

Record of Proceedings
Regular Council Meeting
January 11, 2018

1 Presiding Officer, Mayor Joseph Migliorini called the January 11 regular meeting to order at 7:32pm.

2
3 **Present:** Council members' Kevin Bilkie, Jessica Brandt, Nick Molnar, Jan Tulley and Vini J.
4 Ventura; Law Director Mark Guidetti and Council Clerk Josephine Arceci.

5 **Absent:**

6
7 **PLEDGE OF ALLEGIANCE & INVOCATION** City Chaplin Commander Tom O'Brien, Nordonia Hills
8 American Legion #801

9
10 **MINUTES** Mr. Molnar moved, Ms. Tulley seconded and motion carried by majority on a voice vote
11 approving the minutes of regular meeting of December 14, 2017. Councilors Brandt and Ventura
12 abstained.

13
14 **FINANCIAL REPORT** Mr. Molnar moved, Mr. Bilkie seconded and motion carried unanimously on a
15 voice vote acknowledging receipt of Financial Report dated December 31, 2017

16
17 **PROCLAMATIONS**

18
19 **JANUARY 11, 2018, JOSLYN MANUFACTURING DAY**

20
21 Bret and Brian Joslyn of the Joslyn Manufacturing Co., Inc, the oldest company in Macedonia celebrating
22 its 70th year anniversary were present to accept this recognition. Joslyn Manufacturing is an industrial
23 thermoformer specializing in designing, tooling and producing plastic components. The family owned
24 business began in 1946 as an agricultural manufacturer of tractor seats. In the 1970's its manufacturing
25 model progressed into plastics. Operations began in a 5,000sf building evidently expanding to its current
26 105,000sf facility.

27
28 Bret Joslyn, speaking too on behalf of his brother Brian and father who is retired thanked the Mayor for
29 this recognition, adding they are humbled and honored to receive this proclamation. They are third
30 generation owners who have always held this location in their highest regard. Their grandfather at one
31 time owned property from their current location at 9400 Valley View Road to Highland Road. Brian
32 Joslyn is also a resident of Macedonia.

33
34 **JANUARY 21-27, 2018, MACEDONIA SCHOOL CHOICE"**

35
36
37 **□□□ ELECTION OF COUNCIL OFFICERS □□□**

38
39 **Council President**

40
41 Mr. Bilkie moved Mr. Ventura seconded nominating Mr. Molnar to the position of council president.

42
43 There being no further nominations, nominations closed.

44
45 Mr. Bilkie's motion Mr. Ventura's second nominating Mr. Molnar to position of council president carried
46 unanimously on a voice vote. **Mr. Molnar elected Council President for 2018**

47
48
49

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50 **Council Vice-President**

51
52 Mr. Molnar moved Mr. Bilkie seconded nominating Ms. Tulley to the position of council vice president.

53
54 There being no further nominations, nominations closed.

55
56 Mr. Molnar's motion Mr. Bilkie's second nominating Ms. Tulley to the position of council vice president
57 carried unanimously on a voice vote. **Ms. Tulley elected Council President for 2018**

58
59 **Council Representative to the Parks & Recreation Commission**

60
61 Mr. Molnar moved, Mr. Ventura seconded nominating Ms. Brandt to the position of council
62 representative to the Parks & Recreation Commission.

63
64 There being no further nominations, nominations closed.

65 Mr. Molnar's motion Mr. Ventura's second nominating Ms. Brandt to the position council representative
66 to the Parks & Recreation Commission carried unanimously on a voice vote. **Ms. Brandt elected**
67 **council representative to the Parks & Recreation Commission for year 2018**

68
69 **Chair of Finance Committee of the Whole**

70
71 Mr. Ventura moved Ms. Tulley seconded nominating Mr. Bilkie to the position of chair of the Finance
72 Committee.

73
74 There being no further nominations, nominations closed.

75
76 Mr. Ventura's motion Ms. Tulley second nominating Mr. Bilkie to the position of chair of the Finance
77 Committee carried unanimously on a voice vote. **Mr. Bilkie elected chair of Finance Committee of the**
78 **Whole for 2018**

