

REGULAR SESSION

September 10, 2020

The Council of the City of Chardon met in Regular Session Thursday, September 10, 2020 at 6:30 P.M. via video-conferencing service, Zoom (Meeting ID: 822 2163 3216).

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, Greg Sommers, Rick Sommers, Thomas Nolfi, Amy Patterson, Collin Cunningham, Dave Jevnikar, David Lelko, Mary Glauser.

APPROVAL OF MINUTES

Mr. Smock moved and Mr. Blackley seconded to approve the minutes of the August 13, 2020 Regular Session, August 20, 2020 Special Session, and September 2, 2020 Special Session as presented.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Mr. Sharpe commended the Police Chief, Lieutenant, and the entire Police Department for their planning and efforts to keep the community safe on September 4 during a planned protest in the City.

Mayor Meleski also commended the Police Chief and his department for the planning and work done for the event and for keeping the community safe.

Chief Niehus spoke about the event and all of the other agencies that helped his department.

Mr. Sharpe reported that Chardon Home Depot donated eight skids of mulch to the City valued at \$1,560. City staff will spread the mulch next spring if Council is willing to accept the gift.

Mr. Grau moved and Mrs. McArthur seconded to accept the gift of mulch from Home Depot. Upon roll call vote the motion passed unanimously.

Mr. Sharpe reported that a conditional offer has been made to Ryan Adomaitis for the position of full-time maintenance worker in the Division of Streets, Cemeteries and Parks.

Mr. Sharpe reported that the position of full-time 2nd Shift Operator in the Division of Water and Wastewater is currently being advertised in various newspapers, online and in professional publications.

Mr. Sharpe reported that the City received a Go Green Community Grant award from the Geauga-Trumbull Solid Waste District in an amount not to exceed \$2,500. The grant will be used for two receptacles that have two bins, one for trash and the other for recycling. The total cost for the bins with shipping and handling will be approximately \$2,800.

Mr. Sharpe reported that Fall Fest will be cancelled due to the fact that the Health Director's Order stating that all public and private gatherings of greater than 10 people occurring outside a single household are prohibited. Commissioner Quade has indicated that the State may be considering increasing the group sizes for events. However, there is no timeframe for when that decision will be made.

Mr. Sharpe reported that the City is continuing with the process of applying for a grant for an electric vehicle charging station. The project cost is expected to be \$36,000, and the grant amount is \$30,000. He noted that the City will be able to charge for the use of the charging station. He asked Council if they are supportive of proceeding with the grant application.

No member of Council had any objection to proceeding with the application.

Mr. Blackley moved and Mrs. McArthur seconded to proceeding with the investment in the e-station.

Upon roll call vote the motion passed unanimously.

Mr. Sharpe reported on additional CARES Act funds that is being considered by the State House of Representatives. The City's allocation is expected to be \$185,908 if approved.

Mr. Sharpe reported on the status of capital projects.

Mr. Hornyak provided additional details regarding the status of the gazebo renovation project.

Mr. Grau asked about the status of Halloween activities.

Mr. Sharpe stated that at this time, trick or treat is still planned to continue; however, the Square activities will not.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and granted the Community Development Administrator the authority to approve a temporary occupancy permit for Chardon Square Auto Body.

COUNCIL COMMITTEE REPORTS -

Safety Committee

Mr. Grau reported that the Committee met and discussed the status of the Emergency Operations Plan, and spent time discussing the various methods of providing emergency notifications to residents.

Chief Niehus reported on the Watchguard system installed in police vehicles and some of the rooms in the Municipal Center.

HEARING OF PERSONS BEFORE COUNCIL

THOSE PERSONS ON THE AGENDA

Regarding a request by Chardon Tomorrow for a \$3,500 Stipend to Sustain Operations in 2020, Mary Glauser reported that due to the cancellation of 2020 events, Chardon Tomorrow has requested a stipend to assist with rent at 213 Main Street and expenses through the first quarter of 2021. She added that she has been working for Chardon Tomorrow as a volunteer since July.

