

REGULAR SESSION

May 14, 2020

The Council of the City of Chardon met in Regular Session Thursday, May 14, 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, Park and Recreation Director Adam Rogers, David Jevnikar, Cindy Keeney, Colin Cunningham, Courtney Hudson, Don Keeney, Jamie Lauer, Stephen Waybright, Amy Patterson, Tucker Keeney.

APPROVAL OF MINUTES

Mr. Smock moved and Mrs. Chuha seconded to approve the minutes of the April 9, 2020 Regular Meeting as presented.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Chief Niehus reported that Tucker Keeney, a Chardon High School senior, has put together a project in recognition of Chardon police officers.

Tucker Keeney explained that Chardon High School seniors had the opportunity to work on a project that would have an impact on the community and he decided he wanted to recognize Chardon City police officers and show them how much the community appreciates them. He presented to the audience, one of the wood-burned police flags he created for each Chardon Police officer.

Members of Council commended and thanked Tucker for his efforts.

Chief Niehus reported that the week of May 11 is National Police Officers' week and recognized the Ohio officers that were lost in the line of duty in 2019.

Mr. Sharpe reported the Chardon Together Facebook page and website is live. The site will provide links to local, state, and federal resources for the COVID-19 pandemic and is a place to share uplifting stories about the community and its residents. He thanked Company 119 - Christian Klein and team, Chardon Tomorrow - Mary Glauser, Chardon Area Chamber of Commerce - Stacia Clawson and Community Development Administrator -Steve Yaney for their efforts with this project.

Mr. Sharpe reported that the revised 2020 budget, due to the effects of the economic strain caused by the COVID-19 virus, was reviewed with the Finance Committee on May 7, 2020. The revisions will be discussed later in the Council meeting.

Mr. Sharpe reported that a City Manager memo was distributed regarding the cancellation of programs and events through June and the closure of the pool for the season due to the extended Stay-at-Home Order and the need for continued social distancing once the order is lifted. He stated that protocols and standards would need to be met to open facilities and because planning for events and programs require 3rd party contracts, hiring and training, this does not allow enough time for the City to be able to comply with the requirements. Regarding future programs, once the City determines if they can meet protocols, it will be decided what programs can go forward.

Park and Recreation Director Adam Rogers reviewed the planning process for recreation programs and operations.

Mayor Meleski stated that the City will continue to monitor what is possible but noted that the City continues to maintain facilities because the City wants to be able to open facilities as soon as it is possible.

Mr. Sharpe noted that the Chardon Square Association is planning to proceed with the farmers market and is working with the City on details and how to meet the guidelines for opening the market.

Mr. Sharpe reported that the Phase 3 LED Street Light Conversion Project is expected to be concluded by the end of May.

Mr. Sharpe reported that the 2020 Street Maintenance Program is being advertised starting on May 19, 2020 and the bid opening is scheduled for June 3, 2020.

Mr. Sharpe reported on upcoming community activities.

Mr. Sharpe asked if there was any objection to the Rotary fundraiser being put on the digital sign board.

No member of Council had any objection to the Rotary fundraiser being put on the digital sign board.

Mr. Sharpe asked the Public Service Director to report on the 2020 brush collection program.

Public Service Director Paul Hornyak reported that the City's first in-house brush collection took place the week of May 4. 12 loads of chips were produced from the brush in six days using 144 man hours. He noted that he was pleased with the way the program went.

Mr. Hornyak reported on the gazebo restoration project. He stated that this may be an opportune time to do the project since many summer programs utilizing the Square have been cancelled. He noted that Ayershire has offered to provide the labor and material for the structural rehabilitation at the gazebo.

Mrs. McArthur asked if a start date for the project has been determined.

Mr. Hornyak stated that it is hoped that the project could begin in late spring or early summer.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and approved a variance for a wall sign for All Stone Granite and a variance for an addition for Rexford and Janelle Roberts of 237 North Hamden Street.

COMMITTEE MEETINGS

Park and Recreation Board

Adam Rogers reported that the Board met and discussed the status of programming and the repairs at the pool.

Legislative Committee

Mrs. Chuha stated that the Committee met and discussed amendments to sign regulations.

Mr. Yaney stated that an oversight was recently discovered in the City's sign code. The Committee discussed legislation that will allow temporary non-commercial signs (including political signs) in the Commercial and Industrial Districts and will also designate a uniform maximum size for political signs of 16 feet.

Mrs. Chuha stated that the Committee discussed legislation pertaining to vacant property which is on the agenda under Legislation.

Mr. Blackley added that the Committee also discussed modifying the City's property maintenance regulations which will be addressed in future meetings.

