

REGULAR SESSION

February 9, 2023

The Council of the City of Chardon met in Regular Session Thursday, February 9, 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, Park & Recreation Director Adam Rogers, Lt. Matt Delisa, Sheriff Scott Hildenbrand, Lt. Brandon Reed, Fire Chief Justin Geiss, Steve Turpin, Bill Hess, Angela Nagel, Chuck Pirnat, Tim Snyder, Courtney Hudson, Jonathan Williams, Anastasia Nicholas, Nancy McArthur, Elisabeth Giedt, Peter Byrnes, Amy Patterson, Jeff & Kerry Allenby, Al Crowe, Ken Talarchek.

**APPROVAL OF MINUTES**

Mr. Blackley moved and Mr. Meleski seconded to approve the minutes of the January 12, 2023 Regular Session as presented. Upon roll call vote the motion passed unanimously.

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the January 26, 2023 Special Session as presented. Upon roll call vote the motion passed unanimously.

Mayor Grau asked for a moment of silence in memory of Chris Reho, Lab Technician in the Division of Water & Sewer, who passed away unexpectedly on February 2, 2023.

Remarks followed from the City Manager and Public Service Director who reflected on Mr. Reho's time and dedication to the City.

**MANAGER'S REPORT**

Mr. Sharpe reported on the status of grant applications for the EV charging station on Park Avenue, the Systemic Safety Grant for the Square and High School, and the Ohio Department of Development's Water and Wastewater Infrastructure Grant.

Mr. Sharpe gave an update on the status of public works projects.

**PLANNING COMMISSION REPORT**

Mr. Blackley reported that Planning Commission met in Regular Session and approved all variances requested by Robert Landies

III related to an additional industrial building on his property at 310 Park Drive.

Mr. Blackley reported that Planning Commission also heard a request from Marco Marinucci to modify the use of a commercial building at 150 Court Street to a single-family residence. He noted that Planning Commission was not in favor of rezoning the property back to residential.

Mr. Yaney stated that conversations have been had with the current owners since the meeting, and they are considering converting only the second floor into a residence which would be permitted under the current zoning.

Mr. Blackley reported that Planning Commission had an informal discussion with LS Architects for a potential new Congregate Care Senior Living Facility on Meadowlands Drive, which Planning Commission was favorable towards.

Mr. Blackley reported that Planning Commission has changed their meeting dates to the 4<sup>th</sup> Tuesday of every month.

#### **COUNCIL COMMITTEE REPORTS**

##### **Safety Committee**

Ms. Means reported that the Committee met and heard an update from the City Manager on the status of the City's systemic safety grant application, and also received a report on the Emergency Operations Plan tabletop training exercise that was held on January 28<sup>th</sup>.

Chief Niehus reported on the tabletop training exercise which was designed to drive conversations between the core team and identify items that needed addressed in the plan, while working through a simulated emergency situation.

**Regarding the City Manager's recommendation to close the dispatch center**, Mr. Sharpe stated that his decision to make this recommendation was not taken lightly, but as research was gathered, it became apparent that his recommendation would be to consolidate the dispatch center with the Sheriff's office. He reviewed some history about this decision and some of the considerations and research gathered, noting that equipment was the initial reason to begin the analysis of keeping or disbanding the dispatch center.

Police Chief, Scott Niehus, reviewed staffing and equipment changes that would be necessary in order to provide proper coverage for the department, and explained that consolidation with the Sheriff's Department is an alternative.

Mayor Grau opened up the floor for comment from the general public, noting that responses from Council and staff may be made after all comments are complete.

Al Crowe, Russell Township resident, questioned the accuracy of the figures in the earnings reports provided by the City Manager and asked why grants and COVID money were not used to replace the aging equipment in the dispatch center.

Jeff Allenby, 352 Claridon Rd., stated that crimes have changed and asked Council to think about the future ramifications of this decision and he encouraged Council to take the opportunity to do a ride along with patrolmen and to include them in discussions about dispatch consolidation.

Ken Talarchek, Claridon resident, stated that if Council members vote for dispatch consolidation, they are not protecting the City's residents.

Nancy McArthur, 117 Cedar Glen, spoke in support of the dispatch consolidation, noting that it was a recommendation made in 2012 through the Auditor of State's performance audit. She added that it is a difficult decision Council is faced with, as they need to balance being responsible to taxpayers with the service provided to residents and visitors to the City. She questioned if the Finance Director has reviewed the figures the City Manager provided.

Lt. Brandon Reed, stated that he knows that the Chardon dispatchers have made sacrifices, and while the Sheriff's office is prepared to take on the responsibility of the Chardon dispatch center, he would like for the Chardon Dispatch Center to be the County's backup.

