

Record of Proceedings
Regular Council Meeting
April 10, 2014

1 Presiding Officer, Mayor Donald Kuchta called the April 10 regular meeting of Macedonia City Council
2 to order at 7:32pm.

3
4 **Present:** Council members' Rita Darrow, David Engle, Sylvia Hanneken, Nicholas Molnar and
5 Janet Tulley; Council Clerk Josephine Arceci and Law Director Joseph W. Diemert, Jr.

6
7 **Absent:** None

8 **PLEDGE OF ALLEGIANCE** was led by Councilor Engle

9 **INVOCATION** was led by Councilor Molnar

10
11 **MINUTES** Ms. Tulley moved, Mr. Molnar seconded to approve the minutes of the regular meeting of
12 March 27 and special meetings of March 29 & 30, 2014 as submitted by the clerk of council.

13
14 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
15 Nays: None
16 The motion carried
17

18 **PUBLIC COMMENTS** None

19
20 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

21
22 **RES. NO. 33-2014**

23 A RESOLUTION URGING OHIO VOTERS TO SUPPORT STATE ISSUE 1, RENEWAL OF THE
24 STATE CAPITAL IMPROVEMENT PROGRAM ON THE MAY 6, 2014 BALLOT was **offered** by Ms.
25 Hanneken moved Council waive the requirement that it be read by title on three different days, instructing
26 the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar.

27
28 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
29 Nays: None
30 The motion carried
31

32 Ms. Hanneken moved, Mr. Molnar seconded, to **adopt RES. NO. 33-2014**, and post same according to
33 law.

34 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
35 Nays: None
36 The motion carried, **RES. NO. 33-2014, declared adopted**

37 **RES. NO. 34 -2014**

38 A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF LOU TOWNSEND TO
39 THE AUDIT COMMITTEE was **offered** by Mr. Engle moved Council waive the requirement that it be
40 read by title on three different days, instructing the Clerk to read it by **title only for all three readings**.
41 Second by Mr. Molnar.

42
43 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
44 Nays: None
45 The motion carried
46

47 Mr. Engle moved, Mr. Molnar seconded, to **adopt RES. NO. 34-2014**, and post same according to law.

48
49 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
50 Nays: None
51 The motion carried, **RES. NO. 34-2014, declared adopted**

52 **ORD. NO. 35-2014**

53 AN ORDINANCE CONFIRMING THE APPOINTMENT OF JUSTIN LEE TO THE POSITION OF
54 PART-TIME SERVICE DEPARTMENT was **offered** by Ms. Tulley moved Council waive the
55 requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for**
56 **all three readings**. Second by Mr. Molnar.

57
58 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
59 Nays: None
60 The motion carried
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63 Ms. Tulley moved, Mr. Molnar seconded, to **adopt ORD. NO. 35-2014**, and post same according to law.

64

65 Roll call: Ayes: Darrow, Hanneken, Molnar and Tulley

66 Nays: Engle

67 The motion carried, **ORD. NO. 35-2014, declared adopted**

68 **ORD. NO. 36-2014**

69 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER A PURCHASE CONTRACT WITH
70 INCOM INTREGRATED COMPUTER SYSTEMS INC, IN ORDER TO UPGRADE THE CITY'S
71 EXISTING VIDEO SYSTEM was **offered** by Ms. Darrow for its **first reading by title only**. Second not
72 required.

73

74 **ORD. NO. 37-2014**

75 AN ORDINANCE AMENDING AND SUPPLEMENTING THE 2014 ANNUAL APPROPRIATIONS
76 ORDINANCE NO. 26-2014 was **offered** by Ms. Hanneken moved Council waive the requirement that it
77 be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**.
78 Second by Mr. Molnar.

79

80 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley

81 Nays: None

82 The motion carried

83

84 Ms. Hanneken moved, Ms. Darrow seconded to **amend ORD. NO. 37-2014, Section 2 as follows:**
85 **Deleting in entirety Fund 101.180.5380 LEGAL SERVICES in the amount of \$12,500.00 and**
86 **reducing Fund 101.180.5600 ARCHITECTURAL & ENGINEERING from -\$14,000.00 to**
87 **-\$1500.00.**

88 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley

89 Nays: None

90 The motion carried

91

92 Ms. Hanneken moved, Mr. Engle seconded, to **adopt ORD. NO. 37-2014, as amended** and post same
93 according to law.

94

95 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley

96 Nays:

97 The motion carried,

98 **ORD. NO. 37-2014, declared adopted as amended.**

99 **ORD. NO. 38-2014**

100 AN ORDINANCE AMENDING ORDINANCE NO. 26-2014 IN ORDER TO APPROPRIATE FUNDS
101 FOR THE AIRLANE DRIVE IMPROVEMENT PROJECT was **offered** by Mr. Molnar for its **first**
102 **reading by title only**. Second not required

