

Regular Council

January 22, 2009

1 Presiding Officer, Mayor Donald Kuchta called the January 22 regular meeting of Macedonia  
2 City Council to order at 7:33pm.

3  
4 **Present:** Council members' Shane Barker David Engle, Kenneth Martin, Nicholas Molnar,  
5 Peggy Spraggins and Janet Tulley; Law Director Joseph W. Diemert, Jr. and  
6 Council Clerk Josephine Arceci

7 **Absent:**

8 **PLEDGE OF ALLEGIANCE** led by Council President David Engle was followed by an invocation  
9 led by Janet Tulley

10  
11 **MINUTES** Mrs. Spraggins moved, Mr. Barker seconded to amend the December 11, 2008  
12 minutes to include as an attachment to said minutes Law Director Diemert's legal opinion dated  
13 December 17, 2008 entitled Steve Brunot Separation Benefits as well as to incorporate within the  
14 minutes a footnote at Line 575 stating that the special meeting was not held due to Mr. Diemert's  
15 ruling that Mr. Brunot was not entitled benefits.

16  
17 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
18 Nays: None  
19 The motion carried

20  
21 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

22 **ORD. NO. 3 -2009**

23 AN EMERGENCY ORDINANCE PROVIDING FOR THE 2009 ANNUAL  
24 APPROPRIATIONS was **offered** by Mr. Molnar for its **second reading by title only**. Second  
25 not required.

26  
27 **ORD. NO. 9 -2009**

28 AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN  
29 ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED  
30 ORDINANCES OF MACEDONIA was **offered** by Mrs. Tulley and moved Council waive the  
31 requirement that it be read by title on three different days, instructing the Clerk to read it by **title**  
32 **only for all three readings**. Second by Mr. Molnar.

33  
34 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
35 Nays: None  
36 The motion carried

37  
38 Mrs. Tulley moved, Mr. Molnar seconded, to **adopt ORD. NO. 9-2009**, and post same according  
39 to law.

40 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
41 Nays: None  
42 The motion carried. **ORD. NO. 9-2009, adopted**

43 **ORD. NO 10 -2009**

44 AN EMERGENCY ORDINANCE AUTHORIZING AND RATIFYING A LEASE TO THE  
45 COUNTY OF SUMMIT OF ONE OFFICE WITHIN THE MACEDONIA CITY HALL FOR  
46 USE BY THE SUMMIT COUNTY COURT OF COMMON PLEAS DEPARTMENT OF  
47 ADULT PROBATION was **offered** by Mr Barker and moved Council waive the requirement  
48 that it be read by title on three different days, instructing the Clerk to read it by **title only for all**  
49 **three readings**. Second by Mr. Engle.

50  
51 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
52 Nays: None  
53 The motion carried

54  
55 Mr. Barker moved, Mr. Engle seconded, to **adopt ORD. NO. 10-2009**, and post same according  
56 to law.

57 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
58 Nays: None  
59 The motion carried. **ORD. NO. 10-2009, adopted**

60  
61 **ORD. NO 11-2009**

62 AN EMERGENCY ORDINANCE AUTHORIZING NORTHFIELD CENTER TOWNSHIP TO  
63 USE THE MACEDONIA RADIO TOWER REPEATER SYSTEM BY THE NORTHFIELD  
64 CENTER FIRE DEPARTMENT FOR ONE YEAR SELF-RENEWING TERM BEGINNING  
65 JANUARY 1, 2009 was **offered** by Mr Barker and moved Council waive the requirement that it  
66 be read by title on three different days, instructing the Clerk to read it by **title only for all three**  
67 **readings**. Second by Mrs. Tulley.

68  
69 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
70 Nays: None  
71 The motion carried

72  
73 Mr. Barker moved, Mrs. Tulley seconded, to **adopt ORD. NO. 11-2009**, and post same according  
74 to law.

