REGULAR SESSION

December 9, 2021

The Council of the City of Chardon met in Regular Session Thursday, December 9, 2021 at 6:30 p.m. in Council Chambers of the Chardon Municipal Center.

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, Park and Recreation Director Adam Rogers, City Engineer Doug Courtney, Community Development Administrator Steve Yaney, Public Service Director Paul Hornyak, David Jevnikar, Bill Jackson.

APPROVAL OF MINUTES

November 11, 2021 Regular Session

Mr. Smock moved and Mr. Grau seconded to approve the minutes of the November 11, 2021 Regular Session as presented.

Upon roll call vote the motion passed unanimously.

November 18, 2021 Special Session

Mrs. Chuha moved and Mrs. McArthur seconded to approve the minutes of the November 18, 2021 Special Session as presented.

Results of the roll call vote:

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

Motion passed.

RESOLUTION NO. 22-21
A RESOLUTION OF APPRECIATION FOR THE CHARDON FOOTBALL TEAM was read for the first time in its entirety.

Mr. Grau 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. 22-21 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. 22-21.

Mayor Meleski and members of Council spoke in support of the accomplishments of the football team.

Coach Mitch Hewitt and the team captains thanked the City for the recognition and reflected on the team's season.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Mr. Sharpe reported that the Finance Director, Mate Rogonjic, tendered his resignation. His last day with the City will be February 11, 2022.

Mr. Sharpe reported that John Napp was promoted to the Foreman's position in the Water and Sewer Division.

Mr. Sharpe reported that the Civil Service Commission certified the eligibility list for the Lieutenant's position, and he expects to make the Lieutenant appointment by January 1, 2022.

Mr. Sharpe reported on the status of the Maple Highlands Trail Extension Phase 2 Project which is expected to be finalized in the near future.

Mr. Sharpe reported that a Council vacancy will occur on January 1, 2022 due to Mr. Grau being elected Mayor. Council will have 30 days to make an appointment to fill the vacancy, and letters of interest need to be submitted to the Clerk of Council by January 4, 2022.

PLANNING COMMISSION REPORT – none.

COUNCIL COMMITTEE REPORTS

Park and Recreation Board

Park and Recreation Director, Adam Rogers, reported that the Board met and discussed the winterizing of facilities and the status of programs. The Board also discussed amending the park rules and regulations and allowing the City Manager more leniency to approve new or increased program fees under $300, thus reducing delays in program development.

Service Committee

Mr. Blackley reported that the Committee met and discussed the sidewalk maintenance program and concurred with the Public Service Director's recommendation to add $26,500 to the 2022 program in order to get a better price from the contractor due to a larger volume of work.

Mr. Blackley reported that the Committee also discussed catch basin cleaning which is done to prevent basin flooding.

Mr. Hornyak discussed the equipment rental for the catch basin cleaning and noted that the purchase of equipment may be added to the capital plan in future years.

Mr. Blackley reported that the Committee received an update on the City's brush collection program.

Mr. Blackley reported that the Committee also recommended an increase for the engineering services of the C.W. Courtney Co. as well as a traffic calming policy, both of which will be discussed later in the meeting.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda – none.

General Public – none.

OLD BUSINESS

Regarding discussion of the G-TV contract, Mayor Meleski requested the Clerk of Council read the motion Council made at the July 28, 2021 meeting regarding G-TV, and asked the Law Director to review the terms of the contract.

Clerk of Council, Amy Day, read the motion made by Council at the July 28, 2021 Special Session.

Law Director, Benjamin Chojnacki, stated that subsequent to Council passing the motion, he drafted revisions to the contract which went back and forth with G-TV. The only remaining issue is the funding source. He read the language in the most recent contract draft, in which he tried to encompass the motion made by Council.

Mayor Meleski stated that the only difference he sees between the motion by Council and the contract, is the $20,000 that G-TV would have to annually provide the City for equipment.

Mr. Blackley stated that in making the motion, it was not his intent for G-TV to continue to provide $20,000 back to the City after replacing the video system in Council Chambers in 2022; however, it was left open how the funding would be split in 2023 and beyond. He stated that he wanted to see some performance metrics from G-TV, and if they start doing that, Council will have some idea of their costs and will be better informed about what an equitable cost sharing arrangement would be.

