CITY COUNCIL MEETING AGENDA  
SEPTEMBER 24, 2019

PLEDGE ALLEGIANCE TO THE FLAG

TIME: __________
ROLL CALL: ALEXANDER, HENRY, HURST, KUMIN, LENTINE, LEWIS, URSU

PRESENT: ______ ABSENT: ______

Motion was made by _______ seconded by ______ to excuse ___________

ROLL CALL: ALEXANDER, HENRY, HURST, KUMIN, LENTINE, LEWIS, URSU

CONSENT AGENDA
All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion, which motion suspends the Council’s rules requiring three separate readings of legislation, and there will be no separate discussion of these items when so adopted. If any Councilperson desires discussion, the particular item will be removed from the Consent Agenda and will be considered separately by Council with full discussion and individual action therein.

1. Minutes of the City Council Meeting from September 10, 2019.

MOTION

Motion was made by _______ seconded by _______ to accept the Consent Agenda as submitted.
REPORTS:

Mayor David H. Roche:

Fire Chief, Marc Neumann:

Police Chief, Thomas Wetzel:

Building Commissioner, Jim Urankar:

Finance Director, Jim Teknipp:

Recreation Director, Rick Dula:

Economic Development Director, Brian Gleisser:

City Engineer, Lee Courtney:

Service Director, Donald Kerniskey:

Audience:
OLD BUSINESS:

ORDINANCE NO.: 87-2019, INTRODUCED BY LENTINE, SECOND READING, AS AMENDED 9/24/19
AN ORDINANCE AMENDING VARIOUS SECTIONS OF PART THREE, “TRAFFIC CODE” TO INCREASE AND TO SPECIFY PENALTIES FOR VIOLATIONS THEREOF AND DECLARING AN EMERGENCY.

SUSPENSION: ___________  ___________
PASSAGE: ___________  ___________
KEPT ON: ___________ READING IN ___________ COMMITTEE

NEW BUSINESS:

RESOLUTION NO.: 89-2019, INTRODUCED BY MAYOR ROCHE, FIRST READING
A RESOLUTION AUTHORIZING THE SALE OF UNNEEDED VEHICLES AND OTHER SPECIFIC PERSONAL PROPERTY OF THE CITY OF RICHMOND HEIGHTS THROUGH AN INTERNET AUCTION BY GOVDEAL.COM, INC.; AND DECLARING AN EMERGENCY.

SUSPENSION: ___________  ___________
PASSAGE: ___________  ___________
KEPT ON: ___________ READING IN ___________ COMMITTEE

RESOLUTION NO.: 90-2019, INTRODUCED BY MAYOR & COUNCIL, FIRST READING
A RESOLUTION ACCEPTING AN “ASSISTANCE TO FIREFIGHTERS GRANT” FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND AUTHORIZING THE PAYMENT OF MATCHING FUNDS FROM THE CITY.

SUSPENSION: ___________  ___________
PASSAGE: ___________  ___________
KEPT ON: ___________ READING IN ___________ COMMITTEE

RESOLUTION NO.: 91-2019, INTRODUCED BY URSU, FIRST READING
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER; AND DECLARING AN EMERGENCY.

SUSPENSION: ___________  ___________
PASSAGE: ___________  ___________
KEPT ON: ___________ READING IN ___________ COMMITTEE
RESOLUTION NO.: 92-2019, INTRODUCED BY MAYOR ROCHE, FIRST READING
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS
WITH PC ALTERNATIVES, LLC FOR SERVICES RELATED TO THE
INSTALLATION AND IMPLEMENTATION OF NEW PERSONAL COMPUTERS
FOR CITY STAFF AND TO PURCHASE THE HARDWARE AND SOFTWARE
FOR THE NEW PERSONAL COMPUTERS.

SUSPENSION: ___________ ___________
PASSENGE: ___________ ___________
KEPT ON: ___________ READING IN ___________ COMMITTEE

ADDITIONS:

CORRESPONDENCE:

ADJOURNMENT:
MOTION WAS MADE BY __________ SECONDED BY __________ TO ADJOURN
THIS SEPTEMBER 24, 2019 CITY COUNCIL MEETING AT __________ P.M.
ORDINANCE NO.: 87-2019 (Revised 9/24/19)
INTRODUCED BY: Lentine

AN ORDINANCE AMENDING VARIOUS SECTIONS OF PART THREE, “TRAFFIC CODE” TO INCREASE AND TO SPECIFY PENALTIES FOR VIOLATIONS THEREOF AND DECLARING AN EMERGENCY.