Ms. Means asked how Chardon Tomorrow will support itself in 2021 if the pandemic continues into the new year.

Ms. Glauser stated that the money they put into events for 2020 could be used in 2021. In addition, they think that they could ask businesses for their support.

Ms. Means asked who is in charge of the businesses services since she is not the Executive Director for Chardon Tomorrow.

Ms. Glauser stated that she still works volunteer hours and board members and an intern also assist with events.

Ms. Means asked what Chardon Tomorrow's role will be going forward and what Council is supporting.

Ms. Glauser stated that Chardon Tomorrow has contributed to the Economic Development of the City and helps businesses succeed.

Ms. Means asked who will be coordinating these efforts since Ms. Glauser has another full-time job elsewhere.

Chardon Tomorrow President, David Lelko stated that it will be a combination of the volunteer efforts of Ms. Glauser and board members.

Ms. Glauser stated that the future is unknown; however, they would like the opportunity to not sacrifice 10 years of work.

Ms. Means asked what happens if they do not receive the stipend.

Ms. Glauser stated that they would need to look for storage for their materials and would work virtually.

Mr. Smock asked if the City's CARES Act funds could be used to support Chardon Tomorrow.

Mr. Rogonjic stated that the City has already planned on allocating the first Round of CARES Act funds to cover the City's costs; however, the second round of CARES Act funding could be looked at.

Mrs. Chuha asked how long the funds would sustain Chardon Tomorrow.

Ms. Glauser stated that the funds could sustain them through March 2021.

Mr. Grau spoke in support of providing the stipend to Chardon Tomorrow.

Mr. Smock moved and Mr. Grau seconded to authorize the \$3,500 payment to Chardon Tomorrow, so they can continue their operations through March 2021.

Ms. Means stated that it would be nice to see more leadership from the board when the time comes for Chardon Tomorrow to ask for additional funding from the City.

Mrs. McArthur stated that the City has put quite a bit of money into Chardon Tomorrow and wonders what the results would have been if that money had been put towards economic development.

Mr. Smock stated that Chardon Tomorrow has done good work and he supports giving \$3,500 to keep them going into 2021. He added that he believes the discussion can continue during the budget process.

Results of the roll call vote:

Blackley: Abstain
Chuha: Yes
Grau: Yes
McArthur: Yes
Means: Yes
Meleski: Yes
Smock: Yes

Motion passed.

GENERAL PUBLIC - none.

OLD BUSINESS - none.

NEW BUSINESS

Mr. Rogonjic reviewed the August 2020 financials and the impact of Covid-19 on the City's budget. He reported that water and sewer and income tax collections are more favorable than projected and it appears that this will continue through September.

Mr. Rogonjic stated that due to the favorable year-to-date revenues through August and the first portion of September, he is recommending that the following budget items be taken off of the "On-Hold" list including:

- Replace bathroom fixtures at the pool (\$3,900)
- Tuckpoint the mausoleum at the cemetery (\$4,900)
- Purchase the subscription for online purchasing functions after further researching benefits and functionality (\$5,000)
- Repair the rear pins on the Backhoe in the Street Department (\$6,000)
- Resurface the entry steps at Old Village Hall (\$6,200)
- Purchase a payroll timekeeping system (\$18,000)

Mr. Smock moved and Mr. Blackley seconded to remove the items recommended by the Finance Director from the "On Hold" list. Upon roll call vote the motion passed unanimously.

Regarding a change order to add the Grant Street and S. Hambden Street intersection stop signs and crosswalk and install new drive apron at Mel Harder Park for the Round 7 Sidewalk Maintenance and Infill Program, Mr. Sharpe stated that the intersection was analyzed by a traffic engineer who concluded that all-way stop signs are appropriate and recommended.

City Engineer Doug Courtney, reviewed the study and criteria used to do the study in the area. He mentioned that Hambden Township has no issue with the improvements.

