

Regular Council

June 26, 2008

Presiding Officer, Council President David Engle, mayor pro tempore, called the June 26 regular meeting of Macedonia City Council to order at 7:35pm.

**Present:** Council members' Shane Barker, David Engle, Kenneth Martin, Nicholas Molnar, Peggy Spraggins (arrived at 7:50pm) and Janet Tulley; Law Director Joseph W. Diemert, Jr. and Council Clerk Josephine Arceci

**Absent:** Mayor Don Kuchta

**PLEDGE OF ALLEGIANCE** led by Council President Dave Engle was followed by an invocation led by Councilor Jan Tulley.

*Note: At Council President Engle's request Ordinances Nos. 57 & 58-2008 were not acted upon until after Councilor Spraggins arrival at approximately at 7:50pm. For purposes of readability the ordinances were left in their sequential order. The minutes reflect after each roll whether Mrs. Spraggins' was present for that specific vote*

**FINANCIAL REPORT** Mrs. Tulley moved, Mr. Barker seconded, acknowledging receipt of the Financial Report dated May 31, 2008, as submitted by the finance director.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
Nays: None  
The motion carried  
(Mrs. Spraggins not present at time of this vote)

**INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

**ORD. NO. 55 -2008**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,500,000 NOTES, IN ANTICIPATION OF ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE PROPERTY OWNER'S PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, AND THE CITY'S PORTION OF THE COST OF IMPROVING SOUTH FREEWAY DRIVE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, PAVING, CONSTRUCTING DRIVEWAY APRONS, REPLACING GUARDRAILS WHERE NECESSARY , REHABILITATING THE RELATED STORM SEWER SYSTEM BETWEEN CERTAIN TERMINI BY CONSTRUCTING STORM SEWERS, CATCH BASINS, MANHOLES, JUNCTION CHAMBERS AND A CONCRETE HEADWALL, AND ACQUIRING ANY NECESSARY REAL ESTATE AND INTERESTS THEREIN ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY 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. Spraggins not present at time of this vote)

**FISCAL OFFICER CERTIFICATE PREVIOUSLY PRESENTED TO COUNCIL**

Mrs. Tulley moved, Mr. Molnar seconded, to **adopt ORD. NO. 55-2008**, and post same according to law.

Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
Nays: None  
The motion carried. **ORD. NO. 55-2008, adopted**  
(Mrs. Spraggins not present at time of this vote)

**ORD. NO. 56 -2008**

AN EMERGENCY ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A KIMBLE TRANSFER STATION COMMUNITY ADVISORY BOARD, ADOPTING BYLAWS OF THE COMMUNITY ADVISORY BOARD AND APPOINTING A REPRESENTATIVE FROM THE CITY TO THE COMMUNITY ADVISORY BOARD was **offered** by Mr. Molnar 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. Tulley

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64 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
65 Nays: None  
66 The motion carried  
67 (Mrs. Spraggins not present at time of this vote)  
68

69 Mr. Molnar moved, Mrs. Tulley seconded, to **adopt ORD. NO. 56-2008**, and post same  
70 according to law.

71 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
72 Nays: None  
73 The motion carried. **ORD. NO. 56-2008, adopted**  
74 (Mrs. Spraggins not present at time of this vote)  
75

**ORD. NO 57-2008**

76 AN ORDINANCE AMENDING AND SUPPLEMENTING THE 2008 ANNUAL  
77 APPROPRIATIONS ORD NO. 2-2008, AND DECLARING AN EMERGENCY was **offered** by  
78 Mrs. Tulley and moved Council to waive the requirement that it be read by title on three different  
79 days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Barker.  
80

81 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
82 Nays: None  
83 The motion carried  
84 (Mrs. Spraggins not present at the time of this vote. She arrived just  
85 prior to discussion and subsequent adoption)  
86

87 Mrs. Tulley moved, Mr. Barker seconded, to **adopt ORD. NO. 57-2008**, and post same  
88 according to law.

89 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
90 Nays: None  
91 The motion carried. **ORD. NO. 57-2008, adopted**  
92

