

Record of Proceedings

Regular Council Meeting

January 22, 2015

Presiding Officer, Mayor Donald Kuchta called the January 22 meeting to order at 7:40pm.

**Present:** Council members' Rita Darrow, David Engle, Sylvia Hanneken, Nicholas Molnar and Janet Tulley; Council Clerk Josephine Arceci and Assistant Law Director Thomas Hanculak.

**Absent:**

**PLEDGE OF ALLEGIANCE** was led by Council President Rita Darrow

**INVOCATION** was led by Resident Terry Hudak.

**MINUTES** Mr. Molnar moved, Mr. Engle seconded to approve the minutes of the regular meeting of November 13, 2014, as submitted by the clerk of council. *[Ms. Hanneken requested that the January 8, 2015 also on the agenda for approval be held until the next regular meeting]*

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

**DEMONSTRATION** Macedonia firefighters demonstrated the Lucas CPR unit donated to the fire department by University Hospitals of Cleveland and valued at \$14,000 (See "Motions" for acceptance of donation).

**PUBLIC COMMENTS** None

**PENDING &/OR NEW LEGISLATION**

**ORD. NO. 125 -2014**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 923.09(C) (2)(b)(2) BY CREATING AN ANNUAL ESCROW FEE FOR INSPECTIONS AND ADMINISTRATION OF LONG TERM MAINTENANCE AGREEMENTS REGARDING POST-CONSTRUCTION WATER QUALITY PRACTICE was offered by Ms. Tulley for its third reading by title only. Second not required.

Ms. Tulley moved, Mr. Molnar seconded to **adopt ORD. NO. 125-2014** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 125-2014 declared adopted**

**RES. NO. 7 -2015**

A RESOLUTION SUBMITTING THE QUESTION OF RENEWAL OF AN EXISTING 5.07 MILL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES PURSUANT TO OHIO REVISED CODE SECTIONS 5705.19(A) AND 570191, AND DECLARING AN EMERGENCY was **offered** by

Record of Proceedings

Regular Council Meeting

January 22, 2015

Mr. Engle and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Mr. Molnar.

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

Mr. Engle moved Ms. Tulley seconded to **adopt RES. NO. 7-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **RES. NO. 7-2015 declared adopted.**

**ORD. NO. 8-2015**

AN ORDINANCE AMENDING CODIFIED ORDINANCE 549.10 POSSESSION AND DISCHARGE OF FIREARMS was **offered** by Mr. Engle for its **first reading by title only**. Second not required

**ORD. NO. 9-2015**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE CONTRACT WITH STATEWIDE FORD OF VAN WERT OHIO FOR THE PURCHASE OF A 2015 FORD UTILITY POLICE INTERCEPTOR FOR USE BY THE CITY OF MACEDONIA POLICE DEPARTMENT was **offered** by Ms. Tulley and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Mr. Molnar.

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

Ms. Tulley moved Mr. Molnar seconded **to adopt ORD. NO. 9-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 9-2015 declared adopted.**

**ORD. NO. 10 -2015**

AN EMERGENCY ORDINANCE CONFIRMING THE APPOINTMENT OF EMILY ROXBURY TO THE POSITION OF PART-TIME CORRECTIONS OFFICER was **offered** by Ms. Darrow and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Ms. Tulley.

Record of Proceedings

Regular Council Meeting

January 22, 2015

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

Ms. Darrow moved Ms. Tulley seconded **to adopt ORD. NO.10-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 10-2015 declared adopted**

**ORD. NO. 11-2015**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PREMIUM SHOWS OF AMERICA IN ORDER TO PROVIDE FO RIDES AND CONCESSIONS AT THE CITY'S SPIRIT OF MACEDONIA COMMUNITY FESTIVAL OFFICER was **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Ms. Tulley.

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

Mr. Molnar moved Ms. Tulley seconded **to adopt ORD. NO. 11-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 11-2015 declared adopted**

**ORD. NO. 12 -2015**

AN ORDINANCE AUTHORIZIG THE MAYOR TO ENTER INTO A CONTRACT WITH THE AMERICAN FIREWORKS COMPANY FOR THE SPIRIT OF MACECONIA COMMUNTIY FESTIVAL OFFICER was **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Ms. Tulley.

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

Mr. Molnar moved Ms. Tulley seconded **to adopt ORD. NO. 12-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 12-2015 declared adopted**

**ORD. NO. 13 -2015**

Record of Proceedings

Regular Council Meeting

January 22, 2015

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM K-9 DONATION REVENUE FUND ACCOUNT 226.000.4521 TO K-9 SUPPLIES/MATERIALS ACCOUNT 226.210.5620 was **offered** by Ms. Hanneken and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Mr. Molnar.

