REGULAR SESSION

November 14, 2024

The Council of the City of Chardon met in Regular Session Thursday, November 14, 2024 at 6:14 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, Deputy HR/Finance Director Heidi Delaney, Parks and Recreation Director Adam Rogers, Municipal Court Clerk, Victoria Dailey, Municipal Court Judge Terri Stupica, Mark Miloro, Angela Hansen, Bill Hess, Jim Dustin, Brian Avsec, Debora Avsec, David Hesse, Molly Nikkila.

APPROVAL OF MINUTES

Mrs. Chuha moved and Mr. Meleski seconded to approve the minutes of the October 10, 2024 Regular Session and November 4, 2024 Special Session as presented.

Results of the roll call vote:

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

Motion passed.

MANAGER'S REPORT

Mr. Sharpe reported on recent hirings and resignations.

Mr. Sharpe reported on a 2024 Brewfest wrap-up meeting recently held.

Mr. Sharpe thanked the voters for passing a 1.5 mill fire levy.

Mayor Grau reported on recent discussions regarding the future of the Geauga Theater, and reviewed options being considered for 2025. He explained that in order to improve the effectiveness of the rental of the theater, he would like Council to consider reducing the weekly rental rate from $2,000 to $1,200, and implementing a daily rate of $500 beginning January 1, 2025.

Mr. Meleski moved and Mrs. Chuha seconded to change the rental rate for the Geauga Theater as proposed by Mayor Grau. Upon roll call vote the motion passed unanimously.

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

PLANNING COMMISSION REPORT

Mr. Meleski reported that Planning Commission met and approved Final Development Plan approval for a lot split at 367 Park Avenue, owned by Bridle Downs LLC.

Mr. Meleski reported that Planning Commission discussed an amendment to an existing Concept Plan approval for a major development under Section 1111 of The City of Chardon Planning & Zoning Code to allow an outdoor propane filling station in their outdoor open-air garden center at Tractor Supply, located at 540 Water Street, noting that the approval was tabled for a later date.

Mr. Meleski reported that Planning Commission approved a use variance to allow an automobile sales and repair garage at 357 Washington Street, and gave final development plan approval and architectural review for Meijer's retail store and gas station on the south side of Water Street.

Mr. Blackley inquired about the status of a Safety Committee meeting to discuss a crosswalk system proposed by a resident at the last Council meeting.

Members of staff stated that they have not received any information from the resident regarding what he has proposed.

COUNCIL COMMITTEE REPORTS – none.

HEARING OF PERSONS BEFORE COUNCIL

Those Persons on the Agenda – none.

General Public

Mark Miloro, Burton resident, announced that Curtain 440 is putting on a performance of Beauty and the Beast at the Geauga Theater beginning November 29th.

OLD BUSINESS – none.

NEW BUSINESS

Regarding a liquor permit transfer from Tamarkin Co DBA Getgo #3383 to Getgo Operating LLC DBA Getgo #3383, no member of Council had any objections.

Mr. Grau moved and Mr. Meleski seconded to amend the agenda to move item #10 C to item #10B. Upon roll call vote the motion passed unanimously.

Regarding a Request Waiver for Sanitary Sewer Connection for PPN 10-709595, David Hesse, representing Payne & Payne, spoke on behalf of homeowners, David and Debora Avsec to explain the reason for their request for a waiver. He stated that because of the distance the proposed home on the 130-acre parcel is from the road, connection to the City's sanitary sewer is cost-prohibitive. They are proposing to install a septic system, yet would still utilize the City's water service.

Mr. Meleski asked the Law Director's opinion.

Benjamin Chojnacki, Law Director, stated that the property owner would be bound to an undue hardship without the City's waiver for the sanitary sewer connection. A motion by Council giving the applicant the right to construct a septic system consistent with their request would satisfy anything they need for the purpose of construction.

Mr. Blackley asked the City Engineer's opinion.

Doug Courtney, City Engineer, stated that the request for a sanitary sewer waiver makes sense because of the distance from the road and the elevation. He added that the O.R.C. allows for an exemption when the connection is in excess of 200 feet, but the City's ordinance does not allow for this exemption. One condition he would recommend is that if the property is ever subdivided for more housing units, the exemption would be pulled, or if a sanitary sewer is installed that they could get to by gravity, they be required to tie in.

