

Record of Proceedings  
Regular Council Meeting  
June 9, 2016

Presiding Officer, Mayor Joseph Migliorini called the June 9 regular meeting to order at 8:17pm.

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

**Absent:**

**INVOCATION & PLEDGE OF ALLEGIANCE** led by Commodore Tom O'Brien, American Legion Post 801.

**MINUTES** Mr. Molnar moved, Mr. Engle seconded, and motion carried unanimously on a voice vote to approve the minutes the regular meeting of May 26, 2016.

**PUBLIC COMMENT**

~**George Pla**, attorney and Macedonia resident questioned Councilor Nick Molnar why he was terminated from his position of deputy director of public service for the City of Green.

Mayor Migliorini asked Mr. Pla why he is inquiring about Mr. Molnar's personal business, business that has no relevance to his position as an elected official in Macedonia to which Mr. Pla responded that as a resident he has the right to know whether allegation made of one Macedonia's elected officials by another community affects Mr. Molnar's ability to govern in Macedonia.

Law Director Guidetti interjected, informing Mr. Pla that Mr. Molnar is under no obligation to answer Mr. Pla's inquiry as Mr. Molnar personal business is unrelated to Macedonia business.

Council President Molnar did however respond stating he was not terminated. Mr. Molnar resigned he said because of false allegations that were made about him. Mr. Molnar brought these false allegations the attention of Green's administration and the potential for litigation over this matter, the falsehoods that were being said about him. Mr. Molnar told Mr. Pla the fact that that he and the people with whom he associates continue to spread falsehoods, continue to malign and attack individuals only speaks to Mr. Pla's character and the character of those with whom he associates.

**INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

**ORD. NO. 34 – 2016**

**Mr. Bilkie moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to hold at its second reading ORD. NO. 34 – 2016: AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MACEDONIA TO REZONE CERTAIN LAND FROM THE BUSINESS OFFICE DISTRICT (B-O) TO THE CONVENIENCE BUSINESS DISTRICT (B-1) [First Reading; 4-28-16; Second Readings: 5-12-16;5-26-16].**

**ORD. NO. 37 – 2016**

**AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 17-2016 FOR SALAREIS AND WAGES AND OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD JANUARY 1, 2016 TO DECEMBER 31, 2016 was offered by Ms. Tulley for its third reading by title only. Second not required.**

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Ms. Tulley moved, Mr. Engle seconded and motion carried unanimously on a voice vote to **amend ORD.NO.37-2016 by removing from Fund 401 Forty-Six Thousand Dollars (\$46,000) allocated for the EPA rain garden project.**

Ms. Tulley moved, Mr. Engle seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 37-2016 as amended and post same according to law. ORD. NO. 37-2016 declared adopted as amended.**

**ORD. NO. 44– 2016**

AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #17-2016 FOR ADDITIONAL EXPENDITURES was **offered** by Mr. Molnar for its **first reading only**. Second not required.

**ORD. NO. 45 – 2016**

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF MATTHEW J. MAHONEY TO THE POSITION OF PART-TIME FIREFIGHTER 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, Ms. Hanneken seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 45-2016 and post same according to law. ORD. NO. 45-2016 declared adopted**

**ORD. NO. 46 – 2016**

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF STEVE VONDRISKA TO THE POSITION OF PART-TIME FIREFIGHTER 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 Ms. Tulley. **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. 46-2016 and post same according to law. ORD. NO. 46-2016 declared adopted**

**ORD. NO. 47 – 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MEREDITH HURLEY 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 all three readings**. Second by Mr. Molnar. **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. 47-2016 and post same according to law. ORD. NO. 47-2016 declared adopted**

**ORD. NO. 48– 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JOSEPH SCHUERGER TO THE POSITION OF PART-TIME FIREFIGHTER 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. **Motion authorizing the same carried unanimously on a voice vote.**

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Ms. Hanneken moved, Ms. Tulley seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 48-2016 and post same according to law. ORD. NO. 48-2016 declared adopted**

**ORD. NO. 49– 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF RYAN ZAPORA TO THE 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 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. 49-2016 and post same according to law. ORD. NO. 49-2016 declared adopted**

**ORD. NO. 50 – 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MICHAEL VELAZQUEZ 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 all three readings**. Second by Mr. Molnar. **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. 50-2016 and post same according to law. ORD. NO. 50-2016 declared adopted**

**ORD. NO. 51– 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF CHRISTIAN ROE TO THE POSITION OF PART-TIME FIREFIGHTER FIREFIGHTER 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 adopt ORD. NO. 51-2016 and post same according to law. ORD. NO. 51-2016 declared adopted**

**ORD. NO. 52 – 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF DERRICK BENNER TO THE POSITION OF PART-TIME FIREFIGHTER 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. **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. 52-2016 and post same according to law. ORD. NO. 52-2016 declared adopted**

**ORD. NO. 53– 2016**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF VINCENT J. VENTURA, JR. TO THE CIVIL SERVICE COMMISSION was **offered** by Mr. Molnar and moved

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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. **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. 53-2016 and post same according to law. ORD. NO. 53-2016 declared adopted**

