

Record of Proceedings

Regular Council Meeting

July 24, 2014

1 Presiding Officer, Mayor Donald Kuchta called the July 24 regular meeting of Macedonia City Council to  
2 order at 7:37pm.

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

8 **PLEDGE OF ALLEGIANCE** was led by Council President Dave Engle  
9

10 **INVOCATION** was led by Mayor Kuchta  
11

12 **MINUTES** At Ms. Hanneken's request the approval of minutes of the regular meetings of  
13 May 22 and June 12 was postponed until the next regular meeting of August 28.  
14

15 **FINANCIAL REPORT** MS. Hanneken moved, Mr. Engle seconded acknowledging receipt of the  
16 Financial Report dated May 31, 2014  
17

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

21 **PUBLIC COMMENTS**  
22

23 Terry Hudak, Macedonia resident and member of the Longwood Manor Historical Society invited residents  
24 to participate in the LMHS Spaghetti Dinner Fundraiser at Casa DiAngelo's Ristorante, Macedonia on  
25 Sunday, August 17 from noon-4pm. The donation for the dinner is \$10 per adult and \$5 for children under  
26 12 years.  
27

28 Regarding another topic, John Hartman, 9474 Shepard Road, explained he is seeking advice/clarification on  
29 repairing the severe incline of his driveway curb. The severity of the problem is compounded Mr. Hartman  
30 added by the low visibility of his driveway to oncoming traffic. Mr. Hartman explained that he must drive  
31 very slowly while pulling in or coming out of his driveway and quite often drivers must swerve to avoid  
32 hitting his car.  
33

34 Service Director DeGaetano stated that he has inspected the Hartman's driveway apron. To make the curb  
35 flush with grade of the road it must be saw-cut he stated. The saw-cut is at the expense of the homeowner but  
36 J.D. Saw Cutting, the company the City has recommended to other homeowners provides a fair price.  
37

38 Regarding another matter, Fred Quigley, Macedonia resident placed three large oversized binders in front of  
39 Council. Mr. Quigley stated, "I am the flagpole man. I live at 8581 Alexis Drive, the Villas of  
40 Taramina, Macedonia, Ohio. My presentation to the Council at the last meeting was planned to be my last  
41 presentation. I had anticipated just moving on to the next phase, however, it seems that some culprit shared  
42 my presentation with Joe Migliorini. I only shared a hard copy with five members of Council and the Mayor.  
43 But somehow Joe got it. Joe is doing his best to stand in the way of my relaxed and hoped for enjoyment of  
44 the fruits of my labors in my retirement at age of 80. First, Joe tried to deny me the right to fly the American  
45 flag on flag pole in my own front yard which ended up going viral on the Internet in the U.S and around the  
46 world. When all was said and done I was allowed to keep my flagpole. But now he is telling me I can't  
47 enjoy my constitutional, first amendment rights of free speech. He does this through misrepresentation of my  
48 words and/or my intent and his own view and/or interpretation of what he imagines what I have said.  
49 Following is a letter I have received; it's the letter from the attorney for Joe Migliorini. 'I have been retained  
50 by Joseph Migliorini regarding your false allegations and continued harassment along with other related  
51 issues within the Villas of Taramina in the city of Macedonia. It has been brought to our attention by others  
52 that you have on various occasions have made public statements about Mr. Migliorini that are declamatory  
53 and slanderous in nature. These injurious remarks were clearly made to persuade others that my client was  
54 dishonest etc. Your actions are reckless and represent a malicious regard of the truth and since you have  
55 violated the defamation laws of the state of Ohio you have personally disseminated information which is  
56 misleading. This conduct has caused my client time and money for which you may be liable. Also, you're  
57 comments that Mr. Migliorini considers the American flag a mere decoration, unsightly and a deterrent to  
58 the appearance of the development is a blatant attempt to ruin his reputation. You may wish to immediately  
59 seek legal counsel so that you can make necessary retractions and minimize the damage that you have already  
60 caused through your libelous, slanderous statements. In the meantime we will continue to investigate and  
61 gather affidavits and make a decision whether to pursue a legal remedy. We are not only seeking restrictions

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62 of your previous remarks but putting you on notice that if you continue to make derogatory and defamatory  
63 statements regarding Mr. Migliorini or the Villas of Taramina project they will be confirmation of your  
64 injurious intent and we will have no choice but to bring action against you. “ Mr. Quigley continued, “If  
65 Migliorini and Mayor Kuchta continues to bring this type of malicious, frivolous, defamatory, slanderous and  
66 unreasonable attacks against me, just like he did with the neighbor during the flag episode, I will be forced to  
67 continue in my efforts to deal with those who are being nasty, uncaring, unprofessional to the elderly and to  
68 the handicapped in the Villas. As to public statements of defamatory and slanderous nature in my letter of  
69 June 12<sup>th</sup> I dealt with just the facts of what is happening to me and to my neighbor Al Bell. As to dishonesty,  
70 these are Mr. Migliorini’s words, not mine. Facts are facts. He is the one disregarding the truth. For  
71 example, Joe told the residents at a meeting that the City required a three foot offset at the rear of the  
72 property. I checked with the building department at the time. No such rule exists. He told an untruth. There  
73 are others that I can quote. That is a malicious disregard of the truth. Who is the one being malicious?  
74 Sending me this letter is itself malicious and who’s truths? As I said I have related just the facts as I see  
75 them. As to violating the laws of the state of Ohio, what about my U.S., constitutional, first amendment  
76 rights of free speech that he has violated. On top of that Council encourages comments from the public. I  
77 just respond to that opportunity. And that is what I gave, my comments about how I see actions and  
78 reactions playing out in the city of Macedonia. As to the American flag being a mere decoration, unsightly or  
79 a deterrent to the appearance of the development, these are Mr. Migliorini’s words in his rules and  
80 regulations not mine. As to my injurious intent, again Mr. Migliorini’s words, not mine. Is he capable of  
81 reading my mind? My intent has been expressed from the very beginning when Joe tried to deny me my  
82 right to fly the American flag on a flagpole. And is unfounded acquisitions are expressed in the numerous,  
83 pervious comments. And then as a bully, ‘I’ll show you’ he denied me six or seven times the right to build a  
84 deck behind my house, all for different reasons. Also, the last paragraph of my letter dated June 12<sup>th</sup> I said, ‘  
85 Get off my back or buy me out and I’ll be gone’ then came along Al with his sewer problem with Chris and  
86 Joe. At this point I became pastoral. I was concerned about the little guy. My intent became fighting Joe the  
87 millionaire against Al, the commoner. Unless Migliorini gets involved with some common sense and some  
88 compassion, using Joe Mig’s words to me on T.V., if Mr. Migliorini, instead of Mr. Quigley could see  
89 reason? See reason Mr. Migliorini, be responsible. Buy me out under my terms and under my satisfactions  
90 and I’ll be gone and you can continue to run Macedonia anyway you want. My final comment, maybe the  
91 apple doesn’t fall far from the tree. A copy of the attorney’s letter went to no other than Mayor Donald  
92 Kuchta. I guess I know who that culprit is now, yes, Mr. Kuchta himself. Mayor Kuchta, I guess knew what  
93 was going on all the time. And now it is unlikely to end unless Council can get the Mayor and Mr. Migliorini  
94 to see reason and to do what is the right thing for all concerned, the City, Mr. Migliorini, me or my old  
95 neighbor Al Bell with his sewer problems. Mr. Migliorini caused this problem. He should be responsible to  
96 end it for the peace and the welfare of all. That’s my record of my facts.”

