

Record of Proceedings  
Regular Council Meeting  
March 26, 2015

Presiding Officer, Mayor Donald Kuchta called the March 26 regular meeting to order at 7:35pm.

**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 Darrow

**INVOCATION** was led by Resident Terry Hudak

**MINUTES** Mr. Molnar moved, Ms. Tulley seconded, to approve the minutes of the regular meeting of March 12, 2015 as submitted by the clerk.

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

**FINANCIAL REPORT** Ms. Hanneken moved, Mr. Engle seconded, to acknowledge receipt of the Financial Report dated February 28, 2015.

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

**PUBLIC COMMENTS**

Barb Dlugoz, a Valley View Road resident stated: It was reported in a recent NewsLeader article that the reason the 2015 budget was completed on time was because of Macedonia's finance director. Does this mean he still has access to city information she asked?

Mayor Kuchta answered the finance director is on administrative leave and therefore is not to have any contact with the City.

Ms. Dlugoz asked then how did he prepare the budget. Does anyone know what city information he has on his personal computer she asked? Are residents' names and social security numbers on his computer? Ms. Dlugoz recently has had an incidence of identity thief, her neighbor has had two. Ms. Dlugoz expressed concern about her personal information being exposed because anyone can have access to the finance director's computer; his spouse, his children or the friends of his children she added.

Mayor Kuchta assured Ms. Dlugoz that the finance director's office in city hall is sealed.

Ms. Dlugoz continued to inquire about the finance director's personal computer. Regarding another topic Ms. Dlugoz inquired about the selection process relative to this year's road resurfacing program. She questioned why all the roads on this year's list are in a select area on the north side of Macedonia. Ms. Dlugoz expressed her disappointment that Valley View Road was not considered although it is a high volume roadway.

Councilor Hanneken interjected building and engineering prepared a spreadsheet prioritizing roads by their condition. The residential roads in the Highland Hills subdivision on this year's list have not been resurfaced in many years. Also included in this year's program: a portion of Highland Road and the resurface of Route 82, which the City is responsible for paying a proportional cost.

Mayor Kuchta informed Ms. Dlugoz that the Highland Hills roads were installed in the 1950's.

**PENDING &/OR NEW LEGISLATION**

**ORD. NO. 28-2015**

Ms. Hanneken moved, Ms. Darrow seconded for **ORD. NO. 28-2015 : AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MACEDONIA OCCUPANCY PROGRAM AGREEMENT WITH BLACKBURN'S HUBCAPS AND WHEEL, INC., to remain at its second reading.**[First Rdg: 2-26-15; Second Rdg: 3-12-15]

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Nays: None  
The motion carried

**ORD. NO. 29-2015**

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 108-2007, AS AMENDED BY ORDINANCE NO. 81-2009, RELATING TO THE MACEDONIA OCCUPANCY PROGRAM AND ELIGIBILITY REQUIREMENTS was **offered** by Ms. Hanneken for its **second reading by title only**.  
Second not required.

**RES. NO. 36 -2015**

Ms. Hanneken moved, Mr. Engle seconded for **RES. NO. 36 -2015: A RESOLUTION APPROVING THE MAYOR'S REMOVAL OF SCOTT SVAB AS DIRECTOR OF FINANCE to remain at its first reading**. [First Rdg: 3-12-15].

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

**ORD. NO. 38-2015**

Ms. Hanneken moved, Mr. Engle seconded for **ORD. NO. 38-2015: AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ADOPT A REVISED RECORDS POLICY to remain at its first reading**. [First Rdg; 3-12-15]

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

**ORD. NO. 39 -2015**

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA 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 Ms. Hanneken.

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

Ms. Tulley moved, Mr. Engle seconded, to **adopt ORD. NO. 39-2015**, and post same according to law

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None  
The motion carried. **ORD. NO. 39-2015, declared adopted**

**ORD. NO. 40 -2015**

AN ORDINANCE AMENDING THE CURRENT APPROPRIATIONS ORDINANCE 116-2014, TO APPROPRIATE FUNDS FOR A FULL-TIME HUMAN RESOURCE /PERSONNEL ADMINISTRATOR OF THE CITY OF MACEDONIA was **offered** by Mr. Engle for its **first reading by title only**. Second not required.