93 Relative to ORD. NO. 57-2008, Director Brunot explained the reason Council's budget had be to  
94 increased was because of unanticipated computer expenses. The JEDD transfer was necessary  
95 because the JEDD is generating more revenue than what had been budgeted. The JEDD increase  
96 however reflects the correct distribution. Housing and building had more money in its budget  
97 than necessary while planning and engineering didn't have enough. Since housing and building  
98 and zoning and planning are within the same department moving the money is merely a  
99 technicality Mr. Brunot stated. To simplify matters in the future Mrs. Brunot suggested that these  
100 last four items not be segregated, that they be combined and tracked under the building  
101 department title.  
102

**RES. NO. 58-2008**

103 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE TO  
104 IMPLEMENT SECOND QUARTER TRANSFERS BETWEEN CERTAIN FUNDS was **offered**  
105 by Mrs. Spraggins and moved Council to waive the requirement that it be read by title on three  
106 different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr.  
107 Barker.  
108

109 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
110 Nays: None  
111 The motion carried  
112

113 Mrs. Spraggins moved, Mr. Barker seconded, to **adopt ORD. NO. 58-2008**, and post same  
114 according to law.  
115

116 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
117 Nays: None  
118 The motion carried. **ORD. NO. 58-2008, adopted**  
119

**RES. NO. 59-2008**

120 A RESOLUTION AUTHORIZING THE CITY OF MACEDONIA, OHIO TO PARTICIPATE  
121 IN NORTHEAST OHIO SOURCING OFFICE'S ("NEO/SO") 2008-2009 SALT PROGRAM,  
122 TO DELEGATE THE RESPONSIBILITY FOR COMPETITIVE BIDDING FOR PURCHASE  
123 OF SALT, AND TO ESTABLISH MACEDONIA'S SALT TONNAGE COMMITMENT FOR  
124 THE 2008-2009 SEASON was **offered** by Mrs. Tulley and moved Council to waive the  
125 requirement that it be read by title on three different days, instructing the Clerk to read it by **title**  
126 **only for all three readings**. Second by Mr. Engle.  
127  
128

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129 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
130 Nays: None  
131 The motion carried  
132 (Mrs. Spraggins not present at the time of this vote)  
133

134 Mrs. Tulley moved, Mr. Engle seconded, to **adopt RES. NO. 59-2008**, and post same according  
135 to law.

136 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
137 Nays: None  
138 The motion carried. **RES. NO. 59-2008, adopted**  
139 (Mrs. Spraggins not present at the time of this vote)  
140

**RES. NO. 60-2008**

141 AN EMERGENCY RESOLUTION PLEDGING COOPERATION BY AUTHORIZING THE  
142 MAYOR TO APPLY FOR ISSUE 1 AND LOCAL TRANSPORTATION IMPROVEMENT  
143 (GAS TAX) FUNDS AND TO COMMIT THE NECESSARY LOCAL FUNDS TO  
144 COMPLETE THE PROJECTS IN THE MANNER HEREINAFTER DESCRIBED  
145 (HIGHLAND ROAD GRADE SEPARATION AND SOUTH BEDFORD ROAD) was **offered**  
146 by Mrs. Tulley and moved Council to waive the requirement that it be read by title on three  
147 different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr.  
148 Barker.  
149

150 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
151 Nays: None  
152 The motion carried  
153 (Mrs. Spraggins not present at the time of this vote)  
154

155 Mrs. Tulley moved, Mr. Barker seconded, to **adopt RES. NO. 60-2008**, and post same according  
156 to law.

157 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
158 Nays: None  
159 The motion carried. **RES. NO. 60-2008, adopted**  
160 (Mrs. Spraggins not present at the time of this vote)  
161

**RES. NO. 61 -2008**

162 AN EMERGENCY RESOLUTION PROVIDING APPROVAL FOR SPIN-OFF OF TIME  
163 WARNER CABLE. INC was **offered** by Mrs. Tulley and moved Council to waive the  
164 requirement that it be read by title on three different days, instructing the Clerk to read it by **title**  
165 **only for all three readings**. Second by Mr. Molnar.  
166

