REGULAR SESSION

December 8, 2022

The Council of the City of Chardon met in Regular Session Thursday, December 8, 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: Andrew Blackley, Deborah Chuha, Christopher Grau, David Lelko, Kyle Martin, Heather Means, Daniel Meleski.

Members of Council absent: none.

Others Present: City Manager Randy Sharpe, Finance Director Mark Iacofano, 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, Anastasia Nicholas, Peter Byrnes, Elisabeth Giedt, Bill Hess, Robert Rein, Chuck Grasser, Bill Jackson, Mary Briggs, David Jevnikar.

APPROVAL OF MINUTES

Mr. Blackley moved and Mrs. Chuha seconded to approve the minutes of the November 10, 2022 Regular Session as presented. Upon roll call vote the motion passed unanimously.

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the November 17, 2022 Special Session as presented. Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

Mr. Sharpe reported that Chris Moore tendered his retirement as Superintendent of Streets, Parks and Cemeteries, effective December 31, 2022, and the process has begun to find his replacement.

Mr. Sharpe reported that interviews continue to fill the Maintenance Worker position in the Division of Streets, Parks and Cemeteries.

Mr. Sharpe reported that a couple of complaints have been received from Woods of Burlington residents regarding loud explosions coming from south of the City. Because this is a private property issue, he suggested that any future complaints be directed to the offending party.

Discussion occurred about the possibility of the blasts coming from Best Sand.

Members of Council inquired about what contacts the City could make on behalf of the residents to inquire about the blasting.

Mr. Lelko stated that some notification to residents would be appreciated.

Mr. Sharpe stated that staff would contact Best Sand to obtain more information.

Mr. Sharpe reported that a Christmas Tree drop-off will take place at the Service Garage beginning January 3, 2023.

Chief Niehus reported on the Shop with a Cop event held on December 11, 2022, noting that its success was due to generous donations and the Police Department personnel who volunteered their time.

Mayor Grau thanked Wal-Mart for hosting the event.

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

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met and approved exterior renovations to weatherize the commercial property at 400 Washington Street; noting that no occupational or use change was given.

Mr. Blackley reported that Planning Commission also approved the exterior renovations to the columns at Marc’s at 425 Water Street, the vacation plat of Memorial Drive and Sixth Avenue, and a dedication plat for water mains, sanitary sewer mains and access easements for Redwood Apartments.

COUNCIL COMMITTEE REPORTS

Economic Development Committee

Ms. Means reported on the progress of the business directory portion of the Think Local campaign which has been added to the City’s website.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda

Mary Briggs addressed Council and requested permission to install Hanukkah and Kwanza items on the Square. She stated that she desires to provide a more diverse representation of other religions on the Square during the holiday season. She stated that funds were raised and she has purchased items including a lit menorah and dreidel and a display of yard signs to represent Kwanza. She stated that she is waiting for a response from the City’s Lands and Building Supervisor to whom she inquired about additional items she would need to supply such as timers or extension cords. She explained her proposed desire for location on the Square.

Mayor Grau stated that the quality of the displays is a concern.

Mr. Sharpe stated that his concern is with the small size of the displays in comparison with the other items on the Square and the potential for them to get lost in snow.

Ms. Briggs stated that she anticipates improving the displays by improving the quality and size of items in future years.

Mayor Grau asked when she wanted to display the items.

Ms. Briggs stated that she would want the items up on December 18th.

Mr. Sharpe stated that whatever supplies the City provides for others, would be provided for these items as well.

Mr. Lelko asked if the City is able to act within the next week and if there is sufficient electrical power for the items.

Mr. Sharpe stated that not much staff time is needed to add the items on the Square.

Mr. Hornyak stated that with regards to electricity, there are sufficient outlets in the area to power the items.

Mr. Blackley stated that he supports the efforts and idea, and asked if the intent is for the proposed displays to be temporary for this year and displays for future years will be of improved quality, similar to the other holiday items on the Square.

Ms. Briggs stated that it is a first effort for inclusivity on the Square and hopes that it will be improved in future years.

Mr. Sharpe asked how long the items are desired to remain on the Square.

Ms. Briggs stated that removal would take place after the new year, similar to the nativity.

Mr. Blackley moved and Ms. Means seconded to permit the City Manager to work in conjunction with Mary Briggs on the installation of a menorah, dreidel and Kwanza items on the Square.

Upon roll call vote the motion passed unanimously.

General Public

Robert Rein, 331 Karen Drive, described a traffic incident that occurred at the intersection of Loreto Way and Water Street on November 12 and asked if Loreto Way could be blocked off since it is not in use.

Chief Niehus stated that he would speak to Mr. Rein to obtain additional details about the incident, but noted that incidents like these should be reported to the Police Department at the time they occur.

Mr. Lelko asked if Loreto Way is an open, dedicated street.

Mr. Courtney stated that it is.