Mr. Blackley moved and Mayor Grau seconded to grant a waiver for Sanitary Sewer Connection for PPN 10-709595, subject to the City Engineer's conditions.

Mr. Lelko asked if there would be any EPA-related complications with the City granting the waiver.

Mr. Courtney stated that he did not see any EPA issues with the waiver.

Upon roll call vote the motion passed unanimously.

Regarding Revisions to Employee Manual, Heidi Delaney, Deputy HR/Finance Director, reviewed the proposed changes that were made to the City's employee manual that was done in conjunction with McGrath Human Resources Group. She first reviewed necessary housekeeping items and then reviewed new policies included in the update.

Mr. Lelko expressed concern with the flexible work schedule policy that would allow for alternate work arrangements that would only be permitted for a few, select employees, while the vast majority of employees are at work. He stated that employees of the City should be available to the public and should be setting an example for the rest of staff. He stated that he can see it becoming a regular working arrangement, and he does not support it.

Mr. Blackley asked if any current employees work off-site.

Mr. Sharpe stated that there aren't any employees that work off-site on a set schedule.

Ms. Means stated that hybrid work schedules are commonplace and are a way for the City to be competitive and attractive. She suggested it be tried before saying no.

Mayor Grau stated that the policy has language that allows the City Manager to say no at any time.

Mr. Iacofano explained that having alternate work arrangements can be beneficial to the hiring process and is an option that some applicants are looking for.

Mr. Meleski suggested that Council proceed with implementing the policy and requested that the City Manager report back on its functionality. He added that the policy is an option to help with employee retention and attraction, and staff should be able to be trusted so that coverage and level of service to the public are not diminished.

Results of the roll call vote:

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

Motion passed.

LEGISLATION

ORDINANCE NO. 3289
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CIGNA HEALTHCARE FOR THE PROVISION OF GROUP MEDICAL INSURANCE BEGINNING JANUARY 1, 2025, AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3289 was then read for the second and third time by title only.

Ms. Means moved and Mr. Blackley seconded for the adoption of Ordinance No. 3289.

Jim Dustin, Managing Director at NFP, presented the 2025 benefit recommendations for medical and ancillary services. He first gave an overview of the current healthcare industry, noting that the market has been challenging with increasing costs. He stated that despite the status of the industry, they were able to obtain the best quote from Cigna, at a 3% increase over the current cost structure with minor plan changes for 2025.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3290
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT/AGREEMENT WITH GUARDIAN FOR GROUP DENTAL, VISION AND LIFE INSURANCE BEGINNING JANUARY 1, 2025 AND DECLARING AN EMERGENCY 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. 3290 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. 3290.

Mr. Dustin explained that Guardian is the provider for the ancillary services of dental, vision and life insurance. He noted that there is a change to the maximum life insurance benefit from 150K to 300K which caused the premium to increase 6.9%.

Mr. Blackley asked if there are any benefits available in the public sector to cover the loss of a key position.

Mr. Dustin stated that he has not seen executive benefits covered in any of the public sectors he has worked with.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3291
AN ORDINANCE ESTABLISHING A MAXIMUM AMOUNT PAYABLE FOR MEDICAL AND DENTAL INSURANCE FOR EMPLOYEES OF THE CITY OF CHARDON BEGINNING JANUARY 1, 2025 AND DECLARING AN EMERGENCY was read for the first time by title only.

Mr. Blackley 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. 3291 was then read for the second and third time by title only.

Mr. Meleski moved and Ms. Means seconded for the adoption of Ordinance No. 3291.

Mr. Iacofano stated that the legislation reflects the City’s contribution for Cigna and Guardian which is 88% of the annual insurance premium.

Mr. Blackley asked why it is set at a maximum and asked if the City pays less than 88%.

Mr. Iacofano stated that the City pays less for those who choose an HSA plan.

Upon roll call vote the motion passed unanimously.

AN ORDINANCE AMENDING SECTION 941.16 OF THE CODIFIED ORDINANCES TO AMEND THE AMOUNT CHARGED FOR GRAVE SITES, MAUSOLEUMS, AND VARIOUS CEMETERY SERVICES PROVIDED BY THE CITY, AND TO ESTABLISH CHARGES AND RULES GOVERNING COLUMBARIUM was read for the first time by title only.