**ORD. NO. 41-2015**

AN ORDINANCE ESTABLISHING THE PART-TIME POSITION OF "PUBLIC RECORDS CLERK" WITHIN THE MAYOR'S OFFICE AND ESTABLISHING COMPENSATION THEREFORE was **offered** by Mr. Molnar for its **first reading by title only**. Second not required.

**RES. NO. 42 -2015**

A RESOLUTION APPOINTING AL KALISH TO THE INCOME TAX REVIEW BOARD IN ORDER TO FILL A RECENT VACANCY 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. Engle.

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

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Ms. Tulley moved, Mr. Engle seconded, to **adopt RES. NO. 42-2015**, and post same according to law

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None  
The motion carried. **RES. NO. 42-2015, declared adopted**

**RES. NO. 43-2015**

A RESOLUTION ASKING THE GOVERNOR TO RECONSIDER HIS PROPOSED ALLOCATION OF SCHOOL FUNDING PLAN 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, Mr. Molnar seconded, to **adopt RES. NO. 43-2015**, and post same according to law

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley  
Nays: None  
The motion carried. **RES. NO. 43-2015, declared adopted**

Relative to RES. NO. 43-2015, Mayor Kuchta explained that the Nordonia Hills City school system is poised to lose \$2.2 million dollars in state funding if Governor Kasich's budget passes. Municipalities throughout Ohio, including Macedonia have already lost millions in local government funding. Now the state is trying to shrink school dollars as well. Sagamore Hills Township Trustees DePasquale, Schweikert and Zaccardelli made statements regarding the same during Macedonia's last council meeting.

Councilor Hanneken added that the Nordonia Hills City school treasurer informed the school finance committee that in addition to the one percent (1%) reduction in state funding the state is reducing the local taxpayers share by one percent (1%) which equals \$393,000 in lost revenue.

**MOTIONS OR OTHER LEGISLATIVE ACTIONS**

Ms. Hanneken moved, Mr. Molnar seconded amending Mayor Court Fund 220 used for updating software or maintenance, to be used for the purchase of General Offense Code and Traffic Code yearly updates at a proportional cost of total codifications. [Relative to Ordinance No. 39-2015]

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

**CORRESPONDENCE:** None.

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

“There are a couple of things that need to be pointed out as we tackle the task of fixing roads. Despite having \$3 million dollars of debt just in our tax department when I took office and when the books could finally be audited showing a negative \$227,000 deficit we have had an annual road program. At first our capital improvement projects were to just pay down the debt totaling almost a million dollars from roads that were repaired with borrowed money. We had to pay off what we owed because our carry-overs were dangerously low. We were almost taken over by the State.

I have had our engineering department prepare the chart that follows using numbers taken from our audits in the early years that were listed as roadway capital improvement projects. Record keeping got more defined as time went on.

