

Record of Proceedings

Regular Council Meeting

December 14, 2017

1 Presiding Officer, Mayor Joseph Migliorini called the December 14, 2017 meeting to order at 7:35pm.

2
3 **Present:** Council President Nick Molnar and Council Members' Kevin Bilkie, David Engle, Sylvia
4 Hanneken and Jan Tulley; Law Director Mark Guidetti and Council Clerk Josephine
5 Arceci

6 **Absent:**
7

8 **INVOCATION & PLEDGE OF ALLEGIANCE** was led by Chaplain Tom O'Brien of the Nordonia
9 Hills American Legion Post 801.

10
11 **MINUTES** Mr. Molnar moved, Mr. Bilkie seconded and motion carried unanimously on voice vote
12 to approve the minutes of regular meetings of October 26th and November 9, 2017 and special meeting of
13 December 7, 2017.

14
15 **FINANCIAL REPORT** Ms. Tulley moved, Mr. Molnar seconded and motion carried unanimously on
16 voice vote acknowledging receipt of Financial Report dated November 30, 2017.

17
18 **PUBLIC COMMENTS** None
19

20 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

21 **ORD. NO. 97 -2017**

22 AN ORDINANCE PROVIDING FOR THE 2018 ANNUAL APPROPRIATIONS was **offered** by Ms.
23 Tulley who moved Council waive the requirement that it be read by title on three different days,
24 instructing the Clerk to read it by **title only for its second and third readings**. Second by Mr. Molnar
25 carried unanimously on a voice vote.

26
27 Ms. Tulley moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to **adopt ORD.**
28 **NO. 97-2017** and post same according to law. Motion carried. **ORD. NO. 97-2017 declared adopted**
29

30 **ORD. NO. 98-2017**

31 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE CONTRACT WITH UMR, INC.
32 FOR A SELF-FUNDED PLAN AND STOP-LOSS INSURANCE PLAN WITH TOYKIO MARINE
33 HCC FOR ELIGIBLE MACEDONIA EMPLOYEES was **offered** by Mr. Molnar who moved Council
34 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by
35 **title only for its second and third readings**. Second by Ms. Tulley carried unanimously on a voice vote.
36

37 Mr. Molnar moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **adopt ORD.**
38 **NO. 98-2017** and post same according to law. Motion carried. **ORD. NO. 98-2017 declared adopted**
39

40 **ORD. NO. 99-2017**

41 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW THE CONTRACT WITH THE
42 LINCOLN NATIONAL INSURANCE COMPANY FOR DENTAL INSURANCE AND LIFE
43 INSURANCE FOR ELIGIBLE MACEDONIA EMPLOYEES FOR YEAR 2018 was **offered** by Mr.
44 Engle who moved Council waive the requirement that it be read by title on three different days,
45 instructing the Clerk to read it by **title only for its second and third readings**. Second by Mr. Bilkie
46 carried unanimously on a voice vote.
47

48 Mr. Engle moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to **adopt ORD.**
49 **NO. 99-2017** and post same according to law. Motion carried. **ORD. NO. 99-2017 declared adopted**
50

51 **ORD. NO. 100-2017**

52 AN ORDINANCE AMENDING ORDINANCE NO. 41-2017 RELATIVE TO VISION CARE
53 BENEFITS PROVIDED BY HUMANA INSURANCE COMPANY TO ELIGIBLE MACEDONIA
54 EMPLOYEES was **offered** by Mr. Bilkie who moved Council waive the requirement that it be read by
55 title on three different days, instructing the Clerk to read it by **title only for its second and third**
56 **readings**. Second by Mr. Molnar carried unanimously on a voice vote.
57

58 Mr. Bilkie moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to **adopt ORD.**
59 **NO. 100-2017** and post same according to law. Motion carried. **ORD. NO. 100-2017 declared adopted**
60
61
62

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63 **ORD. NO. 101-2017**

64 AN ORDINANCE AMENDING SECTION 1171.16 OF THE CODIFIED ORDINANCES OF THE
65 CITY OF MACEDONIA RELATIVE TO FENCE REGULATIONS was **offered** by Ms. Hanneken who
66 moved Council waive the requirement that it be read by title on three different days, instructing the Clerk
67 to read it by **title only for its second and third readings**. Second by Mr. Molnar carried unanimously on
68 a voice vote.

