

Record of Proceedings

Regular Council Meeting

May 22, 2014

1 Presiding Officer, Mayor Donald Kuchta called the May 22 regular meeting of Macedonia City Council
2 to order at 7:40m.

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 **Absent:** None

7 **PLEDGE OF ALLEGIANCE** was led by Macedonia residents and military veterans Dan Havlicek, Mike
8 Kronjak and Fred Quigley

9
10 **INVOCATION** was led by Councilor Darrow

11
12 **MINUTES** Mr. Molnar moved, Ms. Tulley seconded to approve the minutes of the regular meeting of May
13 8, 2014 as submitted by the clerk of council.

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

18
19 **FINANCIAL REPORT** Ms. Hanneken moved, Ms. Darrow seconded acknowledging receipt of the Financial
20 Report dated April 30, 2014 as submitted by the director of finance.

21
22 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
23 Nays: None
24 The motion carried

25
26 Regarding the April 30th report, Councilor Tulley questioned whether the large disbursement to workman
27 compensation represents a onetime payment to which Finance Director Svab answered yes. Ms. Tulley
28 commented that are there more than fifteen funds that are over budget and asked that these funds be be
29 included in discussion during June 10th finance meeting.

30
31 **PUBLIC COMMENTS**

32
33 Fred Quigley, resident of the Villas of Taramina expressed his disappointment in Macedonia's current
34 administration saying it is more concerned in the interests of developer Joseph Migliorini and contractor
35 Chris Coblenz than in the interests of Macedonia's residents. Mr. Quigley complained at length about Mr.
36 Migliorini and issues as they relate to the Quigley residence. Mr. Quigley expounded on Mr. Migliorini's
37 history as a former mayor of Macedonia, his current role as developer and his unresponsiveness in that
38 regard. Mr. Quigley complained that the City allowed a road to be named after Mr. Migliorini. Because of
39 Messer's Migliorini and Coblenz nothing about downsizing to Villas of Taramina has been positive Mr.
40 Quigley stated. Mr. Quigley's complaints about construction and/or maintenance issues and those of his
41 neighbors continue to be ignored by both men and the administration. Mr. Quigley described in detail some
42 of his issues as well as those of another elderly neighbor. Mr. Quigley mentioned the flag pole he had
43 installed on his property and the fact that issue got resolved because Mr. Migliorini could not stop it. But
44 little else has been accomplished added Mr. Quigley. Mr. Quigley said, "I won the battle but lost the war.
45 But there is no end to the arsenal of possibilities of what yet can be done because I am on a mission. I want
46 resolution." Concluding, Mr. Quigley said complaints about Mr. Migliorini have been filed with the Ohio
47 Civil Rights Commission.

48
49 Regarding another topic Dan Doorley, a Westwood Drive resident urged Council to please consider the
50 engineer's report relative to Westwood and Airlane Drives. Thirty-three streets of Macedonia's streets are
51 listed as in poor condition with Westwood and Airlane being the worst on the list. Westwood and Airlane are
52 in deplorable condition needing full-depth reconstruction. Mr. Doorley appreciates Council's consideration
53 of Macedonia's general financial condition but it is unfair he said to the residents of Westwood and Airlane to
54 ignore these roads for yet another season particularly since funds are available in the current budget. Waiting
55 longer just causes further deterioration and expense Mr. Doorley added. Mr. Doorley asked that one of the
56 three members of Council who doesn't support repairing Westwood and Airlane this year rethink their
57 position, do what they were elected to do, that is, to serve the residents and vote for full-depth reconstruction
58 of each of these streets.

59
60

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61 John Cassmer, a Chenook Trail resident and president of the Longwood Manor Historical Society announced
62 that the Ohio Historic Preservation Office has issued notification letters to Mayor Kuchta and Council
63 President Engle informing them that the Manor House is being considered for nomination to the National
64 Register of Historic Places. The National Registry Mr. Cassmer explained is the Federal government's
65 official list of historic properties worthy of preservation. Mr. Cassmer commented on the research and the
66 extensive undertaking that has been necessary to complete the lengthy application process relative to the
67 nomination. Macedonia residents should be proud that the Manor House, the home of Macedonia's first may
68 will be getting the recognition that it deserves Mr. Cassmer stated. Mr. Cassmer reminded residents that
69 restoring the Manor House is being funded entirely through donations, fundraising and hours of volunteerism.
70 Mr. Cassmer announced several forthcoming fundraisers: Spaghetti dinners on Saturday, June 21st from 4-
71 8pm at the Blue Willow Bar & Grill and then again Saturday, July 20th from noon-4pm at Casa D'Angelo
72 Ristorante. The LMHS will also be having a booth at the community garage where pieces of original slate
73 removed from the roof during having renditions of the Manor House painted on them will be sold. Mr.
74 Cassmer mentioned that the LMHS will be making a power -point presentation about the Manor House
75 during the Spirit of Macedonia Community Festival.

76
77 Mayor Kuchta congratulated Mr. Cassmer and the LMHS for their perseverance regarding getting the Manor
78 House placed on the National Registry.

