

REGULAR SESSION

August 11, 2022

The Council of the City of Chardon met in Regular Session Thursday, August 11, 2022 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, Police Chief Scott Niehus, Community Development Administrator Steve Yaney, Public Service Director Paul Hornyak, Law Director Benjamin Chojnacki, City Engineer Doug Courtney, Park and Recreation Director Adam Rogers, Amy Patterson, Anastasia Nicholas, David Allen, Jeffrey Traffis, Catie Traffis.

**APPROVAL OF MINUTES**

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the July 14, 2022 Public Hearing and Regular Session as presented.

Results of the roll call vote:

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

Motion passed.

Ms. Means moved and Mrs. Chuha seconded to approve the minutes of the July 23, 2022 Special Session as presented.

Results of the roll call vote:

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

Motion passed.

**MANAGER'S REPORT**

Mr. Sharpe reported that the 2022 Street Maintenance Program is underway.

Mr. Sharpe reported that due to supply chain disruptions, rising prices and product availability, a number of items in the Capital Improvement Reserve Funds for water and sewer have been reallocated or modified.

Mr. Sharpe reported that Jasen Elam has been named as the school resource officer.

Mr. Sharpe reported that the Geauga ADP Department is in the process of upgrading their phone system, which is expected to provide a more improved and secure calling environment. The City's phones will be included in this upgrade since they are part of this phone system.

Mr. Sharpe reported that he and Mayor Grau were interviewed on NPR's "Get to Know a Leader" on August 9<sup>th</sup>.

Mr. Sharpe reported that the City was approved for a \$2,500 grant by the Foundation for Geauga Parks to improve the walking trails at the Chardon Living Memorial Park.

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

#### **PLANNING COMMISSION REPORT**

Mr. Meleski reported that Planning Commission met in Regular Session and approved a request from Triban Investments for an extension to the Concept Plan approval for Park Avenue MEWS.

Mr. Meleski reported that Planning Commission also approved a request by Thistlecreek Development for a sign deviation for the installation of a ground sign for the Thistle Creek Subdivision.

#### **COUNCIL COMMITTEE REPORTS**

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

Park & Rec Director, Adam Rogers, reported that the Park and Recreation Board met and discussed the status of facilities and programming. The Board also discussed complaints regarding the conditions of the multipurpose field at Mel Harder Park and floatation devices at the pool.

Mr. Rogers reported that a representative from the Geauga Soccer Club attended the meeting and made a proposal to the Board to manage the City's Youth Soccer Program.

Discussion occurred regarding vandalism at Mel Harder Park.

Chief Niehus stated that the Police Department has increased the patrol of the area.

Mr. Sharpe stated that staff is continuing to look at the installation of system-wide security cameras.

Discussion occurred regarding the poor conditions of the multi-purpose fields.

Mr. Sharpe stated that improvements to the fields will be included in the 2023-2027 Capital Improvement Plan.

## **Economic Development Committee**

Mr. Martin reported on a conference call held with Retail Strategies during which discussion occurred regarding leads for potential retailers, positive results from the Las Vegas tradeshow, and metrics they are preparing which may be helpful to the business community.

## **HEARING OF PERSONS BEFORE COUNCIL**

### **Those Persons on the Agenda**

Lauren Luoma, owner of Your CBD Store, addressed Council and requested permission to hold Peace & Wellness Fest event on September 18, 2022 on the City's property at Water St./Cherry Ave.

Ms. Means expressed concern about pedestrian safety for individuals crossing from the Marcs Plaza to the event.

Ms. Luoma stated that using a volunteer or signage may be an option as well as using the parking of businesses on Cherry Avenue.

Mayor Grau inquired if the event has been discussed with surrounding businesses.

Ms. Luoma stated that she has not discussed the event with the surrounding businesses.

Mr. Chojnacki stated that the property, which was donated to the City, has terms and conditions on its use, which will need to be investigated before permission for the event can be granted.

Ms. Means moved and Mrs. Chuha seconded to authorize the City Manager to execute an agreement with Laura Luoma for an event on the City's property at Water St./Cherry Ave. if it is determined to be an appropriate use under the conditions of the land donation agreement that the City has for the property, with the condition that signage be posted directing people to use the crosswalks.

Upon roll call vote the motion passed unanimously.

**David Allen, Urban Forester, provided an update on the status of shade trees in the City.** He explained that he would like to improve communication with Council and the public, and will be discussing this with the Shade Tree Commission. He explained the difficulty he has had with finding contractors who are available for stump grinding.

Mr. Sharpe asked if he will be requesting an increase in the Shade Tree assessment.

Mr. Allen stated that he will not be asking for an increase in the Shade Tree assessment.

Ms. Means suggested that an article about the Urban Forester be included in the next City newsletter.

**General Public** - none.

## **OLD BUSINESS**

**Regarding the Brandstetter Caroll quote for a joint recreation**

**district feasibility study,** Mr. Sharpe stated that the City received a quote in the amount of \$13,500 to perform the study. He stated that staff has also been investigating other Joint Recreation Districts and do not recommend taking action on the proposal from Brandstetter Carroll until after meeting with Madison Joint Recreation District.

Ms. Means reported on the status of the mural being painted on the lands and buildings garage. She stated that the mural has been started on the right side of the garage and an additional design has been proposed for the left side of the garage that would be a skyline of Main Street.

Ms. Means moved and Mr. Martin seconded to authorize Elliot Miller to add a mural to the left side of the lands and buildings garage at 106 Water Street. Upon roll call vote the motion passed unanimously.