75 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
76 Nays: None  
77 The motion carried. **ORD. NO. 11-2009, adopted**

78 **RES. NO. 12-2009**

79 A RESOLUTION ACCEPTING A DONATION TO THE FIRE DEPARTMENT FROM  
80 JEFFREY SANDA was **offered** by Mr Barker and moved Council waive the requirement that it  
81 be read by title on three different days, instructing the Clerk to read it by **title only for all three**

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82 readings. Second by Mr. Molnar.

83  
84 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
85 Nays: None  
86 The motion carried  
87

88 Mr. Barker moved, Mr. Molnar seconded, to **adopt RES. NO. 12-2009**, and post same according  
89 to law.

90 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
91 Nays: None  
92 The motion carried. **RES. NO. 12-2009, adopted**  
93

94 **MOTIONS OR OTHER LEGISLATIVE ACTIONS:**

95  
96 ~See last page. A motion was made after the Executive Session relative to position of Assistant  
97 Director of Finance.

98  
99 **CORRESPONDENCE:** None

100  
101 **PUBLIC COMMENTS:** Joyce Anderson, 308 Vane Street, Barberton, Ohio explained she has  
102 been assisting the Longwood Manor Historical Society relative to the society's fund grant  
103 application. Ms. Anderson asked if Council and/or the Mayor had issue with LMHS using the  
104 City's letter relative to the current fund grant application to apply for other grants. The City's  
105 letter is generic in nature Ms. Anderson stated and could be used in other applications. Ms.  
106 Anderson also mentioned that while the City's letter gives permission to LMHS to apply for  
107 funding but it does not give LMHS permission to implement restoration. LMHS will need the  
108 City's approval before any restoration can be implemented she stated. This question will come  
109 up during the application process and therefore should be addressed now she stated.  
110

111 Mayor Kuchta told Ms. Anderson that he foresees no reason why the LMHS would not be  
112 allowed to proceed with their restoration plan as long as the LMHS received 100% funding.  
113

114 Law Director Diemert interjected that the LMHS may not receive 100% funding until or unless  
115 the City grants restoration privileges to the LMHS first. The City will not grant restoration  
116 privileges until it learns that the LMHS received 100% funding. As a solution Mr. Diemert  
117 suggested that he draft a letter stating in effect that contingent upon 100% funding the City would  
118 permit LMHS to proceed with the restoration upon approved by Council. Ms. Anderson was  
119 advised that the initial letter stating that the City of Macedonia owns Longwood Manor and  
120 Longwood Park can be used with and for other funding applications.  
121

122 With regards to another matter Sean Joyce, resident of 9798 Firestone Lane and General  
123 Financial Officer for Goodwill Industries of Akron distributed a packet of information relative  
124 Goodwill Industries and the new Goodwill store located in Northfield Village at 10111 Northfield  
125 Road. In his presentation Mr. Joyce explained that Goodwill Industries is not limited to  
126 providing retail stores and donations centers. Goodwill Industries is an employment resource  
127 center he added as well as a provider of employee/employer, industrial and vocational services.  
128

129 Councilor Tulley mentioned she attended the open house of the new store. Ms. Tulley  
130 commended the new facility describing it as well designed and a good resource for the  
131 community.  
132

133 With regards to another matter, Jason Laver of Economic Development Solution explained that  
134 EDS is a full service consulting firm that serves the public sector by providing part-time  
135 economic developers or coordinators. EDS is able to bring a variety of different skill sets relative  
136 to economic development compared to a single individual representing a community. Now more  
137 than ever Mr. Laver stated communities need to find ways to increase revenue and decrease  
138 expenditures because of the lack luster economy globally and that of northeast Ohio. The only  
139 way to increase revenue he stated is to create more jobs, specifically in the office and industrial  
140 sectors. How does EDS help create jobs? EDS takes a pro-active approach Mr. Laver said by  
141 meeting with companies who are already in the community. Studies consistently illustrate Mr.  
142 Laver stated that 80% of all new jobs that are created come from within companies already  
143 located within the community. Companies are eager to meet with EDS consultants. Companies  
144 are encouraged knowing elected officials are taking an active approach in helping them succeed.  
145 Mr. Laver provided statistical information relative to the companies EDS has helped grow as well  
146 as providing his own business credentials.  
147

148  
149 Mayor Kuchta stated that the City is considering hiring EDS in the future for the very reasons Mr.

