

Record of Proceedings
Regular Council Meeting
October 22, 2015

Presiding Officer, Mayor Donald Kuchta called the October 22 regular meeting to order at 7:30pm.

Present: Council members' Rita Darrow, David Engle, Sylvia Hanneken, Nicholas Molnar and Janet Tulley; Council Clerk Josephine Arceci and Law Director Joseph W. Diemert, Jr.

Absent:

PLEDGE OF ALLEGIANCE was led by Council President Darrow

INVOCATION was led by resident Terri Hudak

MINUTES Ms. Tulley moved, Mr. Molnar seconded to approve minutes of regular meeting of September 24, 2015.

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

FINANCIAL REPORT Ms. Hanneken moved Mr. Engle seconded, acknowledging receipt of Financial Report dated September 30, 2015.

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

PUBLIC COMMENTS

John Matijasich, a resident of the Lake Forrest subdivision quoted from television talk show host Dr. Phil that past behavior is an indicator of future behavior. Mr. Matijasich described Joseph Migliorini, former mayor of Macedonia and current mayoral candidate as a theatrical part-time resident who should not be elected. Mr. Matijasich read a letter dated November 9, 1995 from David Cooper, associate editor of the Akron Beacon to Mr. Migliorini in which Mr. Cooper chastised Mr. Migliorini for inaccuracies within his campaign literature. Mr. Matijasich criticized Mr. Migliorini for statements in his current campaign literature citing what in Mr. Matijasich's opinion are blatant and inaccurate. Mr. Matijasich also chastised Kevin Bilkie, Lake Forrest resident and candidate for Macedonia City Council for losing \$10,000 of the Lake Forrest HOA funds during Mr. Bilkie's presidency of the HOA. Mr. Matijasich encouraged residents not the vote for Mr. Bilkie whom Mr. Matijasich described as incompetent.

Kevin Bilkie, responding to Mr. Matijasich's accusation explained that in March 2015 Mr. Bilkie informed the LFE HOA that Prolawn Landscaping Company, the service used by the HOA went out of business. Then, just a few months later, in May 2015, Mr. Bilkie was reelected to the HOA for the third time. Mr. Matijasich is a naysayer Mr. Bilkie stated and is not representative of other Lake Forrest residents. Mr. Bilkie wished well to everyone running for elected office in Macedonia. Mr. Bilkie said running for elected office has personally been exciting and challenging yet nerve racking. Mr. Bilkie thanked all of Macedonia's collective bargaining units for endorsing him. Mr. Bilkie reminded residents to vote November 3rd because of the numerous issues on the ballot; office of the mayor, council positions, amendments to the Charter, positions to the Nordonia Hills Board of Education and a school levy.

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Jan Tulley of 1257 Berkshire Drive and member of Macedonia City Council left the dais to speak as resident. Ms. Tulley stated: "I come to you as a resident and taxpayer in this city. This is a sad, sad, sad statement of our city. Since 1989 I have voted in the elections and this is first time that a coward creeps thru the night and puts notes into residents' mailboxes and newspaper boxes. How cowardly not to sign your name. One had information that Councilman Molnar stated during a council meeting that was obtained by Scott Svab's record request to the City of Green. The details of which were never stated in that council meeting. Did Scott Svab wrote the notes and distribute them? Or is the person responsible for the untruths being distributed willing to step forward like a man or woman? Another thing, as I ran the streets I found these laying in the ditch, grates. One says clean up Macedonia, whoever is distributing them -- clean up Macedonia. Also during my council campaign and even thru this year a resident Mr. Dan Havlicek, a Hanneken/Darrow supporter has told lies and innuendos about me. My ex-neighbor as well as Mr. Molnar and others have been told by Mr. Havlicek that I have skeletons. Let me state I didn't get charged with back taxes. I didn't get charged with domestic abuse and reduced to disorderly conduct. I didn't get taken to court for not paying bills. I didn't get caught trespassing in a city office and advised by the city magistrate to cease and desist I didn't get caught trying to fix a traffic ticket. I was not supported by someone suing the city. All of these skeletons are facts related to three candidates Darrow, Hanneken and Miller and for their Mr. Havlicek. I am appalled that Ms Hanneken continues to state, erroneously that the investigation into Scott Svab started after she and the her partners decided to no longer pay a retainer to the city law dept. News flash to you and Cleveland.com, that investigation began in 2012-two years before you came onto council. And, the savings for the law dept., another news flash. Our \$65,000 retainer had been replaced by \$96,000 in expenses so far this year. I am also offended by the three amigos stating that they vote independently and work with the administration. The amigos vote together about 90-95% of the time. Tonight I make these statements during the public comments section so the three amigos cannot call a motion to adjourn and stifle my right to speak. Unfortunately at the last meeting they did so before I could comment on a city issue. Ms Hanneken and Ms Darrow stop this posturing, egotistical, paranoid behavior and get to focusing on the residents and this City. If you cannot then please resign now so you continue focusing on your campaign and the rest of us can take back Macedonia for every household. We need to focus on the job at hand.