97  
98 Mayor Kuchta explained to Mr. Quigley that documents passing through the Mayor’s office are of public  
99 record. This meeting is being recorded and therefore is also of public record Mayor Kuchta told Mr.  
100 Quigley.

101  
102 Joseph Migliorini, Macedonia resident and developer of the Villa of Taramina asked to comment. [Mr.  
103 Migliorini’s name had appeared first on the list of speakers. When initially invited to speak Mr. Migliorini  
104 waived his opportunity asking instead to speak last. Mr. Migliorini declined the second opportunity and thus  
105 the reason for requesting an opportunity to finally comment] While Mr. Migliorini was approaching the  
106 podium to speak Mr. Quigley yelled to Mr. Migliorini that he is not allowed to comment because he gave up  
107 his rights earlier.

108  
109 Mayor Kuchta interjected informing Mr. Quigley that Mr. Migliorini cannot be stopped from speaking to  
110 which Mr. Quigley angrily stated, “Excuse me the Dictator Migliorini speaks. Now I know exactly where I  
111 stand with the City.”

112  
113 Mr. Migliorini explained the Villas of Taramina is an active adult community established in 2007. Currently  
114 consisting of 50 homes, the Villas is comprised a variety of different residents who have moved from other  
115 communities such as Hudson, Solon and Highland Heights. Mr. Migliorini appreciates that there are a great  
116 number of residents who love living in the Villas. Residents follow the rules and regulations which they all  
117 had to signed-off on when they moved into the Villas. Residents follow the covenants and restrictions as they  
118 apply to flags and landscaping. Mr. Migliorini is sorry Mr. Quigley feels so negative. Mr. Migliorini  
119 explained that he doesn’t build the homes in the Villas. Mr. Migliorini owns the lots which he sells to the  
120 individual property owners. The builder is Macedonia resident Chris Coblenz of Coblenz Homes. The  
121 construction agreement is between the property owner and Coblenz Homes. It is not between Mr. Migliorini  
122 and the property owner. Mr. Migliorini explained Mr. Quigley contracted with Coblenz Homes as did Al

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123 Bell, the neighbor Mr. Quigley continues to reference. Mr. Migliorini invited anyone interested in learning  
124 for them self that the Villas of Taramina is a nice community in which to live and where the neighbors get  
125 along to speak with the many homeowners who enjoy the Villas.

126

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

128

129 **ORD. NO. 45-2014**

130 AN EMERGENCY ORDINANCE PROVIDING FOR REVIEW OF THE CHARTER BY CHARTER  
131 REVIEW COMMISSION, FIXING ITS DUTIES AND ESTABLISHING A PROCEDURE FOR THE  
132 REVIEW was **offered** by Ms. Hanneken for its **third reading by title only**. Second not required.

133

134 Mayor Kuchta questioned Mr. Diemert whether Ordinance No. 45-2014 was accurate given it was drafted  
135 by Ms. Hanneken to which Mr. Diemert responded that it was not because the legislation is not consistent  
136 with the Charter and the language of the ordinances over the last 25-years. The ordinance Ms. Hanneken  
137 drafted calls for items that are inaccurate such as how each council person appoints a representative; the  
138 time frame within which the Charter Review Commission is to act and the number of council votes  
139 needed to place a proposed amendment on the ballot. Previously the Mayor authorized council members  
140 to make suggestions for members of the Charter Review Commission. The decision was made jointly.  
141 The Charter states the Mayor and Council have the right to appoint. Ms. Hanneken's ordinance takes  
142 away the Mayor's authority in this regards. The Charter does not state individual council members have  
143 the right to appoint. Mr. Diemert prepared two separate ordinances relative to the review of the Charter  
144 both of which are compliant with the Charter. Both ordinances are on tonight's agenda Mr. Diemert  
145 stated and both ordinances should be the ordinances Council acts upon.

146

147 Ms. Hanneken stated that it appears to her that Mr. Diemert's interpretation is based on the change in the  
148 members of Council. Ms. Hanneken stated she has spoken with a number of former council persons who  
149 uniformly informed her that the Mayor has never had the opportunity to veto appointments and that the  
150 appointments were not made jointly. The former council members had indicated to Ms. Hanneken that  
151 the Mayor appointed his Charter Review Commission member and each council member appointed theirs.

152

153 Councilor Tulley interjected that Section 1 of the ordinance prepared by Mr. Diemert is consistent with  
154 the Charter and therefore no amendments are necessary. Ms. Tulley requested that language in Section 1  
155 of Ms Hanneken's ordinance requiring providing proof of residency and voter registration be removed  
156 because it is inconsistent with the Charter. Ms. Tulley complained that Ms. Hanneken's ordinance is her  
157 interpretation. Ms. Tulley does not feel the timeframe requiring commission members to first meet is  
158 necessary. It has been Ms. Tulley's experience as a former member and council representative to the  
159 Charter Review Commission that members take their role of reviewing the Charter seriously. The  
160 Commission does not need detailed instruction of time and place. The review goes forward and on  
161 schedule when the right members are chosen Ms. Tulley stated. In Ms. Tulley's opinion Ms. Hanneken,  
162 "put a lot of if, ands or buts" in her ordinance.

163

164 Mayor Kuchta questioned Ms. Hanneken's interpretation of ordinance.

165

166 Councilor Hanneken answered she used the 2009 ordinances prepared by the law department for the 2009  
167 review of the Charter. Ms. Hanneken stated her ordinance is more specific, confirming what has been the  
168 practice, that is, each council member appointing their individual representatives and the Mayor  
169 appointing his. Ms. Hanneken explained she originally proposed the Commission convoke in 7 days to  
170 insure that amendments appeared on the November. In as much as that is no longer possible Ms.  
171 Hanneken thought 30 days was a reasonable period in which to confirm appointments while still  
172 providing a six month time frame in which to review the Charter.

173

174 Council President Engle asked Mr. Diemert if the 30-day period Ms. Hanneken has suggested precludes  
175 Charter or ordinance. In Mr. Engle's opinion since the Charter is silent and there is no other supplemental  
176 ordinance in this regard then there should be no violation of the Charter if by separate ordinance it states  
177 that the Commission shall convoke in 30 days.

