERATORS) AND DECLARING AN EMERGENCY

1st READING

Mr. Hunt thanked Law Director O’Shea for his timely and thorough work on getting these ordinances ready for reading this evening. On November 7th, Issue 2 was passed regarding recreational use of cannabis in the State of Ohio and the pertinent regulation was codified in Ohio Revised Code Chapter 3780. Ohio Revised Code Chapter 3780.25 specifically allows a municipal corporation to adopt an ordinance to prohibit the use of cannabis operators in the municipality. That is what this ordinance is about. The city is not affecting recreational use, home grown or any provisions that were put in place and enacted in Ohio Revised Code Chapter 3780. What the city is doing is prohibiting the operation of what is defined as an adult use cannabis operator, which are cultivators and dispensary uses. Essentially commercial businesses in the city at this point prohibit based upon the fact that this law went into effect on December 7th. Mr. Hunt would like to seek a rules suspension. As there were no questions, Mr. Hunt moved for the three read rule suspension, seconded by Mr. Furry.

- Mr. Shepherd said that he will vote in favor of this, and he thinks it is important to have something in place so it is not a race to see if someone can file before the city is ready for it. On these types of things, the time is not there to do three reads, but he would much prefer to see three reads and as much public discussion as possible. He will support it, but he wants it to be known that the community has a right to come to Council if someone has different thoughts and wants Council to hear it, they can approach Council after January 1st and it could be revisited at some point in the future. Mr. Hunt said that it is a great point, and Rocky River City Council does not use rules suspension often, but what Mr. Shepherd said is a valid concern and Council is cognizant of that and does not do it often. This tends to be an issue that is certainly of a timely nature.
- Mr. O’Shea added that for people to obtain medical marijuana, the City of Lakewood has two established facilities so anyone needing it will only have a five-minute drive.
- Mr. Moran said the point being, Council has made a strong effort with the administration to make sure that items are read three times and Council does take it very seriously when rules are suspended. Tonight, there have been a lot of rules suspended at the end of the year, so that everything is in place prior to January 1st and Mr. Moran hopes Council is speaking for the citizens of Rocky River.

Mr. Hunt said this is absolutely something the administration and Council joins in voting in the affirmative that preserves public health and safety of the residents.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

Mr. Hunt said that this will enact as a stand-alone provision in the code, Section 1195.12, addressing the adult use, cultivators in the City of Rocky River. Mr. Hunt moved for passage of this ordinance, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

ORDINANCE NO. 113-23 **BY: THOMAS J. HUNT**
AN ORDINANCE REVISING ROCKY RIVER CODIFIED ORDINANCE SECTION 1123.02 CONCERNING USES AND DEFINITIONS TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MARIJUANA FOR THE PURPOSE OF ADULT USE IN ALL ZONING DISTRICTS OF THE CITY OF ROCKY RIVER AND DECLARE AN EMERGENCY
1st READING

Mr. Hunt said this is a companion ordinance to Ordinance No. 112-23. Council may remember that in 2016 this body passed Ordinance No. 39-16 which revised the Codified Ordinances, specifically Section 1123.02 to prohibit cultivation and dispensaries for medical use. This is something that has been on the Code for seven years now, based upon the new law the city wants to similarly address that enacted section 1123.02 by reflecting the additional terms of prohibition

mirroring what was just done in Ordinance No. 112-23. This is a different section based on the Development Code where this was placed in 2016. It is not doing anything different other than prohibition in the Development Code and adding the additional language. As previously discussed, based upon the timing and Councilman Shepherd’s astute note that Council does not take rules suspension lightly. Again, Mr. Hunt feels this is timely and warranted in this situation to seek a rules suspension. Mr. Hunt moved for a three read rule suspension, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

Mr. Hunt asked if there were any comments or questions. If not, Mr. Hunt moved for passage, seconded by Mr. Furry.

Vote: Hunt – aye	Shepherd – aye	Gallagher – aye	Furry – aye
Morris – aye	Sindelar – aye	Moran - aye	
7 ayes		0 nays	PASSED

MISCELLANEOUS BUSINESS: President Moran said that in 2007 John Shepherd ran for the position of Council for Ward 4. He has truly been a public servant for this entire community. John has been a steward of the Contract Committee for many years with his law background and his keen eye in preparation of ordinances has assisted Council in reviewing these documents that he has represented over the years. He has been committed to his responsibility and duty to the residents of his ward and the residents of the entire city. President Moran thanked John for everything he has done in your roll and responsibility. Mr. Moran thinks that the residents and administration has appreciated all that he has done. His 16 years on Council will not be forgotten. You have truly made a difference. Thank you for all you’ve done. Mr. Shepherd thanked Council President. Mr. Moran gave Mr. Shepherd a gift, a cookie jar with the city’s emblem etched with John’s name, Rocky River City Council, and his years of service 2007 – 2023.