See chart on proceeding page

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No.	PROJECT	PROJECT YEAR	PROJECT DESCRIPTION	APPROXIMATE PROJECT COST
1	RESURFACING PROGRAM	2004	LOCAL ROADWAY IMPROVEMENTS.	\$ 132,400
2	1997-1998 ROAD RESURFACING NOTE	2005	DEBT SERVICE FUNDS.	\$ 244,000
3	2000 ROAD RESURFACING NOTE	2005	DEBT SERVICE FUNDS.	\$ 611,000
4	RESURFACING PROGRAM	2005	LOCAL ROADWAY CONSTRUCTION, MAINTENANCE & REPAIR.	\$ 855,000
5	LEDGE ROAD RESURFACING	2006	ROADWAY REPAIR AND RESURFACING PROJECT WITH VILLAGE OF NORTHFIELD.	\$ 257,000
6	RESURFACING PROGRAM	2006	LOCAL ROADWAY IMPROVEMENTS.	\$ 63,000
7	SR 8 & SR 82 DUAL LEFT TURNS	2006	INTERSECTION IMPROVEMENT PROJECT.	\$ 47,300
8	SHEPARD ROAD REHABILITATION	2007	ROADWAY REHABILITATION FROM SR 82 TO THE I480 BRIDGE.	\$ 561,000
9	ANNUAL FULL DEPTH PAVEMENT REPAIRS	2008	BASE PAVEMENT REPAIRS ON LOCAL ROADS.	\$ 50,000
10	NORTH BEDFORD ROAD	2008	ROADWAY RECONSTRUCTION.	\$ 572,000
11	SOUTH FREEWAY DRIVE	2008	ROADWAY RECYCLING AND STORM SEWERS.	\$ 1,198,000
12	SR 8 UPGRADE - PID 24508	2008	RECONFIGURE INTERCHANGE RAMP AND SOUTHBOUND I-271 LANES TO PROVIDE LIMITED ACCESS ON SR 8 AND LOCAL ACCESS BY NEW RAMP.	\$ 196,231,000
13	SR 82 PHASE 2 WIDENING - PID 23261	2008	WIDENING TO 5 LANES INCLUDING RAILROAD BRIDGE, INDIAN CREEK CULVERT, AND TRAFFIC SIGNALS.	\$ 18,163,000
14	VALLEY VIEW ROAD RESURFACING	2008	RESURFACING FROM PRESERVE LANE (EAST END) TO SR 8.	\$ 121,000
15	CHAMBERLIN ROAD RESURFACING	2010	RESURFACING FROM SR 82 TO RAVENNA ROAD WITH CITY OF TWINSBURG.	\$ 580,000
16	HIGHLAND ROAD RGSP - PID 23064	2011	RAILGRADE SEPARATION BRIDGE.	\$ 13,000,000
17	SHEPARD HILLS BOULEVARD	2011	ROADWAY RECONSTRUCTION AND RELIEF STORM SEWER.	\$ 628,000
18	ROADWAY RESURFACING PROGRAM	2012	REPAIR AND RESURFACING OF LOCAL STREETS.	\$ 705,845
19	SHEPARD ROAD RESURFACING (AMATS)	2013	REPAIR AND RESURFACING FROM I 480 TO RICHMOND ROAD WITH CITY OF TWINSBURG.	\$ 379,000
20	SOUTH BEDFORD ROAD RECYCLING & RESURFACING	2013	ROADWAY PAVEMENT RECYCLING AND RESURFACING.	\$ 235,000
21	SOUTH BEDFORD ROAD SIDEWALK	2013	INSTALLATION OF SIDEWALK ON WEST SIDE OF STREET FROM NORDONIA HIGH SCHOOL TO EXISTING WALK AT NORTH END.	\$ 84,000
22	ANNUAL FULL DEPTH PAVEMENT REPAIRS	2014	BASE PAVEMENT REPAIRS ON LOCAL ROADS.	\$ 65,000
23	I 271 NORTH RAMP RELOCATION - PID 97084	2014	PROJECT CONSISTS OF REALIGNMENT AND RELOCATION OF SUM IR 271 NORTHBOUND RAMP FROM SR 82 TO SOUTH FREEWAY DRIVE AND WIDENING OF SR 82.	\$ 2,500,000
24	I 271 WIDENING - PID 89458	2014	MAJOR RECONSTRUCTION, WIDENING AND BRIDGE DECK REPLACEMENT. PROJECT WILL ACCOMPLISH WIDENING FROM 4 TO 6 LANES, INCLUDING REDECKING AND WIDENING OF 4 STRUCTURES OVER SR 82 AND RAILROAD. LIMITS ARE FROM NORTH OF SR 8 TO JUST SOUTH OF CUYAHOGA COUNTY LINE.	\$ 61,000,000
25	SR 82 PHASE 1 RESURFACING - PID 84563	2015	REPAIR AND RESURFACING FROM WEST CORP LINE TO I 271 BRIDGE.	\$ 500,000
26	SR 82 PHASE 3 WIDENING - PID 81656	2015	WIDENING TO 3 LANES INCLUDING DRAINAGE AND TRAFFIC SIGNAL FROM CROW/PARK TO SHEPARD ROAD. REPAIR AND RESURFACING FROM SHEPARD ROAD TO EAST CORP.	\$ 7,084,000
27	ANNUAL ROAD PROGRAM	2015	RECYCLE AND PAVING OF LOCAL ROADS (PRE-BID ESTIMATE).	\$ 1,135,000
TOTAL =				\$ 307,001,545

In 2010 and in 2011 there were zero percent pay raises for my staff because in 2009 we made a 10% cut right across all departments because of the recession. This involved the laying off police and firemen. Every department was affected and wages were frozen.