John Kloski, Chardon Dispatcher, stated that he is speaking for the dispatchers who are angered and hurt that poor planning and budgeting by management for the replacement of equipment is causing the closing of dispatch center. He explained the far-reaching ramifications to various entities and City departments that the closing will have.

Bill Hess, 115 North Street, spoke in support of keeping the dispatch center in the City. He stated that the City should have been saving for years so that the money would be available when the time came for the equipment to be replaced.

Ms. Means moved and Mr. Blackley seconded to approve the City Manager's recommendation to terminate the collective bargaining agreement with the dispatchers and to authorize the City Manager to negotiate the closing agreement with the bargaining unit.

Mayor Grau opened up Council discussion to address issues brought up by the public.

Mayor Grau asked if the Finance Director has reviewed the financial figures provided by the City Manager.

Mr. Sharpe stated that the data that initiated the analysis came from the former Finance Director and the Deputy Human Resources Director provided the current figures in the handouts.

Ms. Means stated that Council needs to decide if the City should spend close to \$1 million to update the dispatch center when currently, Chardon taxpayers are already paying for dispatching service through the Sheriff's office which handles 90% of 911 calls. This feels like an undue burden to taxpayers to pay for the services twice. She added that there is not a high enough volume of calls to justify adding additional staff, when the City is not the backup to the Sheriff's department. The City has not been able to secure grant funding for this, and so the City would have to go back to the taxpayers to fund the upgrade.

Mr. Blackley asked the Chief to address a comment that was made that the City will be less safe if dispatching services are done by the Sheriff's office.

Chief Niehus stated that the sheriff's dispatch center provides the same types of functions as Chardon dispatch and residents should not see any difference in the ways that their calls are answered.

Ms. Means asked the Chief to address the concern raised about how major events will be handled.

Chief Niehus stated that in an emergency situation, Chardon does not have multiple dispatchers to handle major events, but manage and enlist the help of the Sheriff's Department when necessary.

Ms. Means asked the police chief to address the issue raised about the City's partnership with other agencies during a major event.

Chief Niehus stated that the City has an ongoing working relationship with the Sheriff's Department which can provide a variety of resources from deputies to detectives, and the City also belongs to the valley enforcement group who provides a number of services to the City.

Mr. Lelko stated that he believes the Sheriff's Department can handle the City's dispatching services, but he is concerned that there will be a need to have Police Department personnel in the building 24/7.

Mr. Blackley stated that he also sees the justification in having the dispatch calls being handled by the S.O. and concurred with Mr. Lelko's comment about personnel in the building beyond business hours so that residents can feel comfortable that there is someone at the Municipal Center to help them.

Mr. Meleski asked if Lt. Reed's comment about the Chardon dispatch remaining the County's backup would be possible without a significant investment.

Chief Niehus stated that it would take a significant investment by the City and it would also require commitment by the Sheriff that he wants the Chardon to be their backup.

Mr. Meleski asked the Sheriff if he is confident they are able to handle Chardon's calls for emergency services.

Sheriff Hildenbrand stated that he is confident they are able to handle Chardon's calls for emergency services. He added that they would like to use Chardon as their backup, but all the City's equipment would need to be updated to make it work.

Mrs. Chuha asked if a levy would be necessary to generate the funds necessary to make the improvements to the dispatch center.

Ms. Means stated that she believes a levy would be necessary to fund all the improvements to the dispatch center.

Mr. Sharpe stated that it depends what Council would like to do, but both equipment and staffing costs would need to be taken into account. Council needs to decide if they want to justify spending the money to add additional staff and either pursue a levy or use General Fund money by cancelling some scheduled projects.

Mr. Lelko asked when a levy could be put on the ballot.

Mr. Sharpe stated that the earliest date would be November 7<sup>th</sup>.

Upon roll call vote the motion passed unanimously.

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

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

Steve Turpin, project manager for Brewfest 2023, reviewed the 2022 event and what is being proposed for 2023. He stated that

Cleveland Scene Magazine is the proposed owner for the 2023 event and he introduced Angela Nagel, Event Manager for Cleveland Scene Magazine.

Ms. Nagel reviewed other events they have done in other communities and look forward to expanding their reach to Chardon.

Mr. Turpin noted that he would like to begin ticket sales as soon as possible for the event and asked for Council's authorization to proceed.

Mayor Grau asked if the Police Chief has any concerns moving forward with the 2023 Brewfest.

Chief Niehus stated that they have a good working relationship with Mr. Turpin, and see no issues moving forward.

Mr. Martin asked about plans to handle expected growth.

Mr. Turpin stated that he believes there is room for some growth in the Square, but there will be a limit which is unknown at this time.

