REGULAR SESSION

December 14, 2023

The Council of the City of Chardon met in Regular Session Thursday, December 14, 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, Todd Albright, Caroline Mansfield, Shannon Carbone, Ava Carbone, Cara Stone, Karen Blankenship, Angela Hansen, Randy Hansen, Mark Miloro, Ashley Cunningham, Tavis Quiggle, Tammy Cunningham, David Cunningham, Kristen Boyd, Allison Wilson, Keith Brewster, Anastasia Nicholas, Evan Graham, Elisabeth Giedt, Matt Canzone, Jim Orient.

APPROVAL OF MINUTES

Mr. Blackley moved and Mrs. Chuha seconded to approve the minutes of the November 9, 2023 Special Session, November 9, 2023 Regular Session, and November 21, 2023 Special Session as presented.

Upon roll call vote the motion passed unanimously.

MANAGER'S REPORT

City Manager, Randy Sharpe, reported that City offices will be closed for the Christmas holiday from noon, Friday, December 22 – Monday, December 25 and on New Year’s Day Monday, January 1, 2024.

Mr. Sharpe reported that per the agreement with Waste Management, a roll-off will be provided for the Christmas tree drop-off program starting January 2 – January 22, Monday – Saturday 7 a.m. – 4 p.m. at the Street Garage.

Mr. Sharpe reported that the City recently hosted Representative Sarah Fowler Arthur and Representative Steve Demetriou in the Heritage House for a Capital Budget Informational Session for Geauga County officials, where information was presented regarding a $700,000,000 fund created in partnership with capital improvements. The Fire Department and City are working on a joint application for a grant to help offset the cost of the new ladder truck. Additionally, Adam Rogers – Park and Rec Director, is gathering quotes to submit for a grant for items near the pump filtration building along the Maple Highlands Trail.

Mr. Sharpe reported that three quotes for the 2023 Sidewalk Maintenance and Catch Basin Program were received on December

12, 2023, and the lowest quote was from Ronyak Paving. A purchase order will be put in place, and work is expected to begin in the spring of 2024.

Chief Niehus reported on the success of Shop with a Cop held on Sunday, December 2, and thanked all those who helped make the day a success.

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

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission met in Regular Session and approved a sign deviation request to reduce the minimum front yard setback from 10′ to 5.5′ for a ground sign for Redwood Apartments.

Mr. Blackley reported that Planning Commission also approved the concept plan for the installation of a 12-inch water main at the west terminus of Hidden Glen Trail.

COUNCIL COMMITTEE REPORTS

Finance Committee

Mr. Meleski reported that the Committee met and reviewed options to provide relief to property owners based on the re-evaluations of properties done by the County auditors. The Committee recommended reducing the Fire and EMS levy from 2 mills to 1.5 mills with a transfer from the General Fund back to the Fire and EMS fund to make it whole. Council enacted legislation in a Special Session on November 21, 2023 in accordance with the Committee's recommendation.

Mr. Meleski asked the Finance Director to report on the status of the implementation of the OpenGov software.

Finance Director, Mark Iacofano, reported that the Department is making good progress on the implementation of the software, and reviewed the adjustments that are being made to get the software fully operational.

Service Committee

Mr. Lelko reported that the Committee met and discussed the City's contract with Waste Management for trash and recycling services. He explained that the Committee recommended Council exercise both additional 1-year extensions, otherwise, they would need to go out to bid now to meet the deadline.

Mr. Lelko reported that the Committee also discussed a number of cemetery regulations. He noted that additional details will be provided when the regulations are discussed later in the meeting.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda

Matt Canzone, Armilitary Heritage Company, addressed Council to request permission to use Square and Heritage House on September 6,7,8, 2024 for a military show that would be free to the public.

Mr. Canzone provided background on his company and mission to create excitement and enthusiasm for military history.

Mr. Canzone reviewed details of his event that included a simulated and authentic campsite and battle, and requested permission for use of the Square and Heritage House for 3 days, including overnight camping.

Jim Orient, reenactor for the event, spoke about the reenactment they perform and the qualifications to participate in a battle.

Mayor Grau stated that the space is a major consideration for Council as the Square is a densely populated area for the discharge of weapons. In addition, Council has gone to great lengths in recent years to prohibit overnight camping on the Square.

Mayor Grau stated that he appreciates Mr. Canzone’s enthusiasm and mission, but he does not feel that the Square is the proper location for a three-day event as it has been outlined.

Dr. Michael Hanlon, Superintendent of Chardon Local Schools, addressed Council and provided an update on the state of the school district including building improvements, student achievement, and the direction of the district.

