

PUBLIC HEARING

May 10, 2018

The Council of the City of Chardon held a Public Hearing Thursday, May 10, 2018 at 6:20 P.M. in Council Chambers of the Chardon Municipal Center to provide the public an opportunity to comment regarding the City of Chardon's proposed text amendment to the Planning & Zoning Code, specifically Section 1111.509.

Jeffrey Smock, President of Council presiding.

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, Deputy H.R. Director/Finance Director Heidi Delaney, 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, Amanda Jonovich, John Mallen, Bill Hess, Thomas Jordan, Joe Koziol, David Hartt, Vince Crawford, Michael McArthur.

Mayor Smock opened the public hearing.

Planning and Zoning Administrator Steven Yaney stated that the text amendment will allow the Planning and Zoning Administrator to issue temporary occupancy permits for single family homes rather than requiring approval by Planning Commission. This text amendment was recommended by Planning Commission because of Planning Commission's meeting schedule and because of weather related issues that may prevent someone from completing landscaping requirements.

No member of the public wished to comment regarding the proposed text amendment.

The public hearing closed at 6:25 P.M.

JEFFREY SMOCK, Mayor
President of Council

Attest:

AMY DAY
Clerk of Council

PUBLIC HEARING

May 10, 2018

The Council of the City of Chardon held a Public Hearing Thursday, May 10, 2018 at 6:25 P.M. in Council Chambers of the Chardon Municipal Center to provide the public an opportunity to comment regarding the City of Chardon's proposed text amendment to the Planning & Zoning Code, specifically Schedule 1155.09 (Required Off-Street Parking Spaces).

Jeffrey Smock, President of Council presiding.

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, Deputy H.R. Director/Finance Director Heidi Delaney, 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, Amanda Jonovich, John Mallen, Bill Hess, Thomas Jordan, Joe Koziol, David Hartt, Vince Crawford, Michael McArthur.

Mayor Smock opened the public hearing.

Planning and Zoning Administrator Steven Yaney stated that the text amendment will correct a few typographical and mathematical errors in the parking requirements.

No member of the public wished to comment regarding the proposed text amendment.

The public hearing closed at 6:30 P.M.

JEFFREY SMOCK, Mayor
President of Council

Attest:

AMY DAY
Clerk of Council

REGULAR SESSION

May 10, 2018

The Council of the City of Chardon met in Regular Session Thursday, May 10, 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, Deputy H.R. Director/Finance Director Heidi Delaney, 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, Amanda Jonovich, John Mallen, Bill Hess, Thomas Jordan, Joe Koziol, David Hartt, Vince Crawford, Michael McArthur.

APPROVAL OF MINUTES

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the April 12, 2018 Regular Session.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 5-18

A RESOLUTION OF APPRECIATION FOR JOHN MALLEN was read for the first time in its entirety.

Mr. Blackley moved and Mr. Grau seconded the rules be suspended and the Resolution 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.

Mrs. McArthur moved and Mr. Meleski seconded for the adoption of Resolution No. 4-18.

Upon roll call vote the motion passed unanimously.

Members of Council spoke to thank Mr. Mallen for his years of service as a member of Council.

Mr. Mallen reflected on the Chardon community and expressed how proud he is to live in a community where the leaders base their decisions on good values and common sense.

REGULAR SESSION

May 10, 2018

MANAGER'S REPORT

Mr. Sharpe reported that the City's grant application to the Ohio Environmental Protection Agency for the 2018 Community Development Grant Program to fund recycling containers was not selected for funding. The agency had available funding of \$3.9 million but the grant requests totaled more than \$7.7 million.

Mr. Sharpe reported that the re-inspection of sidewalks included in Round 5 of the Sidewalk Maintenance Program is underway, and the initial sidewalk inspections included in Round 6 of the Sidewalk Maintenance Program 2019 are in progress.

Mr. Sharpe reported that the bid documents for the 2018 Street Maintenance Improvements are being prepared and advertising for this work is expected to start in late May 2018.

Mr. Sharpe reported that the public is welcome to attend a Mayor/Manager community-wide meeting on Thursday, May 31, 2018 at 6:30 p.m. in the Heritage House.

Mr. Sharpe reported that the City will begin working with IAP Government Services Group, which will offer project manager services for facility maintenance, repair and construction projects. It is hoped that they will provide a faster and more cost effective way to complete projects and their services will be tried out on the demolition of the house at 12499 Chardon Windsor Road.

Mr. Sharpe reported that the spring newsletter is in the process of being printed.

Mr. Sharpe reported on the status of the Railroad Trunk Sewer Project.