In 2012 and 2013 the City of Macedonia employees received 3% pay increases.

In 2014 and in 2015 they received 2% pay raises.

Using those percentages spread out over the years when there were 0% increases, it averages out to about 1.67 % increase in wages each year since the layoffs.”

### **COMITTEE REPORTS**

**Planning Commission** Mr. Engle announced that Planning’s next meeting is April 20 at 5:30pm.

**Charter Review Commission** Mr. Engle announced that the CRC will meet twice in April, on the 8th & 15<sup>th</sup>. Both meetings start at 6:30pm.

**Finance / Streets & Highway / Storm Water** Ms. Hanneken reported that a joint committee meeting was held March 19 at which time first quarter income tax collections were reviewed. Revenue to date is \$2.1 million dollars. This represents a slight decline from 2014 collections but is still \$100,000 higher than collections in the same time during years 2011-2012. Ms. Hanneken anticipates revenue to increase during the peak collection period. Ms. Hanneken reported this year’s road resurfacing program is substantial. The program includes the new onramp. Selecting roads going forward will be determined by a visual process called Pavement Management Assessment or PMA. During the PMA every road, every line mile in Macedonia is walked. The results of the PMA are engineered and scientifically determined. Ranking order is predicated on criteria established prior to performing the PMA. The PMA is expected mid to late May at which time income tax collections will be reviewed again. From that financial data it will be determined if more roads can be repaired this year. Ms. Hanneken stated no report has been

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presented relative sand evaluation at Lake Forrest Estates so no determination has been in that regard. Ms. Hanneken stated Macedonia's numerous storm water issues were itemized and prioritized in report prepared by Macedonia's Drainage & Sewer Control Committee (DSCC) which was active from 2007-2011. The DSCC report remains pertinent. The storm water projects funded for this year; Our Lady of Guadalupe Church and engineering for Sioux Lane crossover were the DSCC's priority projects.

Mayor Kuchta interjected regarding the PMA that Macedonia has 155 lane miles.

**Park and Recreation Commission** Ms. Tulley reported preparation continues for the Spirit of Macedonia Community Festival to be held June 4-7. Ms. Tulley encouraged residents to register for the Knight Way 5K and/or the 1 Mile Walk on Sunday, April 19. The race is in conjunction with Nordonia High School. Regarding storm water, Ms. Tulley said as a former member of the DSCC she asked Mayor Kuchta to reconvene the committee. The initial DSCC was comprised of residents representing every corner of Macedonia. The actions by and results of the DSCC were professional. The DSCC worked with city engineering and the NEORS. The DSCC was the first to learn of the "fee" the NEORS ultimately imposed. The DSCC and the administration were concerned how this fee would impact Macedonia's own financial efforts towards storm water issues. Litigation ensued. The result of the initial lawsuit, which many other communities were involved, was a compromise. The compromise for Macedonia was receiving a proportional share of the assessed fee. A second lawsuit ensued, now held up in court. The assessed fees are now in escrow until the courts determine the authority of NEORS to implement the storm water fee.

Mayor Kuchta invited residents interested in participating in the new DSCC to contact him.

**Council Work Session** Council President Darrow announced that a work session is scheduled for Thursday, April 16 at 6:30pm for the purpose of discussing the Macedonia Occupancy Program.

