

REGULAR SESSION

June 10, 2021

The Council of the City of Chardon met in Regular Session Thursday, June 10, 2021 at 6:30 P.M. in Council Chambers of the Municipal Center, located at 111 Water Street, Chardon, Ohio.

Daniel Meleski, President of Council presiding.

The meeting opened with the pledge of allegiance and roll call.

Members of Council present: Andrew Blackley, Deborah Chuha, Chris Grau, Nancy McArthur, Heather Means, Daniel Meleski, Jeffrey Smock.

Members of Council absent: none.

Others Present: City Manager Randy Sharpe, Finance Director Mate Rogonjic, 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, Majeed Makhoulf, Tom Nolfi, Ken Ovark, Paul Ovark, Chuck Walder, Mariann Goodwin, Amy Patterson, Brett Boardwine.

**APPROVAL OF MINUTES**

Mr. Smock moved and Mr. Grau seconded to approve the minutes of the May 13, 2021 Regular Session as presented. Upon roll call vote the motion passed unanimously.

Mayor Meleski read a prepared statement regarding the City's decision to file a lawsuit opposing the Geauga County Commissioner's office relocation outside of the City.

**MANAGER'S REPORT**

Mr. Sharpe reported that the Preapplication Form for FY 2023 Round 36 has been submitted to the Ohio Public Works Commission District 7 for consideration of funding the Seventh Avenue Repair, Widening & Extension Project.

Mr. Sharpe reported that the bid opening for the 2021 Street Maintenance Program was held May 26, 2021. Legislation is on the agenda to award the bid to Ronyak Paving, Inc.

Mr. Sharpe reported that legislation is on the agenda to authorize the City Manager to submit an application to NOACA for Congestion Mitigation and Air Quality (CMAQ) funds for a city-wide traffic signal upgrade. The goal of CMAQ funds is to improve air quality and relieve traffic congestion.

Mr. Sharpe reported that the 2021 Sidewalk Maintenance Program bid opening is scheduled for July 23, 2021.

Mr. Sharpe reported that the 2020 Annual Report was finalized in April and was posted on the City's website. The annual report identifies key initiatives, projects, programs, and events that occurred in 2020.

Mr. Sharpe reported on the public works projects.

Mr. Hornyak reported on work being done to resolve a storm sewer issue in the parking lot of the trailhead on Park Avenue.

City Engineer, Doug Courtney, reported on the Chardon Avenue Reconstruction and Canfield Drive Rehabilitation Project.

#### **PLANNING COMMISSION REPORT**

Mr. Blackley reported that Planning Commission met and approved a variance to allow a home occupation business at 115 Claridon Road.

Mr. Blackley reported that Planning Commission also had an informal discussion regarding a possible future variance and/or lot reconfiguration at 335 East King Street.

#### **COUNCIL COMMITTEE REPORTS**

##### **Service Committee**

Mr. Blackley reported that the Committee met and discussed the future reduction in speed on Wilson Mills Road.

Mr. Courtney stated that the City's traffic consultant, Kevin Westbrook, determined that a reduction in speed limit on Wilson Mills would have to be set on the entire road and not just a portion, which is not being recommended.

Mr. Blackley reported that the Committee heard a request for speed bumps on Huntington Street. Based on input from the Public Service Director, this is not being recommended; however, additional traffic calming measures are being looked into.

Mr. Blackley reported on a study for stop signs at various areas of the City. Mr. Westbrook explained that none of the areas looked at warranted stop signs at this time.

##### **Safety Committee**

Mr. Grau reported that the Committee met and discussed the holiday pay and uniform allowance for part-time police personnel. He stated that after some discussion, the Committee recommended increases in both the holiday pay to 1.5 times their hourly rate, and uniform allowances to \$.75 per hour of prior hours worked for the part-time police personnel, which is a topic for Council's consideration under "New Business".

Mr. Grau reported that two police vehicles were briefly discussed by the Committee and an ordinance is on the agenda for Council's consideration under "Legislation".

Mr. Grau reported that the Committee discussed Dogs on the Square during events. He clarified that organizations request permission from Council to prohibit dogs during events and the Street Department provides signs for the organizations to set out.

Mr. Sharpe explained that there are four (4) events that have requested no dogs including: Flea Market, Brewfest, Arts Festival and the Maple Festival. Dogs are permitted at any other times. He noted that if the organizations no longer wish to prohibit dogs, they could request Council make this change.

Mr. Grau reported that another Safety Committee meeting will be held later in June to discuss the Fire Department budget.

#### **Park and Recreation Board**

Park and Recreation Director, Adam Rogers, reported that the Board met and discussed recreation programs and staffing issues the department is facing.

Mrs. McArthur asked if reduced pool hours are expected to continue through the remainder of the summer.

Mr. Rogers stated that additional lifeguards may be hired, and it is possible that pool hours may be increased later in the summer.

Mr. Sharpe reported that assistance with trailhead maintenance is needed due to staffing shortages. Local landscaping companies have been asked to maintain the beds in exchange for the City permitting a company sign to be put in the landscaping bed.