David Jevnikar, representing G-TV, stated that they already have the funds set aside to replace the Council Chambers cameras. He stated that he believes he can replace the equipment for $13,000, with G-TV installing the equipment, but noted that if another company were to do the work it could cost $20,000-$25,000. He stated that they are willing to provide the new equipment if they receive full funding from the City in 2022.

Ms. Means asked what changed since Council and Mr. Jevnikar came to an agreement at the July 28, 2021 Special Session.

Mr. Jevnikar stated that after the Special Session, he realized that G-TV can do the project with existing funds, resulting from money that was not spent due to COVID.

Ms. Means stated that it seems like Mr. Jevnikar wants Council to work with him without a quote or contract, while any other vendor has to provide the City with estimates and data.

Mr. Jevnikar stated that it was not made clear what happens with any remaining funds if the project is less than $20,000.

Mr. Chojnacki stated that the $20,000 figure was for equipment for the City to do what they wanted whether in Chambers or elsewhere. The idea to continue the $20,000 was an attempt to avoid having to come back to Council every year and re-negotiate a contract.

Mr. Jevnikar stated that he believes the franchise fee should strictly be used for local programming and 100% funding is important to them.

Mrs. McArthur stated she supports keeping G-TV in the community and thinks it is important to upgrade the equipment.

Mr. Blackley stated that he believes it is important to provide the transparency that G-TV provides, and believes that it was the original intent of the cable franchise fee, however, he would like to see metrics.

Mr. Jevnikar stated that he would like a better definition of the metrics the City is looking for.

Mr. Smock suggested the Legislative Committee work the details out on what G-TV is expected to provide.

Mr. Chojnacki read modifications to the contract language and asked Council to state if they object to the language:

> Section 19: The City shall distribute all funds received during the term of the agreement from Spectrum Cable to Geauga Local Access Cable Access Corp. in exchange for Geauga Local Access Cable Corp. completing the replacement of the video system in the amount of up to $20,000 in Council Chambers in 2022. Any savings below the $20,000 shall be retained by G-TV.

Ms. Means asked if the City will receive a quote for the cost of the Council Chambers cameras.

Mr. Jevnikar stated that the City will receive a quote and will issue a purchase order.

Mrs. McArthur asked when the work would be done.

Members of Council expressed that the project should be done by the end of the second quarter of 2022.

Mayor Meleski asked if the contract language was acceptable to Mr. Jevnikar.

Mr. Jevnikar stated that the contract language was acceptable to him.

Mr. Blackley moved and Mr. Smock seconded to approve the contract language as modified by the Law Director.

Results of the roll call vote:

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

Motion passed.

NEW BUSINESS

Regarding the adoption of a traffic calming policy, Public Service Director, Paul Hornyak, reported that the Service Committee reviewed and recommended the proposed policy which was drafted with the collaboration of the City’s Engineer, Traffic

Consultant and staff. The policy was initiated at the request of a resident who inquired about the City implementing traffic calming procedures. Having a policy to follow gives the City a tool that will help control the implementation of traffic calming devices, and will insure that traffic calming complaints and requests are handled in a consistent manner.

Mr. Hornyak provided an overview of the traffic calming policy process which he said can be used or stopped at any point.

Members of Council asked general questions about how the policy would work.

Mr. Grau asked about documenting the complaints and how they are resolved.

Mr. Sharpe stated that typically the issues will be funneled through the Public Service Director.

Mr. Hornyak stated that the City will have record of their response to the complainant.

Mr. Blackley moved and Mr. Smock seconded to adopt the traffic calming policy as set forth by the Public Service Director. Upon roll call vote the motion passed unanimously.

Regarding authorizing the City Manager to proceed with the order of truck #4, Mr. Hornyak stated that the truck replacement was planned for the 2022 budget, however he is requesting the truck be included in the temporary budget. He stated that there is limited availability of trucks due to volatile material pricing; however, he was recently made aware that Cleveland Freightliner, Inc. had seven slots allocated to them for this model for the entire year with an estimated 150 trucks expected to be ordered. They are willing to hold a spot for the City but would like acknowledgement from the City that a pending purchase will be reviewed and possibly authorized at the January 2022 meeting.

Mrs. McArthur moved and Mrs. Chuha seconded to authorize the City Manager to proceed with ordering truck #4. Upon roll call vote the motion passed unanimously.