79
80 **PUBLIC COMMENTS**

81
82 ~ Cathy Loya of 9186 North Bedford Road stated, "Good evening and Happy 2018. 'I hope everyone had
83 a great holiday season. I would like to approach Council and appeal to the City for additional storm water
84 improvements on North Bedford Road. It was encouraging and promising to see work this past spring at
85 the southern end of North Bedford, but I would like to see this sort of comprehensive work extended up
86 North Bedford toward Ledge Road. While the City's storm water improvements downstream have helped
87 our issues a little, we still have issues'" Continuing, Ms. Loya added. "These were my opening comments
88 from January 8, 2015, when I first started approaching City Council again about our storm water situation
89 at 9186 North Bedford Road. My husband and I first started approaching City Council back in the
90 summer of 2006 when in June of that year our basement completely filled up with water from floor to
91 rafters, approximately 8 feet. Since that time the only other significant amount of water infiltration to our
92 basement happened in February of 2011 with 3½ to 4 feet of water. Our property continues to retain
93 stormwater and our pumps continue to function to keep our basement dry. The damage that we see to our
94 property and our home is real and only continues to get worse as time goes on. Stormwater plans and
95 projects are getting attention in the City of Macedonia. NEORS D did their presentation to the City of
96 Macedonia back on October 26, 2017. This is relevant to my property because the City of Macedonia has
97 turned my situation over to them and made it a regional issue for many different reasons; funding,

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98 magnitude of the situation and tired of hearing about the problem. I will remind this Council that regional
99 stormwater issues within City limits are still Macedonia issues. Do not turn your back on decades upon
100 decades of neglect and negligence of these issues and use NEORSRD as the scapegoat. I appreciate all the
101 good communication thus far between NEORSRD and the City of Macedonia, but the clock is ticking and
102 my husband and I am so tired of waiting. We are constantly told to "wait for the study to be completed".
103 At this point, which one? The latest and greatest is the Stormwater Master Plan being done by NEORSRD
104 that was started in the summer of 2016. We were all told in their presentation in October 2017 that
105 recommendations for construction projects for the stormwater master plan of this area should be
106 completed in the first quarter of 2018. These are only recommendations, and not action plans and by no
107 means guarantees that work is actually going to be done. I implore this Council and this administration to
108 stay on top of NEORSRD regarding this stormwater master plan. The layers and layers of bureaucracy
109 involved with NEORSRD are exhausting and molasses on a cold January day can flow faster. Please stay
110 on this organization since this City no longer wishes to accept responsibility for stormwater in the North
111 Bedford and Ledge area. I think that this is the least that this City can do for my husband and I as the
112 City refuses to do anything else. There is one thing that I have asked on several occasions but never seem
113 to get an answer for. I will ask my question to this Council as sent to the then City Council members
114 from a June 13, 2015, e-mail: 'Again I will ask, how can public entities continue to divert stormwater
115 runoff onto exiting home sites without any sort of updated management plan and/or maintenance knowing
116 the ramifications that private citizens face?' Because of stormwater runoff deliberately and purposefully
117 routed through our property, FEMA upgraded our flood plain status to an AE flood zone, aka "high-risk
118 flood area", back when the maps were redrawn in 2009. Since then, we have had to have a flood
119 insurance policy on our home in order to carry a mortgage. In a letter dated October 20, 2017, from
120 FEMA we were notified of the following, which is attached to hard copy of minutes. My husband and I
121 faced increased flood insurance costs this summer when we renew our policy all because the City of
122 Macedonia has done absolutely nothing to address stormwater in the North Bedford and Ledge Road area
123 for what is going on 40 years now. It is shameful and a disgrace that this City passes the buck onto its
124 private residents for a situation of which this private citizen has no hope of ever rectifying, I just have to
125 continue to pay for it. Just as a reminder, some in this City were bailed out of their stormwater situation
126 with no change in their floodplain status and with no additional study to their property, yet the Loya's are
127 simply told to wait for a study and then another study and then another study. Documentation of items
128 cited tonight has been given to Mrs. Arceci for the record. All I am asking tonight is for this City to keep
129 on NEORSRD and get moving with regards to our property. My husband and I have waited over a decade
130 now for solutions, and it is time for some action. Thank you for your time."

131
132 Council President Molnar asked Ms. Loya if when she purchased her home she was aware or made aware
133 of stormwater issues. Was the previous owner aware of issues to which Ms. Loya answered the
134 disclosure they received indicated the area was dry. Litigation resulted however because two months of
135 moving into their home Ms. Loya stated they knew there were serious issues. Mr. Molnar asked Ms.
136 Loya if the home inspected prior to purchase to which she answered that it was however the basement
137 walls finished, the inspector not pick-up on previous damage.

