

Record of Proceedings
Regular Council Meeting
August 25, 2016

Presiding Officer, Mayor Joseph Migliorini called the August 25 regular meeting to order at 7:30pm

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 City Chaplain Commodore Tom O'Brien of American Legion Post 801.

MINUTES Mr. Molnar moved, Mr. Bilkie seconded to approve the minutes of the regular meeting of July 28, 2016 as submitted by the clerk. Prior to roll on Mr. Molnar's motion Ms Hanneken moved, Mr. Engle seconded to approve said minutes as amended to reflect that during the portion of the meeting allocated to comments by the public that Ms. Hanneken had requested to comment but Mayor Migliorini as the presiding officer denied her the opportunity.

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

FINANCIAL REPORT Ms. Tulley moved, Mr. Bilkie seconded, and motion carried unanimously on a voice vote acknowledging receipt of Financial Report dated July 31 2016.

PUBLIC COMMENT

~ **Marc Pepera, 7304 Honeydale, Northfield Center** thanked Mayor Migliorini and Chief Black and Law Director Guidetti in particular for what Mr. Pepera described as professionally addressing concerns Northfield Center trustees had regarding the forthcoming fire and emergency services agreement between Macedonia and the township. Mr. Pepera described the collapse of the fire and emergency services agreement between the township and Sagamore Hills Township as creative destruction. Meaning, Mr. Pepera said that this event lead to regionalization; Macedonia, Northfield Center and Sagamore Hills being unified under one leadership for fire and emergency medical services. Mr. Pepera thanked fellow Northfield Center resident Lou LaGuardia and team of other township residents relative to their involvement towards better fiscal responsibility within Northfield Center. Mr. Pepera added that he is hopeful that the next several years will be a stellar example of what can be accomplished when communities combine resources.

~ **Tim Maxam Jr. 7326 Forsythia, Northfield Center**, announced his advocacy and voice for drug/heroin intervention. Mr. Maxam is reaching out to every local elected official for support in any way possible in order to stifle the harrowing heroin epidemic. Too many local families, many of whom Mr. Maxam said he knows personally have lost a family member to a heroin overdose. Mr. Maxam, who has battled addiction, said he knows full well the ramification of the drug use and therefore personally can empathize with those individuals and families who feel there is no hope.

Mayor Migliorini thanked Mr. Maxam for his commitment. The Mayor said Macedonia receives a daily report from Summit County about the number of heroin overdoses and that number is staggering. Mayor Migliorini added that Macedonia's safety forces carry Narcan to counter the effect heroin in an attempt to save lives.

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Council President Molnar interjected that Summit County Judge Tom Teodosio, who is an advocate who spoke to Macedonia's official recently on this very subject would be a good resource for Mr. Maxam.

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; 6-9-16; 7-28-16]

Relative to ORD. NO. 34-2016, Mr. Bilkie announced that due to an error in procedure a second public hearing will be held September 22nd at 6:45pm

ORD. NO. 44– 2016

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

Mr. Molnar moved, Ms. Tulley seconded to **adopt ORD. NO. 44-2016** and post same according to law.

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

The motion carried, ORD. NO. 44-2016 declared adopted.

Relative to ORD. NO. 44-2016 and during roll call, Councilor Hanneken* said she disagreed with providing partial MOP payments because the companies did not fully comply with their respective MOP agreements. By conceding to less than the terms of the agreements lessen the value and basic premise of the MOP program Ms. Hanneken stated.

** Council President Molnar stated he respects the advice of the Tax Review Committee whom advised after review that partial payments be granted. Mr. Molnar opined the "curmudgeon" attitude towards recommendations by a committee of Macedonia is not in the best interest of the City.

Mayor Migliorini interjected that the companies and relevant MOP agreements were negotiated under the previous administration. MOP's and other types of incentive programs were created to attract companies to Macedonia. Sometimes a company's financial goals exceed expectation and sometimes they fall short Mayor Migliorini stated. The Tax Review Committee, comprised of qualified Macedonia residents reviewed the matter and determined the companies were worthy of at least receiving partial payments which he too has to respect.

ORD. NO. 55– 2016

AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #17-2016 FOR SALARIES/WAGES AND ADDITIONAL EXPENDITURES FOR THE PERIOD JANUARY 1, 2016 TO DECEMBER 31, 2016 was **offered** by Ms. Tulley for its **second reading by title only**. Second not

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ORD. NO. 62-2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF ERIC ANDERSON TO THE POSITION OF A FULL-TIME FIREFIGHTER/PARAMEDIC IN THE CITY OF MACEDONIA HEALTH 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, and motion authorizing the same carried unanimously on a voice vote.**

Mr. Bilkie moved, Ms. Tulley seconded to **adopt ORD. NO. 62-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 62-2016 declared adopted.**

ORD. NO. 63-2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JEFFREY TYLICKY TO THE POSITION OF A FULL-TIME FIREFIGHTER/PARAMEDIC IN 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 Mr. Molnar, and motion authorizing the same carried unanimously on a voice vote.**

Ms. Tulley moved, Mr. Molnar seconded to **adopt ORD. NO. 63-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 63-2016 declared adopted**