167 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
168 Nays: None  
169 The motion carried  
170 (Mrs. Spraggins not present at the time of this vote)  
171

172 Mrs. Tulley moved, Mr. Molnar seconded, to **adopt RES. NO. 61-2008**, and post same  
173 according to law.

174 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
175 Nays: None  
176 The motion carried. **RES. NO. 61-2008, adopted**  
177 (Mrs. Spraggins not present at the time of this vote)  
178

179 Relative to RES. NO. 61-2008, Councilor Tulley, as representative to Cable Consortium stated  
180 that the spin-off will not disrupt local service. Nonetheless, the law department felt that a  
181 resolution was necessary to recognize the situation in case of any unforeseen eventualities. Mrs.  
182 Tulley likened the Time Warner situation to divestiture of ATT and the Bell Telephone System.  
183

**RES. NO. 62 -2008**

184 A RESOLUTION CONFIRMING PROBATIONARY APPOINTMENT OF DAVID ABERTH  
185 TO THE POSITION OF PART-TIME FIREFIGHTER WITHIN THE CITY OF MACEDONIA  
186 FIRE DEPARTMENT was **offered** by Mr. Barker and moved Council to waive the requirement  
187 that it be read by title on three different days, instructing the Clerk to read it by **title only for all**  
188 **three readings**. Second by Mrs. Tulley.  
189

190 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
191 Nays: None  
192 The motion carried  
193 (Mrs. Spraggins not present at the time of this vote)

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194 Mr. Barker moved, Mrs. Tulley seconded, to **adopt RES. NO. 62-2008**, and post same according  
195 to law.

196 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
197 Nays: None  
198 The motion carried. **RES. NO. 62-2008, adopted**  
199 (Mrs. Spraggins not present at the time of this vote)

200 **RES. NO. 63 -2008**

201 A RESOLUTION CONFIRMING THE FINAL APPOINTMENT OF DONAVIN PAQUETTE  
202 TO THE POSITION OF FULL-TIME POLICE OFFICER was **offered** by Mr. Barker and moved  
203 Council to waive the requirement that it be read by title on three different days, instructing the  
204 Clerk to read it by **title only for all three readings**. Second by Mrs. Tulley.

205  
206 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
207 Nays: None  
208 The motion carried  
209 (Mrs. Spraggins not present at the time of this vote)

210  
211 Mr. Barker moved, Mrs. Tulley seconded, to **adopt RES. NO. 63-2008**, and post same according  
212 to law.

213 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
214 Nays: None  
215 The motion carried. **RES. NO. 63-2008, adopted**  
216 (Mrs. Spraggins not present at the time of this vote)

217 **RES. NO. 64 -2008**

218 A RESOLUTION CONFIRMING THE FINAL APPOINTMENT OF MICHAEL SHALTUNUK  
219 TO THE POSITION OF PART-TIME CORRECTIONS OFFICER was **offered** by Mr. Barker  
220 and moved Council to waive the requirement that it be read by title on three different days,  
221 instructing the Clerk to read it by **title only for all three readings**. Second by Mrs. Tulley.

222  
223 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
224 Nays: None  
225 The motion carried  
226 (Mrs. Spraggins not present at the time of this vote)

227  
228 Mr. Barker moved, Mrs. Tulley seconded, to **adopt RES. NO. 64-2008**, and post same according  
229 to law.

230 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
231 Nays: None  
232 The motion carried. **RES. NO. 64-2008, adopted**  
233 (Mrs. Spraggins not present at the time of this vote)

234 **RES. NO. 65 -2008**

235 A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MICHAEL MENHART TO  
236 THE CIVIL SERVICE COMMISSION was **offered** by Mrs. Tulley and moved Council to waive  
237 the requirement that it be read by title on three different days, instructing the Clerk to read it by  
238 **title only for all three readings**. Second by Mr. Molnar.

239  
240 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
241 Nays: None  
242 The motion carried  
243 (Mrs. Spraggins not present at the time of this vote)

244  
245 Mrs. Tulley moved, Mr. Molnar seconded, to **adopt RES. NO. 65-2008**, and post same  
246 according to law.