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150 Laver explained.

151  
152 **MAYOR'S REPORT:** See end of this document

153  
154 **COMMITTEE REPORTS**

155  
156 **Planning Commission** Mr. Martin reported that Planning will hear a presentation at their  
157 January 26 meeting relative to the new high school athletic facility. Residents were encouraged  
158 to attend the 5:30pm meeting.

159  
160 **Charter Review Commission** Mr. Barker reported that the first Commission meeting will be  
161 held Tuesday, January 27 at 5:30pm. Thereafter meetings will be held on the 2<sup>nd</sup> & 4<sup>th</sup> Tuesday.  
162 Input from everyone is important Mr. Barker stated, and will be sought through the course of the  
163 review

164  
165 **Northfield-Macedonia Cemetery Board** Mrs. Tulley reported that the Board will be reviewing  
166 the Cemetery Rule Book. The last time the Rule Book was updated was 2006. Like the Charter  
167 review, input from the public will be sought, she stated. The Board has already determined the  
168 fees relative to plots and interment will not be increased. The joint community meeting relative to  
169 the 2009 budget will be held May 14 in Macedonia she added. Mrs. Tulley mentioned that  
170 outside the use of the full-time cemetery employees the Boards is considering outside contractors  
171 for tree service and possibility lawn care and leaf removal during the fall.

172  
173 **Western Reserve Cable Consortium** Mrs. Tulley reported that there remains a lot of  
174 confusion about the deadline relative to the conversion from analog transmission to digital. The  
175 February 17 deadline may be extended because converter boxes are in short supply or non  
176 existent and the government has run out of the \$40 coupon (2 per household) being issued to each  
177 household to defray the cost of the boxes. At this point congress and the senate have yet come to  
178 terms if in fact the deadline will be delayed. Mrs. Tulley mentioned the reason the government  
179 ordered the conversion is a matter of economics. The government wants the ability to resell the  
180 digital band for other uses.

181  
182 **DEPARTMENT REPORTS**

183 **Service Department** Mr. Crevar corrected his previous months report relative to paper  
184 recycled in 2008 by stating the correct tonnage was 118.7 for which the service department  
185 received \$2,336.93. The money received from the recycled paper bin is used to pay the cost of  
186 the glass and plastic recycling bins he stated. Mr. Crevar reported that so far this year there has  
187 been 24 after work hour call-outs to remove snow compared to only 8 during the same time  
188 period last year. Salt is being conserved as best as possible he added. When the weather permits,  
189 service crew are repairing the numerous pot holes particularly those on the main routes.

190  
191 **Building Department** Building Commissioner Mike Hlad reported that the model home is  
192 opened relative to the second phase of the Ryan Homes development known as Valley Creek  
193 Estates on Twinsburg Road. Mr. Hlad reported that the expansion of WalMart is to begin this  
194 spring and that the City was advised that the store will remain open during construction.

195  
196 **Engineer** Mr. Hill's report at the end of this document.

197  
198 Mayor Kuchta commended Gene Hill and the GPD Engineering Group. Mr. Hill and GPD's  
199 large staff of engineers Mayor Kuchta stated provides an extensive knowledge base the City did  
200 not have in the past. The Mayor is particularly pleased with Mr. Hill who has been assigned to  
201 Macedonia. Mr. Hill is developing a course of action relative to infrastructure projects whereby  
202 the City would not move forward with any project until all the funding is in place, thereby  
203 avoiding the last-minute funding nightmare that occurred relative to SR 82 Bridge/ road widening  
204 improvement.