Janet Susak of Riverview Drive and 46-year resident of Macedonia expressed offense to recent political flyers left at her home. Ms. Susak commented: "Mrs. Hanneken, I would like to address you and your campaign specifically. Recently I have received four articles of illegal propaganda in my mail box attempting to defame Joe Migliorini and Nick Molnar. These flyers were simply signed as Macedonia resident and distributed to the community over seven to ten days by being placed illegally into my mailbox and all over the City of Macedonia. There are several of these that some of you did not receive because I think only the people who had signs in their yards got the post cards saying things like Joe being in Florida, Joe being over here, Joe being over there. So additionally, signs for Mr. Migliorini, Molnar and Bilkie have been removed throughout the City despite having the permission of the property owner to be placed. This most recently occurred on the evening of

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Monday, October 19th. Fortunately the signs were recovered when there was camera footage of the theft. Did you know about this since an official report was made Ms. Hanneken?"

Ms. Hanneken told Ms. Susak she was speaking about something Ms. Hanneken had nothing to do with. Ms. Susak's statements are not based on anything Ms. Susak knows.

Ms. Susak continued, "You sure got upset about a resident having a conversation with an off-duty officer who was expressing his freedom of speak. The police were called and the man removing the signs admitted to removing them. He is believed to be a supporter of yours. You have spent time addressing so-called rumors that supposedly came from your opponent denouncing the messages they represent. Why is that?"

Ms. Hanneken answered, "I do not respond to every wild-ass rumor. You are saying that I have done something that I have had nothing to do with."

Ms. Susak, continuing further stated. "I think you made a statement of endorsing the flyers by not addressing them. That is my opinion. It is my understanding the Mr. Migliorini made you are of the flyers in person after a debate. Therefore you knew the flyers were out there and chose not to reject the messages that were out there. Finally, two weeks ago the Mayor asked if there was any more city business to be discussed. You took the opportunity to sit in your elected seat and use it has a means to announce and endorse and to address more rumors about your intentions. I feel this was not the time and the place to address issues as you are an elected officer being paid by the taxpayers. Campaigning should be done on your own time. How do you plan to run the entire City of Macedonia if you are elected if you clearly cannot even control those who support your campaign and use your forum for political gain? If are going to say I cannot control every one of my supporters than why would you chose to denounce the flyers you were aware were being distributed around town. I am embarrassed from it."

