

Record of Proceedings

Regular Council Meeting

October 12, 2017

Presiding Officer, Mayor Joseph Migliorini called the October 12, 2017 regular meeting to order at 7:30pm.

Present: Council President Nick Molnar and Council Members' Kevin Bilkie, David Engle, Sylvia Hanneken and Jan Tulley; Law Director Mark Guidetti and Council Clerk Josephine Arceci

Absent:

INVOCATION & PLEDGE OF ALLEGIANCE was led by City Chaplin Commodore Tom O'Brien of the Nordonia Hills American Legion Post 801.

FINANCIAL REPORT Ms. Tulley moved, Mr. Molnar seconded and motion carried unanimously on a voice vote acknowledging receipt of Financial Report dated September 30, 2017.

PUBLIC COMMENTS

~**Vini Ventura, 1479 Bruce Road**, announced his candidacy for a seat on Macedonia City Council. Mr. Ventura stated he has been walking through the neighborhoods with Jessica Brandt, also a candidate for Macedonia City Council and while doing has observed that the newly paved roads are a major improvement to their former condition. Mr. Ventura mentioned that residents which he and Ms. Brandt have spoken with are very appreciative of the change. Mr. Ventura and Ms. Brandt noticed however several issues one of which is the edge line to the berm. Residents expressed their concern about the berms to them as well. Residents expressed too them as well disappointment that residents did not receive prior notification that their drive apron would be cut and while Mr. Ventura is aware each apron will be repaired by the contractor Mr. Ventura suggested that during the next phase of improvements each property owner receive advance notice. Mr. Ventura mentioned he and Ms Brant learned while visiting residences on Waters Drive and Jaynes Lane that storm water from a new crossover pipe at that intersection pours into the middle of property at the southwest corner of Waters and Jaynes during heavy rain storms. Mr. Ventura wondered if the City can divert the water from the crossover pipeline to the ditch line.

Service Director Hnottavange informed Mr. Ventura that engineering has inspected the crossover pipe and has determined to prevent this from continuing the ditch will be redefined and an embankment created with dirt and a rack of stone diverting the water flow towards the Jaynes Lane ditch line and not the middle of the property owner's front yard.

~**Loren Eisner, 8460 Vintage Lane, the Preserves of Valley View** thanked the four council members who visited the Preserves subdivision to see for themselves damage done to the retention pond from water and mud run-off during the July 22, 2017 rain storm. The run-off came from the Northwoods subdivision across the road from the Preserves that is currently under construction. Mr. Eisner said the water and mud runoff not new. Faith Fellowship Church and the City have known for years that slit and dirt from church's property has infiltrated the lake at Preserves but nothing has been done. And now since the land to north has been cleared for the development of Northwoods the situation has worsened. Mr. Eisner explained that Greg Modic who represents Petros/Pulte Development has been cooperative after the

Record of Proceedings

Regular Council Meeting

October 12, 2017

administration intervened. Mr. Modic has agreed that Petros would take responsibility for dredging a 16-18 foot channel from the sewer entry point into the lake which extends along several properties. Mr. Modic said his subcontractor would be willing to enter into a separate agreement with the Preserve HOA to perform the remaining dredging at a cost of \$7500, which the HOA agreed upon. The remaining dredging would require larger equipment, which the HOA also agreed upon. The HOA was under the impression that the dredging by the subcontractor would be performed speedily or at least around the time Petros performed their end of the agreement but that has not been the case. The agreement with the subcontractor was verbal and try as he might Mr. Eisner said he has been unable to get the subcontractor to sign the agreement for the additional work for \$7500. Mr. Eisner mentioned the mud and silt Petros removed was stored on several properties. The piled dirt should be dry enough to spread but that has not been done yet either. Mr. Eisner asked for himself and on behalf of the Preserve HOA if the City would help facilitate finalizing this project.

Mayor Migliorini told Mr. Eisner that the City will contact Petros/Pulte but only relative to the original agreement with Petros regarding dredging the lake and leveling afterwards. The issue the HOA has with the subcontractor is a separate matters which the City has no privilege too Mayor Migliorini stated.