178

179 Mr. Diemert said he'd investigate whether the Charter can be supplemented by ordinance..

180

181 Councilor Darrow interjected that the Charter states that Council can adopt its own rules.

182

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183 Mr. Diemert explained to Ms. Darrow that Council can adopt its own rules but Council cannot adopt rules  
184 changing the requirements of the Charter. Mr. Diemert told Mr. Engle that the 30-days probably does  
185 not violate the Charter but Mr. Diemert questioned repercussions if the Charter Review Commission  
186 cannot comply within the time frame.

187  
188 Councilor Darrow questioned why Ms. Tulley's suggestion of removing the proof of residency and voter  
189 registration isn't being considered.

190  
191 Ms. Tulley asked Ms. Hanneken who will be responsible for validating proof of residency and voter  
192 registration to which Ms. Hanneken answered the Charter Review Commission at the time they convoke  
193 or perhaps the clerk of council. Ms. Tulley questioned Ms. Hanneken how she perceives setting the 30-  
194 day period and what will be required to prove residency, i.e., a tax bill, driver's license or utility bill?

195  
196 Ms. Hanneken suggested that a resident's voter registration would be used to which Ms. Tulley stated that  
197 registration does not always provide accurate information. Case in point Ms. Tulley said her daughter  
198 who lives out of state remains on the Summit County Board of Election list of eligible voters. Ms. Tulley  
199 strongly feels that it would be far less complicated if requiring proof were be removed entirely.

200  
201 Council President Engle suggested that since the Charter already requires that the Charter Review  
202 Commission consist of qualified electors that the sentence in Ordinance No. 45-2014 that reads "*After  
203 being appointed and providing proof of residence and voter registration*" be removed.

204  
205 Ms. Tulley suggested that the 30-days time period be removed or at the very least for the reason that  
206 Council is on summer recess and the next regular meeting is not until August 28. What if the ordinance  
207 appointing individual members does not pass at first reading at the August 28<sup>th</sup> meeting Ms. Tulley  
208 asked? Will that mean Commission members will be in violation by not meeting within 30 days of  
209 today's date?

210  
211 Mayor Kuchta interjected a lot has been discussed about various amendments when the fact is there are  
212 two ordinances later on the agenda which address every aspect of the review process without any further  
213 dialogue.

214  
215 Ms. Hanneken suggested a compromise of 36-days to which Ms. Tulley reiterated her earlier question,  
216 why a time constraint at all. Ms. Tulley said if days are to be included and given the schedule of forth  
217 coming meetings 45 days would be more responsible.

218  
219 **MOTION TO AMEND ORD. NO. 45-2014**

220  
221 Ms. Hanneken moved, Mr. Engle seconded, to amend ORD.NO. 45-2014, Section 1 in pertinent part  
222 to read as follows: "... ~~After being appointed and providing for proof of residence and voter~~  
223 ~~registration, The Charter Review Commission.....no later than seven (7) forty-five (45) days from~~  
224 ~~passage of this ordinance.~~" In Section 6 in pertinent part to read, "...submitted in writing to  
225 Council which, shall, as to any proposed amendment, upon at least ~~three-fifths (3/5)~~ two-thirds 2/3  
226 of its members..... otherwise, the Council shall, upon ~~three-fifths (3/5)~~ two-thirds 2/3..." and  
227 Section 7 in pertinent part to read: "The Charter Review Commission....shall serve for a period of  
228 ~~three months~~ six months....".

229  
230 **Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley**  
231 **Nays: None**  
232 **The motion carried**  
233

234 Ms. Hanneken moved, Mr. Engle seconded to **adopt ORD. NO. 45-2014 as amended** and post same  
235 according to law.

236  
237 **Roll call: Ayes: Darrow, Engle and Hanneken**  
238 **Tulley [For purpose of explanation stated that she feels it is**  
239 **important for this procedure to begin and for that reason**  
240 **voted for it. However, she cautioned members of Council**  
241 **for their personal interpretations of the rules and**  
242 **regulations. The Commission is for the residents not the**  
243 **council members.]**

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244 Nays: None  
245 Abstentions: Molnar [For purpose of explanation stated he abstained  
246 because members of Council were only provided Ms.  
247 Hanneken's amendments AT 6:30pm this evening, not  
248 enough time in his opinion to adequately review her  
249 changes]  
250 The motion carried. **ORD.NO.45-2014 declared adopted as amended.**  
251

252 Further discussion ensued about Ordinance No. 45-2014. Mayor Kuchta stated that it was introduced in  
253 April. Three months later and amendments are still necessary when all that would have been necessary is  
254 action upon the law department's correctly prepared ordinances which appear later on the agenda..  
255

256 Mr. Diemert interjected that that the wording of Section 1 has created a predicament in that the Mayor  
257 may now veto the ordinance appointing members to the Charter Review Commission if he disagrees with  
258 at least one of the members. Mr. Diemert reminded Council that overriding the veto would require four  
259 votes.  
260

261 Council President Engle stated that in past history every member of Council suggested a representative  
262 without debate. Mr. Engle was under the impression that Mayor Kuchta's only concern was that he  
263 wouldn't have the ability to object to members of the Commission named by the individual council  
264 members. In work session however Mayor Kuchta stated otherwise which has confused Mr. Engle as to  
265 what really is Mayor Kuchta's issue.  
266

267 Mayor Kuchta responded what he had said during work session was that the law director prepared  
268 legislation consistent with the Charter and past practice and therefore the law director's legislation should  
269 be acted upon. Mayor Kuchta asked if Mr. Engle was given the impression that the Mayor would veto  
270 certain citizen's serving on the Commission when in fact it's the Mayor's opinion every citizen has the  
271 right to serve.  
272

273 Mr. Engle told Mayor Kuchta that was not the case. Mr. Engle was merely interpreting what Mr. Diemert  
274 told Mr. Engle.  
275

276 Mr. Diemert reiterated that the changes introduced by Ms. Hanneken are contrary to the Charter. The  
277 wording of Ordinance No. 45-2014 mandates that the Mayor must agree with all the appointments. The  
278 Charter states members shall be appointed by the Mayor and Council. In the past this has not been an  
279 issue. The Mayor and Council agreed to the members of the Charter Review Commission. If the Mayor  
280 accepts everyone's appointment, than the wording of Section 1 of Ordinance No. 45 -2014 is a non issue  
281 Mr. Diemert added.  
282

283 Councilor Tulley suggested that the members of the forthcoming Charter Review Commission address  
284 this very issue; the precise method appointments to the Charter Review Commission are made.  
285

