

REGULAR SESSION

July 13, 2023

The Council of the City of Chardon met in Regular Session Thursday , July 13, 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, Law Director Benjamin Chojnacki, Clerk of Council Amy Day, Police Chief Scott Niehus, Public Service Director Paul Hornyak, City Engineer Doug Courtney, Ken Ovark, Paul Ovark, Allison Wilson, Elisabeth Geidt, Sally Harmasek, Heather Mousier, Karl Dietz, Sr., Karl Dietz, Jr.

APPROVAL OF MINUTES

Mrs. Chuha moved and Ms. Means seconded to approve the minutes of the June 8, 2023 Regular Session as presented.

Results of the roll call vote:

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

Motion passed.

RESOLUTION NO. 12-23

A RESOLUTION OF APPRECIATION FOR SALLY HARMASEK was read for the first time in its entirety.

Ms. Means moved and Mr. Blackley 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. 12-23 was then read for the second and third time by title only.

Ms. Means moved and Mr. Meleski seconded for the adoption of Resolution No. 12-23.

Members of Council and staff reflected on Ms. Harmasek's service to the City and wished her well in her retirement.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 13-23

A RESOLUTION OF APPRECIATION FOR KARL DIETZ was read for the first time in its entirety.

Ms. Means 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. 13-23 was then read for the second and third time by title only.

Ms. Means moved and Mrs. Chuha seconded for the adoption of Resolution No. 13-23.

Members of Council congratulated Mr. Dietz on his achievements in winning the 2023 State title for the 400-meter dash.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

City Manager, Randy Sharpe, reported that Melissa Leslie and Amy Shaw were hired as Records Clerks in the Police Department and started in their new roles July 3, 2023.

Mr. Sharpe reported that the City received notice from the Ohio Department of Development that a partial grant was awarded for the systemic safety pedestrian application; however, the crosswalk at the high school was ineligible. In addition, the request for funding was 90% with a 10% local match, but the partial grant is approximately 40% with a 60% local match. Because the local match is not available, coupled with the fact that any additional funds for local match money are being allocated to the System-wide Traffic Signalization Improvement Project, the grant will not be accepted.

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

Mr. Sharpe asked the Law Director to report on the status of the property at 114 Huntington Street.

Benjamin Chojnacki, Law Director, reported that the IPMC and exterior property violations at 114 Huntington Street are scheduled for a bench trial in the Chardon Municipal Court on August 1.

Mayor Grau inquired about the status of a trailer on the City's property west of Mel Harder Park.

Mr. Chojnacki reported that City staff became aware of an unlicensed trailer that was placed on City property. The police department notified the individuals that appeared to be in possession of the trailer that this is not permitted and the trailer has been removed from the City's property.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met in Regular Session and approved a request by Collective Rose for a sign deviation to allow a projecting sign on their storefront at 105 Main Street.

Mr. Blackley reported that Planning Commission also approved a request by Eleventhree Brewing for a use variance to allow food trucks on a regular basis at 211 Cherry Avenue.

Mr. Blackley reported that Planning Commission also had informal discussion regarding the development of 580 Water Street. The

developers are working with staff to determine the feasibility of constructing 30 townhouse units on the property.

Mr. Sharpe, reviewed the Economic Development report that highlighted business openings and renovations during the 2nd quarter of 2023.

COUNCIL COMMITTEE REPORTS

LEGISLATIVE COMMITTEE

Mr. Blackley reported that the Committee met and recommended the repeal of the provision of the Planning and Zoning Code which requires the collection of closeout sheets. This topic is on the agenda under Legislation. He explained that closeout sheets were enacted to provide information about contractors and subcontractors that had performed work in the City for the purpose of collecting income tax. However, staff has recommended that C.O. 1125.191 be repealed due to the fact that the use of closeout sheets require an investment of time and resources to collect information that has little to no benefit.

Mr. Sharpe added that the City of Chardon is the only RITA community that uses closeout sheets and RITA is not using the closeout sheets for reference checks on whether or not contractors filed a return in the City of Chardon. The information from the closeout sheets is collected, but does not aid in the collection of income tax and is an extra burden on contractors and residents which has led to complaints and dissatisfaction with the City.

Members of Council inquired if RITA is pursuing the collection of the proper income tax for contractors working the City of Chardon.

Mr. Sharpe stated that he is confident that RITA is collecting the proper income tax, just as they do for their other communities, but the closeout sheets are not helping them with the collection of income tax.

Mr. Hornyak stated that the contractors would need to work in the City for greater than 30 days to be required to file income tax.