~ **Francis Jo Hamilton, Director of Revitalization for Heritage Ohio** and resident of Delaware Ohio explained that Heritage Ohio administers The Ohio Main Street Program (513c). The OMS program works with communities across the state to help revitalize the historical or traditional commercial areas of a community primarily through a grass roots approach. The OMS Program follows a four point method program to create a total image for a community; design and esthetics in the downtown area or core area within the community to create a place people want to gather. OMS also focuses on business enhancement and business retention for purposes of sustained economic development. The OMS Program encourages community based organization of stakeholders who are dedicated and desire revitalization of their community. The cost of the program is broken down into several levels: Downtown Affiliate Membership is \$900 per year; Downtown Assessment Resource Team Visit is \$5,000 the latter providing a one-year plan of projects, program and events Ms. Hamilton called press release ready. There is an additional level Ms. Hamilton stated. On a personal note Ms. Hamilton explained that she began as a volunteer with Heritage Ohio in 1999 in Delaware. At that the time downtown Delaware was only 45% occupied. Today Delaware is a destination location and the downtown is 98% occupied. Second story buildings are two-thirds occupancy and every Friday is “jammed packed” which visitors having a choice of twenty-two independently owned restaurants to enjoy in nine square blocks.

A brief discussion ensued regarding the benefits of utilizing the OMS Program in conjunction with the collaborations of the Redevelopment and Future Growth Committee.

~**Cathy Loya, 9186 N. Bedford Road**, stated, “Congratulations to the City of Macedonia for forward progress on stormwater projects is being seen throughout the City. Construction barrels are up and replacement of the Sioux Lane culvert is happening, and, of course, demolition of the home at 883 Iroquois Run was finally done on October 3, 2017. I have been very critical of this City and the handling

Record of Proceedings

Regular Council Meeting

October 12, 2017

of the purchase of 883 Iroquois Run from private residents since the very beginning which dates back to the summer of 2015. I know that the previous property owners had major stormwater problems for many, many years prior to 2015, and they did their best to deal with the situation. I also believe that the City through the years had spent City dollars on this private property to help potentially improve the situation. This was to no avail and that money simply washed away. More recently, we continue to see City dollars be spent on private residents' properties to include Brookpoint and possibly others. Yet, when I ask for help on my property at 9186 North Bedford I am told to wait for the completion of yet another study. The City gave the impression that when 883 Iroquois Run was appraised and purchased that plans and monies were set aside to complete the entire project - meaning that the City would have the plans and monies in place to complete the demo of the home and installation of the retention area in a timely manner. Waiting for nearly two years is not acceptable. Council at that time unanimously voted to go ahead and purchase a home without requesting any type of new engineering study on that property or surrounding properties. Our tax dollars were blindly used to purchase a property for it to sit vacant and dilapidated for nearly two years. For nearly two years stormwater cascaded from the rocks behind Sugarbush Park and into that home with no electricity to pump water out, as well as gush along the side of that property, to the street and then downhill to inundate occupied homes below. Two years this has gone on for one day of work by a bulldozer, a backhoe and a dump truck to tear that thing down. I find it simply unbelievable the mismanagement and deceit about this property purchase. This property should never have been purchased if monies were not first set aside for demolition and then the ultimate completion of the retention project at 883 Iroquois Run. Now that the house is down, please, I beg of you, please do not add impervious surface back to this property. If the home (an impervious surface with an impervious surface of a driveway) absolutely needed to be purchased from private residents, then why oh why would you knock it down to add back impervious surface in the form of sidewalks? Leave it grass. Make it a retention basin or a bio retention garden of some sort. No impervious surface should be added back to that property. Others in this City, including myself, have stormwater situations and some have seen their problems addressed but never me. Since 2006 when first approaching Council for issues with our stormwater, I have never received anything other than lip service. I do take that back - the City of Macedonia did help us rent a dumpster back in 2006 when we had nearly 8 feet of water in our almost finished basement. The situation on my property is clearly a City-created issue that the City purposefully perpetuates and ignores. This has been going on for decades and frankly I am fed up with it. I have asked Council on numerous occasions, just like the former property owners of 883 Iroquois Run asked, for the City to purchase my property at 9186 North Bedford Road because of stormwater problems. My husband asked for the purchase of our property all the way back in 2011 even. Precedence was set back in 2015 for the City of Macedonia to purchase private property from an individual resident because they asked for it. When I ask Council and/or the Mayor about my stormwater situation, the only response I do get is to wait for the completion of the study. In 2015, I was told to wait for the \$50,000 unanimously-approved GPD study. That study was done in January 2016, but that study has simply been discarded. The latest study is being conducted by NEORS D because now my City no longer considers it a 'City Issue'; it is now a 'regional issue'. I have been communicating with NEORS D since May of 2016 when the study began and the people there have been very understanding of my frustrations through yet another study. On Oct. 26, 2017, NEORS D will be here in Macedonia for the Council meeting, but, as of my conversation with Ms. Webb at NEORS D on Oct. 9, 2017, this study is delayed in its completion and it is looking more like the first quarter of 2018 for completion. When NEORS D is here in 2 weeks, I