286 **ORD. NO 47 -2014**  
287 AN EMERGENCY ORDINANCE AMENDING SECTIONS 181.03(a), 181.04, 181.06(a), AND  
288 181.14(a) OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO, IN ORDER  
289 TO INCREASE THE CITY'S CURRENT INCOME TAX RATE TO THAT WHICH EXISTED LAST  
290 YEAR (2013) AT TWO AND ONE-QUARTER PERCENT (2 ¼ %) FOR ROAD IMPROVEMENTS  
291 AND STORM WATER PROJECTS; AND PROVIDING FOR A 100% RESIDENT TAX CREDIT;  
292 AND SUBMITTING SAME TO THE ELECTORS ON NOVEMBER 4, 2014 was **offered** by Ms.  
293 Hanneken for its **third by title only**. Second not required  
294

295 Ms. Hanneken moved, Ms. Tulley seconded, to adopted ORD. NO. 47-2014 and post same  
296 according to law.

297 Roll call: Ayes: Molnar [For purpose of explanation stated Macedonia had a  
298 5-year plan when he first was elected to office. The plan  
299 was abandoned because of the fluctuation in income tax  
300 collections at that time. The City faced a severe deficit.  
301 Employees were laid-off. It was gut wrenching

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302 experience to have to let workers go. Macedonia does  
303 not have a plan going forward. The current rationale is  
304 “let’s just see how things go with taxes.” Macedonia’s  
305 income tax collections are down a half a percent from  
306 last year. Macedonia does not have \$8.5M in  
307 unencumbered funds. The unencumbered fund is  
308 \$2.5M. Macedonia’s fire department needs a \$1M  
309 ladder truck. How is that expense going to be funded?  
310 Future funding is a major concern. The income tax  
311 increase would have “freed up money” in the General  
312 Fund in order to allow major purchases such as the  
313 ladder truck. Additionally, Macedonia has 33 roads  
314 currently rated in poor condition. These roads need  
315 immediate attention. Where’s that money going to come  
316 from? The tax ordinance would have simply provided  
317 the right for residents to say yes or no to increasing the  
318 tax rate. The proposal also provided for 100% credit. It  
319 is not unfair for the people who work in Macedonia,  
320 drive Macedonia roads to help pay for repairing those  
321 roads. During the last campaign persons earning  
322 \$50,000 annually would have paid only \$100 more per  
323 year in taxes, less than \$10 per month. Mr. Molnar  
324 personally does not like paying more in taxes but the  
325 reality is the increase is a small price to help Macedonia.  
326 The residents who reside on the streets of Barkdale,  
327 Blueberry, Bonnie, Bradford, Brookdale, Bruce,  
328 Meadowlawn, Roseland, Bendleton, Crow, Driftwood,  
329 Highland, Valley View, Elizabeth, Firestone, Foxhill,  
330 Merlin, Newport, N. Melody, Robin, Saybrook, Shepard,  
331 Skyland, Stoneridge, Summer, Swallow, Twinsburg and  
332 Waters officially do not have a voice. This Council has  
333 said you are not allowed to vote. This Council chose not  
334 to place the question in their hands. .

335  
336 Tulley [For purpose of explanation stated her visual (large piece  
337 of asphalt she placed on the dais) represents her opinion.  
338 And Dr Jenkins, who came before Council to say his  
339 road was so bad his wife tripped and fell because of  
340 crumpling asphalt. The “B” streets have not been  
341 restored since the 1950’s. The tax ordinance was the  
342 opportunity for residents to determine their willingness  
343 to pay more income tax in order for their roads to be  
344 repaired. Ms. Tulley would have to personally pay more  
345 taxes as would her husband. Both would have been  
346 willing because good roads are part of what makes for a  
347 quality community. There are many homes for sale that  
348 are on roads which are in need of serious repair. The  
349 condition of the roads makes selling homes more  
350 difficult. Last month Council was advised of a \$2.5M  
351 carryover which couldn’t be touch. She is pleased that  
352 purse strings were opened enough to allow repairing  
353 Macedonia’s worst roads. But going forward a financial  
354 plan has to be formulated so other roads can be repaired.  
355 One member of Council has suggested borrowing money  
356 for this purpose. Borrowing should not be an option. A  
357 option is setting aside money, perhaps \$500,000 from  
358 the \$2.5M carryover for the roads program next year.  
359 Then the question is how roads are paid for in years  
360 thereafter. What if the winters continue to be as severe as  
361 this winter? It has been stated that when the income tax  
362 revenue allocated to the Parks & Recreation department

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363 expires it reverts back to the General Fund. It does not  
364 revert back to the General Fund. When that portion of  
365 the income tax expires it is gone. In order for that  
366 percentage of tax to remain residents would have to  
367 approve renewing it.

368 Nays: Darrow

369 Engle [For purpose of explanation stated that those working in  
370 Macedonia and only a small portion of residents who  
371 live and work in Macedonia will be impacted by the tax  
372 increase. Resident working outside of Macedonia would  
373 receive a tax credit. In his opinion if there is to be a tax  
374 everyone should be taxed equally. It is also his opinion  
375 that while this ordinance does not automatically increase  
376 the rate of income tax but provide the opportunity to  
377 place the question of the increase on the ballot  
378 supporting the question on the ballot implies that he  
379 supports the tax increase. Every household, like the City  
380 could use more money. There is an obligation however  
381 to live within our means and that includes city  
382 government. The 3-year temporary income tax increase  
383 that ended in December has provided stability to  
384 Macedonia moving forward. When the Recreation  
385 Center tax falls off the City will be in an even better  
386 position. And since income tax revenue is rebounding  
387 higher than R.I.T.A., originally projected he is not  
388 convinced increasing the income tax is in the best  
389 interest of Macedonia. Residents voted for him because  
390 they wanted him to make decision on their behalf, they  
391 wanted him to educate himself on the matters and vote  
392 accordingly. If the residents are not happy with the  
393 decisions he has made than the residents can vote him  
394 out of office. He is not the type of person to pass the  
395 buck. He is not going to be like the biblical figure  
396 Pontius Pilate who made a decision but then publicly  
397 washed his hands of the situation.]

398 Hanneken [For purposes of explanation stated at the  
399 beginning of the year she was concerned about  
400 revenue because of the projected downturn in  
401 income tax collections. She examined the  
402 realities of the budget based on the information  
403 that was provided by R.I.T.A. She read the  
404 following prepared statement: "The increase is  
405 not needed because Macedonia's income tax  
406 revenues have rebounded due to the economy  
407 improvement. Macedonia's 2014 Income tax  
408 revenues are much higher than projected and  
409 revenues are actually less than 1/2% below 2013  
410 and 17.34% above 2012 income tax collections  
411 when the temporary added 2 1/4% income tax  
412 was in full effect. It is very likely that our  
413 revenues will close at approximately 8.4 million  
414 or above this year. This means we will likely  
415 have more than \$1.1 above the original RITA  
416 2014 revenue projections (\$7.3M). Maintaining  
417 our income tax at the 2% level allows  
418 Macedonia to remain competitive in attracting  
419 new with surrounding communities since almost  
420 all other communities in our region are at the