Brian Vince, Macedonia police officer and representative for the Ohio Police Benevolent Association /Patrol (OPBA) speaking on behalf of all the collective bargaining units each represented this evening by Kim Sutton, Macedonia dispatcher and representative of OPBA/Dispatch; Vince Danko, Macedonia police sergeant and representative of the Fraternal Order of Police/Sergeants (FOP); Rob Lewis, Macedonia fire lieutenant and representative of International Association of Firefighters (IAFF) and Angelo Martorello, service department and representative of the International Brotherhood of Teamsters, Local 436 stated their presence is to dispel any misconception about the unions endorsing Mayoral candidate Joseph Migliorini and Council candidates Nick Molnar and Kevin Bilkie. Detective Vince stated resident Kurt Laubinger stated through social media that the union's endorsement was a farce because it was unsigned and David Milstein, the boyfriend of Councilor Darrow wrote OPBA union rep Randy Weltman seeking verification of the legitimacy of the endorsement. Detective Vince read the endorsement

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“For the first time in its long history, the Macedonia Police, Service, Fire and Dispatch unions have voted to endorse political candidates for the upcoming November 015 mayoral and city council election.

In an unprecedented show of unity the Macedonia Police, Service, Fire and Dispatch unions has unanimously voted to endorse Mayoral Candidate Joseph Migliorini, along with Council candidates Nick Molnar and Kevin Bilkie.

The unions believe that the disconnect between the current administration and city council is of great concern and is based solely on political agendas and coalition voting instead of coming together and doing what in the best interest of the City.

The unions believe that Macedonia needs leaders who are open to the discussion of new and diverse suggestions and who possess ideas and goals designed for the betterment and enrichment of our City. We believe that Migliorini, Molnar and Bilkie are such leaders.”

Continuing, Detective Vince stated though some members of Council believe Macedonia employees and members of the unions have no voice, have no right to express their opinions when they are off duty and out of uniform each is entitled to their freedom of speech under the First Amendment. Everyone supporting the endorsement is aware there may be ramifications Detective stated. This action is unprecedented. “But,” he added, “The general disrespect that some members of Council show our Mayor, Ms. Tulley and Mr. Molnar is egregious and disgusting. Last meeting Ms. Hanneken moved to adjourn before giving Ms. Tulley and Mr. Molnar a chance to speak”. Detective Vince asked Macedonia voters to educate themselves, to learn the truth, to learn what has been going on, to learn what the employees know and vote for the three candidates endorsed by Macedonia’s unions.

Nate Falkenstein of 1182 Mig Court stated: “I am a bit embarrassed to be standing here today but not nearly as embarrassed as you should be sitting up there. You see I have not attended many council meetings in the past that is why I am ashamed. If you are not aware of the reasons you should be ashamed I will happy to enlighten you on the things I’ve notice from the past meeting. Sylvia, Rita and David, I was witnessed to an extremely unproductive, unprofessional and frankly childish display during the last meeting. You consistently state that you are always working together as a team however it was never more evident to the contrary at the last meeting. When the topic came around to the city budget the question asked by Mr. Molnar about changing the date you showed just how little by giving short and abrasive answers. Nothing was accomplished as Ms. Tulley and Mr. Molnar attempted to ask just simple questions for clarification and three of you decided you had enough. I also had to see an extremely selfish, shameless and overtly rude waste of everyone’s time during our city council meeting so that you, Sylvia could promote yourself by bringing up endorsements and other political moves that were no way related to anything pertinent to the City or taxpayers of Macedonia. When you are there I ask that you respect those you represent and those who voted for you who put you there in that seat and keep to the task at hand. Finally, I would like to address the selfish act at the end of the meeting when Rita, Sylvia quickly called the meeting and of course Dave you agreed. You all stood up and walked away. This is

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clearest evidence of the cancer that has taken over this city council. The fact that you can say that you work together is no less than a slap in the face to every person in this city that lives here or works here.”

Bobbi Paul of 1127 Thistleridge Drive criticized what Ms. Paul described ugliness of words spoken this evening. Ms. Paul asked those who spoke before her, “Did you hear the prayer tonight? Did anyone one of you really listen to it? Why are you tagging these people as being evil and no good? They are just trying to do their job for Macedonia.” Regarding the ATV ordinance, Ms. Paul opined it should not be adopted for the reason that the size lots in Macedonia do not warrant this activity with these types of recreational toys.