Record of Proceedings

Regular Council Meeting

October 12, 2017

don't expect to hear any details about the study results. Might I remind Council that FEMA studied all properties in 2009 before redrawing the floodplain maps? No properties on Iroquois Run - including 883 had their flood statuses updated by FEMA with the redrawing of maps requiring flood insurance. My entire property, along with my neighbors' properties, were made into an 'AE' flood zone requiring myself and my neighbors to have flood insurance in order to carry a mortgage on a home. So not only does my City deliberately route more and more stormwater through my property because it provides good retention, but I get to pay flood insurance on an annual basis. Again, I ask, how can a public entity purposefully route stormwater onto private property and accept no responsibility for the issues that it creates - including an annual bill to FEMA for flood insurance? So congratulations on moving forward with stormwater projects - namely demo of 883 Iroquois Run and the replacement of the Sioux Lane culvert. Now, can you please turn your attention to my situation at 9186 N. Bedford Road and get things happening? I have been patiently waiting. No more talk about studies and waiting for studies and needing to hear what the study says. I want action.”

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD. NO. 91_ – 2017

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF THOMAS GURKO TO THE POSITION OF PART-TIME CORRECTIONS OFFICER was **offered** by Mr. Molnar who 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. Bilkie carried unanimously on a voice vote.

Mr. Molnar moved, Ms. Hanneken seconded and motion carried unanimously on a voice vote to **adopt ORD. NO. 91-2017** and post same according to law. The motion carried. **ORD. NO. 91-2017 declared adopted**

ORD. NO. 92– 2017

AN ORDINANCE AMENDING ORDINANCE NO. 19-2017 RELATIVE TO THE ANNUAL APPROPRIATIONS FOR ADDITIONAL EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD JANUARY 1, 2017 TO DECEMBER 31, 2017 was offered by Ms. Tulley for its **first reading by title only**. Second not required.

MOTIONS / OTHER LEGISLATIVE ACTION(S)

CORRESPONDENCE:

MAYOR’S REPORT:

~~Mayor stated when elected in 2015 his first thought was how can the communities of Nordonia Hills save their taxpayers’ money? The most obvious way to Mayor Migliorini is to share services, equipment and manpower. Towards that end the Mayor said he invited the officials of the township of Northfield and Sagamore Hills and the village of Northfield to discuss the potential of initiating feasibility study to

Record of Proceedings

Regular Council Meeting

October 12, 2017

determine the effectiveness combining forces in some matter. The following letter was issued by the Mayor for that purpose.

“September 28, 2017

Dear Fellow Elected Officials,

As a follow-up to our June 8, 2017 meeting regarding Regionalization of services, etc., I would like to propose your participation in a Feasibility Assessment Study. This Study is a tool to assist us in evaluating consolidation of resources within Nordonia Hills; the pros and cons of various services and what the savings would be to the communities. As we are all aware, with continuous Federal/State cutbacks to local communities, we as leaders are faced with financial challenges. We can no longer stand alone, standing together we are stronger.

Our success story from a Fire Regionalization standpoint is only the beginning as we continue to explore cost effectiveness in other areas. Pursuing consortium efforts on every level may allow us more opportunities for Issue 2 eligibility, CDBG grant funding, and possibly funding from other sources.

I have attached for your review three (3) Feasibility Assessment Proposals. I would like to discuss these Proposals in a leadership brainstorming session. I have a scheduled a meeting for **Tuesday, October 17th at 3:00 p.m.** and hope that a representative from each Community will be in attendance in seeking your input.

I look forward to this opportunity to meet with you for further discussions as we collaboratively work together to achieve greater things for our communities. Please contact me with any questions you may have.

Sincerely,
Mayor Joseph Migliorini”

Continuing, Mayor Migliorini explained that instead of receiving a cordial response, Northfield Center Trustee Buescher posted on social media that Northfield Center and Northfield elected officials had informed Mayor Migliorini by letter that they are not interested in participating with the City of Macedonia. Interestingly Mayor Migliorini added, Northfield Center Trustee Rich Reville informed the Mayor that Mr. Reville was not invited to or was privy to the meeting held by Trustees Buescher and Romanik, a meeting held in violation of the Sunshine Law. The letter Mr. Buescher referred to did not in fact arrive until last this afternoon the Mayor stated and yet Mr. Buescher stated on social media that the City had received it. Mayor Migliorini stated Sagamore Hills elected officials on the other hand understand the importance of at least engaging in conversation to collaboratively try and contain escalating costs of providing services. The Mayor added that he has even contacted the mayor of Twinsburg about sharing costly equipment. Dwindling tax dollars in every community is requiring creatively seeking ways to save taxpayers’ dollars.

