

Record of Proceedings

Regular Council Meeting

March 13, 2014

Presiding Officer, Mayor Donald Kuchta called the March 13th regular meeting of Macedonia City Council to order at 7:34pm.

Present: Council members' Rita Darrow, David Engle, Sylvia Hanneken, Nicholas Molnar and Janet Tulley; Council Clerk Josephine Arceci and Law Director Joseph W. Diermert

Absent:

PLEDGE OF ALLEGIANCE was led by Councilor Engle

INVOCATION was led by Councilor Tulley

PROCLAMATION Motorcycle Awareness Month

PUBLIC COMMENTS

Resident Fred Quigley of the Villas of Taramina complained that the flags on display at the City Center are staffed incorrectly. Mr. Quigley offered his expertise regarding the correct display the American flag and the correct display and height of state, county and city flags when they are displayed with the American flag.

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD. NO. 26-2014

AN ORDINANCE APPROVING THE 2014 ANNUAL APPROPRIATIONS was offered by Ms. Hanneken for its **second reading by title only**. Second not required.

ORD. NO. 27-2014

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A THREE-YEAR CONTRACT WITH THE OHIO MUNICIPAL JOINT SELF INSURANCE POOL FOR THE PURPOSES OF OBTAINING LIABILITY INSURANCE FOR THE CITY OF MACEDONIA was **offered** by Mr. Molnar and moved Council 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 Ms. Tulley.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Mr. Molnar moved, Ms. Tulley seconded, to **adopt ORD. NO. 27-2014**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **ORD. NO. 27-2014, declared adopted**

ORD. NO. 28-2014

AN ORDINANCE CREATING AN INDIGENT DRIVER INTERLOCK AND ALCOHOL MONITORING FUND 215 PURSUANT TO THE MANDATES OF STATE LAW was **offered** by Mr.

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Engle and moved Council 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: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Mr. Engle moved, Ms. Darrow seconded, to **adopt ORD. NO. 28-2014**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **ORD. NO. 28-2014, declared adopted**

Relative to ORD. NO. 28-2014, Councilor Engle explained that creating the fund is mandated by state law. It pertains to individuals who have driven while under the influence. There is no cost to Macedonia in this regard and therefore the creation of the fund is neutral to the budget.

ORD. NO. 29-2014

AN ORDINANCE ACCEPTING THE PROPOSED WATER MAIN EASEMENT FOR THE RESIDENTIAL DEVELOPMENT KNOWN AS THE "ENCLAVE AT MACEDONIA" was **offered** by Ms. Tulley and moved Council 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. Engle.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Ms. Tulley moved, Ms. Darrow seconded, to **adopt ORD. NO. 29-2014**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **ORD. NO. 29-2014, declared adopted**

Relative to ORD. NO. 29-2014, Engineer Fini explained that this rental development is and therefore the reason the easement had to be accepted by Macedonia. The site of the Enclave is at the south end of South Park Blvd.

RES. NO. 30 -2014

A RESOLUTION AUTHORIZING THE MAYOR TO FILE, ON BEHALF OF THE CITY MACEDONIA, AN APPLICATION TO THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY (THE AUTHORITY) FOR COMMUNITY RECYCLING ACCESS GRANT was **offered** by Ms. Hanneken and moved Council 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 Ms. Tulley.

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Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Ms. Hanneken moved, Ms. Tulley seconded, to **adopt RES. NO. 30-2014**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **RES. NO. 30-2014, declared adopted**

Relative to RES. NO. 30-2014, Service Director DeGaetano explained that the annual grant of almost \$10,000 is utilized in several ways. Proportionally the grant helps pay for the ReWorks recycling bins located in the parking lot of the Recreation Center, for a part-time employee during the leaf removal seasonal and for seventy \$10 gift cards for residents who actively participate in recycling.

RES. NO. 31-2014

A RESOLUTION AUTHORIZING THE APPROVAL AND ADOPTION OF THE SUMMIT COUNTY HAZARD MITIGATION PLAN AND FOR THE EXECUTIVE'S DEPARTMENT OF LAW, INSURANCE AND RISK MANAGEMENT DIVISION OF PUBLIC SAFETY/EMERGENCY MANAGEMENT AGENCY AND DECLARING AN EMERGENCY was **offered** by Mr. Molnar and moved Council 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. Engle.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Mr. Molnar moved, Ms. Engle seconded, to **adopt RES. NO. 31-2014**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **RES. NO. 31-2014, declared adopted**