SERVICE COMMITTEE

Regarding a request for installation of special needs sign on Park Avenue, Mr. Lelko reported that the Committee met and discussed a request for a special needs sign on Park Avenue. The Committee recommended that 2 signs that read "Autistic Child Area" be installed until they are no longer needed, at which time the resident will contact the City for removal.

Mr. Blackley asked if there is an official sign in the Ohio Manual of Uniform Traffic Control Devices.

Mr. Hornyak stated that the City's Traffic Engineer has stated the State does not recognize the signs as being effective and therefore, there is no standard sign.

Mr. Blackley asked if a sign would need to be custom made.

Mr. Hornyak stated that the signs would need to be custom made at a total cost of under \$600.

Mrs. Chuha moved and Mr. Blackley seconded to proceed with the installation of a special needs sign on Park Avenue as presented. Upon roll call vote the motion passed unanimously.

Mr. Lelko reported that the Service Committee also inspected the Chardon Municipal Cemetery as part of their meeting, and will be reviewing the cemetery rules and regulations at a future meeting to see if they need to be adjusted.

FINANCE COMMITTEE

Regarding the purchase of budgeting software, Mr. Meleski reported that the Committee met and after reviewing information presented by staff, recommended purchasing new budgeting software.

Mr. Iacofano stated that staff presented the Committee with their recommendation for the purchase of software by OpenGov that will integrate with the City's current software. He explained that the main objective in purchasing this software is to automate the budgeting process and to eliminate manual entry of figures for the budget.

Mr. Sharpe noted that staff has been discussing the budgeting process for a few years, recognizing that there was a better way to prepare the budget and provide continuity between the budget and the capital plan. He added that it is being brought to Council because the expenditure for the software will be \$20,000 annually and not a one-time expenditure.

Mr. Blackley stated that the software is also a good tool for managing appropriations in capital funds.

Mr. Meleski noted that forecasting payroll is an additional benefit of the software.

Mr. Lelko stated that the City's budget document is superior to other communities, and if the OpenGov software is purchased, he would like the budget to contain the level of detail that it currently has.

Ms. Means stated that the proposed software appears to provide more transparency and reduce the amount of manual entry, thus reducing the possibility for errors.

Mr. Iacofano stated that staff is not looking to change the way the budget book looks, but are looking to change the hours spent preparing it.

Mr. Sharpe stated that the software will give staff the ability to promptly make projections based on various scenarios, and the software will be in place as a consistency no matter who the Finance Director is.

Mr. Blackley asked about maintaining an historical archive that will be accessible in the future in the event that the City no longer uses OpenGov.

Mr. Iacofano stated that there will be electronic and hard copies of the budget on file.

Mrs. Chuha inquired about the software costs in future years.

Mr. Iacofano stated that the software costs are anticipated to increase 5% per year.

Discussion occurred regarding OpenGov providing their software as a service.

No member of Council objected to staff proceeding with the purchase of the budgeting software.

Mr. Sharpe stated that he will include it in next year's budget.

Regarding revisions to Travel Policy (TC-1), Mr. Meleski reported that in light of recent price increases, the Committee wanted to review the Travel Policy. He asked Mr. Iacofano to review the proposal that was discussed with the Committee.

Mr. Iacofano stated that the goal of the revisions to the Travel Policy was to convert to a per diem rate using the General Services Administration (GSA) rates. This will allow employees who pay out of pocket, to be reimbursed based on location of travel and at a per day rate or per meal rate so that itemized meal receipts do not need to be scrutinized for tips, tax, etc. This will improve the efficiency of the review process and eliminate the need to collect cents from employees, and is a process used by the Federal Government and State Auditor's Office.

Mr. Lelko stated that he does not support the proposed changes to the Travel Policy because while he does not object to using the GSA rates, he believes that every travel expense should be submitted and reviewed.

Mr. Blackley inquired about the City's After-trip sheet.

Mr. Iacofano stated that the After-trip sheet has meals listed, but under the proposed travel policy, the meals would not need to be listed.

Mrs. Chuha stated that she doesn't object to employees being required to submit receipts as they do now.

Mayor Grau asked how often the existing travel policy is difficult to manage.

Mr. Iacofano stated that it is a handful of times per year where small reimbursements are collected from employees; however, the main reason for the policy change is to have a standard amount allotted for travel and so that receipts do not need to be scrutinized.

Mr. Sharpe added that the policy is proposed to simplify the travel process and because of the time the Finance Director spends checking each receipt.

Mr. Blackley suggested that employees continue to submit receipts and the total daily GSA rate be used to determine if an employee needs to refund the City.

