

REGULAR SESSION

June 8, 2023

The Council of the City of Chardon met in Regular Session Thursday, June 8, 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, Heather Means, Daniel Meleski.

Members of Council absent: Kyle Martin.

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, Paul Jackson, Don Rice, Bill Hess, Amy Patterson, Elisabeth Gietz, Peter Byrnes.

APPROVAL OF MINUTES

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the May 11, 2023 Regular Session as presented.

Results of the roll call vote:

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

Motion passed.

EXECUTIVE SESSION

Mr. Blackley moved and Mr. Meleski seconded to adjourn to Executive Session at 6:33 p.m. to discuss the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, 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 Paul Jackson into the session. Upon roll call vote the motion passed unanimously.

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 7:43 p.m.

Mayor Grau congratulated Chardon High School students, Raye Kowalic and Karl Dietz, who participated in the recent State track meet.

MANAGER'S REPORT

City Manager, Randy Sharpe, reported that conditional offers have been made to fill the Maintenance Worker positions in the Division of Water and Wastewater, and the selection process is continuing to fill the Records Clerk positions in the Police Department.

Mr. Sharpe reported on the status of the 2023 Street Maintenance Project which is 70% complete.

Mr. Sharpe reported that the City was not successful in its Ohio EPA H2Ohio Distribution Equipment Grant request for a tracer / locator and water leak detection equipment.

Mr. Sharpe reported that salt pricing was received and is favorable for the next season.

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

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and informally discussed DeNora Tech's rationale for not wanting their property on Center Street to be rezoned from Industrial to Commercial. Representatives from DeNora Tech explained that they are considering constructing a new building on their property and did not want their property rezoned until they decide if they want to pursue construction. He added that Retail Strategies' opinion was that the City not rezone any of the surrounding parcels until DeNora Tech makes a decision about what they want to do with their property. Planning Commission concurred to give DeNora Tech a year to convey their plans for the property, and did not wish to take any action on any of the Center Street parcels until that time.

Mr. Blackley reported that Planning Commission also had an informal discussion with Eleventhree Brewing Company regarding a potential future variance to allow a rotation of food trucks on a semi-regular basis. Planning Commission members were favorable to the idea and requested the owner work with the Community Development Administrator to formulate a variance for a future meeting.

COUNCIL COMMITTEE REPORTS

Park & Recreation Board

Mrs. Chuha reported that the Park and Recreation Board met and discussed the opening of the pool and summer program registrations and participation.

Mrs. Chuha reported on upcoming park and recreation events.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda

Don Rice, Superintendent of Geauga County Board of Developmental Disabilities, spoke to inform the public about the services the agency provides.

General Public - none.

OLD BUSINESS - none.

NEW BUSINESS

A public hearing was set for July 13, 2023 at 6:25 PM to provide the public an opportunity to comment regarding the 2024 tax budget.

LEGISLATION

ORDINANCE NO. 3240

AN ORDINANCE ACCEPTING THE FACT-FINDING REPORT IN THE MATTER OF CITY OF CHARDON AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ("OPBA"), SERB CASE NO.: 2022-MED-12-1210, AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CHARDON, OHIO AND OPBA 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. 3240 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. 3240.

Law Director, Benjamin Chojnacki, stated that the City and the Ohio Patrolmen's Benevolent Association have concluded negotiations for a collective bargaining agreement for full-time sergeants. All terms except for 2 were approved between the parties, and the outstanding items were presented to a fact-finder. The fact-finder issued their report, which the City has 7 days to accept or reject. If the City approves the legislation, the City will be accepting the fact-finder's decision and authorizes the City Manager to enter into a collective bargaining agreement with the OPBA for a successive 3-year term that incorporates the negotiated changes between the parties.

Upon roll call vote the motion passed unanimously.