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

Ms. Hanneken moved Mr. Molnar seconded **to adopt ORD. NO. 13-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 13-2015 declared adopted**

**ORD. NO. 14 -2015**

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM ACCOUNT 101.000.4840 TO ACCOUNT 210.355.5620 [Ledge Road warning signage/\$6,000 reimbursement from Norfolk Southern] was **offered** by Ms. Hanneken and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Mr. Engle.

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

Ms. Hanneken moved Mr. Engle seconded **to adopt ORD. NO. 14-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 14-2015 declared adopted**

**ORD. NO. 15 -2015**

AN ORDINANCE CONFIRMING THE HIRING OF ROBERT RANTA TO THE POSITION OF FULL-TIME MAINTENANCE WORK IN THE SERVICE DEPARTMENT OF THE CITY OF MACEDONIA was **offered** by Ms. Tulley for its **first reading by title only**. Second not required.

**ORD. NO. 16 -2015** AN ORDINANCE AMENDING CODIFIED ORDINANCE NO. 921.04(a), WHICH INSTITUTED A SENIOR WATER MAINTENCE AND EMERGENCY FEE PAYMENT PROGRAM, PASSED APRIL 4, 2013 MACEDONIA was **offered** by Mr. Engle and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Mr. Molnar.

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

Record of Proceedings

Regular Council Meeting

January 22, 2015

Mr. Engle moved Mr. Molnar seconded **to adopt ORD. NO. 16-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **ORD. NO. 16-2015 declared adopted**

**RES. NO. 17 -2015**

A RESOLUTION AUTHORIZING THE DONATION OF AIRPACKS TO THE UNIVERSITY OF AKRON TRAINING CENTER FOR FIRE AND HAZARDOUS MATERIALS was **offered** by Ms. Tulley and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Ms. Hanneken.

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

Ms. Tulley moved Ms. Hanneken seconded **to adopt RES. NO. 17-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **RES. NO. 17-2015 declared adopted**

**RES. NO. 18 -2015**

A RESOLUTION CONFIRMING THE REAPPOINTMENT BY THE MAYOR OF JOE BIBER TO THE PARKS AND RECREATION COMMISSION was **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings** Second by Ms. Hanneken.

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

Mr. Molnar moved Ms. Hanneken seconded **to adopt RES. NO. 18-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **RES. NO. 18-2015 declared adopted**

**RES. NO. 19 -2015**

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM ACCOUNT 401.401.5627 TO ACCOUNT 401.401.5631 AND DECLARING AN EMERGENCY [Route 82, Phase 3] was **offered** by Ms. Hanneken and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by title for **all three readings and waiver 48-hour rule**. Second by Mr. Molnar.

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

Record of Proceedings

Regular Council Meeting

January 22, 2015

Ms. Hanneken moved Mr. Engle seconded to **adopt RES. NO. 19-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None.  
The motion passed. **RES. NO. 19-2015 declared adopted**

**MOTIONS OR OTHER LEGISLATIVE ACTIONS**

- Ms. Tulley moved, Mr. Molnar seconded authorizing the Fire Chief to accept on behalf of the Macedonia Fire Department the donation of One (1) Lucas CPR unit valued at approximately Fourteen Thousand Dollars (\$14,000.00) from University Hospitals of Cleveland [ \*As requested by the IRS the City of Macedonia acknowledges that this donation/contribution was received by University Hospitals of Cleveland and that the City of Macedonia provided no goods for services in consideration to the donor in whole or in part for this donation/contribution.]

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

**CORRESPONDENCE:**

- Letter of appreciation from Macedonia resident Alice Stefanein regarding newly instituted gutter cleaning program provided to senior citizens.
- Letter of appreciation from Patty Santini regarding her 911 call and help provided by Police Officer Rick Rizzo and Macedonia paramedics.
- Letter of appreciation from Macedonia resident Bishop Mansfield D. Borden regarding help provided to him by Police Officer Christian Costello
- Letter of appreciation from Garfield Heights resident Sharon Lehman regarding help provided to her by Police Officer Terrence Schneider following a vehicular accident.
- Letter of appreciation from Joe Kowalski, Macedonia resident and owner of Advance Excavating Company to the police department regarding the apprehension of individuals responsible for theft at his place of business.