69
70 Ms. Hanneken moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to **adopt**
71 **ORD. NO. 101-2017** and post same according to law. Motion carried. **ORD. NO. 101-2017 declared**
72 **adopted**

73
74 Relative to ORD. NO. 101-2017, Mayor Migliorini explained that there are several significant changes to
75 fence regulations one is stockade (solid) fencing has been eliminated and 6' decorative fences are now
76 permitted. The taller fences may have roller devices installed to prevent nuisances like coyotes, which
77 unfortunately there have been several incidences where a family pet has been killed.

78
79 **ORD. NO. 102-2017**

80 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF RONALD FERRELL
81 TO POSITION OF FULL TIME POLICE OFFICER was **offered** by Mr. Bilkie who moved Council
82 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by
83 **title only for all three readings**. Second by Mr. Molnar carried unanimously on a voice vote.

84
85 Mr. Bilkie moved, Mr. Engle seconded and motion carried unanimously on a voice vote to **adopt ORD.**
86 **NO. 102-2017** and post same according to law. Motion carried. **ORD. NO. 102-2017 declared adopted**

87
88 **ORD. NO. 103-2017**

89 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF DAVID JUSTUS TO
90 THE POSITION OF PART TIME FIREFIGHTER IN THE CITY OF MACEDONIA OFFICER was
91 **offered** by Mr. Molnar who moved Council waive the requirement that it be read by title on three
92 different days, instructing the Clerk to read it by **title only for all three readings**. Second by Ms. Tulley
93 carried unanimously on a voice vote.

94
95 Mr. Molnar moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **adopt ORD.**
96 **NO. 103-2017** and post same according to law. Motion carried. **ORD. NO. 103-2017 declared adopted**

97
98 **ORD. NO. 104-2017**

99 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF WAYNE CONROY
100 TO THE POSITION OF PART TIME FIREFIGHTER OF THE CITY OF MACEDONIA was **offered**
101 by Mr. Engle who moved Council waive the requirement that it be read by title on three different days,
102 instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar carried
103 unanimously on a voice vote.

104
105 Mr. Engle moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to **adopt ORD.**
106 **NO. 104-2017** and post same according to law. Motion carried. **ORD. NO. 104-2017 declared adopted**

107
108 **ORD. NO. 105-2017**

109 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF SCOTT BENIGNI TO
110 THE POSITION OF PART TIME FIREFIGHTER OF THE CITY OF MACEDONIA was **offered** by
111 Ms. Tulley who moved Council waive the requirement that it be read by title on three different days,
112 instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Engle carried
113 unanimously on a voice vote.

114
115 Ms. Tulley moved, Mr. Engle seconded and motion carried unanimously on a voice vote to **adopt ORD.**
116 **NO. 105-2017** and post same according to law. Motion carried. **ORD. NO. 105-2017 declared adopted**

117
118 **ORD. NO. 106-2017**

119 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MICHAEL PORTER
120 TO THE POSITION OF PART TIME FIREFIGHTER OF THE CITY OF MACEDONIA was **offered**
121 by Ms. Hanneken who moved Council waive the requirement that it be read by title on three different
122 days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar carried
123 unanimously on a voice vote.

