

Record of Proceedings
Regular Council Meeting
April 28, 2016

Presiding Officer, Mayor Joseph Migliorini called the April 28 regular meeting to order at 7:30pm.

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

Absent:

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

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

PRESENTATION

“National Prescription Opiate Take Back Day”

By

Honorable Akron Municipal Judge Joy Oldfield & Summit County Common Pleas Judge Tom Teodosio

Judge Teodosio stated that the DEA, the Drug Enforcement Agency has designated April 30th as National Prescription Opiate Take Back Day in part because of the number of deaths attributed to heroin and other opiate drug overdoses has increased expedientially and Ohio. Surprisingly Judge Teodosio added, Ohio is a leader in the number of overdose related deaths. Twenty-three lives are lost each week. In Summit County alone, within a four month period, 8.5 million doses of opiates are prescribed Judge Teodosio stated. The problem is in epic. Judge Teodosio commended Chief Golden for offering drug deposal at anytime by providing a contained receptacle the Recreation Center. Needles and aerosols are excluded.

Judge Oldfield added addiction is a lonely disease. It's a disease of deception and drug dependency often is a result of misuse of opiate prescriptions. Four out of 5 heroin users Judge Oldfield stated began with the recreational use of prescription drugs and 50% of young people who inject heroin today began their addiction by using opiate drugs prescribed to them when injured in sports, or by stealing opiate prescriptions from their family and friends. Because of the latter Judge Oldfield said the DEA has set aside a special day nationally to dispose of unused prescription drugs.

PUBLIC COMMENT

~**Terry Hudak 8647 N. Bedford Rd** commended Macedonia's fire and police departments and expressed her appreciation of the help each department provided her in the past.

~**Karen Bartolozzi, 1377 Driftwood Lane** questioned if the improvements to Shepard Road will include a turning lane or signal light for turning to which Mayor Migliorini answered that it will not. Mayor Migliorini anticipates however applying for a lane and signal light once the project is completed. This seems illogical he knows but he explained ODOT did not want to extend the current project into 2017 which would have been the case had the plans been altered. Regarding the Highland and Valley View intersection Ms. Bartolozzi suggested a turning signal be added because the number of cars stacking during rush hour to which Mayor Migliorini stated an alternative of round-about is being considered for

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that area. Mayor Migliorini explained that a roundabout will actually cost about \$100,000 less than adding specified turning lanes. Roundabouts have also been shown to be safer and move traffic more quickly. Ms. Bartolozzi questioned the concept of a roundabout being more effective at Highland and Valley but added she agrees that it's time for all Macedonia roads to be fixed expressing her willingness to pay more in taxes to make that a reality.

Engineer Gigliotti reiterated studies have shown that roundabouts keep traffic moving. The current thought is roundabouts are in fact more optimum than four way stops or even intersections with signalization and/or turning lanes with signals.

Councilor Tulley interjected there is a website specific to roundabouts which provides detailed cost and traffic analysis and explains the advantages of this method of traffic control compared to four-way stops and arrowed signalization.

~**Rob Lewis, N. Bedford Road**, resident and Macedonia firefighter stated the baseball fields at Longwood Park are in deplorable condition. Mr. Lewis said he was personally embarrassed both as a resident and as an employee by remarks made to him by members of visiting baseball team who played at Longwood Park. Mr. Lewis said since his son has been on a traveling baseball team he has visited many community parks. What he has gleaned is many other communities place far more attention on the appearance and condition of their parks and their athletic fields. Longwood Park needs that same level of care and attention Mr. Lewis stated. Former Mayor Colonel Frew Long took pride in his land, dedicating it to Macedonia to remain as it was, to be enjoyed by all as park which Macedonia official need to remain mindful.

