

REGULAR SESSION

June 13, 2024

The Council of the City of Chardon met in Regular Session Thursday, June 13, 2024 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, Fire Chief Justin Geiss, David Jevnikar, Ed Babcock, Bill Hess, Madelon Horvath, Richard Bair, Peter Byrnes, Cathi Leonello, Amy Patterson, Richard Gahr, Ken Ovarik, Paul Ovarik, Elisabeth Giedt.

Mayor Grau requested a moment of silence for Chuck Strazinsky, Chardon Township Trustee, who passed away on May 20, 2024.

APPROVAL OF MINUTES

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the May 9, 2024 Public Hearing and Regular Session as presented. Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 8-24

A RESOLUTION OF APPRECIATION FOR CHARDON TOMORROW was read for the first time in its entirety.

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. 8-24 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. 8-24.

Members of Council thanked Chardon Tomorrow for their many years of service to the community.

Mr. Sharpe provided some additional background information on the organization and the activities and events they initiated.

Upon roll call vote the motion passed unanimously.

Madelon Horvath, Chardon Tomorrow Board President, accepted the Resolution and thanked Council for the recognition.

MANAGER'S REPORT

City Manager, Randy Sharpe, reported that Patrolman Megan Carney tendered her resignation on May 27th, and her last day was June 7th.

Mr. Sharpe reported that the Civil Service Commission met and began the process of creating an eligibility list for original appointments for the Police Department.

Mr. Sharpe reported that the 2024 Sidewalk Maintenance Program bids were opened on May 22, 2024. The City Engineer is recommending the contract be awarded to Ronyak Paving, which Council will consider under legislation.

Mr. Hornyak reported on the OEPA's tri-annual TCEI inspection of the wastewater treatment plant, noting that only a few minor recommendations were made.

Mr. Sharpe reported on the pump filtration building mural project.

Mr. Sharpe requested Council consider authorizing the day off for staff on July 5, as a thank you and an effort towards the goal of employee retention, noting that 24/7 operations would continue.

Ms. Means moved and Mr. Grau seconded to authorize the day off for staff on July 5, 2024. Upon roll call vote the motion passed unanimously.

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

Mr. Lelko asked Community Development Administrator, Steve Yaney, to explain the City's process to address high grass violations.

Mr. Yaney reviewed the process the City takes to serve the property owner notices and cut grass when it becomes warranted.

PLANNING COMMISSION REPORT

Mr. Blackley reported that Planning Commission held three separate meetings over the last month. At the May 14, 2024 meeting, Planning Commission granted: a frontyard setback for an addition at 340 Sylvia Drive, a sign deviation for electronic signs at the Chardon Middle and High Schools, and concept plan approval for restrooms and a concession stand at the High School football stadium. He noted that also at this meeting, Planning Commission heard about a proposed bus garage on Washington Street, but no action was taken because of outstanding questions and concerns regarding the proposed landscape plan, and lack of a photometric plan or traffic impact study.

Mr. Blackley noted that at the May 28, 2024 Planning Commission meeting, Planning Commission granted a Use Variance to allow residential use on the ground floor at 208 North Hambden Street, and recommended record document approval for Maple Trace Phase 2A.

Mr. Blackley reported that informal discussion was also held at this meeting regarding a potential future submittal for Meijer to be located on Loreto Dr. He asked the Law Director to report on the City's authority regarding zoning on this property and the rights of property owners.

Law Director Ben Chojnacki stated that property owners may use their property how they like; however, the City still has the authority to regulate uses on properties, which is generally done through use districts in the Planning and Zoning code. Therefore, it is not within the City's purview to make decisions based on a particular business or operation.

Mr. Blackley noted that this property being discussed is zoned for a large box store.

Mr. Blackley stated that Planning Commission met on June 11, 2024 to continue discussion regarding the proposed Chardon Local School bus garage. The photometrics and landscaping plan were approved, but the traffic study was lacking in data and information and has been postponed to the next regular Planning Commission meeting.

COUNCIL COMMITTEE REPORTS

Park & Recreation Board

Mrs. Chuha reported that the Board met and members were introduced to the new board member, Mike Downs.

Mrs. Chuha reported that the Board discussed summer programs and events.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda – none.

General Public

Richard Gahr, 329 Chardon Ave., addressed Council and explained that fireworks debris had blanketed his yard during the 2023 fireworks, and requested that Council address the issue so that it doesn't happen again.

Mayor Grau stated that the launch site has been moved further east of the previous location to avoid the problem of fireworks debris landing in residential areas.

Cathi Leonello, 393 Sylvia Drive, stated that she is having a porch added onto her house and asked why her contractor is not able to begin work until the proper permits are received, when the bus garage was able to do work without permits.

Mr. Yaney stated that the school was able to begin work because they received a demolition permit.

OLD BUSINESS – none.

NEW BUSINESS

A Public Hearing to provide the public an opportunity to comment regarding the 2025 tax budget was set for July 11, 2024 at 6:25 p.m.

Regarding the designating of the Clerk of Council to attend public records training on behalf of Council, Amy Day, explained that members of Council are required to attend public records training at least once during their elected term or they may assign a designee to attend in their place.

Mr. Meleski moved and Ms. Means seconded to designate the Clerk of Council to attend Public Records Training on behalf of all members of Council. Upon roll call vote the motion passed unanimously.

Regarding an ANNOUNCEMENT OF DECISION AND MUNICIPAL APPROVAL FOR MAPLE TRACE PRD PHASE 2A; SUBDIVISION PLAT OF RECORD AND DEDICATION OF SUBDIVISION PUBLIC IMPROVEMENTS, Law Director Benjamin Chojnacki stated that the announcement of decision is a requirement and the first step in the dedication of Maple Trace Subdivision Phase 2A. He added that everything has been reviewed and inspected and is up to municipal specifications.

