REGULAR SESSION

November 9, 2023

The Council of the City of Chardon met in Regular Session Thursday, November 9, 2023 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, Parks and Recreation Director Adam Rogers, Municipal Court Clerk Vicki Dailey, Peter Byrnes, Angela Nagal, Steve Turpin, Ken Ovark, Paul Ovark, Allison Wilson, Bill Hess, Anastasia Nicholas, Addison Hofstetter, Gina Hofstetter, Jim Dustin, Angela Hansen, Tom Hummel.

APPROVAL OF MINUTES

Mrs. Chuha moved and Mr. Blackley seconded to approve the minutes of the October 12, 2023 Regular Session as presented.

Results of the roll call vote:

Blackley: Yes
Chuha: Yes
Grau: Yes
Lelko: Yes
Martin: Yes
Means: Yes
Meleski: Abstain

Motion passed.

MANAGER'S REPORT

City Manager, Randy Sharpe, reported that the VFW remembrance ceremony will be held in front of the Courthouse on November 11 at 11 AM.

Mr. Sharpe reported that a Request for Quotes will be sent to contractors for sidewalk maintenance and catch basin repairs. He stated that due to changes in Ohio Construction Law, the engineer’s estimate for this project is $148,510 which falls below the new $150,000 competitive bidding threshold for the City. This new threshold will increase automatically by 3% annually to keep up with inflation.

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

Mr. Sharpe gave a timeline of recent events regarding the management of the Geauga Theater, noting that various options are being investigated. He added that currently, Tania Bertolone is subleasing the multipurpose room for a school out of the rear classroom at 106 Water Street. She was in the process of negotiating with Thrive for additional space, and is concerned that she is without a lease. He recommended that Council consider giving Ms. Bertolone a month-to-month lease through June, 2024 for $620/month which was the amount that had been proposed to Thrive. She could use the multi-purpose room, offices, restrooms and partial use of the front room. She will continue to assist the City with reservations of the building, and will assist with the cleaning and providing supplies for the restrooms.

Mr. Lelko moved and Ms. Means seconded to authorize the City Manager to enter into a lease with Ms. Bertolone consistent with the parameters set forth by the City Manager and any other terms that are appropriate.

Upon roll call vote the motion passed unanimously.

Mr. Sharpe continued reporting on Thrive’s exit from their management of the Theater, and actions the City is taking to explore options moving forward with the Theater and the building at 106 Water Street.

Mr. Lelko asked what role The Fine Arts Association would play.

Mayor Grau stated that they could become the management company.

Ms. Means stated that The Fine Arts Association is willing to work with other groups to use the spaces.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met in Regular Session and approved a lot split to create two parcels that would be divided by Short Court Street. This will allow for the north parcel to be transferred to Geauga County prior to construction of the court house expansion project, and the south parcel to be retained by the City.

Mr. Blackley reported that Planning Commission met in Special Session and approved Element 41’s request to replace the existing storefront window with a glass overhead door.

Mr. Blackley reported that at this same meeting, Bradley Gellert (Then Design Architecture) on behalf of Geauga County Commissioners requested 11 variances and concept plan approval for the courthouse addition, which were granted by Planning Commission. In addition, architectural review approval to allow for an addition to the Geauga County Courthouse was requested. Significant discussion was had about various features including the exterior security wall which were addressed. The window treatment architecture of the addition was also discussed at length, however, concerns that were raised by he and the City Architect were rejected by the Commissioners. Planning Commission approved the announcement of architecture review by a vote of 5-1.

Mr. Blackley stated that any group wanting to use the north side of the park must get County Commissioner approval.

Discussion occurred regarding future use of the north side of the park.

COUNCIL COMMITTEE REPORTS – none.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda

Angela Nagal, representing Chardon Brewfest, addressed Council to request permission to change the ownership of the event from Scene Magazine to MDN Events. She also provided an overview of the plans for the 2024 Chardon Brewfest event, and reviewed issues from 2023 and how they will be addressed in 2024.

Ms. Means shared her experiences as a volunteer at the 2023 Brewfest, noting that there was not enough oversight, and she expressed concern that the plan for 2024 does not include enough volunteers and monitors. She asked that the 2024 contract address the quantity of volunteers.

Ms. Nagal stated that she will do what is necessary to eliminate any issues.

Mayor Grau spoke in support of the proposed reduction in the alcohol content limit.

Chief Niehus stated that the 2023 event was affected by the weather which made it difficult for police officers to evaluate the patrons. He noted that reducing the size of the pours or the duration of the event are strategies to reduce incidents at the event.

Mrs. Chuha stated that she has not supported the event since it has been on the Square and will not be supporting it in 2024. She questioned how the City benefits from this event.

Ms. Nagal stated that the event brings patrons to the surrounding businesses, and a donation will be made to Chardon Rotary.

Mr. Martin stated that he supports the proposed change to the admission process to improve wait time, and wants to ensure there is volunteer accountability.

Mr. Meleski suggested that a code of conduct be provided for the volunteers to sign.

Ms. Means moved and Mr. Martin seconded to authorize the City Manager to amend the agreement for use of the Square for the 2024 Brewfest to ensure there are parameters within it to ensure that it is a disciplined and responsible operation.

Results of the roll call vote:

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

Motion passed.