205  
206 **Recreation Department** Ms. Gmerek reported that the after-hours Family Night is Saturday,  
207 January 24 between 7-9pm. The cost of \$20 per family provides for swimming, games, contests  
208 refreshments and more she added. At 2pm on the 24<sup>th</sup> that day the Recreation Center is hosting a  
209 Wii Bowling Tournament for children. The event will be a single elimination tournament. Prizes  
210 will be awarded to the 1<sup>st</sup> & 2<sup>nd</sup> place winner. Refreshments will be served. Ms. Gmerek  
211 reported that in 2008 2,160 memberships were sold. To date total membership to the Recreation  
212 Center is 4,484. Admittance from January 1 through today is 13,668.

213  
214 **Finance Department** Mr. Sengstock reported that the finance department continues to work on  
215 the transmission plan. Mr. Sengstock commended finance department staff for what he described  
216 as endeavoring to persevere Mr. Sengstock mentioned he met with the representatives of Julian  
217 and Grube who will assisting the City in preparation of Macedonia's annual report. He

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218 anticipates the annual report will be to the state auditor around April 15.

219  
220 **Fire Department** Chief Black announced that there were 180 fire-related deaths in 2008.  
221 There were more deaths last year than there were in previous years he added. The chief reminded  
222 residents to check their smoke detectors to insure proper operation. Detectors should be replaced  
223 if they are older than 10-years. They should be cleaned often and batteries should be changed at  
224 least once a year. Children should be familiarized with the sound detectors emit. The chief  
225 reminded residents that space heaters pose serious fire hazards when not used properly. Heaters  
226 should be at least 3 or more feet from objects. They should have control features which cause  
227 shut off if the unit is pushed or falls. Heaters should be turned off when rooms are not occupied.  
228 Extension cords should not be used with space heaters. Do not plug more than one heater at a  
229 time into an outlet he added. The chief also reminded residents to remove accumulated snow  
230 from around all their entrances and exits. The same is true about clearing snow from around fire  
231 hydrants he added.

232  
233 **Police Department** Chief Golden expressed sympathy for the young Boston Village police  
234 officer accidentally killed at Route 8 and Boston Mills Road during early morning hours. This is  
235 the second officer in the area who was killed while n duty during the last 12 months Chief Golden  
236 stated. While Chief Golden does not know the exact circumstances surrounding the Route 8  
237 accident, Ohio enacted a law requiring motorists to slow down and move to another lane when  
238 approaching a stopped emergency vehicle or police cruiser in order to provide a safety zone for  
239 emergency and police personnel.

240  
241 **Law Department** Mr. Diemert had no report.

242  
243 **Unfinished business** None.

244  
245 **New business** Councilor Barker asked Chief Golden about the police department's staffing  
246 levels to which the chief answered the levels of officers and dispatchers are less than they were  
247 five years ago. Councilor Barker encouraged his fellow council members to consider adding  
248 more police personnel. It's time to put more patrol on the streets he stated, in light of  
249 Macedonia's \$9 million dollar growth in residential development last year and the advent of the  
250 Super WalMart. More firefighters are being added because of the need. There is a need for more  
251 police officers to be added as well he stated.

252  
253 Councilor Martin asked Councilor Barker if he is asking for an increase in taxes to which  
254 Councilor Barker answered that he is asking for an increase in the number of police officers and  
255 Council needs to consider how this can be accomplished.

### **EXECUTIVE SESSION**

256  
257  
258 **At 8:30pm Mr. Martin moved, Mr. Engle seconded, to adjourn into Executive Session for**  
259 **the purpose of discussing matter relating to Personnel**

260  
261 **Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley**  
262 **Nays: None**  
263 **The motion carried**

264  
265 **At 9:00 Council reconvened into their regular session**

266  
267 **Mr. Engle moved, Mr. Molnar seconded to ratify the temporary administrative wage**  
268 **increase to the Assistant Director of Finance retroactive to January 5, 2009 due to assuming**  
269 **the duties of City payroll,**

270  
271 There being no further business before Council the meeting adjourned at 9:02pm