Mrs. Chuha reported that the Committee discussed the bottling of municipal water for commercial gain and will discuss enacting legislation to ensure that the City's water resource is protected in the future.

Mrs. Chuha stated that the Committee discussed the tenant leases at Old village Hall.

Mr. Yaney stated that one tenant, Polished, was required to close by the State and Hilltop Nutrition chose to close due to lack of customers.

Mr. Blackley stated that the Committee discussed deferring rent through the month of June and waiving the April and May rent for the two businesses that were closed.

Mr. Blackley moved and Mr. Smock seconded to defer rent for Old Village Hall tenants through the month of June and waive rent for Polished and Hilltop Nutrition for April and May.

Mr. Grau asked if staff has looked at Hilltop Nutrition's financial justification other than their word that they are unable to continue the business.

Mr. Yaney stated that he has not asked for financial information.

Mr. Sharpe stated that historically the City has had tenants that were unable to meet their obligations to the City and it was determined that is not beneficial to go to court to try to collect unpaid rent.

Mr. Yaney noted that Hilltop Nutrition is at the end of their lease which ends in August.

Mr. Chojnacki stated that nothing prohibits the City as a landlord from asking for financials; however, he concurs with the City Manager that if a tenant is unable to pay their rent then the City would most likely be unsuccessful in trying to collect the unpaid rent under the lease agreement.

Mayor Meleski asked Mr. Chojnacki about Council forgiving rent for only some of the tenants.

Mr. Chojnacki stated that the distinctions made by Council seem logical and fair.

Mr. Sharpe inquired if repayment of the rent should be made within 12 months.

Mr. Blackley moved and Mr. Smock seconded to amend the motion to include repayment for rent within 12 months.

Results of the roll call vote:

Blackley: yes
Chuha: yes
Grau: abstain
Means: yes
McArthur: yes
Meleski: yes
Smock: yes

Motion passed.

Service Committee

Mr. Blackley reported that Committee discussed the street maintenance program.

Mr. Rogonjic stated financially speaking, the street maintenance program should be able to move forward.

Mr. Blackley reported that the Committee discussed sump pumps pumping onto the right-of-way pavement, creating an ice hazard. Staff is working on policy recommendations for a future meeting.

Ad Hoc Theater Committee

Ms. Means reported that the Committee met and elected officers. She reported that at the meeting, the Law Director reported on the status of the theater's leases which will end on May 20 due to them being in violation of the lease terms. At that time, City will take possession of the contents inside the properties.

Ms. Means reported that the Committee established a process for claims to property inside the buildings.

Mr. Grau asked about the process to make a claim on property, noting that a Chardon family has inquired about getting items returned.

Ms. Means stated that if someone has a claim to property, it

will be handled with good common sense and on a case by case basis. Staff will work with the Law Director to make sure it is done properly.

Mr. Chojnacki stated that until May 20, the contents inside the buildings are the property of the Theater Guild and until that time, the City does not have any discretion over the contents of the property. After that time, the City can receive requests from individuals who have an alleged ownership interest in the contents of the property and the City needs to make practical and sound decisions on how to handle those cases.

Mr. Grau inquired about what the Committee is required to do with regards to minutes and notices.

Mr. Chojnacki stated that the Ad Hoc Committee is subject to requirements of Ohio Public Records Laws.

Ms. Means noted that after May 20, the City's intention is to allow the costumes and props to be used as a resource by theater groups that may be coming in.

Finance Committee

Mrs. McArthur reported that the Finance Committee met and reviewed proposed revisions to the 2020 budget. Department heads looked at ways to revise the budget due to the economic strains resulting from the pandemic. The Committee recommended the proposed budget revisions presented by the Finance Director.

Finance Director Mate Rogonjic stated that department heads reviewed their budgets to identify projects that could be delayed and staff also tried to quantify an estimated loss of revenue to help identify the needed level of budget reductions.

Mr. Rogonjic reviewed the revised ending fund balances for 2020 after considering the immediate expenditure reductions proposed by the departments. He noted that the funds are estimated to maintain positive balances without needing to use the Operating Reserve Fund.

Mr. Rogonjic explained that he estimates a potential revenue reduction of \$701,900. He also reviewed estimated potential loss in water and sewer revenue which is estimated to be reduced by 10% what was budgeted.

Mr. Rogonjic reviewed the major budget reductions that staff has recommended to implement immediately and the list of budgeted items recommended to put on hold until a better idea of revenue loss is more known.

Members of Council spoke in support of the proposed plan and thanked staff for their hard work.

No member of Council had any objections to the proposed budget reductions.

Mr. Rogonjic stated that an amended appropriations ordinance for the June Regular Session is recommended if Council is interested in going forward with the budget reductions.

Mayor Meleski asked what the plan is to gauge when to put projects back in the budget.

