

REGULAR SESSION

February 8, 2018

The Council of the City of Chardon met in Regular Session Thursday, February 8, 2018 at 6:30 P.M. in Council Chambers of the Chardon Municipal Center.

Jeffrey Smock, President of Council presiding.

The meeting opened with the pledge of allegiance and roll call.

Members of Council present: Andrew Blackley, Deborah Chuha, Chris Grau, David Lelko, Nancy McArthur, Daniel Meleski, Jeffrey Smock.

Members of Council absent: none.

City Manager Randy Sharpe, Finance Director Mate Rogonjic, Clerk of Council Amy Day, Law Director James Gillette, Police Chief Scott Niehus, City Engineer Doug Courtney, Planning and Zoning Administrator Steve Yaney, Public Service Director Paul Hornyak, Joe Koziol, Carrie Chuha, Amy Patterson, Bill Hess, Payten Hanas, Dave Dillon, Phil Smith, Stephen Bohm.

APPROVAL OF MINUTES

Mrs. McArthur moved and Mr. Meleski seconded to approve the minutes of the January 11, 2018 Public Hearing and January 11, 2018 Regular Session.

Members of Council made various amendments to the Regular Session minutes.

No member of Council had any objection to the amendments.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Mr. Sharpe reported on the final costs for the 2017 street improvements project.

Mr. Sharpe reported on the status of disbursement of bicentennial ornaments and prints to local non-profit organizations.

Mr. Sharpe reported that the City's grant request for Mel Harder Park Phase II has been submitted to the State for review.

Mr. Sharpe reported that the Geauga Lyric Theater Guild received a \$200,000 Ohio Facilities Commission Grant and will be requesting Council approval for proposed theater renovations once the project scope and budget have been completed.

Mr. Sharpe reported that he received a request from CCAT to use the parking lot at 106 Water Street during the 2018 Maple Festival as a fundraiser.

No member of Council had any objection to allowing CCAT to use parking lot at 106 Water Street during the 2018 Maple Festival.

Mr. Sharpe reported that the City is in the process of hiring a mechanic to replace Alek Allen who resigned on February 5, 2018.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and approved a request from Solon Manufacturing to allow a sign deviation for two directional signs at the entrances of their property.

Mr. Blackley reported that Planning Commission discussed an agri-tourism text amendment with City Consultant David Hartt which would go into an effect if a concept plan is submitted to the City.

COUNCIL COMMITTEE REPORTS

Safety Committee

Mr. Grau reported that the Committee discussed traffic concerns on South Hambden Street relative to speed and the volume of truck traffic. After reviewing traffic counts and other information provided from City staff, the Committee concluded that the current 35 MPH speed limit is reasonable according to ODOT's standards. In reviewing the truck traffic volumes on South Hambden Street, the Committee requested an inventory of truck traffic signs throughout the City in order to consider what additional "no thru trucks" signs may be needed on local streets.

Mr. Grau added that the Committee also discussed the installation of stop signs on South Hambden Street at Grant Street. The current pedestrian traffic on South Hambden Street does not warrant stop signs; however, with the future installation of sidewalks to Mel Harder Park, some stop signs may be needed in the future.

Mr. Blackley provided additional details regarding ODOT's criteria necessary to change the posted speed limit and to add stop signs.

Discussion occurred regarding proper signage placement to designate state routes and to give truck drivers sufficient warning that they need to take the state routes.

Mr. Grau stated that the Committee heard a request from the Police Chief for the addition of a police sergeant in order to cover gaps in coverage which the Committee concurred with.

Chief Niehus added that a second sergeant will spread out the sergeant's duties and allow the sergeant to be more available in the field.

Mr. Sharpe stated that the position has been included in the budget.

Mr. Grau moved and Mr. Blackley seconded to authorize the City Manager to proceed with the testing of an existing patrolman as an additional police sergeant and delete a patrolman position. Upon roll call vote the motion passed unanimously.

Service Committee

Mr. Blackley reported that the Committee met and heard reports from staff on the status of road projects and the purchase of a new 8-ton dump truck.

Mr. Blackley reported that the Committee discussed the Square Sidewalk Project.

Mr. Blackley reported that the Committee also discussed the financing of infill sidewalks and suggested that a meeting of all of Council should be held to come to a consensus about the percentage of costs that residents should be responsible for.