**DEPARTMENT REPORTS**

**Service Department** Mr. DeGaetano reported that eight cross-over pipes and three catch basins in the Highland Homes Estates as well as at Airline and Ledge were marked for cutting in next several weeks in preparation of the road resurfacing program. The areas around each crossover will be ditched to provide proper flow and greater depth for the new pipes. The storm sewer at 1271 Atterbury will be sealed at the joints and then later in May and 135 feet of sidewalk will be poured as well. Improvements for the new playground area at Sugarbush Park have begun. Other improvements include a six-foot wide handi-cap accessible sidewalk. The pavilion will be painted, a new concrete pad will be poured, new grills installed and the tables refurbished. Restoration of Memorial Park is also scheduled. The cannon will be refurbished, the gazebo restored, and water and electric added to the park. Other service projects include the outlet in Lake Forrest Estates and dye testing many of the sinkholes throughout the community.

Councilor Tulley asked Mr. DeGaetano if the trees in Sugarbush marked for removal were removed to which he answered yes, about 200. Ms. Tulley asked about berm repair and the status of the senior gutter cleaning program to which Mr. DeGaetano responded only the worst areas of berm will be taken care of this year; Shepard, Ledge and N. Bedford and only the gutters relative to a few homes have to be cleaned. The last few homes were add-ons and not part of the original list he added.

Councilor Hanneken interjected that the new playground equipment is a result of an ODNR grant.

**Building Commissioner** Mr. Hlad reported Get-N-Go was given primarily approval. More engineering is required. Issuance of permits relative to this project is anticipated in three weeks. The catch basin inspection program has been initiated. GPD is incorporating every catch basin, manhole and lateral throughout the city on the storm water map as mandated by the EPA, Phase 2.

**Engineer** Mr. Fini reported the bid opening for this year's road program is Monday, April 6<sup>th</sup>; ODOT reported shoulder failure relative to I271 widening, anticipated repair of said failure Saturday, March 28.

**Recreation Department** Ms. Gmerek reported spring swim lessons run from April 22 – June 6; Tot Tee Ball, Session I runs from Saturday, June 13-July 18 at 9:30am in Longwood Park. The program is for boys and girls ages 4-6 years. The Knights Way 5K Run and 1 Mile Walk is Sunday, April 19. The event begins and ends at the Nordonia High School stadium. Registration is online at

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macrec.com. The Spirit of Macedonia Community Festival is June 4-7 as previously mentioned. The Recreation Center is closed Sunday, April 5 in observance of Easter.

**Finance Department**

**Fire Department** Chief Black reported this week a juvenile was hit by a car on Highland Road; a dual motorcycle crash occurred on I480 and there was a structural fire at Lumacurve on S. Freeway Drive; the latter requiring mutual aid from neighboring fire departments.

Mayor Kuchta interjected Lumacurve manufactures signage for airport runways for around the world.

**Police Department** Chief Golden advised residents that there have been numerous residential break-ins in the Nordonia Hills area. In this regard the Chief advised residents to immediately report suspicious activity. Chief Golden reminded residents to download Nixle.

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

**Unfinished business** Councilor Tulley inquired about status of the illuminated signage at Ledge and N. Bedford Roads (stop signs) and Shepard Road (no thru trucks) to which Mr. DeGaetano answered the signs should be delivered in April.

Councilor Hanneken inquired about the status of the sand testing at Lake Forrest to which Mr. DeGaetano answered the testing has not been done. Mr. DeGaetano explained he anticipates meeting with the EPA over this issue in part because there have been three previous quality reports; Summit County Soil and Water, the EPA and Solar Testing. The conclusion in all three reports was the sand is from natural erosion. If however Medina Supply sand is to be tested to bring closure to this fact than Mr. DeGaetano is of the opinion that the EPA is the entity who should issue a subpoena to Medina Supply in order for its sand to be tested.

Councilor Tulley asked Mr. DeGaetano if the Army Corp of Engineers has been consulted to ensure the creek has not been altered.

Mr. DeGaetano responded the Corp has not. He added that it states clearing in the Lake Forrest covenants and restrictions that no vegetation can be removed along the preserve or the buffer. Mr. DeGaetano opined the Corp would not approve of what has happened in those areas.

Ms. Tulley interjected the conservancy of JEDD is a case in point regarding mandates of the Army Corp. Ms. Tulley suggested the Corp be engaged and asked to inspect the creek to determine if the direction has been altered since the area has been developed.

