

REGULAR SESSION

April 9, 2020

The Council of the City of Chardon met in Regular Session Thursday, April 9, 2020 2020 at 6:30 P.M. via video-conference.

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, Christopher 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, David Jevnikar, Ryan Davis, Stacey Burris, Angela Miloro-Hansen, Don Bernardo, Sara Tackett, Chris Cipriano, Colin Cunningham.

APPROVAL OF MINUTES

Mr. Smock noted that the minutes of the March 31, 2020 Special Session should be amended to reflect that a roll call vote was taken to adjourn the meeting.

Mr. Smock moved and Mrs. Chuha seconded to approve the minutes of the March 12, 2020 Public Hearing, March 12, 2020 Regular Session, March 24, 2020 Special Session and March 31, 2020 Special Session as amended.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Mr. Sharpe reported on the City's response to the Covid-19 pandemic, noting that the City is committed to the health, safety and welfare of the staff, residents and businesses. He added that staff members are reviewing the recently adopted budget to determine expenses that can be delayed.

Finance Director Mate Rogonjic added that in addition to reprioritizing the budget, the Operating Reserve Fund is available if necessary.

Mr. Sharpe reported that all of the members of the Geauga Lyric Theater Guild Board have resigned and the Theater Guild has become a non-functioning entity.

Law Director Benjamin Chojnacki stated that even though the Board has resigned, the Theater Guild is still an entity in the State and they still have a lease with the City but it is not the City's obligation until the lease is up September 1. He added that the property that is property of the Lyric Guild will remain with them and the ownership rights of that property will not be transferred to the City. Anyone who has issues with the

Guild, need to address any issues with the Theater Guild and not the City. At this time, they have legal counsel, Tom Perotti, that is providing limited representation to them. To the extent that anyone has issues concerning debt, property, or tickets, those are matters between individuals and the Theater Guild and not the City. He recommended the City proceed with caution to assure that the City is not overstepping their rights as a landlord.

Mr. Blackley inquired about the City's ability to terminate the lease of with the Theater Guild.

Mr. Chojnacki stated that if the structure or the fixtures have fallen into disrepair or if the Lyric Guild's obligations stop being fulfilled, the City may have some rights to terminate the lease.

Mrs. Chuha inquired about the contact information for Tom Perotti.

Mr. Chojnacki provided the phone number for the attorney but noted that he does not know the scope of his representation for the Theater.

Ms. Means recommended that Council form an Ad Hoc Committee of 3 members of Council to work with staff to create a short and long term plan for the 2 theater facilities.

Members of Council spoke in support of the creation of an Ad Hoc Committee.

Ms. Means and Mr. Blackley offered to volunteer to serve on the Committee.

Ms. Means suggested that the Committee look at utilizing the facilities of 101 and 106 Water Street for culture and arts.

Ms. Means moved and Mr. Grau seconded to create an Ad Hoc Committee comprised of members of Council to work with staff regarding the 101 and 106 Water Street properties.

Mrs. Chuha asked if the Committee would include members of the public.

Ms. Means suggested that the Committee be initially comprised of 3 members of Council who work with staff.

Upon roll call vote the motion passed unanimously.

Mr. Sharpe reported on the status of Capital Improvement Projects.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and approved a lot split at 461 North Hamden Street that will allow developers of Thistle Creek to sell the lot before the development of the subdivision.

Mr. Yaney noted that the original intent of the developers was to update the house on the lot prior to selling it; however, the condition of the house is worse than originally thought and the developers would like to demolish it and construct a new home.

Mr. Yaney provided the 1st quarter 2020 report.

COMMITTEE MEETINGS

Mr. Blackley reported that a Service Committee meeting is scheduled for April 14, 2020 at 4 PM.

GENERAL PUBLIC - none.

OLD BUSINESS - none

NEW BUSINESS

Regarding CONCEPT SITE PLAN APPROVAL AND RE-ZONING FOR BROOKS MEADOWS SUBDIVISION FROM "I-WTTO" INDUSTRIAL WIRELESS TELECOMMUNICATIONS TOWER OVERLAY DISTRICT TO "R-3" MEDIUM DENSITY RESIDENCE DISTRICT AND TO "PRD" PLANNED RESIDENTIAL DISTRICT, Law Director Benjamin Chojnacki, stated that the Announcement of Decision memorializes the actions of Council took at the Public Hearing held in March. By Council adopting the Announcement of Decision, this will be the decision which sets forth the facts and information necessary to pass the legislation for Council's consideration under agenda item #11A.

Mr. Blackley moved and Mrs. Chuha seconded to approve the announcement of decision for Brooks Meadows.

Upon roll call vote the motion passed unanimously.

LEGISLATION

ORDINANCE NO. 3114

AN ORDINANCE AUTHORIZING A ZONING MAP AMENDMENT TO AMEND THE ZONING CLASSIFICATION OF PERMANENT PARCEL NUMBER 10-009111 FROM "I-WTTO" INDUSTRIAL WIRELESS TELECOMMUNICATIONS TOWER OVERLAY DISTRICT TO "R-3" MEDIUM DENSITY RESIDENCE DISTRICT AND THEN TO "PRD" PLANNED RESIDENTIAL DISTRICT, AND ADOPTING AN ANNOUNCEMENT OF DECISION REGARDING THE ZONING MAP AMENDMENT AND CONCEPT PLAN was read for the first time by title only.

Mr. Blackley 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. 3114 was then read for the second and third time by title only.

Mr. Blackley moved and Mr. Grau seconded for the adoption of Ordinance No. 3114.

Mr. Chojnacki stated that the ordinance is necessary for the Announcement of Decision and the zoning for Brooks Meadows to take effect.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3115

AN ORDINANCE AUTHORIZING PARTICIPATION IN ODOT COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Smock 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. 3115 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Smock seconded for the adoption of Ordinance No. 3115.

Mr. Hornyak stated that the ordinance is required annually and will allow the City to participate in the ODOT program for the purchase of road salt for the 2020-2021 snow season.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mrs. McArthur reported that expenditures were in order.

EXECUTIVE SESSION - none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Members of Council and staff reported on upcoming events.

General discussion and inquiries by Council occurred regarding activities happening around the City.

Mrs. Chuha volunteered to serve on the Ad Hoc Committee to work with staff on the theater leases at 101 and 106 Water Street.

ADJOURN

Mrs. Chuha moved and Mr. Blackley seconded to adjourn. Upon roll call vote the motion passed unanimously.

The meeting adjourned at 7:46 p.m.

Attest:

DANIEL MELESKI, Mayor
President of Council

AMY DAY
Clerk of Council