~**Joanna Nehez, Apple Hill, Sagamore Hills** questioned what happens if Northfield denies Sagamore equipment/vehicles when the fire services agreement between Northfield Center and Sagamore Hills terminates to which Law Director Guidetti explained that the equipment is solely Sagamore's responsibility whether that equipment is negotiated between Northfield and Sagamore or Sagamore has to purchase equipment. Mr. Guidetti added Macedonia will have no voice in the negotiations between Northfield and Sagamore in this regard.

~ **Glen Molnar, a Boston Heights resident** and former resident of Macedonia commended Mayor Migliorini on the positive, uplifting and forward thinking manner he has brought to the City since elected to office.

~ **Roy Metzel, 8811 Smokerise** expressed his concern over the poor condition of so many of Macedonia's roads. As a member of the Future Growth Committee it has become more aware to him the importance of keeping Macedonia's infrastructure in good condition and the importance of maintaining property values. Mr. Metzel supports increasing the income tax rate for the express purpose of improving all the roads and encouraged Macedonia residents to do the same.

~**Kim Griner, Ashford Glen, a Sagamore Hills resident**, stated Sagamore Hills' residents do not support the fire and EMS service agreement with Macedonia. Ms. Griner complained that Sagamore Hills' trustees have not been communicating with its residents. Ms. Griner questioned how Macedonia can financially support hiring six-fulltime firefighters/paramedics and all of Northfield-Sagamore's 27 part-time firefighters. Ms. Griner also questioned how Macedonia's officials can support the agreement without first addressing Macedonia's own budget concerns. Ms. Griner said Sagamore Hills is fiscally sound, it has operated its fire agreement with Northfield Center responsibly until Macedonia came along.

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Mayor Migliorini asked Ms. Griner if she is blaming Macedonia.

Ms. Griner answered that she is not blaming Macedonia.. However, she added the Northfield-Sagamore fire district was fine; it was fiscally sound, until Sagamore trustees announced Sagamore was separating from Northfield for financial reasons.

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD. NO. 30- 2016

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF SAGAMORE HILLS, OHIO TO PROVIDE EMERGENCY FIRE AND MEDICAL SERVICES TO THE TOWNSHIP was **offered by Mr. Molnar for its first reading by title only.**
Second not required.

Mr. Molnar moved, Ms. Tulley seconded to **amend the first version of Exhibit A of Ordinance No. 30-2016 to confirm with the version of Exhibit A introduced this evening, April 28, 2016.**

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

Mr. Molnar moved, Ms. Tulley seconded to **adopt ORD. NO. 30-2016 as amended** and post same according to law.

Roll call: Ayes: Bilkie*, Molnar**** and Tulley*****
 Nays: Engle **and Hanneken***
 The motion carried and **ORD. NO. 30-2016 declared adopted as amended.**

Relative to ORD. NO. 30-2016 and prior to roll call on the motion to amend, Councilor Hanneken stated her review of the agreement extends to how it benefits Macedonia residents, which in her opinion does not. Macedonia is expanding the scope of its fire and EMS services to cover twice the size of its current coverage. Protecting response time to Macedonia residents is paramount to Ms. Hanneken. Paramount to her as well is the cost of the agreement and if it truly covers all financial expectations including but not limited to the cost of number new employees; six fulltime firefighters and a number of part-time firefighters as well as depreciation on Macedonia's equipment. Ms. Hanneken does not agree that Macedonia and Sagamore should split costs related to unemployment compensation if the agreement terminates. Sagamore should be responsible for paying the total cost for all six full-time firefighters Ms. Hanneken stated. Attempts at regionalizing fire and EMS services and potentially creating a fire district, the latter of which may be in violation of Macedonia's Charter has fractured relationships between communities Ms. Hanneken stated. Mutual aid between communities already exists. But she added, Chief Black informed her there is no formal written agreement in this regard. Ms. Hanneken opined too that the agreement is inadequate; there are too many vague and open-ended questions. Ms. Hanneken added that a Sagamore Hills resident emailed all members of Council in which this resident indicated that none of fire equipment shared by Northfield Sagamore may be available to Sagamore. Ms. Hanneken opined again that the process to provide fire service has been too fast, that Macedonia should have waited until it received a more cooperative view from the other neighboring communities.