Mr. Shepherd said it has been a pleasure to serve with Mr. Moran. Mr. Moran’s leadership, the amount of work you put into this as Council President is tremendous. You went beyond the call, you run good meetings, the budget process you have structured so it is meaningful, it has structure and it is a different creature from when we started. You have done a great job, and as we have talked about, we are still going to golf together and will still be friends. Mr. Moran thanked Mr. Shepherd.

Mr. Hunt said that members of Council have something for both Mr. Shepherd and Mr. Moran. You both have led by example. Council President, your consistent commitment to this community for 18 years is unbelievable. You were such a great mentor to Mr. Hunt when he was appointed and more importantly, it has been a pleasure to serve with both of you, but it has been just as great to become great friends. Mr. Hunt said the community was well served. You both have done a fantastic job. You will be missed, but he knows he will be seeing you. You both have a great level of dedication and expertise. Thank you both for your service. Mr. Hunt presented Mr. Shepherd and President Moran gifts.

Mr. Furry said that he and Mr. Shepherd rolled on at the same time, Mr. Moran was already here. The mentorship will be missing a lot of talent, a lot of leadership next term so we will all have to step up our game a little. We have some big shoes to fill. Thank you for your service and your service to the community and your passion for the community.

Mr. O'Shea said that when he first became Law Director, he probably called Mr. Shepherd daily regarding legislation, how to read it, how to entangle it up with the contracts being reviewed and he could not have done it without his help. He will miss you, but he knows he will see him around. Mr. President, it goes all the way back to Little League and umpiring. The way you handled those parents from time to time, which was a special skill that not many people have, was amazing to him and his family back then and it obviously transcends all the way up to your position with City Council. Thank God you were here when you were here. We will be seeing you again and he looks forward to it.

Mrs. Gallagher thanked both Mr. Moran and Mr. Shepherd for their guidance, help and mentorship to her as well in the two years she has been here. Thank you.

Mr. Snyder said on behalf of the administration and directors, Council President Moran and Councilman Shepherd, you have acted as the voice of your wards and as one of the directors who has taken your guidance and used that to help implement projects and initiatives within this community, he really appreciates every bit of help that both of you have provided to him and the other directors to help them really serve this community to the best of their ability. It was through your input that we can do our jobs at a higher level on a daily basis. He truly does appreciate that.

Mr. Shepherd said it has been kind of an easy job in a lot of ways because of the leadership, the Mayor and the directors. You do such a good job that things are almost always done right. In this world there will always be negativity, there is not one right path with fifty different opinions on the right way to go, but it has always been done professionally. The homework is always done and it makes Council's job extremely easy. He thanks you for that. Mr. Shepherd also thanked his fellow councilman for what they have put into it and it has been an honor to work with all of you. Mr. Shepherd read: "But now I must strike a match and start anew and embrace this promotion from public servant to sovereign citizen." He said it does not feel good to lose, but there is a burden to this job as public service, you all are going to feel and it does not feel bad to ease away from it either.

The Mayor said she hopes they both think about the impact that they had on this community. That is what you need to think about is that sovereign citizen, John. The Mayor has a big place in her heart for City Council because that is where she started her public service. The administration tries to understand what Council needs to do their job. Our goal is always to support you. In turn, Council has always been so supportive. Council asks the right questions and does not play games with the administration. We hear and see other communities where projects can't get done because contracts can't get awarded and that has never happened here in

Rocky River. This Council is so highly engaged and the amount of institutionalized knowledge is invaluable and we will continue with that. The two branches of government need to work closely together to achieve things for the residents. Two-year terms have served this community extremely well. While it is sad to say goodbye, we were all focused together for two years with a lot of success. She greatly appreciates your support and the insight in your Wards. She thinks you all know that the Mayor thinks of Jim as her brother, he's always there. That was the relationship that they built and she hopes it continues. She knows it will. This work together, we are all servants and understand that servant leadership binds us to each other that is difficult to explain. John and I have spent a lot of time together involving all different things, some fun and some serious. It was an absolute pleasure. The Mayor has a few things for Jim and John.