79
80 Relative to another matter the Honorable Mark Cegelka, Mayor of Glen Willow and Glen Willow City
81 Engineer Mike Henry were present to comment on the alignment and safety improvements made at the
82 intersection of Broadway, Shepard and Richmond Roads. Mayor Cegelka explained that four years ago the
83 villages of Glen Willow and Oakwood applied for and received funds from Community Development Block
84 Grants (Cuyahoga County) and OPWC. Thereafter a plan was executed between to the two communities to
85 improve the portions of the intersection in their domain. During the initial planning phase of the project the
86 cities of Macedonia and Twinsburg were approached about joining the effort. The timing however was not
87 the best for either community Mayor Cegelka said. The project nonetheless proceeded with regards to Glen
88 Willow's and Oakwood's portions and has since been completed. A problem now exists, Mayor Cegelka
89 stated which he hopes Macedonia can address. This problem is a damaged culvert on Macedonia's side
90 which is causing flooding on the north side of the intersection when it rains. Mayor Cegelka is fully
91 cognizant of how difficult it is for communities to accomplish their own projects let alone getting four
92 communities and two counties to work unison on a project. In part he added because funding mechanisms
93 are not the same. Nonetheless Mayor Cegelka said he is asking Macedonia City Council to list the
94 improvement of the Shepard Road intersection as one of its priorities and towards that end apply for state and
95 county funding. The plans and engineering of the project are done and paid for so these costs would not be
96 at issue he added.

97
98 Glen Willow Engineer Harvey provided a detailed report of the project. Illustration of the intersection was
99 also provide (On file in Council office).

100
101 Mayor Kuchta thanked Mayor Cegelka for the improvements that have already been made.

102
103 Concerning a different topic, Mike Miller, a Berkshire Drive resident and former member of Macedonia City
104 Council announced this year there are 40 graduates of the class of Ohio Volunteer Certified Naturalists.
105 These graduates will be invited Mr. Miller said to explore Longwood Park; to study, measure and catalog its
106 flora and fauna, as well as the environs of Memorial and Sugarbush parks. Macedonia is fortunate Mr. Miller
107 stated for having one of the largest municipal parks in Ohio, nearly 350 acres in all. Mr. Miller mentioned
108 that the Ohio Volunteer Certified Naturalists will be requesting of the Audubon Society, the State of Ohio
109 and the Ohio State Extension Service to declare Longwood Park an important birding area. This designation
110 will further protect Longwood's natural habitat as well as provide other options for visitors in addition to
111 already enjoying its trails, waterfalls, ledges and wetlands.

112
113 Mayor Kuchta thanked Mr. Miller for his continued interest in Macedonia's parks.

114
115 Regarding another issue, Loren Sengstock, a city of Twinsburg resident and former finance director and
116 deputy finance director of the city of Macedonia explained that he has been retired since 2012 having spent
117 more than 22 years in public financial service in the cities in Ohio of Pepper Pike, Macedonia, Huron and
118 Sylvania and Grand Ledge, Michigan. Mr. Sengstock is currently a Citizen Auditor/Retired Finance Director
119 with Citizen Auditors of Ohio. Mr. Sengstock reviews, analyzes and prepares financial analysis reports for
120 governmental units for use in financial forecasting. The information he provides is based upon averaging and
121 trending of historical financial data as presented in audited financial reports. On behalf of Macedonia and at

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122 no expense to the taxpayers, Mr. Sengstock prepared several financial analysis reports for the Mayor and
123 Council free of charge. The first part of his report Mr. Sengstock pertain to Governmental Funds which
124 includes the General Fund, Special Revenue Funds, Debt Service Funds and Capital Improvement Funds.
125 This part of the report provides the brood picture Mr. Sengstock said. The second part of the report relates to
126 the General Funds. The General Funds include three funds, the General Fund, the Emergency Reserve Fund
127 and the Retirement Reserve Fund. Mr. Sengstock also highlighted three areas he suggested Council consider
128 regarding Macedonia's future finances that is, maintaining financial sustainability, protecting the minimum
129 fund balance policy and creating a five-year financial forecast and plan (Mr. Sengstock's complete report is
130 on file in Council office)

131

132 Mayor Kuchta explained that there are two types of audit reports; one which is called a performance audit
133 and the other a procedural audit. The latter is performed annually by the auditor of state. A performance
134 audit is a comparison and his often used as a road map Mayor Kuchta stated. Mayor Kuchta thanked Mr.
135 Sengstock for his report which was provided the Mayor's request he said at no cost to Macedonia.

136

137 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

138

139 **ORD. NO. 38-2014**

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

143

144 ■ **Mr. Engle moved, Ms. Hanneken seconded to table ORD. NO. 38-2014**

145

146 **Roll call: Ayes: Darrow, Engle, Hanneken,**

147 **Nays: Molnar, Tulley**

148

The motion carried. ORD. NO. 38-2014 tabled

149 **ORD. NO. 39 -2014**

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

153

154 ■ **Mr. Engle moved, Ms. Darrow seconded to table ORD. NO. 39-2014**

155

156 **Roll call: Ayes: Darrow, Engle, Hanneken,**

157 **Nays: Molnar, Tulley**

158

The motion carried. ORD. NO. 39-2014 tabled

159

160 Relative to ORD. NOS. 38 & 39-2014, Councilor Molnar had asked Council President Engle and
161 Councilors Darrow and Hanneken to reconsider their vote given the safety factors related to these projects
162 to which Mr. Engle responded that Mr. Molnar had agreed during work session to hold these ordinances
163 until the June 10th finance meeting. Mr. Molnar chose however not to stand by the agreement for which
164 Mr. Engle accused Mr. Molnar of playing politics for not doing so. Council heard contradictory
165 information about whether these projects are financially feasible so until he has a full understanding of
166 what is financially possible Mr. Engle prefers waiting. Maintaining the financial stability of the City is
167 equally as important as repairing these roads Mr. Engle said and thus he told Mr. Molnar the reason for
168 tabling them. Mr. Engle pledged that he'd vote on Ordinance Nos. 38 & 39-2014 at the June 12th meeting.

