

REGULAR SESSION

May 11, 2023

The Council of the City of Chardon met in Regular Session Thursday, May 11, 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: Deborah Chuha, Christopher Grau, David Lelko, Kyle Martin, Heather Means, Daniel Meleski.

Members of Council absent: Andrew Blackley.

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 Hess, David Coley, Cathi Leonello, Reta Madsen, Dave Nelson, Jeffrey Heinrich.

Mayor Grau thanked Council and staff for their patience during his recent absence.

APPROVAL OF MINUTES

Mrs. Chuha moved and Mr. Martin seconded to approve the minutes of the April 13, 2023 Public Hearing as presented.

Results of the roll call vote:

Blackley: Absent
Chuha: Yes
Grau: Abstain
Lelko: Yes
Martin: Yes
Means: Yes
Meleski: Abstain

Motion passed.

Mrs. Chuha moved and Ms. Means seconded to approve the minutes of the April 13, 2023 Regular Session as presented.

Results of the roll call vote:

Blackley: Absent
Chuha: Yes
Grau: Abstain
Lelko: Yes
Martin: Yes
Means: Yes
Meleski: Abstain

Motion passed.

Mr. Martin moved and Mr. Meleski seconded to approve the minutes of the April 20, 2023 Special Joint Session as presented.

Results of the roll call vote:

Blackley: Absent
Chuha: Yes
Grau: Abstain
Lelko: Yes
Martin: Yes
Means: Yes
Meleski: Yes

Motion passed.

MANAGER'S REPORT

City Manager, Randy Sharpe, reported that conditional offers of employment have been made for the positions of Day Camp Director and the Maintenance Worker in the Division of Streets, Cemeteries and Parks.

Mr. Sharpe reported that the 2023 Street Maintenance contracts have been signed and a pre-construction meeting has been scheduled.

Mr. Sharpe reported that Records Clerk, Sally Harmasek, has notified the City of her plans to retire June 1. To date, 30 applications have been received to fill the 2 open Records Clerk positions.

Mr. Sharpe asked the Police Chief for an update on the transition of police dispatching from the City to the Sheriff's Office.

Police Chief, Scott Niehus, reported that the Police Department is moving forward with utilizing the Sheriff's Office for dispatching and is currently in the process of updating the physical aspects of the building and replacing the phone system.

Chief Niehus provided an update on the implementation of a City-wide camera system as well as body camera system for officers.

Mr. Sharpe reported on the server room upgrade in the Police Department.

Mr. Sharpe reported on the status of public works projects.

PLANNING COMMISSION REPORT

Mr. Meleski reported that Planning Commission met and gave concept plan and architectural review approval for a retail building for pOpshelf at the intersection of Meadowlands Drive and Fifth Avenue.

Mr. Meleski reported that Planning Commission also approved the concept plan for the City's stream and wetland restoration project along the Maple Highlands Trail.

Mr. Meleski reported that the rezoning of parcels on Center Street from industrial to commercial was discussed by Planning Commission, who requested the Economic Development Committee give an opinion on the impact of DeNora Tech property being removed from the proposed rezoning. Additionally, DeNora Tech was asked to attend the next meeting to discuss their future plans and rationale for requesting to be removed from the proposed rezoning.

Economic Development Committee members Ms. Means and Mr. Martin,

stated that it would be helpful for the Economic Development Committee to hear what DeNora Tech has to say before the Committee gives an opinion.

COUNCIL COMMITTEE REPORTS

Charter Review Committee

Mrs. Chuha reported that the Charter Review Committee met on 2 separate occasions and did not have any recommendations for Charter changes.

Ms. Means moved and Mr. Meleski seconded to accept the Charter Review Committee's recommendation that no alterations, revisions or amendments be made to the City of Chardon Charter.

Mayor Grau thanked the Charter Review Committee members for their work reviewing the Charter.

Upon roll call vote the motion passed unanimously.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda

Jeffrey Heinrich, representing NOPEC, updated Council on the re-enrollment process into NOPEC's electric program and reviewed the benefits of NOPEC.

Mr. Heinrich reviewed the factors that led to NOPEC moving customers back to the default service that occurred in 2022 and the process for customers to re-enroll in NOPEC for their energy supply.

Mr. Meleski asked what safeguards have been put in place so that what happened in 2022 does not happen again.

Mr. Heinrich stated that a consultant has been hired to gauge the market.

Mr. Lelko stated that he chooses to say with NOPEC because of how they are structured and what they stand for.

Mr. Heinrich reviewed grants and sponsorship events that NOPEC communities are eligible to receive. In addition, he suggested the City consider do not knock and natural gas opt-in programs.

Dave Nelson, Chardon Square Association member, addressed Council and presented ideas for decorations on the Square that included new light pole garland, lit arches over sidewalks and 4 geodesic domes over picnic tables.

Ms. Means asked if the City has any concerns with vandalism of the domes.

Chief Niehus stated that since his department does not have experience with the domes, he does not know the probability of vandalism.

Mr. Nelson stated that he does not envision any issues since the domes will be lit and are transparent.