Mayor Grau asked if the school board considered the effect of the recent property reevaluations.

Dr. Hanlon stated that the Board evaluated them and decided not to take any action.

Ms. Means asked Dr. Hanlon to address the comments that have been made that the school will receive a windfall.

Dr. Hanlon explained that the State legislature left inside millage alone, recognizing that if there was an inflationary period, school districts are also facing that same impact of inflation. He added that the Board of Education took action to eliminate all school fees for students for the 23-24 school year as a way to leverage what the district saw from the property reevaluation.

Mayor Grau asked if there is any information to report regarding a partnership between the library, school district and County as it relates to the property on the east side of the Square.

Dr. Hanlon stated that the school has been in contact with representatives from the library and County to discuss the exchange of property to increase the greenspace for student use; however, after discussions, the entities were not able to come to an agreement that would provide enough greenspace to accommodate what the school needs.

Mr. Blackley asked about the county’s purchase of the Chase Bank building that would accommodate their parking needs so that the gravel lot would not be needed.

Dr. Hanlon stated that is only able to comment about the information which was shared with him which is that the County wanted to preserve some of the gravel lot for magistrate parking.

General Public

Caroline Mansfield, 13470 Rockhaven, spoke in support of Curtain 440 returning to Chardon to bring arts back to Chardon on a full-time basis.

Evan Graham, 16119 E. High St., spoke about the positive financial effect of having a local theater group.

Dave Cunningham, 36699 S. Lakeshore Blvd., spoke in support of Curtain 440, which has provided a sense of family and has the expertise to build a community of young actors.

Mark Miloro, 13902 Aquilla Rd., spoke about the individuals that were taught or directed by Angela Miloro through Curtain 440.

Cara Stone, 9805 Madison Rd., spoke on behalf of college student s of Curtain 440 and conveyed comments about their positive experiences with Curtain 440. She also reviewed the financial advantages that having an active theater would have on local businesses.

OLD BUSINESS

Regarding an update on the management of the Geauga Theater, Mayor Grau explained that City staff is working with Thrive on their exit from the theater. In addition, meetings have been held with interested individuals and theater groups in the area. He stated that he anticipates making a recommendation to Council in January, 2024.

Mayor Grau stated that he respects the individual and collaborative efforts of the groups that have expressed interest in operating out of the Geauga Theater, noting that they do a great job.

Mr. Sharpe noted that the City is not planning to purchase items from Thrive as was previously being considered.

NEW BUSINESS

Regarding extending both option years for the trash contract with Waste Management, Mr. Lelko reported that as part of the City's contract for a single waste hauler that was entered into in 2019, was an option for a 2-year extension. City staff did some research and are recommending the City enter into a 2-year extension with Waste Management.

Mr. Lelko stated that considerations that went into the Committee's recommendations include having to start the bidding process which would leave the bag service questionable, and the rates look favorable compared to other recent contracts with other communities. He added that the option years are a good way to proceed because there it will be a renewal of the existing program and there will not be any changes to the contact.

Vince Crawford, Senior Account Executive for Waste Management, Stated that they look forward to providing service to the City and continuing a good working relationship.

Mr. Yaney reviewed the cost savings City residents have realized from the trash contract with Waste Management.

Mr. Lelko complimented the employees of Waste Management.

Mr. Blackley inquired if smaller totes could be offered as an alternative for those who don't generate much trash and currently use the bag program.

Mr. Crawford stated that Waste Management is able to offer smaller totes for individuals who request them.

Mr. Blackley moved and Ms. Means seconded to extend the Waste Management contract to years 6 and 7.

Upon roll call vote the motion passed unanimously.

LEGISLATION

ORDINANCE NO. 3258

AN ORDINANCE AMENDING CHAPTER 941 OF THE CODIFIED ORDINANCES TO AMEND THE REGULATIONS OF MUNICIPAL CEMETERIES IN THE CITY 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. 3258 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. 3258.

Mr. Lelko reported that the Service Committee has proposed amendments to the regulations of the Chardon Municipal Cemetery that are included in the legislation. The recommendations pertain to the number and manner of interment, and the decorations of graves to assist with the maintenance and appearance of the cemetery while being respectful of the decorations placed by families.

Mr. Lelko summarized the significant changes to the proposed regulations that include: 2 decorations per grave, no glass objects, a maximum number of 5 interments per grave, and allowing cremains to be added above ground in a monument.

Mr. Blackley asked about the regulation change regarding permanent markers that must be placed within one year.