**RES. NO. 54– 2016**

A RESOLUTION DECLARING THE MONTH OF AUGUST 2016 KIDS MONTH IN THE COUNTY OF SUMMIT AND ENCOURAGEING THE CITY OF MACEDONIA TO JOIN IN THIS ACKNOWLEDGEMENT 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 all three readings**. Second by Mr. Molnar. **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. 54-2016 and post same according to law. ORD. NO. 54-2016 declared adopted**

**MOTIONS/ OTHER LEGISLATIVE ACTION**

~Ms. Tulley moved, Mr. Molnar seconded and motion carried unanimously on a voice vote authorizing the Police Chief to accept on behalf of the City of Macedonia the donation of Eighteen (18) Maglite LED flashlights with batteries valued at Thirty Dollars (\$30) each for a total valuation of Five Hundred Forty Dollars (\$540.00) from Joe and Denise Edmiston of PGT Trucking.

**CORRESPONDENCE:**

~~~ Letter from daughter of Summit Point resident Gloria Quinn, in appreciation for care provided to Ms. Quinn by Macedonia emergency service personnel, particularly Kim Sutton, Macedonia dispatcher and Fire Lt. Rob Lewis.

**MAYOR'S REPORT**

- Mayor Migliorini thanked the many volunteers and thanked and commended those employees who took part in this year's Spirit of Macedonia FunFest. The Mayor commended the service department in particular for how well crew upgraded 2 miles of Longwood Park's walking trail in preparation of the 5K Run. And while the weather was less than cooperative and the competition with the Cleveland Cavaliers basketball game Mayor Migliorini feels those who attended the festivities had a good time. Mayor Migliorini feels creating a FunFest committee now in preparation of next year will be provide for greater overall success of the 2017 Fun Fest.
- Mayor Migliorini announced service crew are creating concrete dug-outs and adding concrete pads to the baseball fields at Longwood Park.
- Mayor Migliorini announced a Survey Monkey is on the city website relative to the proposed income tax increase. Mayor Migliorini expressed the importance of the tax increase, that is, earmarking tax dollars solely and specifically for road improvements and related storm water

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issues. Mayor Migliorini reiterated \$20 million dollars worth of roads need to be repaired. The City will never catch up unless money is allocated only for this purpose he said. The half-percent (.5%) increase will be effective for 5-years in order to jump-start revenue for the numerous project then thereafter drop to a quarter-percent (.25%). Mayor Migliorini fears property values will decrease if the increase is not approved. The continual deterioration of residential streets will seriously impact the value of residential properties Mayor Migliorini added.

- Mayor Migliorini announced that he has begun contacting owners of properties upstream from Ledge and Bedford Roads in order to dredge and clear waterways that may be negatively impacting properties downstream, those areas of concern.
- Mayor Migliorini announced that CVE Engineering has creating a plan of repair relative to Sioux Culvert at less expensively that originally proposed.

### **COMMITTEE REPORTS**

**Longwood Manor Historical Society** John Cassmer, president of LMHS provided a status and financial report and a flyer entitled “Help Preserve the Manor House” relative to fund raising efforts.

### **DEPARTMENT REPORTS**

**Service Department** Director Hnottavange was not present.

**Building Commissioner** Mr. Rodic was not present.

**Engineer** Mr. Gigliotti reported that the I271 project and the third phase widening of Route 82 are on schedule with completion of both due later this fall. Mr. Gigliotti did not speak to Ledge and Bedford Road project nor repair of the Sioux culvert as the Mayor already had.

Councilor Hanneken asked Mr. Gigliotti the status of the issue with sound barriers and lighting effecting Waters Drive residents to which Mr. Gigliotti responded that ODOT official are working on both.

**Recreation Department** Ms. Manley announced that the weather did impact this year’s attendance and the receipts to the Spirit of Macedonia FunFest. But thanks to all the volunteers, the employees who prepared the grounds for the event and those who attended just for fun made is successful Ms. Manley said. Ms. Manley mentioned that the fireworks display was captured by a drone operated by a resident. The beautiful aerial video of the fireworks can be viewed on the Rec Center’s FB page. Ms. Manley mentioned other June events; the Annual Community Flea Market, Saturday, June 18<sup>th</sup> and a Free Fishing Clinic on June 25<sup>rd</sup>, the last event requiring preregistration.

Councilor Hanneken asked Ms. Manley if she will be providing and revenue, expense report relative to the FunFest to which Ms. Manley answered yes.

**Finance Department** Ms. Hall announced in addition to the Survey Monkey that been made available online on the City’s various websites there are hardcopies of the same in the front lobby and at the Recreation Center.

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**Fire Department** Chief Black thanked Council for the final appointments of two full-time firefighters and the appointments of six new part-timers.

**Police Department** Chief Golden announced that the police departments of Macedonia, Sagamore Hills and Northfield Center are collaborating in “shoot, don’t shoot” training as well as pursuit driving training, all of which is being held in Macedonia.

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