Ms. Means moved and Mrs. Chuha seconded to remove item #12B, AN ORDINANCE TO REJECT THE FACT-FINDING RECOMMENDATIONS IN THE MATTER OF THE CITY OF CHARDON AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ("OPBA"), SERB CASE NO.: 2022-MED-12-1210 AND DECLARING AN EMERGENCY, from the agenda.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3241

AN ORDINANCE ACCEPTING THE FACT-FINDING REPORT IN THE MATTER OF CITY OF CHARDON AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ("OPBA"), SERB CASE NO.: 2022-MED-12-1212, AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT BETWEEN

THE CITY OF CHARDON, OHIO AND OPBA AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. Chuha moved and Mr. Blackley 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. 3241 was then read for the second and third time by title only.

Ms. Means moved and Mr. Blackley seconded for the adoption of Ordinance No. 3241.

Mr. Chojnacki, stated that the City and the Ohio Patrolmen's Benevolent Association have concluded negotiations for a collective bargaining agreement for full-time patrolmen. If the City approves the legislation, the City will be accepting the decisions of the fact-finder and authorizes the City Manager to enter into a collective bargaining agreement with the OPBA for a successive 3-year term that incorporates the negotiated changes between the parties.

Upon roll call vote the motion passed unanimously.

Mr. Meleski moved and Ms. Means seconded to remove item #12D, AN ORDINANCE REJECTING THE FACT-FINDING RECOMMENDATIONS IN THE MATTER OF THE CITY OF CHARDON AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ("OPBA"), SERB CASE NO.: 2022-MED-12-1212, AND DECLARING AN EMERGENCY, from the agenda.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3242

AN ORDINANCE DECLARING A REAL AND PRESENT EMERGENCY CAUSED BY INCREASING COSTS AND A LIMITED NUMBER OF ELIGIBLE BIDDERS TO PERFORM THE CENTER STREET SIDEWALK PROJECT, AUTHORIZING THE CITY MANAGER TO MAKE AN IMMEDIATE AWARD OF THE CONTRACT FOR THE CENTER STREET SIDEWALK PROJECT, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. Chuha moved and Ms. Means 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. 3242 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. 3242.

Mr. Courtney stated that Ronyak Paving, the only bidder for the project, submitted a bid 14.5% over the engineer's estimate. He added that while he typically does not recommend awarding a bid that is more than 10% over the estimate, award is being recommended because rebidding the project is likely to result in higher bids or no bidders.

Mayor Grau inquired about possible reasons for the discrepancy between the estimate and the bid.

Mr. Courtney stated that their mobilization, clearing and grubbing and traffic maintenance figures were all significantly higher than the engineer's estimate.

Mayor Grau stated that the increased cost is unfortunate, but the Center Street Sidewalk Infill Project is an important one that needs to be done.

Mr. Lelko asked if the bid was above the estimate because it involves federal money.

Mr. Courtney stated that having a small project that involves Federal money plays a significant part in the bidding coming in higher than the engineer's estimate.

Mr. Blackley spoke in support of awarding the bid to Ronyak Paving, noting that mobilization, clearing, grubbing, and traffic maintenance figures are difficult for an engineer to estimate.

Mayor Grau asked about how the City will handle the increased cost as well as road closures.

Mr. Iacofano stated that an amended appropriation ordinance would be prepared for the July Council meeting.

Mr. Courtney stated that two-way traffic will be maintained within the construction area, with the potential for a curb lane to be closed.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3243

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE WITH BOOST MODE VITADRIP SPA, LLC. AN OHIO LIMITED LIABILITY CORPORATION, FOR PROPERTY LOCATED AT 105-B SOUTH STREET, CITY OF CHARDON, OHIO, 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. 3243 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. 3243.

Community Development Administrator, Steve Yaney, reviewed the terms of the proposed lease.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3244

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. 3244 was then read for the second and third time by title only.

Mr. Meleski moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3244.

Finance Director, Mark Iacofano, explained that the proposed amendments to appropriations are being requested to cover the cost

of non-budgeted expenses for municipal center door access improvements.

Chief Niehus stated that the system enhancements will allow access to parts of the building without dispatchers being present to open the doors.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mr. Meleski reported that expenditures were in order.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Council and members of staff reported on upcoming events.

ADJOURN

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

The meeting adjourned at 8:26 p.m.

Attest:

CHRISTOPHER GRAU, Mayor
President of Council

AMY DAY
Clerk of Council