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Mayor Migliorini told Ms. Hanneken she totally ignored what he and Chief Black reported to all members of Council, that all three communities, Northfield Village, Northfield Center and Sagamore were invited to discuss regionalizing fire services, even perhaps creating a fire district. Sagamore was the only receptive community and now the two largest political subdivisions in Nordonia have entered into a good marriage, a good agreement and a great start towards regionalizing services Mayor Migliorini stated. Northfield Center will not be left unaided Mayor Migliorini stated. Macedonia will continue to provide mutual aid services to the township. Mutual aid exists under state therefore no formal agreements agreements are required. Mayor Migliorini questioned Ms. Hanneken's position given every question or concern she has raised has been answered.

Relative to ORD.NO. 32-2016, comments made during roll call on motion to adopt:

*Councilor Bilkie stated when he decided to run for elected office the first conversation he had was with Chief Black. Mr. Bilkie asked Chief Black how Mr. Bilkie could best serve Macedonia to which Chief Black answered support regionalization of services. And while the agreement between Macedonia and Sagamore is truly not regionalization it is a good step toward combining resources Mr. Bilkie said. Mr. Bilkie applauded Mayor Migliorini for initiating steps towards this end, the Sagamore Hills' trustees for being receptive and Chief Black for his presentation and for his participation towards this endeavor. Mr. Bilkie opined this agreement strengthens, not weakens Macedonia's fire department.

**Councilor Engle stated while some Sagamore Hills residents are upset about the agreement and have expressed their opposition to, his responsibility is to Macedonia residents and their best interest. In his opinion, the agreement does benefit Sagamore resident but he questioned the benefit to Macedonia and therefore the reason he cannot support it. Mr. Engle thanked Sagamore Hills' trustees for addressing the questions and concerns Mr. Engle had. Mr. Engle thanked Trustee Paul Schweikert in particular.

***Councilor Hanneken stated she was not provided an answer whether a fire district is legal under Macedonia's Charter. Ms. Hanneken opined Macedonia residents will not benefit from the agreement with Sagamore and questioned whether Sagamore's residents will benefit either.

Law Director Guidetti interjected, regarding the question of the Charter and fire district that an answer will depend upon what the parties in the future of the City and the parties of other municipalities propose to do. That is if a true fire district is proposed it may be that the Charter may have amended. However that is only a possibility, it is no definitive Mr. Guidetti added.

****Council President Molnar stated he has been a "hot target" on Facebook regarding the fire district, describing the comments being made about him as faceless. Mr. Molnar said one may disagree with his opinions, one may disagree with how he votes but he questioned how one places malicious inaccuracies with no consideration ever given to how these hateful comments hurt the family. Mr. Molnar encouraged everyone to "love thy neighbor" to help one another. This is not just about Macedonia Mr. Molnar said, this is Nordonia Hills. Mr. Molnar encouraged everyone to be of one mindset to help one another in every way possible because times warrant better use of every financial dollar. The focus should really be working towards saving or using financial resources in better ways he added. Mr. Molnar applauded Mayor Migliorini, Chief Black and the Sagamore Hills trustees towards this end.

***** Councilor Tulley stated although she represents Macedonia's cause in this endeavor she appreciated the emails or comments received from residents of Sagamore Hills and Northfield Center. What has pleased Ms. Tulley she said is the positive remarks she has received about the agreement and

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the comment she heard, "It's about time." This agreement Ms. Tulley opined provides for synergy and cost-effectiveness of services needed in Nordonia Hills.