Mayor Grau questioned if the domes are complementary to the holiday decorations in the Square, and asked if CSA is amenable to purchasing 2 domes as a trial before purchasing 4.

Mr. Nelson stated that the domes are meant to be an interactive winter decoration, noting that they would be amenable to purchasing 2 domes instead of 4.

Mayor Grau asked if the City would be responsible for snow removal to allow access to the domes.

Mr. Nelson stated that he does not anticipate resources being used to clear snow away from the entrance. If there is snow, the domes can still be utilized without having the snow cleared.

Ms. Means stated that people being respectful of the dome decorations is of concern to her.

Members of Council asked what City resources would be needed.

Mr. Nelson stated that CSA would request help from the City for coordinating the setup and removal of picnic tables on the Square.

Mr. Hornyak inquired how the domes are anchored.

Mr. Nelson stated that they are anchored with pins.

Mr. Hornyak stated that the pins will not come out if the ground is frozen.

Mrs. Chuha inquired about the proposed location of the domes.

Mr. Nelson stated that they are amenable to putting the domes wherever the picnic tables are.

Mr. Hornyak noted that since the sidewalks are 6' in some areas of the Square, arches need to be at least 10' wide.

Discussion occurred regarding alternate arches that could be purchased or alternate locations.

Mr. Meleski questioned the size of garland for the light poles.

Mr. Nelson stated that the garland is 18".

Mr. Meleski spoke in support of the proposed decorations, if the noted obstacles are addressed and overcome.

Mr. Sharpe asked if CSA will own and store the decorations.

Mr. Nelson stated that CSA will own and store the decorations.

Mr. Sharpe asked if CSA has approved the proposed decorations.

Mr. Nelson stated that they have given preliminary acceptance but still need to provide final approval.

Mr. Sharpe noted that staff can meet with Mr. Nelson to discuss what would work best.

General Public

Bill Hess, 206 North Street, inquired about the status of the courthouse expansion.

Mayor Grau stated that the County is still planning to break ground on the courthouse expansion in December, 2023 and although it is the County's project and design, they are giving the City the option to voice any objections. Currently, the City is still working on evaluating what the County is proposing and working on details of the facade.

Mr. Hess stated that the courthouse is a historic building and whatever changes are proposed should be aesthetically pleasing and represent the existing courthouse as much as possible.

Mayor Grau stated that once the plans are closer to being finalized, they will be shared with the public.

OLD BUSINESS - none.

NEW BUSINESS - none.

LEGISLATION

ORDINANCE NO. 3238

AN ORDINANCE REPEALING ORDINANCE NO. 3235 AND AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2023 ENERGIZED COMMUNITY GRANT FUNDS 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 Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3238 was then read for the second and third time by title only.

Ms. Means moved and Mr. Meleski seconded for the adoption of Ordinance No. 3238.

Mr. Sharpe stated that the legislation changes the project for the NOPEC grant from the HVAC system at 106 Water Street to the replacement of aging electric aerators/mixers for the wastewater treatment plant.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 10-23

A RESOLUTION REJECTING ALL BIDS AND DECLINING TO AWARD A CONTRACT FOR THE ALLYND BOULEVARD SANITARY SEWER REPLACEMENT PROJECT 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 Resolution be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Resolution No. 10-23 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. 10-23.

Mr. Chojnacki stated that because the City is not moving forward with the Allynd Boulevard Sanitary Sewer Replacement Project, the legislation is needed to reject all bids and not award the contract.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3239

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.

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. 3239 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. 3239.

Finance Director, Mark Iacofano, stated that the proposed increase of \$6,000 in the General Capital Improvement Fund budget for parks is due to concrete work related to the Chardon Living Memorial Phase 2 Project. This additional funding is available as a result of the closure of a 2022 purchase order that came in under budget for another capital project.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 11-23

A RESOLUTION AWARDING THE SEVENTH AVENUE REPAIR, WIDENING, AND EXTENSION PROJECT (PROJECT NO 6-161, OPWC PROJECT CG51Z/CG52Z) TO TRAX CONSTRUCTION COMPANY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO ALL AGREEMENTS NECESSARY TO PROCEED WITH THE PROJECT AND DECLARING AN EMERGENCY was read for the first time by title only.

Ms. Means 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. 11-23 was then read for the second and third time by title only.

Mrs. Chuha moved and Mr. Martin seconded for the adoption of Resolution No. 11-23.

City Engineer, Doug Courtney, stated that he is recommending awarding the bid to Trax Construction who submitted the low bid for the project.

Discussion occurred regarding the high number of days to complete the project.

Mr. Courtney explained that the high number of days is due to the lead time on traffic signal poles.

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 7:43 p.m. to discuss the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, to consider the purchase of public property for a public purpose or the sale of public property at competitive bidding, to discuss preparing for conducting or reviewing negotiations for bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment, 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, Amy Day and 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 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.

Meeting reconvened at 8:19 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Council and members of staff reported on upcoming events.

ADJOURN

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

The meeting adjourned at 8:20 p.m.

Attest:

CHRISTOPHER GRAU, Mayor
President of Council

AMY DAY
Clerk of Council