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421 2% level. Going to 2 1/4% would make us less  
 422 attractive as a business destination and might  
 423 depress our income tax revenues from  
 424 businesses. The Council would be continuing  
 425 our commitment to our residents and especially  
 426 our working families that we will not raise taxes  
 427 unless urgently needed. An additional priority  
 428 road project can be funded this year. That  
 429 would be Blueberry Lane between Bonnie and  
 430 Laurel at \$225,000 which follows the  
 431 commitments to roads and storm water already  
 432 in place. We can anticipate that 2015 road and  
 433 storm water projects can be fully funded.  
 434 Going forward our debt load will be reduced by  
 435 \$1.1 million due to the completed payoff of the  
 436 City Hall and Recreation Center construction  
 437 projects in 2016. This will free up \$1.1 in  
 438 additional funds for required capital projects. It  
 439 is advisable to make a long term commitment to  
 440 capital projects by replacing the expiring 1/4%  
 441 income tax that is paying of the Recreation  
 442 Center construction bonds with a continuing  
 443 1/4% income tax dedicated to capital projects  
 444 including roads. That way we can fund a long  
 445 term road program and critical capital  
 446 investments for Macedonia and still retain a  
 447 maximum 2% income tax rate.”

The motion failed. **ORD.NO.47-2014 failed**

**ORD. NO. 56 – 2014**

450 AN ORDINANCE APPROPRIATING FUNDS FOR USE BY THE SERVICE DEPARTMENT FOR  
 451 THE ROAD REPAIR AT 383 JANES LANE was **offered** by Mr. Molnar for its **third reading by title**  
 452 **only**. Second not required.

454 Mr. Molnar moved, Ms. Hanneken seconded, to **adopt ORD. NO. 56-2014** and post according to law.

456 Roll call: Ayes: None  
 457 Nays: Darrow, Engle, Hanneken, Molnar and Tulley  
 458 The motion failed. **ORD. NO. 56-2014 failed.**

460 Relative to ORD. NO. 56-2014, Councilor Molnar had explained that he had originally requested this  
 461 legislation because a strip patch of road at this location of Janes Lane is totally annihilated. When it was  
 462 determined there was a “win fall” of revenue that would be used for road projects this year, the Janes  
 463 Lane project was incorporated into the list and thus the reason this legislation is no longer necessary  
 464

**ORD. NO. 57 – 2014**

466 AN ORDINANCE AMENDING THE 2014 ANNUAL APPROPRIATIONS ORDINANCE NO. 26 -  
 467 2014 RELATIVE TO TRANSFERRING FUNDS FROM COUNCIL TO SERVICE DEPARTMENT  
 468 FOR TRAINING was **offered** by Mr. Molnar for its **third reading by title only**. Second not required.

470 Mr. Molnar moved, Mr. Engle seconded to **amend ORD. NO. 57-2014** to read as follows:

FUND 101.101.5510	-\$150.00
FUND 101.101.5570	-\$1,500.00
FUND 101.201.5570	+\$1,650.00
<b>FUND 101.201.5570</b>	<b>+\$1,500.00</b>

472 Roll call: Ayes Darrow, Engle, Hanneken, Molnar and Tulley  
 473 Nays: None  
 475 The motion passed.

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476  
477 Mr. Molnar moved, Ms. Tulley seconded to adopt ORD. NO. 57-2014, as amended and post same  
478 according to law.

479 Roll call: Ayes Darrow, Engle, Hanneken, Molnar and Tulley  
480 Nays: None  
481 The motion passed. **ORD. NO. 57-2014 declared adopted.**

482 **ORD. NO. 62 – 2014**

483 AN ORDINANCE AMENDING SECTIONS 121.02(d), 121.02(q), 123.03 OF THE CODIFIED  
484 ORDINANCES OF THE CITY OF MACEDONIA, OHIO IN ORDER TO CONFORM WITH THE  
485 MOST RECENT VERSION was **offered** by Ms. Darrow for its **second reading by title only**. Second not  
486 required.

487  
488 **ORD. NO. 69 -2014**

489 AN ORDINANCE PROVIDING FOR REVIEW OF THE CHARTER BY CHARTER REVIEW  
490 COMMISSION; FIXING ITS DUTIES AND ESTABLISHING A PROCEDURE FOR THE REVIEW  
491 was **offered** by Mr. Molnar for its **first reading by title only**. Second not required.

492  
493 A brief discussion ensued regarding Ordinance No. 69-2014 in so far as Ordinance No. 45-2014 was  
494 adopted earlier in the evening. Law Director Diemert advised Ordinance No. 69-2014 could remain on  
495 the agenda as Mayor Kuchta had requested it and pursuant to the Charter has the authority to introduce  
496 legislation, and because he also has the authority pursuant to Charter to take exception to Ordinance No.  
497 45-2014 if he so chooses.

498  
499 **RES. NO. 70– 2014**

500 A RESOLUTION CONFIRMING THE APPOINTMENTS TO THE CHARTER REVIEW  
501 COMMISSION was **offered** by Ms. Tulley for its **first reading by title only**. Second not required.

502  
503 **RES. NO. 71-2014**

504 A RESOLUTION DECLARING THE MONTH OF AUGUST 2014 KIDS MONTH IN THE COUNTY  
505 OF SUMMIT was **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title  
506 on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms.  
507 Tulley.

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

511  
512 Mr. Molnar moved, Ms. Tulley seconded, to **adopt RES. NO. 71-2014**, and post same according to law.

513  
514 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley  
515 Nays: None  
516 The motion passed, **RES. NO. 71-2014 declared adopted**

517 **RES. NO. 72-2014**

518 A RESOLUTION ALLOWING THE MAYOR TO TAKE STEPS NECESSARY TO ENSURE LOCAL  
519 FUNDING PARTICIPATION WITH THE OHIO PUBLIC WORKS COMMISSION WITH REGARD TO THE  
520 WIDENING AND RESURFACING , INCLUDING DRAINAGE IMPROVEMENTS AND TRAFFIC CONTROL  
521 SIGNALS , FURTHER IDENTIFIED AS P.I.D. 81656 WITH THE COUNTY/ROUTE SECTION NO. SUM-  
522 SR82-4.65 AND DECLARING AN EMERGENCY was **offered** by Ms. Darrow and moved Council waive the  
523 requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for**  
524 **all three readings**. Second by Mr. Molnar.

525  
526 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
527 Nays: None  
528 The motion carried

529  
530 Ms. Darrow moved, Mr. Molnar seconded, to **adopt RES. NO. 72-2014**, and post same according to law.

531  
532 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley  
533 Nays: None  
534 The motion passed, **RES. NO. 72-2014 declared adopted**

535

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536 Relative to Res. No. 72-2014, Engineer Nick Fini explained that the legislation allows the Mayor to file a  
537 grant application with Ohio Public Works Commission for 50% of Macedonia's construction share of the  
538 third phase of the widening of Route 82.