247 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
248 Nays: None  
249 The motion carried. **RES. NO. 65-2008, adopted**  
250 (Mrs. Spraggins not present at the time of this vote)

251  
252 **RES. NO. 66 -2008**

253 A RESOLUTION CONFIRMING THE REAPPOINTMENT OF THOMAS "ED" MORRIS TO  
254 THE PLANNING COMMISSION was **offered** by Mr. Molnar and moved Council to waive the  
255 requirement that it be read by title on three different days, instructing the Clerk to read it by **title**  
256 **only for all three readings**. Second by Mrs. Tulley.

257  
258 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
259 Nays: None  
260 The motion carried  
261 (Mrs. Spraggins not present at the time of this vote)  
262

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263 Mr. Molnar moved, Mrs. Tulley seconded, to **adopt RES. NO. 66-2008**, and post same  
264 according to law.

265 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
266 Nays: None  
267 The motion carried. **RES. NO. 66-2008, adopted**  
268 (Mrs. Spraggins not present at the time of this vote)  
269

270 Relative to RES. NO. 65-66-2008, Councilor Tulley recognized that each of the reappointments is  
271 to 6-year terms, a very long time she added to make a personal commitment.  
272

273 Mr. Molnar moved, Mr. Engle seconded, to **add to the agenda ORD. NO. 67-2008: AN**  
274 **EMERGENCY ORDINANCE AMENDING VARIOUS PROVISIONS OF CHAPTER 761 OF**  
275 **THE CITY OF MACEDONIA'S CODIFIED ORDINANCES PERTAINING TO PEDDLERS**  
276 **AND SOLICITORS**

277 Roll call: Ayes: Barker, Engle, Martin, Molnar, Tulley  
278 Nays: None  
279 The motion carried  
280 (Mrs. Spraggins not present at the time of this vote)  
281

282 **ORD.NO. 67-2008** was **offered** by Mr. Molnar for its **first reading by title only**. Second not  
283 required.  
284

285 **MOTIONS OR OTHER LEGISLATIVE ACTIONS:**

286  
287 ~Mr. Molnar moved, Mrs. Tulley seconded, authorizing the Service Director to advertise for  
288 bids relative to 2008 Pavement Markings of City streets  
289

290 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
291 Nays: None  
292 The motion carried  
293

294 ~Mrs. Spraggins moved, Mr. Barker seconded, authorizing the Service Director to advertise for  
295 bids relative to 2008 Full Depth Repairs of City streets.  
296

297 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
298 Nays: None  
299 The motion carried  
300

301 **CORRESPONDENCE:** ~ Letter of appreciation from resident Tony Luketic regarding Macedonia  
302 Police Officers Chris Neal, Scott Soreo and Aaron Clelland  
303

304 **PUBLIC COMMENTS:** None.  
305

306 **MAYOR'S REPORT:** No report due to the Mayor's absence  
307

308 **COMMITTEE REPORTS**

309  
310 **Planning Commission** Mr. Martin reported that the Planning Commission meeting of June 23  
311 was canceled due to a lack of a quorum. One member was ill, the other was out of town he said.  
312

313 **DEPARTMENT REPORTS**

314 **Service Department** Mr. Crevar reported that Summit Akron Solid Waste Management  
315 Authority is offering free confidential recycling and shredding of documents to Summit County  
316 residents at various locations throughout the County. Residents are welcomed to visit all events.  
317 The first shredding will occur at the Macedonia Family Recreation Center on Saturday, July 19  
318 from 9am until noon. The following events are September 13 in Green, September 20 in Akron,  
319 and October 18 in Barberton. Shredding is limited to 10 file boxes or shopping bags at one time.  
320 The events will be held rain or shine. More information can be obtained on Macedonia's website  
321 Mr. Crevar stated or at [www.saswma.org](http://www.saswma.org). Mr. Crevar also reported; Just under 50 tons has been  
322 collected from the

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325 cycle bins located at the Recreation Center; paper recycling has netted \$961 which he said has  
326 been used to offset the cost of the recycling bins; rubbish collection will be delayed because of  
327 Independence Day celebration; curbed streets have been swept for the second time this year; park  
328 crews have completed walkways to park pavilions and improvements have been made the ball  
329 fields at Longwood and Sugarbush.

