

Record of Proceedings
Regular Council Meeting
October 27, 2016

Presiding Officer, Mayor Joseph Migliorini called the regular meeting of October 27th to order at 7:40pm

Present: Council members' Kevin Bilkie, David Engle, Sylvia Hanneken. Nicholas Molnar and Janet Tulley; Council Clerk Josephine Arceci and Law Director Mark V. Guidetti

Absent:

INVOCATION & PLEDGE OF ALLEGIANCE led by City Chaplain Commodore Tom O'Brien of American Legion Post 801.

MINUTES Mr. Molnar moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to approve the minutes of the regular meeting of September 8, 2016.

PUBLIC COMMENT

~**Jeremy DeBenedictis of 1232 Mig Court** with several members of local Boy Scout Troop 575, three of whom are residents of Macedonia and one a Twinsburg resident stated part of the boy's troop experience is to understand and engage in citizenship. The scouts are current members of the Macedonia Family Recreation and with their families support the passage of Issue 19.

~**Scout Joey Passerable** asked Mayor Migliorini Macedonia's most important need today to which the Mayor answered in his opinion it's road improvements and the passage of Issue 18 because there is over \$20 million dollars worth of roads that need to be repaired. Issue 18 would not generate all the revenue that is needed for all the roads but over the next 10-years it would provide \$10 million dollars which would help improve Macedonia's worst roads and maintain many others through a crack sealing program. Issue 19 for the Recreation Center is also very important Mayor Migliorini explained because the revenue would provide for improvements like the addition of an outdoor pool, a gymnasium, an outdoor basketball court, an amphitheater and enhancing the walking trails and the park.

~**Scout Michael Ticchone** asked Mayor Migliorini what makes Macedonia unique. In Scout Ticchone's opinion he said it's the Macedonia Family Recreation Center.

Mayor Migliorini agreed with Scout Ticchone, adding, what also makes Macedonia unique are its residents who support the Recreation Center and who support the City's services.

~**Scout Nathan DeBenedictis** asked how he can make a difference in his local community in the upcoming election and beyond the election to which Mayor Migliorini answered by attending meetings and speaking as Scout DeBenedictis has done this evening and by continuing to support what is important to him. Mayor Migliorini added that the local Boy Scout troops have provided Macedonia help many times over the year through various service projects for which the Mayor expressed his thanks and gratitude.

~**Scout Wes Donley** stated he enjoys swimming and pother activities at the Recreation Center and playing baseball in Longwood Park and he believes making more improvements in both areas is a good idea.

~**Albert Mixer, 9040 Chinaberry Circle** thanked the Mayor and Council for the many city services residents are provided. Mr. Mixer said Mayor Migliorini is a 'no nonsense guy' who when there is a

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need examines that need by every angle and makes the right decision continuing in the right direction. Mr. Mixer commended the various types of employment ordinances on this evening agenda especially in regards to the employment of Mike DeBrouse who Mr. Mixer described as a hard working individual who will be an asset to Macedonia.

~**Janet Susak, 1058 Riverview** commended and thanked Chief Black and fire department personnel for their expert, kind and meaningful demeanor particularly in regards to their response to several of her neighbors who recently required emergency services. Ms. Susak also commended and thanked Chief Golden and the police department. Ms. Susak explained that the intersection of Smokerise and Berkshire is a four way stop but most motorists ignore the stop signs making it a treacherous intersection. The recent presence of a police cruiser at the intersection has been a strong deterrent and made that area safer. Ms. Susak also commended and thanked Service Director Hnottavange and service department crew particularly Mike DeBrouse who provided help to the Susak's during a recent clean-up of household items. Ms. Susak added that she is grateful and proud to be resident because of the services provided by Macedonia and because of the caliber of employees Macedonia hires to provide these services.

~**Carole Pleskovic** of Sagamore Hills thanked the Mayor Migliorini for the fire and emergency services now being provided to township residents. Ms. Pleskovic commended the newly fitted fire station in Sagamore Hills.

Mayor Migliorini told Ms. Pleskovic the real thanks should be to Sagamore Hills trustees.