Gene Klonowski of 7861 Stoneridge Road complained too about the proposed ATV ordinance. Mr. Klonowski has experienced constant, annoying behavior by neighbors misusing their privilege by using their yards to the detriment of others like Mr. Klonowski. This type of recreational activity is better suited for large, opened fields or farmland and not in a community like Macedonia he added.

Joe Skarupa of 8199 S. Bedford Road pleaded with residents to respect all parties involved in the election. The election has been passionate on both sides. Residents must stick to the facts.. There is no reason for name calling, for innuendos whether through social media or during council meetings. Everyone on both sides of the election is trying to the do best for the City. Everyone should be realistic about this and be professional, not childish. To say just Ms. Hanneken has spoken from the dais about who has endorsed her is unfair because Mr. Migliorini did the same several weeks ago during a council meeting Mr. Skarupa stated. Mr. Skarupa asked for a peaceful, respectful, common sense election because no matter who wins the City must move forward.

Dan Havlicek of Shepard Road stated he is appalled by the lack of respect given military personnel such as himself who served in the Navy for many years. Mr. Havlicek reminded the audience that no one in the audience has had more service time than him. Mr. Havlicek is also appalled that as a private citizen he has been insulted and attacked by Ms. Tulley. He asked Ms. Tulley provide him a letter explaining her comments. Mr. Havlicek added he has never attacked anyone. Regarding the political flyers circulated in Macedonia Mr. Havlicek agreed with the earlier comment that whoever authored these flyers without signing their name is a coward. “I am not a coward, I do not hide behind anonymity like those who did that” Mr. Havlicek added.

Councilor Tulley told Mr. Havlicek he tells everyone Ms. Tulley has skeletons. The information she provided she said is about several people, not just one person and all the information is of public record, attainable through the Summit County court system Ms. Tulley added.

Roy Metzel of Smokerise Drive stated he too like Mr. Havlicek served in the military. But unlike Mr. Havlicek Mr. Metzel does not flaunt it. Mr. Havlicek says he doesn’t attack anyone yet Mr. Havlicek has stood at this microphone and attacked Joseph Migliorini Mr. Metzel stated. Continuing, Mr. Metzel stated the real issue facing the community is the two factions of Council. Council only agrees on simplest of items otherwise they vote three to two. Mr. Metzel doesn’t agree with how Council handles business

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like not paying the law director for example. Mr. Metzler too expressed anger over the political flyers that had no name and agreed as well that whoever circulated them really is a coward.

Jorge Pla, attorney and Parkview Estates resident expressed appreciation of the characterization in recent political mailings of himself and others as the good cast the Wizard of Oz. Mr. Pla suggested that since they were the good cast then Mr. Migliorini must be the witch and his supporters the flying monkeys. Continuing, Mr. Pla stated that during the Cleveland Plain Dealer candidate interview it was stated that he and Frank Pla illegally split Lot 6 within the Parkview Estates subdivision. Mr. Pla's stated the record shows that the Pla's made application to appear before the Planning Commission. Messer's Fini and Hlad and Mayor Kuchta however collectively decided Planning approval was not necessary because the issue was a minor lot split. They approved the split because it was in conformance with the subdivision's declaration of covenants and deed restrictions, local ordinances and laws of the state of Ohio. The Pla's did not make the decision to not hold Planning meeting, the City made that decision Mr. Pla stated. Also stated Mr. Pla said was the Parkview HOA refused to approve the building plans for the construction of a single family home presented by the Pla's relative to the new lot. That statement was not true Mr. Pla stated. The Parkview HOA Board approved the building plans presented by the Pla's, a copy of which is on file with the City. Mr. Pla said that he has been falsely accused of causing previous HOA board members to resign. Resignations from the first board were caused by Mr. Migliorini's actions as evidence in deposition Mr. Pla stated. During that the same interview it was stated that Jorge and Frank Pla are suing the City and the HOA for millions. For over 12 months Mr. Pla stated, he has asked the Court to dismiss the HOA from the suit which Mr. Migliorini and his attorney have refused.

