

REGULAR SESSION

March 10, 2022

The Council of the City of Chardon met in Regular Session Thursday, March 10, 2022 at 6:30 p.m. in Council Chambers of the Chardon Municipal Center.

Christopher Grau, Mayor & President of Council presiding.

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

Members of Council present: Andrew Blackley, Deborah Chuha, Christopher Grau, David Lelko, Kyle Martin, Heather Means, Daniel Meleski.

Members of Council absent: none.

Others Present: City Manager Randy Sharpe, Finance Director Mark Iacofano, Clerk of Council Amy Day, Law Director Benjamin Chojnacki, Police Lieutenant Matt Delisa, City Engineer Doug Courtney, Community Development Administrator Steve Yaney, Public Service Director Paul Hornyak, Bill Hess, Brian Doering, Dusty Keeney, Amy Patterson, Mike Butt, Sylvia McGee, Via Zoom- Beth Miller, Micah Knott, Julia Giardinia.

**APPROVAL OF MINUTES**

Mr. Meleski noted that the February 3, 2022 minutes should be amended to reflect that Majeed Makhlof was in attendance.

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the February 3, 2022 Special Session as amended. Upon roll call vote the motion passed unanimously.

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the February 10, 2022 Regular Session as presented. Upon roll call vote the motion passed unanimously.

**MANAGER'S REPORT**

Mr. Sharpe reported that the system-wide DUO Security Multifactor Authentication enrollment is complete. However, the Revcord PC with Windows 7 remains an outstanding item that needs completed before the City can submit applications for cyber security insurance coverage.

Mr. Sharpe reported that there is an ordinance on the agenda to authorize the acceptance of the Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant. The 2022 grant is for \$13,553 and is dedicated for energy-related projects. He recommends using the grant funding towards the window replacement project at the Municipal Center.

Mr. Sharpe reported that the City is continuing to work on finalizing the agreement for the EV charging station at 106 Water Street.

Mr. Sharpe reported that the rapid rectangular flashing beacons at the Maple Highlands Trail crossings at Water Street, North Street, and Park Avenue have been ordered and will be installed by staff when they are received.

Mr. Sharpe reported on recent hirings in the Police Department.

Mr. Sharpe reported on Public Works projects.

Mr. Meleski inquired if concrete will be cut through in order to replace the cable to the restrooms of the Maple Highlands Trail Phase II Project.

Mr. Hornyak stated that it is anticipated that the wires will be pulled through the conduit and the concrete will not be cut.

Mr. Meleski inquired about the status of the Council Chamber camera project.

Mayor Grau reported that G-TV has been testing the cameras off-site and expect to have them in operation for the April Regular Session of Council.

Mr. Blackley inquired about how much the City will be getting from ODOT for the sidewalk infill project on Center Street.

Mr. Hornyak stated that ODOT's portion of the project will be \$132,000.

#### **PLANNING COMMISSION REPORT**

Mr. Blackley reported that Planning Commission met and gave concept plan and architectural review approval for the demolition and construction of a warehouse at 124 Parker Court. Planning Commission also gave preliminary plan approval for the Maple Trace PRD, a 96-unit detached single family subdivision.

#### **COUNCIL COMMITTEE REPORTS**

##### **Safety Committee**

Ms. Means reported that the Committee met and discussed traffic concerns with residents of Wilson Mills Road. Vehicle and accident data were presented by staff and the City's traffic consultant, Kevin Westbrook, who explained that the data does not warrant a speed reduction at this time. However, the Committee concurred that the City would perform periodic traffic calming measures, collect data over the summer, and would update residents on any changes being considered in the future.

Ms. Means reported that Public Service Director, Paul Hornyak, reviewed the City's traffic calming policy and explained the process for handling traffic complaints.

Ms. Means reported that Kevin Westbrook provided an update on the City's grant application for rapid rectangular flashing beacons at various crosswalks on Main Street and at Chardon High School.

Ms. Means reported that Chief Niehus provided an update on equipment upgrades planned for 2022.

Discussion occurred regarding the body worn cameras and the establishment of a policy.

