

Regular Council

May 8, 2008

1 Presiding Officer, Council President David Engle, mayor pro tempore, called the May 8 regular
2 meeting of Macedonia City Council to order at 7:30pm.

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4 **Present:** Council members' Shane Barker, David Engle, Kenneth Martin, Nicholas
5 Molnar, and Janet Tulley; Assistant Law Director Thomas Hanculak and Council
6 Clerk Josephine Arceci

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8 **Absent:** Mayor Donald Kuchta and Councilor Peggy Spraggins
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10 **PLEDGE OF ALLEGIANCE** led by Council President Dave Engle was followed by an invocation
11 led by Councilor Jan Tulley.
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13 **MINUTES** Mr. Barker moved, Mrs. Tulley seconded, to approve the minutes of the March
14 13, 2008 regular meeting of council as submitted by the clerk.
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16 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
17 Nays: None
18 The motion carried
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20 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

21 **ORD. NO. 38 -2008**

22 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF , IN
23 COOPERATION WITH THE CITY OF TWINSBURG, SHEPARD ROAD BETWEEN
24 CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS AND REPLACING WERE
25 NECESSARY, PAVEMENT AND DRIVEWAY APRONS, ALL TOGETHER WITH THE
26 NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY was
27 **offered** by Mrs. Tulley and moved Council to waive the requirement that it be read by title on
28 three different days, instructing the Clerk to read it by **title only for all three readings**. Second
29 by Mr. Barker.

30 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
31 Nays: None
32 The motion carried
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34 Mrs. Tulley moved, Mr. Barker seconded, to **adopt ORD. NO. 38-2008**, and post same according
35 to law.

36 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
37 Nays: None
38 The motion carried. **ORD. NO. 38-2008, adopted.**
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40 Relative to ORD. NO. 38-2008, Engineer Tufts explained that this is the last legislative step
41 relative to the first phase of installation of sanitary sewers along various locations of Shepard
42 Road. The costs have been certified and now property owners will be advised by the clerk of
43 their final assessment. The four property owners in this phase will have the opportunity to pay
44 their assessment in cash within 30-day notice of this ordinance or they may chose to have their
45 assessment applied to their tax duplicate for a period of 20-years. All three phases of this project
46 are in conjunction with the City of Twinsburg he added.
47

48 **RES. NO. 39-2008**

49 A RESOLUTION APPOINTING AN ASSESSMENT EQUALIZATION BOARD TO HEAR
50 OBJECTIONS RELATIVE TO THE IMPROVEMENT OF SOUTH FREEWAY DRIVE
51 BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, PAVING, CONSTRUCTING
52 DRIVEWAY APRONS, REPLACING GUARDRAILS WHERE NECESSARY,
53 REHABILITATING THE RELATED STORM SEWER SYSTEM BETWEEN CERTAIN
54 TERMINI BY CONSTRUCTING STROM SEWERS CATCH BASINS, MANHOLES,
55 JUNCTION CHAMBERS AND A CONCRETE HEADWALL, AND ACQUIRING ANY
56 NECESSARY REAL ESTATE AND INTERESTS THEREIN, ALL TOGETHER WITH THE
57 NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY was
58 **offered** by Mr. Molnar and moved Council to waive the requirement that it be read by title on
59 three different days, instructing the Clerk to read it by **title only for all three readings**. Second
60 by Mrs. Tulley.
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62 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
63 Nays: None
64 The motion carried
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66 Mr. Molnar moved, Mrs. Tulley seconded, to **adopt ORD. NO. 39-2008**, and post same
67 according to law.

68 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
69 Nays: None
70 The motion carried. **ORD. NO. 39-2008, adopted**
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72 Relative to ORD. NO. 39-2008, Engineer Tufts explained that following the adoption of the
73 Resolution of Necessity by Council, S. Freeway Drive property owners were notified by
74 certified mail of the amount of their estimated assessment. Pursuant to statute, if formal
75 objections are received within 14 days of property owners receiving their notice an Equalization
76 Board must be appointed to hear the objections. One objection was received hence the
77 mandatory appointment of the Board. The clerk will notify the one objecting property owner by
78 certified mail of the date and time of the hearing.
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80 **ORD. NO. 40 -2008**

81 AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE CITY OF TWINSBURG
82 FOR THE EXCHANGE OF CERTAIN EQUIPMENT BY AND BETWEEN THE
83 RESPECTIVE POLICE DEPARTMENTS was **offered** by Mr. Barker and moved Council to
84 waive the requirement that it be read by title on three different days, instructing the Clerk to read
85 it by **title only for all three readings**. Second by Mrs. Tulley.
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87 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
88 Nays: None
89 The motion carried
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91 Mr. Barker moved, Mrs. Tulley seconded, to **adopt ORD. NO. 40-2008**, and post same according
92 to law.