138
139 Mayor Migliorini told Ms. Loya he remembers in the early nineties when her home was under a different
140 ownership a wall of the basement had caved-in during a heavy rain storm. The Mayor asked Ms. Loya is
141 they were made aware of the cave-in to which she answered they were not. Explaining why they were not
142 Ms. Loya said they were told because when the sellers bought the home it was purchased under
143 foreclosure and therefore under no obligation to disclose the water issues. Mayor Migliorini explained to
144 Ms. Loya, that FEMA, even when correction is made to the area will not re-designate it. The Bedford-
145 Ledge area will probably always be designated a flood zone even after remedy. The Mayor assured Ms.
146 Loya that her property and the Bedford-Ledge area is a high priority. The Mayor said he continues to

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147 brainstorm with Engineer Gigliotti about ways the City can initiate some resolution on its own, like
148 creating a retention basin.

149

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

151

152 **ORD. NO. 110 - 2017**

153 AN EMERGENCY ORDINANCE AMENDING SECTIONS 182.01(B), 182.03 AND 182.04(A) OF
154 THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO IN ORDER TO INCREASE
155 THE CITY'S INCOME TAX RATE BY ONE-QUARTER PERCENT (1/4%) STARTING JULY 1,
156 2018 AND CONTINUING THEREAFTER; AND SUBMITTING SAME TO THE ELECTORS MAY 8,
157 2018 was **offered** by Ms. Tulley **for its second reading by title only**. Second not required.

158

159 Relative to ORD. NO. 110-2017, Finance Chair Bilkie explained that based on projected revenue of
160 \$1.5M the fire department will receive \$550,000, the police department \$550,000 and to the service
161 department \$470,000. Mr. Bilkie would like each director to expound at the next council about how this
162 revenue will enhance and improve the function of their respective departments for the betterment of the
163 community.

164

165 **ORD. NO. 1 - 2018**

166 AN ORDINANCE AMENDING SECTION 351.17 AND SECTION 351.18 REGARDING
167 EMERGENCY PARKING BAN **was offered** by Mr. Ventura **for its first reading by title only**. **Second**
168 **not required**.

169

170 **ORD. NO. 2 – 2018**

171 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
172 MACEDONIA A PROPOSED AMENDMENT TO SECTION 3.03 OF THE CHARTER RELATIVE
173 TO THE MAYOR'S LEGISLATIVE POWERS was **offered** by Mr. Bilkie **for its first reading by title**
174 **only**. Second not required.

175

176 **ORD. NO. 3 – 2018**

177 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
178 MACEDONIA A PROPOSED AMENDMENT TO SECTIONS 4.01 AND 4.02 OF THE CHARTER
179 RELATIVE TO LEGISLATIVE AUTHORITY AND COMPOSITION OF COUNCIL was **offered** by
180 Mr. Bilkie **for its first reading by title only**. Second not required.

181

182 **ORD. NO. 4– 2018**

183 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
184 MACEDONIA A PROPOSED AMENDMENT TO SECTION 4.13 OF THE CHARTER RELATIVE
185 TO THE CONDUCT OF COUNCIL MEMBERS was **offered** by Mr. Bilkie **for its first reading by title**
186 **only**. Second not required.

187

188 **ORD. NO. 5 – 2018**

189 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
190 MACEDONIA A PROPOSED AMENDMENT TO SECTION 10.1 OF THE CHARTER REGARDING
191 THE COMPOSITION OF THE PLANNING AND ZONING COMMISSION was **offered** by Mr. Bilkie
192 **for its first reading by title only**. Second not required.

193

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194 Relative to ORD.NOS. 2-5-2018, Council President Molnar stated that during work session Ms. Tulley
195 had suggested that perhaps a mini Commission should appointed to further review and discuss the
196 proposed Charter amendments or a public hearing be scheduled before Council takes further action.
197

198 **RES. NO. 6 -2018**

199 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS, BIDS AND
200 SPECIFICATIONS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
201 FOR VARIOUS ROADWAY IMPROVEMENT PROJECTS was **offered** by Mr. Molnar and moved
202 Council waive the requirement that it be read by title on three different days, instructing the Clerk to read
203 it by **title only for all three readings**. Second by Ms. Tulley carried unanimously on a voice vote.
204

205 Mr. Molnar moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt**
206 **RES. NO.6-2018** and post according to law. **RES. NO. 6-2018 declared adopted.**
207

208 Relative to RES. NO. 6-2018, Council President Molnar announced this project is for the purposed of
209 restoring following streets: Driftwood Lane, Brookdale Lane, Meadowlawn Drive, Thistleridge Drive,
210 Foxhill Lane, Stonebridge Drive, Eileen Drive and Gloria Drive.
211

212 **RES. NO. 7 -2018**

213 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF JEREMY
214 DEBENEDICTIS TO THE PARKS AND RECREATON COMMISSION was **offered** by Ms. Brandt
215 and moved Council waive the requirement that it be read by title on three different days, instructing the
216 Clerk to read it by **title only for all three readings**. Second by Mr. Bilkie carried unanimously on a voice
217 vote.
218