ORD. NO. 64 -2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MATTHEW HARMON TO THE POSITION OF A FULL-TIME FIREFIGHTER/PARAMEDIC IN THE CITY OF MACEDONIA 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 Mr. Engle, and motion authorizing the same carried unanimously on a voice vote.**

Mr. Molnar moved, Ms. Tulley seconded to **adopt ORD. NO. 64-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 64-2016 declared adopted**

ORD. NO. 65 -2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF BRIAN FLEMING TO THE POSITION OF A FULL-TIME FIREFIGHTER/PARAMEDIC IN 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 all three readings. Second by Mr. Molnar, and motion authorizing the same carried unanimously on a voice vote.**

Mr. Engle moved, Mr. Molnar seconded to **adopt ORD. NO. 65-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 65-2016 declared adopted**

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ORD. NO. 66 -2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JOSHUA SIRK TO THE POSITION OF A FULL-TIME FIREFIGHTER/PARAMEDIC IN THE CITY OF MACEDONIA 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 Mr. Engle, and motion authorizing the same carried unanimously on a voice vote.**

Ms. Hanneken moved, Mr. Engle seconded to **adopt ORD. NO. 66-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 66-2016 declared adopted**

ORD. NO. 67 -2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MATTHEW SNOWDEN TO THE POSITION OF A FULL-TIME FIREFIGHTER/PARAMEDIC IN THE CITY OF MACEDONIA 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 Mr. Molnar, and motion authorizing the same carried unanimously on a voice vote.**

Mr. Engle moved, Mr. Molnar seconded to **adopt ORD. NO. 67-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 67-2016 declared adopted**

ORD. NO. 68 -2016

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF PHILLIP ISAAC TO THE POSITION OF A 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, and motion authorizing the same carried unanimously on a voice vote.**

Mr. Bilkie moved, Mr. Engle seconded to **adopt ORD. NO. 68-2016** and post same according to law.

Roll call: Ayes: Bilkie, Hanneken, Engle, Molnar and Tulley
Nays: None
The motion carried. **ORD. NO. 68-2016 declared adopted**

Relative to ORD. NOS. 62-67-2016, Chief Black introduced each new full-time firefighter, provided attributes and accomplishments of each. Each new appointment introduced their respective families and friends who were in attendance.

Mayor Migliorini administered the oath-of office into duty to each firefighter. Sagamore Hills Trustees David DePasquale and John Zaccardelli were present.

ORD. NO. 69 – 2016

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HUNTINGTON BANK TO FINANCE THE PURCHASE OF THE FIRE MEDIC UNIT & A TELEPHONE SYSTEM was **offered** by Ms. Tulley for its **first reading by title only**. Second not required.

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ORD. NO. 70 – 2016: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NORTHFIELD CENTER TOWNSHIP, OHIO TO PROVIDE EMERGENCY FIRE AND MEDICAL SERVICES TO THE TOWNSHIP for which Mr. Molnar moved, Mr. Engle seconded and motion carried unanimously on a voice vote to waive the 48-hour rule of Council

Mr. Molnar offered **ORD. NO. 70 – 2016** for its **first reading by title only** Second not required.

MOTIONS/ OTHER LEGISLATIVE ACTION

~ Mr. Engle moved, Ms. Tulley seconded and motion carried unanimously on a voice vote authorizing the Mayor to accept a donation on behalf of the City of Macedonia from Lowe's Home Improvement at Crossings at Golden Link of six (6) packs of ceiling tiles valued at Three Hundred Thirty Dollars (\$330.00) for use at Longwood Manor.

~Ms. Tulley moved, Mr. Billie seconded and motion carried unanimously on a voice vote confirming the Mayor's reappointment of Kent Shellko to the Board of Zoning and Building Code Appeals for a five-year term ending August 17, 2021

CORRESPONDENCE:

Letter from Karen Bartolozzi, 1377 Driftwood Lane to Mayor Migliorini in appreciation for ditch repairs made to the property by service department employees.

MAYOR'S REPORT

- Mayor reported that Macedonia received a \$11,000 grant from Direction Home Akron, Canton Title Three program for City's senior citizen lunch program.
- Mayor reported Mayor's Court revenue for July was \$30,864.
- Mayor reported the street grinder was delivered and will be implemented soon for in-house grinding of street asphalt followed by pavement repair. The grinder provides a "band-aid" to the serious repairs that must be made he added. Mayor Migliorini reiterated there is no revenue for serious residential street improvements. The Mayor encouraged residents to support the proposed 10-year, ¼% income tax increase which will provide at least \$10 million worth of road repairs. In addition to infrastructure needs, the Mayor mentioned many other major capital necessities like improving to the service garages and providing canopy to protect the police cruisers. Relative to the park, the Mayor reported that revenue from the Windmill Golf Center is being used to build dug-outs and improve the baseball fields and soon there will be a new digital sign at the entrance of the park.
- Mayor encouraged the residents to support the 20-year ¼% tax renewal for parks and recreation. Based on the result of the monkey survey the Mayor said the focus on improvements will be a gymnasium, improved path system through-out the park and an out-door pool. The Mayor added if the levy does not pass the City will realized a short-fall of about \$400,000 in operating expenses.
- Mayor reported a free small tool and table and chair rental program for Macedonia residents has been implemented.