#### **NEW BUSINESS**

**Regarding Sidewalk Chalking,** Law Director Benjamin Chojnacki provided an overview of the legal considerations when regulating chalking in a public space including: determining what chalking is offensive, proving who the individual is that engaged in the conduct, and determining what crime is being committed. He explained the obstacles associated with regulating sidewalk chalking.

Mr. Lelko stated that while he does not like to see chalking on the commemorative bricks, his biggest concern is when offensive language is used. He stated that he would like to see what can be done in these situations.

Mayor Grau stated if the frequency of chalking issues increases, he would support Council action. However, this happened on one occasion, and he prefers to approach taken by Councilman Means who explained the situation with event coordinators who said they would not use chalk in future events.

Mr. Lelko stated that he would like to see the Square preserved so that it is welcoming to all at any time.

Mr. Martin stated that his only concern with sidewalk chalking is regarding the care of the commemorative bricks. He questioned the effects that power washing could have on the bricks.

Mr. Hornyak stated that they have not seen any deterioration of the sidewalk bricks resulting from power washing that is currently done a few times per year.

**Regarding a G-TV update,** Ms. Means reported that she met with G-TV representatives to tour their facility and to discuss outstanding contract documents. In addition, they discussed the streaming service they offer through their website which is available to everyone even though only a few communities are funding the service. She stated that Mr. Jevnikar was present to discuss the streaming service with Council.

Dave Jevnikar, representing G-TV, addressed Council and stated that while people can watch the programming through the streaming services without paying for it, he sees the service as a way to market the City and connect with former residents. He added that it is not possible to isolate a community from receiving the streaming service.

Mr. Lelko asked how much the City contributes to G-TV per year and when Council needs to make a decision regarding funding of G-TV for the following year.

Mr. Jevnikar stated that the franchise fee is approximately \$16,000 per quarter.

Ms. Means added that the contract review is part of the adoption of the budget.

**Regarding all liquor permits set to renew on October 1, 2022, no member of Council had any objections.**

## **LEGISLATION**

### **ORDINANCE NO. 3211**

AN ORDINANCE AMENDING THE CITY'S UTILITY DISCOUNT PROGRAM AND GRANTING A DISCOUNT ON WATER AND SEWER BILLS TO SENIOR CITIZENS AND DISABLED RATEPAYERS was read for the first time by title only.

Mr. Meleski 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. 3211 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. 3211.

Finance Director, Mark Iacofano, reported that income thresholds for the Utility Discount Program have not been adjusted for inflation since the program was created in 2008, and the current economic climate may be an appropriate time to make changes. He is proposing to adjust the thresholds based on the CPI-U index which would increase household incomes by approximately 33.46%.

Mayor Grau asked how many residents take advantage of this program.

Mr. Iacofano stated that between 50-100 residents take advantage of this program.

Upon roll call vote the motion passed unanimously.

### **ORDINANCE NO. 3212**

AN ORDINANCE ESTABLISHING SECTION 123.28, ONE OHIO OPIOID LITIGATION DISTRIBUTION FUND, OF THE CODIFIED ORDINANCES OF THE CITY OF CHARDON was read for the first time by title only.

Ms. Means moved and Mr. Martin 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. 3212 was then read for the second and third time by title only.

Mrs. Chuha moved and Ms. Means seconded for the adoption of Ordinance No. 3212.

Mr. Chojnacki stated that the State of Ohio has started to distribute funds to local governments from the settlement of the national opioid litigation. In order to easily track funds

received and their uses, Council has before it, legislation creating a new fund.

Mayor Grau asked how Council will determine how the funds will be used.

Mr. Chojnacki stated that there are guidelines as to how the money can be spent.

Mr. Lelko stated that he looks to staff for a recommendation as to how the money should be spent as part of the budget process.

Members of Council concurred.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3213**

AN ORDINANCE AMENDING APPROPRIATIONS IN THE CITY OF CHARDON TREASURY FOR 2022 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. 3213 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. 3213.

Mr. Iacofano reviewed the proposed appropriations amendments.

Upon roll call vote the motion passed unanimously.

**ORDINANCE NO. 3214**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE WITH JEFFREY TRAFFIS AND CATIE TRAFFIS, OR A CORPORATE ENTITY WHICH THEY CONTROL, 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 Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3214 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. 3214.

Mr. Yaney reviewed the lease terms for the tenant space at 101 South Street.

Jeffrey and Catie Traffis, addressed Council and explained their plan to use the location for a vintage candy shop.

Upon roll call vote the motion passed unanimously.

**REVIEW OF EXPENDITURES**

Mr. Meleski reported that the monthly expenditures are in order.

**EXECUTIVE SESSION**

Mr. Meleski moved and Ms. Means seconded to adjourn to Executive Session at 7:58 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, to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, and to consider the purchase of public property for a public purpose or the sale of public property at competitive bidding and invite Benjamin Chojnacki, Randy Sharpe, Mark Iacofano, Steve Yaney, Adam Rogers 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 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 9:28 p.m.

**ANY OTHER BUSINESS TO COME BEFORE COUNCIL**

Members of Council and staff made announcements regarding upcoming events.

Mr. Meleski moved and Mrs. Chuha seconded to authorize a 3% increase in the City Manager's salary based on his performance evaluation, effective on the first day of the next payroll period.

Upon roll call vote the motion passed unanimously.

**ADJOURN**

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

The meeting adjourned at 9:32 p.m.

Attest:

\_\_\_\_\_  
CHRISTOPHER GRAU, Mayor  
President of Council

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