Engineer Fini interjected mandates of the subdivisions covenants and restrictions state enforcement is by the EPA and Ohio Stream Preservation.

Councilor Molnar asked if Ohio Stream Preservation has inspected the creek and if they have not to contact them for this purpose.

**New business** Council President Darrow stated she agreed in part with a "Letter to the Editor" from a Macedonia in the March 25<sup>th</sup> edition of the NewsLeader in which the resident complained about the lack of local coverage by the NewsLeader regarding Macedonia's road program; funding and the bid processes. Ms. Darrow continued, stating this resident was in error because she forgot to mention in her letter that it was the whole Council and the administration who worked hard, attending every meeting, in order to create the budget which all of Council and the administration approved as well as to approve the road ordinance. This all would not have been possible to complete by just one member Ms. Darrow stated. Ms. Darrow added it took all of Council and the administration working together for one cause. That cause was for the business of the residents. Ms. Darrow thanked the Mayor and his administration and all the members of Council for working towards the goal of creating an early budget and preparing a road program in order for early bidding.

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Regarding another matter, Councilor Tulley mentioned that while attending the Piston Auto Show at the IX Center she viewed a truck restoration by Macedonia resident David Dlugoz. Mr. Dlugoz restored a truck previously owned by his deceased father Ed. The Plain Dealer coincidentally featured Mr. Dlugoz' the truck. A car of another Macedonia resident was on display as well. Relative to another topic, Ms. Tulley announced this year she will be attending the Empowering Local Leaders Conference in May held in Washington D.C where she is looking forward to meeting with Congressmen Joyce and Renacci. Ms. Tulley suggested in light of her attending consideration should to be given to the current budget if more members plan on attending since last year only one member attended but the entire budget was used.

**EXECUTIVE SESSION**

**At 8:40pm Ms. Darrow moved, Ms. Hanneken seconded, to adjourn into Executive Session for the purpose of considering ~~charges or~~ complaints against a public employee or official. [Mayor and Mr. Hanculak attending] (Amended 4-9-15)**

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

\*At roll call and prior to adjourning into executive Councilor Molnar stated the purpose of the executive session was brought to his attention earlier today because it is about him. Mr. Molnar explained a representative from a newspaper called him making inquiries. Since the topic has been made public he questioned the necessity of an executive session. "If its public record, why is it necessary to sit in the private room?"

\*\*Councilor Hanneken responded because, "There is information we are trying to elicit that is not public record at this point."

\*\*\* Councilor Tulley questioned how and why the news media became aware of the executive session? Ms. Tulley has noticed reporter John Harper being copied on council emails. Ms. Tulley stated, "The newspaper doesn't give full credit to everything that is done but Mr. Matijasich only wrote to one newspaper." Ms. Tulley said she was unaware this was being done and as usual, "A party or two get together and add things to the agenda without the rest of us knowing."

Council President Darrow interjected that she asked for the executive session for the opportunity to speak to Mr. Molnar in private. That it is not true that others got together. Ms. Darrow said she did not make it public. She did not send anything out or contact the news media.

Mr. Molnar confirmed he approached Ms. Darrow prior to this meeting at which time she confirmed the session was about him. Mr. Molnar said Ms. Darrow also stated, "Well, it happened to me now it is happening to you."

Councilor President Darrow response: "That is not what I said. You made a comment to me and I said I was dragged into an executive session, didn't know it was about me until in the executive session and Mr. Miller was asked to go into an executive session too at one point."

Councilor Tulley interjected Mr. Miller is not on Council.

President Darrow told Ms. Tulley she was not a member of Council when an executive session was for Mr. Miller.

Councilor Tulley questioned whether the executive session was going to just be about Mr. Molnar because she has received a complaint about another member of Council.

Councilor Molnar asked Mr. Hanculak to attend the executive session to which Ms. Darrow added, she already requested of Law Director Diemert that someone from the law department be present. [Mr. Hanculak presence not as legal counsel for Mr. Molnar but legal representative for the City]

At 9:02pm Council reconvened into its regular business and there being no further business meeting adjourned at 9:03pm (Roll call taken)