Mr. Blackley moved and Mrs. Chuha seconded to authorize the execution of the announcement of decision.

Upon roll call vote the motion passed unanimously.

Regarding 2024 Fireworks, Ed Babcock gave some history of the fireworks display which started at the football field and has moved to adjacent areas in recent years. Loreto Dr. has been proposed as an alternate location because it is away from residential houses and traffic and is a preferred spot because it is higher ground than the area east of the high school. He stated that they spoke with adjacent property owners (Walmart, Iafelice, Chardon Healthcare and Cooke) who are in support of the proposed location

Mr. Hornyak stated that Loreto Dr. was identified by the City as an alternate location in 2023 when the school needed to move the fireworks location due to the school's new roof. He noted that he would prefer that the grassy area at the end of Loreto Dr. be used as a launch site rather than the roadway.

Mr. Jevnikar stated that if the area can be mowed, this is a good option.

Mayor Grau asked if traffic on Water Street (State Route 6) is an issue.

Mr. Hornyak stated that traffic can be maintained on Water Street, and is not an issue.

Ms. Means noted that Council is being asked to move fireworks for 2024, with the understanding that because of commercial development in this area, this site will most likely not be an option in future years.

Mrs. Chuha asked if the Fire Chief is in favor of the proposed launch site.

Mr. Jevnikar stated that the Fire Chief is in favor of the proposed launch site.

Mr. Lelko asked if debris is a concern.

Mr. Jevnikar stated that the debris at the launch site is cleaned up by both the fireworks company and the football team.

Mr. Hornyak stated that while he cannot speak for the property owners, he does not envision debris being an issue because the area is grass and trees.

Mr. Blackley asked the Police Chief if he had any concerns regarding crowds or traffic.

Chief Niehus stated that his only concern is regarding people stopping or trying to park on State Route 6. He noted that the City may receive complaints from businesses because of parking in their parking lots, but the traffic flow may be better than the former site.

Mrs. Chuha asked the date for the fireworks display.

Mr. Jevnikar stated that the fireworks date is July 6 with a rain date of July 7.

Discussion occurred regarding controlling parking at the Meadows Apartments.

Mr. Sharpe expressed concern about future years and does not want to see the launch site moved around to different locations.

Mayor Grau stressed the importance of public education about the new location and requested that the Meadows Apartments be contacted.

Mayor Grau stated that while he understands the elevation challenge at the high school location, he is concerned about moving the fireworks location from where it has been historically throughout the years.

Ms. Means stated that her preference is to not move the fireworks location to Loreto Dr. but noted that if the rest of Council is in favor of it, she will not vote against it.

Mr. Meleski spoke in support of the proposed fireworks launch site on Loreto Dr. because of easier access to the site and more viewing opportunities.

Mr. Blackley moved and Mrs. Chuha seconded to authorize the Chardon Area Fireworks to relocate the fireworks launch site to the proposed location on Loreto Dr. Upon roll call vote the motion passed unanimously.

LEGISLATION

ORDINANCE NO. 3276

AN ORDINANCE ACCEPTING CERTAIN PUBLIC IMPROVEMENTS DEDICATED BY FLG-CHARDON, LLC FOR PUBLIC USE, AUTHORIZING THE RECORDING OF A DEDICATION PLAT, 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. 3276 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. 3276.

Mr. Chojnacki stated that the legislation adopts the announcement of decision which approves the plat for Phase 2B of the Maple Trace Subdivision and accepts the public improvements dedicated by FLG-Chardon for public use.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3277

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH RONYAK PAVING, INC. FOR 2024 STREET MAINTENANCE AND REPAIR 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. 3277 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. 3277.

City Engineer Doug Courtney reviewed the bidding process and stated that he is recommending Ronyak Paving Inc. for 2024 Street Maintenance and Repair.

Members of Council inquired about the short number of days Ronyak has indicated it will take to complete the work.

Mr. Courtney stated that as was indicated on their bid, Ronyak affirmed that they will complete the work in 5 days, however, additional time will be needed to mobilize and remove equipment as part of the project.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 9-24

A RESOLUTION REQUESTING A CERTIFICATE OF NEED FROM THE GEAUGA COUNTY AUDITOR AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Meleski moved and Mr. Martin 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. 9-24 was then read for the second and third time by title only.

Mrs. Chuha moved and Mr. Meleski seconded for the adoption of Resolution No. 9-24.

Mr. Chojnacki stated that Council passed similar legislation in May requesting the County Auditor to certify how much tax revenue will be generated by certain millage rates; however, they have requested the language in the legislation be more precise. This legislation clarifies the language and is the first step to getting the issue on the ballot.

Upon roll call vote the motion passed unanimously.

REVIEW OF EXPENDITURES

Mrs. Chuha reported that expenditures were reviewed and are in order.

EXECUTIVE SESSION

Mr. Meleski moved and Mr. Blackley seconded to adjourn to Executive Session at 8:05 p.m. 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, and invite Ben Chojnacki, Randy Sharpe, 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.

Meeting reconvened at 8:27 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mayor Grau reported that the Fine Arts Association did not consider Council's appointment, Bonnie Robbins, for their Board of Directors, because of a conflict of interest. He stated that work will continue in finding a person for Council to consider.

Discussion occurred regarding the Hometown Hero Banner Program.

Mayor Grau stated that Council will need to consider expanding the program.

Mr. Sharpe noted that additional data needs to be collected before decisions can be made regarding the expansion of the program.

Members of Council reported on current and upcoming events.

ADJOURN

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

The meeting adjourned at 8:34 p.m.

Attest:

CHRISTOPHER GRAU, Mayor
President of Council

AMY DAY
Clerk of Council