539

540 **RES. NO. 73 -2014**

541 AN EMERGENCY RESOLUTION DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE  
542 FOR STREET PURPOSES CERTAIN FEE SIMPLE INTERESTS AND EASEMENTS IN AND TO VARIOUS  
543 PREMISES ALONG ROUTE 82 TO FACILITTE ITS WIDENING, AND RESURFACING , INCLUDING  
544 DRAINAGE IMPROVEMENTS AND TRAFFIC CONTROL SIGNALS , FURTHER IDENTIFIED AS P.I.D.  
545 81656 WITH THE COUNTY/ROUTE SECTION NO. SUM-SR82-4.65 AND DECLARING AN EMERGENCY  
546 was **offered** by Ms. Hanneken and moved Council waive the requirement that it be read by title on three  
547 different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley

548

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

550 Nays: None

551 The motion carried

552

553 Ms. Hanneken moved, Ms. Engle seconded, to **adopt RES. NO. 73-2014**, and post same according to  
554 law.

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

556 Nays: None

557 The motion passed, **RES. NO. 73-2014 declared adopted**

558

559 Relative to RES. NO. 73-2014, Law Director Diemert explained pursuant to the Ohio Revised Code there  
560 are steps and procedures that are required in the eventuality it is necessary for a municipality to take land  
561 for a public project. This legislation does not mean or permit land to be taken; it is merely the first step in  
562 the statutory process he stated.

563

564 **ORD. NO. 74 -2014**

565 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGEEMENT WITH  
566 INCOM IN ORDER TO UPGRADE THE CITY'S EXISTING VIDEO EQUIPMENT was **offered** by Ms. Tulley  
567 for its **first reading by title only**. Second not required.

568

569 **ORD. NO. 75 -2014**

570 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTRE AND ENTER INTO A  
571 LEASE PURCHASE AGEEMENT WITH KEY GOVERNMENT FINANCE, INC. IN ORDER TO FINALIZE  
572 THE PURCHASE OF TWO T-300 KENWORH TRUCKS CONFIGURED WITH SNOW PLOW PAGKAGES  
573 FROM HENDERSON EQUIPMENT FOR USE BY THE MACEDONIA SERVICE DEPARTMENT was **offered**  
574 by Mr. Engle and moved Council waive the requirement that it be read by title on three different days,  
575 instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley.

576

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

578 Nays: None

579 The motion carried

580

581 Mr. Engle moved, Ms. Tulley seconded, to **adopt ORD. NO. 75-2014**, and post same according to law.

582

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

584 Nays: None

585 The motion passed, **ORD. NO. 75-2014 declared adopted**

586 **ORD. NO. 76 -2014**

587 AN ORDINANCE ACCEPTING FROM THE OHIO EPA A SECTION 319(h) NONPOINT SOURCE  
588 IMPLEMENTATION GRANT FOR THE LAKE ERIE WATERSHED TO BE USED FOR THE MACEDONIA  
589 STORMWATER INNOVATION PARK AND AUTHORIZING THE MAYOR TO ENTER INTO AN  
590 AGREEMENT THEREFORE was **offered** by Mr. Molnar for its **first reading by title only**. Second not required.

591

592 **ORD. NO. 77 -2014**

593 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A MUTUAL AID AGREEMENT  
594 WITH THE SUMMIT METRO CRASH RESPONSE TEAM was **offered** by Ms. Darrow for its **first reading by**  
595 **title only**. Second not required.

596

597

598

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599 **ORD. NO. 78-2014**

600 AN ORDINANCE APPOINTING FRANK POSAR TO THE PLANNING COMMISSION IN ORDER  
601 TO FILL A RECENT VACANCY DEPARTMENT was **offered** by Ms. Hanneken and moved Council waive  
602 the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only**  
603 **for all three readings**. Second by Mr. Engle.

604  
605 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
606 Nays: None  
607 The motion carried  
608

609 Ms. Hanneken moved, Ms. Tulley seconded, to **adopt ORD. NO. 78-2014**, and post same according to  
610 law.

611 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley  
612 Nays: None  
613 The motion passed, **ORD. NO. 78-2014 declared adopted**

614 **ORD. NO. 79 -2014**

615 AN ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FROM UNAPPORPRIATED  
616 FUND BALANCE FOR THE 2014 ROAD STRIPING/MARKING PROGRAM was **offered** by Ms. Tulley and  
617 moved Council waive the requirement that it be read by title on three different days, instructing the Clerk  
618 to read it by **title only for all three readings**. Second by Mr. Engle.

619  
620 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
621 Nays: None  
622 The motion carried  
623

624 Ms. Tulley moved, Mr. Engle seconded, to **adopt ORD. NO. 79-2014**, and post same according to law.

625  
626 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley  
627 Nays: None  
628 The motion passed, **ORD. NO. 79-2014 declared adopted**  
629

630 Relative to ORD. NO. 79-2014, Councilor Tulley questioned Finance Director Svab about whether any  
631 money had been appropriated in the 2014 budget for street striping to which he answered no.

632  
633 Councilor Molnar asked Service Director DeGaetano if roads were marked last year to which he  
634 answered the last marking was performed in 2012 at which time the cost was just over \$50,000. Prior to  
635 Mr. Svab's budget last year the pavement marking program was performed yearly, one-half the city is  
636 marked at a time. The average, yearly cost for one-half the city is between \$50-60,000 Mr. DeGaetano  
637 stated. Mr. DeGaetano said he receives numerous complaints from residents and non-residents about the  
638 unmarked streets.

639  
640 Councilor Molnar asked Mr. DeGaetano if pavement marking is not federally mandated to which Mr.  
641 DeGaetano answered that it is. Councilor Molnar added street marking paint is effective for less than one  
642 year.

643  
644 Councilor Engle interjected that catching up make sense in his opinion given that income revenue is  
645 stronger than anticipated.

646  
647 Councilor Hanneken asked Mr. DeGaetano why money wasn't appropriated in 2013 for the striping  
648 program given last year's budget was healthy last year to which he answered he does not know because  
649 he was not the service director.

650  
651 **ORD. NO. 80 -2014**

652 AN ORDINANCE AMENDING AND SUPPLEMENTING THE 2014 ANNUAL APPROPRIATIONS  
653 ORDINANCE NO. 26-2014 RELATIVE TO VARIOUS FUNDS PROGRAM was **offered** by Mr. Engle and  
654 moved Council waive the requirement that it be read by title on three different days, instructing the Clerk  
655 to read it by **title only for all three readings**. Second by Mr. Molnar.

656  
657 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
658 Nays: None  
659 The motion carried

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660  
661 Mr. Engle moved, Mr. Molnar seconded, to **adopt ORD. NO. 80-2014**, and post same according to law.

662  
663 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley  
664 Nays: None  
665 The motion passed, **ORD. NO. 80-2014 declared adopted**

666  
667 Relative to ORD. NO. 80-2014, Finance Director Svab provided an explanation of the changes relative to  
668 the various funds.