ORD. NO. 32- 2016

AN EMERGENCY ORDINANCE AMENDING SECTIONS 182.01(B), 182.03 and 182.04(A) OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO, IN ORDER TO INCREASE THE CITY'S INCOME TAX RATE TO TWO AND ONE-HALF PERCENT (2 ½%) FOR A FIVE-YEAR PERIOD STARTING ON OCTOBER 1, 2016 AND ENDING ON DECEMBER 31, 2021 AND THEREAFTER AT THE RATE OF TWO AND ONE-QUARTER PERCENT (2 ¼%) FOR ROAD IMPROVEMENTS AND STORM WATER PROJECTS; AND SUBMITTING THE SAME TO THE ELECTORS ON AUGUST 2, 2016 was **offered by Ms. Tulley for its third reading by title only.** Second not required.

Ms. Tulley moved Mr. Molnar seconded to **adopt ORD. NO. 32-2016** and post according to law.

Roll call: Ayes: Bilkie^, Molnar^^^ and Tulley^^^^
 Nays: Engle and Hanneken^^
 The motion carried and **ORD. NO. 32-0216 declared adopted.**

Relative to ORD. NO. 32-2016, Mayor Migliorini stated the current provision of providing a 100% tax credit will remain in effect, the credit will be on full amount of the tax rate of 2.5%.

Relative to ORD. NO. 32-2016, comments made at roll call on motion to adopt:

^ Councilor Bilkie stated what he heard most when campaigning was about the poor condition of Macedonia's roads. Placing the question on the ballot in August in his opinion is a method towards solving the problem of a lack of constant revenue stream. Placing the question of the ballot most importantly gives the residents their voice towards that end.

^^Councilor Hanneken stated the administration is spending over \$1.6 million dollars more this year on department operations than what was spent last year. If there is a crisis for road and storm projects than this level of spending for department operations should not have approved. There have been many road and storm water issues the City has been unable to repair because of size of combined debt on the City Center and Recreation Center. At the end of this year this debt of \$857,000 will be paid off and could be used towards roads and other capital repairs. Additionally the ¼ percent income tax dedicated to the Recreation Center fund due to expire could be renewed and used for capital improvements. The Recreation Center will no longer need the level of revenue the ¼ percent generates. The \$1 million dollars from the retained ¼ percent tax plus the \$857,000 from the expired debt will provide over \$1.8 million dollars that could be deployed towards capital projects without increasing the current tax rate. Ms. Hanneken opined the problem has been Macedonia has not approached capital planning thoroughly. A five-year plan is needed. While there are many critically defined roads that need to be repaired not every road needs to be repaired in the next five years. Ms. Hanneken opined more attention and funding could be applied to roads if Macedonia wasn't spending so much on department resources, on people. Also, since NEORS is imposing on fee on every property there should be alternative consideration given to Macedonia budget regarding storm water issues. Ms. Hanneken feels strongly the proposed tax increase adversely affects business because it increases their taxes by 50%. The ½% increase is a tremendous amount from their stand point she stated. Ms. Hanneken also does not agree Macedonia

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should pay for placing the question on the August ballot. November has a greater more representative turn-out.

^^ Council President Molnar stated continually pushing projects into the future worsens the situation. There are currently 50 roads rated poor, very poor or fair to poor Mr. Molnar stated. Macedonia will never catch up with the number of roads at that level of repairs that are needed without raising a revenue stream to do so. Mr. Molnar said road repairs are estimated to cost \$27, 820,147.00. How can the debt of \$1.8 million dollars which expires at the end have any real impact? And taking dedicated recreation fund money away from the recreation and parks only worsens the situation. The cost alone of the repairing the Recreation Center parking lot is estimated to be about \$300,000 Mr. Molnar stated. Mr. Molnar asked Mayor Migliorini to post the list of roads on the City's website. Mr. Molnar added the income tax increase is not 50% as it's been misreported. The increase is .5%, a half percent Macedonia's officials over the years have consciously not to increased property taxes. The last increase was in 1963. The most vital revenue stream, the life blood of the city is from income tax. The cost of improving Macedonia roads Mr. Molnar added should not be the responsibility of those who live in Macedonia but should be shared by those who work in Macedonia as well.