169

170 Councilor Molnar asked Finance Director Svab if passing Ordinance Nos. 38 & 39-2014 this evening
171 would rein havoc on Macedonia's financial stability or cause undo financial liability to which Mr. Svab
172 answered no. The result Mr. Svab continued just means less of a carryover. Mr. Molnar added, "Mr.
173 Engle calls this politic when the fact is it's a safety issue. A car can bottom out. That is how bad these
174 roads are. It's embarrassing that we are doing nothing."

175

176 Council President Engle interjected that it is embarrassing to proceed without knowing all the financials
177 facts. The proposed income tax levy is paramount to the further discussion about road projects. Mr.
178 Engle reminded Mr. Molnar of revenue projections beyond 2017 when the income tax for the Recreation
179 Center expires. Mr. Engle also reminded Mr. Molnar that it has taken 10-years to get Macedonia back to
180 a financially stronger foundation. Mr. Engle will not let the City go back to the days of having a carry-

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181 over of \$10,000. Mr. Engle reiterated Mr. Molnar's actions are politically motivated have they have been
182 for the last three months.

183
184 Councilor Molnar reminded Mr. Engle that the carryover when Mr. Molnar was first elected to office was
185 \$50,000. Today the carryover is \$3.M. Remaining mindful of a healthy carryover, Mr. Molnar feels
186 there is enough to provide for repairing Macedonia worst roads.

187
188 Councilor Hanneken interjected there are many roads with major safety issues. Council is reviewing
189 these roads against the funding that is available in order to determine which repairs can and should be
190 made. There are many options to consider Ms. Hanneken stated besides just full-depth repairs. How
191 many projects will actually be undertaken will be determined by the engineering information compared to
192 the financial information. An implication has been made that Council does not want to spend money on
193 roads. That is false information Ms. Hanneken stated. From a financial planning standpoint Council will
194 look at the data in an orderly manner. The attitude and disposition expressed by Mr. Molnar is unfair Ms.
195 Hanneken stated. The fact is there is only a specific amount of money that can be spent Ms. Hanneken
196 stated. And unfortunately Council cannot spend money on every road that has a problem. Over the last
197 several years the City has fallen short of properly maintaining the roads. If Macedonia had been doing
198 what is should have been doing there would not be as many problems as there are Ms. Hanneken added.
199 Ms. Hanneken promised that the decision about which projects will be done this year will be made at the
200 June 12th meeting

201
202 Mayor Kuchta took issue with Ms. Hanneken's comments informing her that under his administration a
203 road a year has been paved, each of which was paid for cash.

204
205 Council President Engle concurred with Mayor Kuchta. The former administrations, the former councils
206 Mr. Engle explained mast over \$2M in road notes with no financial plan for paying down the debt. It is
207 for this reason and the subsequent recession Mr. Engle continued that Macedonia's finances became a
208 disaster. Mr. Engle's plan is to insure the financial disaster never happens again.

209
210 Councilor Tulley interjected that Westwood and Airplane can be studied until Council is blue in the face.
211 The carryover will support these projects. The real problem Ms. Tulley stated is that this year's budget
212 was poorly drafted. It was developed by just one council member without any input, particularly input
213 about Macedonia's major road needs. The administration held a budget meeting which no one but Ms.
214 Tulley attended she said. No other council member was willing to hear the administration's proposal
215 regarding road projects or other major expenditures. This is month number six and there still continues to
216 be discussion about projects that truly need no further discussion she added.

217
218 **ORD. NO. 45-2014- [Held at second reading 5-22-14]**
219 AN EMERGENCY ORDINANCE PROVIDING FOR REVIEW OF THE CHARTER BY CHARTER
220 REVIEW COMMISSION, FIXING ITS DUTIES AND ESTABLISHING A PROCEDURE FOR THE
221 REVIEW [**First reading: 4-24-14; Second readings: 5-8-14 & 5-22-14**]
222 (Document prepared by Councilor Hanneken)

223
224 **ORD. NO. -2014- [Sponsor –Mayor Kuchta]**
225 AN ORDINANCE PROVIDING FOR REVIEW OF THE CHARTER BY CHARTER REVIEW
226 COMMISSION; FIXING ITS DUTIES AND ESTABLISHING A PROCEDURE FOR THE REVIEW
227 (Document prepared by law director. Council took no action)

228
229 **RES. NO. -2014- [Sponsor –Mayor Kuchta]**
230 A RESOLUTION CONFIRMING THE APPOINTMENTS TO THE CHARTER REVIEW
231 COMMISSION (Document prepared by law director. Council took no action)

232
233 **ORD. NO 47 -2014**
234 AN EMERGENCY ORDINANCE AMENDING SECTIONS 181.03(a), 181.04, 181.06(a), AND
235 181.14(a) OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO, IN ORDER
236 TO INCREASE THE CITY'S CURRENT INCOME TAX RATE TO THAT WHICH EXISTED LAST
237 YEAR (2013) AT TWO AND ONE-QUARTER PERCENT (2 ¼ %) FOR ROAD IMPROVEMENTS
238 AND STORM WATER PROJECTS; AND PROVIDING FOR A 100% RESIDENT TAX CREDIT;
239 AND SUBMITTING SAME TO THE ELECTORS ON NOVEMBER 4, 2014 was **offered** by Ms.
240 Hanneken for its **first reading by title only**. Second not required

241

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242
243 Relative to ORD. NO. 47-2014, Mayor Kuchta had stated that the ¼% increase is the same percentage that
244 fell off last year. If the voters approve the measure in November, the ¼% increase would be long term and
245 be solely allocated to road and storm water projects.

246
247 **ORD. NO. 48– 2014**

248 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF CHRISTOPHER
249 GRIFFITH TO THE POSITION OF FULL-TIME RECREATION MEMBERSHIP AND SPECIAL
250 PROGRAMS COORDINATOR was **offered** by Ms. Tulley and moved Council waive the requirement
251 that it be read by title on three different days, instructing the Clerk to read it by **title only for all three**
252 **readings**. Second by Mr. Molnar.

