

REGULAR SESSION

March 9, 2017

The Council of the City of Chardon met in Regular Session Thursday, March 9, 2017 at 6:30 P.M. in Council Chambers of the Chardon Municipal Center.

Nancy McArthur, President of Council presiding.

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

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

Members of Council absent: Andrew Blackley, John Mallen.

Others present: 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, Leslie Linsky, Lea Marra, J. Lauber, Bill Hess, Lea Maas, Nick DeGeorge, Tom Nolfi, Joe Koziol, Jamie Ward.

APPROVAL OF MINUTES -

Mrs. Chuha moved and Mr. Grau seconded to approve the minutes of the February 9, 2017 Regular Session and February 21, 2017 Joint Special Session as presented.

Mr. Smock requested the minutes of the Special Session be amended to clarify that he asked if there would be any local licensing procedures for medical marijuana cultivating and processing.

Mr. Lelko requested the minutes of the Regular Session be amended to reflect his question about holding pre-budget meetings.

No member of Council had any objections to the proposed amendments.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Mr. Sharpe reported that the City received a request from the Chardon Community Action Team (CCAT) and the Geauga Lyric Theater Guild to once again use the municipal parking lot at 106 Water Street Friday night, Saturday and Sunday of the festival as a fundraiser for their organizations. They have also requested that parking spaces at the Municipal Center be reserved for employees of businesses on the Square. He stated that he recommended that employees of businesses on the Square be permitted to park at the Municipal Center depending on availability, but spaces may not be reserved.

No member of Council had any objections to the use of the parking lot by CCAT and the Theater Guild or the parking of employees at the Municipal Center.

Mr. Sharpe reported that the annual Residential Curbside Trash Collection Program is scheduled to be held on Saturday, September 30, 2017. He noted that the 2017 regulations will remain the same as in 2016 but will be more strictly enforced by the trash hauler.

Mr. Lelko noted that the Geauga County Department on Aging Senior newsletter had the incorrect date for the City's trash day.

Mr. Sharpe reported that the Shade Tree Commission met and discussed the removal of the three spruce trees on the south end of the Square per Council's request. The Commission unanimously voted that the trees remain since they are healthy, provide a sound barrier for the Square and provide screening for the Heritage House.

Mr. Sharpe reported that the pre-construction meeting for the Meadowlands Drive Extension will be held on March 10, 2017. The project is anticipated to begin in April.

Mr. Sharpe reported that the City received six bids for the Moffet Avenue, Canfield Drive / Canfield Drive Extension & Cul-de-sac, and Chardon Park Estates (various streets) Street Improvement Project. The Engineer's recommendation is to award the contract to Miller Curbing & Paving, Inc. in the amount of \$1,261,447.01 which is 18.1% under the Engineer's estimate. An ordinance to award the contract is on the agenda under legislation.

Mr. Grau asked about the role the City plays when residents lose their electricity in a storm.

Mr. Sharpe stated that the City can guide residents to the proper contacts to have their power restored.

Mr. Lelko asked if an additional brush collection is being considered due to the recent storm.

Mr. Hornyak stated that the first brush pickup is at the end of April but if staff feels an earlier pickup is necessary, the contractor will be contacted.

Mr. Lelko asked staff to inform the public about the City's emergency siren.

Chief Niehus stated that the purpose of the City's emergency siren is to warn those that are outdoors, that a tornado has been spotted and to take shelter.

Mr. Lelko noted that residents may sign up for Geauga County's Wireless Emergency Notification System that will issue an alert to their phone in the event of an emergency or severe weather condition.

PLANNING COMMISSION REPORT -

Mr. Grau reported that Planning Commission met and approved the exterior renovations at Dunkin Donuts to allow the removal of Basquin Robbins from the exterior of the building. Planning Commission also approved the lot split to allow for the reconfiguration of two properties on North Hambden Street.

COUNCIL COMMITTEE REPORTS - none.

HEARING OF PERSONS BEFORE COUNCIL

THOSE PERSONS ON THE AGENDA -

Mayor McArthur reported that Illuminating Company Representative, Dave Dillen, will not be in attendance due to the recent power outages in the area. He will return to Council in the coming months.

GENERAL PUBLIC - none.

OLD BUSINESS -

Mayor McArthur stated that she received an update from John Sikora of Growth Orchard who had presented the concept of cultivating and processing of medical marijuana to Council and Planning Commission earlier in the month. He stated that Growth Orchard is looking to construct a larger facility than the parcel in the City can accommodate. Therefore, they are no longer considering locating their operations in the City of Chardon.

Mayor McArthur added that it seems as though Council members are not in favor of allowing dispensaries of medical marijuana in the City and she suggested that Council direct the Law Director to prepare legislation prohibiting the dispensing of medical marijuana.

No member of Council objected to the Law Director preparing legislation prohibiting medical marijuana dispensaries in the City.