93 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
94 Nays: None
95 The motion carried. **ORD. NO. 40-2008, adopted**
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97 Relative to ORD. NO. 40-2008, Chief Golden explained that Twinsburg's police department is
98 swapping six special plastic police cruiser back seats for one of Macedonia's two radar speed
99 guns which is no longer needed because the motorcycle patrol program has been suspended. The
100 value of the swap the chief stated is \$2400.
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102 **ORD. NO. 41 -2008**

103 AN ORDINANCE AMENDING AND SUPPLEMENTING THE 2008 ANNUAL
104 APPROPRIATIONS ORDINANCE NO. 2-2008, AND DECLARING AN EMERGENCY was
105 **offered** by Mrs. Tulley and moved Council to waive the requirement that it be read by title on
106 three different days, instructing the Clerk to read it by **title only for all three readings**. Second
107 by Mr. Barker.

108 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
109 Nays: None
110 The motion carried
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112 Mrs. Tulley moved, Mr. Barker seconded, to **adopt ORD. NO. 41-2008**, and post same according
113 to law.

114 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
115 Nays: None
116 The motion carried. **ORD. NO. 41-2008, adopted**.
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118 Relative to ORD. NO. 41-2008, Finance Director Brunot explained this legislation allows
119 transferring money from the police personnel budget to fire personnel. The transfer is within the
120 same fund and for the same purpose Mr. Brunot stated. Police personnel funds had been
121 budgeted in anticipation of new appointments which to date have not occurred. Mr. Brunot
122 explained that the fire department personnel budget on the other hand incurred unexpected costs
123 due to the late passage of the 2008 appropriations and an increase in call volume this year. Mr.
124 Brunot stated that when Chief Golden expressed his willingness for the funds to be transferred
125 Chief Black expressed relief and appreciation given the financial hardship of his department this
126 year.
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131 **ORD. NO. 42 -2008**
132 AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO
133 DISTRIBUTE TWENTY-FIVE THOUSAND FIFTY TWO DOLLARS (\$25,052) FROM THE
134 WIRELESS 911 FUND (12W) AND APPROPRIATING THE NECESSARY FUNDS was
135 **offered** by Mr. Barker and moved Council to waive the requirement that it be read by title on
136 three different days, instructing the Clerk to read it by **title only for all three readings**. Second
137 by Mr. Molnar.

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139 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
140 Nays: None
141 The motion carried

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143 Mr. Barker moved, Mr. Molnar seconded, to **adopt ORD. NO. 42-2008**, and post same according
144 to law.

145 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
146 Nays: None
147 The motion carried. **ORD. NO. 42-2008, adopted**

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149 Relative to ORD. NO. 42-2008, Finance Director Brunot explained that the transfer is the
150 payment to the Capital Improvement Fund used to finance the Wireless 911 program.

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152 **RES. NO. 43 -2008**
153 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE TO
154 IMPLEMENT TRANSFERS BETWEEN CERTAIN FUNDS was **offered** by Mr. Molnar and
155 moved Council to waive the requirement that it be read by title on three different days, instructing
156 the Clerk to read it by **title only for all three readings**. Second by Mrs. Tulley.

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158 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
159 Nays: None
160 The motion carried

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162 Mr. Molnar moved, Mrs. Tulley seconded, to **adopt RES. NO. 43-2008**, and post same according
163 to law.

164 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
165 Nays: None
166 The motion carried. **RES. NO. 43-2008, adopted**.

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168 Relative to RES. NO. 43-2008, Finance Director Brunot explained these transfers relate to
169 payments relative to various outstanding road debts.

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171 **ORD. NO. 44 -2008**
172 AN EMERGENCY ORDINANCE CONFIRMING THE APPOINTMENT OF GPD GROUP AS
173 THE CITY CONSULTING ENGINEER AND FURTHER AUTHORIZING AND DIRECTING
174 THE MAYOR TO ENTER INTO A CONTRACT WITH GPD GROUP FOR ENGINEERING
175 CONSULTING SERVICES FOR THE CITY OF MACEDONIA FOR A TWO-YEAR TERM
176 ENDING MAY 8, 2010 was **offered** by Mrs. Tulley and moved Council to waive the
177 requirement that it be read by title on three different days, instructing the Clerk to read it by **title**
178 **only for all three readings**. Second by Mr. Molnar.