**Unfinished business** Council President Molnar thanked Ms. Manley, her staff and other city employees, fire, police and service for their role in this year’s Spirit of Macedonia FunFest. Mr. Molnar commended the service department in particular because of the incredible job Mr. Molnar said they did upgrading the nature trails.

Councilor Bilkie commended the service department as well on the condition of the trails. The trails are usable for strollers and children’s wagons and by those who may have to rely on devices.

Councilor Hanneken echoed the same sentiment.

**New business** Ms. Hanneken mentioned that she received a call from Macedonia resident who is also St. Barnabas parishioner. This resident complained that the building department is requiring a \$5 fee to post a yard sign announcing St. Barnabas’ upcoming community festival. The fee is per sign and Ms Hanneken thought the fee should be waived given the nature of the message to which Mayor Migliorini agreed and responded that new staffing in the building department were probably unaware that the normal procedure is to waive the fee in cases such as this.

Regarding another matter, Ms. Hanneken announced that she spoke with the contact person at NEORSDD regarding projections relative the storm water fee Macedonia property owners will be paying. NEORSDD anticipates receiving \$906,816 annually from Macedonia, 56% of which will be from on-residential fees. NEORSDD will return 25% of the total revenue back to Macedonia. This is known as the community share and the \$226,704 Macedonia will receive will be a steady stream of income Ms. Hanneken said separate from and addition to the large storm water projects NEORSDD is committing to Macedonia.

Regarding another topic, Ms. Hanneken stated the Mayor and three council members want Macedonia residents to pay more income tax. Two members of Council however do not. Ms. Hanneken said she is posting her financial analysis of the facts as she knows them on her personal civic website explaining why the tax rate increase is not necessary.

Councilor Tulley interjected, telling Ms. Hanneken she is incorrectly stating the tax rate is increasing by 25%. Ms. Hanneken also has incorrectly accounted two funds as carryover revenue which money from the two fund should not have been included Ms. Tulley stated. Facts about the City’s finances Ms. Tulley told Ms. Hanneken should only be reported by Macedonia’s finance director.

Councilor Hanneken told Ms. Tulley, its simple math, the tax increase is an increase of 25%. As well, Ms. Hanneken added, no consideration has been given in this proposal to the Recreation Center tax rate that drops off next year.

Councilor Bilkie asked Ms. Hanneken if she is asking for a motion of Council in order for Ms. Hanneken to post her analysis which the other members of Council have not seen. Mr. Bilkie personally opposes

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Ms. Hanneken posting information which he has never seen or which she has never presented to Council. Mr. Bilkie believes too that it is inappropriate for Ms. Hanneken to promote her own website.

Councilor Hanneken disagreed with Mr. Bilkie. Ms. Hanneken added the Mayor has been unpleasant towards her when she has brought up certain issues and therefore she made a determination not to be held back.

Councilor Bilkie told Ms. Hanneken she scrutinizes the work everyone does but doesn't give anyone a chance to scrutinize her work to which Ms. Hanneken said she will send her analysis to Mr. Bilkie personally. Mr. Bilkie suggested instead that Ms. Hanneken propose her analysis as a motion or ordinance so Council as a Whole can review and vote on it.

**Council President Molnar moved to cease current dialogue** adding that Ms. Hanneken's proposal should to be in the form of a motion or ordinance.

Councilor Hanneken disagreed, telling Mr. Molnar he is wrong, that Ms. Hanneken cannot be controlled by this action; that she has a first amendment right to express herself. **Ms. Hanneken did however second Mr. Molnar's motion to cease current dialogue.**

Prior to roll call on motion to cease current dialogue there was some confusion about the motion resulting in amusement among the attending public to Ms. Hanneken said to the audience, "Shut-up out there." When Mayor Migliorini gavelled for order Ms. Hanneken stated, "You've got your minions out there, I understand that."

**Roll call on motion to cease current discussion:**

**Ayes: Bilkie, Hanneken, Molnar and Tulley**

**Nays: Engle**

**The motion carried.**

Regarding the Manor House, Councilor Tulley asked the status of the occupancy permit given safety concerns relative to the use of certain rooms and the cost of the service department providing electrical and water hook-ups.

Councilor Tulley also asked Law Director Guidetti to expound on the June 1<sup>st</sup> Farnhurst Settlement Agreement to which Mr. Guidetti explained that as of today the agreement has been fully executed. Farnhurst LLC is responsible for paying all of Macedonia engineering fees relative to the issue and consolidating the lot that was previously split.

Mayor Migliorini interjected he is pleased the Farnhurst issue is over. Mr. Pla's selfishness and greed cost the City thousands in legal fees Mayor Migliorini stated as well as causing to deplete the reserve fund of the Park View HOA. Mayor Migliorini added Councilors Darrow, Hanneken and Engle all supported Mr. Pla in his endeavor to which Councilor Engle took offense, telling Mayor Migliorini he shouldn't be lying. Mr. Engle told Mayor Migliorini that Mr. Engle never said anything about the Pla's or the case. Mayor Migliorini apologized to Mr. Engle for making the statement.

There being no further business the regular meeting of Council was adjourned at 9:16pm.