Mr. Sharpe reported on the status of the Claridon Road and E. King Street Improvements Project.

Mr. Sharpe reported on the status of the Moffet Avenue, Canfield Drive Extension and Chardon Park Estates Road Maintenance Improvements Project.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and granted Chardon Eagles a variance for a ground sign.

Mr. Blackley reported that Planning Commission granted a variance for a 5' vinyl fence at Just 4 Kidz.

Mr. Blackley reported that Planning Commission recommended a text amendment to the City's Planning and Zoning code pertaining to single family attached and single family detached cluster uses.

Mr. Blackley reported that Planning Commission granted temporary occupancy at 121 Hidden Glen Trail.

REGULAR SESSION

May 10, 2018

Mr. Blackley gave an update on Chardon Tomorrow's Traveling Tea Party event held on April 14, 2018 which drew 75% of attendees from people outside of the Chardon area.

COUNCIL COMMITTEE REPORTS -

Economic Development Committee -

Mrs. McArthur reported that the Committee met and discussed revisions that are being made to the Focus Chardon Business Retention & Expansion Program. She noted that the Committee will meet in the near future to review changes being made to the questionnaire.

Mrs. McArthur stated that the Committee also discussed the modification of the City's Uptown Retail Grant and eliminating the Retail Grant Committee.

Mr. Blackley stated that recommendations for grant awards would be better coming from a Council committee than from representatives of Chardon Tomorrow.

Discussion occurred regarding the Finance and Economic Development Committees jointly considering retail business grant requests.

Mr. Grau moved and Mrs. Chuha seconded to modify the Retail Business Grant Program to eliminate the Retail Grant Selection Committee and replace their duties by a joint meeting of the Economic Development and Finance Committees of Council. Upon roll call vote the motion passed unanimously.

Mrs. McArthur reported that at the Committee meeting, economic development analysis was discussed with Dennis Mayer of the Buxton Corporation. In addition, the Committee discussed the existing economic development tools the City is currently using.

Mr. Grau added that the County is hosting their annual business salute to businesses and e2b Teknologies is being recognized at that event.

Service

Mr. Blackley reported that the Committee reviewed bid specifications for a single hauler trash program.

Mr. Yaney stated that he is in the process of finalizing a draft of the bid specifications.

Mr. Sharpe stated that the Service Committee will review the bid specifications which would then go to all of Council.

Mayor Smock suggested a Special Session be held to review the bid specifications after it has been reviewed by the Service Committee.

REGULAR SESSION

May 10, 2018

Park & Recreation Board

Mr. Grau reported that the Board met and elected officers at their last meeting. The Board discussed the annexation of 12499 Chardon Windsor Road, summer program registration, facility usage and projects, and a new Pickle Ball Program.

HEARING OF PERSONS BEFORE COUNCIL

THOSE PERSONS ON THE AGENDA -

David Hartt, representing CT Consultants, spoke to discuss the process and anticipated timeline to update the Comprehensive Plan. CT Consultants will put together a full range of possibilities for Council to consider and they will provide technical support and facilitate meetings. He stated that they hope to complete the update in a 6-8 month period. He added that in addition to the joint meetings of Council and Planning Commission, they will also hold conversational interviews with staff, Council, Planning Commission and stakeholders in the community.

Mr. Blackley asked about updating the Thoroughfare Plan.

Mr. Hartt stated that the Thoroughfare Plan can be updated from a planning perspective but it will not have the detailed engineering consultation as part of it.

Mr. Lelko asked if the meetings will be joint Planning Commission/Council meetings.

Mr. Hartt stated that there will be joint work sessions between Council and Planning Commission. He stated that he anticipated holding up to 8 meetings with 2 public forums.

GENERAL PUBLIC

Amanda Jonovich, Vice President of Park Elementary PTO, addressed Council and requested permission to close Short Court Street during their end of the year celebration on May 24, 2018. The request is being made for the safety of the students participating in the event.

Discussion occurred regarding the timing of the closing.

Mr. Blackley moved and Mrs. Chuha seconded to approve the closing of short Court Street on May 24, 2018.

Upon roll call vote the motion passed unanimously.

Bill Hess, 115 North Street, expressed his displeasure with the recent closure of various streets for a race without notice to residents. He requested the City notify residents when streets will be closed for these types of events.

Mr. Sharpe stated that residents may sign up on the City's website to be notified.

Mr. Hornyak stated that posting information on the website and social media can be done.

REGULAR SESSION

May 10, 2018

Mr. Meleski suggested a road sign be made to notify people of future road closures.