Mr. Lelko stated that permanent markers have always been required, but a time limit for their placement had not been specified previously. If a permanent marker is not placed within one year, decorations and temporary markers will be removed.

Mayor Grau asked how the regulations will be communicated to the general public.

Mr. Sharpe stated that regulations will be posted at the cemetery.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3259

AN ORDINANCE ADOPTING A MORATORIUM ON ACCEPTING APPLICATIONS FOR ISSUING ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF ADULT USE CANNABIS, CANNABIS, OR MARIJUANA, FOR A PERIOD NOT TO EXCEED SIX MONTHS, IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE AND LOCAL LAWS AND TO PLAN FOR REGULATIONS RELATING TO SUCH USES, AND DECLARING AN EMERGENCY 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. 3259 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. 3259.

Law Director, Benjamin Chojnacki, stated that the voters passed an initiative petition in November, 2023 that authorizes the recreational purchase and sale of adult-use cannabis, cannabis and marijuana. The intent of the legislation is to put a pause on the commercial sale and activity related to that use in the City until the State is more precise in how adult-use cannabis, cannabis and marijuana can be used.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3260
AN ORDINANCE AMENDING APPROPRIATIONS 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 Ordinance be read for the second and third time by title only.

Upon roll call vote the motion passed unanimously.

Ordinance No. 3260 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. 3260.

Finance Director Mark Iacofano reviewed the proposed amended appropriations that are due to employees requesting vacation payouts.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 24-23
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. Chuha moved and Mr. Meleski seconded the rules be suspended and the Resolution be read the second and third time by title only.

Upon roll call vote the motion passed unanimously.

Resolution No. 24-23 was then read for the second and third time by title only.

Mr. Blackley moved and Mrs. Chuha seconded the rules be suspended and the Resolution be read for seconded for the adoption of Resolution No. 24-23.

Mr. Iacofano stated that the legislation reflects the ½ mill decrease that Council approved at the last Council meeting related to the Fire and EMS Levy.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3261
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, 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. 3261 was then read for the second and third time by title only.

Mr. Meleski moved and Mrs. Chuha seconded for the adoption of Ordinance No. 3261.

Mr. Iacofano stated that the Ordinance is intended to cover personnel and certain operating costs for the first quarter of 2024, other routine and known operating costs for the entire year, and the projects approved by City Council in the 2024-2028 Capital Improvement Plan. He reviewed a few changes to the projects in the Capital Improvement Plan for 2024 since its adoption.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 25-23
A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2024 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. 25-23 was then read for the second and third time by title only.

Mr. Meleski moved and Mr. Martin seconded for the adoption of Resolution No. 25-23.

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.

RESOLUTION NO. 26-23
A RESOLUTION AWARDING THE HIDDEN GLEN WATER MAIN LOOP PROJECT (PROJECT NO. 6-159; OPWC PROJECT NO. CG4AA/CG5AA) TO THE LOWEST AND BEST BIDDER AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GRADE LINE, INC. FOR PERFORMANCE OF THE PROJECT CONSISTENT WITH ITS BID SUBMISSION 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 Resolution be read for the second and third time by title only.

Upon roll call vote the motion passed unanimously.

Resolution No. 26-23 was then read for the second and third time by title only.

Mr. Blackley moved and Ms. Means seconded for the adoption of Resolution No. 26-23.

City Engineer, Doug Courtney, stated that he is recommending awarding the contract for the Hidden Glen Water Loop Project to Grade Line Inc. which was the lowest bidder, and has successfully completed other projects for the City.

Mr. Blackley inquired about the 30-day timeframe the contractor indicated the work would be completed.

Mr. Courtney stated that the contractor gave his assurance that he can complete the work in 30 days.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mr. Meleski reported that expenditures were in order.

EXECUTIVE SESSION

Mr. Meleski moved and Ms. Means seconded to adjourn to Executive Session at 8:44 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 public property at competitive bidding, and for conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, and invite Ben Chojnacki, Randy Sharpe, Mark Iacofano, Steve Yaney, 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 concerning disputes involving the public body that are the subject of pending or imminent court action.

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

Discussion occurred regarding the appointment, employment, dismissal, promotion, demotion, discipline or compensation of a public employee or official.

Meeting reconvened at 9:20 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mr. Sharpe reported on the status of the Veteran’s Banner Program and mentioned the ways the program will be promoted in the coming months.

Council members reported on recent activities and events.

ADJOURN

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

The meeting adjourned at 9:23 p.m.

Attest:

____
CHRISTOPHER GRAU, Mayor
President of Council

____
AMY DAY

Clerk of Council