Joseph Migliorini, resident and mayoral candidate stated that Jorge Pla told the Parkview HOA that the property he purchased was contingent upon a lot split. The HOA requested a copy of the sale contract. The contract was never provided because the contract did not mention the contingency Mr. Migliorini stated. There have been many other issues regarding this purchase Mr. Migliorini stated and Mr. Pla has never been forthright with the HOA. Regarding other matters, Mr. Migliorini agreed he said with much of what has been said this evening. The negative, hateful campaign propaganda has made Macedonia the laughing stock of northeast Ohio. As the representative for 136 communities within NOPEC, Mr. Migliorini stated numerous mayors have asked him what is going on in Macedonia. It has been embarrassing, it is not healthy for Macedonia and its residents. Peace has to be restored.

Fred Quigley, resident of Villa of Taramina criticized Joe Migliorini. Mr. Quigley likened listening to Mr. Migliorini like listening to a comedian. Mr. Quigley described the residents of Villa of Taramina as lemmings who discredit him in any manner they can. Mr. Quigley accused Mr. Migliorini of violating federal voting laws. Mr. Quigley implied Mr. Migliorini was a crook. Mr. Quigley said that he has been in contact via the internet with the Secretary of State regarding some of these issues about Mr. Migliorini. Mr. Quigley added Mr. Migliorini does not care about senior citizens or the disabled; he only cares about the bottom line. Regarding the use of common space in the Villas of Taramina Mr. Quigley quoted the rules and regulations of the HOA of the Villa of Taramina.

PENDING &/OR NEW LEGISLATION

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ORD. NO. 52–2015

AN ORDINANCE AMENDING SECTION 375.03 OF THE CODIFIED ORDINANCES RELATING TO SNOWMOBLES, OFF-HIGHWAY MOTORCYCLES AND ALL-PURPOSE VEHICLES was **offered** by Ms. Tulley for its **third reading by title only**. Second not required.

Ms. Tulley moved, Mr. Engle seconded to **amend Exhibit A of ORD. NO. 52-2015 to read in pertinent part as follows: (b)(1) “Each property must obtain a permit per property....”(b)(2) ‘Off-road permit shall be obtained and administered by the Police Department.’ (b)(3) “Splitting of time will be allowed.” (b)(4) “An off-road vehicle cannot be operated with 10 feet from street, roadway, sidewalk...” and (b)(12) “A reinstatement fee of \$25.00 will be assessed.”**

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

Ms. Tulley moved, Mr. Engle seconded to **adopt ORD. NO. 52-2015, as amended** and post same according to law.

Roll call: Ayes: Darrow, Engle, Hanneken, Molnar and Tulley
Nays: None.
The motion carried. **ORD. NO. 52-2015 NO. 52-2015 adopted, as amended**

Regarding ORD. NO. 52-2015, Councilor Tulley thanked the resident committee for taking their personal time to make this ordinance fair and palpable for both sides of the issue. This ordinance was first proposed in May. There has been months of discussion over it resulting in a reasonable compromise. The final outcome is equitable and enforceable she added. Ms. Tulley suggested to Chief Golden that it’s time the noise and nuisance ordinance be reviewed in light of what has been discussed and/or considered as a result of this ordinance.

Councilor Molnar interjected that he struggled initially with this entire proposal. Mr. Molnar feels strongly restricting recreational use of personal property is an infringement on personal property rights. But Mr. Molnar clearly understands and appreciates both sides of the issue. He recalls the fun he had as a youngster growing up in Macedonia enjoying riding his recreational bike throughout his yard for hours on end. Mr. Molnar the ATV ordinance as now written provides use to those residents who enjoy this type of sport activity yet protects those residents who are disturbed by it.