General Public

Angela Hansen, CEO and Executive Director for Curtain 440, introduced herself and her company which is a community theater company that caters to all areas of theater. She stated that she is interested in Curtain 440 becoming a partner with the City to manage the Theater, and requested that all interested community theater companies have the opportunity to be considered.

OLD BUSINESS – none.

NEW BUSINESS

Regarding the Fire Department's request for use of 107 South Street Suite 6 and relocation of the Community Meeting Room to Suite 5, Asst. Chief Tom Hummel reviewed a memo from Chief Geiss that addressed the occupancy limits of the suites and also the size of the groups that currently utilize the meeting room. He noted that all of the groups currently using the community room would be able to be accommodated in the smaller suite.

Ms. Means moved and Mrs. Chuha seconded to authorize the City Manager to amend the agreement with the Fire Department to use the Community Room at 107 South Street, Suite 6.

Upon roll call vote the motion passed unanimously.

Regarding the transfer of Permit Class "D5L" liquor permit from 109 N. Hambden St. LLC to Lenk Family LLC, Law Director Benjamin Chojnacki stated that the City does not have any reason for Council to object to the transfer.

Mr. Lelko moved and Ms. Means seconded to authorize the transfer of Permit Class "D5L" liquor permit from 109 N. Hambden St. LLC to Lenk Family LLC. Upon roll call vote the motion passed unanimously.

LEGISLATION

ORDINANCE NO. 3253
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CIGNA HEALTHCARE FOR THE PROVISION OF GROUP MEDICAL INSURANCE BEGINNING JANUARY 1, 2024, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3253 was then read for the second and third time by title only.

Mrs. Chuha moved and Mr. Martin seconded for the adoption of Ordinance No. 3253.

Jim Dustin, Managing Director at NFP, gave an overview of the current healthcare industry, noting that healthcare inflation continues to accelerate. Despite the status of the industry, they were able to obtain the best quote from Cigna, at a 1.3% increase over the current cost structure with very minor plan changes.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3254
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH GUARDIAN FOR GROUP DENTAL, VISION AND LIFE INSURANCE BEGINNING JANUARY 1, 2024 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3254 was then read for the second and third time by title only.

Mrs. Chuha moved and Mr. Blackley seconded for the adoption of Ordinance No. 3254.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3255
AN ORDINANCE ESTABLISHING A MAXIMUM AMOUNT PAYABLE FOR MEDICAL AND DENTAL INSURANCE FOR EMPLOYEES OF THE CITY OF CHARDON BEGINNING JANUARY 1, 2024 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. 3255 was then read for the second and third time by title only.

Mr. Martin moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3255.

Mr. Iacofano stated that the legislation reflects the contribution by the City, which is 88% of the annual insurance premium.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3256
AN ORDINANCE TO AMEND CHAPTER 152 OF THE CODIFIED ORDINANCES OF THE CITY OF CHARDON REGARDING MUNICIPAL INCOME TAX TO ADOPT UPDATES TO CONFORM TO HOUSE BILL 33 was read for the first time by title only.

Mrs. Chuha 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. 3256 was then read for the second and third time by title only.

Mrs. Chuha moved and Ms. Means seconded for the adoption of Ordinance No. 3256.

Mr. Chojnacki stated that House Bill 33 makes several changes to the collection of municipal income taxes in Ohio which must be adopted by municipalities as amendments to their existing income tax ordinances before the end of 2023. He explained that there are a few changes related to notices and penalties, but the most significant change gives businesses the ability to designate the location of where their remote employees work.

Mr. Lelko asked the Finance Director the effects this legislation is expected to have on the City.

Mr. Iacofano stated that he does not anticipate this having enough impact for him to change his forecast for the 2024 budget.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 21-23
A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF CHARDON ON BEHALF OF THE STATE OF OHIO TO REIMBURSE ITS INFRASTRUCTURE IMPROVEMENT FUND FOR THE SEVENTH AVENUE REPAIR, WIDENING, AND EXTENSION PROJECT (OPWC PROJECT NUMBER CG51Z/CG52Z) WITH THE PROCEEDS OF TAX-EXEMPT DEBT OF THE STATE OF OHIO was read for the first time by title only.

Mr. Meleski 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. 21-23 was then read for the second and third time by title only.

Ms. Means moved and Mrs. Chuha seconded for the adoption of Resolution No. 21-23.

Mr. Iacofano stated that the Resolution indicates that the City will use OPWC funds to reimburse the Infrastructure Improvement Fund for the costs of the Seventh Avenue Repair, Widening, and Extension Project.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 22-23
A RESOLUTION TRANSFERRING FUNDS IN THE CITY OF CHARDON TREASURY FOR 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 Resolution be read for the second and third time by title only.

Upon roll call vote the motion passed unanimously.

Resolution No. 22-23 was then read for the second and third time by title only.

Mr. Lelko moved and Mr. Meleski seconded for the adoption of Resolution No. 22-23.

Mr. Iacofano stated that the transfers are needed to maintain positive fund balances in all City funds and were included in the 2023 budget.

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

Mayor Grau reported that he communicated with State wrestling champion, Lee Kemp, and reconsidered his request for individual State champ’s names on the City’s entrance sign. He stated that there are 12 State champions and he would like the City Manager to pursue the design and placement of the signage.

No member of Council had any objections.

Council members reported on recent activities and events.

ADJOURN

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

The meeting adjourned at 8:23 p.m.

Attest:

____
CHRISTOPHER GRAU, Mayor
President of Council

____
AMY DAY
Clerk of Council