

Record of Proceedings
Regular Council Meeting
February 22, 2018

Presiding Officer, Mayor Joseph Migliorini called the February 22 regular meeting to order at 7:30pm.

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

Absent:

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

MINUTES Ms. Tulley moved, Mr. Ventura seconded and motion carried unanimously on a voice vote to approve the minutes of regular meeting of February 8, 2018.

PUBLIC COMMENTS

~ **Cathy Loya 9186 North Bedford Road**, asked, "With regards to ordinance 11-2018 and satellite earth stations, is this ordinance purely for aesthetics purposes?"

Law Director Guidetti answered that the primary of satellite ordinance is for health, safety and aesthetics.

Ms. Loya asked if this ordinance also applies to antennae.

Mr. Guidetti answered Ordinance No. 11-2018 is specific to satellites two feet to 8 feet in diameter and any appurtenances thereto.

Ms. Loya, continuing, stated, "I must ask Council, aren't there bigger fish to fry in the city of Macedonia other than satellite dishes on private property that residents purchased to have put in? From my perspective, the aesthetics of my property when it is flooded is far worse than satellite dishes. This private citizen has no choice on how I want my property to look. The City of Macedonia routes stormwater through my property and retains on my property until it is able to flow through the system into Indian Creek. I, as a private citizen, can do nothing to change it because I do not control how much water comes to my property and the rate at which it flows. I just have to deal with it and I have to pay for it. The costs that I pay are monetary to mitigate damage and hold flood insurance. There is also the integrity of my home and property as well as the grief and worry about it all. My husband and I have been bringing issues to Council since 2006 and more recently, I have been speaking on a regular basis since January 2015. Our problem is not getting any better; it is only getting worse and continues to be ignored. My property continues to be a problem despite decades and decades of knowledge about it and it has not been fixed. Did you know that through the history of our home we've had two foundation walls completely rebuilt due to stormwater damage? I don't know if there are any other homes in the City that have had the same issues. We were also moved to an AE Flood Zone when flood maps were redrawn a couple of years back in 2009. My neighbors were moved into that zone. I don't know if any other homes were moved in that zone. I brought up to Council at the first meeting of 2018 that my flood insurance rates are going up this year by 15% to 18% and then each year again at that rate until FEMA determines that we are paying an acceptable rate. When my husband and I moved to our property in 2005 flood insurance was not required as our home was not in a floodplain. When FEMA redid the maps is when we were moved into the floodplain so now we are required to carry flood insurance. Our rates have gone up each year, but not at a 15% to 18% rate. Our home has had two (2) foundation walls replaced. One was prior to our ownership when my husband and I were still crazy high school kids. When it happened to us the west wall caved in and stormwater filled the basement. And as owners of this home the north wall suffered a severe horizontal crack and severe bowing after the June 22, 2006, flood. Our basement filled up with water during this event as well. In my opinion, uncontrolled and unmanaged stormwater throughout Macedonia is a much more damaging issue facing private residents than the aesthetics of satellite dishes. This includes flooding of private property but also flooding of roads, including Ledge Road under the railroad bridge and the intersection of Route 82 and North Bedford. While the 2018 Road Program is being geared up for springtime projects, what does the 2018 Stormwater Program look like?"

Mayor Migliorini told Ms. Loya the 2018 stormwater program will include repair and replacement of catch basins and curbs, stormwater issues related to roads. The issue with Loya property he continued has is no longer under the City's jurisdiction. NEORS has taken responsibility for it because it considers the problem to be regional issue. Disappointingly the Mayor added NEORS's timetable to provide remedy the Loya's property and Ledge/Bedford area as well is frustrating slow. Mayor Migliorini told Ms. Loya he and the city engineer have discussed possible solutions to the area like creating a retention basin, moving the ditch line and incorporating a pump station, all of which is costly, about \$400,000-\$500,000. The drainage at Our Lady of Guadalupe has been a problem for many years Mayor Migliorini stated. But it remains under City's jurisdiction because NEORS considers the problem at OLG to be a secondary issue. That said, trying to get resolution at OLG has been slow too in part because of the cost.