WHEREAS, the City of Richmond Heights has established a Traffic Code for the enforcement of vehicular offenses within its borders, pursuant to the authority granted by the Ohio Constitution and the Ohio Revised Code;

WHEREAS, the City desires to establish uniform penalties for violations of the Traffic Code, in the interest of public safety, enforcement and consistency of law;

WHEREAS, this Council determines that the proposed amendments should be adopted as furthering the public safety, necessity and general welfare.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. Each of the following subdivisions of Title Five, “Vehicles”, of Part Three, “Traffic Code”, are hereby amended to hereafter provide, “Whoever violates this section is guilty of a second degree misdemeanor”:

331.01, titled “Driving upon the right side of the roadway; exceptions”, subdivision (d)
331.02, titled “Passing to the right when proceeding in opposite directions”, subdivision (b)
331.03, titled “Overtaking, passing to left; driver's duties”, subdivision (b)
331.04, titled “Overtaking and passing upon right”, subdivision (c)
331.05, titled “Overtaking, passing to left of center”, subdivision (b)
331.06, titled “Additional restriction on driving upon left side of roadway”, subdivision (c)
331.07, titled “Hazardous or no passing zones”, subdivision (c)
331.08, titled “Driving in marked lanes or continuous lines of traffic”, subdivision (b)
331.09, titled “Following too closely”, subdivision (b)
331.10, titled “Turning at intersections”, subdivision (b)
331.11, titled “Turning into private driveway, alley or building”, subdivision (d)
331.12, titled “‘U’ turns restricted”, subdivision (d)
331.13, titled “Starting and backing vehicles”, subdivision (b)
331.14, titled “Signals before changing course, turning or stopping”, subdivision (b)
331.15, titled “Hand and arm signals”, subdivision (c)
331.16, titled “Right of way at intersections”, subdivision (d)
331.17, titled “Right of way when turning left”, subdivision (b)
331.18, titled “Operation of vehicle at yield signs”, subdivision (b)
331.19, titled “Operation of vehicle at stop signs”, subdivision (b)
331.20, titled “Emergency or public safety vehicles at stop signals or signs”, subdivision (b)
331.21, titled “Right of way of public safety or coroner’s vehicle”, subdivision (d)
331.22, titled “Driving onto roadway from place other than roadway: duty to yield”, subdivision (b)
331.23, titled “Driving onto roadway from place other than roadway: stopping at sidewalk”, subdivision (b)
331.24, titled “Right of way of funeral procession”, subdivision (d)
331.25, titled “Driver's view and control to be unobstructed by load or persons”, subdivision (c)
331.26, titled “Driving upon street posted as closed for repair”, subdivision (b)
331.27, titled “Following and parking near emergency or safety vehicles”, subdivision (b)
331.28, titled “Driving over fire hose”, subdivision (b)
331.29, titled “Driving through safety zone”, subdivision (b)
331.30, titled “One-way streets and rotary traffic islands”, subdivision (b)
331.31, titled “Driving upon divided roadways”, subdivision (b)
331.32, titled “Entering and exiting controlled-access highway”, subdivision (b)
331.33, titled “Obstructing intersection, crosswalk or grade crossing”, subdivision (b)
331.34, titled “Failure to control; weaving; full time and attention”, subdivision (b)
331.35, titled “Occupying a moving trailer or manufactured or mobile home”, subdivision (b)
331.36, titled “Squealing tires, “peeling”, cracking exhaust noises”, subdivision (b)
331.37, titled “Driving upon sidewalks, street lawns or curbs”, subdivision (c)
331.39, titled “Driving across grade crossing”, subdivision (c)
331.40, titled “Stopping at grade crossing”, subdivision (b)(2)
331.41, titled “Littering from motor vehicle”, subdivision (d)
331.42, titled “Wearing earplugs or earphones prohibited”, subdivision (c)
331.43, titled “Vehicular operation on street closed due to rise in water level”, subdivision (c)(1)
333.02, titled “Operation in willful or wanton disregard of safety”, subdivision (c)
333.04, titled “Stopping vehicle; slow speed; posted minimum speeds”, subdivision (d)(1)
333.05, titled “Speed limitations over bridges”, subdivision (c)
333.08, titled “Operation without reasonable control”, subdivision (b)
333.10, titled “Full time and attention”, subdivision (b)
333.12, titled “Texting while driving prohibited”, subdivision (d)
335.01, titled “Driver’s license or commercial driver’s license required”, subdivision (c)(2)
335.021, titled “Ohio driver’s license required for in state residents”, subdivision (b)(1)
335.03, titled “Driving with temporary instruction permit; curfew”, subdivision (d)
335.031, titled “Driving with probationary license; curfew”, subdivision (h)
335.09, titled “Display of license plates”, subdivision (c)
335.10, titled “Expired or unlawful license plates”, subdivision (f)
335.11, titled “Use of illegal license plates; transfer of registration”, subdivision (b)(1)
337.01, titled “Driving unsafe vehicles”, subdivision (d)
337.02, titled “Lighted lights; measurement of distances and heights”, subdivision (e)
337.03, titled “Headlights on motor vehicles and motorcycles”, subdivision (c)
337.04, titled “Tail light; illumination of rear license plate”, subdivision (c)
337.05, titled, “Rear red reflectors”, subdivision (b)
337.07, titled “Obscured lights on vehicles in combination”, subdivision (b)
337.08, titled “Red light or red flag on extended loads”, subdivision (b)
337.09, titled “Lights on parked or stopped vehicles”, subdivision (b)
337.10, titled “Lights on slow-moving vehicles; emblem required”, subdivision (j)
337.11, titled “Spotlight and auxiliary lights”, subdivision (c)
SECTION 2. The currently existing subdivisions of Title Five, “Vehicles”, of Part Three, “Traffic Code”, of the Codified Ordinances of the City of Richmond Heights listed in Section 1 of this Ordinance are hereby repealed.