124

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125 Ms. Hanneken moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to **adopt**
126 **ORD. NO. 106-2017** and post same according to law. Motion carried. **ORD. NO. 106-2017 declared**
127 **adopted**

128
129 **ORD. NO. 107-2017**

130 AN ORDINANCE AMENDING ORDINANCE NO. 19-2017 RELATIVE TO THE ANNUAL
131 APPROPRIATIONS FOR ADDITIONAL EXPENDITURES OF THE CITY OF MACEODNIA FOR
132 THE PERIOD JANUARY 1, 2017 TO DECEMBER 31, 2017 was **offered** by Ms. Tulley who moved
133 Council waive the requirement that it be read by title on three different days, instructing the Clerk to read
134 it by **title only for all three readings**. Second by Mr. Molnar carried unanimously on a voice vote.
135

136 **Ms. Tulley moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to amend**
137 **ORD. NO. 107-2017, Section 1 as follows:**

138 From	To Fund	Amount
139 <u>General Fund (101)</u>	<u>General Fund (101)</u>	<u>\$100,000.00</u>
<u>Unencumbered</u>	<u>Transfers-Out</u>	
<u>Street Construction,</u>	<u>Street Construction, Maintenance</u>	<u>\$100,000.00</u>
<u>Maintenance and</u>	<u>and Repair Fund (201)</u>	
<u>Repair Fund (201)</u>	<u>Street Maintenance – Salaries and</u>	
<u>Unencumbered</u>	<u>Benefits</u>	

140
141 Ms. Tulley moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to **adopt ORD.**
142 **NO. 107-2017 as amended** and post same according to law. Motion carried. **ORD. NO. 107-2017**
143 **declared adopted**

144
145 Relative to ORD. NO. 107-2017, Director Hall explained even with the additional movement of
146 unencumbered funds this year the budget for is 2018 is 2.9% less than the 2017 budget.
147

148 **ORD. NO. 108-2017**

149 AN ORDINANCE GIVING THE DIRECTOR OF TRANSPORTION CONSENT TO COMPLETE THE
150 I-271 AND STATE ROUTE 8 ROADWAY IMPROVEMENT PROJECT RELATIVE TO ROADWAY
151 GRADING CORRECTIONS was **offered** by Mr. Molnar who moved Council waive the requirement that
152 it be read by title on three different days, instructing the Clerk to read it by **title only for all three**
153 **readings**. Second by Ms. Tulley carried unanimously on a voice vote.
154

155 Mr. Molnar moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **adopt ORD.**
156 **NO. 108-2017** and post same according to law. Motion carried. **ORD. NO. 108-2017 declared adopted**

157
158 Relative to ORD. NO. 108-2017, Engineer Gigliotti in a written report explained that the ODOT is
159 correcting transition from the normal roadway onto the bridge deck where the I-271 bridge passes over
160 SR-8. The work primarily will be restricted to night hours, with some work being performed on the
161 weekends. Some overnight closures of the ramps between I-271 and SR-8 are planned. Detours will be
162 posted. Work is to be done 2018, exact date unknown. The City has no financial responsible towards this
163 project.
164

165 **ORD. NO. 109 -2017**

166 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE
167 SUMMIT COUNTY PUBLIC DEFENDER’S COMMISSION FOR THE REPRESENTATION OF
168 INDIGENT PERSONS CHARGED WITH VIOLATIONS OF THE CODIFIED ORDINANCES OF
169 THE CITY OF MACEDONIA was **offered** by Mr. Bilkie who moved Council waive the requirement that
170 it be read by title on three different days, instructing the Clerk to read it by **title only for all three**
171 **readings**. Second by Mr. Engle carried unanimously on a voice vote.
172

173 Mr. Bilkie moved, Mr. Molnar seconded and motion carried unanimously on a voice vote to **adopt ORD.**
174 **NO. 109-2017** and post same according to law. Motion carried. **ORD. NO. 109-2017 declared adopted**

175
176 **ORD. NO. 110- 2017**

177 AN EMERGENCY ORDINANCE AMENDING SECTIONS 182.01(B), 182.03, AND 182.04(A) OF
178 THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO IN ORDER TO INCREASE
179 THE CITY’S INCOME TAX RATE BY ONE-QUARTER PERCENT (1/4%) STARTING JULY 1,
179

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180 2018 AND CONTINUING THEREAFTER; AND SUBMITTING SAME TO THE ELECTORS MAY 8,
181 2018 was offered by **Ms. Tulley for its first reading only**. Second not required.