Mayor Kuchta recognized and thanked three residents present this evening who participated in the committee which helped draft the ATV ordinance: Paul Coppedge, Tracy Earnhart and David Lacey.

ORD. NO. 125– 2015

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AN ORDINANCE CREATING NEW CHAPTER 182 OF THE CODIFIED ORDINANCES OF MACEDONIA OHIO REGARDING MUNICIPAL INCOME TAX was **offered** by M. Molnar for **its second reading by title only**. Second not required.

Councilor Engle mentioned Council requested a meeting with a representative from R.I.T.A to review changes to Macedonia's income tax code mandated by HB 5. Based on R.I.T.A's schedule the meeting the meeting proposed for November 19, time to be announced later.

Mayor Kuchta interjected HB 5 is a deterrent to home rule. If state legislators continue to erode the authority of local jurisdictions regarding municipal income tax collections, the mainstay of revenue for communities just like Macedonia, then local jurisdiction will be forced to rely more heavily on property tax.

RES. NO 127-2015

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICE 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. Molnar

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

Ms. Hanneken moved, Mr. Molnar seconded to **adopt RES. NO. 127-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle Hanneken, Molnar and Tulley
Nays: None
The motion passed. **RES. NO. 127-2015 declared adopted.**

ORD. NO. 128 – 2015

AN ORDINANCE AUTHORIZING THAT FUNDS CURRENTLY ALLOCATED TO THE RECREATION DEPARTMENT BE TRANSFERRED BETWEEN ACCOUNTS WITHIN THAT DEPARTMENT OFFICE 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

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

Ms. Tulley moved, Mr. Molnar seconded to **adopt ORD. NO. 128-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle Hanneken, Molnar and Tulley

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Nays: None
The motion passed. **ORD. NO. 128-2015 declared adopted.**

Relative to ORD. NO. 128-2015, Councilor Tulley questioned Ms. Manley regarding the September expenditure report, whether the computer maintenance budget already at 95% will need additional funds to get to year's end to which Ms. Manley explained 95% represents funds already encumbered for computer maintenance/services and upgrades and therefore she does not anticipate additional funds will be needed.

ORD. NO. 129 – 2015

AN ORDINANCE APPROPRIATING A FUND TRANSFER FROM GENERAL FUNDS TO SERVICE DEPARTMENT FOR VARIOUS UPCOMING EXPENSES AS ITEMIZED 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

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

Mr. Molnar moved, Ms. Tulley seconded to **amend ORD. NO. 129-2015 in pertinent part as follows:**

From Account	To Account	Amount
General Fund	101.311.5500	\$6,062.42 \$10,146.31

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

Ms. Tulley moved, Mr. Molnar seconded to **adopt ORD. NO. 129-2015, as amended** and post same according to law.

Roll call: Ayes: Darrow, Engle Hanneken, Molnar and Tulley
Nays: None
The motion passed. **ORD. NO. 129-2015 declared adopted.**

ORD. NO.130 – 2015

AN ORDINANCE APPROPRIATING A FUND TRANSFER FROM GENERAL FUNDS TO POLICE DEPARTMENT CLOTHING ALLOWANCE FUND TO ADJUST A NEGATIVE BALANCE 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.

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The motion passed.

Ms. Darrow moved, Mr. Engle seconded to **adopt ORD. NO. 130-2015** and post same according to law.

Roll call: Ayes: Darrow, Engle Hanneken, Molnar and Tulley

Nays: None

The motion passed. **ORD. NO. 130-2015 declared adopted.**

MOTIONS OR OTHER LEGISLATIVE ACTIONS None

CORRESPONDENCE: Letter of appreciation from Mr. & Mrs. Gerald Millin, Florence Drive, Macedonia, to Macedonia Police Department and Patrolman Nick Szaibel regarding Officer Szaibel's professional but kind and courteous help during an vehicle accident in which the Millin's were at fault.