330  
331 **Building Commissioner** Mr. Hlad was present. Report attached at end of this document.  
332

333 **Engineer** Mr. Hill reported: Applications to the Ohio Public Works Commission relative to  
334 the Highland Road Grade Separation and South Bedford Road are ready for the Mayor's  
335 signature; North Bedford Road paving is 95% complete; negotiations are underway with ODOT  
336 and the design engineer relative to the SR82 Phase 3 project; an ordinance authorizing the City to  
337 quit-claim the North Freeway Drive sanitary sewer pump station to Summit County Department  
338 of Environmental Services will be on Council's July 10 agenda; Shepard Road Phase 2 sanitary  
339 sewer project design plans are 95% complete; the temporary emergency access drive from City  
340 Center property to SR 82 is under construction, the DSCC continues to meet and prioritize  
341 recommendations relative to storm water management and lastly, the South Freeway Drive  
342 project is going to be re-bid because the only one bid received was over 10% of the engineer's  
343 estimate. Mr. Hill assured Council that if the South Freeway Drive project can not be completed  
344 in totality by year's end that at least the storm sewer portion will be.  
345

346 **Recreation Department** Ms. Gmerek was absent.  
347

348 **Finance Department** Mr. Brunot reported that income tax court generated \$76,000 to date.  
349 More revenue may be generated from a number of outstanding cases he added.  
350

351 **Fire Department** Chief Black was absent.  
352

353 **Police Department** Chief Golden had no report.  
354

355 **Law Department** Mr. Diemert had no report.  
356

357 **Unfinished business** Councilor Spraggins asked that the service department's policy relative  
358 to the distribution of free mulch be discussed at Council's next work session. Council received  
359 an email from John Duplay about the policy. Mrs. Spraggins said Mr. Duplay's comments and  
360 questions are reasonable and she felt they needed to be addressed. She asked Service Director  
361 Crevar to be present at that discussion.  
362

363 With regards to another matter, Councilor Tulley asked Chief Golden to address the temporary  
364 signal light at the intersection of Ledge and S. Bedford to which the chief answered that it was  
365 installed in anticipation of increased traffic due to SR82 construction. The chief explained that  
366 prior to construction, it was determined by him and former Engineer Fred Tufts that a signal light  
367 would help manage the additional traffic anticipated from vehicles being diverted from the  
368 highway. The expected volume has yet to be realized he said in part because of the unanticipated  
369 closure of the intersection of N. Bedford and Valley View Roads. The signal light may need to  
370 be activated but at this point it is not necessary. Since the light is only on a timer he is not sure  
371 how effective the light will actually be in moving traffic more swiftly. The light is not trip  
372 sensitive and there is no spot in the area to mount a laser. For all practical purposes he stated the  
373 four way stop is working efficiently. Traffic only seems to back-up around 5:30pm and it seems  
374 that it is only the eastbound traffic that is seems to be the problem he added he added  
375

376 **New business** None.  
377

378 **Recess** At 8:25pm Mr. Engle moved, Mr. Martin seconded, to recess for ten  
379 minutes.  
380

381 Roll call: Ayes: Barker, Engle, Martin, Molnar, Spraggins, Tulley  
382 Nays: None  
383 The motion carried  
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385 Council reconvened from recess at 8:35pm  
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391 **Hearing Relative to Termination of Employee Marie Meehan**

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Council President Engle announced that this hearing is being held at the request of Marie Meehan who is appealing her termination by Mayor Kuchta. Ms. Meehan is represented by Attorney Michael Creveling. Mr. Engle announced that Briefs and supporting evidence has been presented in written form by the City and Mr. Creveling.

Mr. Creveling informed Council that Ms. Meehan has requested that her hearing be held in an executive session, that it not be held in public.