182
183 Relative to ORD. NO. 110-2017, Mayor Migliorini explained the purpose of the proposed levy is to
184 provide revenue for both of Macedonia's safety forces as well as the service department. If the ¼%
185 increase passes the City's ability to provide critical safety services will be secured the Mayor stated. And
186 if the tax increase passes the City pledges the 1 mill fire levy will be allowed to expire. The expiration of
187 the fire levy will lower residential property taxes. If the ¼% does not pass and if the fire levy is not
188 renewed safety services will be reduced. Reductions will result and longer response times and less safety
189 services for the residents the Mayor added. The Mayor stated the City is devoted to being financially
190 responsible and transparent. The passage of the 1.4% income tax on earned income along with the
191 reduction of property tax will strengthen our community the Mayor opined. The City will remain
192 accountable to the residents and their hard earned tax dollars. The City pledges to fund the safety services
193 that residents need most. As of the first of the year, detailed information about the ¼% tax increase will
194 appear on the City's website. The Mayor stated the City has demonstrated with passage of the most
195 recent ¼% income tax increase that the City has kept its promise regarding road improvements. In 2018
196 the road improvement project will continue with 31 street scheduled to be resurfaced in this next phase.
197

198 **MOTIONS / OTHER LEGISLATIVE ACTION(S)**

199
200 ~~~Mr. Bilkie moved, Ms. Hanneken seconded and motion carried unanimously on a voice vote
201 authorizing and directing the Finance Director to continue implementing Ohiocheck.com pursuant to
202 Resolution No. 10-2016.

203
204 ~~~Mr. Molnar moved, Mr. Engle seconded and motion carried unanimously on a voice vote authorizing
205 the President of Council to accept on behalf of the City of Macedonia the anonymous donation of a
206 refrigerator for council office valued at approximately One Hundred Dollars (\$100.00).

207
208 ~~~Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to add to the
209 agenda Resolution No. 111-2017 commending Council members David Engle and Sylvia Hanneken on
210 their respective years of public service.

211
212 **ADDITION TO AGENDA**

213
214 ~~~~~Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to add to
215 the agenda Resolution No. 111-2017: **A RESOLUTION OF COMMENDATION AND**
216 **GRATITUDE TO COUNCILPERSONS DAVE ENGLE AND SYLVIA HANNEKEN FOR THEIR**
217 **YEARS OF SERVICE TO THE CITY OF MACEDONIA**

218 .
219 ~~~~~Mr. Bilkie moved, Ms. Tulley seconded requesting Council waive the requirement that **RES. NO.**
220 **111-2017 is to be read by title on three different days, for all three readings and to waive the 48-**
221 **hour rule.** Second by Ms. Tulley carried unanimously on a voice vote. *(The entirety of Resolution 111-*
222 *2017 was read by Councilor Bilkie)*

223
224 ~~~Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **adopt**
225 **RES. NO. 111-2017** and post same according to law. Motion carried. **RES. NO. 111-2017 declared**
226 **adopted**

227 **CITY OF MACEDONIA, OHIO**
228 **RESOLUTION NO. 111 - 2017**

229
230 **A RESOLUTION OF COMMENDATION AND GRATITUDE TO COUNCILPERSONS DAVE ENGLE**
231 **AND SYLVIA HANNEKEN FOR THEIR YEARS OF SERVICE TO THE CITY OF MACEDONIA**

232
233 **WHEREAS**, Councilpersons Dave Engle and Sylvia Hanneken will be concluding their tenure of
234 service to the City this year; and

235
236 **WHEREAS**, they should be recognized for the hours spent by them for interest in the City and
237 City residents and businesses; and

238
239 **WHEREAS**, in addition to serving as a member of Council for four consecutive terms, Mr. Engle
240 also served the City previously as a magistrate for the City's Mayor's Court and assisted in upholding the
241 laws of the City of Macedonia; and

242

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243 **WHEREAS**, the Mayor, the Department Heads, all of Council and all the employees of the City
244 of Macedonia on behalf of all of the residents and businesses of the City wish to extend well wishes to
245 Mr. Engle and Ms. Hanneken.

