

REGULAR SESSION

January 12, 2023

The Council of the City of Chardon met in Regular Session Thursday, January 12, 2023 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 Chief Scott Niehus, City Engineer Doug Courtney, Community Development Administrator Steve Yaney, Public Service Director Paul Hornyak, Bill Voudra, Bob Landies, Fahim Esmayel, Amy Patterson, Elisabeth Gietz, Peter Byrnes, Albert Adams, Robert Landies, Jr.

**APPROVAL OF MINUTES**

Mrs. Chuha noted a typographical error on page 8 of the December 8, 2022 Regular Session minutes.

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the December 8, 2022 Regular Session as amended. Upon roll call vote the motion passed unanimously.

**RESOLUTION NO. 01-23**

A RESOLUTION OF APPRECIATION FOR CHRISTOPHER MOORE was read for the first time in its entirety.

Mr. Meleski 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. 01-23 was then read for the second and third time by title only.

Mr. Blackley moved and Mr. Meleski seconded for the adoption of Resolution No. 01-23.

Members of Council and staff reflected on Mr. Moore's employment at the City and wished him well in his retirement.

Upon roll call vote the motion passed unanimously.

**MANAGER'S REPORT**

Mr. Sharpe reviewed leaf collection figures for the last 6 years, noting that 121 loads of leaves were collected in 5 trips around the City in 2022.

Mr. Sharpe reported that Leroy Dowling was promoted to the position of Superintendent of Streets, Parks and Cemeteries.

Mr. Sharpe reported that Moises Gomez has been hired as a full-time maintenance worker in the Division of Streets, Cemeteries and Parks.

Mr. Sharpe reported that notice was received by the Ohio Environmental Protection Agency that Reid Morrison, Maintenance Worker in the Division of Water & Sewer, passed the Water 2 examination as a Professional Operator-In-Training.

Mr. Sharpe reported on conversations with Best Sand Corp. regarding recent blasting, noting that they are willing to work with the City on future notifications to homeowners.

Mr. Sharpe reported that over the Christmas weekend, cold temperatures and high winds caused damage to various tenant spaces at Old Village Hall. An insurance claim has been filed for the clean-up, and restoration is underway. He noted that the tenants of Village Trends Boutique and Lake Erie Video have decided to exercise the clause in their contracts to terminate their leases early.

Mayor Grau thanked City staff for their cooperation and efforts with cleanup and repair at Old Village Hall.

Mr. Sharpe noted that repair is taking place at the Park Avenue Trail restroom which was also damaged as a result of the cold weather.

Mr. Sharpe reported that on the agenda, is an ordinance authorizing the City Manager to enter into a contract with Pease-Kerr Insurance Partners for property and liability insurance. The renewal premium for the Municipal Insurance Package is an increase of approximately \$20,000 more than the premium last year. The City's Insurance and Risk Management Consultant, Ben Sutton, researched and reviewed the Insurance Program and negotiated the renewal with the US Specialty Insurance Company with no change in coverage.

Mr. Sharpe noted that Larry Gaspar is retiring following 24 years as the Chief for the Chardon Fire Department. He congratulated Justin Geiss in his new role as Fire Chief.

Mr. Sharpe reported that there is an Ohio EPA Equipment grant that the City would like to apply for, in an amount of up to \$10,000, to be used for the City's water distribution system. Grant applications are due January 25 and Council authorization is requested in order to apply for the grant and make use of the funding.

Mr. Blackley moved and Ms. Means seconded to apply for and make use of funding for an Ohio EPA equipment grant for the City's water distribution system. Upon roll call vote the motion passed unanimously.

Mr. Sharpe reported on public works projects.

Mayor Grau noted that a few members of the business community are in attendance and asked Council to consider moving up agenda item 12B.

Mr. Meleski moved and Mrs. Chuha seconded to amend the agenda to move item 12B to item 7. Upon roll call vote the motion passed unanimously.