Mr. Blackley added that Planning Commission recommended that crosswalks be added at this intersection. He thanked staff for getting these improvements in the infill sidewalk program.

Mr. Grau asked if there are warning signs that can be installed to warn drivers of the new stop signs.

Mr. Courtney stated that blinking lights are not necessarily needed because the City will provide pre-warning signs to call attention to the change in operation at the intersection.

No member of Council had any objection to the change order.

LEGISLATION

Regarding AN ORDINANCE ENACTING CHAPTER 1321 OF THE CODIFIED ORDINANCES TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, Mayor Meleski stated that in order for the City to enforce the legislation, there needs to be some enforcement in place. Additionally, the IPMC is about to be revised and asked Mr. Yaney to report on the status of those issues.

Mr. Yaney reported on discussions he has had with an individual who can do the property inspections and an agreement is being drafted. He added that the IPMC is updated every three years and the next revision is expected to be released in October. He suggested that the City wait to adopt the legislation until the 2021 edition is available.

Mrs. McArthur moved and Ms. Means seconded to table the Ordinance. Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 8-20

A RESOLUTION PROVIDING FOR THE CONTROL OF BLIGHT AND DISEASE OF SHADE TREES WITHIN PUBLIC RIGHTS OF WAY AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS OF THE CITY OF CHARDON; AUTHORIZING THE SHADE TREE COMMISSION TO SO PROVIDE DURING THE YEAR OF 2020; ESTABLISHING A SINGLE DISTRICT FOR SAID PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 727.011, OHIO REVISED CODE; PROVIDING THE ASSESSMENT OF THE COST AND EXPENSE OF SUCH PLANTING, MAINTAINING, TRIMMING AND REMOVING UPON BENEFITTING PROPERTY IN SAID DISTRICT, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley moved and Mrs. McArthur 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. 8-20 was then read for the second and third time by title only.

Mr. Blackley moved and Mrs. Chuha seconded for the adoption of Resolution No. 8-20.

Mr. Rogonjic stated that the assessment will continue for the care of shade trees at the same assessment amount as this year. Additional tree planting will be looked at as part of the 2021 budget.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 9-20

A RESOLUTION OF NECESSITY FOR THE ASSESSMENT OF STREET LIGHTING AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. Chuha 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. 9-20 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Grau seconded for the adoption of Resolution No. 9-20.

Mr. Rogonjic stated that the proposed assessment will not change from its current amount and will be used to pay for street lighting and for the replacement of street lights with LED bulbs.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 10-20

A RESOLUTION OF NECESSITY FOR THE ASSESSMENT OF SIDEWALKS AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur 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. 10-20 was then read for the second and third time by title only.

Mr. Smock moved and Mr. Grau seconded for the adoption of Resolution No. 10-20.

Mr. Rogonjic stated that the proposed assessment will not change from its current amount. He noted that the assessment will be used to pay for the sidewalk infill program, and for sidewalk repair and maintenance beginning in 2022.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 11-20

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR was read for the first time by title only.

Mrs. McArthur moved and Ms. Means 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. 11-20 was then read for the second and third time by title only.

Mr. Smock moved and Mrs. Chuha seconded for the adoption of Resolution No. 11-20.

Mr. Rogonjic stated that the Resolution is the last step in the tax budget process that specifies the property tax rates for collection by the County in 2021.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3134

AN ORDINANCE ENACTING THE 2020 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF CHARDON AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley moved and Mr. Grau 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. 3134 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Grau seconded for the adoption of Ordinance No. 3134.

Clerk of Council Amy Day stated that the supplement is an update to the City's Codified Ordinances that includes changes in the State traffic and criminal law as well as legislation passed throughout the year by Council.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3135

AN ORDINANCE ADOPTING AN ANNOUNCEMENT OF DECISION REGARDING PRELIMINARY PLAN APPROVAL FOR THISTLE CREEK SUBDIVISION - "PRD" PLANNED RESIDENTIAL DISTRICT DEVELOPMENT was read for the first time by title only.