SECTION 3. Existing Chapter 303.99, titled “General Traffic Control Code Penalties”, at subdivision (a), of the Codified Ordinances of the City of Richmond Heights is amended as follows:
“303.99 GENERAL TRAFFIC CODE PENALTIES.

(a) General Misdemeanor Classifications. Whoever violates any provision of this Traffic Code for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor of the first degree.”

SECTION 4. Existing subdivision (a) of Section 303.99 of the Codified Ordinances of the City of Richmond Heights is hereby repealed.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and general welfare, such necessity existing by reason of the fact that the foregoing amendment to the Codified Ordinances must be adopted immediately so as to facilitate the administration and enforcement of the City’s traffic laws and daily operations; wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: ____________________________
David H. Roche, Mayor

APPROVED: ____________________________

ATTEST: ____________________________
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council
RESOLUTION NO.: 89-2019
INTRODUCED BY: Mayor Roche

A RESOLUTION AUTHORIZING THE SALE OF UNNEEDED VEHICLES AND OTHER SPECIFIC PERSONAL PROPERTY OF THE CITY OF RICHMOND HEIGHTS THROUGH AN INTERNET AUCTION BY GOVDEAL.COM, INC.; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code §721.15 authorizes this Council to adopt a resolution to authorize the sale by internet auction of personal property owned by the City, including motor vehicles, and other personal property equipment referenced in §721.15 which are no longer needed for public use or obsolete or unfit for the use for which they were acquired and Council adopted Resolution No. 28-2019 to authorized internet auction sales during 2019 as required by R.C. 721.15;

WHEREAS, the Division of Police has requested to sell vehicles and personal property items that are unneeded, obsolete and unfit for the use for which they were acquired through an internet auction to be administered by GovDeals.com, Inc.;

WHEREAS, at this time, this Council also wishes to authorized the sale of the vehicles and items of personal property of the City that are listed in Exhibit A to this Resolution which this Council finds are not needed for public use, or are obsolete or unfit for the use for which they were acquired.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The vehicles and items of personal property listed in Exhibit A to this Resolution are hereby determined to be not needed for public use, and/or are obsolete or unfit for the use for which it was acquired and may be sold by the internet auction procedure by GovDeals.com, Inc.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that it is immediately necessary to allow for the sale of unneeded City equipment at the earliest possible time; therefore, provided this Resolution receives the affirmative vote of five members of the Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: ____________________________

APPROVED: _________________________
David H. Roche, Mayor

ATTEST: ____________________________
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council
EXHIBIT A

GOVDEALS SALE ITEMS

The following is a list of items that have been seized, forfeited, confiscated or otherwise turned over to the Richmond Heights Division of Police. These items have been properly documented to the Lyndhurst Municipal Court for disposal in a Court Order related to Ohio
Revised Code Section

3
RESOLUTION NO.: 90 -2019
INTRODUCED BY: Mayor and All of Council

A RESOLUTION ACCEPTING AN “ASSISTANCE TO FIREFIGHTERS GRANT” FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND AUTHORIZING THE PAYMENT OF MATCHING FUNDS FROM THE CITY.