**RESOLUTION NO. 02-23**

A RESOLUTION TEMPORARILY WAIVING THE OBLIGATION TO INSTALL SIDEWALKS ALONG THE PROPERTY FRONTAGE LOCATED AT 310 PARK DRIVE AND TEMPORARILY WAIVING THE OBLIGATION TO INSTALL SIDEWALKS AS

PART OF THE SEVENTH AVENUE EXTENSION PROJECT AT 310 PARK DRIVE & 401 PARK DRIVE was read for the first time by title only.

Mrs. Chuha moved and Mr. Meleski 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. 02-23 was then read for the second and third time by title only.

Mr. Meleski moved and Mrs. Chuha seconded for the adoption of Resolution No. 02-23.

Mr. Chojnacki stated that the Resolution allows temporary relief from the obligation to install sidewalks at 310 and 401 Park Drive at the request of the property owner. Relief from the sidewalk obligation would be granted until such time as the public health, safety and welfare require it.

Upon roll call vote the motion passed unanimously.

Mr. Blackley asked if the waiver would be in effect when the property owner's new building is proposed to Planning Commission, since that would typically trigger the requirement for sidewalks.

Mr. Yaney stated that the Resolution waives the installation on the existing structure and proposed building.

#### **PLANNING COMMISSION REPORT**

Community Development Administrator, Steve Yaney, gave the Economic Development report that highlighted business openings and renovations during the 4<sup>th</sup> quarter of 2022.

#### **COUNCIL COMMITTEE REPORTS**

##### **Economic Development Committee**

Mr. Martin reported that the Committee met and discussed the rezoning of certain parcels and removing them from the CRA.

Mr. Sharpe reviewed the properties on Center Street being proposed as part of the rezoning. The area is the most traveled and the most desirable for retail, and rather than having a rezoning be an obstacle for a developer, he thought it would be best to do it up front. He added that Retail Strategies concurred that this method would be an appropriate way to go. He added that in addition, because the properties are in a desirable area, it is not necessary to keep them in the CRA and offer those incentives.

Mr. Blackley asked about rezoning the other properties in the area.

Mr. Yaney reviewed the other properties in the corridor and explained the various reasons not to change their current zoning classifications.

Mr. Sharpe stated that the recommendation is for Planning Commission to consider this and give the property owners the opportunity to speak. Then they would take action that would go back to Council.

Ms. Means moved and Mr. Martin seconded to refer the issues of rezoning of parcels on Center Street from I to C-4 to Planning Commission as outlined, and modifying the Community Reinvestment Area.

Upon roll call vote the motion passed unanimously.

**HEARING OF PERSONS BEFORE COUNCIL**

**Those Persons on the Agenda** - none.

**General Public** - none.

**OLD BUSINESS** -

Mrs. Chuha reported that she received correspondence from a representative of the VFW who reported that the organization no longer wishes to pursue the Hometown Hero Program because of roadblocks they encountered.

Mr. Blackley stated that he would like to see the program materialize and inquired if the VFW has conveyed that the City was the cause of the roadblocks.

Mrs. Chuha stated that the installation costs and working with the Illuminating company were some obstacles facing the VFW.

Mayor Grau suggested that more insight into the correspondence be investigated and see what can be done for the program in the future.

**NEW BUSINESS**

**The 2023 budget hearing was set for March 27, 2023.**

**Regarding the entrance signs for Chardon High School Athletes,** Mr. Sharpe stated that a request was received from Lee Kemp who inquired if the City would recognize individual athletes, since the City has put up state championship signs.

Mayor Grau recommended that an Ad Hoc Committee be formed to look into possibilities for signs and locations and include the school in initial discussions.

Mayor Grau and Mr. Martin offered to serve on the Committee.

Mr. Lelko requested the Committee consider other accomplishments that may be recognized.

**LEGISLATION**

**RESOLUTION NO. 03-23**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CABLE TELEVISION LOCAL GOVERNMENT ACCESS PROGRAMMING AGREEMENT WITH GEAUGA LOCAL CABLE ACCESS CORPORATION was read for the first time by title only.

Mr. Blackley moved and Mr. Martin 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. 03-23 was then read for the second and third time by title only.