Their leadership has been recognized everywhere. The Mayor presented several proclamations regarding service by President Moran and signed by all of us with thanks and gratitude to you for your leadership and a wish for continued success in the future. There was a proclamation from the Governor of the State of Ohio thanking Mr. Moran for your leadership and service and the tremendous work you have done strengthening our community, signed by Mike DeWine and the Lieutenant Governor John Husted. The next one is presented by the President of the Ohio Senate along with our senator, Matt Dolan providing special recognition from the 135th General Assembly of the State of Ohio; this is on behalf of the 135th General Assembly from Representative Tom Patton of the 17th District acknowledging and thanking you for your unwavering commitment to our community. Of course, the County Executive Chris Ronayne thanked you for your leadership with a letter of special recognition from County Councilman Kelly. Councilman Max Miller wants to acknowledge both of you and your service to our community. The Mayor then joined John at his desk to present his accolades from the various offices.

The Mayor spoke to Kathy Moran and their entire beautiful family saying you have shared Jim so generously with this community, there is no way we could ever thank you for your generosity and commitment to the community through Jim. Thank you so much.

PUBLIC COMMENT: Dr. Gary Previts, 3420 Bradfords Gate, commended these two Council representatives. From someone who has been coming to Council meetings since 1979, long before these men were members and when Earl Martin was Mayor and dealing with the rezoning of Pinzone Towers, as a member of Charter Review twice and serving on the Tax Review Board, Dr. Previts said it was important to hear what was said tonight to each other. It is extremely important to get a sense of accomplishment, with the rankings of this community like Cleveland Magazine, which are very competitive evaluations and you as a responsible group have given the city a great deal to be proud of. As acknowledged with the Chief in the audience the safety and protection of this community is very important. Dr. Previts has learned when you make these comments of gratitude and appreciation, be sincere, be brief and be seated.

Mr. Sandy Stiassni, 12900 Lake Avenue, Lakewood, OH, distributed an article on "Why I Love Lakewood" from the Lakewood Observer. The author writes about why he loves Lakewood. Mr. Stiassni met a family from Rocky River that moved here for economic

advancement and freedom. Their children achieve with a great opportunity to excel. This is a strong story of family in Rocky River. He observes that Council fully believes in the city and opportunities for all people. Perhaps it is time to change outdated perceptions that River is only inhabited by well to do Caucasians. It is hard to break stereotypes. As Mayor and Councilmembers, he hopes you all do all you can to tell many different Rocky River stories. The story of Rocky River he wants to tell is “ I love Rocky River and want to live in Rocky River forever.”

President Moran also wanted to thank City Council for all the support given to him for the last 18 years, for 16 years as Council President. It has truly been an honor to serve you and the residents of Rocky River as a public servant. Mr. Moran has served with over 20 different council members and with three different Service Directors and many other chiefs, directors, and commissioners over that time. He has only served with one Finance Director and he has helped Mr. Moran understand the budget as Chair of the Finance Committee. We have made some changes to the outline of review and he has helped all of Council along with the administration and kept us all on track. Thank you, Michael Thomas. Rich Snyder, you are committed to the city and thank you for your hard work. You never stop.

Mayor, it truly has been a pleasure working with you. I don't need to say any more. The residents are blessed to have you directing the city. Thank you for your support along with Mary Ellen Umerley for all your commitment. No wonder Rocky River has the best rating of all communities in Cleveland Magazine. It is because of all you do for everyone.

How lucky I am to have a person who really does a spectacular job. I had the opportunity to ask Sue Pease to be the Clerk of Council over ten years ago and I have had the support of the best Council Clerk anyone could have. Sue, you are the best and this Council knows that. Thanks for all you do for me, for all Council members and for all the residents.

But last, I want to say thanks to the person who supports me the most and has put up with a lot over the last 18 years. That is my wife, Kathy. She has put up with the meetings and time spent with many residents and officials. The campaigning, the events and all she has done that most people do not see. Thank you for being there and for all your support. I could never have done this without you.

Thank you all and I hope to see you around the City of Rocky River. Merry Christmas and Happy New Year to everyone.

Mr. Moran said that since there was no further business by members of Council, the meeting was adjourned at 8:19 p.m. The next meeting will be a Legislative Meeting on Monday, January 8, 2024.

James W. Moran
President of Council

Susan G. Pease
Clerk of Council