Mr. Rogonjic suggested that Council wait until after June and

then make some decisions at that time. There is a possibility that Council may move forward on be a couple items depending on how things progress.

Economic Development Committee

Ms. Means reported that the Committee met and received and update on the Geauga County Economic Plan by David Favorite.

Ms. Means reported that the Committee discussed the business visitations that have occurred within the last month in which the City has been in communications with businesses to discuss ways to help during the pandemic.

Ms. Means reported that the Committee discussed and recommended postponing contracting the services of Retail Strategies but would like Council to consider their services at a future date.

Ms. Means reported that questions have arisen from businesses inquiring about the possibility of the City temporarily relaxing regulations for outdoor dining on a case-by-case basis if they are interested and able.

Mr. Grau stated that there is a process in place to approve the outdoor dining.

Mr. Blackley spoke in favor of relaxing the City's standards.

Mr. Hornyak stated that ADA compliance still needs to be considered on the sidewalks.

Mayor Meleski stated that he is open to ways to help businesses.

Members of Council expressed that if someone is interested, they should contact the City.

GENERAL PUBLIC - none

OLD BUSINESS - none

NEW BUSINESS

Mr. Blackley moved and Mrs. Chuha seconded to approve the Clerk of Council to attend public records training on behalf of all members of City Council. Upon roll call vote the motion passed unanimously.

A Public Hearing to allow the public to comment regarding the City of Chardon's proposed text amendment to the Planning & Zoning Code, specifically Sections 1129.09 (Signs in Non-Residential Districts) and Section 1129.13 (Signs in Residential Districts) was set for June 11, 2020 at 6:20 PM.

LEGISLATION

ORDINANCE NO. 3116

AN ORDINANCE CREATING SECTION 1147.30 OF THE CODIFIED ORDINANCES OF THE CITY OF CHARDON TO ESTABLISH REGISTRATION REQUIREMENTS FOR VACANT RESIDENTIAL PROPERTIES 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. 3116 was then read for the second and third time by title only.

Mr. Smock moved and Mrs. McArthur seconded for the adoption of Ordinance No. 3116.

Mr. Chojnacki stated that the legislation was drafted to address some of the concerns that were raised from some residents regarding the enforcement of the City's property maintenance code. The first idea was aimed to address some of the issues that relate to the challenges of securing exterior property maintenance compliance from properties that are vacant. The goal of the legislation is to identify an individual that is accountable in the County that the City can reach when there are property maintenance issues present.

Mr. Grau asked who is responsible for the subsequent fines if there are violations.

Mr. Chojnacki stated that the property owner would be responsible for the fines which would be certified to the County Auditor and placed on the tax duplicate.

Mr. Grau asked how frequently issues are occurring with vacant houses.

Mr. Yaney stated that it is currently only one property.

Mr. Smock asked if anything is being done with the property being discussed.

Mr. Yaney stated that there is no change in their status. He added that staff frequently checks the house being discussed to look for violations.

Discussion occurred regarding unsightly properties and the possibility of updating the City's property maintenance code to be more strict.

Mr. Chojnacki stated that the legislation gives the City the authority to site a property owner for not responding to inquiries or complying with requests. Staff will be working on the City's property maintenance code to better regulate what some may perceive as a status of the property that compromises the health safety and welfare of the community.

Mr. Smock stated that the City's property maintenance code does need to be tightened up.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 4-20

A RESOLUTION TRANSFERRING FUNDS IN THE CITY OF CHARDON TREASURY FOR 2020 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley moved and Mr. Smock 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. 4-20 was then read for the second and third time by title only.

Mrs. McArthur moved and Mrs. Chuha seconded for the adoption of Resolution No. 4-20.

Mr. Rogonjic stated that the transfers were included in the original and revised budget.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mrs. McArthur reported that expenditures were in order. She noted that the Finance Director is researching the possibilities to reduce the burden of municipal court costs.

Mrs. McArthur asked the Finance Director to review how the Chardon Fire Department Ambulance fees are reimbursed.

Mr. Rogonjic explained how the City collects on ambulance transports. The Fire and EMS Operating Levy provides the majority of revenue for the services the Chardon Fire Department provides. The Ambulance Fund is a secondary fund for the collection for ambulance transport fees which supplements the services the Fire Department provides.

Mr. Rogonjic reported that a Fire and EMS Levy increase may be necessary in the next few years.

EXECUTIVE SESSION - none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Discussion occurred regarding the investigation into the City's noise ordinance by the Police Chief.

ADJOURN

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

The meeting adjourned at 9:02 p.m.

Attest:

DANIEL MELESKI, Mayor
President of Council

AMY DAY
Clerk of Council