253
254 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
255 Nays: None
256 The motion carried
257

258 Ms. Tulley moved, Mr. Molnar seconded, to **adopt ORD. NO. 48-2014**, and post same according to law.
259

260 Roll call: Ayes: Molnar
261 Tulley (For purpose of explanation, Ms. Tulley stated that the
262 position was not offered to another individual as Ms. Darrow
263 stated. A meeting was held Ms. Tulley continued in which
264 Councilors Darrow and Hanneken were present as was Recreation
265 Director Gmerek. A concern was expressed by Councilors
266 Darrow and Hanneken at that time that Ms. Gmerek had not done
267 due diligence regarding a candidate who was then under
268 consideration. An agreement was made at this meeting that there
269 would be a second round of advertising for the position at an
270 additional cost of \$600-\$800 plus adding another 60-90 days to
271 the time frame Ms. Tulley stated. Ms. Darrow said at this
272 meeting she may be disappointed by the outcome of the second
273 round but would respect whatever choice was made. Ms.
274 Hanneken said she too would support the choice out of the second
275 round. Promises broken Ms. Tulley stated. There were over 100
276 applicants during the first time round of advertising, 31 the
277 second time around she said. Ms. Tulley reviewed the nameless
278 application of the individual Misses Darrow and Hanneken
279 preferred and the application of the individual selected. The
280 experience level the latter brings to the table is unmatched Ms.
281 Tulley stated. The experience and having the ability to integrate
282 immediately into the program benefits Macedonia greatly. During
283 this evening's work session Ms. Tulley stated the question had
284 been asked why the selected individual left Macedonia
285 employment for other employment. This individual was
286 concerned at the time Ms. Tulley explained that the position was
287 in jeopardy due to loss in membership revenue as well as having
288 the opportunity for professional growth. Seeking professional
289 opportunities is not uncommon in the private sector. It should not
290 be frowned upon in the public sector. Ms. Tulley expressed
291 disappointment in the promises Misses Darrow and Hanneken
292 made but did not keep. Their word is not gold Ms. Tulley stated.
293 Ms. Tulley added that when she has spoken of cooperation,
294 participation and working together, Ms. Darrow has agreed. Now
295 less so Ms. Tulley stated. Council needs reminding that
296 appointments are an administrative function. Council's role has
297 legislators has no business interfering with appointments. Ms.
298 Tulley questioned Councilors Darrow and Hanneken whether the
299 dispatch appointment was vetted like the recreation department
300 appointment has been. Ms. Tulley wondered too why they have
301 questioned Ms. Gmerek's ability to choose the best candidate.

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302 The Parks & Recreation Commission supported Ms. Gmerek's
303 choice Ms. Tulley added.]

304
305 Nays: Engle
306 Hanneken
307 Darrow [For purposes of explanation Ms. Darrow stated she
308 voted no because she made a commitment to support another
309 individual who was offered the position]
310 The motion failed, **ORD. NO. 48-2014 not adopted**

311
312 **Relative to ORD. NO. 48-2014 Mayor Kuchta instructed the hiring of Mr. Griffith regardless of**
313 **outcome of Council's action**

314
315 **ORD. NO. 49 -2014**
316 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MICHELLE ELES TO
317 THE POSITION OF FULL-TIME DISPATCHER was **offered** by Ms. Tulley and moved Council waive
318 the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only**
319 **for all three readings**. Second by Mr. Molnar.

320
321 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
322 Nays: None
323 The motion carried

324
325 Ms. Tulley moved, Mr. Engle seconded, to **adopt ORD. NO. 49-2014**, and post same according to law.

326
327 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
328 Nays: None
329 The motion passed, **ORD. NO. 49-2014 declared adopted**

330
331 Relative to ORD.NO. 49-2014, Sergeant Glontz, on behalf of Chief Golden who was absent thanked the
332 Mayor and Council for the appointment of Ms. Eles who Sergeant Glontz added is a resident of
333 Macedonia.

334
335 **ORD. NO. 50-2014**
336 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF ERIC ANDERSON
337 TO THE POSITION OF A PART-TIME FIREFIGHTER was **offered** by Mr. Molnar and moved Council
338 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by
339 **title only for all three readings**. Second by Ms. Tulley.

340
341 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
342 Nays: None
343 The motion carried

344
345 Mr. Molnar moved, Ms. Tulley seconded, to **adopt ORD. NO. 50-2014**, and post same according to law.

346
347 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
348 Nays: None
349 The motion passed, **ORD. NO. 50-2014 declared adopted**

350 **ORD. NO. 51-2014**
351 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JESSE JOHNSON TO
352 THE POSITION OF A PART-TIME FIREFIGHTER was **offered** by Ms. Darrow and moved Council
353 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by
354 **title only for all three readings**. Second by Mr. Molnar.

355
356 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
357 Nays: None
358 The motion carried

359
360 Ms. Darrow moved, Mr. Molnar seconded, to **adopt ORD. NO. 51-2014**, and post same according to
361 law.

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362 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
363 Nays: None
364 The motion passed, **ORD. NO. 51-2014 declared adopted**

365 **ORD. NO. 52 -2014**

366 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF PAUL J. CELINSKI
367 TO THE POSITION OF A PART-TIME FIREFIGHTER was **offered** by Mr. Engle and moved Council
368 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by
369 **title only for all three readings**. Second by Ms. Tulley.