^^^Councilor Tulley opined Macedonia's residents should be given their voice at the ballot. Macedonia's financial condition is bleaker than professed last year because the carryover is not what is touted to be. The Emergency Reserve Fund and the Employee Retirement Fund were included in the carryover and they never should have been. Ms. Tulley reiterated the revenue from that ¼% income tax allocated to the Recreation Center can only be used for recreational purposes. And even though the debt service on the Recreation Center is clear by the end of this year the revenue generated from the ¼% continues and goes to the Recreation Fund until the tax expires mid 2017. The 20-year tax was voted upon with this specific earmark and expires at the end of this period unless is renewed at the ballot.

Mayor Migliorini interjected that the one-half percent increase (1/2%) allows Macedonia to bond up to \$20 million dollars which will provide a healthy start to restoring Macedonia's roads. Mayor Migliorini reminded the public that deteriorated roads/infrastructure depreciates property values. There is no money tree for the level of repairs needed Mayor Migliorini stated. Federal and state funding is only available for state and county roads he added.

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) was **offered by Mr. Bilkie for its first reading by title only**. Second not required.

Mr. Bilkie moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to set a **Public Hearing for ORD. NO. 34-2016 for Thursday, June 9, 2016 at 7:15pm**.

ORD. NO. 35 – 2016

AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF LIBREIANO JOHN VENTURA TO FULL-TIME POSITION OF MAINTENANCE WORKER 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. Engl. Motion authorizing the same carried unanimously on a voice vote.

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Mr. Molnar moved, Mr. Engle seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 35-2016 and post same according to law. ORD. NO. 35-2016 declared adopted.**

Regarding ORD. NO. 35-2016, Mr. Ventura thanked the Mayor and Council for his appointment. Mr. Ventura who is a Macedonia resident is a certified master mechanic.

RES. NO. 36 – 2016

A RESOLUTION CONFIRMING THE APPOINTMENT OF CHRIS COBLENTZ TO THE PLANNING COMMISSION 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: Bilkie, Engle, Molnar and Tulley
Nays: Hanneken
The motion carried.

Ms. Tulley moved, Mr. Molnar seconded, to **adopt and post according to law RES. NO. 36-2016**

Roll call: Ayes: Bilkie+, Engle++, Molnar++++and Tulley
Nays: Engle and Hanneken+++
The motion carried and RES. NO. 36-2016 declared adopted

Relative to RES. NO. 36-2016 Councilor President Molnar explained Mr. Coblentz would be apologized to abstain if an issue came before Planning in which there may be conflict of interest in his regard.

Mayor Migliorini stated Mr. Coblentz is a residential builder, he is not a developer. And as Mr. Molnar stated he would be apologized to abstain or recues himself in a case of a conflict.

Relative to RES. NO. 36-2016 and during roll call on motion to adopt:

+Councilor Bilkie stated he has been working with Mr. Coblentz on the Future Growth Committee and believes Mr. Coblentz will be a fine addition to Planning.

++Councilor Engle stated he does support Mr. Colbentz's appointment because of potential for conflicts of interest to which Mayor Migliorini interjected Mr. Engle must have forgotten that when he was magistrate for Macedonia he performed personal legal work for Mr. Migliorini who was also mayor and who also appointed Mr. Engle to the position.

+++Councilor Hanneken stated she objects to Mr. Coblentz's appointment because he is a Macedonia builder and he has a business relationship with Mayor Migliorini.