OLD BUSINESS - none

NEW BUSINESS

Regarding the G-TV contract, Ms. Means reported that the current contract expires at the end of the year and Council needs to discuss the contract terms for 2023. She reviewed reports and metrics provided to Council and reported on discussions she has had with G-TV president, David Jevnikar.

Ms. Means summarized her opinion that she feels it is appropriate to consider a reduction in funding for G-TV and the money be put towards better services that benefit the community. She added that she does not question the quality of service or Mr. Jevnikar’s commitment, but changes in technology and social media communication tools make the service less essential than in the past.

Mr. Blackley asked how the expenses are allocated to the City.

Mr. Jevnikar stated that general administrative bills are distributed in a proportionate amount among the participating communities, and if it is an event specific to a community, only that community is charged.

Mr. Lelko inquired about the school-created programming that may go out through G-TV.

Ms. Means stated that the school has the ability to do some of their own programming, but do not currently because G-TV does it.

Mr. Jevnikar stated that over the last few years, the school has produced 5-6 events.

Mr. Lelko asked Ms. Means about the basis for the proposed reduction.

Ms. Means stated that the school has increased its capabilities for programming and there is some overlap in services. In addition, because of changes in technology, she stated that there is a better way to allocate these funds. She added that residents are not coming to the City with concerns about programming, but residents are expressing concerns about vandalism, safety and other matters. She stated that she is suggesting a reduction in G-TV funding of $20,000, similar to 2022, which is approximately 1/3.

Mr. Lelko asked what the ramifications would be if there was a reduction in funding.

Mr. Jevnikar stated that if the City reduces its funding by $20,000, G-TV's funding will be approximately $163,000. Their fixed costs will not change, and so their variable programming will have to be reduced in order to reduce their variable costs.

Mr. Blackley inquired about variable and fixed personnel costs.

Mr. Jevnikar explained what activities affect his variable and fixed personnel costs.

Mr. Blackley stated that the City is subsidizing school board activities, and noted that if there was a reduction in income from the City, a logical place to reduce services would be school board meetings.

Mr. Lelko noted that the viewership of the City's Council meetings is low.

Discussion occurred regarding the cost and funding for the camera on top of the Geauga Theater.

Mr. Jevnikar stated that the camera is G-TV's camera. The cost of the camera was divided among the 3 Chardon communities.

Mr. Lelko asked if the City can reduce the cable franchise fee charged to residents.

Mr. Jevnikar stated that the City can set the franchise fee anywhere between 0-5%. He noted that an issue with reducing the fee and the City keeping a portion of the money, is that residents would be paying different amounts for the same service.

Ms. Means moved and Mr. Blackley seconded to reduce funding to G-TV by $20,000, similar by the amount reduced in 2022.

Ms. Means noted that the City's cost in 2022 was a bit less than $20,000 since the City did not pay for the entire cost of the Square camera.

Mr. Lelko asked the cost of the cameras.

Ms. Means stated that the City’s camera costs included $14,589 for the Chambers cameras and $1,166 for the City’s portion of the Square camera.

Mr. Meleski asked if there are any anticipated additional equipment expenses to make their production viable.

Mr. Jevnikar stated that there are not any major anticipated equipment expenses.

Mr. Lelko asked Ms. Means if she would consider amending her motion to reduce the amount to $16,000 so that it is similar to the 2022 reduction.

Ms. Means amended her motion to reduce funding to G-TV by $16,000.

Mr. Blackley concurred with the amendment to the motion.

Mr. Blackley stated that he would like to hear from the school and the general public if there is a reduction in services. He stated if the City does not hear that, he has an issue with the City continuing to subsidize video production for the school and would look at reducing the percentage that the City collects from cable subscribers. He added that he values what G-TV provides relative to the City and the City should continue to pay for that.

Mr. Jevnikar stated that he does not think the school district will complain.

Mrs. Chuha stated that she is satisfied with audio of the football games on Friday nights.

Mr. Jevnikar stated that it is a variable cost and will be difficult to do.

Mr. Chojnacki stated that the City has a contract with G-TV with a 1-year term that is set to expire December 27th. He is hearing that Council is asking the City Manager and administration to prepare an amended agreement which keeps all the terms the same except for the portion that has a provision that contemplates a reduction of $20,000. That term will be modified if the motion passes to be a total of $16,000.

No objection was heard.

Mr. Meleski expressed concern with the reduction amount, which he thought was too high and would prefer to see a $10,000 reduction.

Mr. Chojnacki stated that if the motion fails, a new a new motion would need to be made so that staff knows if there will be an amendment to the agreement.

Results of the roll call vote:

Blackley: Yes
Chuha: Yes
Grau: Abstain
Lelko: Yes
Martin: Yes
Means: Yes
Meleski: No

Motion passed.