246
247 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Macedonia, County of
248 Summit and State of Ohio:

249
250 **Section 1.** That the Mayor, all of Council, the Department Heads and all of the employees of
251 the City of Macedonia on behalf of the residents and businesses of the City hereby extend well wishes to
252 Dave Engle and Sylvia Hanneken for the years of service to the City that they provided as City of
253 Macedonia Council members.

254
255 **Section 2.** It is found and determined that all formal actions of this Council concerning and
256 relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
257 deliberations of Council and of any of its committees that resulted in such formal action were in meetings
258 open to the public in compliance with all legal requirements.

259
260 Relative to RES. NO. 111-2017, the Mayor and each council member expressed their personal
261 thanks and gratitude to Mr. Engle and Ms. Hanneken.

262
263 **CORRESPONDENCE:**

264
265 ~~~~Email from Joyce Hunt, Executive Director of The Emergency Assistance Center at 9199 Olde
266 Eight Road, Northfield, Ohio to Mayor and administration in appreciation for City's donation to the
267 Center of 100-\$10 Giant Eagle gift cards.

268
269 ~~~~Letter from Sherri L. Bishop, Esq, Chief Development Officer for Institutional Relations &
270 Development Office of University Hospitals to the administration in appreciation for donation of \$1,092
271 made by Macedonia employees to the Maxine Lyman Mammography Fund at University Hospitals
272 Portage Medical Center

273
274 **MAYOR'S REPORT:**

275
276 ~~~~~Mayor Migliorini thanked resident Tom Hogarth, former Chairman of the Macedonia Civil Service
277 Commission for creating the wooden Santa/Ms. Claus decorations displayed throughout the City Center
278 and all the wooden candy canes flanking the driveways to the City Center parking lot as well as the canes
279 displaced at the Veteran Memorial Park.

280
281 ~~~~~Mayor Migliorini mentioned that last phase of north bound sound walls that are to be installed will
282 display the City's name and logo.

283
284 **COMMITTEE REPORTS:**

285
286 **Finance Committee** Ms. Tulley thanked Finance Director Hall and fellow council members for the
287 preparation and presentation of 2018 Annual Appropriation. The capital budget, which is not included in
288 the Annual Appropriation and a 5-year plan will be addressed once the new council members are seated
289 Ms. Tulley added.

290
291 **Longwood Manor Historical Society** John Cassmer, President of the LMHS expressed his gratitude to
292 Councilors Engle and Hanneken for their support, encouragement and contributions to the Manor House
293 during their respective tenure. Mr. Cassmer mentioned that Sunday, December 17th, the LMHS is hosting
294 a Meet and Greet Santa Claus and Mrs. Claus from 12:30pm-2:30pm at the Manor House. The LMHS is
295 requesting \$5.00 donation for photos that can be taken Santa. Mr. Cassmer mentioned the occupancy of
296 the Manor House at this time is 15, which the LMHS is prepared to monitor.