103

104 **ORD. NO. 39-2014**

105 AN ORDINANCE AMENDING ORDINANCE NO. 26-2014 IN ORDER TO APPROPRIATE FUNDS
106 FOR THE WESTWOOD DRIVE IMPROVEMENT PROJECT was **offered** by Mr. Molnar for its **first**
107 **reading by title only**. Second not required

108

109 **MOTIONS OR OTHER LEGISLATIVE ACTIONS**

110

- 111 • Ms. Hanneken moved, Ms. Darrow seconded, for the Mayor to accept on behalf of the City of
112 Macedonia a donation to Macedonia Senior Center of Four Hundred Fifty Dollars (\$450.00) from
113 Sylvia Hanneken.

114

115 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley

116 Nays: None

117 The motion carried

118

119 Councilor Molnar questioned whether Council shouldn't be reconsidering the line itemed veto of
120 Ordinance No. 26-2014 at this meeting to which Mayor Kuchta responded only if the motion would have
121 appeared on the agenda.

122

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126 **CORRESPONDENCE:**

127

128 ~Letter of appreciation from Macedonia residents Harry & Sarah Klein to Mayor Kuchta relative to
129 Sergeant Aaron Clelland and service department personnel Bryan Schuman and Bob Blazek regarding
130 their expedient response and professionalism in helping prevent their basement from flooding.

131

132 ~Letter of appreciation from Macedonia resident Mary Anne Kickel to Chief Jon Golden regarding police
133 personnel providing a vacation watch of her home.

134

135 **MAYOR'S REPORT:**

136

137 "First I need to thank Congressman Dave Joyce for going to bat for Macedonia's fire department.
138 In a letter to the U.S. Department of Homeland Security (FEMA) dated March 26, 2014, he
139 supported our request for equipment from the SAFER grant program. The equipment we are
140 applying for ranges from turnout gear to a new hook and ladder truck. The hook and ladder truck
141 is actually a regional grant because we are applying for it with our neighboring community fire
142 departments of Northfield, Northfield Center, Sagamore Hills.. We have an excellent service
143 record and excellent mutual aid programs in place that put us in a short line to get a grant. That
144 doesn't mean that it is for sure that we get the grant, but the Fire Chiefs of our communities have
145 shown outstanding cooperation in this joint effort making sure that they dot the i's and cross the
146 t's. A new aerial would be a tremendous asset to the Nordonia Hills communities.

147

148 Don't forget to keep looking for alternate routes as the building season approaches us. The
149 amount of upgrading and renovating of our roads over the next two years will be a thorn in our
150 side until they are completed. Besides widening 271 and installing the new ramp, we will be
151 addressing the turning lanes on 82. To put into perspective the huge impact this project will have
152 on traffic flow just consider this one facet...to turn left going west bound onto the Commons, the
153 turning lane is 125 feet or so long. It will be 620 feet long when finished! Going east to turn onto
154 South Freeway the turning lane is about 160 feet long. It too will be 620 feet long when this
155 project is done. Just doing that will maximize traffic flow by doing away with the spillover traffic
156 from the turning lanes that we experience today. Also keep in mind that road construction is a
157 source of revenue for your City services. So...yes we will be impacted. But once completed, the
158 nightmare traffic jams and potential deadly areas will be gone, and City Income Tax will be paid
159 by the workers to support your City services.

160

161 There will also be buildings and housing developments forthcoming that will keep our short
162 handed Building Department humming, and may create some burden on our roads. Once again,
163 when these buildings are built and when completed, they will be a source of revenue for
164 Macedonia's coffers. Two skilled nursing facilities appeared before our Planning Commission
165 recently, so that's a big step forward toward having them locate here. However, we can't count our
166 chickens before they are hatched. We just need to keep our fingers crossed. You probably saw
167 renderings of the buildings in the newspaper. They are both beautiful buildings. What a
168 tremendous asset they would be to our community.

169

170 The Ohio Municipal League and the Mayor Associations are still fighting the battle at the State
171 House to stop the state from using our revenue to balance their budgets. Right now one of the
172 worst offenders out of proposed legislation is House Bill 5. It has passed in the House of
173 Representatives and is working its way through the Senate. So far our State Senator Frank
174 LaRose has been our ally in trying to protect Municipal funding and home rule. Thank you
175 Senator LaRose.

176

177 There was also a meeting about making route 8 into interstate 380. Even though ODOT listed
178 reasons why it can't happen, many communities in the "corridor" along Route 8, and the Akron
179 Metropolitan Area Transportation System (AMATS) are still looking for a way to make this
180 happen for Economical Development reasons.