MOTIONS OR OTHER LEGISLATIVE ACTIONS

~Ms. Tulley moved, Mr. Molnar seconded authorizing the Mayor to accept on behalf of the City of Macedonia a donation from Ferfolia Funeral Homes Inc., of One Hundred Dollars (\$100.00) for use by the Macedonia Senior Center

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

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~ Ms. Hanneken moved, Mr. Engle seconded to **take off the table ORD. NO. 133-2013.**

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Ms. Hanneken **offered ORD. NO. 133-2013** and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for its second and third readings.** Second by Mr. Engle.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried

Ms. Hanneken moved, Mr. Engle seconded, to **adopt ORD. NO. 133-2013,** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **ORD. NO. 133-2013, declared adopted**

Relative to ORD. NO. 133-2013, Councilor Hanneken mentioned that the longevity table for the non bargaining unit employees now correlates with the contracts of all the bargaining units. The dollar amount relative to the non-union employees is relatively insignificant she added. The most important aspect of the legislation is that longevity will no longer be paid to those who resign. It will only be paid to employees who retire.

CORRESPONDENCE: None

MAYOR'S REPORT:

“The House Bill 377 is still moving through the Ohio House of Representatives with a Senate Bill in tandem. This is the Bill that could be worth \$62,000 to the City of Macedonia. \$1 million is due to go to the Village of Northfield from the State for hosting a Casino. Some State Representatives feel that part of that money should go to Walton Hills and part to Macedonia to be fair. This was their idea and not ours. Can we count on this money? No. Could we eventually get it? Yes. Are there problems between us and Northfield because of it. No. We work in tandem with them in every phase of our Safety Forces and would never jeopardize our relationship. Macedonia has testified at the hearings saying that we could use some money because of infrastructure updates that can partially be attributed to the Rocksino. The perfect solution would be to give each community the amounts being addressed. We don't want our neighbors being shortchanged.

There is so much happening in this town as far as infrastructure and building that it is mind boggling. You will soon see trees coming down on South Bedford for an assisted and unassisted

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living complex along with a private housing development. Orange barrels will pop up on Route 82 and Interstate 271. Be ready. Plan for it. Look for alternate routes. Sign up for our Police Nixle text program.

As agonizing as it is to deal with, remember that all of that building and road widening will help your City be stronger in the future. Also keep in mind that the City has no intention to evict people. The house that will be taken for the new Interstate 271 ramp was for sale before the ramp was even on paper. A check list of procedures mandated by ODOT are put in place to protect both the seller, and the City, to make sure nobody gets the short end of the stick.

We finally started to get road salt and will probably be playing catch up all summer. That's how far behind our deliveries are. Using salt on our roads helps to keep us safe, but on the flip side we are expecting our roads to suffer greatly from this winter. There is a new product and process for dealing with chuckholes that is being tried in Cleveland. We will be watching this in the following months and will consider it in the future if it works as advertised. For right now we can only do the best we can with "cold patch". This new product being tried in Cleveland claims to adhere better than cold patch. Cold patch fills a hole quickly.... and can leave it again just as quickly if conditions are conducive to that happening. The same hole can be filled 4 or more times. It happens all the time. If you have our Macedonia App on your smart phone you can take pictures of chuck holes and we will know exactly where you took that picture. The Macedonia app is now updated with new pictures of Council and staff and has even more important information to give you better service quickly and efficiently.

We have updated our City Website and are expecting changeover tonight. I anticipate it being much improved after weeks of intensive work by my assistant Diana and Julie D'Aloiso. I am copied on their efforts during the process and can verify the intensity! Go to www.macedonia.oh.us to see it, or you can access it from our smart phone app.

We are still taking applications from streets, neighborhoods, and Home owners associations to participate in our WEWS Building Better Neighborhoods program. Contact my office if you would like to participate in this program that will highlight our City as a desirable place to live. Your group will meet with, and establish a relationship with, our Police Department, and it will show that you and your neighbors care about safe neighborhoods. This will result in representatives from our City neighborhoods appearing on WEWS, Channel 5.

Remember we are only 7 days away from the first day of Spring and Happy Saint Patrick's Day!"

COMMITTEE REPORTS

Finance Committee Councilor Hanneken reported that about 25 residents attended the March 6 town hall financial briefing. Cable 9 recorded the event which will be aired shortly on Time Warner Cable. A video disc of the briefing will also be available. Ms. Hanneken thanked Finance Director Svab for preparing the power-point presentation. Ms. Hanneken also thanked those who provided feedback. Ms. Hanneken mentioned Council held a third finance meeting on March 10. At this point Council is down to

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its several last decisions. The operating budget was culled by 3% yielding \$41,000 to support in part hiring a full-time dispatcher. Final discussion on the budget will be held at the March 27 meeting.