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

RES. NO. -73 2016

A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF MIKE HAWKINS TO THE CIVIL SERVICE 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 only for its second and third readings. Second by Mr. Bilkie, motion authorizing the same carried unanimously on a voice vote.**

Mr. Molnar moved, Mr. Bilkie seconded and **motion carried unanimously on a voice vote to adopt RES. NO. 73-2016** and post the same according to law: **RES. NO. 73-2016 declared adopted.**

ORD. NO. 84-2016

AN ORDINANCE ADOPTING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE IN USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA FOR A PERIOD OF 180 DAYS IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE AND LOCAL LAWS AND REGULATIONS RELATING TO SUCH USES was **offered by Mr. Bilkie** 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 its second and third readings. Second by Mr. Molnar, motion authorizing the same carried unanimously on a voice vote.**

Mr. Bilkie moved, Mr. Engle seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 84-2016** and post the same according to law: **ORD. NO. 84-2016 declared adopted.**

ORD. NO. 85-2016

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AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A RESTATEMENT OF THE WATER SERVICE AGREEMENT FOR DIRECT SERVICE WITH THE CITY OF CLEVELAND TO PROVIDE WATER AND WATER-RELATED SERVICES TO THE CITY OF 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 only for its second and third readings. Second by Mr. Molnar, motion authorizing the same carried unanimously on a voice vote.**

Mr. Engle moved, Mr. Molnar seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 85-2016** and post the same according to law: **ORD. NO. 85-2016 declared adopted**

ORD. NO. 87- 2016

AN ORDINANCE AMENDING ANNUAL APPROPRIATION ORDINANCE NO. 17-2016 FOR ADDITIONAL EXPENDITURES FOR THE PERIOD JANUARY 1, 2016 TO DECEMBER 31, 2016 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 only for all three readings. Second by Mr. Molnar, motion authorizing the same carried unanimously on a voice vote.**

Ms. Tulley moved, Mr. Molnar seconded and motion carried **unanimously on a voice vote to amend ORD. NO. 87-2016 as recommended by the finance director to read as following:**

FROM	TO FUND	AMOUNT
General Fund-Fire Dept.,	General Fund-Civil Service,	\$1000.00
Other Expenditures	Personal Services	<u>\$500.00</u>
	<u>Other Expenditures</u>	<u>\$500.00</u>

Ms. Tulley moved, Mr. Bilkie seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 87-2016 as amended** and post the same according to law: **ORD. NO. 87-2016 declared adopted as amended.**

ORD. NO 88-2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF CHRISTOPHER HALL TO THE POSITION OF ZONING INSPECTOR was **offered by Mr. Bilkie** 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, motion authorizing the same carried unanimously on a voice vote.**

Mr. Bilkie moved, Mr. Engle seconded **to adopt ORD. NO. 88-2016** and post the same according to law:

Roll call: Ayes: Bilkie, Engle, Molnar and Tulley
 Nays: Hanneken
 The motion carried; **ORD. NO. 88-2016 declared adopted.**

Regarding ORD. NO. 88-2016 and during roll call Councilor Hanneken stated Mr. Hall although educated in does not have experience in this area. Mr. Hall is not qualified for this position under the City's job description for zoning inspector.

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Council President Molnar stated Mr. Hall holds a master's degree and has vast experience in the area of municipal service. Mr. Molnar opinion Mr. Hall will be an asset to Macedonia. Also relevant in Mr. Molnar's opinion is that it is the administrator's responsibility to appoint, terminate, demote administrative employees and it also the administrator who is responsible for the day-to-day operation of the City. These are the duties of the mayor; the mayor is elected for these purposes and therefore Mr. Molnar supports the recommendation to the position.

Mayor Migliorini interjected Mr. Hall also holds an engineering degree and a certificate in teaching. Mr. Hall is highly credentialed which makes him an excellent candidate to understand and enforce Macedonia's zoning codes Mayor Migliorini stated. Mayor Migliorini added, regardless of Mr. Hall's credentials there are no certificates or degrees specific to this position. Mayor Migliorini added that in his early years as mayor he appointed Al Kalish, a former school teacher to the position of zoning inspector. Mr. Kalish learned the position and became a formidable inspector for Macedonia. And most recently, Mayor Migliorini stated, Jonelle Melnichenko who Mr. Hall replaces and who had been in the finance department prior to transferring to position of zoning inspector performed incredibly well for last seven months in that position.

ORD. NO. 89- 2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MICHAEL BLACK TO THE POSITION OF FULL-TIME SERVICE DEPARTMENT PARK MAINTENANCE WORKER was **offered by Mr. Molnar for its first reading by title only; Second not required.**

ORD. NO.90- 2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MICHAEL DEBROUSE TO THE POSITION OF FULL-TIME SERVICE DEPARTMENT MAINTENANCE WORKER INSPECTOR 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, motion authorizing the same carried by majority on a voice vote;** Ms. Hanneken dissently.

