

LEGISLATIVE COMMITTEE MEETING

March 4, 2021

The Legislative Committee of Chardon City Council met on Thursday, March 4, 2021 at 5:00 PM via video conference.

Deborah Chuha, Chairman of Legislative Committee presiding.

Members of Legislative Committee present: Andrew Blackley, Deborah Chuha.

Others present: Law Director Ben Chojnacki, Clerk of Council Amy Day, City Manager Randy Sharpe, Community Development Administrator Steve Yaney, David Jevnikar, Marc Burr.

Mrs. Chuha called the meeting to order at 5:00 PM.

**APPROVAL OF MINUTES**

Mr. Blackley moved and Mrs. Chuha seconded to approve the minutes of the Legislative Committee from December 3, 2020.

Upon voice vote the motion passed unanimously.

**Regarding discussion of the G-TV contract,** Randy Sharpe, City Manager, reported that he and the Law Director met with Mr. Jevnikar to discuss the contract. After the meeting, the Law Director prepared a draft of the agreement that made changes to the agreement that also included a sharing of the franchise tax fee.

Mr. Jevnikar reviewed the agreement and stated that he wanted to meet with the legislative committee because he did not agree with the sharing of the franchise tax fee and did not wish to discuss the other terms of the agreement until the funding issue is resolved.

Mr. Sharpe explained that he felt it was in the best interest of the City to use a portion of the revenue provided by the cable franchise tax fee for use by the City to purchase and maintain equipment for recording and videotaping in Council Chambers and the Conference room and for future upgrades to hose systems. As well as other public information and communication platforms. He explained that he proposed a 2/3, 1/3 share of the franchise fee with G-TV based on the actual numbers from 2016-2020.

Dave Jevnikar explained that the franchise fees have been decreasing and sees this trend continuing. Their position is

that they will not ask for general fund money and will work with the funds that the franchise fee generates, even if this goes down.

Mr. Jevnikar expressed concern that if the City splits the franchise with G-TV in some way, the other communities will also want to do the same. He explained that their fixed costs are approximately \$120,000 per year. Their variable costs could be used with the excess. Fixed costs would cover council meetings, but fixed costs are for other events. He does not think they should take a cut in pay and does not know how anyone else could afford to take a 33% cut in pay.

Mr. Jevnikar explained that G-TV could use some funds for equipment upgrades in Chambers by reimbursing the City for the costs of equipment upgrades. This way they would still be receiving 100% from the City.

Mr. Sharpe stated that he and Mr. Jevnikar disagree that communities will follow the City's lead.

Mr. Jevnikar added that he does not believe that the franchise fee should be used for general communication purposes, contrary to the City Manager's opinion.

Mr. Blackley stated that he would like to see G-TV's financials because he is not able to make a decision for funding without this information. He stated that the committee needs this information to determine if what he is asking is reasonable.

Mr. Jevnikar stated that he can provide financials to the committee but noted that he does not track hours and he can't provide viewership information as Spectrum does not provide this type of information.

Significant discussion occurred regarding the activities G-TV offers.

Mr. Jevnikar continued to provide information about the value G-TV provides.

**Regarding AN ORDINANCE AMENDING SECTION 1319.09 OF THE CODIFIED ORDINANCES TO REGULATE THE EXTERIOR STORAGE OF LANDSCAPE MATERIALS ON RESIDENTIAL PROPERTIES,** Mr. Chojnacki stated that in the City's continued effort to put more "teeth" into the City's ability to regulate the maintenance of residential properties, the Legislative Committee has before it a draft piece of legislation that specifically regulates the manner in which landscape materials can be stored in residential yards. There is nothing in the City's existing exterior property

maintenance code that explicitly addresses the storage of landscape materials in this manner, nor is there anything in the International Property Maintenance Code. The draft legislation provides that "Landscape Materials" (mulch, topsoil, compost, rock/pebbles, etc.) shall only be stored in yards for a period of time not exceeding four (4) months. And, any unbagged pile of landscape materials which sits in a pile for a period longer than seven (7) days shall be covered with a tarp and stakes to stop the growth of fungus, decay, and rot.

Mr. Blackley asked what volume of material constitutes a pile.

Mr. Chojnacki stated that if it becomes something that if it becomes something that could present a danger to the health, safety or welfare or if it becomes an eyesore or could cause run off, that is the issue that is trying to be addressed.

Mr. Blackley asked the frequency that this exists.

Mr. Yaney stated that dirt or mulch piles become an issue approximately once or twice a year.

Mr. Blackley stated that he is concerned with the enforcement because if it could be open to interpretation of what a pile is.

Mr. Chonjacki stated that location, screening and lot size are variables that could affect what constitutes a pile that would get cited.

Mr. Blackley stated that besides that concern, he is in favor of it.

Mrs. Chuha concurred that she is in favor of it.

**Mr. Blackley moved and Mrs. Chuha seconded to recommend the ordinance to Council for approval. Upon voice vote the motion passed unanimously.**

**EXECUTIVE SESSION - none.**

**ANY OTHER BUSINESS - none.**

**ADJOURN**

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

The meeting adjourned at 5:59 PM.

Attest:

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AMY DAY  
Clerk of Council