219 Ms. Brandt moved, Mr. Molnar seconded, motion carried unanimously on a voice vote **to adopt**
220 **RES. NO. 7-2018** and post according to law. **RES. NO. 7-2018 declared adopted.**
221

222 **RES. NO. 8 -2018**

223 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF NATE
224 FALKENSTEIN TO MACEDONIA'S CIVIL SERVICE COMMISSION was **offered** by Mr. Ventura
225 and moved Council waive the requirement that it be read by title on three different days, instructing the
226 Clerk to read it by **title only for all three readings**. Second by Ms. Tulley carried unanimously on a
227 voice vote.
228

229 Mr. Ventura moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt**
230 **RES. NO. 8-2018** and post according to law. **RES. NO. 8-2018 declared adopted.**
231

232 **MOTIONS / OTHER LEGISLATIVE ACTION** None.
233

234 **CORRESPONDENCE:**
235

236 ~Letter from Bart Benjamin, 1078 Shoshone Trail, Macedonia, to the Mayor commending Service
237 Director John Hnottavange and service department personnel for what Mr. Benjamin described as doing
238 an exceptional job after the November 5th wind storm. Mr. Benjamin extended particular thanks to
239 service personnel Michael DeBrouse, John Mansell, Nick Harper, Jermain Little and Jim Woodall for
240 helping Mr. Benjamin move a large root bound tree trunk to the curb.
241

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242 **MAYOR'S REPORT**

243

244 ~ Mayor announced Macedonia will be receiving over the next three years NOPEC grants amounting to
245 about \$45,000. These funds will be allocated towards installing lights at the baseball fields for evening
246 play.

247

248 ~Mayor announced Ms. Tulley, Macedonia's representative to NOPEC's Board of Directors resigned
249 from the position due to work commitments. Mayor Migliorini thanked Ms. Tulley for the years she
250 served on the board. Mr. Molnar will replace Ms. Tulley in that position.

251

252 ~Mayor announced City is receiving grant from Summit County cover cost of sewer permit fee for
253 restrooms at Veterans Memorial Park. Mayor explained he had asked the County to waive \$2300- \$2500
254 fee. The County however cannot legally waive the fee because it is set by ordinance. To offset the
255 City's cost the County is issuing grants in the same dollar amount.

256

257 ~Mayor announced Recreation Center's plans for new restrooms are changing area are still incomplete.

258

259 ~Mayor announced Mayor's Court revenue for December was \$24,104.71. Year to date revenue was
260 \$493,592.33 up from 2016 by \$32,964.20.

261

262 **COMMITTEE REPORTS:**

263

264 **JEDD** Mr. Molnar announced the JEDD Board will meet Thursday, January 25th at 6pm in the Council
265 Chambers. Mr. Molnar will be resigning as one of Macedonia two representatives to the board. Mr.
266 Ventura will be appointed to replace Mr. Molnar. Mr. Bilkie remains on the board.

267

268 **DEPARTMENT REPORTS**

269

270 **Service Department** Director Hnottavange announced that rubbish/recycle collection was operating on
271 a one-day delay due to bad weather on January 8th. Rubbish collection however caught up today.
272 Recycle collection will be Saturday, weather permitting if it doesn't get caught-up Friday. Republic
273 notified residents of the delays through an automated call system. Mr. Hnottavange reminded residents to
274 be cautious and mindful since another winter storm warning has been issued for this week-end. Weather
275 reports indicate rain will be changing to freezing rain Friday afternoon followed by snow with anticipated
276 accumulations of six plus inches. The weather event is anticipated to run its course through Saturday
277 afternoon. Mr. Hnottavange reminded residents to secure their mailboxes explaining that the City is not
278 responsible for mailboxes knocked over from the heavy weight of snow thrown from the plow. The City
279 is responsible however when there has been a direct hit by the truck or plow blade.

280

281 Councilor Ventura told Mr. Hnottavange he never received a call. A brief discussion ensued about the
282 Republic call system not reaching all homeowners and that perhaps NIXLE should have also been used
utilized as well.

283

284 Councilor Brandt asked for an explanation of parking regulations during snow events to which Chief
285 Golden interjected the Mayor, as Safety Director is authority to issue ban. Notification of ban made
online and through NIXLE.