Mr. Blackley moved and Mrs. McArthur 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. 3135 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. 3135.

Mr. Chojnacki stated that the legislation is the last step to adopt the preliminary plan for Thistle Creek Development. It memorializes Council's action taken in August to accept the preliminary plan and Announcement of Decision.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3136

AN ORDINANCE DESIGNATING ELIGIBLE FINANCIAL INSTITUTIONS AS THE DEPOSITORIES FOR THE ACTIVE AND INTERIM FUNDS OF THE CITY OF CHARDON, OHIO FOR A PERIOD OF FIVE (5) YEARS BEGINNING OCTOBER 1, 2020 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Smock moved and Mrs. McArthur 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. 3136 was then read for the second and third time by title only.

Mr. Smock moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3136.

Mr. Rogonjic stated that every five years the City is required to obtain agreements with the financial institutions that would like to do business with the City and hold City funds. The banks that have applied to be eligible to do business with the City are listed in the Ordinance.

Mrs. McArthur asked if the City typically stays with the same financial institutions.

Mr. Rogonjic stated that the City has one bank that is used for most operations, and the others are used for money market funds, CDs and other types of investments.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3137

AN ORDINANCE AMENDING APPROPRIATIONS IN THE CITY OF CHARDON TREASURY FOR 2020 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur moved and Mr. Blackley 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. 3137 was then read for the second and third time by title only.

Mr. Blackley moved and Mrs. McArthur seconded for the adoption of Ordinance No. 3137.

Mr. Rogonjic stated that the State has distributed additional CARES Act funds and this Ordinance would allow the City to spend this amount.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3138

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THISTLECREEK DEVELOPMENT, LLC, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley moved and Mr. Grau 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. 3138 was then read for the second and third time by title only.

Mr. Smock moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3138.

Mr. Chojnacki stated that the legislation will allow the City Manager to execute an agreement with Thistle Creek relative to the cost sharing of certain utilities, with the City's portion being 40% of the project cost.

Mr. Courtney stated that the agreement is for the North Hamden Water Main Replacement Project and does not include utilities within the Thistle Creek development.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mrs. McArthur reported that expenditures were in order.

EXECUTIVE SESSION -

Mrs. McArthur moved and Mr. Smock seconded to adjourn to Executive Session at 8:21 p.m. to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, to consider the purchase of public property for a public purpose or the sale of property at competitive bidding, and for conferences with the attorney for the public body concerning disputes involving the public body that are the subject of pending or eminent court action, and invite Mark Wallach into the session. Upon roll call vote the motion passed unanimously.

Discussion occurred regarding 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.

Discussion occurred regarding the purchase of public property for a public purpose or the sale of property at competitive bidding.

Meeting reconvened at 9:53 p.m.

ORDINANCE NO. 3139

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LAND DONATION AGREEMENT AND OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S ACCEPTANCE OF THE PROPERTY KNOWN AS 432 AND 434 WATER STREET, CHARDON, OH, PERMANENT PARCEL NUMBERS 10-150000 AND 10-154300, AS A GIFT AT NO COST TO THE CITY, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Grau moved and Mr. Blackley 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. 3139 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. 3139.

Mr. Chojnacki stated that the Ordinance authorizes an agreement to allow the City to accept the properties as a gift from the property owner.

Mr. Sharpe added that the intent is to maintain the property as greenspace.

Mrs. McArthur asked when the transfer is expected to take place.

Mr. Sharpe stated that the transfer is expected in approximately one month.

Upon roll call vote the motion passed unanimously.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mr. Sharpe reported that a neighborhood conversation with Fox Pointe is scheduled for September 15, 2020 via Zoom.

ADJOURN

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

The meeting adjourned at 9:58 p.m.

Attest:

DANIEL MELESKI, Mayor
President of Council

AMY DAY
Clerk of Council