##### **Service Committee**

Mr. Lelko reported that the Committee met and heard a request by Waste Management for a \$.58/month increase in the cost of residential pickup for the remainder of the contract due to the unexpected impacts of inflation, caused in large part by Covid-19. After hearing a presentation from Vince Crawford, representing Waste Management, the Committee unanimously concluded not to support the requested increase. He noted that if Waste Management wants to pursue the rate increase further, they would have to approach Council.

Mr. Lelko reported that the Committee also discussed the street maintenance program, with emphasis on the 2022 program.

Mr. Lelko noted that staff informed the Committee that they are investigating vacating Memorial Drive and Sixth Avenue.

Mr. Blackley stated that if Sixth Avenue is vacated, he would like to have an easement retained for pedestrian access.

General discussion occurred regarding the repaving of State routes.

#### **Park and Recreation Board**

Park and Recreation Director, Adam Rogers, reported that at the most recent Board meeting, he updated the Board on the progress of Chardon Living Memorial Park, Phase II and on the park rules and regulations which have been posted temporarily in the kiosks. The Board also discussed the 2022 capital projects, staffing, program registrations and the Parks and Recreation master plan.

Mr. Lelko noted that due to the lack of availability of program directors, the responsibility of running various programs has shifted to the Park and Recreation Director.

Mr. Lelko reported that after discussion with the Recreation Director, program participation levels will be provided to Council on an annual basis.

Mayor Grau requested that staff invite the company that provided a quote to prepare a park and recreation master plan, to Council's next Regular Session so that they may review the scope of the plan.

#### **HEARING OF PERSONS BEFORE COUNCIL**

##### **Those Persons on the Agenda**

Heather Means & Sylvia McGee, representing the Chardon Square Association, addressed Council to request permission to repaint the Giving Garden mural as well as the north exterior wall of the service garage at 106 Water Street.

Ms. McGee explained that the mural at the Giving Garden is showing signs of disrepair and the Chardon Square Association (CSA) would like to take the opportunity to refresh and update the mural. They are proposing to offer a City-wide art contest to choose the best design. A panel of 3 judges would choose the best design that would then get presented to City Council in April, and the artist would have to complete the mural by May 31. CSA would prepare the wall and the artist would apply their design.

Mayor Grau asked why a contest was proposed rather than choosing an artist to paint the mural.

Ms. Means stated that the hope is that a contest will bring awareness to the Giving Garden and engage the community.

Ms. Means stated that in addition to the Giving Garden, CSA is requesting the City sponsor an additional mural contest on the back wall of the service garage at 106 Water Street. The City mural could follow similar guidelines or propose a different theme from the Giving Garden. This area is right next to the new EV charging stations and is uniquely suited as a beautification project. They are asking the City to sponsor

this mural contest and pay for the materials, estimated at \$1,600, and the preparation and coordination of the surface will be handled by CSA.

Mr. Blackley moved and Mrs. Chuha seconded that the City participate in part 2 of the Chardon Square Mural Project as presented by the Chardon Square Association in amount up to \$1,600 on the back of the service garage at 106 Water Street. Upon roll call vote the motion passed unanimously.

**GENERAL PUBLIC** - none.

**OLD BUSINESS** - none.

**NEW BUSINESS**

Representatives of Retail Strategies (Beth Miller, Micah Knott, Julia Giardinia) joined via Zoom and provided Council an update on the status of retail recruitment and current initiatives.

Discussion occurred regarding City representation at the ICSC Conferences.

Ms. Miller stated that their job is to represent the communities, but suggested the regional conferences would be more appropriate if City representatives wish to attend.

**Regarding the approval of the IDtech Class Fee**, Park and Recreation Director Adam Rogers, stated that he is looking to partner with IDtech to offer online educational programs that focus on computer-related skills. They are proposing new virtual classes that would cost each participant \$364 per session, and Council approval is being requested because the program exceeds \$300.

Mayor Grau asked if the program was initiated because of community interest.

Mr. Rogers stated that many recreation departments offer some types of stem programs.

Mr. Martin spoke in support of the proposed programs and explained that programs such as Minecraft are a way to get kids into programming.

