

REGULAR SESSION

April 12, 2018

The Council of the City of Chardon met in Regular Session Thursday, April 12, 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.

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, Amy Patterson, Karen Blankenship, Dr. Michael Hanlon, Bill Hess, Mary Glauser, Keith Brewster, Mike Tvergyak.

APPROVAL OF MINUTES

Mrs. McArthur moved and Mrs. Chuha seconded to approve the minutes of the February 22, 2018 Special Session, March 8, 2018 Regular Session, and March 21, 2018 Special Session as presented.

Mrs. Chuha noted a grammatical correction to page 1 of the February 22, 2018 Special Session minutes.

Mayor Smock requested additional details be added to the discussion pertaining to new water and sewer bills in the minutes of the March 21, 2018 Special Session.

No member of Council had any objection to the corrections.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 4-18

A RESOLUTION OF SUPPORT FOR THE PASSAGE OF THE CHARDON LOCAL SCHOOL DISTRICT LEVY was read for the first time in its entirety.

Mr. Grau 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.

Resolution No. 4-18 was then read for the second and third time by title only.

Mr. Blackley moved and Mr. Grau seconded for the adoption of Resolution No. 4-18.

Upon roll call vote the motion passed unanimously.

Mayor Smock presented the resolution to Superintendent Dr. Michael Hanlon.

Dr. Hanlon and School Board President, Karen Blankenship, thanked City Council for their support.

Mrs. McArthur asked if the townships would be passing similar Resolutions of Support.

Dr. Hanlon stated that the response they received from the townships is that because they operate under a different type of governance, they are not able to take action to support the levy.

MANAGER'S REPORT

Mr. Sharpe reported that Jake Mullet, Elijah Argie and Nicholas Bruckman have been hired as police patrolmen.

Mr. Sharpe reported that the City's Civil Service Commission has begun the process of establishing an eligibility list for full-time patrolmen and also initiated the process for the hiring of a 2nd police sergeant.

Mr. Sharpe reported that Kristofer Kehres has been hired as the City's full-time mechanic.

Mr. Sharpe reported that the 2017 Annual Report was prepared and distributed to Council. He reviewed a few notable highlights in the report.

Mr. Sharpe reported on a County Commissioners' meeting where a request for proposals for the feasibility study of County offices was discussed.

Mr. Sharpe reported that the City's spring leaf collection was extended to Tuesday, April 17th.

Mr. Sharpe reported that the City's brush collection will begin April 30th.

Mr. Sharpe reported that the LED street light project has been approved by NOPEC. Grant and street lighting assessment funds will be used to replace 130 street lights this year.

Mr. Sharpe reported that the funding for Mel Harder Park Phase II was approved by the Governor and included in the capital bill.

Mr. Sharpe reported on the status of the Railroad Trunk Sewer Project, the Maple Highlands Trail Extension Project, and the Claridon Road/E. King Street Projects.

Mr. Smock asked if the wet weather continues, if an additional leaf pickup could be added after the festival.

Mr. Sharpe stated that this could be looked at.

Mr. Hornyak stated that staff will monitor if leaves are put out by residents.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and recommended text amendments to the Planning and Zoning Code.

Mr. Blackley reported that Planning Commission had an informal discussion regarding the replacement of chain link fence at Just 4 Kidz Childcare.

Mr. Sharpe provided the 1st quarter Economic Development Report.

COUNCIL COMMITTEE REPORTS

Safety Committee

Mr. Grau reported that the Committee met and continued their discussion regarding truck traffic on City streets. After discussion, the Committee recommended that no thru truck signs be initially installed on S. Hambden St. and Claridon Rd. A plan was devised to install preliminary notification signs and regulatory signs on these streets in locations determined by staff.

Mr. Hornyak stated that the exact locations for the signs will depend on other signs and obstructions that may be in the area.

Mr. Blackley stated that these two streets (S. Hambden St. and Claridon Rd.) are a beginning point because there have been complaints about truck traffic on these streets; however, the Committee discussed the need to further study the designation of truck routes which would be done as part of the comprehensive and thoroughfare plan update.

Mr. Blackley moved and Mr. Grau seconded to post signs on S. Hambden St. and Claridon Rd. in precise locations to be determined by staff.

Mr. Meleski asked if the City should request the County post signs on Aquilla Rd. before the City limits since trucks are not able to turn around at that location.