Mr. Blackley moved and Ms. Means seconded for the adoption of Resolution No. 03-23.

Mr. Chojnacki stated that the legislation reflects changes to the one-year agreement the City has with G-TV, as was discussed

at the last Council meeting, that includes a reduction in funding.

Results of the roll call vote:

Blackley: Yes  
Chuha: Yes  
Grau: Abstain  
Lelko: Yes  
Martin: Yes  
Means: Yes  
Meleski: No

Motion passed.

**RESOLUTION NO. 04-23**

A RESOLUTION AUTHORIZING THE DISPOSITION OF PROPERTY UNNEEDED, OBSOLETE OR UNFIT FOR MUNICIPAL PURPOSES BY INTERNET AUCTION SALE 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 Resolution be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Resolution No. 04-23 was then read for the second and third time by title only.

Mr. Meleski moved and Mrs. Chuha seconded for the adoption of Resolution No. 04-23.

Mr. Chojnacki stated that the legislation authorizes the disposition of property that is unneeded, obsolete or unfit for municipal purposes by internet auction sale and allows the City Manager to dispose of property that no longer has value.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3231**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH INSURANCE PARTNERS AGENCY, LLC. FOR THE PROPERTY, INLAND MARINE, EDP, CRIME, BOILER AND MACHINERY, AUTOMOBILE LIABILITY, COMPREHENSIVE MUNICIPAL LIABILITY, LAW ENFORCEMENT LIABILITY, PUBLIC OFFICIALS LIABILITY, UMBRELLA EXCESS LIABILITY, AND CYBER AND PRIVACY LIABILITY INSURANCE COVERAGES, AND DECLARING AN EMERGENCY 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. 3231 was then read for the second and third time by title only.

Mr. Martin moved and Ms. Means seconded for the adoption of Ordinance No. 3231.

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 Mrs. Chuha seconded to adjourn to Executive Session at 7:29 p.m. to consider the purchase of public property for a public purpose or the sale of public property at competitive bidding, for preparing for conducting or reviewing negotiations for bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment, to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, and for conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or eminent court action and invite Ben Chojnacki, Randy Sharpe, Mark Iacofano, Steve Yaney, Scott Niehus and Amy Day into the session. Upon roll call vote the motion passed unanimously.

Discussion occurred regarding the purchase of public property for a public purpose or the sale of public property at competitive bidding.

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

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

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.

Meeting reconvened at 9:15 p.m.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

The clerk read the proposed appointments to boards and commissions as follows:

- SHADE TREE COMMISSION** - 3 year term  
Jason Collette 1/1/23-12/31/25
- CIVIL SERVICE COMMISSION** - 3 year term  
Michael Ostovic 1/1/23-12/31/25
- HOUSING COUNCIL** - 3 year term  
Marc Burr 1/1/23-12/31/25  
Jeffrey Campbell, Jr. 1/1/23-12/31/25  
Thomas Dea 1/1/23-12/31/25  
Jeffrey Kooyman 1/1/23-12/31/25  
Edward Lawrence 1/1/23-12/31/25  
Sally Robertson 1/1/23-12/31/25
- AUDIT COMMITTEE**- 3 year term  
Michael Washington 1/1/23-12/31/25
- BOARD OF INCOME TAX REVIEW** - 2 year term  
Randy Russ 1/1/23-12/31/24
- GEAUGA COUNTY COMMUNITY IMPROVEMENT CORPORATION** - 1 year term  
Mayor 1/1/23-12/31/23
- GEAUGA COUNTY FAMILY FIRST COUNCIL** - 1 year term  
Robert Faehnle 1/1/23-12/31/23

Mrs. Chuha moved and Mr. Meleski seconded to approve the appointments as presented. Upon roll call vote the motion passed unanimously.

**ANY OTHER BUSINESS TO COME BEFORE COUNCIL - none.**

**ADJOURN**

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

The meeting adjourned at 9:18 p.m.

Attest:

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CHRISTOPHER GRAU, Mayor  
President of Council

\_\_\_\_\_  
AMY DAY  
Clerk of Council