Mr. Blackley moved and Ms. Means seconded to approve the IDtech program as proposed by the Park and Recreation Director. Upon roll call vote the motion passed unanimously.

**LEGISLATION**

**ORDINANCE NO. 3200**

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 ENERGIZED COMMUNITY GRANT FUND 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. 3200 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. 3200.

Mr. Sharpe stated that the City is eligible for a NOPEC grant which is predicated on the number of users of gas and electric

through NOPEC. The grant amount of \$13,553.00 is proposed to be used for window replacement at the City Municipal Center.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3201**

AN ORDINANCE ADOPTING AN ANNOUNCEMENT OF DECISION REGARDING PRELIMINARY PLAN APPROVAL FOR MAPLE TRACE "PRD" PLANNED RESIDENTIAL DISTRICT DEVELOPMENT 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. 3201 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. 3201.

Law Director, Ben Chojnacki, stated that the legislation adopts the announcement of decision which approves the preliminary plan for Maple Trace PRD. The legislation is incorporating the findings of fact set forth in Exhibit A that is attached to the legislation, and it memorializes much of the same findings from the presentation that Planning Commission authorized and approved.

Community Development Administrator, Steve Yaney, reviewed the details of the proposed PRD, which is similar to the concept plan previously seen by Council. There are 96 single-family homes with almost 14 acres of dedicated open space and a walking trail that runs north and south.

Mr. Lelko inquired about the streets and sidewalks.

Mr. Yaney stated that the streets will be public and there will be sidewalks on both sides of the street. The sidewalks will not be cleared by the City since they are not contiguous to the sidewalk network.

Mayor Grau asked when construction is expected to start.

Dusty Keeney, with Polaris Engineering and Surveying, representing Frontier Land Group, stated that construction is expected to begin in late June.

Ms. Means asked about the target market.

Mr. Keeney stated that there is a mix of ranches and two-story homes that would attract various family types.

Mr. Blackley inquired if the City requires landscape plans for each lot.

Mr. Yaney stated that the City does not require a landscape plan for each home; however, the City has a requirement that any home constructed must have three (3) trees.

Mr. Blackley suggested that the City require that a tree be located in every front yard for all new homes.

Discussion occurred regarding the best way to accomplish this without holding up the development.

Mr. Chojnacki stated that Council can approve the development subject to the condition, or the City could table the approval and staff could work the issue out with the developer.

Mr. Blackley stated the topic should be addressed through the site plan requirements through Planning Commission.

Discussion occurred regarding amending the zoning code to require one of the 3 trees be put in the front yard.

Mr. Chojnacki stated that his concern is the current applicant has a diminished right, upon the sale to the end user of the site.

Mr. Blackley stated that he does not want to table the discussion and hold up the development, but would like to discuss it further at Planning Commission. If they agree, a text amendment can be proposed which would then be considered by Council.

Mr. Keeney stated that street trees are requirements in many communities and is something that most builders are familiar with.

Upon roll call vote the motion passed unanimously.

#### **REVIEW OF EXPENDITURES**

Mr. Meleski reported that expenditures were in order.

#### **EXECUTIVE SESSION**

Mr. Meleski moved and Ms. Means seconded to adjourn to Executive Session at 8:30 p.m. for conferences with the attorney for the public body concerning disputes involving the public body that are the subject of pending or eminent court action, to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, and preparing for conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment and invite Ben Chojnacki, Randy Sharpe, Mark Iacofano, and Amy Day into the session. Upon roll call vote the motion passed unanimously.

Discussion occurred regarding conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or eminent court action.

Discussion occurred regarding the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official.

Discussion occurred regarding preparing for conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Meeting reconvened at 9:01 p.m.

#### **ANY OTHER BUSINESS TO COME BEFORE COUNCIL**

Mr. Meleski moved and Ms. Means seconded to authorize the Law Director to appoint Ron Graham as special prosecutor for the municipal court case, State vs. Ward. Upon roll call vote the motion passed unanimously.

Members of Council and staff reported on upcoming events and activities.

**ADJOURN**

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

The meeting adjourned at 9:07 p.m.

Attest:

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CHRISTOPHER GRAU, Mayor  
President of Council

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AMY DAY  
Clerk of Council