Law Director Diemert advised Council that under Ohio Revised Coded 121.22(G)(i), Ms. Meehan may opt for her hearing to be held in an executive session. In Mr. Diemert's opinion Council should grant Ms. Meehan her request in as much as medical testimony may be given.

Councilor Spraggins asked Mr. Diemert who would be included the executive session to which he answered members of Council, Ms. Meehan, her legal counsel, Building Commissioner Mike Hlad and those witnesses who have signed affidavits. Mr. Diemert explained that after testimony Council may deliberate in private but must reconvene into public session to take action to affirm, reverse or modify Ms. Meehan's discharge.

Mr. Creveling advised Mr. Diemert that there must be a separation of witnesses in as much as employees are not entitled to the dissemination of confidential medical information.

Mr. Diemert assured Mr. Creveling that Mr. Hlad as the administration's representative and whoever else is included in the hearing will be bound be executive privilege.

Mr. Creveling asked if they'd be bound by HIPPA laws as well to which Mr. Diemert answered yes.

Councilor Tulley questioned who Mr. Creveling would limit in the executive session. Would it be just Mr. Hlad and Mr. Diemert? Any witnesses she could be called in separately could they not she asked Mr. Diemert to which he answered yes.

Councilor Spraggins informed Mr. Creveling there will be no transcript if the hearing in an executive session. Therefore there will be no documentation if there is an appeal she stated

Mr. Diemert reminded Mrs. Spraggins that it is employee's prerogative whether the hearing is held publicly or privately.

Mr. Creveling stated minutes of an executive session are required to which he was informed by Mr. Diemert that they are not in executive sessions of Council. Mr. Diemert suggested that Clerk Arceci be included in the executive session to digitally record the hearing to which Mr. Creveling agreed.

Councilor Spraggins asked if the digital recording will be considered a public record to which Mr. Diemert answered that it will not unless Ms. Meehan chooses to use it if there is an appeal of Council's decision.

Councilor Barker asked Mr. Diemert if anyone can have access the digital recording to which he answered no, only Ms. Meehan or her legal counsel.

It was determined that in addition to Mr. Diemert, Mr. Creveling, Ms. Meehan and the members of Council that Mr. Hlad, as the administration's representative and Mrs. Arceci, to digitally record the hearing would be included in the session and as stated previously would be bound by executive privilege and the HIPPA laws.

**Executive Session**

**Mr. Engle moved, Mr. Barker seconded, to adjourn into Executive Session for the purpose of an employee hearing. (ES requested by employee pursuant to ORC 121.22(G)(i))**

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

**At 9:35pm, Council reconvened into regular session at which time the following motion was made.**

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**Motion Relative to Termination of Marie Meehan**

**Mr. Engle moved Mr. Barker seconded, to deny the appeal of Ms. Meehan and to affirm her termination by Mayor Kuchta.**

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

There being no further business before Council, the meeting adjourned at 9:36pm

FROM:           MIKE HLAD, BUILDING COMMISSIONER  
SUBJECT:       BUILDING COMMISSIONER'S REPORT  
DATE:           JUNE 26, 2008

Pursuant to the regularly scheduled Council Meeting, I offer the following:

**Major Infrastructure Projects:**

**Route 82:** Kenmore Construction is on schedule. They have completed drilled shafts for forward abutment and are awaiting approval on expansion joint, bearings and structural steel.

**Building Department:**

**Summit Point:** Will have time-limited occupancy to allow for furniture, computer installations, ect.

**Valley Creek Subdivision:** Will be moving forward on Phase 2.

**Mary Maria:** Stripped topsoil. Work on retention area and will start storms in a few weeks.

**Chick-Fil-A:** Storm sewers have been completed. Placing subbase and pavement to follow possibly next week. Looking for August 7<sup>th</sup> opening.

Also, Windstream will be splicing beginning this Sunday from 8:00 pm to 6:00 am. They will be working Sunday through Thursday for four to five weeks. Route 82 will only have one lane open during these hours and noise will be minimal.

Gene Hill will be presenting the Engineer's Report.

This conducts my report.

cc:     Mayor Kuchta  
      MEH/km