Mayor McArthur stated that Council members had previously discussed allocating money in the budget for education and travel; however, a formal travel policy for Council was not established. For staff to have direction, it was suggested that a dollar amount be allocated per councilperson per year to attend functions like Chamber of Commerce meetings and she would approve the expenditure before submitting it for payment. She asked if \$250 per person was an adequate amount. She noted that \$5,400 has been budgeted for Council travel.

Mr. Lelko asked if Council attendance at the OML Conference would be included in this amount.

Mr. Sharpe stated that it would and added that there is not enough money budgeted if all were to attend the OML Conference as well as all of the Chamber meetings.

Mr. Smock stated that he believes the appropriation is sufficient and the limit of \$250 is also an adequate number to attend local meetings. If a member of Council wants to go to another function such as Washington DC or the OML Annual Conference, each instance should be approved separately by Council.

Mr. Smock stated that Council would fall under the City's existing travel policy. He recommended that rather than determining ahead of time what Council can go to, when it crosses staff's desks, they should approve it if it has a proper public purpose.

Mr. Smock suggested that a blanket purchase order be put in place for each Councilmember for \$250. He asked the Finance Director to let Council know if he preferred that Council be reimbursed or if the invoice should be paid by the City directly.

Mr. Rogonjic stated that he will think it through more but does not see a problem with issuing blanket purchase orders to be used for the year.

Discussion occurred regarding the Mayor and City Manager attending the Public Officials Conference in Washington DC in May.

Mr. Smock moved and Mrs. Chuha seconded to set a \$250 limit per member of Council for expenses related to travel, meals and meetings and if an overnight stay is required, Council

approval is needed to authorize this expenditure which is separate from the \$250.

Upon roll call vote the motion passed unanimously.

Mr. Smock moved and Mrs. Chuha seconded to authorize the Mayor to attend the Public Officials Washington DC Conference in May 2017.

Upon roll call vote the motion passed unanimously.

NEW BUSINESS

Leslie Linsky, representing Love Fest, addressed Council to request permission for food trucks at their event on July 22nd. She stated that the biggest request from the prior year's attendees was to have more accessible food during the event.

Ms. Linsky stated that they have attempted to partner with Main Street restaurants and have asked them to sell food on the Main Street sidewalk during the Love Fest event but none have chosen to participate.

Mr. Hornyak stated that the food trucks must be self-contained and not connect to any of the City's utilities.

Mr. Grau asked if the food trucks will be utilizing parking spaces around the Square.

Ms. Linsky stated that they would locate the food trucks on Short Court Street only.

Mrs. Chuha moved and Mr. Smock seconded to permit food trucks at the Love Fest event on July 22, 2017.

Upon roll call vote the motion passed unanimously.

LEGISLATION

ORDINANCE NO. 2964

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH MILLER CURBING & PAVING FOR THE 2017 STREET REPAIR PROGRAM FOR PAVEMENT REPAIRS ON MOFFET AVENUE, CANFIELD DRIVE AND VARIOUS STREETS IN CHARDON PARK ESTATES - PROJECT NO. 6-134 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. Chuha 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. 2964 was then read for the second and third time by title only.

Mr. Smock moved and Mr. Grau seconded for the adoption of Ordinance No. 2964.

Mr. Courtney stated that he recommends Philip Miller Curbing and Paving be awarded the contract for this project. It is a well-established company that is more than capable of performing the work.

Mr. Smock asked if the work is expected to be completed in the 2017 construction season.

Mr. Courtney stated that the work is expected to be completed in the 2017 construction season.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mr. Smock reported that expenditures were in order.

EXECUTIVE SESSION

Mr. Grau moved and Mrs. Chuha seconded to adjourn to Executive Session at 7:18 p.m. for the purpose of considering the investigation of a public employee and to discuss an update on an action filed by Loreto Iafelice and invite Police Chief Scott Niehus into the session.

Discussion occurred regarding the action filed by Loreto Iafelice.

Discussion occurred regarding considering the investigation of a public employee.

Meeting reconvened at 7:54 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Members of Council reported on upcoming community events.

Mr. Grau stated that the Geauga County Maple Leaf was the recipient of the 2017 Osman C. Hooper Award for Newspaper of the Year in its division and stated that he would like the City to recognize their achievements.

Council requested a Resolution of Appreciation for the Geauga County Maple Leaf be prepared for Council's Regular Session in April.

Mr. Grau reported on upcoming activities of the Geauga Lyric Theater Guild. He added that the Executive Director of the Theater Guild will present a State of the Theater to Council in July.

ADJOURN

Mr. Smock moved and Mr. Grau seconded to adjourn. Upon voice vote the motion passed unanimously.

The meeting adjourned at 8:03 p.m.

Attest:

NANCY MCARTHUR, Mayor
President of Council

AMY DAY
Clerk of Council