370
371 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
372 Nays: None
373 The motion carried
374

375 Mr. Engle moved, Ms. Tulley seconded, to **adopt ORD. NO. 52-2014**, and post same according to law.

376
377 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
378 Nays: None
379 The motion passed, **ORD. NO. 52-2014 declared adopted**

380
381 Relative to ORD. NOS. 50, 51, 52-2014, Messer's Anderson, Johnson and Celinski respectively thanked
382 the Mayor and Council for their appointment. Each introduced family members who were present.

383
384 **ORD. NO. 53 - 2014**

385 AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO KENWORTH T300 TRUCKS FROM
386 KENWORTH OF RICHFIELD FOR USE BY THE MACEDONIA SERVICE DEPARTMENT FOR
387 SNOW PLOWING PURPOSES was **offered** by Ms. Hanneken and moved Council waive the requirement
388 that it be read by title on three different days, instructing the Clerk to read it by **title only for all three**
389 **readings**. Second by Mr. Molnar.

390
391 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
392 Nays: None
393 The motion carried
394

395 Ms. Hanneken moved, Mr. Molnar seconded, to **adopt ORD. NO. 53-2014**, and post same according to
396 law.

397 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
398 Nays: None
399 The motion passed, **ORD. NO. 53-2014 declared adopted**

400
401 **ORD. NO. 54 – 2014** AN ORDINANCE AUTHORIZING THE PURCHASE OF SNOW PLOW
402 PACKAGES FOR INSTALLATION ON TWO NEW TRUCKS TO BE PURCHASED BY THE
403 CITY'S SERVICE DEPARTMENT FROM HENDERSON TRUCK EQUIPMENT was **offered** by Ms.
404 Hanneken and moved Council waive the requirement that it be read by title on three different days,
405 instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar.

406
407 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
408 Nays: None
409 The motion carried
410

411 Ms. Hanneken moved, Mr. Molnar seconded, to **adopt ORD. NO. 54-2014**, and post same according to
412 law.

413 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
414 Nays: None
415 The motion passed, **ORD. NO. 54-2014 declared adopted**

416
417 **ORD. NO. 55 – 2014** AN EMERGENCY ORDINANCE AMENDING SECTION 145.03 OF THE
418 CODIFIED ORDINANCES REGARDING THE CIVIL SERVICE COMMISSION MEMBERS was
419 **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title on three different
420 days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley.

421

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422 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
423 Nays: None
424 The motion carried
425

426 Mr. Molnar moved, Ms. Tulley seconded, to **adopt ORD. NO. 55-2014**, and post same according to law.
427

428 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
429 Nays: None
430 The motion passed, **ORD. NO. 55-2014 declared adopted**
431

432 Relative to ORD. NO. 55-2014, Councilor Molnar, chair of the Safety Committee explained that the
433 amendment was a housekeeping measure making the Charter and Codified Ordinance constituent in
434 language.
435

436 **ORD. NO. 56 – 2014**

437 AN ORDINANCE APPROPRIATING FUNDS FOR USE BY THE SERVICE DEPARTMENT FOR
438 THE ROAD REPAIR AT 383 JANES LANE was **offered** by Mr. Molnar for its **first reading by title**
439 **only**. Second not required
440

441 **ORD. NO. 57 – 2014**

442 AN ORDINANCE AMENDING THE 2014 ANNUAL APPROPRIATIONS ORDINANCE NO. 26 -
443 2014 RELATIVE TO TRANSFERRING FUNDS FROM COUNCIL TO SERVICE DEPARTMENT
444 FOR TRAINING was **offered** by Mr. Molnar for its **first reading by title only**. Second not required.
445

446 **ORD. NO. 58– 2014**

447 AN ORDINANCE AMENDING THE 2014 ANNUAL APPROPRIATIONS ORDINANCE NO. 26-
448 2014 RELATIVE TO THE SERVICE DEPARTMENT was **offered** by Mr. Engle and moved Council
449 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by
450 **title only for all three readings**. Second by Ms. Darrow.
451

452 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
453 Nays: None
454 The motion carried
455

456 Mr. Engle moved, Ms. Hanneken seconded, to **adopt ORD. NO. 58-2014**, and post same according to
457 law.

458 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
459 Nays: None
460 The motion passed, **ORD. NO. 58-2014 declared adopted**
461

462 **ORD. NO. 59– 2014**

463 AN ORDINANCE AMENDING AND SUPPLEMENTING THE 2014 ANNUAL APPROPRIATIONS
464 ORDINANCE NO. 26-2014 RELATIVE TO VARIOUS FUNDS was **offered** by Ms. Hanneken and
465 moved Council waive the requirement that it be read by title on three different days, instructing the Clerk
466 to read it by **title only for all three readings**. Second by Ms. Darrow.
467

468 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
469 Nays: None
470 The motion carried
471

472 Ms. Hanneken moved, Ms. Hanneken seconded, to **adopt ORD. NO. 59-2014**, and post same according
473 to law.

474 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley
475 Nays: None
476 The motion passed, **ORD. NO. 59-2014 declared adopted**
477

478 Relative to ORD. NO. 59, 2014, Councilor Hanneken, chair of the finance committee explained the
479 transfer of monies represents a minor adjustment relative to contractual commitments and overtime.
480

481 Councilor Tulley interjected they are not minor adjustments. These items were not properly addressed
482 during the budgeting process and therefore the reason for needing to adjust the budget.

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483 **MOTIONS OR OTHER LEGISLATIVE ACTIONS**

484

485 ~Ms. Tulley moved, Ms. Darrow seconded authorizing the Director of Finance to accept on behalf of the
486 City of Macedonia a 2014 Litter Clean-Up & Tire Amnesty Grant Agreement from the Ohio
487 Environmental Protection Agency in the amount of Twenty Four Hundred Sixty Dollars (\$2460.00) for
488 use prior to June 2015.