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The Mayor has been considering ways to cut some of the cost at OLG. One way is having a developer in need of dirt digging the hole for the retention basin. The developer gets the needed dirt and the OLG gets the needed retention basin. The City would then only have to pay the cost of drains and head-walls etc.

Ms. Loya agreed with Mayor Migliorini that the issue at OLG has been a long term problem recalling as a member of the Drainage and Sewer Control Committee that it ranked high on the list of areas of serious concern. Ms. Loya stated, "In closing, Council do what you must on Ord. 11-2018, but let's start facing real issues facing residents. This City needs to stop being reactionary to stormwater problems directly after an event. Let's be proactive and get down to business and finally address these stormwater issues. Issue 3 was passed last year for roads AND stormwater. We all are happy to see action with the roads, but that same action needs to be seen with fixing real stormwater issues. Of course, the Mayor mentioned my stormwater issue is not being fixed because it is a regional issue now and NEORSJ just studies and studies and studies. My problem I feel is a Macedonia problem whether you like to hear that or not. My problem needs to be fixed. Property owners at 883 Iroquois Run had their problem fixed in the summer of 2015 by being bought out by this City with no new study. No foundation walls were knocked down because of storm water damage and no change in their flood status. Nobody knows the stormwater effects this will have for that area because the home was just finally removed in October of 2017 so a retention pond to be put in. Time of course will tell on this issue, but time has told us that ignoring stormwater issues for decades, such as my problem, do not make them go away."

Councilor Brandt asked Ms. Loya if the City has ever performed an appraisal of her property for possible purchase to which Ms. Loya answered no.

Council President Molnar interjected he had offered a motion to that effect but the motion was voted down.

Councilor Brandt wondered if consideration should now be given to the Loya property during financial discussion.

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD. NO. 11-2018

Ms. Brandt moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote for ORD. NO. 11-2018: AMENDING SECTION 1381.02 AND SECTION 1381.03 REGARDING SATELLITE EARTH STATIONS **to remain at its second reading.**

ORD NO. 16 -2018

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 182, CITY OF MACEDONIA'S INCOME TAX ORDINANCE was offered by Mr. Bilkie for 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 its second and third readings.** Second by Ms. Tulley carried unanimously on a voice vote.

Mr. Bilkie moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 16-2018** and post according to law. **ORD. NO. 16-2018 declared adopted**

ORD NO. 17 -2018

AN ORDINANCE PROVIDING FOR REVIEW OF THE CHARTER BY CHARTER REVIEW COMMISSION; FIXINGS ITS DUTIES AND ESTABLISHING A PROCEDURE FOR THE REVIEW. was offered by Mr. Ventura for 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 its second and third readings.** Second by Mr. Molnar carried unanimously on a voice vote.

Mr. Ventura moved, Mr. Bilkie seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 17-2018** and post according to law. **ORD. NO. 17-2018 declared adopted**

ORD NO. 29 -2018

AN ORDINANCE CONFIRMING THE MAYOR'S PROMOTION OF CHRISTIAN COSTELLO TO THE POSITION OF POLICE SERGEANT OF THE CITY OF MACEDONIA POLICE DEPARTMENT 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 Ms. Tulley carried unanimously on a voice vote.

Mr. Molnar moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 29-2018** and post according to law. **ORD. NO. 29-2018 declared adopted**

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Relative to ORD. NO. 29-2018, Sergeant Costello after being sworn-in by Mayor Migliorini introduced his wife Missy, his children and his other family members who were present.