MAYOR'S REPORT: [Imported from Word document]

"In just 12 days our City's future will be decided. This is actually my last official meeting. At the next meeting I promise not to walk and to talk like a lame duck but I will be. It has been a great pleasure being your mayor. I feel very happy to have had that opportunity and thank you very much for that.

Please vote on Tuesday November 3rd and search your soul and your mind to try to find the right answer.

I would like to wish everyone a safe and happy Halloween on Saturday October 31st.

COMMITTEE REPORTS

JEDD Councilor Molnar announced the meeting intended for yesterday but canceled due to a lack of a quorum will be rescheduled. The day and time will be announced at a later date.

DEPARTMENT REPORTS

Service Department

Building Commissioner Mr. Hlad reported that there have been 10 new commercial construction starts to date, 88 occupancies and 95 alterations. There have been 22 residential new home starts and 25 homes are under construction as well as that has been 9 additions and 40 residential alterations. Regarding zoning there have been 384 point of sale inspections and 395 contractors have registered with the City. Regarding the Sioux culvert, engineering is complete; securing the easements is still in process. The Our Lady of Guadeloupe retention basin plan design is complete. Whether the property needed for the basin will be an easement or will be purchased has yet to be determined. Mr. Hlad stated that it is possible that

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each project could be started this year. Mr. Hlad announced that the next Planning Commission meeting is November 16th at 5:30pm. The deadline for submittals to Planning is noon Friday, October 30th. A copy of the agenda will be posted on bulletin board outside of Council Chambers on Monday, November 2nd.

Councilor Hanneken questioned the status of the Ledge/N. Bedford storm water drainage study to which Mr. Hlad responded that it is still in progress. Engineering is surveying and collecting data. Residential notification letters were issued the week of September 28th. Completion of full report is anticipated around the end of November.

Engineer Mr. Fini was not present.

Recreation Department Ms. Manley reported the Recreation Center's quarterly health team event is Saturday, October 31st from 11am -2pm. This free event is an opportunity to meet with various levels of instructors for the variety of classes and programmings held at the Rec Center as well as to experience free minor health screening. Also being held on the 31st is a free Zumba class at 10:30am. Participants are encouraged to dress in costume. Save a Saturday, delegated to Red Cross recertification and other safety related issues is Saturday, November 7th from 11am to 4pm. The annual Nordonia Craft Show is Saturday, November 14 from 9am-2pm at Lee Eaton elementary school. Booths are still available.

Finance Department

Fire Department Chief Black left meeting to respond to an emergency call.

On behalf of the fire department, Mayor Kuchta announced that Macedonia Firefighter Association's annual Halloween Children's costume party is Sunday, October 24 from 4pm-6pm at the fire station.

Police Department Chief Golden addressed new signage for the I271 on ramp, the re-opening of the off-ramp at SR 82 and the closing and opening of the north and south sides Shepard Road relative to the third phase of the widening of SR 82. Chief Golden spoke highly of the ODOT representatives he is working with regarding all the state road projects.

Law Department Mr. Diemert had no report.

Unfinished business Councilor Molnar mentioned residents have complained to him about the number of road projects in progress the same time. Why isn't this type of inconvenience kept at a minimum they've asked? Why aren't the projects staggered? Mr. Molnar has had to explain that Macedonia has little say regarding ODOT projects. ODOT seeks no approval relative to when the project(s) is/are are let for bid or to the onset of the project(s). ODOT is always on its own schedule. The Sioux Lane culvert project is another hot issue Mr. Molnar added. Some residents are accusing officials of procrastinating. The fact is there many levels of bureaucracy outside Macedonia's control: the Summit County Department of Environmental Services, the Army Corp of Engineers and the Cleveland Water as examples. Additionally, three easements are required. Regarding complaints from Villa Lago residents