669  
670 **ORD. NO. 81 -2014**

671 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO HIRE A  
672 REPLACEMENT FULL-TIME EMPLOYEE AS WELL AS A NEW FULL-TIME EMPLOYEE FOR THE  
673 SERVICE DEPARTMENT PROGRAM was **offered** by Mr. Molnar and moved Council waive the  
674 requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for**  
675 **all three readings**. Second by Mr. Engle.

676  
677 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
678 Nays: None  
679 The motion carried

680  
681 Mr. Molnar moved, Mr. Engle seconded to **amend ORD. NO. 81-2014 by deleting the following**  
682 **verbiage as it appears in the title “...AS WELL AS A NEW FULL-TIME EMPLOYEE FOR THE**  
683 **SERVICE DEPARTMENT”**; as it appears in the first whereas clause: “... ~~two~~ a full-time...for  
684 **replacement of an existing position, and another** for ...service department.” And as it appears in  
685 **Section 1: “...authorized to hire ~~two~~ a full-time employees; one replacement, and ~~one new~~, for the**  
686 **Service Department...”**

687  
688 Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
689 Nays: None  
690 The motion carried

691  
692 Mr. Molnar moved, Ms. Tulley seconded, to **adopt ORD. NO. 81-2014, as amended** and post same  
693 according to law.

694  
695 Roll call: Ayes: Darrow, Engle, Hanneken Molnar and Tulley  
696 Nays: None  
697 The motion passed, **ORD. NO. 81-2014 declared adopted as amended**

698  
699 Relative to ORD. NO. 81-2014 and prior to action the following discussion was had. Mr. DeGaetano  
700 explained the legislation was requested due to the unexpected retirement of full-time employee Bill  
701 Hissam whose last day is July 31. Mr. DeGaetano was asking not only to replace Mr. Hissam but to hire  
702 another employee as well in so far as service department staffing is down six full-time employees. The  
703 service department needs quality tradesmen Mr. DeGaetano stated which he feels given the opportunity  
704 he will find. The hourly rate of new employee(s) would be less than the hourly rate paid Mr. Hissam he  
705 added.

706  
707 Councilor Hanneken had asked Mr. DeGaetano if the budget would remain neutral if two employees were  
708 hired to which he answered that it will be necessary appropriate additional funds for a second employee.

709  
710 Councilor Tulley interjected that Mr. Hissam’s replacement would be paid less so the replacement cost  
711 will be less but authorizing hiring an additional employee would require more money in the budget.

712  
713 Councilor Engle was sympathetic to the needs of the service department but feels Mr. Hissam’s  
714 replacement is all that should be authorized at this time. Mr. Engle suggested to Mr. DeGaetano that he  
715 prepare a wants and need list regarding personnel so Council has a better understanding of what type  
716 tradesman Mr. DeGaetano is looking for, their cost and how that cost effects the budget.

717  
718  
719  
720  
721

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722 **ORD. NO. 82-2014**

723 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1171.15 (b) TO ALLOW A  
724 STORAGE BARN AS A NON-RESIDENTIAL USE IN A RESIDENTIAL DISTRICT was offered by  
725 Mr. Engle for its first reading by title only. Second not required.

726

727 Public Hearing relative to Ordinance No. 82-2014 is Thursday, August 28, 2014 at 7:15pm.

728

729 **MOTIONS OR OTHER LEGISLATIVE ACTIONS**

730

731 ~Ms. Tulley moved, Mr. Molnar seconded authorizing the Service Director to advertise for bids  
732 for the 2014 street striping, pavement marking program.

733

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

735

Nays: None

736

The motion carried

737

738 ~Ms. Tulley moved, Mr. Molnar seconded authorizing the Service Director on behalf of  
739 Macedonia residents to advertise for bids for rubbish refuse/trash and recycling collection.

740

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

742

Nays: None

743

The motion carried

744

**CORRESPONDENCE:** None.

745

746 **MAYOR'S REPORT:**

747

748 "Ledge Road Bridge continues to fall down. I am very concerned about the lack of  
749 response in getting this bridge fixed. I feel doing a temporary measure to getting the  
750 rocks from falling on cars by putting up fencing was considered a permanent fix by  
751 Norfolk Southern. It basically allowed us to reopen the bridge until they fixed it right  
752 and that is how it was worded. I went there Tuesday morning to look at the temporary  
753 repairs made to the bridge because of all the complaints I have had about the bridge. And  
754 I say now they are temporary repairs because we have gotten the green light from  
755 Council for some full-depth repairs and Ledge Road is on that list. The road repairs are  
756 sufficient for now but under the bridge I was absolutely flabbergasted by the amount of  
757 rumble on the road with some of the falling rock cracked between and behind the fencing.  
758 It is very upsetting to me to see the rate that this bridge is still rapidly disintegrating. I  
759 was further dismayed to find out during our staff meeting that the engineer thought that  
760 the pictures could be stones called ballast. What's ballast? Ballast is the substructure the  
761 railroad track is built on, in other words, the base. You look around at the holes in the  
762 walls of the bridge that were there last year are growing! This leans heavily on my fear  
763 of structural deterioration possibility causing derailment there and then with the  
764 proximity of the Interstate 271 bridges support to this bridge. I firmly believe the  
765 I271 would be taken out by a derailment, that alone with railroad cars spewing or spilling  
766 their contents. This could a calamity of epic proportions. I've brought of few pictures  
767 with me tonight and I have sent some to Council. They are available from me. I don't  
768 recommend that you go down there. Just look at through your car window. Don't walk  
769 there because it is a very narrow road. I've told my wife to avoid the area completely.  
770 Maybe we should all avoid that area. Speed limit signs due to the narrowness of the  
771 bridge are ignored. As well as the possibility of getting your car bashed or windshield  
772 smashed by falling debris. School buses carrying our children and grandchildren go  
773 through that bridge. Wake up Norfolk Southern! Move the Ledge Road Bridge out of  
774 the Ledge Road right-of-way and fix it right! I have directed our law director to start  
775 charging the railroad \$100 per day since July 19, 2013. That is according to the Ohio  
776 Revised Code, ORC 4955.24. That is the day we met with Norfolk Southern the first  
777 time. The fencing resulted from that meeting as a temporary fix. They have had over a  
778 year to come forth with a better plan, a permanent fix. We are going to try and help the  
779 situation by putting up flashing lights there. Please heed the warning we are giving you.

780

781 The Interstate 271 bridge and highway ramp project is moving forward. It is a designed  
782 built project. The design obligations are being rendered at a record pace. The appraisal

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783 process is complex but after a meeting we had this Wednesday I believe that Scott, Mike,  
784 Nick and I are much more comfortable with the ramp relocation process appraisals. And  
785 if my staff is comfortable with it, so am I.