297
298 **DEPARTMENT REPORTS**

299
300 **Service Department** Director Hnottavange reported that the fourth round of leaf pick-up is due for the
301 subdivisions of Beachwood Meadows, Highland Homes/Shepard Woods, and Park Ledge Estates as well
302 as the area known as the airports streets and the north and south side of Aurora Road. Pick-up will
303 resume only as the weather permits. Regarding branch chipping Mr. Hnottavange announced a contractor
304 has been hired to help facilitate the process more quickly. Chipping should resume the week of December

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305 18th, weather conditions permitting. Mr. Hnottavange reminded residents to secure their mailboxes
306 because the City is not responsible for damage caused by snow thrown from the plows. The City is only
307 responsible for damages caused by a direct hit from a City vehicle. Regarding the recent 32-hour snow
308 event Mr. Hnottavange explained that crews worked non-stop around the clock in order to keep
309 Macedonia roads passable. Some residents complained their streets were never cleaned. Mr.
310 Hnottavange explained that because truck fleet is networked, the speed, location and the time related to
311 each truck is known at all times. Therefore verification is easily made if a street is neglected. Mr.
312 Hnottavange further explained that limited manpower and vehicles do not permit more than the original
313 six route plan though today Macedonia is almost 144 lanes miles, nearly 26 lane miles more than it was
314 26-years ago.

315

316 **Building Commissioner**

317

318 **Engineer** On behalf of Engineer Joe Gigliotti, Mayor Migliorini reported that work relative to the
319 2017 Road Program and the Sioux Lane Culvert Replacement project is now complete. In October, the
320 City applied to AMATS for grant funding for Valley View Road Resurfacing work and for improvements
321 to the Valley View-Highland Intersection. AMATS' Project scoring unfortunately for either project was
322 to low and therefore City was not awarded funding. As such, Valley View Road will be scheduled for
323 paving under the City's Road Program. To Mr. Gigliotti's report Mayor Migliorini added that since
324 funding was not awarded the City will creating turning lanes at Valley View. The City will also create a
325 westbound turning lane at S. Bedford and Highland Roads.

326

327 **Recreation Department** Director Manley reported registration is opened for the Manta Ray Swim
328 Team and Winter 1 & Winter 11 swim lessons. All information about registration and programming is
329 available on Recreation's website.

330

331 **Finance Department** Director Hall thanked Council for adopting the 2018 Annual Appropriation. Ms.
332 Hall reported 2017 revenue from the JEDD was \$288,166, compared to \$258,600 in 2016, an increase of
333 \$29,565. Macedonia's income tax revenue for 2017 was \$8,951,088. In 2016 it was \$8,212,287, a
334 difference of \$738,801. Ms. Hall reminded Council that going forward fewer tax dollars will be assigned
335 to the General Fund for the reasons that 12.9% is being allocated to road projects, 7.1% to Parks &
336 Recreation and percentage to tax refunds. Ms. Hall mentioned R.I.T.A has yet to provide comment on
337 final draft of refund form.

338

339 **Fire Department** Chief Black thanked the Mayor and Council for the appointment of four new
340 part-time firefighters. The Chief reminded residents to keep fire hydrants visible and if possible keep
341 street numbers visible as well. Chief Black mentioned that the Santa Delivery program ended this
342 evening. Over 1200 gifts were delivered to 300 hundred homes throughout Macedonia and Northfield
343 Center over a four day period. The Chief also mentioned that this project has existed so long, has had
344 such longevity that some of today's parents were once gift recipients themselves.

345

346 **Police Department** Chief Golden was not for present during last portion of the meeting.

347

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

349

350 **Unfinished business** Councilor Molnar commended Service Director Hnottavange and the service
351 department team for the level of work performed over the last month considering the rain and wind storm
352 that crippled the community for a time and the recent snow events. Mr. Molnar also commended Chief
353 Black and fire department personnel for the "awesome" Santa Delivery Program and the Recreation
354 Department for the Tree Lighting Ceremony.

355

356 **New business** Councilor Hanneken stated she has enjoyed serving Macedonia for the last four years
357 and thanked the residents for giving her the opportunity to do so.

358

359 Council Engle said for him, serving Macedonia residents was a privilege and an honor.

360

361 There being no further business before Council, the meeting adjourned unanimously on voice vote at
362 8:48pm