LEGISLATION

RESOLUTION NO. 23-21

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS NECESSARY TO PARTICIPATE IN THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY'S ELECTRIC VEHICLE CHARGING STATION PROGRAM PARTNER AGREEMENT was read for the first time by title only.

Mr. Blackley moved and Mrs. Chuha 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. 23-21 was then read for the second and third time by title only.

Mr. Grau moved and Ms. Means seconded for the adoption of Resolution No. 23-21.

Mr. Sharpe reported the City received a Level 3, electric vehicle quick-charging station from NOACA which will be located at the Maple Highlands Trailhead parking lot on Park Avenue. The legislation would authorize him to enter into a 5-year agreement with NOACA for the station. Mr. Sharpe highlighted the City's responsibilities for the charging station as part of the agreement.

Discussion occurred regarding the location for the electric vehicle charging station being at the Maple Highlands Trailhead parking lot.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3185
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT OF THE CONTRACT FOR THE SERVICES OF THE C.W. COURTNEY COMPANY AS MUNICIPAL ENGINEER AND DECLARING AN EMERGENCY was read for the first time by title only.

Mrs. McArthur 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. 3185 was then read for the second and third time by title only.

Mrs. McArthur moved and Mr. Blackley seconded for the adoption of Ordinance No. 3185.

Mr. Sharpe stated that staff reviewed the City Engineer's proposal for rate increases, which they recommended to the Service Committee. He noted that the proposed increases were in-line with other communities and City's long-term relationship with the C.W. Courtney Co. is a valued one. The Service Committee reviewed the information and voted unanimously to recommend approval of the proposed rates to Council.

City Engineer, Doug Courtney, stated that the last rate increase for the C.W. Courtney Co. was January 1, 2016. The requested rate increase for 2022 averages 10% or about 2.02% per year from 2017-2021, and future rate increases are 2.3% for 2023 and 2.04% for 2024. He is also requesting an increase in the retainer fee of 10.3% for 2022 and increases of 2.1% for 2023 and 1.9% for 2024.

Mr. Courtney reviewed the services he provides under his retainer fee.

Discussion occurred regarding the retainer services.

Mr. Blackley stated that C.W. Courtney's rates are among the lowest compared to other communities, and stated that their rate proposal is fair compensation.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3186
AN ORDINANCE AMENDING PORTIONS OF CHAPTER 945 OF THE CODIFIED ORDINANCES TO ESTABLISH PARK-SPECIFIC RULES AND REGULATIONS FOR VARIOUS CITY PARKS AND THE MAPLE HIGHLANDS TRAIL was read for the first time by title only.

Mr. Grau 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. 3186 was then read for the second and third time by title only.

Mrs. McArthur moved and Ms. Means seconded for the adoption of Ordinance No. 3186.

Mr. Chojnacki stated that the objective of the legislation was to create park-specific rules for the City parks and the Maple Highlands Trail. They aimed to be uniform in the open and closing times of the parks and to be relatively straightforward about where camping is permitted. Every park with the exception of portions of the pool and paved courts will be open from dawn to 11:00 PM, and camping will be prohibited in all parks except for the designation of Ibold Park and the lot adjacent to Mel Harder Park. In addition, there are rules drafted for the Maple Highlands Trail that are similar to the rules of the Geauga Park District.

Discussion occurred regarding the language and signage prohibiting camping in certain areas.

Discussion occurred regarding the penalty for violations of the ordinance.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3187
AN ORDINANCE AMENDING SECTION 943.01 OF THE CODIFIED ORDINANCES TO AMEND THE RATE SCHEDULE FOR FEES AND CHARGES FOR EDUCATIONAL AND PHYSICAL PROGRAMS OFFERED BY THE CITY was read for the first time by title only.

Mr. Grau 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. 3187 was then read for the second and third time by title only.

Mrs. McArthur moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3187.

Mr. Chojnacki stated that the legislation was drafted by staff and was recommended by the Park and Recreation Board to change the threshold that the City Manager can set the fees for programs from $250 to $300. In addition, the cap on program fees and charges would not apply to group rate totals. Finally, the legislation would allow that once a group rate is approved, subsequent increases would not need Council approval as long as they are not increased more than 20% from what was approved originally.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3188
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH CONCORD ROAD EQUIPMENT, MFG. FOR THE PURCHASE OF A DUMP BODY WITH SNOW AND ICE CONTROL EQUIPMENT TO BE INSTALLED ON NEW TRUCK 6 THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES AND WITHOUT BID PURSUANT TO SECTION 125.04(B) OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Smock 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. 3188 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. 3188.