WHEREAS, through the efforts of the Division of Fire, particularly through the efforts of Lieutenant Jason Buss, the City has been awarded a U.S. Department of Homeland Security “Assistance to Firefighters Grant” in the amount of $49,700.00 for the purpose of purchasing extrication tools and equipment designed to perform vehicle/machine rescues by the Division of Fire personnel;

WHEREAS, the grant requires a five percent (5%) match by the City which will total $2,366.67 of the $49,700.00;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor is authorized to accept the Grant set forth in the preamble to this Resolution on behalf of the City and is authorized to take all actions necessary to assure that the U.S. Department of Homeland Security is paid the five percent (5%) match of $2,366.67 required for this Grant.

Section 2: If necessary, the Director of Finance is directed to appropriate to a proper account the amount of $2,366.67 as the required match to accept the within Grant.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _________________________  _________________________________
David H. Roche, Mayor

APPROVED: ______________________

ATTEST: __________________________  ________________________________
Betsy Traben     Eloise Cotton-Henry
Clerk of Council    President of Council
RESOLUTION NO.: 91 -2019
INTRODUCED BY: Ursu

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER; AND DECLARING AN EMERGENCY.

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted alternative tax budget information for the next succeeding fiscal year commencing January 1, 2020; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio has certified its action thereon to this Council, together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten-mill tax limitation.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The amounts and rates, as determined by the Budget Commission in its certification, are hereby accepted.

Section 2: There is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Inside 10 Mill Limit</th>
<th>Outside 10 Mill Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>0.20</td>
<td>4.50</td>
</tr>
<tr>
<td>General Bond Retirement Fund</td>
<td>2.00</td>
<td>1.20</td>
</tr>
<tr>
<td>Fire Levy</td>
<td>-</td>
<td>8.70</td>
</tr>
<tr>
<td>Fire Pension Fund</td>
<td>0.30</td>
<td>0.60</td>
</tr>
<tr>
<td>Police Pension Fund</td>
<td>0.30</td>
<td>0.50</td>
</tr>
<tr>
<td>Recreation Fund</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Park Fund</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| Total            | 2.80                 | 15.50                 |

Section 3: The Clerk of this Council is authorized and directed to certify and forward a copy of this Resolution to the Fiscal Officer of Cuyahoga County.

Section 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City in that the City must file this Resolution with the County Fiscal Office at the earliest possible time to continue to receive the appropriate tax revenues necessary to operate the municipal government. Wherefore,
this Ordinance shall take effect and be in force effective immediately, after its passage by Council and signature of the Mayor.

PASSED: _______________________________ _______________________________

David H. Roche, Mayor

APPROVED: _______________________________

ATTEST: _______________________________ _______________________________

Betsy Traben Eloise Cotton-Henry
Clerk of Council President of Council
RESOLUTION NO.: 92 -2019
INTRODUCED BY: Mayor Roche

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS WITH PC ALTERNATIVES, LLC FOR SERVICES RELATED TO THE INSTALLATION AND IMPLEMENTATION OF NEW PERSONAL COMPUTERS FOR CITY STAFF AND TO PURCHASE THE HARDWARE AND SOFTWARE FOR THE NEW PERSONAL COMPUTERS.

WHEREAS, the Mayor and the Department of Finance have obtained a quote from PC Alternatives, LLC for the services necessary to install and implement new personal computers for City staff use in the amount of $12,000 and quotes for the purchase of both the hardware and software for the new upgraded personal computers of approximately $16,000;

WHEREAS, the City administration has discussed the need for upgraded and more efficient personal computers for City staff over the past months.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor is authorized to enter into a contract with PC Alternatives, LLC for services related to the installation and implementation of new upgraded personal computers for City staff use in an amount not to exceed $12,000.00.

Section 2: The Mayor is authorized to enter into an agreement with a responsible vendor to purchase both the hardware and software for new personal computers for use by City staff in an amount not to exceed $16,000.00.

Section 2: If necessary, the Director of Finance is authorized and directed to appropriate to a proper account a sum sufficient to cover the cost of the purchase referred to in Section 1 above.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: ___________________________________________  David H. Roche, Mayor

APPROVED: __________________________________________

ATTEST: _____________________________________________

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council