Mayor Kuchta asked Ms. Hanneken to arrange a finance meeting with the department heads prior to the last meeting and last reading of the ordinance to which Ms. Hanneken responded there already has been several meetings and she feels the final revised version of the budget that presented this evening (during work session only) contains additional input of about \$3M, including the aerial ladder fire truck that was requested. Ms. Hanneken continued, the budget has been “whittled-down” to what she considers an affordable shape for this year. She is unaware of any new issues that need to be addressed.

Planning Commission Councilor Darrow announced Planning will meet Monday, March 17 at 5:30pm when it will review a request for conditional use permit for long term care, a nursing home and accessory uses and proposal for site plan approval at 9735 Valley View Road. There is also a proposal for site plan approval at 9730 Valley View Road, and proposals for a dynamic display sign at United Methodist Church, a wall sign at Windmill Golf Center, a re-plat to convert Lots 1 & 7 to common area on Cielo è Terra Drive and an antenna addition at City Hall.

JEDD Councilor Darrow announced the March 19 meeting has been cancelled.

Parks & Recreation Commission Councilor Tulley announced that the Commission hasn't been able to meet because of inclement weather. An attempt is being made to meet Wednesday, March 19 at 7pm. P&RC meetings are held at Recreation.

DEPARTMENT REPORTS

Service Department Director DeGaetano reported that he will be purchasing three tons of high performance cold patch that is marketed to be effective in subzero temperatures. This patch costs about \$25 more per ton than regular patch but will be worth it if it remains intake he stated. The patch will be applied to heavily used roads like Highland or Valley View he added. Mr. DeGaetano reported that service has been performing the electrical updates and remodeling in police department and dispatch center.

Building Commissioner Mr. Hlad reported that his department is working on the building standards report for 2013. The assisted living facility by Girl Scout Way has been issued clearing permits. The grading permit will be issued in several weeks.

Engineer Mr. Fini had no report.

Recreation Department Ms. Gmerek reported that over the next several weeks her staff will be reaching out via postcards to former recreation members who were subject to additional \$50 maintenance fee. The postcard provides for complimentary services as a way for them to reacquaint themselves to the facility. Another incentive is a \$50 credited towards membership renewal or programming. Ms. Gmerek announced that there will be an open house for the general public on Saturday May 17 when visitors will

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have total access to the fitness areas and the pool. There will exercise demos that day as well as chair massages and similar type activities. Anyone signing up during the open house will receive a free month on their year membership. During the week of May 18-24 numerous classes will be opened to the public she added.

Finance Department Mr. Svab thanked members of the staff who helped during the last ODNR funded fishing day that was held at the Recreation Center on March 8. Mr. Svab mentioned that about 30 children attended last week's event so combined with the event held on February 15th a total of 55 learned how to fish. The next event will be outdoors at Longwood Lake in June when he hopes it will be as successful as last's year. All the events have been funded by ODNR grants he added. Mr. Svab mentioned he saw a Tesla vehicle using the Tesla charging center that is located at the north end of Macedonia Commons. Regarding the budget, Mr. Svab thanked all the department heads for their cooperation given the downturn in the revenue stream.

Fire Department Chief Black had no report.

Police Department Chief Golden reported that many residents who do not have smartphones or cell phones with texting capabilities may sign up to receive Nixle traffic and weather alerts via their emails. Residents need only go to Nixle.com and sign up to receive the warnings.

Mayor Kuchta commended Macedonia's police officers for their different acts of courage as highlighted in the March 12th edition of the NewsLeader.

Law Department Mr. Diemert announced that on behalf of Macedonia he received a settlement check from the City of Cleveland for \$107,244 relative to the Highland Road water main break. Mr. Diemert announced as well that the City should be receiving in the next several weeks a check for \$50,000 from Macedonia Investors as part of terms of their settlement agreement. The money is to be used for sidewalks.

Unfinished business None.

New business Councilor Tulley asked Mr. Svab if all the electronic time clocks have been dismantled and returned and if Macedonia has been refunded or will be refunded the cost of the clocks.

Mr. Svab answered that two of the clocks are in boxes in his office. The third clock is still at the Recreation Center and that only one of the three clocks was paid for. Mr. Svab still has to contact the vendor to learn what can be done. Mr. Svab suggested the clocks still be implemented in other locations because existing clocks are old or outdated.

Councilor Molnar asked Mr. Svab the cost of the one clock to which he answered \$3600. Including the software the total cost was \$7100 Mr. Svab added. Mr. Molnar asked Mr. Svab to email Council a full accounting of the clocks.