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180 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
181 Nays: None
182 The motion carried

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184 Mrs. Tulley moved, Mr. Molnar seconded, to **adopt ORD. NO. 44-2008**, and post same
185 according to law.

186 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
187 Nays: None
188 The motion carried. **ORD. NO. 44-2008, adopted**

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190 Relative to ORD. NO. 44-2008, Engineer Tufts explained that the transition to the GPD Group
191 should be effortless given that they are very familiar with Macedonia's projects and because of
192 the modifications made to the structure of the building department.

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ORD. NO. 45 -2008

AN EMERGENCY ORDINANCE AMENDING RELEVANT PORTIONS OF THE CODIFIED ORDINANCE SECTIONS 157.01, 157.06 AND 157.07 CHANGING THE NAME OF “CHIEF BUILDING INSPECTOR” TO CHIEF BUILDING COMMISSIONER” was **offered** by Mr. Barker and moved Council to waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried

Mr. Barker moved, Mr. Molnar seconded, to **adopt ORD. NO. 45-2008**, and post same according to law.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried. **ORD. NO. 45-2008, adopted**

Relative to ORD. NO. 45-2008, Engineer Tufts explained that the amending legislation was necessary to make local building titles consistent state level titles. Macedonia classifications and pay ranges are not effected by these changes he added.

ORD. NO. 46 -2008

AN EMERGENCY ORDINANCE CONFIRMING THE APPOINTMENT OF MICHAEL HLAD AS THE CHIEF BUILDING OFFICIAL OF THE CITY OF MACEDONIA was **offered** by Mr. Barker and moved Council to waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mrs. Tulley.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried

Mr. Barker moved, Mrs. Tulley seconded, to **adopt ORD. NO. 46-2008**, and post same according to law.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried. **ORD. NO. 46-2008, adopted**

Relative to ORD. NO. 46-2008, Mr. Hlad thanked Council for confirming his appointment, adding, he is looking forward to his role and challenges as the head of the building department.

ORD. NO. 47 -2008

AN EMERGENCY ORDINANCE CREATING THE POSITION OF ASSISTANT CHIEF BUILDING OFFICIAL AND CONFIRMING THE APPOINTMENT OF FRANK POSAR BY THE MAYOR TO THAT POSITION was **offered** by Mrs. Tulley and moved Council to waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried

Mrs. Tulley moved, Mr. Barker seconded, to **adopt ORD. NO. 47-2008**, and post same according to law.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried. **ORD. NO. 47-2008, adopted**

Relative to ORD. NO. 47-2008, Mr. Hlad explained that Mr. Posar has been employed by the City of 31-years. Mr. Posar has 14-years code enforcement experience and is a certified residential building and fire inspector. Mr. Posar thanked Council for confirming his appointment, adding, he is looking forward to working with Mr. Hlad and the other members of the building department.

Mr. Barker moved, Mrs. Tulley seconded, to **add to the agenda RES. NO. 48-2008: A RESOLUTION AUTHORIZING THE CITY OF MACEDONIA TO FILE AN APPLICATION TO THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, TO SUPPORT AN APPLICATION FOR ASSISTANCE UNDER THE OHIO JOB READY SITES PROGRAM**

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Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried

Mr. Barker offered **RES. NO. 48-2008** and moved Council to waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings and to waive the 48-hour rule of council.** Second by Mrs. Tulley.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried

Mr. Barker moved, Mrs. Tulley seconded, to **adopt RES. NO. 48-2008**, and post same according to law.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley
Nays: None
The motion carried. **RES. NO. 48-2008, adopted**

Relative to RES. NO. 48-2008, Mr. Brunot explained that this funding source is different from other sources for which the City has applied. The Job Ready Sites Program is offered through the State of Ohio's Department of Development, not the Department of Transportation. The City's position relative to the application is that this type of funding is necessary to preserve existing S. Freeway Drive businesses as well as to encourage new enterprises.

MOTIONS OR OTHER LEGISLATIVE ACTIONS: None

CORRESPONDENCE:

~Letter of appreciation from the students of Ledgeview Elementary, Macedonia, Ohio to Chief Black for his instruction of home fire and smoke safety.

~Letter of appreciation t from Dianne Moore, member of the Raving Ruby Red Hats. to Macedonia Firefighters Association for their donation to the American Cancer Society "Relay for Life"

PUBLIC COMMENTS: None

MAYOR'S REPORT: None

COMMITTEE REPORTS None.