### **Mayor's Report**

272  
273  
274 January 22, 2009

275  
276 It always helps the suffering of the winter blahs to talk about some good things that are  
277 happening in your town. Macedonia had almost 9 million dollars of residential housing  
278 built in 2008! That does not include additions of rooms or decks! That is absolutely  
279 wonderful, almost to the point of being unbelievable. Our Building Commissioner, Mike  
280 Hlad, told me that yesterday in a staff meeting. He also said that that might be the highest  
281 dollar amount in the State! I always consider news like this fantastic because it can very  
282 well cause your home to become more valuable, or at least maintain its value being in a  
283 desirable destination such as our City. Mike also told me that construction on our new  
284 super Wal-mart is slated for this Spring! That's wonderful news because the last I heard

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285 they were not expecting it to open until 2010. The job will be done without closing the  
286 Wal-mart we now have. This should be interesting to watch to see just how they can keep  
287 one open while they build the other.  
288

289 I thought maybe some of you would like to know just what the position of being the  
290 Mayor of Macedonia entails. This is a brief summary. The first three pages of the  
291 Charter deal with the Mayors responsibility and duties. The Charter is 23 pages long. The  
292 Mayor's Job is full time that requires a great deal of involvement in the everyday  
293 business of Macedonia. Politics has to be far down my list when my constituents hold me  
294 accountable for just about everything. It is very true that "actions speak louder than  
295 words". I do interact with Local, and County, and Federal Officials, but mostly that is to  
296 network to learn how things can be done better, and it also helps to get things done here  
297 with help of these officials. I am not a figure head Mayor. That means that I Chair the  
298 Council meetings and vote to break a tie. I am also the Safety Director and Chief Peace  
299 Officer. I am titled the head of the Department of Public Safety. I am responsible for all  
300 bills as the Chief Executive officer and also for all money taken in. One of the titles held  
301 by the Mayor is that of being in charge of Economic Development. That is crucial in a  
302 town like ours where City Income Tax is almost 45% of all moneys collected to be used  
303 for servicing our City. Without City Income Tax we would not be able to survive. (Just as  
304 a side note, I am usually the first one people talk to when they want to bring their  
305 business to our City). We will be hosting a Business Breakfast in March in an effort to  
306 keep our fingers on the pulse of our business community, and give them a chance to  
307 voice their concerns.  
308

309 One of the most enjoyable things about my job is working with the children of our  
310 community through classroom visits or having them come to City Hall where they get to  
311 see equipment, and meet the staff, and get a chance to sit in the Mayor's Office behind  
312 his desk! I also have the authority to perform marriages. By the way, I guarantee all of  
313 my marriages for 50 years.  
314

315 This is not the way it is for Mayors in all Cities. In some, the Mayor is more or less a  
316 figure head and his chief job is diplomacy, and that type of government usually has a City  
317 Manager who does basically what I do as chief executive. Of the two, I think that being  
318 held directly accountable to the residents is tougher...but better. I also am required to live  
319 in the same town that you do and enjoy that which is good...and suffer with you through  
320 the bad. I pay the same taxes and utilities that all residents pay and live by the same rules  
321 also.  
322

323 If something happens to me, all of my duties are transferred to the President of Council  
324 and he becomes the acting Mayor. When the Mayor leaves town in today's world, it is  
325 not necessary for the Council President to take over the duties unless something  
326 catastrophic should happen. We have the technology to keep me in contact and I can even  
327 electronically sign papers while gone.  
328

329 This is the kind of information that is all set up in our Charter which is our official book  
330 of rules. You can obtain a copy of our Charter at City Hall or go to our website and look  
331 under our Codified Ordinances. It is at the very beginning. The Charter clearly states our  
332 rules and regulations and dictates parameters on everything from soup to nuts. Reading  
333 the charter is a good idea if you are interested in why we do things the way we do. It also  
334 would be a good idea to read it if you plan to get involved in the City as an elected  
335 official. I was a charter Commissioner 10 years ago and I am proud that we were  
336 successful because our recommendations went to Council and passed and then went to  
337 the voters and passed. It is a great honor to have input to how your government is run on  
338 a level such as being a commissioner.  
339