#### **Economic Development Committee**

Ms. Means reported on a meeting held with Retail Strategies where they provided an update on their progress in the City.

**HEARING OF PERSONS BEFORE COUNCIL** - none.

#### **GENERAL PUBLIC** -

Mariann Goodwin, business owner at 105 N. Hambden Street, spoke to request permission to allow 2 food trucks on Short Court Street on Fridays during lunch, due to the limited number of Square businesses currently open to the public.

Mrs. McArthur asked why businesses are not re-opening.

Ms. Goodwin reviewed when the existing restaurants are open. She stated that if Chardon Square Association approves the food trucks as well, they will take on the responsibility for them from 11 a.m. - 2 p.m.

Mrs. McArthur moved and Ms. Means seconded to authorize food trucks on Fridays as proposed by Ms. Goodwin. Upon roll call vote the motion passed unanimously.

**OLD BUSINESS** - none.

## **NEW BUSINESS**

A Public Hearing to provide the public an opportunity to comment regarding a tax incentive financing incentive district that includes PPN 10-089920 was set for July 8, 2021 at 6:20 p.m.

A Public Hearing for the 2022 tax budget was set for July 8, 2021 at 6:25 p.m.

**Regarding the County Budget Commission Proposal for the Undivided Local Government Funds for 2022**, Geauga County Auditor, Chuck Walder, spoke on behalf of the Budget Commission. He explained that the Commission has been working towards a more balanced approach to the distribution of certain funding that comes from the State, one of the funding sources being the Local Government Fund. He provided a history of the Local Government Fund which has diminished over the years.

Mr. Walder reviewed the Budget Commission's proposal that the receipts from the "Undivided Local Government Fund" are to be distributed as follows:

1. 38% County share
2. \$15,000 floor (base) for each Township, Village and City located wholly in the county.
  - (a) If any Township, Village, or City is not located wholly in the county, the distribution will be based on one (1) dollar per capita within the boundaries of Geauga County; based upon the latest certified Federal Decennial census.
3. All excess to be distributed proportionately based upon population as certified in the latest Federal Decennial census to each Township, Village and City located wholly in the county.
4. Park Districts will not participate in the "Undivided Local Government" distribution as they have other revenue sources through a levy or by petitioning their local government for financial support.

Mr. Smock asked if what the Budget Commission is proposing is need based, as was suggested in a letter from the Hunting Valley law director.

Mr. Walder stated that that the formula proposed by the Budget Commission is not need based as they do not want to discretionarily choose how to distribute the funds.

Mr. Grau stated that he is not supportive of a reduction in funding for the smaller parks and asked if portions of the proposal can be eliminated.

Mr. Walder stated that the proposal is all encompassing. With regards to the funding of the parks by the Local Government Fund, all of the entities are paying for individual township parks, which the Commission feels that the entities should have a voice in.

Ms. Means asked what prompted the evaluation of the Statute.

Mr. Walder stated that a majority of people are tired of being taxed and the reason that is, is because of the decline in Local Government funds. Therefore, they are looking for mechanisms to maximize the amount of money received without it being diluted.

Discussion occurred regarding the increase in local government funding that communities could use to offset the losses to their parks.

Ms. Means asked if the Budget Commission is doing any other evaluations besides the Local Government Fund.

Mr. Walder stated that the Budget Commission is in the process of evaluating the Budget Commission's functions and are analyzing them in relation to the Ohio Revised Code.

Ms. Means asked what happens if the City votes against the proposal.

Mr. Walder stated that the proposal still must be approved by County, and the two townships with the highest populations may veto the City's vote should the City vote against the proposal.

Mrs. Chuha asked where the additional funds would go.

Mr. Rogonjic stated that the funds would go to the City's General Fund.

Mr. Smock moved and Mrs. McArthur seconded to approve the Geauga County Budget Commission proposal.

Results of the roll call vote:

Blackley: Yes  
Chuha: Yes  
Grau: Yes  
McArthur: Yes  
Means: No  
Meleski: Yes  
Smock: Yes

Motion passed.

**Regarding revisions to Holiday Pay and Uniform Pay for Part-time police personnel**, Mr. Sharpe stated that the uniform pay would be based on the amount of time worked in the prior year, so Police Department personnel earn more uniform allowance as they put in hours. The holiday pay increase to 1.5 times the hourly rate is more fair and equitable, and the hope is that more part-time personnel would be willing to work the holidays.

Mr. Grau moved and Ms. Means seconded to accept the revisions to the holiday pay and uniform pay for part-time police personnel. Upon roll call vote the motion passed unanimously.

**Regarding the fee structure for 106 Water Street and the Geauga Theater**, Adam Rogers explained that the rental fee structure was developed from a collaboration between himself, the City Manager and Brett Boardwine. He added that the rental fee structure was presented to the Park and Recreation Board, and the members had no changes to the proposed rates.