ORD NO. 30 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JIM FERRIS TO THE POSITION OF PART-TIME FIREFIGHTER IN THE CITY OF MACEDNIA 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. Bilkie carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 30-2018** and post according to law. **ORD. NO.30-2018 declared adopted**

ORD NO. 31 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF ANTHONY GIRARDI TO THE POSITION OF PART-TIME FIREFIGHTER IN THE CITY OF MACEDNIA 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 Ms. Tulley carried unanimously on a voice vote.

Mr. Molnar moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 31-2018** and post according to law. **ORD. NO. 31-2018 declared adopted**

ORD NO. 32 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF TYLER HILL TO THE POSITION OF PART-TIME FIREFIGHTER IN THE CITY OF MACEDNIA was **offered** by Ms. Brandt 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. Bilkie carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Bilkie seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 32-2018** and post according to law. **ORD. NO. 32-2018 declared adopted**

ORD NO. 33-2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF BEN KREMER TO THE POSITION OF PART-TIME FIREFIGHTER IN THE CITY OF MACEDNIA was **offered** by Mr. Ventura 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 carried unanimously on a voice vote.

Mr. Ventura moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 33-2018** and post according to law. **ORD. NO. 33-2018 declared adopted**

ORD NO. 34-2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JASON PITRE TO THE POSITION OF PART-TIME FIREFIGHTER IN THE CITY OF MACEDNIA was **offered** by Mr. Bilkie and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Molnar carried unanimously on a voice vote.

Mr. Bilkie moved, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 34-2018** and post according to law. **ORD. NO. 34-2018 declared adopted**

ORD NO. 35 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF MICHAEL ZWEGAT TO THE POSITION OF PART-TIME FIREFIGHTER IN THE CITY OF MACEDNIA was **offered** by Ms. Brandt 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 carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Bilkie seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 35-2018** and post according to law. **ORD. NO. 35-2018 declared adopted**

Relative to ORD. NOS. 30-35-2018, Mayor Migliorini sworn-in the newly appointed part-time firefighters collectively and a member from respective families attached Macedonia's fire department pins

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to each firefighter for the exception of Firefighters Pitre and Zwegat who in the absence of family members had their pins attached by Councilors Brandt and Tulley.

RES. NO. 36 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF DAVE HETRICK TO MACEDONIA'S CIVIL SERVICE COMMISSION was **offered** by Mr. Ventura 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 carried unanimously on a voice vote.

Mr. Ventura moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt RES. NO. 36-2018** and post according to law. **RES. NO. 36-2018 declared adopted.**

Relative to RES.NO. 36-2018, Mayor Migliorini stated Mr. Hetrick is a resident of Macedonia for over 12-years and is a retired detective from city of Brecksville police department and

MOTIONS / OTHER LEGISLATIVE ACTION

Legislation added to the Agenda

Mr. Molnar moved, Mr. Bilkie seconded and motion carried unanimously on voice vote **to add RES. NO. 27-2018: A RESOLUTION CONFIRMING THE APPOINTMENTS TO THE CHARTER REVIEW COMMISSION to the agenda**

RES. NO. 37-2018 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 and sections 1 and 2 for all three readings and waiving the 48-hour rule of Council**. Second by Mr. Bilkie carried unanimously on a voice vote.

Mr. Molnar moved, Mr. Ventura seconded, and motion carried unanimously on a voice vote **to adopt RES. NO. 37-2018** and post according to law. **RES. NO. 37-2018 declared adopted**

CORRESPONDENCE: Email from residents Jim and Mary Ann Valvoda to Chief Black in appreciation for the expert emergency service care provided to Mrs. Valvoda on February 1, 2018.

MAYOR'S REPORT

- The Mayor reported plans are progressing relative to the addition of new locker rooms and retro fit of the women's locker room (a family changing room) at the Recreation Center. Residual dollars from income tax revenue earmarked for the Rec Center is funding the addition and renovation work. Construction is anticipated to begin March/April with completion in about three months the Mayor added.
- The Mayor reminded residents that an increase in the income tax of .25% appearing on ballot on the 8th of May is earmarked to specifically help three of Macedonia safety and service departments: fire, police and service. The 5-year property levy of 1 mill specific to just fire services would permanently sundown if the income tax increase is approved Mayor Migliorini added.

