

Record of Proceedings
Regular Council Meeting
January 8, 2015

Presiding Officer, Mayor Donald Kuchta called the January 8 regular meeting to order at 7:31pm.

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

Absent:

PLEDGE OF ALLEGIANCE & INVOCATION led by Mayor Kuchta

MINUTES Mr. Engle moved, Ms. Tulley seconded to approve the minutes of special meeting of December 4, 2014 and regular meeting of December 11. *[Ms. Hanneken requested November 13, 2014 regular meeting minutes which were also agenda for approval be held until the next regular meeting]*

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

□□□ ELECTION OF COUNCIL OFFICERS □□□

Council President

Mr. Engle moved, Ms. Hanneken seconded to nominate Ms. Darrow to the position of council president.

Ms. Tulley moved, Mr. Engle seconded to nominate Mr. Molnar to the position of council president.

There being no further nominations, nominations closed.

Roll call relative to the nomination of Ms. Darrow.

Roll call: Ayes: Darrow, Engle and Hanneken
Nays: Molnar and Tulley
The motion carried

Roll call relative to the nomination of Mr. Molnar.

Roll call: Ayes: Molnar and Tulley
Nays: Darrow, Engle and Hanneken
The motion failed

Ms. Darrow elected 2015 Council President.

Council Vice-President

Ms. Tulley moved, Mr. Molnar seconded to nominate Mr. Molnar to the position of council vice president.

Ms. Darrow moved, Mr. Engle seconded to nominate Ms. Hanneken to the position of council vice president.

There being no further nominations, nominations closed.

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Roll call relative to the nomination of Mr. Molnar

Roll call: Ayes: Molnar and Tulley
Nays: Darrow, Engle and Hanneken
The motion failed.

Roll call relative to the nomination of Ms. Hanneken.

Roll call: Ayes: Darrow, Engle and Hanneken
Nays: Molnar and Tulley
The motion carried

Ms. Hanneken elected 2015 Council Vice President.

Council Representative to the Planning Commission

Mr. Molnar moved, Ms. Tulley seconded nominating Ms. Tulley to the position of Planning Commission representative.

Ms. Darrow moved, Ms. Hanneken seconded nominating Mr. Engle to the position of Planning Commission representative.

There being no further nominations, nominations were closed.

Roll call relative to the nomination of Ms. Tulley

Roll call: Ayes: Molnar and Tulley
Nays: Darrow, Engle and Hanneken.
The motion failed

Roll call relative to the nomination of Mr. Engle

Roll call: Ayes: Darrow, Engle and Hanneken
Nays: Molnar and Tulley
The motion failed

Mr. Engle 2015 Council representative to Planning Commission

Council Representative to the Parks & Recreation Commission

Ms. Molnar moved, Mr. Engle seconded to nominate Ms. Tulley to the position of Parks & Recreation Commission

There being no further nominations, nominations were closed.

Roll call relative to the nomination of Ms. Tulley to the position of Planning Commission representative.

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

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The motion failed

Ms. Tulley elected 2015 Council representative to Parks & Recreation Commission

Finance Chair

Mr. Molnar moved, Mr. Engle seconded to nominate Ms. Tulley to position of Finance Chair.

Mr. Engle moved, Mr. Molnar seconded to nominate Ms. Tulley to position of Finance Chair.

There being no further nominations, nominations were closed.

Roll call relative to the nomination of Ms. Tulley.

Ayes: Molnar and Tulley
Nays: Darrow, Engle and Hanneken
The motion was carried.

Roll call relative to the nomination of Ms. Hanneken.

Ayes: Darrow, Engle, Hanneken.
Nays: Molnar and Tulley
The motion was carried.

**Ms. Hanneken elected 2015 Chair to Finance Committee of the
Whole**

Council Committee Assignments Remained the same as 2014 assignments except replacement of Mr. Engle with Mr. Molnar as member of Street and Highway Committee..

PUBLIC COMMENTS

John Matejasich, River Run Drive resident complained about the test authorized by Council of the sand accumulating in the creek bed of Lake Forrest subdivision.

Regarding another topic South Bedford Road residents Jerry & Bev Sexton, Marti & Joe Skarupa, Brad Sommers and Carol Kucharski complained about the proposed in-door soccer facility in the area of L-I zoning behind their homes. Mr. Sexton provided a 3-D rendition of the proposed building as it would appear from his backyard. The residents were advised they could provide testimony relative to their concerns to the Board of Zoning and Code Appeals during the BZA's hearing on this matter.

Councilor Molnar suggested a moratorium on new construction.

Law Director Diemert advised caution due to constitutional issues.

Councilor Tulley suggested the Future Growth Committee be resurrected with Mr. Molnar as chairman.

Mayor Kuchta affirmed Ms. Tulley's suggestion.

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Regarding another matter, Cathy Loya, North Bedford Road resident asked for help regarding continual flooding of her home.

A brief discussion ensued regarding the work and final report of former Drainage and Sewer Control Committee (DSCC) and the Northeast Ohio Regional Sewer District (NEORS) and expectations relative to the latter.

INTRODUCTION, READINGS & ADOPTION OF 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 **second reading by title only**. Second not required

RES. NO. 1 -2015

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF ROBIN BUGENSKE TO THE AUDIT COMMITTEE was **offered** by Ms. Hanneken and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley.

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

Ms. Hanneken moved, Ms. Tulley seconded, to **adopt RES. NO. 1-2015**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None.
The motion carried, **RES. NO. 1-2015, declared adopted**.