Record of Proceedings

Regular Council Meeting

October 12, 2017

~~Mayor announced that Summit County has provided a \$50,000 CDBG grant for the renovation of the Community Room. Renovation will include restroom updated, new flooring and ceiling and a cost of fresh paint.

~~Mayor announced that WalMart has undergone a \$1M worth of renovation which includes a cleaner interior and more sophisticated lost prevention surveillance equipment. WalMart is also under new management; the Macedonia manager is also the manager for the region. The Grand Re-Opening of WalMart is October 27th at 7am.

~~Mayor announced that the residual dollars from the Recreation Center Fund of about \$1.2M is being used to renovate and expand of the men and women locker rooms and to create a family changing room. Exercise equipment is being replaced or upgraded as well. The plan is still in the pricing stage and the project will be performed in-house with the City acting as the general contractor. The project is anticipated to come under budget, just as the Recreation Center and the City Center were when they were constructed the Mayor added.

~~ Mayor announced security cameras have been installed at Longwood Park. The Manor House, the barns, the playground area and the area of Longwood Lake are now under surveillance. Sugar Bush Park and the retention area of 883 Iroquois Run are the next area to install cameras. Regarding Iroquois Run the Mayor added that the site is going to be prepared and landscaped as an amenity of the residents of the area.

COMMITTEE REPORTS:

Finance Committee Ms. Tulley announced the first of four finance meeting scheduled over the next several months is Thursday, October 19th at 6pm. The first meeting will include discussing Ordinance No. 91-2017, the state of the City and the operating budgets relative to the departments of building, IT, finance and police.

DEPARTMENT REPORTS

Service Department Director Hnottavange announced that the Leaf Collection Program begins Monday, October 16th. For now collection will begin with just two crews, one crew on the north side of the City the other on the south. Residents can follow crew activity (street schedule) on the City's website under the title "Street Activity Sheet". The last week of pick-up will be November 27th. Residents were reminded to pile leaves in wind rows and that the piles should not to exceed 10' in depth from the edge of road and they should placed 10' away from all roadside obstructions, i.e. mailboxes, trees, hydrants, street signs, etc. Leaf piles must be kept off of the roadways and out of ditches so water flow is not obstructed. Residents were reminded also not to place debris in the piles. If residents do not comply with this instruction notice for noncompliance will be given. Correction must be made prior to the next round of collection Mr. Hnottavange stated otherwise the residence will be passed over. Mr. Hnottavange reported that 13 of 17 driveway culvert installs have been completed. Those remaining will be completed

Record of Proceedings

Regular Council Meeting

October 12, 2017

in between leaf collection. Mr. Hnottavange also reported that to date the service crews have placed over 80 tons of asphalt material. Mr. Hnottavange mentioned that senior citizen applications for snow removal and gutter cleaning are still being received. Gutter cleaning for qualifying seniors will be performed sometime this November.

Building Commissioner

Engineer Mr. Hnottavange in Engineer Gigliotti's absence reported that the asphalt top coat is now complete for Laurel, Roseland, Barkdale, Skyland, South Skyland, Summer and Waters. Berm material will be installed to support and back the new asphalt edge. The last step of the road project is the application of new edge lines. Catch basin repairs have now been completed; there were a total of 23 city-wide. Miscellaneous asphalt spot repairs are currently being performed at many locations throughout the City. Once completed, crack sealing work will begin. Regarding 883 Iroquois Run, the house has been demolished and the retention pond has been installed. Construction on the Sioux Lane culvert replacement begun but due to malfunctioning water main shut off valves; many residences in the neighborhood were without water for a few hours today Mr. Hnottavange stated. Cleveland Water Department is currently working to fix the malfunctioning valves. Expectation is that there will be water shut down day will be on Friday, although fewer homes will be affected Mr. Hnottavange added. Residences that are affected will be notified by the contractor. The newest sound wall at the I-271 southbound exit ramp is now substantially complete.

Recreation Department Director Manley reported she has been seeking information regarding the best way to replace the equipment and upgrade of the weight room. Membership packages are being analyzed and reviewed in order to update membership offerings and a cost analysis is being performed to determine feasibility of expanding hours of operation. Ms. Manley announced Little Veterinary School begins October 25 and runs through December 6. The school provides crafts and games about living with and caring for house pets. Participants' role play during the program, i.e. being a veterinary doctor and attendees receive a stuffed animal, water bowl and Frisbee to take home.