MOTIONS/ OTHER LEGISLATIVE ACTION

~~~Mr. Molnar moved, Mr. Bilkie seconded, **and motion carried unanimously on a voice vote** appointing Macedonia residents Al Kalish and Roy Metzler to the Board of Tax Review. The Board is a two-year appointment.

Mayor Migliorini announced his appointment to the Board is resident Tom Zaranec. No councilmatic required on Mayor's appointment.

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**CORRESPONDENCE:** None.

**MAYOR'S REPORT** None.

**COMMITTEE REPORTS**

**Northfield-Macedonia Cemetery** Councilor Tulley announced the joint cemetery board meeting to approve the 2016-2017 budget will be held in Council Chambers, Macedonia City Center on Thursday, May 12 at 7pm.

**Parks & Recreation Commission** Councilor Bilkie announced that the next P&RC meeting is Wednesday, May 4 at 6:30pm. The Commission has been covering many topics, including the condition of Longwood Park. Mr. Bilkie added much of what Mr. Lewis stated during public comments resonates with Mr. Bilkie. There is much to do and the Commission is looking seriously at every level of recreation and how improvements.

**DEPARTMENT REPORTS**

**Service Department** Director Hnottavange thanked the Mayor and Council for the appointment of Mr. Ventura. Mr. Hnottavange reported 36 volunteers participated in Macedonia's 2016 Earth Day Celebration on April 23rd by helping clean-up Longwood Park, Sugarbush Park and the entrances of I271. One 40-yard dumpster was filled to capacity and another half with debris dropped off by residents Mr. Hnottavange added. He announced that free mulch for Macedonia residents is now available at 9683 Valley View Road while supply lasts. Mr. Hnottavange also announced that the last Rain Barrel Workshop is scheduled for May 10<sup>th</sup> at the City Center from 6:30pm-8pm. For \$50 participants receive a white 55 gallon barrel, a downspout diverter and a spigot. Participation includes 'how to' instructions. Mr. Hnottavange also announced that the Nordonia Garden Club is sponsoring its annual flower sale at 9683 Valley View Road on Saturday, May 7 from 9am to 1pm. Mr. Hnottavange congratulated Macedonia resident and former Nordonia Hill school state wrestling champion Coty Waters on graduating from Ohio University with numerous national and state wrestling accomplishments.

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

**Engineer** Mr. Gigliotti announced the I271 project is on schedule, completion due October 17, 2016. Night work on the 271 bridge and under the bridge will begin and performed intermittently.

**Recreation Department** Ms. Manley announced several new events including a casino bus trip to Meadows Casino on Monday, May 16. Register is required. The Spirit of Macedonia Fun Fest is June 2-5 and all of Recreation Center's current and forthcoming activities and programming are listed on Recreation Center's website and Facebook page Ms. Manley added.

**Finance Department** Ms. Hall announced that the Water Maintenance and Emergency fee (WM&E) was due April 21<sup>st</sup> and if not paid by May 15<sup>th</sup> a \$10.00 late fee will be assessed to resident's bill and then if it is not paid by July, the WM&E fee plus late fee will be assessed to the resident's property tax bill. Ms. Hall announced that R.I.T.A reported April receipts in the amount of \$549,300.99 compared to \$602,435.43 during the same period last year a decrease of \$53,134.44. Accumulatively however, receipts are up \$73,829.37 she added. Ms. Hall announced copies of the income tax increase analysis she prepared have been outside of the council office for residents to take.

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**Fire Department** Chief Black was not present.

**Police Department** Chief Golden announced that ODOT will begin repaving I480 Monday evening, May 2 during the hours 7pm to 6am. The overall project should last 30-days. Chief Golden reminded Shepard Road residents that the north side of Shepard will be closed for a period of 60-days; the onset of the closure has yet to be announced. The closure will be one of the last steps towards to the completion of the third phase of the SR82 improvement project he added.

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

**Unfinished business** Councilor Bilkie reminded residents that Nordonia Hills letter carriers are participating in National Letter Carriers Delivering Hope Day on Saturday, May 14 with all non-perishable food items left at the mailbox being donated locally to the stock the shelves of The Emergency Assistance Center, 9199 Olde Eight Road. Any questions about the event, donations, etc, contact Mr. Bilkie.

**New business** None.

There being no further business the regular meeting of Council was adjourned at 8:50pm