Mr. Lelko stated that at some point, Council should discuss the proper allocation of cable franchise fees, because he is not in favor of putting the remaining funds into the General Fund.

Mayor Grau stated that this may be a topic for the Finance Committee to discuss.

LEGISLATION

ORDINANCE NO. 3226
AN ORDINANCE VACATING MEMORIAL DRIVE AND THE ADJACENT PUBLIC RIGHT OF WAY PURSUANT TO SECTION 723.05 OF THE OHIO REVISED CODE 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. 3226 was then read for the second and third time by title only.

Mr. Meleski moved and Mr. Blackley seconded for the adoption of Ordinance No. 3226.

Mr. Chojnacki stated that a portion of Memorial Drive has been dedicated as a public right-of-way and available to the public for many years, and the process to vacate it has been explored by Council and the City’s administration. When a property is vacated, it reverts back to the adjacent property owners. In this case, the adjacent property owners have consented to take ownership upon vacation. All the proper procedures have taken place, so if Council acts on this, a vacation plat will be filed and Memorial Drive will revert to the adjacent property owners. In this instance, the property owners are the school district and one property owner who will be deeding their portion to the school district.

Mr. Lelko asked if it is possible that the school could lose use of Memorial Drive.

Mr. Chojnacki stated that they will be the owner of the property.

Mr. Blackley stated that they will also be responsible for maintenance as well.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3227
AN ORDINANCE VACATING SIXTH AVENUE AND THE ADJACENT PUBLIC RIGHT OF WAY PURSUANT TO SECTION 723.05 OF THE OHIO REVISED CODE was read for the first time by title only.

Mrs. Chuha moved and Mr. Meleski 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. 3227 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. 3227.

Mr. Chojnacki stated that adoption of the legislation would result in the vacation of Sixth Avenue and the adjacent public right-of-way with the transfer of the road and right-of-way to the adjacent property owners.

Discussion occurred regarding the location of Sixth Avenue.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3228

AN ORDINANCE ACCEPTING CERTAIN PUBLIC IMPROVEMENTS DEDICATED BY REDWOOD CHARDON FOR PUBLIC USE, AUTHORIZING THE RECORDING OF AN EASEMENT DEDICATION PLAT, AND DECLARING AN EMERGENCY 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. 3228 was then read for the second and third time by title only.

Mr. Blackley moved and Mr. Meleski seconded for the adoption of Ordinance No. 3228.

Mr. Chojnacki stated that the water and sanitary sewer mains of Redwood Chardon have been inspected and approved by the City Engineer who has determined that they are ready to be dedicated for public use. By passing the legislation, the City will accept the dedication of water and sanitary sewer mains, making them part of the public infrastructure in the City.

Chuck Grasser, Director of Development for Redwood Living, introduced himself.

Mr. Lelko asked if the roadways are included in the dedicated public improvements.

Mr. Grasser stated that the roadways are private and will be maintained as such.

Mayor Grau asked if the project is on schedule.

Mr. Grasser stated that in general they are on schedule with the exception of issues with electrical equipment shortages with First Energy.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3229

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.

Mrs. Chuha 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. 3229 was then read for the second and third time by title only.

Mr. Meleski moved and Mr. Blackley seconded for the adoption of Ordinance No. 3229.

Mr. Iacofano reviewed the details contained in the amended appropriations ordinance that are necessary to ensure that actual revenues will cover final appropriations.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3230
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, 2023, 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. 3230 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. 3230.

Mr. Iacofano stated that the ordinance is intended to cover personnel and certain operating costs for the first quarter of 2023, other routine and known operating costs for the entire year, and the projects approved by City Council in the 2023-2027 Capital Improvement Plan, excluding the County Building renovation since those funds will not be needed in the first quarter of 2023. Additionally, $9,500 is being requested to cover improvements to the John Bohl Memorial Fund.

Mr. Sharpe noted that an additional item in the temporary budget is a change to the classification and pay plan for the C1 probation secretary part-time to C1 probation clerk full and part-time.

Mr. Blackley asked what the improvements are for the John Bohl Memorial.

Chief Niehus stated that the project involves moving the memorial to the front of the municipal center that includes a monument which he is in the process of obtaining quotes for.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 21-22
A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2023 was read for the first time by title only.

Mrs. Chuha moved and Mr. Meleski 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. 21-22 was then read for the second and third time by title only.

Mr. Meleski moved and Mrs. Chuha seconded for the adoption of Resolution No. 21-22.

Mr. Iacofano 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

Mr. Meleski reported that expenditures were in order.

EXECUTIVE SESSION – none.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mr. Yaney reported that the Waste Management bag program will continue in the City even though it is being discontinued in the townships.

Members of Council and staff made announcements regarding upcoming events.

ADJOURN

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

The meeting adjourned at 8:25 p.m.

Attest:

____
CHRISTOPHER GRAU, Mayor
President of Council

____
AMY DAY
Clerk of Council