340 Storm Water is a hot topic in our town and I will be going to a meeting on January 29<sup>th</sup> of  
341 the NEORS (Northeast Ohio Regional Sewer District) in an attempt to determine if we  
342 will be assessed a storm water fee by them, and if so, how can we get the lion's share of  
343 what they will charge us to attack our problems locally, instead of all of our money going  
344 to Cuyahoga County to fix their problems. Our engineering consultant from CTI, Dave  
345 Kuhns and our City Engineers (GPD) representative Kelly Luecke will be going with me.  
346 We will also be forming a coalition of Summit County elected officials in the near future  
347 in an effort to control that which could basically be called "taxation without

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348 representation". We will not stop until we make every attempt possible to opt out, or  
349 redirect these funds back home for our very much needed local storm water projects.  
350 Macedonia could possibly be sending over a million dollars of your money to Cuyahoga  
351 County a year.

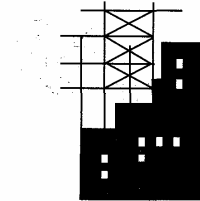
352  
353 A fine young officer was lost in Boston Heights and will be buried Saturday. He was hit  
354 while trying to retrieve an object on the road at night. I urge all of our citizens to be  
355 careful not only when slippery roads exist, but for unexpected changes or distractions,  
356 like an officer on the road, or a deer, or a jogger, or just anybody walking at night. This is  
357 especially true on routes that you drive so often, you almost go on auto-pilot.

358 Once again we are reassessing departments with an eye on efficiency. With the recent  
359 loss of Dawn Butts in her move to the County Government, We are looking very closely  
360 at how we handle Human Resources (HR) and how we handle payroll. We also have  
361 placed newspaper ads looking for a new Finance Director, to insure that we make the best  
362 choice in a critical position. Loren Sengstock is someone with the capabilities to end up  
363 being that person, but our procedures call for us to advertise the position to help make the  
364 choice the right one.

365  
366 The Girl Scout retail store is open (330-864-9933). You can purchase necessities like  
367 uniforms and paraphernalia and also necessary cookies.



**CITY OF MACEDONIA**  
**The Crossroads of Northeast Ohio**  
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330 / 468-8360 • Fax: 330 / 468-8396



Building Department

**Don Kuchta**  
Mayor

**Michael Hlad**  
Building Commissioner  
mhlad@macedonia.oh.us

Engineer's Report  
Macedonia Council Meeting  
Gene Hill, P.E., Consulting Engineer  
January 22, 2009

**Frank Posar**  
Assistant Building Commissioner  
fposar@macedonia.oh.us

1. Asbestos removal from 944 East Aurora should occur within ten (10) days. Waiting to hear from Contractor regarding exact date. Within two (2) weeks of the asbestos removal, the demolition of the Caretaker's House and 944 East Aurora should occur. No asbestos removal or demolition work related to the Manor House has been scheduled.
2. Highland Road Railroad Grade Separation Project – Pre-final plans are at ODOT for review. The City has been attempting to schedule meeting with Mr. Schneider who owns the Patio Enclosures property to discuss construction details.
3. Route 82 Phase II - No significant work until March.
4. Route 82 Phase III - GPD still discussing project funding and project scope with ODOT.

5 From City records, there are 69 centerline miles of roadway in the City (not verified). Very minimal rehabilitation of roadways by milling & re-applying asphalt (say 2"-3" thick) costs about \$250,000 per mile. Rehabilitation similar to C. Freeway is about \$750,000 per mile. IF the City chose a 20 year rehab. cycle (ie each road gets repaired every 20 years), the cheapest option requires \$362,500 per year to the road program. The mid-range option would require \$2,700,000 per year to the road program. These are very rough numbers which do not consider inflation, but they show that the City needs at least \$1,000,000 per year as part of a long term, pro-active road maintenance program. I suggest a detailed analysis.

★ Service ★ Commitment ★ Pride ★