489

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

491 Nays: None

492 The motion carried

493 ~~~Mr. Molnar moved, Mr. Engle seconded authorizing the Director of Recreation to accept on behalf of
494 the City of Macedonia sponsorship donations to the 2014 Spirit of Macedonia Community Festival” from
495 the following: \$1,000.00 from Cobra Plastics; \$500.00 from Summit Dental Specialist, Inc; \$500.00 from
496 Jet Systems, Inc and \$100.00 from ProQuip Inc.

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

498 Nays: None

499 The motion carried

500

501 ~~~Ms. Darrow moved, Ms. Tulley seconded canceling the regular council meetings of June 26, July 10
502 and August 14 for the purpose of summer recess

503

504 Roll call: Ayes: Darrow, Engle, Molnar and Tulley

505 Nays: Hanneken

506 The motion carried

507

508 ~r. Engle moved, Ms. Darrow seconded, authorizing the Director of Service to advertise for bids for
509 refuse/rubbish collection on behalf of the residents of the City of Macedonia.

510

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

512 Nays: None

513 The motion carried

514

515 **CORRESPONDENCE:** ~Expression of appreciation from Rosalind Batson, East Highland Road,
516 Macedonia to Fire Chief Black and members of C-shift the “excellent, efficient and competent emergency
517 services provided to her husband, Billy on April 21st

518

519 **MAYOR’S REPORT:**

520

521 “Last Friday I was at the Regional Summit Meeting of Building One America. I guess you could
522 consider this a lobbying group that works in Washington to promote their issues to the legislators.
523 The difference with this group is that rather than representing the very rich business clients or
524 special interest groups, it represents us. This group is focused on middle class America and its
525 survival in the real world of here and now. They represent the Cities and other municipalities that
526 are where middle class Americans live. If you really think about Macedonia you see a melting pot
527 of every race and religion, and people of every walk of life. We epitomize middle class America.
528 The main speaker was former Congressman Steve LaTourette and he even mentioned us and how
529 we benefited economically with moneys that came from him as an earmark. Those first federal
530 dollars let us widen Route 82 and remove the one hundred and two year old bridge that was
531 choking us. The Transportation Bill is up for renewal and rather than come to grips with funding
532 it as a user tax should be; the federal legislators are talking about funding by doing away with
533 Saturday mail delivery! This is unacceptable to the former Congressman and should be for you
534 and I too. It is time for a reality check and for us to get back on course. The Transportation Bill is
535 funded by gas tax. That is why the amount it doles out to encourage and protect economic
536 development every year diminishes!

537

538 In the 1970's the Government ordered the auto manufacturers to develop cars diminishing the use
539 of gas. They doled out incentives to emphasize that the better the gas mileage was...the more
540 companies could count on getting federal money in rebates or incentives. In retrospect, that was

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541 equivalent to sawing off the branch you're sitting on. To complicate matters even more, the oil
542 companies chose to join forces and rape us at the pumps! So every year that big chunk of change
543 from the gas tax has changed from a river....to a trickle. So as the gas has disappeared and
544 continues to disappear, we are becoming a nation of old and perhaps dangerous, infrastructure.
545

546 The federal gas tax has not changed since 1995! What proportion was it of the total gas cost then,
547 compared to now? It is staggering that someone was actually asleep at the switch while the
548 countries means of supporting such a vital industry and necessary funding mechanism faded
549 away. To make matters even worse, the federal government has actually paid huge incentives to
550 develop automobiles that do not burn fossil fuel. So now we have cars that run on methanol,
551 ethanol, natural compressed gas, liquid propane and finally electricity. That is all well and good
552 but....THESE CARS PAY NOTHING TOWARD ROADS AND BRIDGES YET THEY STILL
553 USE THEM LIKE THE PEOPLE WHO DO PAY. So.... let's take away Saturday mail delivery.
554 How about robbing Peter to pay Paul? How about going back to the horse and buggy (with power
555 windows of course)?
556

557 It is time for our elected officials to man up and make sure that the funding mechanism is in place
558 to feed something that could give our economy the boost it needs. Put the country back to work
559 fixing our roads and bridges. It worked in Macedonia with increased City Income tax fueling City
560 Services, while making us more accessible to the world. It's not rocket science. It is basically a
561 pay to dance or send home the musicians scenario.
562

563 Two weeks ago, I was in Washington. I met with Congressman Joyce Friday morning on May
564 30th to give him all of the information about the Ledge Road Bridge, including the 3 TV spots
565 that I have collected so far. Also in my packet was the ruling from the head ODOT Bridge
566 Structural Engineer that the bridge was in violation of the Ohio Revised Code specifically
567 4955.23 and 4955.24. The ORC specifically says that it is against the law for matter to fall from
568 the bridge onto the roadway that passes through the bridge. The next part states that Norfolk
569 Southern "for each day during the failure or violation, shall forfeit to such city one hundred
570 dollars, to be recovered in a civil action in the cities name, against the owner/operator of such
571 railroad". This information was given to them the day the Highland Road Bridge opened last July
572 so we are almost at \$36,500. I have already told the railroad to fix the bridge or we will carry out
573 the actions allowed by the ORC.
574

575 Congressman Joyce was very concerned and his staff will be looking into it.
576 I know we can count on one of the best staffs in Washington to get some kind of results. I would
577 also like to thank Al Noe and Dan Yurman for their powerful letters to Norfolk Southern that they
578 sent me. I gave those letters to the Congressman and to Norfolk Southern. I asked for residents
579 help and these two letters reflected how the members of our community feel. I really appreciate
580 that.
581