Ms. Tulley moved, Mr. Molnar seconded and **motion carried on majority voice vote to adopt ORD. NO. 90-2016** and post the same according to law: Ms. Hanneken dissenting, Mr. Engle abstaining. **ORD. NO. 90-2016 declared adopted.**

Relative to ORD. NO. 90-2016 and during roll call, Councilor Hanneken, citing Mr. DeBrouse's financial background complained that his financial history of not paying taxes, his temper and having impersonated a police officer do not make him an appropriate candidate for employment. Ms. Hanneken added Mr. Molnar should not be voting on behalf of Mr. DeBrouse because of their personal relationship citing a situation with Mr. Molnar and his previous employer in which Mr. DeBrouse was present.

Law Director Guidetti cautioned Ms. Hanneken's about statements she is making publicly.

Council President Molnar said he felt so good earlier in the meeting when members of Boy Scout Troop 575 spoke about their local government and their civic responsibility. What he doesn't feel good about is what just happened, Ms. Hanneken's segued negativity. Mr. Molnar explained he resigned from the city of Green where he worked. There had been some issues; he sought legal counsel whose advice he followed. Regarding Mr. DeBrouse, Mr. Molnar stated he is proud to know him. Mr. Molnar noted Ms. Hanneken did not comment on the credit history of any other new appointment on tonight's agenda.

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Councilor Tulley told Ms. Hanneken her remarks are personal and totally out-of-line. Mr. DeBrouse has the qualifications for the position and thus the reason for Ms. Tulley's support.

Mayor Migliorini interjected Mr. DeBrouse has a variety of skill sets including masonry and concrete which are assets in his opinion.

ORD. NO. 91-2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF DANIEL KING TO HE POSITION OF PART-TIME FIREFIGHTER 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 it for all three readings. Second by Ms. Tulley; motion authorizing the same carried unanimously on a voice vote.**

Mr. Molnar moved, Ms. Tulley seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 91-2016** and post the same according to law: **ORD. NO. 91-2016 declared adopted.**

ORD. NO. 92 - 2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF CHARLES RITLEY TO THE POSITION OF PART-TIME FIREFIGHTER was **offered by Mr. Bilkie** 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 it for all three readings. Second by Mr. Engle; motion authorizing the same carried unanimously on a voice vote.**

Mr. Bilkie moved, Mr. Molnar seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 92-2016** and post the same according to law: **ORD. NO. 92-2016 declared adopted.**

ORD. NO. 93- 2016[

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF LEANNE HARVAN TO THE POSITION OF PART-TIME POLICE DEPARTMENT CORRECTIONS OFFICER 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 only for it for all three readings. Second by Mr. Molnar; motion authorizing the same carried unanimously on a voice vote.**

Ms. Tulley moved, Mr. Molnar seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 93-2016** and post the same according to law: **ORD. NO. 93-2016 declared adopted.**

ORD. NO. 94 - 2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF ENRICO CASENTINI TO THE POSITION OF PART-TIME POLICE DEPARTMENT CORRECTIONS OFFICER 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 it for all three readings. Second by Ms. Tulley; motion authorizing the same carried unanimously on a voice vote.**

Mr. Engle moved, Ms. Hanneken seconded and **motion carried unanimously on a voice vote to adopt ORD. NO. 94-2016** and post the same according to law: **ORD. NO. 94-2016 declared adopted.**

MOTIONS/ OTHER LEGISLATIVE ACTION None

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CORRESPONDENCE: None

MAYOR'S REPORT

- Support of Issue 18 and 19, the first of which is a ¼%, 10-year levy for improving Macedonia's roads and the second a continuation of 20-year, ¼% levy for improvement and enhancement of Recreation Center.

COMMITTEE REPORTS

Northfield-Macedonia Cemetery Board Ms. Tulley announced a meeting is being held November 8 at 6:30pm to discuss issues relating to the poor condition of wrought-iron fence surrounding the cemetery property and the roof service garage, both of which may need to be replaced.

Finance Committee Ms. Tulley said she is not scheduling any finance meetings for the remainder of the year because there are too many unknowns at this point: the passage of the levies, collective bargaining issues and health benefits cost to be able to formulate a viable appropriation budget for 2017. Instead Finance Director Hall will prepare a temporary budget for 2017 until the annual appropriation can be created.

Parks & Recreation Commission Mr. Bilkie announced that the Commission is meeting November 2 at 6:30pm at the Recreation Center.