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about Highland Road truck traffic and the noise from jake brakes, Mr. Molnar explained that new trucks have built safety brake systems, jake brakes which activate automatically when the truck slows. These systems cannot be shut-off manually like systems in older model trucks. Mr. Molnar stated as his request the police department has posted sign prohibiting jake brakes in an attempt to alleviate the problem to some degree. There is however no quick fix to this problem he added. Pertaining to the campaign postcard being circulated about specifically about him Mr. Molnar cautioned those perpetrating the negative, tasteless comments. Mr. Molnar added, "Think about what you are doing who you are hurting. I am a man; I have broad shoulders, say what you want about me. But my 8-year daughter saw that card and that hurts. Elections are not just about the person, the candidate it about the family too."

New business Ms. Hanneken stated, "I do not respond to anonymous post cards, either those that are against me or those against anybody else. It is unreasonable to try to respond to those things because you don't have any knowledge who is involved or what is going on. Of course we have been ridiculed in the characteristic flyer and I know there have been other people ridiculed. But when I am responding to things I would not have enough time in the day with all the kinds of things going on here. What I am telling you is when I do respond through my Facebook site or my website it's strictly for things that are untrue about me. And there have been a lot of things that have been untrue. I have corrected those and tried to make sure people are aware what I have and have not done. But as far as being able to control the kind of behavior that went on here tonight, you can't. People come up here, they attack you and you simply have to sit through it. There is no way that this kind of behavior is justified. There has been a long term campaign here to attack council members over whether or not they are sufficiently supported. We have had the best budget we have ever had in terms of roads and storm water. We had done a lot of things together. We've had disagreements. The Mayor wanted to have the income tax increased and that was blocked and that was a three-two vote. What I like to point to people is there are reasons why there are disagreements but most of the time we can work these things out. We did on the ATV ordinance which was a very complex and difficult problem solved. We have done that most times and have talked about who we have supported in terms of commissions we have pretty much agreed. We voted to put Mr. Hopkins on the Planning Commission and that was the Mayor's campaign manager and that was universal, that was a five-zero vote. There are differences of opinions sometimes and those things do not need to lead to the scenes that we saw tonight. However, we are in the middle of a campaign. There has been constant campaigning from the comments area for the last six weeks. And people have said things that are untrue or are totally distorted. So you are going to get reactions. My general principle is this, if I have done something than I will, everything I have ever done has my name on it, number one. Number two, if somebody else does something I don't approve of that is not directed at me, then that has to be dealt with but not by me. And the third thing is that when bad things are said about me that are untrue (inaudible) that is something I won't comment on tonight."

Mayor Kuchta explained, while holding up a large piece of asphalt that he has kept the chunk of road given to him by a resident as a reminder of the conditions of Macedonia roads. This resident had asked the Mayor why an income tax hadn't been put on ballot in order to generate funds for road improvements. The Mayor did introduce legislation he said but Council chose not to allow taxpayers the opportunity to

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decide for themselves the fate of tax. The amount of the tax increase Mayor Kuchta added was designated solely to roads and storm water.

Regarding another matter, Councilor Tulley expressed concern about September's expense report about some areas of the budget are at 100% or over given there are more than two months before year's end. Line items budget are part problematic Ms. Tulley stated for otherwise line items expenses could readily be moved within the fund when one item exceeds another. Ms. Tulley announced she will be introducing legislation repealing health care benefits for council members and the incentive given to not to take the health benefits for the reason part-time elected officials should not be eligible. Ms. Tulley also proposes to repeal the membership discount Council receives to the Macedonia's Family Recreation Center. Lastly, Ms. Tulley commended NewsLeader reporter Brianna Barker regarding her recent article entitled "Reporter Fed Up with the Peanut Gallery." The article was pointedly accurate. The lack of respect during public meetings in the all the communities, including Macedonia is outrageous. Ms. Tulley asked Ms. Barker for permission to place her article on Macedonia's website.

There being no further business, the regular meeting adjourned at 9:10pm. (Roll call taken.)