**MAYOR'S REPORT:** [Imported from Word document]

“One of the most important things necessary for Macedonia to receive the level of service it gets is to have strong and healthy businesses. This is made very clear by going through the process of renewing our 5.07 mill operating real estate tax levy. This levy is basically pretty much the same (except for some alterations in 1975) as that which was passed in 1962. At our last Council Meeting, legislation was passed authorizing the County Fiscal Office to certify the current tax valuation of our City and the amount of revenue that would be produced by renewal of the current

Record of Proceedings

Regular Council Meeting

January 22, 2015

5.07 mill levy in the upcoming May election. That levy today produces roughly \$724,000 a year to operate the City.

In a letter dated January 14, 2015 our County Fiscal Officer Kristen Scalise gave us the estimated tax revenue that will be produced by the renewal of the 5.07 mill levy. It will only generate \$575,141. When that figure is compared to the money we were receiving, it will be a loss of approximately \$175,000/yr. The total tax evaluation for the City's real estate is about \$403,000,000! The amount of real estate tax is not even close to being the amount we need to be spending just on our deteriorating roads. Our Engineers have indicated that it will take a million dollars a year for 20 years to get our streets up to par.

On the other hand, the amount of money we receive from city income tax from the employees working in Macedonia increased to \$8 million plus for the year 2014. This was not much more than 2013, but it is a continuation of the upward trend. That is so very critical because of money taken away from municipalities by the State over the past few years. Our revenue has been reduced by approximately \$500,000/yr with them taking away inheritance tax and municipal funding, which is our share of the State sales tax. We were promised that municipal funding long ago during the great depression. I guess they had their fingers crossed when they made the promise.

This leaves only one option available to the City.

Only an aggressive Economic Development effort will keep taxes down.

I read in the paper that Dr. Skarupa, a 1992 graduate of Nordonia High School, was selected to be a Fellow of the American College of Surgeons. Congratulations for being one of only 1600 initiates from around the world. And more recognition for achievement that originated in our school district and in our town”.

**COMITTEE REPORTS** None

**DEPARTMENT REPORTS**

**Service Department** Mr. DeGaetano reported: Night shift started January 18<sup>th</sup>, will end March 31<sup>st</sup>. Night crew will make repairs to service buildings with over 100 infractions cited by the Bureau of Worker's Compensation if snow removal not required. Day crew will cold patch as weather permits. Relining sanitary sewer joints relative to “B” streets in the Highland Homes subdivision will begin when D.O.E.S concludes televising sewers. Council of Governments (Macedonia a member) informed that \$20M in storm water fees collected by NEORS D may be returned to the public.

**Building Commissioner** Mr. Hlad reported: Architectural plans relative to Nordonia High school, phase 2 have been submitted; permits relative to businesses locating in new retail plaza at Routes 8 & 82 are being issued, quotes are being acquired relative to scanners for building department use and building's 2014 annual report is forthcoming.

Record of Proceedings

Regular Council Meeting

January 22, 2015

**Engineer** Mr. Fini reported: Ledge Road to be closed to one lane for duration of repair of Ledge Road Bridge. Signal lights to be installed by Norfolk Southern to maintain traffic. Closure of Ledge and S. Freeway & N. Freeway Drive due to delay in moving utilities for the Route 82, ramp relocation project and there is to be a new traffic signal at intersection Route 82/ S. Bedford /S. Freeway Drives.

**Recreation Department** Ms. Gmerek reported: Macedonia first 5K race will be held April 19, the Spirit of Macedonia Community Festival is June 4-7. Fireworks on June 6 with rain date of Sunday, June 7. All activities and programming at [www.macrec.com](http://www.macrec.com)

**Finance Department**

**Fire Department** Chief Black had no formal report.

**Police Department** Chief Golden reported crash reports are online. The chief encouraged the use of Nixle.

Council President Darrow asked Chief Golden to review congestion and the breach of the four-stop at the intersection of Ledge and N. Bedford Road between 3-6pm

**Law Department** Mr. Hanculak had no report.

**Unfinished business** Councilors Hanneken and Tulley encouraged participation in 5K run/walk sponsored by Recreation Department on April 18.

**New business** None

**EXECUTIVE SESSION**

**At 8:30pm, Ms. Darrow moved, Mr. Engle seconded to adjourn into Executive Session for the purpose of discussing matters related to Personnel. Attending the session Timothy Dimoff, CEO/President of SACS Consulting & Investigative Services, Inc. Mayor Kuchta nor Assistant Law Director Hanculak were in attendance}**

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

At 9:20pm, Council reconvened to its regular meeting and there being no further business the meeting adjourned at 9:21pm