181

182 The thinking process is that the existing road (Route 8) is built to specifications to be an
183 Interstate, and the cost would probably be just things like signage. Saying the road is just too
184 short to be an Interstate doesn't fly either because there are Interstates adjacent to big Cities that
185 are shorter. My feeling is that it is justified because of the arguments that I have heard in favor of
186 doing it. Any tiny tweaking that may get more businesses in Macedonia to be healthier can only
187 be a good thing. I have been in contact with Congressman Joyce's office and we will be meeting
188 with ODOT and other corridor Mayors with the Congressman to try to move this idea forward.

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189 Check out our new website! Thank you for all the efforts and hours spent making it easier to
190 navigate by Diana Augustine and Julie D'Alosio. Why is this so important? Last year our website
191 had close to 3 million hits.

192
193 Macedonia is also coming out with a community magazine soon that will showcase our City, and
194 our businesses, and our community as a whole. This is a great place to be.

195
196 The total revenue from Mayors court is \$31,942.85.

197
198 Happy Easter”

199
200 **COMMITTEE REPORTS**

201
202 **Finance Committee** Councilor Hanneken announced that the Finance Town Hall meeting held on
203 March 6 is being aired on Cable 9 at 3pm on Wednesdays, April 2nd, 9th and 16th and at 4:30pm on
204 Saturdays, April 5th, 12th and 19th.

205 **Streets & Highway Committee** Councilor Hanneken announced two meetings have been
206 scheduled relative to road issues. The first is April 24, 6:30pm-7pm the topic of which is the
207 Route 8 right in/right out cut through at the southwest section of The Crossings at Golden Link.
208 Discussion relative to this meeting will include the potential plan, the cost and who would pay
209 for it. The other meeting on Thursday, May 15, 7-8:30pm is for the purpose of reviewing
210 Macedonia’s repair and maintenance road program.

211 **Planning Commission** Councilor Darrow announced that Planning’s next meeting is Monday, March 17
212 at 5:30pm. The agenda includes the following proposals: storage building at Dave’s Auto Body, 9270
213 Valley View Road; storage container at Discount Tire, 587 East Aurora Rd; graphic change to ground at
214 Parker Technology Ventures, 1390 East Highland Rd; signage change at 7-Eleven, 316 East Highland Rd;
215 site plan amendment relative to the Villas of Taramina and a south side variance at 1265 Juniper Court.

216
217 **Service Department** Director DeGaetano thanked the Mayor and Council for appointing Justin Lee to
218 the part-time service position. Mr. DeGaetano reported that service personnel continue renovating
219 Macedonia’s dispatch center as well as making electrical upgrades in certain areas of the city center. The
220 next in-house project he said is replacing lighting at the Recreation Center. Mr. DeGaetano announced
221 that that the leaf collection program is over for this year. He apologized to residents who still may have
222 leaf piles. He suggested that resident dispose the leaves by bagging them and placing them in the weekly
223 trash. Regarding road repairs, Mr. DeGaetano reported that crews laid 33-ton of cold patch over the last
224 several weeks. Regarding the meeting the Mayor mentioned in his report, Mr. DeGaetano who also
225 attended added how proud he is of Macedonia’s service department particularly realizing their effective
226 compared to larger departments who actually take care of less lane miles.

227
228 **Building Commissioner** Mr. Hlad reported that the preconference relative Redwood rental
229 housing project is April 11. Mr. Hlad mentioned that a stop work order has been applied to GFS (Gordon
230 Food Service) because of severe damage their construction crews caused to the interior roads in
231 Alexandria Square. The interior roads were not designed to withstand the weight off-road construction
232 equipment he added. Mr. Hlad also reported that the shell of the new retail center at northeast corner of
233 Routes 8&82 has been approved. He reported too that Penske Rental is moving into a formerly vacant
234 building at 1261 Highland Road. Vista Springs (assisted living facility in vicinity of Girl Scout Way) will
235 be breaking ground a little later in the season than previously anticipated he reported.

236
237 Mayor Kuchta interjected that the Alexandria Square interior roads are private. The roads do not have the
238 depth capacity and therefore cannot support the payload of the heavy equipment normally used during
239 construction. The stop work order is to avoid additional damage to the roads and force the contractor and
240 property owner to make full repairs.

241
242 Mr. Hlad interjected the property owner has 30-days in which to make the repairs.

243
244 Councilor Darrow questioned Mr. Hlad if the interior road is between GFS and Tractor Supply. She
245 noticed how seriously buckled it is but in her opinion the damage was caused by the extreme cold.