286 **Building Commissioner**

287

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288 **Engineer** Mr. Gigliotti thanked Council for approving the next phase of road improvements. Bid
289 opening is scheduled for February 2nd. The recommendation of award and authorization to proceed
290 anticipated for February 8th council meeting. Mr. Gigliotti announced Cleveland Water has approved and
291 is fully funding (through grants) two water main improvement projects; Shepard Hills Blvd (east end,
292 older section of street) and Robin Lane. As in the case with the Sioux Lane culvert replacement project,
293 Cleveland Water will pay for improvements of the mains but the City is fully responsible for designing,
294 bidding and administering the project.

295
296 **Recreation Department** Ms. Manley announced membership and programming has been restructured
297 to include free fitness group classes as part of all memberships; daily passes and monthly memberships.
298 Other new offerings include free 5-day trial passes, monthly memberships year-round and discounts to
299 active military and veterans. Ms. Manley announced membership sales for first night days of January
300 were about \$26,000 and the much anticipated reconfiguration and construction of the new men and
301 women locker rooms and the family changing room is forth coming. Ms. Manley thanked Mr. Bilkie for
302 serving on the Parks & Recreation Commission as Council representative and extended welcome to Ms.
303 Brandt as Council's new rep.

304
305 Councilor Ventura asked Ms. Manley if seniors can now register for membership under the insurance
306 program Optum to which Ms. Manley answered yes. Ms. Manley added the Recreation Center also
307 contracts with two other insurance plans. One plan is Silver and Fit and the other Silver Sneakers.
308 Membership relative to any of the three is paid for through the respective insurance companies
309

310 **Finance Department** Director Hall reported the 2017 budget has closed. Unfortunately, she added the
311 General Fund ended with a deficient of \$239,808.29. Year 2017 starting with \$1,792,457.57 and ended
312 with a cash balance of \$1,552,649.28. Considering the deficient, Ms. Hall opined the outcome was
313 positive. Ms. Hall announced the she and Law Director Guidetti had a conference call this afternoon with
314 R.I.T.A., officials regarding the income tax return form. The form which R.I.T.A gave final approval is
315 more of a questionnaire than an application. There is no area on the form for calculations. R.I.T.A
316 however will be creating a calculating tool for the City for the purpose of determining the refund.

317
318 **Fire Department** Chief Black reported 2017 closed with 3,625 calls. Macedonia, Station #1
319 accounted for 1701 (1405 EMS & 296 fire) of the calls. Sagamore Hills, Station #2, had 1224 calls (1089
320 EMS & 135 fire) and Northfield Center, Station #3, 609 (511 EMS and 98 fire). Macedonia provided
321 mutual aid 91 times and received mutual aid 57. Regarding emergency billing, Chief Black estimated
322 Macedonia's gross receipts for 2017 were about \$329,000. Sagamore Hills was about \$270,000 and
323 Northfield Center was around \$168,000. A collection fee of 7% and 10% for the F.A.I.R program is
324 deducted from gross receipts.

325
326 **Police Department** Chief Golden reminded residents the safest way to deal with the approaching
327 snow storm is to stay off the streets and to adhere to the parking ban.

328
329 **Law Department** Mr. Guidetti announced the City is joining Summit County in a lawsuit against
330 several opiate manufacturers. Several pharmaceutical companies will be named as defendants, Mr.
331 Guidetti explained that since separate counsel is handling the lawsuit and there is no cost to the City is
332 this regard authorizing legislation is not required.

333
334 **IT Department** IT Administer Patrick Wasik explained two large monitors (televisions) were installed
335 in Chambers for the purpose of presenting information like design plans or renderings, etc., to be
336 displayed during meetings of the Planning Commission meeting, the BZA or Council.

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337 **Unfinished business** None.

338

339 **New business** Council President Molnar asked Engineer Gigliotti regarding future road or water
340 projects that letters to residents to inform them of the time, date and scope of the project be written in the
341 bid package as a requirement of the contractor. The purpose of the letter would be to dispel any
342 misgivings or misinformation about the projects. Mr. Molnar said in his experience in the industry many
343 contractors are responsible for notifying the public. Signage at the streets should also be included as a
344 requirement of the bid package.

345

346 Mr. Gigliotti feels it is better to control the message through the City (office of the mayor, service
347 department and engineering) than requiring the contractor to do so. Mr. Gigliotti said going forward he'll
348 embellish upon the letter sent to residents during last year's project by providing better explanation and
349 greater details.

350

351 Regarding another topic, Councilor Bilkie welcomed Councilors Brandt and Ventura to their first official
352 meeting and welcomed Councilor Tulley back.

353

354 Councilor Tulley also welcomed Councilors Brandt and Ventura to the dais.

355

356 There being no further business before council, the meeting was adjourned at 8:44pm

357