Mr. Blackley stated that the County Engineer does not have the authority to post the types of signs on County highways that the City can.

Mr. Gillette concurred.

Mr. Grau stated that the Committee discussed not issuing citations for a period of time in order to make drivers aware that they need to take an alternate route to get through the City.

Mrs. McArthur asked if the signs are meant to be a deterrent or if enforcement will take place.

Mr. Grau stated that enforcement will be necessary after a period of time.

Chief Niehus stated that the Police Department will initially take the opportunity to educate drivers.

Upon roll call vote the motion passed unanimously.

Mr. Grau reported that the Safety Committee also received an update from the Police and Fire Chiefs on their department's 2017 activities.

Mr. Grau reported that the Committee heard a presentation from the Fire Chief about the Knox Box and Smoke Detector programs offered by the Fire Department.

Mr. Grau reported that the Committee discussed the Fire Department levy and the Finance Director presented data that supported a renewal of the levy.

Mr. Rogonjic stated that in order to place the levy on the November ballot, Council first has to request the County Auditor to certify the amount that would be collected from a levy. A resolution for this will be presented to Council in May.

Mr. Grau reported that the Committee heard a request to allow E. King St. residents to turn left onto E. King St. from S. Hambden St. where it is currently prohibited.

Mr. Gillette stated that he does not know how the City would put signage up to allow turns for residents only.

Discussion occurred regarding if the sign is still necessary.

Mr. Lelko asked about a similar sign at N. Hambden St. and Huntington St. and if it's removal should also be considered.

Chief Niehus suggested that the sign remain at N. Hambden St. and Huntington St. because of the amount of traffic and traffic flow at that intersection.

Mr. Gillette stated that he will prepare legislation repealing the ordinance that prohibited left turns onto E. King St. from S. Hambden St. for Council to consider.

Mr. Grau reported that the Safety Committee discussed the City's emergency operations plan and concluded that the plan should be updated. He stated that he will work with the City Manager and Police and Fire Chiefs to update the plan.

Service Committee

Mr. Blackley reported that the Committee met and received an update on the Claridon Road Project.

Mr. Blackley reported that the Committee discussed drive culvert responsibility. After discussion, staff was asked to look at completing their review of municipal specifications, and in particular, to look at the specifications for residential drive culverts and come back with some additional recommendations.

Mr. Blackley reported that the Committee also discussed the bid specifications for single hauler trash and recycling. Staff recommendations and bid alternates were discussed at the meeting. Before proceeding further, the Committee desired to hear public input and set a Service Committee meeting on April 24, 2018. Staff's preliminary specifications will be reviewed, trash haulers will make presentations and the public will have an opportunity to provide feedback at the meeting.

Mr. Blackley reported on the status of the Square Paver and Square sidewalks projects.

HEARING OF PERSONS BEFORE COUNCIL

THOSE PERSONS ON THE AGENDA -

Mary Glauser, Executive Director of Chardon Tomorrow, reviewed the organization's 2018 first quarter report. She reviewed the current activities of Chardon Tomorrow and upcoming events for the remainder of 2018 and explained that Chardon Tomorrow has been partnering more with other organizations to make the events possible.

GENERAL PUBLIC

Mike Tvergyak, representing the Maple Festival Board, explained that the Board is losing their storage facility on Park Avenue and requested to locate a temporary storage container on property owned by the City for the storage of lumber and other construction materials.

Mr. Sharpe stated that he had discussed possible locations for the storage container and suggested the City's property next to the City's wastewater treatment plant would be best. He suggested that the Festival Board be given temporary access to the container for the weeks surrounding the festival.

Mr. Grau asked when the Board would need to relocate their items.

Mr. Tvergyak stated that the items would need to be relocated into the storage container after the 2018 festival.

Mr. Blackley moved and Mr. Grau seconded to permit the Maple Festival Board to place a 40 x 8 x 8 container adjacent to the City's firing range.

Mrs. McArthur asked if there are any insurance issues that Council should consider.

Mr. Gillette stated that there are not.

Upon roll call vote the motion passed unanimously.

OLD BUSINESS - none

NEW BUSINESS

Regarding any objections to a new D5 liquor permit for Molly's Irish Pub, LLC, 200 Center Street, no member of Council had any objections.