Michael McArthur, 117 Cedar Glen, addressed Council and questioned the need for the Mayor and Vice Mayor to travel to attend a conference in Washington DC on June 7 & 8. He stated that the City Manager Randy Sharpe and former Mayor Nancy McArthur attended the conference in 2017 and he did not feel it was necessary for the Mayor and Vice Mayor to attend this year.

Mayor Smock stated that he plans to attend to try to secure funding for projects.

Mr. McArthur asked why this has to be done in person in Washington DC.

Mr. Sharpe stated that it is beneficial to have discussions and establish personal relationships with federal representatives.

Mr. McArthur stated that Council voted to approve the expenditure without much meaningful discussion. He stated that exceptions are being made to the policy established by previous Councils that the Washington DC trip would be paid for the Mayor and City Manager. If anyone else wished to attend, they would have to pay for their expenditures.

Mayor Smock stated that policies change.

Mr. McArthur asked why other members of Council were not asked to attend.

Mayor Smock stated that he asked Councilman Lelko to attend since he has attended this conference in the past and is familiar with the process.

Mr. McArthur asked Mr. Lelko why he did not have an issue with the expenditure.

Mr. Lelko stated that the City Manager was not able to go and he is stepping in. He added that the trip to Washington DC has resulted in money being brought to the community to help pay for projects such as the water treatment plant project.

Mr. McArthur asked if Council will reconsider their decision.

Mr. Blackley stated that their travel is for a legitimate purpose and the Mayor and Vice Mayor should have the opportunity to go.

Mr. McArthur asked if a report will be given after the trip.

Mr. Blackley stated that a report should be given after the trip.

Mrs. McArthur stated that a policy had been established in the past that the City Manager and Mayor's expenses would be paid for which is why she had paid for her expenses to go to Washington DC when she was Vice Mayor. She stated that anyone on Council should be able to go if they want to and she suggested that Council consider a policy that is fair to all members of Council.

REGULAR SESSION

May 10, 2018

Mayor Smock stated that if another member of Council wishes to attend the conference, Council can address that.

OLD BUSINESS - none.

NEW BUSINESS

A Public Hearing was set for June 14, 2018 at 6:25 P.M. to provide the public an opportunity to comment regarding the City of Chardon's proposed text amendment to the Planning & Zoning Code, specifically Schedules 1133.03 and 1145.05.

Regarding any objections to the issuance of a new D5L liquor permit for Chengs Japan House Inc. DBA Hayashi Mayple, 540 Water Street, Chardon, OH, no member of Council had any objections.

A Special Session to consider Geauga Lyric Theater Guild's request for building improvements was set for May 21, 2018 at 7:00 P.M.

LEGISLATION

RESOLUTION NO. 6-18

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY TO THE TAXING AUTHORITY THE TOTAL TAX VALUATION OF THE SUBDIVISION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A SPECIFIED NUMBER OF MILLS AND DECLARING AN EMERGENCY was read for the first time by title only.

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

Resolution No. 6-18 was then read for the second and third time by title only.

Mrs. McArthur moved and Mrs. Chuha seconded for the adoption of Resolution No. 6-18.

Heidi Delaney, Deputy H.R./Finance Director, stated that the Resolution formally requests the County Auditor to certify what the fire levy renewal would generate. She stated that it is required in order to put the fire levy on the November ballot.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 7-18

A RESOLUTION TRANSFERRING FUNDS IN THE CITY OF CHARDON TREASURY FOR 2018 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 Resolution be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Resolution No. 7-18 was then read for the second and third time by title only.

REGULAR SESSION

May 10, 2018

Mrs. Chuha moved and Mr. Meleski seconded for the adoption of Resolution No. 7-18.

Ms. Delaney stated that all of the proposed transfers were included in the budget and are needed to keep positive balances in the funds.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3013

AN ORDINANCE AMENDING CHAPTER 1111 OF THE CODIFIED ORDINANCES BY ADDING SECTION 1111.509 TEMPORARY OCCUPANCY PERMITS FOR ONE AND TWO FAMILY DWELLINGS 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. 3013 was then read for the second and third time by title only.

Mr. Blackley moved and Mr. Meleski seconded for the adoption of Ordinance No. 3013.

Mr. Yaney stated that the Ordinance changes the responsibility of issuing temporary occupancy permits from Planning Commission to the Planning and Zoning Administrator. He stated that Planning Commission has recommended the change to allow staff to issue the temporary occupancy permits in a timely manner and to eliminate the need for the property owner to obtain permission from Planning Commission.

Mrs. McArthur asked how long a property owner has to complete the installation of their landscaping after a temporary occupancy permit is granted.