Mr. Sharpe explained that the Service Committee met and reviewed staff’s recommendations for changes to cemetery fees. He reviewed the proposed rate changes which have been recommended to be competitive with the surrounding area and in some cases, to simplify the rate structure.

Ms. Means asked why some rates were set lower than the average.

Mr. Sharpe stated that there was no particular reason to set the rates lower than the average. Many of the rates were set based on what staff felt they should be.

Mr. Blackley asked if there are deeds or sales agreements for each of the niches for the columbarium similar to that of graves.

Mr. Chojnacki stated that the agreement would be similar to that of the graves.

Mrs. Chuha asked if the mausoleum is full.

Mr. Hornyak stated that there are a few remaining open crypts in the mausoleum.

General discussion occurred regarding the columbarium.

Mr. Lelko stated that he had concerns that the rates were not phased in, which is why he has requested the legislation be read at three separate meetings.

ORDINANCE NO. 3292
AN ORDINANCE AWARDING THE 2024 SIDEWALK INFILL AND MAINTENANCE PROJECT TO THE LOWEST AND BEST BIDDER 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. 3292 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. 3292.

City Engineer, Doug Courtney, reviewed the bidding process and stated that he is recommending Catts Construction Inc. for the project.

Ms. Means asked if Catts Construction has done work for the City.

Mr. Courtney reviewed the projects completed by Catts and stated that the City has not had major issues with the company and or their work.

Upon roll call vote the motion passed unanimously.

ORDINANCE NO. 3293
AN ORDINANCE AMENDING SECTIONS 351.99, 351.15, AND 351.16 OF THE CODIFIED ORDINANCES TO AMEND THE AMOUNT CHARGED FOR PARKING VIOLATIONS ON CERTAIN STREETS ON AND AROUND THE CHARDON SQUARE AND THE METHOD BY WHICH THOSE VIOLATIONS CAN BE PAID, AND TO PROHIBIT PARKING ON CITY PROPERTIES FOR PERIODS GREATER THAN 48 CONTINUOUS HOURS 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. 3293 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. 3293.

Chief Niehus explained that the changes in the ordinance are designed to allow the City to use a third-party app for parking enforcement on the Square.

Ms. Means asked if there is currently signage for the parking restrictions.

Chief Niehus stated that the signs are installed everywhere except the gravel parking lot behind the Municipal Center.

Mayor Grau asked when the legislation will take effect.

Mr. Chojnacki stated that the legislation will take effect 30 days after passage.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 15-24
A RESOLUTION TRANSFERRING FUNDS IN THE CITY OF CHARDON TREASURY FOR 2024 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.

Resolution No. 15-24 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. 15-24.

Mr. Iacofano stated that the legislation authorizes the transfer of funds which were included in 2024 budget and are needed to maintain positive fund balances.

Upon roll call vote the motion passed unanimously.

RESOLUTION NO. 16-24
A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2025 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.

Resolution No. 16-24 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. 16-24.

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

Mrs. Chuha reported that expenditures were in order.

EXECUTIVE SESSION

Mr. Blackley moved and Ms. Means seconded to adjourn to Executive Session at 8:10 p.m. 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 Majeed Makhlouf (via phone), 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 8:31 p.m.

ANY OTHER BUSINESS TO COME BEFORE COUNCIL

Mayor Grau reported on the expansion of the County Courthouse Project and the City's obligation to pay $2 million towards the project. He stated that the City has contributed approximately $600,000 towards the project thus far, and will be making an agreed-upon judgement entry change via the court system in order to solidify that a payment schedule will occur and the City's obligation will be met.

Mr. Meleski moved and Mr. Blackley seconded to authorize the City Manager to submit the edited agreed-upon judgement entry to solidify the City's obligation for the courthouse expansion project.

Mr. Blackley asked about the payment schedule.

Mr. Sharpe stated that there are 5 equal payments of $250,000 and 1 payment with the remaining balance.

Members of Council and staff reported on recent and upcoming events.

ADJOURN

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

The meeting adjourned at 8:36 p.m.

Attest:

____
CHRISTOPHER GRAU, Mayor
President of Council

____
AMY DAY
Clerk of Council