582 Following that meeting, I met with Ailsa Von Doberneck, who is Darrell L. Wilson's assistant
583 from Norfolk Southern Railroad. Upon returning to Macedonia, I forwarded all of the information
584 given to Congressman Joyce to her. Both of the conversations dealt with my, and our Structural
585 Engineers, and ODOT's Structural Engineers, huge concerns for the structural stability of the
586 bridge. It needs to be fixed as soon as possible....period.
587

588 Now...we wait.
589

590 I also testified at a Building One America meeting in Washington concerning the need of middle
591 class American cities to have a strong, powerful, and properly funded Transportation Bill.
592

593 All we can do is be the squeaky wheel.
594

595 Our first ever Community Guide will be distributed throughout the City over the next few days. A
596 copy will be sent to every household and business in Macedonia starting Friday 13th. This is an
597 exciting showcasing of our community.
598

599 On Sunday June 15th, the Nordonia Hills annual Concert in the Park will be held at 6 PM at the
600 Northfield Center Gazebo. The "Get Back" band will perform and they are very popular in this
601 area.

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602 Thursday June 19th at 6PM tune into Channel 5 for the results of the Building Better
603 Communities award. One of the participating streets in Macedonia will be announced.

604
605 Thank you everyone for making our come back event the "Spirit of Macedonia" a tremendous
606 success. Naming all involved would be at least three pages. The only way to say it is... that I am
607 very proud of our team, the employees and residents of the City of Macedonia. We definitely
608 have the "spirit".

609 **COMMITTEE REPORTS**

610
611 **Finance Committee of the Whole** Ms. Hanneken announced a finance meeting Tuesday, June 10 at
612 7pm.

613
614 **Planning Commission** Councilor Darrow announced there was a Planning meeting on May 19 and the
615 next meeting is June 16 at 5:30pm.

616
617 Mayor Kuchta interjected that interest has been expressed in property on Roll & Hold Parkway that has
618 been vacant for 10-years. Macedonia currently owns the property Mayor Kuchta explained because of
619 default on the real property taxes by the previous property owner. The property has been an albatross for
620 a variety of reason so interest in the property is welcoming the Mayor stated. The interest is predicated he
621 added on building becoming an indoor soccer facility.

622
623 **Parks & Recreation Committee** Councilor Tulley reported that the Commission discussed at its last
624 meeting the appointment to the recreation department, the upcoming "Spirit of Macedonia Community
625 Festival", the expiration of the income tax allocated solely to the Recreation Center in 2017 as well as the
626 maintenance and restoration of all of Macedonia's recreational parks, Longwood, Sugarbush and
627 Memorial. The next meeting of the P&RC is Wednesday, July 9 at 7pm at the Recreation Center.

628
629 **DEPARTMENT REPORTS**

630
631 **Service Department** Director DeGaetano thanked the Mayor and Council for the purchase of the
632 trucks and plow equipment for each. Mr. DeGaetano mentioned that Macedonia finally received its last
633 order of 1800 tons of road salt. Due to Assistant Law Director Hanculak's tenacity Macedonia paid only
634 for 1500 tons of it, a savings of \$8250 for the reason of the vendor's lack of timely or reliable delivery
635 last winter season. Regarding the Macedonia's free mulch program Mr. DeGaetano explained there are
636 inherit problems because folks literally include other debris into the branch clippings they leave at 9000
637 Valley View Road garage. The "undesirable debris" has caused over \$3700 in repair costs because of
638 damage caused to the tub grinders. The service department's budget cannot sustain these continued repair
639 costs Mr. DeGaetano stated. And because of the poor, unusable materials left this year there was not as
640 mulch produced as there has been in previous years he added. Mr. DeGaetano suggested that if this
641 continues that the mulch program discontinue. Regarding the trash/refuse collection program, Mr.
642 DeGaetano stated the he and Mayor Kuchta met with representatives of Republic Waste regarding the
643 five-year extension option of the contract. Republic Waste has provided a good plan going forward
644 which would include providing to each household free refuse collection and recycling receptacles (The
645 animal proof receptacles were on display in the city center corridor: blue 95 gallon for trash, 65-gallon
646 green for recyclables. Both containers are on wheels for easy maneuverability).

647
648 Councilor Hanneken thanked Mr. DeGaetano for his response and further review relative to the storm
649 water issues on N. Bedford Road and Ledge Acres.

650
651 **Building Commissioner** Mr. Hlad provided the following information regarding commercial
652 activities: Six new construction sites, 16 new occupancies and 3 alterations this year. Regarding
653 residential business Mr. Hlad reported that to date there have been 14 new home starts, 64 homes under
654 construction, 5 additions and 14 alterations. Pertaining to zoning Mr. Hlad said there has been 114 point
655 of sale inspections and 376 inspectors have registered with the City to date.

656
657 **Engineer** Mr. Fini reported GPD has been working on EPA Phase 2 storm water mandates as well as
658 working with the service department relative to certain drainage issues.

659

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660 Councilor Hanneken asked Mr. Fini the status of the I271 improvement project (including relocation of
661 ramp) to which Mr. Fini stated there two meeting are scheduled with ODOT over the several weeks and
662 shortly thereafter another meeting will be held relative SR82, phase 3. The latter meeting will pertain to
663 project costs and r/w acquisitions. Mr. Fini mentioned the I271 project was sold though he had no
664 details.

665
666 **Recreation Department** Ms. Gmerek reminded residents that the Recreation Center will be closed
667 Monday, May 26 in observance of Memorial Day. Regarding the “Spirit of Macedonia Community
668 Festival” Ms. Gmerek stated it is being held from Thursday, June 5 through Sunday, June 8. Ms. Gmerek
669 described some of the main features of the event which will be set up this year in the parking lot of the
670 Recreation Center. The main event, the firework display will occurred on the June 7 at dusk. The rain
671 date for the fireworks is Sunday, June 8 she added.