Mr. Rogonjic stated that the legislation is for the purchase of a new dump body and equipment to be installed on new Truck 6. Concord Road Equipment is not offering the full discount for the dump body and equipment because of the current price of steel, but is offering a discount that will reduce the list price by 7.9%.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3189
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH THE CHARDON FIRE DEPARTMENT, INC. TO PROVIDE EMERGENCY SERVICES TO THE CITY OF CHARDON FOR THE YEARS 2022 - 2024 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Grau 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. 3189 was then read for the second and third time by title only.

Mrs. McArthur moved and Ms. Means seconded for the adoption of Ordinance No. 3189.

Mr. Rogonjic stated that the contract amount is a result of the passage of the fire and ems levy in November, as well as the Fire Department’s proposal for their budget which was presented to the Safety Committee earlier in the year.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3190
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE CHARDON FIRE DEPARTMENT, INC. TO PROVIDE FIRE PREVENTION SERVICES TO THE CITY OF CHARDON FOR THE YEARS 2022 - 2024 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 Ordinance be read for the second and third time by title only. Upon roll call vote the motion passed unanimously.

Ordinance No. 3190 was then read for the second and third time by title only.

Mr. Grau moved and Mr. Blackley seconded for the adoption of Ordinance No. 3190.

Mr. Rogonjic stated that with the passage of the levy in November, funding is available for the City to enter into a contract with the Fire Department for them to enforce the City’s fire prevention code for the next three years. The amounts reflect an increase of 2% in the hourly rate which has been the same rate increase over the last three contracts.

Mr. Blackley asked if developers are charged for fire prevention services related to the review of their plans.

Mr. Rogonjic stated that the services are funded by the fire levy and the City does not charge for fire prevention services.

Mr. Blackley suggested that the City investigate other communities that may charge for fire prevention services.

Mr. Sharpe stated that in his experience, fire prevention services are not charged for.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3191
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE WITH CHARDON FIRE DEPARTMENT, INC., FOR PROPERTY LOCATED AT 108-111 SOUTH HAMBDEN STREET, CITY OF CHARDON, OHIO, 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. 3191 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. 3191.

Mr. Rogonjic stated that the lease is for the Fire Department's use of the fire station. The lease term is three years with a 2% annual increase.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3192
AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF CHARDON, STATE OF OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Grau 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. 3192 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. 3192.

Mr. Rogonjic stated that the temporary appropriations will be used for the first quarter of 2022 until the final budget is approved. He noted that the temporary appropriations also include the funding for the projects in the capital improvement plan for 2022. He reviewed additional items not in the capital plan that were accounted for in the temporary appropriations ordinance.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 24-21
A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2022 was read for the first time by title only.

Mrs. McArthur moved and Mrs. Chuha 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. 24-21 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. 24-21.

Mr. Rogonjic stated that the Resolution allows the City to begin receiving advance payments on property taxes from the County instead of waiting until March to receive the full allocation.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mrs. McArthur reported that expenditures were in order.

EXECUTIVE SESSION

Mr. Smock moved and Ms. Means seconded to adjourn to Executive Session at 8:45 p.m. to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official, 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 Ben Chojnacki, Randy Sharpe, Mate Rogonjic, and Amy Day into the session. Upon roll call vote the motion passed unanimously.

Discussion occurred regarding conferences with an attorney for the public body to consider the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official.

Discussion occurred concerning disputes involving the public body that are the subject of pending or eminent court action.

Meeting reconvened at 9:10 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mayor Meleski reported on the details of the parade to be held on Sunday, December 12, 2021 to celebrate the football state championship.

Mayor Meleski spoke and reflected on his two years serving as Mayor.

Mr. Smock and Mrs. McArthur reflected on their time on Council.

Members of Council thanked Mayor Meleski for his service as Mayor and wished Mr. Grau luck in his new term as Mayor.

Mr. Grau thanked the members of Council for their support.

ADJOURN

Mr. Smock moved and Mrs. Chuha seconded to adjourn. Upon voice vote the motion passed unanimously.

The meeting adjourned at 9:20 p.m.

Attest:

DANIEL MELESKI, Mayor
President of Council

AMY DAY
Clerk of Council