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248 Mr. Hlad explained to Ms. Darrow that he witnessed an over-loaded construction vehicle use the road.
249 The heaviness of the vehicle caused the problem. The interior road only has a depth of 4-inches and
250 therefore does not have the capacity to withstand heavy payloads. Today that depth would never be
251 allowed Mr. Hlad added. The issue at hand Mr. Hlad stated is that the interior roads have been damaged
252 by overloaded vehicles and thus the reason for the stop work order.

253

254 **Engineer** Nick Fini reported that engineering has a pre-bid meeting with ODOT next week relative to
255 the IS271 widening project. The sale (bid) of the project is due in the next weeks he added. The SR82,
256 phase 3, right-of-way acquisition is on schedule. This project is due to be sold (bid) the first part of 2015
257 with construction to begin shortly thereafter. He added that the resurfacing of the westerly portion of
258 SR82 will also be sold in 2015. Mr. Fini announced that the engineering plan relative to the Gardens of
259 Highland has been approved. This project should only take a week barring landscape restoration he
260 added. Regarding the damage to Alexandria Square's interior roads, GFS' engineers have submitted a
261 repair plan which GPD is now reviewing. Given however that asphalt plants aren't operational yet
262 complete restoration cannot be made until they are he added.

263

264 Councilor Molnar asked Mr. Fini what the standard depth of interior roads should be to which Mr. Fini
265 answered minor roads should be 12"- six inch gravel base topped with six inches of asphalt. Regarding
266 Gardens of Highland Mr. Molnar asked if engineering will be letting the HOA know when the project
267 will begin to which Mr. Fini explained that the HOA has been actively involved throughout the entire
268 process. Additionally, GPD requires that the contractor send notices to each homeowner at least 72-hours
269 before the project begins. Mr. Molnar asked Mr. Fini for a summation of the project via email so that Mr.
270 Molnar may forward it to a GOH resident who frequently makes inquiries of Mr. Molnar.

271

272 Councilor Hanneken asked Mr. Fini of any news regarding relocating the IS271 onramp to which Mr.
273 Fini answered that ODOT is currently only in the right-of-way accusations phase the project. To his
274 knowledge no offers have yet to be been he added. GPD will be meeting with ODOT in about two weeks
275 so thereafter Mr. Fini said he'll be able to provide more of an update.

276

277 **Recreation Department** Ms. Gmerek reported that last week-end over 100 meals were served during
278 Recreation Center's annual Breakfast with the Easter Bunny. On Saturday, April 12 the annual Aquatic
279 Easter Egg Hunt will be held. Registration for this event is required. The annual outdoor Easter Egg
280 Hunt will be held on Saturday, April 9 for toddlers to children age 9. The hunt starts at 10am; it is free
281 and to ensure that everyone has a good time and finds egg participants will be divided in age groups. The
282 Easter Bunny this year will arrive by police cruiser she added. The Recreation Center is closed Easter
283 Sunday.

284

285 **Finance Department** Mr. Svab reported Macedonia received \$15,261 as a result of selling five older
286 and unused police cruisers on GovDeals.com. The city had no transactions fees relative to the sale Mr.
287 Svab added. Regarding R.I.T.A's most recent reporting, Mr. Svab stated that revenue through March
288 compared to last year at this time is down by 13% or \$77,000. For the first three months of this year
289 however collections are down 7.7%, or \$157,716. Mr. Svab added the month of May will be more
290 telling once the bulk of collections are received. Mr. Svab reported, as he has previously that this year's
291 Family Fishing Day will be in June on the week-end of Father's Day. Mr. Svab anticipates this year there
292 will be at least 100 attendees. The event will cost about \$6,000 all of which has been generated through
293 grants he added.

294

295 **Fire Department** Chief Black was not present.

296

297 **Police Department** Chief Golden had no report.

298

299 **Law Department** Mr. Diemert had no report.

300

301 **Unfinished business** Councilor Hanneken stated that the final appropriation adopted on March 30th
302 included funding for training police and dispatchers. Based on recent news coverage the impression has
303 been given Ms. Hanneken stated that these funds were cut. The final dollar amount approved was the
304 same dollar amount originally submitted in the budget that was proposed on February 24th.

305

306 Regarding another topic, Councilor Molnar asked Mr. Svab if the time clocks have been removed and
307 refunded to which Mr. Svab responded the clocks have been removed and the vendor has been notified
308 that they are ready for pick-up. The clocks have not been refunded.

309

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310 Councilor Molnar asked Mr. Diemert if the time limit relative Mayor Kuchta's veto expired to which Mr.
311 Diemert answered that it has. If Council had chosen to this evening it could have moved to override the
312 veto. Absent the lack of councilmatic action the veto stands and thus the 2014 appropriation ordinance
313 stands as it has been impacted by the veto Mr. Diemert stated.

314

315 **New business** None.

316

317

318 There being no further business before council, the meeting adjourned at 8:16pm.

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322

323