Finance Department Director Hall was not present.

Fire Department Captain Ripley, in Chief Black's absence announced that October is Breast Cancer Awareness Month and thus the reason he and fellow firefighters are wearing tee-shirts promoting awareness. The Capt Ripley also announced that on Sunday, October 29, 2017 the Macedonia Firefighters Association is holding its 51st Annual Fall Party for children of Nordonia Hills. The event is being held at Macedonia Station 1 from 4-6pm.

Police Department Chief Golden reminded residents to utilize NIXLE, the system that alerts local users of traffic, safety or weather issues. Nixle was helpful today Chief Golden today for some 75 residences who were without water because of the Sioux Lane project.

Regarding a separate matter, Chief Golden made the following statement.

Record of Proceedings

Regular Council Meeting

October 12, 2017

“Recently, I was made aware that Rita Darrow, candidate for Macedonia Council, used a picture of the two of us in a campaign ad that was displayed on several internet sites. This picture was taken years ago at E.J. Thomas Hall during a Nordonia High School graduation ceremony, not recently as she would have you believe. Next to the picture of us was written “I support our safety forces.” Ms. Darrow did not have my permission or the City’s to use that picture in her campaign ad and has been advised to cease and desist accordingly. Because of Ms. Darrow’s unauthorized and improper use of a picture of me in uniform, next to her words “I support our safety forces”, her distributing this without authorization to several places on the internet, and the entire message being a complete distortion of facts at best, a response is necessary. This campaign ad is misleading and a lie. I want to be clear despite what Ms. Darrow is trying to portray with this picture, I do not support her in any way, shape, or form. In fact, Ms. Darrow has refused to speak to me for several years now since the City Police Department charged a person close to her. Additionally, as a result of that incident, Ms. Darrow called my officers “liars.” And, on May 3rd she posted on Facebook, “*I told my friends and family if I am headed out of this world in Macedonia, do not call 911, I’d rather die. Now that is sad, as a resident here.*” No, in my experience, Rita Darrow does not support the safety forces. This was demonstrated when she was on Council, by her actions, and by her words. Her campaign ad is just another lie, this time to garner votes. This is the same Rita Darrow that residents voted off Council several years ago because of all the lies, in-fighting, and controversy. I sat during numerous Council meetings and witnessed first-hand Ms. Darrow, Ms. Hanneken and other members of Council attempt to paralyze the City and bring it to a halt, which would have been devastating for our Safety Forces who are simply trying to protect and serve our Community. This is just one of the reasons every City union unanimously refused to endorse her the last time she ran for Council and still refuses to endorse her today.”

Law Department Mr. Guidetti confirmed the law department issued Ms. Darrow a cease and descent letter because her information was misrepresented and because the use of the Chief’s likeness and image is equivalent to using the City’s seal. Regarding government consolidation, Mr. Guidetti reported while the state historically supported funding in the form of \$25,000 grants it does not any longer.

Unfinished business

New business Councilor Bilkie mentioned that the coyote situation is not as prolific as it was last year but unfortunately a house pet was attacked in the Gardens of Highland. Mr. Bilkie reminded residents the best way to protect their pets is to keep them leashed. Mr. Bilkie informed residents as illogical as this may sound coyotes are “skittish” and they need to be reminded who is in charge. Walking toward a coyote, yelling or making a loud noise will cause the coyote to run-off.

Chief Golden confirmed residents should act assertively to scare off coyotes and that they are currently roaming and probably will be until through December. The Chief mentioned that a coyote just recently walked through his yard.

Record of Proceedings

Regular Council Meeting

October 12, 2017

Pertaining to a separate matter, Councilor Bilkie announced Ledgeview Elementary was awarded the National Blue Ribbon Award. The National Blue Ribbon Schools Program recognizes public and private elementary, middle, and high schools based on their overall academic excellence or their progress in closing achievement gaps among student subgroups, National Blue Ribbons schools demonstrate all students can achieve high levels. Mr. Bilkie read only 292 elementary schools across the nation this year received this award. It is rewarding to know he added that one of those schools is located in Macedonia.

Regarding a different topic, Council President Molnar mentioned the passing of Leslie Kronjak, whom he described as a special, kind person. Ms. Kronjak who was the granddaughter of Mike Kronjak who passed away recently attended high school with Mr. Molnar. Mr. Molnar asked for a moment of silence in Ms. Kronjak's memory.

There being no further business before Council, the meeting adjourned unanimously on voice vote at 9pm