786  
787 It has been brought to my attention that the county is providing covers that deter credit  
788 card theft for seniors. Thanks, Mr. Loparo. We have been following up on this and it is  
789 moving forward but it is at a snail's pace trying to get information as to how we can do  
790 that for our seniors. Diana is finally getting information so we can look into the reality of  
791 providing sleeves after months of calls and requests.'

792 **COMMITTEE REPORTS**

793  
794 **Planning Commission** Councilor Darrow reported Planning met on July 21 at which time the  
795 Commission reviewed final site plan for the new self storage building Space Place Macedonia LLC, 8945  
796 S. Freeway Drive; proposed conditional site plan approval for Highland Pointe Parkway, Ambassador  
797 Football Complex; proposed signage change for Momentum Christian Church, 1717 E. Aurora Road;  
798 proposed cell tower alteration at 9683 Valley View Road; proposed ground sign installation at 9862  
799 Freeway Drive; proposed use in B-4 District at 223 E. Highland Road, Unit A. There will be a public  
800 hearing on August 4 at 5:15pm relative to the B-4 proposal. A Planning work session will follow the  
801 public hearing.  
802

803 Mayor Kuchta interjected that at this point the Ambassador Football Complex is merely conceptual in  
804 nature. The developer came before the Planning Commission to learn the worthiness' of pursuing design  
805 efforts if in fact the proposal is not feasible. The presentation was well done. The conversation and  
806 dialogue that emanated was good the Mayor stated. A major concern is the additional traffic that will be  
807 generated in that area. The installation of a signal light in that area was discussed as a possible solution if  
808 the project comes to fruition.

809  
810 **DEPARTMENT REPORTS**

811  
812 **Service Department** Director DeGaetano thanked Council for legislation relative to financing the two  
813 trucks, allocating funds to this year's street striping/pavement marking program, for authorizing the bid  
814 process relative to the same and for the appointment of one full-time service employee. Mr. DeGaetano  
815 reported that the N. Bedford project is completed except the landscaping. Weather permitting Azar  
816 Landscaping, Cuyahoga Falls will apply seed and straw Monday, July 28<sup>th</sup>. The Bobolink storm water  
817 project was completed as well. Four homes were ditched a distance of a over 400 feet. One hundred foot  
818 of pipe was laid. The Eileen project should begin the second week of August. The delay in this project  
819 is a result of two homes having enclosed ditches. The pipes the homeowners previously installed were  
820 too small. Additionally, some Cleveland Water mains are at a depth shallower than they should be. It is  
821 not uncommon to find them only at 4 feet when in fact they should be 6-7 feet below grade. There are  
822 many other drainage issues to be addressed Mr. DeGaetano stated. He understands every homeowner  
823 feels their issue is the most important. But is prioritizing the projects based of the severity of the issues.  
824 Mr. DeGaetano reminded residents that Macedonia's Animal Control contract only handles stray dogs  
825 and nuisance animals that find their way into living quarters, i.e., living room, kitchen, bedroom, etc.  
826 Lastly, Mr. DeGaetano reported that the "Caught Green Handed" program begins next week. He  
827 explained that residents who have taken advantage of curbside recycling and are recycling correctly are  
828 being rewarded with a gift card sent to them via regular mail. The gift cards are funded through a  
829 ReWorks grant.

830  
831 Councilor Hanneken asked Mr. DeGaetano for the list of properties he has adopted for each of the areas  
832 he referenced in his report.

833  
834 **Building Commissioner** Mr. Hlad stated GFS is scheduled to open soon. There is a punch list of  
835 items that must be completed before the scheduled opening, including paving of the roadway in the area  
836 of Tractor Supply. The Sunoco station at Routes 8 & 82 has been demolished. Extensive site work is  
837 being performed at the Enclave, the apartment complex at S. Bedford Road and South Park Blvd. The  
838 assistant living facility also in the area of S. Bedford Road and South Park but independent of the Enclave  
839 is also on schedule Mr. Hlad reported. He mentioned that another sandwich shop, Jersey Mike's has  
840 opened in Macedonia Commons.

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841 Councilor Hanneken asked Mr. Hlad, regarding the Sunoco property, if the sale of the property concluded  
842 prior to the demolish permits being issued because Mr. Hlad had indicated to Ms. Hanneken that the  
843 permits would not be issued until the sale was finalized.

844  
845 Mr. Hlad informed Ms. Hanneken that he has letters on file from the property owners permitting  
846 demolition as well as identifying the work that can and cannot be performed at this time.

847  
848 Councilor Hanneken requested seeing the letters.

849  
850 **Engineer** Mr. Fini reported that engineering is preparing the Airline and Westwood bid specifications.

851  
852 **Recreation Department** Ms. Gmerek announced the free, annual community event; Movie in the Park  
853 is Friday, August 8 at dusk. There will be refreshments available for purchase. Some refreshment items  
854 will be free to the children. This year's feature is The Lego Movie.

855  
856 Councilor Hanneken questioned Ms. Gmerek if bills are still coming in relative to the "Spirit of  
857 Macedonia Community Festival" to which she answered yes; there are still a few outstanding invoices.

858  
859 **Finance Department** Mr. Svab reported that income tax revenue is down one-half percent from last  
860 year. Total collections year to date is \$5,431,457.00 a variance of \$26,468 from the previous year. Net  
861 profits are the reason for the higher than expected collections Mr. Svab added. Mr. Svab mentioned the  
862 Recreation Center will be realizing a saving of about \$4,000 by switching credit card reader from Fifth  
863 Third Bank to another vendor. The Litter Clean-Up and Tire Amnesty Grant of \$2,460 the City received  
864 from Ohio EPA will be used for Earth Day 2015. The City also applied for fishing grant from ODNR he  
865 said and if received will be used for the third annual family fishing day in June 2015.

866  
867 Councilor Hanneken asked Mr. Svab is there was outstanding financial obligation relative to the trails  
868 grant to which he said there is not at this time. ODNR officials indicated to him that they can provide a  
869 quick overview of Longwood to determine if wetlands are an issue without the City needing expend funds  
870 for engineering to do the same.

871  
872 **Fire Department** Chief Black reported the annual summer fire hydrant flushing and painting  
873 program is underway. The department's aerial truck has been out of service for a month and in  
874 Columbus, Ohio for custom repairs. The Chief explained that since parts are no longer available due tot  
875 the age of the aerial parts have to be custom made. He expects the aerial to be out of service for another  
876 month.

877  
878 **Police Department** Chief Golden had no report.

879  
880 **Law Department** Mr. Diemert had no report.

881  
882 **Unfinished business** None.

883  
884 **New business** Councilor Hanneken mentioned she received several emails about ATV's, all terrain  
885 vehicles, from Macedonia residents asking that Macedonia prohibit them as the village of Northfield has  
886 done recently. Councilor Hanneken doesn't feel any dramatic steps have to be taken at this time but does  
887 feel the use of the vehicles should be examined. All that may be required is better rules of the road she  
888 added.

889  
890 There being no further business, the meeting adjourned at 9:40pm.