Brett Boardwine, Thrive Managing Director, reviewed the proposed rental rates for both the Geauga Theater and 106 Water Street. He noted that Thrive will manage scheduling and collecting the rental fees for the facilities, and revenue from the rentals will be payable to the City following payment made to Thrive.

Mayor Meleski inquired if insurance will be required.

Mr. Boardwine stated that insurance from renters will be required.

Mr. Blackley asked if the rental costs for performances at the Theater are affordable for small theater groups.

Mr. Boardwine stated that he believes the rental costs are affordable.

Mr. Boardwine stated that costs are open to negotiation or collaboration, especially if the event is beneficial to the brand of the Theater. He noted that the rate structure was designed to increase activity at the Theater.

Mr. Grau asked how Thrive will be making money.

Mr. Boardwine stated that they are confident in their financials. They consider the rentals a goodwill gesture for organizations, and added that concession sales are an additional stream of revenue.

Ms. Means stated that having activity and local access to the Theater is what Council envisioned for the Theater. She added that she appreciates the work Thrive has done and is excited to see the outcome.

Ms. Means moved and Mrs. Chuha seconded to accept the fee structure for 106 Water Street and the Geauga Theater as proposed by Thrive. Upon roll call vote the motion passed unanimously.

## **LEGISLATION**

### **ORDINANCE NO. 3168**

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PREPARE AND SIGN AN APPLICATION FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROJECT FUNDS AND SIGN A CONTRACT WITH ODOT IF FUNDING IS APPROVED AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3168 was then read for the second and third time by title only.

Mr. Grau moved and Mr. Smock seconded for the adoption of Ordinance No. 3168.

Public Service Director, Paul Hornyak, stated that the legislation is necessary to accompany the grant request for federal CMAQ funding of the proposed Traffic Signal Upgrade Project.

Upon roll call vote the motion passed unanimously.

### **ORDINANCE NO. 3169**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH RONYAK PAVING, INC. FOR 2021 STREET MAINTENANCE AND REPAIR AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur 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. 3169 was then read for the second and third time by title only.

Mr. Smock moved and Mr. Blackley seconded for the adoption of Ordinance No. 3169.

City Engineer Doug Courtney reviewed the bidding process and stated that he is recommending Ronyak Paving Inc. for 2021 Street Maintenance and Repair.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3170**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH STATEWIDE FORD LINCOLN FOR THE PURCHASE OF TWO (2) 2021 FORD UTILITY INTERCEPTOR PATROL VEHICLES THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES FOR THE BASE UNIT PRICING AND WITHOUT BID PURSUANT TO SECTION 125.04(B) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Grau 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. 3170 was then read for the second and third time by title only.

Mrs. McArthur moved and Ms. Means seconded for the adoption of Ordinance No. 3170.

Police Chief Scott Niehus stated that the expediency to pass this legislation is due to a price increase on the vehicle aftermarket equipment effective June 1, 2021; however, Statewide Ford Lincoln has offered to hold their quoted price. Secondly, Ford has announced that they are cutting orders for this vehicle on June 23, 2021, and the cost will go up for the next model year.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3171**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE WITH KARLOVEC MEDIA GROUP, LLC, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Grau 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. 3171 was then read for the second and third time by title only.

Mrs. McArthur moved and Ms. Means seconded for the adoption of Ordinance No. 3171.

Community Development Administrator, Steve Yaney, stated that a lease term of one (1) year is being requested by Karlovec Media Group as they are evaluating their long-term position at their location.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3172**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH LEADERSHIP GEAUGA COUNTY was read for the first time by title only.

Mrs. McArthur moved and Mr. Smock 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. 3172 was then read for the second and third time by title only.

Mr. Grau moved and Ms. Means seconded for the adoption of Ordinance No. 3172.

Mr. Yaney stated that Leadership Geauga is requesting a renewal of their lease of 103 South Street, with a two-year lease term and a one-year option to renew.

Upon roll call vote the motion passed unanimously.

**REVIEW OF EXPENDITURES**

Mr. Grau reported that expenditures were in order.

**EXECUTIVE SESSION**

Mrs. McArthur moved and Mrs. Chuha seconded to adjourn to Executive Session at 8:39 p.m. 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 to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, and invite Ben Chojnacki, Randy Sharpe, Mate Rogonjic, Amy Day, and Majeed Makhlof into the session.

Upon roll call vote the motion passed unanimously.

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 10:14 p.m.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Ms. Means moved and Mr. Blackley seconded to nominate Tom Siko as the City's representative to the Thrive Board. Upon roll call vote the motion passed unanimously.

**ANY OTHER BUSINESS TO COME BEFORE COUNCIL**

Mr. Sharpe reported on the high usage and popularity of the multipurpose field at Mel Harder Park.

Mr. Grau reported that Council completed a performance review of the City Manager.

Mr. Grau moved and Mrs. McArthur seconded to award City Manager, Randy Sharpe, a \$3,000 bonus. Upon roll call vote the motion passed unanimously.

**ADJOURN**

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

The meeting adjourned at 10:16 p.m.

Attest:

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DANIEL MELESKI, Mayor  
President of Council

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