Mr. Blackley moved and Mr. Grau seconded to authorize the City Manager to execute an agreement with Cleveland Scene Magazine for the 2023 Brewfest with terms that are substantially similar to previous years.

Results of the roll call vote:

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

Motion passed.

**General Public** - none.

#### **OLD BUSINESS**

#### **NEW BUSINESS**

**Regarding authorizing the City Manager to enter into a contract with Geauga Soccer Federation,** Park and Recreation Director, Adam Rogers, stated that the contract will allow the Geauga Soccer Federation to manage the City's youth soccer league for the 2023 spring and fall soccer seasons. The management includes scheduling, coaching, and coach training.

Mayor Grau inquired how complaints about the program would be handled.

Mr. Rogers stated that the initial complaint would go to the Geauga Soccer Federation Board to address and if it is not resolved, it would be reported to him to handle. Regardless, he would get a report of any issues which would be discussed with the Soccer Federation.

Mr. Lelko asked if the soccer program will be a City program.

Mr. Rogers stated that it would be a City program in partnership with the Geauga Soccer Federation. He added that their interest is to develop players in a consistent manner that will prepare them for future play.

Mr. Martin asked how this proposal will benefit the Chardon Recreation Department.

Mr. Rogers stated that the Geauga Soccer Federation has more volunteers and board members to help direct the volunteer coaches and spend more time on coaching strategies. It also helps the department because it is still recognized as a City program and it will free up staff time to focus on other programs.

Mrs. Chuha moved and Mr. Meleski seconded to authorize the City Manager to enter into a contract with Geauga Soccer Federation. Upon roll call vote the motion passed unanimously.

**Regarding authorizing the City Manager to participate in public auctions for the purpose of purchasing a used boom mower,** Public Service Director Paul Hornyak explained that in recent years, staff has tried to procure a replacement for the 1973 Massey Ferguson tractor and berm mower that is used to mow the grass on roadsides throughout town. The ideal attachment for berm mowing is a boom mower which typically costs in excess of \$225,000, however, staff has been watching for a used boom mower which are occasionally listed on government auctions. A suitable mower has been located in a current auction, and staff is requesting authorization to participate in this or future auctions for the purchase of a used boom mower in an amount not to exceed \$120,000.

Ms. Means asked how staff would go about inspecting the auction item.

Mr. Hornyak stated that staff members would look at the item in person.

Mrs. Chuha asked if the auction is for a tractor and mower.

Mr. Hornyak stated that the auction currently being followed is for a tractor and mower.

Mr. Sharpe stated that mower is not in the Capital Improvement Plan because it is unknown if and when the City may be a successful bidder for a boom mower. If the City wins the auction, the Street Department capital items will have to be adjusted.

Ms. Means moved and Mrs. Chuha seconded to authorize the City Manager to participate in public auctions for the purpose of purchasing a used boom mower.

Upon roll call vote the motion passed unanimously.

## **LEGISLATION**

### **RESOLUTION NO. 5-23**

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED, 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. 5-23 was then read for the second and third time by title only.

Mr. Sharpe stated that the Hidden Glen Water Main Loop Project was identified as a priority project in 2020 that will provide a new water main from Hidden Glen Subdivision to Woodiebrook Road, that will provide for improved safety and redundancy in the water system. The legislation would authorize him to apply for a \$250,000 grant and \$150,000 loan through OPWC with the balance being the responsibility of the City.

Mr. Blackley moved and Mr. Meleski seconded for the adoption of Resolution No. 5-23. Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3232**

AN ORDINANCE AMENDING APPROPRIATIONS IN THE CITY OF CHARDON TREASURY FOR 2023 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. 3232 was then read for the second and third time by title only.

Ms. Means moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3232.

Mr. Iacofano stated that amended appropriations are necessary to fund the emergency repair of Old Village Hall resulting from frozen and broken boiler lines.

Mr. Iacofano stated that an insurance claim has been filed, and the City will be reimbursed for the repairs less a \$10,000 deductible.

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 8:31 p.m. to consider the purchase of public property for a public purpose or the sale of public property at competitive bidding, preparing for conducting or reviewing negotiations for bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment, and regarding the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official and invite Ben Chojnacki, Randy Sharpe, Mark Iacofano, Paul Hornyak, Chief Niehus, Steve Yaney, Mike Butt, Amy Day and Paul Jackson into the session. Upon roll call vote the motion passed unanimously.

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

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.

Meeting reconvened at 9:26 p.m.

**ANY OTHER BUSINESS TO COME BEFORE COUNCIL**

The clerk announced openings on the Charter Review Commission and requested interested residents send a letter of interest to the City Manager's office by February 28, 2023.

**ADJOURN**

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

The meeting adjourned at 9:27 p.m.

Attest:

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CHRISTOPHER GRAU, Mayor  
President of Council

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