Mayor Smock stated that the topic has been added to the February 22, 2018 Special Session agenda.

Mr. Blackley reported that the Service Committee received an update on the replacement of cemetery fence and reviewed a cemetery planting plan.

Mr. Blackley reported that the Committee discussed a NOPEC grant the City received for an LED street light replacement program.

Mr. Sharpe reported that the City received a \$20,636 grant for the next three years to be used for LED street light replacement. He stated that 680 lights are left to be changed to LED and over the next three (3) years, the grant and the City's street lighting assessment will switch out 50% of those lights. The amount the City would be spending is \$18,494 annually from the street lighting assessment. First Energy has estimated that savings would be approximately \$54,000 if all 680 lights are changed to LED.

Mr. Blackley noted that the conversion will not require any increase in the street lighting assessment and none of the costs are coming from the General Fund.

Dave Dillon, representing First Energy stated that benefits of LED street lights include cost savings, longer life and better light quality.

Mr. Blackley moved and Mrs. Chuha seconded to direct the Law Director to prepare legislation to accept the NOPEC energized community grant for LED street lighting replacement. Upon roll call vote the motion passed unanimously.

Mr. Blackley reported that staff is reviewing construction standards for the City and a policy on roadside drainage systems.

Mr. Lelko inquired about the location of the proposed sidewalk for the Square.

Mr. Courtney stated that the proposed sidewalk is away from the curb which would leave space between the curb and sidewalk; however, he is also investigating the cost of having a wider sidewalk that reaches the curb.

Mr. Lelko stated that he would like to begin investigating what can be done with the strip between the sidewalk and the street in case there can be some cost savings by doing it all at once.

Mr. Blackley asked that the preliminary concept plan for the Square sidewalk be provided to the rest of Council.

HEARING OF PERSONS BEFORE COUNCIL

Phil Smith, representing Maple Grove Residential LLC, addressed Council to request a waiver of the 30% markup cost for the installation of a dedicated 2" fire line. He explained that he recently became aware that the fire suppression system approved by the County for his project to renovate the former Chardon Motel into a senior living facility, will not provide sufficient water flow to meet the needs of the requirements of the local jurisdiction. Therefore, a 2" fire line is needed to satisfy the water volume requirements. He explained that because the expense was not anticipated, it would be a significant hardship for him.

Mr. Sharpe stated that because of the size and sensitivity of the water main in the street, City staff agreed to have the City employees do the work instead of a private contractor. However, the City marks-up the labor and materials to do the work which is what Mr. Smith is requesting a waiver from. He noted that because Mr. Smith is a good business person that is expanding his business in the City, the request is being presented to Council.

Mrs. McArthur asked for clarification that the 30% markup cost is not an expense that the City will be paying.

Mr. Sharpe stated that the 30% markup is not an expense that the City will have.

Mayor Smock stated that the City will still be paid for the costs of labor and materials that it will supply.

Mr. Grau asked if the cost to Mr. Smith would have been reduced if it had been addressed earlier.

Mr. Smith stated that had the system been built how it was needed to be, the cost would have definitely been reduced.

Mr. Meleski asked the City would be setting a precedent if Council grants Mr. Smith's request.

Mr. Gillette stated that anytime Council waives a requirement of the Codified Ordinances, it can be argued that a precedent has been set. However, every request for a waiver rises or falls on its specific facts. Mr. Smith has explained that he went through what he thought was proper approval and later learned he had to do something different.

Mr. Hornyak clarified that the excavation to the 16" main is the only work that the City is performing that it would normally not.

Mrs. McArthur asked how the situation could have been avoided.

Fire Inspector Steve Bohm stated that he does not know if the cost could have been avoided because of the unique situation Mr. Smith has with his building.

OLD BUSINESS - none

NEW BUSINESS

Regarding setting a budget hearing date, after some discussion on Council availability, Mr. Blackley moved and Mr. Grau seconded to table the issue until the February 22, 2018 Special Session. Upon roll call vote the motion passed unanimously.

Regarding the designation of the Clerk of Council to attend public records training on behalf of all Council members, Mrs. McArthur moved and Mr. Meleski seconded to designate the Clerk of Council to attend public records training on behalf of all Council members. Upon roll call vote the motion passed unanimously.