RES. NO. 2-2015

A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING 5.07 MILL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES PURSUANT TO OHIO REVISED CODE SECTIONS 5705.19(A) AND 57-05.191, REQUESTING THE SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT LEVY, AND DECLARING AN EMERGENCY 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 only for all three readings**. Second by Mr. Molnar.

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

Ms. Engle moved, Mr. Molnar seconded, to **adopt RES. NO. 2-2015**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None.
The motion carried, **RES. NO. 2-2015, declared adopted**.

ORD. NO. 3 -2015

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AN ORDINANCE AMENDING ORDINANCE NO. 117-2014, EMPLOYEE PAY RANGE SCHEDULE OF COMPENSATION ADOPTED DECEMBER 11, 2014 was **offered** by Ms. Hanneken and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Darrow.

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

Ms. Tulley moved, Mr. Molnar seconded to **amend ORD. NO. 3-2015** where necessary in last Whereas clause and Section 1: ~~\$51,000~~, \$52,120.94

Roll call: Ayes: Darrow Molnar and Tulley
Nays: Engle and Hanneken
The motion carried.

Ms. Hanneken moved, Mr. Molnar seconded, to **adopt ORD. NO. 3-2015 as amended**, and post same according to law.

Roll call: Ayes: Darrow, Hanneken, Molnar and Tulley
Nays: Engle
The motion carried, **ORD. NO. 3-2015, declared adopted as amended.**

ORD. NO. 4-2015

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 58-1997 AND 117-2014 BY CREATING AND ADDING THE NEW POSITION OF PART-TIME CUSTODIAN OF PUBLIC BUILDINGS/FACILITIES MAINTENANCE was **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley

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

Mr. Molnar moved, Ms. Tulley seconded, to **adopt ORD. NO. 4-2015**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **ORD. NO. 4-2015, declared adopted.**

ORD. NO. 5 -2015

AN ORDINANCE APPOINTING MARK ROBERTSON TO THE POSITION OF PART-TIME CUSTODIAN OF PUBLIC BUILDINGS/FACILITIES MAINTENANCE was **offered** by Mr. Molnar and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley

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

Mr. Molnar moved, Ms. Tulley seconded, to **adopt ORD. NO. 5-2015** , and post same according to law.

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

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Nays: None

The motion carried, **ORD. NO. 5-2015, declared adopted.**

ORD. NO. 6-2015

AN EMERGENCY ORDINANCE AMENDING THE COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL 436 REGARDING NIGHT TIME PREMIUM 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 only for all three readings.** Second by Ms. Tulley.

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

Ms. Darrow moved, Ms. Tulley seconded, to **adopt ORD. NO. 6-2015**, and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None
The motion carried, **ORD. NO. 6-2015, declared adopted.**

MOTIONS/ OTHER LEGISLATIVE ACTION

~~Reconsideration of Mayoral Veto regarding December 11, 2014 motion relative to investigation by Fisher & Phillips [*Council chose not to take any action on this motion*]

~~Mr. Molnar moved, Ms. Hanneken seconded, authorizing an expenditure of not to exceed Five Thousand Dollars (\$5,000) for the purpose of performing a second test relative material accumulation in the creek bed within the Lake Forrest subdivision

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

CORRESPONDENCE: None

MAYOR'S REPORT: [Imported from Word document]

“I would like to thank Joe Clark and Tom Hartman from the Nordonia School System for trying to work with the City for shared gymnasium usage. They came to my office to meet and discuss the possibilities, and will be working with Angela, our recreation director and her staff to try and make something happen. I’m sure that having use of a gymnasium would enhance the City’s recreation facilities in a positive way. I am very appreciative of them trying to work with us.

I would like to remind everyone that with winter weather there will be snow parking bans. The bans are put into effect to allow us to remove the snow from the street in an efficient manner. They are posted on our website, on our cable T.V. channel, and on Nixle. This once again re-enforces the need to have the Macedonia app if you have a smart phone, and if you text you really need to get Nixle to forewarn you. Both can save you time and aggravation. If you are unsure of

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how to get either of these free services just contact my office and we will walk you through it or you can sign up on the City's website. Just one more thing relating to snow...please do not blow snow from your property into the street or place plowed snow on a neighbor's lot. Snow plowed from your driveway should be piled next to your driveway and not across the street.

Don't forget if you are a senior you are eligible for our senior programs. We have very reasonable and very good lunches along with everything from pretend horse races, to music, to crafting. Bingo and a day at the movies are also very popular activities. Contact our senior coordinator Cheri at 330-468-8432.

Court receipts for December 2014 were \$37235.00

I hope that all of our residents have a safe and happy 2015."

COMMITTEE REPORTS:

Planning Commission Ms. Darrow reported proceedings of previous Planning meeting .

DEPARTMENT REPORTS

Service Department Director DeGaetano reported on activities of the service department

Building Commissioner Commissioner Hlad reported on activities of the building department

Engineer Mr. Fini reported on current engineering projects

Recreation Department Ms. Gmerek reported upcoming activities and programming relative to Macedonia Family Recreation Center.

Finance Department

Fire Department Chief Black left due to emergency call.

Police Department Lt. Yakopovich in Chief Golden absence had no report.

Law Department Mr. Diemert had no report.

Unfinished business None.

New business None.

There being no further business before council, the meeting was adjourned at 9:30pm