DEPARTMENT REPORTS

Service Department Mr. Crevar reported that free mulch is available to residents at 9000 Valley View from M-F from 6:30am-4pm. The City will not be providing mechanical loading of the mulch. Residents will be responsible for loading the mulch themselves by hand he added. Mr. Crevar reported that end of the year road salt usage was 6,991tons at a cost of \$259,291.16. Spring street sweeping yield 23 tons of debris. Longwood Lake was stocked for summer fishing with 50 Large Mouth Bass, 50 Channel Cats and 100 Blue Gill purchased from the Summit Soil and Water Conservation District. The fish range from 2"-5" he added. Mr. Crevar mentioned that all eight North Bedford Road crossover culverts have been repaired in anticipation of paving that will commence soon. Mr. Crevar also mentioned that walks to all the park pavilions have been repaired. Restoration around the walks should be complete by June 1 he added.

Building Department Mr. Tufts was present. Report attached at end of this document.

Recreation Department Ms. Gmerek reported that her department is in the process of preparing summer camps and sports programs. Ms. Gmerek introduced Sam and Jeff, high school seniors from Aurora High School and Walsh Jesuit respectively, who are completing their senior experience at the Recreation Center. Part of their senior experience is helping set up summer programming she added.

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Finance Department Mr. Brunot announced that he will unavailable the meeting of May 22 but Deputy Finance Director Loren Sengstock will be present.

Fire Department Chief Black thanked Chief Golden, Mr. Brunot and Mayor Kuchta for the transfer of police department personnel funds to the fire department and for Council authorizing the same. The chief said that he and his staff will continue their effort to increase revenue while at the same time keep expenditures down. The chief mentioned that the week of May 4 is National Arson Awareness Week. Every year the chief reported over 12,000 fires occur in vacant structures, 70% of which are intentionally set. The chief congratulated Mr. Posar regarding his new building department position. Mr. Posar, the chief said was an outstanding professional when he served as the fire department's assistant chief and fire inspector.

Police Department Chief Golden thanked Sergeant Ennis and his team relative their response to the explosion that occurred on Harper Lane the afternoon of April 22. The chief explained that he and Lt. Yakopovich were out of the City attending a training seminar during the event. The chief also thanked: Detective Sergeant Ken Tulley, Detective Rick Rizzo, who collected most of the evidence, the fire department, the City other's departments, all surrounding jurisdictions, Sheriff Drew Alexander, the Summit County Sheriff department, Chief Moneypenny and the Summit County Bomb Squad, Lance Kimble and Chuck Turner of the ATF, and Mayor Bill Goncy of the Village of Boston Heights for allowing Macedonia to detonate extremely volatile material thus eliminating the need to transport the explosives any great distance.

Councilor Barker, who is a lieutenant for the Summit County Sheriff Department informed Chief Golden that responding sheriffs relayed to Lt. Sheriff Barker nothing but good comments about Macedonia's police personnel, particularly with regards to their responsiveness and professionalism. Lt. Sheriff Barker also thanked Chief Golden for supporting the transfer of police personnel funds to the fire department.

Law Department Mr. Hanculak had no report.

Unfinished business None

New business None.

There being no further business before Council, the meeting adjourned at 8:06pm

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CITY OF MACEDONIA

MEMORANDUM

Building -Engineering- Zoning Department (330) 468-8360 Fax: (330) 468-8396

TO: Josephine Arceci, Clerk of Council
FROM: Fred Tufts, P.E., City Engineer
SUBJECT: Engineer's Report
DATE: May 8, 2008

Major Infrastructure Projects:

1. **SR 82 Widening, Phase 2:**

a. Utility relocations continue; Ohio Edison, Windstream and Dominion East Ohio are the most affected.

b. The official preconstruction conference was conducted by ODOT on April 30, 2008, a brief memo of the meeting has been distributed. The following scheduled dates are important:

May 15, 2008 official start of construction

May 22, 2008 starts railroad embankment construction October 22, 2008 bridge steel delivery

April 1, 2009 begins track relocation

October 2009 substantial completion

2. **North Bedford Road:**

Work is underway for completion within 45 days of notice to proceed.

Building Department:

The major expansion of the old Reserve Lumber facility for Cobra Plastics is progressing very well. A major portion is near ready for occupancy.

General

1. The last remaining property appropriation for the Rt. 82 Widening Project has been settled avoiding trial.

2. OPWC Issue 1 (old Issue 2) application workshop is scheduled for May 21st. We have two (2) potential projects for the current year.

cc: Mayor Don Kuchta

FT/pk