Regarding a petition to annex 12499 Chardon Windsor Rd., Mr. Gillette stated that he prepared a petition which he requested Council sign. The next step to be taken in the annexation process will be to review the ordinance that was passed in March with the Board of Elections. The issue will be put on the November ballot if the Board of Elections determines that the ordinance is sufficient. If additional legislation is required, he will include this for Council in May. He suggested that the petition be presented to the Commissioners after the issue has been approved by the voters. This way, it would be a

perfunctory action on the part of the Commissioners to approve it.

Mr. Blackley asked what would happen if the Commissioners do not approve the petition.

Mr. Gillette stated that under the O.R.C. the Commissioners would have to approve it since the City is a municipal corporation and the only owner and there is land contiguous to the property located within the City.

Mr. Meleski asked who will vote on the issue.

Mr. Gillette stated that it will be a City-wide ballot issue.

LEGISLATION

ORDINANCE NO. 3010

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE APPROXIMATELY 1.94 ACRES OF LAND FROM CSX TRANSPORTATION INC., PPN: 10-900018, FOR \$50,000, TO SIGN A REAL ESTATE PURCHASE AGREEMENT AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Meleski 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. 3010 was then read for the second and third time by title only.

Mr. Grau moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3010.

Mr. Sharpe described the location of the property for the extension of the Maple Highlands Trail.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3011

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH TRAX CONSTRUCTION CO. FOR THE CLARIDON ROAD AND EAST KING STREET IMPROVEMENTS PROJECT #6-138 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur moved and Mr. Blackley 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. 3011 was then read for the second and third time by title only.

Mrs. Chuha moved and Mr. Blackley seconded for the adoption of Ordinance No. 3011.

City Engineer Doug Courtney stated that after his review of the bids that were received, he recommended awarding the contract to Trax Construction Co. who was the lowest and best bidder.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3012

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH THE C. W. COURTNEY COMPANY TO PROVIDE PROFESSIONAL SERVICES FOR THE RAILROAD TRUNK SEWER PROJECT AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur 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. 3012 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. 3012.

Mr. Sharpe stated that because the bid for construction layout and inspection of the Railroad Trunk Sewer Project from Great Lakes Crushing exceeded \$100,000, the ordinance is necessary. He added that there has also been some change in who is going to do the layout work, which he asked the City Engineer to review.

City Engineer Doug Courtney explained that the contractor has requested to do some of the project layout work to eliminate idle time.

Mr. Hornyak stated that allowing the contractor to do the layout work will help the project get started quickly.

Discussion occurred regarding the work that the contractor will be doing.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mr. Meleski reported that expenditures were in order.

EXECUTIVE SESSION -

Mr. Grau moved and Mr. Meleski seconded to adjourn to Executive Session at 8:03 p.m. for the purpose of discussing pending litigation involving Loreto Iafelice vs. the City of Chardon, Ben Sage vs. the City of Chardon and a lawsuit of which the City is not yet involved in pertaining to the McGregor house at the corner of Center Street and Cherry Avenue. Upon roll call vote the motion passed unanimously.

Discussion occurred regarding pending litigation involving Loreto Iafelice vs. the City of Chardon.

Discussion occurred regarding pending litigation involving Ben Sage vs. the City of Chardon.

Discussion occurred regarding a lawsuit of which the City is not yet involved in pertaining to the McGregor house at the corner of Center Street and Cherry Avenue.

Meeting reconvened at 8:42 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mr. Meleski reported that the Chardon Science Olympiad will be competing at the State tournament.

Mr. Smock reported that the Empowering Leadership Conference will be held June 7 and 8. He stated that while the City Manager is not able to attend, he would like to and has asked Councilman Lelko to also attend. The cost is estimated to be \$1,200 per person.

Mr. Blackley moved and Mrs. Chuha seconded to authorize Mayor Smock and Councilman Lelko to attend the Empowering Leadership Conference to be held June 7 and 8. Upon roll call vote the motion passed unanimously.

Mr. Grau reported that James Baird recently achieved the rank of Eagle Scout and he will be presented a Mayor's Proclamation to acknowledge his achievement.

ADJOURN

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

The meeting adjourned at 8:46 p.m.

Attest:

JEFFREY L. SMOCK, Mayor
President of Council

AMY DAY
Clerk of Council