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- Mayor expressed disappointment that the last phase of Route 82 improvement did not include four lanes, turning lanes on Shepard Road and that sidewalks were not extended from the Reserve subdivision to Longwood Park. This administration was short-changed Mayor Migliorini opined given these exclusions and given GPD was paid \$800,000 for engineering this project.

COMMITTEE REPORTS

Parks & Recreation Committee Mr. Bilkie announced the next meeting of the commission is September 7th at 6:30pm at the Recreation Center.

Streets and Highway Committee Mr. Molnar announced that there will be a committee meeting September 15 at 6:30pm followed by a Townhall session at 7:30pm the purpose of which is to provide factual information by the finance director and city engineer regarding the city's road crisis and proposed funding mechanism.

DEPARTMENT REPORTS

Service Department Director Hnottavange was not present.

Building Commissioner Mr. Rodic was not present.

Engineer Mr. Gigliotti reported that Shepard Road is scheduled to reopen September 3rd and that the I271 and Route 82, (phase three) projects remain on schedule for completion this fall. Mr. Gigliotti mentioned that ODOT is in the process of providing remedy regarding I271 lightening effecting Summer Road residences. There has been no determination by ODOT regarding replacing the sound walls.

Councilor Hanneken mentioned the resident at 10041 Valley View Road called her to complain about a gap on her property that now exists between the newly installed sound wall and where an ODOT state fence separating the residents' property from the highway right-of-way had once existed. The gap needs to be closed Ms. Hanneken explained because of the hazard it has created for this family's young children and pet.

Mr. Gigliotti explained that ODOT addressed same issue immediately relative to several Summer Road residences. Mr. Gigliotti will convey the problem to ODOT.

Recreation Department Ms. Manley made a plea for adult/parent volunteer coaches for youth soccer and flag football because parent participation is at an all time low. Not having enough volunteer coaches deludes and reduces the quality of the program Ms. Manley stated. References for both sports are also needed.

Finance Department Ms. Hall announced that income tax received in August for July receipts was \$600,883.17. This means she explained that collections are down for the month by \$270,166.40 compared to the collection of \$871,049.57 from the same time last year. Overall she continued this represents a negative for the year of \$318,832.86. R.I.T.A has isolated the accounts where the majority of the decrease is from. The reason for the decrease may be a result of timing or a culmination of a variety of factors Ms. Hall added.

Councilor Hanneken interjected that she too reviewed the last R.I.T.A report and noticed net profit was down significantly to which Ms. Hall stated it was down by \$51,975. Ms. Hall reiterated that she and

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R.I.T.A officials are examining those accounts were loss is most likely. Ms. Hall mentioned that revenue from withholding has a larger negative of \$135,643.

Continuing her report Ms. Hall stated that the city of Akron is proposing increase its income tax rate from 2.25% to 2.5% and the city of Cleveland from 2% to 2.5%. The communities of Hudson and Walton Hills are already at 2.5%.

Fire Department Chief Black thanked the Mayor and Council for the appointments of the new firefighters, six full-time and one part-time. Chief Black also thanked Sagamore Hills Trustees DePasquale and Zaccardelli for attending tonight's meeting. Additional appointments will be forthcoming as a result of the additional fire and emergency service coverage of Northfield Center Township Chief Black noted.

Police Department Chief Golden had no report.

Law Department Mr. Guidetti had not report.

Unfinished business Councilor Tulley mentioned that since Shepard Road has been closed motorists having been accessing Berkshire as a cut-through. As a resident of Berkshire Ms. Tulley said drivers are flying down her street where the speed limit is 25mph. Ms. Tulley asked motorist to be mindful of the speed limit and to be mindful of the many young children living on Berkshire

New business Councilor Bilkie mentioned that without fair warning to Macedonia officials, Norfolk Southern closed Twinsburg Road at the railroad crossing for 17 days, until September 8th & 9th. The police department was notified by Norfolk just 30-minutes before the closure Mr. Bilkie said. The closure alert was then broadcast via Nixle. Mr. Bilkie questioned poor communication by the railroad in this regard but was informed by Chief Golden that the railroad is under federal jurisdiction and therefore follows it own rules. Mr. Bilkie had hoped the closure could have been postponed until the completion of the Route 82 project but was informed that it could not be because again, the railroad is under its own jurisdiction and timetable.

Mayor Migliorini interjected it was totally unacceptable that the City was not provided reasonable notice given Macedonia's responsibilities for the health, safety and welfare of its residents. Lives were placed in peril because safety forces were not given ample notice of the closure. Mayor Migliorini said he will be informing the railroad through the law director of Macedonia disappointment in the matter.

Regarding another topic, Ms. Hanneken questioned Chief Golden the inspection of procedure relative to the jail in light of the recent suicide of an inmate to which the Chief answered the incident occurred between hourly inspections.

There being no further business the regular meeting of Council was adjourned at 8:45pm.