LEGISLATION

ORDINANCE NO. 3001

AN ORDINANCE WAIVING THE CITY OF CHARDON'S CHARGES AS REQUIRED BY §921.164, CHARGES FOR MUNICIPAL WORK, OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Meleski moved and Mr. Grau seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3001 was then read for the second and third time by title only.

Mrs. Chuha moved and Mr. Meleski seconded for the adoption of Ordinance No. 3001.

Mayor Smock spoke in support of passage of the ordinance because of the benefit it provides to a local business that is expanding. He stated that it is a step in the right direction to encourage economic development in the City and added that it may need to be expanded for others.

Mr. Lelko suggested that the Water and Sewer Committee review the City's requirements to see if they should be changed.

Mr. Gillette suggested that he would like the Service Committee to review the requirements since they do not need to be codified in an ordinance. That way, should there be a request for a waiver, it can be approved by motion.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3002

AN ORDINANCE AUTHORIZING PARTICIPATION IN ODOT COOPERATIVE PURCHASING PROGRAM was read for the first time by title only.

Mr. Blackley moved and Mr. Meleski seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3002 was then read for the second and third time by title only.

Mr. Grau moved and Mr. Blackley seconded for the adoption of Ordinance No. 3002.

Mr. Hornyak stated that the ordinance will allow the City to participate in the ODOT program for the purchase of road salt and other items.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3003

AN ORDINANCE AMENDING SECTION 111.04, COUNCIL COMMITTEES, OF THE CODIFIED ORDINANCES BY ADDING A STANDING COUNCIL COMMITTEE FOR ECONOMIC DEVELOPMENT was read for the first time by title only.

Mrs. Chuha moved and Mr. Meleski seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3003 was then read for the second and third time by title only.

Mr. Blackley moved and Mrs. McArthur seconded for the adoption of Ordinance No. 3003.

Mr. Blackley spoke in support of the addition of an Economic Development Committee and expressed the importance of the City being proactive in attracting business and new development.

Mrs. McArthur spoke in support of the ordinance and about the importance of the City being connected with businesses.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3004

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACQUIRE AND ACCEPT EASEMENTS NECESSARY TO PROCEED WITH THE RAILROAD TRUNK SEWER PROJECT, NO. 6-137, AND MAPLE HIGHLANDS TRAIL CONNECTION PHASE II PROJECT, NO. Z2018-0018, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Grau moved and Mrs. Chuha seconded the rules be suspended and the Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3004 was then read for the second and third time by title only.

Mr. Blackley moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3004.

Mr. Gillette stated that the ordinance authorizes the City Manager to proceed further with the work staff has done to acquire easements for the projects.

Mrs. McArthur inquired about the status of negotiations for the purchase of property from CSX.

Mr. Sharpe stated that negotiations are continuing and he is confident that there will be a resolution.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mr. Meleski reported that expenditures were in order, but noted that a large number of “Then and Now” certificate stamps had been used for purchases made prior to purchase orders being issued. He stated that this was partly due to a calendar year change and he encouraged communication amongst staff about having purchase orders in place at the beginning of the year before purchases are made.

EXECUTIVE SESSION -

Mr. Blackley moved and Mrs. McArthur seconded to adjourn to Executive Session at 7:50 p.m. for the purpose of discussing pending litigation involving Loreto lafelice, compensation of an employee, and appointments to Boards and Commissions. Upon roll call vote the motion passed unanimously.

Discussion occurred regarding pending litigation involving Loreto lafelice.

Discussion occurred regarding compensation of an employee.

Discussion occurred regarding appointments to Boards and Commissions.

Meeting reconvened at 8:34 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mr. Blackley moved and Mr. Meleski seconded to appoint Nancy McArthur as Chairman of the Economic Development Committee and Chris Grau as a member of the Committee. Upon roll call vote the motion passed unanimously.

ADJOURN

Mr. Meleski moved and Mrs. McArthur seconded to adjourn. Upon voice vote the motion passed unanimously.

The meeting adjourned at 8:35 p.m.

Attest:

JEFFREY SMOCK, Mayor
President of Council

AMY DAY
Clerk of Council