DEPARTMENT REPORTS

Service Department Service Director Hnottavange thanked the Mayor and Council majority for the appointment of Mike DeBrouse. Mr. Hnottavange expressed disappointment in what was said about the administration's appointment of Mr. DeBrouse because he is very good at what he knows and is a welcomed asset for his job skills. Macedonia has 13 full-time employees compared to the 25 service employees in cities of Twinsburg and Hudson. Every new Macedonia employee must be able to perform to full capacity and Mr. DeBrouse does just that as evidenced too by the full contingent of service department employees who have attended this evening's meeting in support of Mr. DeBrouse. This is the first time in years Mr. Hnottavange stated that the entire service department melds well together and in Mr. Hnottavange's opinion this is just another asset he'll make no apology for.

Building Commissioner Mr. Rodic was not present.

Engineer Mr. Gigliotti reported that final paving of all six lanes of SR82 between Macedonia Commons Blvd and Dunkin' Donuts will be performed during late evening hours starting this week. Regarding the access drive from the area of the JEDD (Golden Link Blvd) to Route 8 Mr. Gigliotti stated he failed to report during the October 13 meeting that the cost of the project would be financed through an assessment of the commercial property owners. Mr. Gigliotti reported as well that the third and final phase of SR82 is basically complete except for minor restorations to several properties.

Recreation Department Ms. Manley asked residents to support Issues 18 & 19. Regarding Issue 19 in particular, financial facts and information about the operations and functions and proposed improvements to the Recreation Center and the park is available to the public online, at the Recreation Center and at the

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City Center. There is too much negative and false information undermining the truth about the levy. Ms. Manley reminded the public that Issue 19 is a renewal and not a new tax.

Finance Department Ms. Hall announced that R.I.T.A. reported October receipts were \$650,696 compared to October 2015 when they were \$634,955. This is an increase of \$15,740 over last year but accumulatively collections so this year at down \$137,110. Ms. Hall mentioned R.I.T.A subpoenaed 1329 tax payers relative to its delinquent collection program. R.I.T.A is setting shop at the City Center on November 15 & 16 for the taxpayers to pay their outstanding taxes. Ms, Hall announced that the City finances are being put n the City's website in two locations; finance department and Issues 18 & 19. The information appears as cash basis accounting.

Fire Department Chief Black announced the fire department's annual children's Halloween Party is Sunday, October 30 from 4-6pm at the first station. The children costume party has been held annually since the 1960's Chief Black added. Beggars' night in the Nordonia Hills area is Monday, October 31, from 6pm-8pm. The Chief reported too that the annual Pancake and Sausage Breakfast is being held Sunday, November 13 from 8am-1pm. This year's proceeds are being donated towards the restoration of the Macedonia Veterans Memorial Park. The Chief mentioned that information about this year's Santa delivery program is on the City's website and is in the Macedonia eMessenger. The Chief mentioned the department received a thermal imaging mask worn by the firefighter. The new mask is far more helpful and superior than the thermal imaging cameras the department had been using.

Councilor Hanneken asked Chief Black what he can relate about the recent NewsLeader article pertaining to the vandalism that occurred to the Northfield Center fire station just prior to Macedonia firefighters taking occupancy to which the Chief answered nothing because the Sheriff's department has not shared any information with him, he has not been part of the investigation.

Police Department Chief Golden reported that ODOT has informed the City that Ledge Road will be closed an additional two weeks. Chief Golden reminded residents who leave their vehicle in their driveways to keep the car doors locked. There has been a rash of robberies recently in the area of Springhill and the simplest deterrent is a secured vehicle.

Law Department Mr. Guidetti had no report.

Councilor Hanneken asked Mr. Guidetti if he's received a letter from resident Terry Repak to which Mr. Guidetti he had.

Unfinished business None.

New business Councilor Hanneken stated she sees her duty as a council person as working for the residents and the residents deserve to have the best information in order for them to make their decisions. Continuing, Ms. Hanneken stated Mr. Molnar had said that he had not been fired by the City of Green.

Mayor Migliorini interjected telling Ms. Hanneken comment about Mr. Molnar inappropriate.

Council President Molnar moved to end what he called Ms. Hanneken's tirade. Mr. Bilkie seconded Mr. Molnar's motion.

Roll call: Ayes: Bilkie, Molnar and Tulley
 Nays: Hanneken and Engle

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The motion carried.

EXECUTIVE SESSION

At 8:45pm Mr. Bilkie moved, Mr. Molnar seconded to adjourn into Executive Session for the purpose of to considering the discipline of a public employee or public official

**Roll call: Ayes: Bilkie, Molnar and Tulley
 Nays: Hanneken, Engle
 The motion carried.**

(Ms. Hanneken chose not to adjourn into the Executive Session with all the other members of Council)

At 9:20pm Council reconvened into its regular meeting and there being no further adjourned by voice vote at 9:21pm.