Mr. Sharpe asked if Council would be favorable to a reimbursement policy rather than providing the City credit card for meals.

No member of Council objected to the policy requiring employee reimbursement for meals.

Council requested staff present modifications to the policy at a future meeting.

Regarding revisions to Purchasing Policy (BP-1), Mr. Meleski asked Mr. Iacofano to review the proposal that was discussed with the Committee.

Mr. Iacofano stated that staff has expressed that the current thresholds for quotes are time consuming and make it more difficult to efficiently conduct City business. He is recommending eliminating the \$2,000 threshold for verbal quotes and increasing the written quote threshold from \$5,000 to \$10,000. He noted that the City Manager, Finance Director and Department Head still have the authority to request additional quotes for items below \$10,000 if they determine it is in the best interest of the City to do so.

Mr. Lelko stated that he does not support the recommended changes to the Purchasing Policy because approximately 89% of the purchase orders issued would not have any price comparisons.

Mr. Iacofano stated that Mr. Lelko is correct; however, his focus was on the 89% of the purchase orders issued account for only 15% of all dollars spent.

Mr. Blackley stated that he supports the idea of verbal quotes between \$5,000-\$10,000 and written quotes for \$10,000 and above.

Mr. Lelko suggested that the limits be set and the City Manager and Finance Director could waive the requirement if there was a justified reason.

Mr. Blackley moved and Mrs. Chuha seconded to authorize the City Manager to accept the Finance Committee's purchasing policy proposal and include the revision of under \$5,000 no quotes, \$5,000 - \$10,000 3 verbal quotes, and greater than \$10,000 3 written quotes.

Upon roll call vote the motion passed unanimously.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda - none.

General Public - none.

OLD BUSINESS - none.

NEW BUSINESS

Regarding adoption of the 2024 Tax Budget, Mr. Iacofano stated that it is a requirement for Council to adopt the tax budget which is the first step in the City's budget process for 2024, and is necessary for the City to receive local government funding. He noted that this budget will change as the City begins its internal capital and budgeting processes.

Mr. Blackley moved and Mr. Meleski seconded to adopt the 2024 tax budget. Upon roll call vote the motion passed unanimously.

Regarding a request by Tina Butt, Boost Mode Vitadrip Spa, for Sublease of Tenant Space at 105-B South Street, Mr. Sharpe explained that Ms. Butt has provided a letter requesting permission to sublease her space to Jill Wilson, a registered nurse, who will be providing cosmetic procedures.

Mayor Grau asked if the City has sub-let any properties in the past.

Mr. Sharpe stated that the City has previously approved the sub-leasing of an insurance agency at Old Village Hall.

Mr. Lelko moved and Ms. Means seconded to approve the request by Tina Butt to sublease the tenant space at 105-B South Street. Upon roll call vote the motion passed unanimously.

Regarding discussion concerning the Think Local Campaign, Ms. Means reviewed metrics and activity on the campaign since it was launched in early 2023, noting that window clings are in the process of being produced for businesses to distribute.

LEGISLATION

ORDINANCE NO. 3245

AN ORDINANCE AMENDING SECTION 1125.191 OF THE CODIFIED ORDINANCES TO ELIMINATE THE COLLECTION OF CLOSEOUT SHEETS BY THE PLANNING AND ZONING DEPARTMENT AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3245 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. 3245. Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3246

AN ORDINANCE AMENDING SECTION 521.15 OF THE CODIFIED ORDINANCES TO ALLOW THE COLLECTION OF REFUSE, SOLID WASTE AND GARBAGE IN THE CITY BETWEEN THE HOURS OF 6:00 AM AND 7:00 PM AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3246 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. 3246.

Mr. Chojnacki stated that the original solicitation of refuse collection contemplated an agreement that allowed the collection between 6 AM - 7 PM. The City then passed legislation allowing for the collection of waste and refuse between 6 AM - 7 PM; however, it was brought to the City's attention that there was an outstanding code provision that was inconsistent with those times and allowed for the collection of refuse and garbage between 6:30 AM and 6:30 PM. The proposed legislation will amend the inconsistent code section in order to be consistent with the existing contract with Waste Management and bid documents.

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 8:16 p.m. to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, to discuss 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, Scott Niehus and Amy Day 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 9:54 p.m.

APPOINTMENTS TO BOARDS AND COMMISSIONS - none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL -

Members of Council and staff made announcements regarding upcoming events.

ADJOURN

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

The meeting adjourned at 9:56 p.m.

Attest:

CHRISTOPHER GRAU, Mayor
President of Council

AMY DAY
Clerk of Council