672
673 **Finance Department** Mr. Svab reported that the legislation relative to funding the new service trucks
674 will be forthcoming, that he currently is shopping rate quotes and that the audit of year 2013 begins next
675 week. Mr. Svab thanked Superintendent Joe Clark for allowing flyers about the Father’s Day week-end
676 fishing day at Longwood Lake (June 14) to be distributed to Nordonia Hills school children. Mr. Svab
677 mentioned that Canal Fulton, the community in which he lives is serviced by Republic Waste. The
678 current contract between Canal Fulton and Republic Waste has proved very beneficial for the residents
679 compared to contracts in previous years he added. Mr. Svab mentioned that the \$180,000 matching Clean
680 Ohio Grant relative to trails in Longwood Park is at the level in the approval process which now requires
681 the environmental study part of the project to be done. Mr. Svab asked for a motion and voice vote from
682 Council allowing the expenditure funds in order for GPD to perform the environmental. (A motion was
683 not made). Regarding the 2014 appropriations Mr. Svab is aware he said of the controversy surrounding
684 the budget. Mr. Svab appreciates the financial report and analysis prepared by former finance director
685 Loren Sengstock. When Mr. Sengstock was director Macedonia was going through very serious financial
686 patch in part because of the recession and in part because of hefty tax reimbursement to the Ben Venue
687 Company. There was no carryover balance to speak of to weather the storm Mr. Svab stated. In order to
688 survive financially major cutbacks were required and the temporary income tax was introduced all in an
689 effort to build revenue. By remaining fiscally conservative Mr. Svab feels Macedonia can avoid budget
690 future financial disasters given that R.I.T.A is projecting lower than expected income tax collections. In
691 Mr. Svab’s opinion Macedonia is currently \$100,000 in the red regardless of a \$3.2M carryover. In
692 2015, Mr. Svab fears that sum will dip another \$1M without any capital expenditures. Mr. Svab feels,
693 estimating conservatively, that the carryover by 2016 will just be \$500,000.

694
695 **Fire Department** Captain Ripley on behalf of Chief Black who was absent thanked the Mayor and
696 Council for the appointments of part-time firefighters Anderson, Celinski and Johnson.

697
698 **Police Department** Sergeant Glontz who was present in Chief Golden absence thanked the Mayor and
699 Council for the appointment of Michelle Eles

700
701 **Law Department** Mr. Diemert had no report. Mr. Diemert expressed appreciation and well-wishes to
702 all veterans.

703
704 **Unfinished business** None

705
706 **New business** Councilor Tulley asked Mr. Svab to verify the dollar difference between single plan and
707 family plans reimbursements relative to those who opt out of receiving health care benefits from
708 Macedonia. Ms. Tulley mentioned she opted out but believes she has been compensated at the family
709 level when in fact reimbursement should be only at the single level.

710
711 Regarding another matters Councilor Hanneken also thanked veterans for their service including her late
712 husband. As a longtime employee of the Department of Defense Ms. Hanneken said she is fully aware of
713 the good and sometimes bad that happens to those who serve. Pertaining to the potential sale of gas
714 station at the corner of Routes 8 & 82 to Osborne Development (Macedonia[_____] and Macedonia
715 LLC) Ms. Hanneken stated that the majority owner of the property has indicated through communiqué
716 that he did not authorize the issuance of various permits relative to this property. Ms. Hanneken had
717 copies of building and demolition permits and there is no indication on any of them she said that the
718 existing owner sign-off on any of the permits. Mrs. Hanneken would like a definitive answer she said of
719 what will happen if the current deal aborts or if the deal doesn’t come to fruition until a later date because
720 “we” and the majority owner of the stock deserve an answer.

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721
722 Law Director Diemert informed Ms. Hanneken that the law department has already rendered a legal
723 opinion for which she was copied. Based on evidence from the building department and in the opinion of
724 the law departments all the permits are in order Mr. Diemert stated. Mr. Diemert explained that a
725 corporation is an entity. A corporation does not speak through its individual shareholders. The
726 shareholders are merely the voting members. Macedonia has had no involvement, nor should it with the
727 individual shareholders who have chosen to fight with one another. Mr. Diemert informed Ms. Hanneken
728 that the individual shareholder who has been involved relative to this project is the same person who has
729 been fined in Mayor's Court, who filed for a Point of Inspection prior to the sale of the property and
730 whose name is listed on the plat. There should be no further discussion on this matter Mr. Diemert told
731 Ms. Hanneken.
732
733 Ms. Hanneken interjected that she had a few comments to make to which Mr. Diemert responded this
734 issue is not debatable. Ms. Hanneken told Mr. Diemert she did not appreciate being cut off from
735 speaking.
736
737 Councilor Tulley went to speak but Ms. Hanneken told Ms. Tulley that a comment from her was not
738 needed to which Ms. Tulley's response to Ms. Hanneken was "I didn't see you get anointed here". Ms.
739 Tulley continued this issue is potentially litigious and therefore should not be discussed in this forum.
740 "Who owns what is not a matter of Council. It is a matter for the lawyers." Ms. Tulley stated. Caution
741 must be exercised. The law department has advised this is a personal matter. This property owner in
742 question received an answer. It should be no concern of Council if the answer he received was not to his
743 likening. Ms. Tulley urged Council to work with law department and allow them to perform their duties
744 under the laws of the state of Ohio and the city of Macedonia.
745
746 There being no further business, the meeting adjourned at 9:40pm.