Mr. Yaney stated that a property owner will have until June 1 of the following year to complete their landscaping.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3014

AN ORDINANCE AMENDING SCHEDULE 1155.09 REQUIRED OFF-STREET PARKING SPACES OF THE CODIFIED ORDINANCES was read for the first time by title only.

Mr. Blackley 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. 3014 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. 3014.

REGULAR SESSION

May 10, 2018

Mr. Yaney stated that the Ordinance will amend the parking requirement in the planning and zoning code to correct a mathematical error regarding the minimum and maximum allowable parking spaces for restaurant counter service and industrial uses.

Upon roll call vote the motion passed unanimously.

AN ORDINANCE REPEALING THE PROHIBITION OF TURNING LEFT FROM SOUTH HAMB DEN STREET TO EAST KING STREET IN THE CITY OF CHARDON, OHIO DURING THE HOURS OF 6:00 A.M. AND 8:30 A.M. was read for the first time by title only.

Mrs. McArthur 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.

The Ordinance was then read for the second and third time by title only.

Mr. Blackley moved and Mrs. McArthur seconded for the adoption of the Ordinance.

Mr. Grau stated that the issue had been brought to the Safety Committee by the Mayor who brought forward a request of a resident who wants to make the left turn onto E. King St. from S. Hambden St. He stated that after reviewing the request following the last Safety Committee meeting, he is not interested in removing the sign from a safety standpoint. Due to the topography of the road and the amount of traffic, he does not want to see more traffic backup. He stated that while he is proud that Council listens to the individual requests made by citizens, he cannot support the ordinance because of the safety factor. He asked the Police Chief to comment.

Chief Niehus reviewed his observation of the intersection during 6:30 - 8:00 AM which corresponds to the start of the school day. He stated that for now, it makes sense to leave the sign in place and re-evaluate it after the start of the school year to observe how the school reconfiguration affects the traffic flow.

Mr. Lelko stated that the sign was put up to prevent cut-thru traffic. He asked if the sign could be removed and traffic be monitored to determine if it causes any issues.

Chief Niehus stated that he is concerned with making changes to the traffic flow and changing it again.

Mr. Blackley withdrew his motion and Mrs. McArthur withdrew her second to adopt the ordinance.

Mr. Blackley moved and Mr. Lelko seconded to table the ordinance until after the Safety Committee reviews it further. Upon roll call vote the motion passed unanimously.

REGULAR SESSION

May 10, 2018

ORDINANCE NO. 3015

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT FOR THE SALE OF A RESIDENCE AND OUTBUILDING ON 0.8525 ACRES OF LAND AT 211 WILSON MILLS ROAD, PART OF PPN: 10-034200, PPN: 10-156200 and PPN: 10-156300 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur 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. 3015 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. 3015.

Mr. Gillette stated that the City-owned house at 211 Wilson Mills Road was offered for sale at Council's direction, and a date was set for the submission of bids.

Mr. Yaney stated that three bids were received. The highest bid was for \$75,000 and the two remaining bids were both for \$50,000.

Mr. Smock asked what safeguards are in place to make sure the attached garage is removed.

Mr. Yaney stated that the purchase agreement gives the purchaser 120 days to remove the garage and \$30,000 will be put in escrow to ensure the attached and detached garages are removed and the house is re-sided or painted.

Mr. Sharpe asked about the appraised value of the home.

Mr. Yaney stated that the property's as-is appraised value was \$60,000.

Mrs. McArthur thanked Councilman Blackley for his idea to sell the house instead of having it torn down.

Council members thanked Mr. Yaney for his hard work and diligence in selling the house.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mr. Meleski reported that expenditures were in order.

EXECUTIVE SESSION

Mrs. McArthur moved and Mr. Grau seconded to adjourn to Executive Session at 8:44 p.m. for the purpose of discussing the purchase of property.

Discussion occurred regarding the purchase of property.

Meeting reconvened at 9:05 p.m.

REGULAR SESSION

May 10, 2018

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mr. Meleski congratulated the Chardon Science Olympiad Teams for their accomplishments at the state competition.

Mrs. McArthur congratulated the Citizens for Chardon Schools Committee on the passage of the school levy.

Mr. Meleski asked for a report from the Mayor and Vice Mayor following their trip to Washington DC. He noted that he supported the Mayor and Vice Mayor's trip to Washington DC because it gives the City the opportunity to meet in person with federal representatives.

Mayor Smock stated that he would be glad to provide a report.

ADJOURN

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

The meeting adjourned at 9:09 p.m.

Attest:

JEFFREY L. SMOCK, Mayor
President of Council

AMY DAY
Clerk of Council