COMMITTEE REPORTS:

Finance Committee Mr. Bilkie announced there is a finance committee meeting on Thursday, March 1 at 6:30pm to review and discuss current expenses and the 2018 capital budget.

Parks and Recreation Commission Ms. Brandt announced the next PR&C meeting Wednesday, March 7 at 6pm.

Longwood Manor Historical Society John Cassmer, President of LMHS, stated that in as much as this evening is the first meeting of the year he has attended he wanted to congratulate Councilors Brandt and Ventura on their election to office. Mr. Cassmer announced that the first floor of the Manor House is now open to the public and several events have been planned for the year. Mr. Cassmer asked the status of the Wizard of Oz Festival to which the Mayor responded that there has just been preliminary dialogue and at this point there is no date set for that event. Mr. Cassmer expressed a desire for the LMHS and Manor House to be integral part of the event. Mr. Cassmer announced that on Saturday, May 12 the LMHS is hosting a CHIPS meeting (Council of Historic Institutions Preservation Society). CHIPS consist of 38 historical societies. This meeting is important Mr. Cassmer stated because it could lead to funding sources

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for the Manor House. Mr. Cassmer expressed concern that the occupancy limit may be an issue that day because the number of attendees to which the Mayor suggested that a fire watch be established during of the meeting. This means fire personnel must be present for the duration of the meeting. An alternative to an inside meeting would be to host the meeting on the grounds of the Manor House.

DEPARTMENT REPORTS

Service Department Director Hnottavange had no report.

Councilor Bilkie thanked Mr. Hnottavange for responding quickly to a recent pothole issue.

Building Commissioner

Engineer Mr. Gigliotti was not present.

Recreation Department Ms. Manley announced Dive-In Movie Night featuring “Finding Dory” is tomorrow February 23 from 7-9pm. Families can enjoy the movie from pool deck or from floatation devices in the pool.

Finance Department Director Hall announced income tax revenue for February 2017 was \$855,858.14. This year, same month revenue is \$806,566.85. A difference of \$49,291 and a concern Ms. Hall stated considering the income tax rate last year was 2% and its now 2.25%. In Ms. Hall’s mind revenue should be more in the vicinity of \$962,840 with a rate of 2.25%. The deficient of over \$156,000 (projected) could be attributed to timing of filings, net profit returns now being filed at the state level and tax refunds.

Fire Department Chief Black thanked the Mayor and Council for the appointments of part-time firefighters this evening and he thanked Councilors Bilkie and Tulley for assisting in pinning the fire department pins on two of the firefighters.

Police Department Chief Golden thanked the Mayor and Council for the promotional appointment of Christian Costello to position of sergeant. Sergeant Costello has been a member of Macedonia’s police department for 14-years. The sergeant is a member of SWAT and CART. He also served in Macedonia’s detective bureau for a time and was Chief Golden’s first appointment as chief of the police department.

IT Department

Law Department Law Director Guidetti had no report.

Unfinished business None.

New business Council President Molnar politely encouraged residents that instead of taking information about physical conditions of the city like obtrusive road issues to social media that the problem be called into the service department. Hours of the service department are 7:30am to 4pm. If after 4pm, reporting can be made on the city non-emergency police line, 330-468-1234 and if the situation is serious or life-threatening Mr. Molnar suggested residents call 911. Mr. Molnar said he truly appreciates residents’ concerns and communications. But social media is not the path for resolution he said. Mr. Molnar also suggested residents use the city app called MyMacedonia which is and has been effective tool in reporting potholes or road nuisances directly to the service department.

Regarding another topic, Council President Molnar stated the he and Director Hnottavange attended a service director meeting in which they learned about a new, promising technique for repairing potholes using a product or procedure called Jband (?). The importance of this product or method is the life extension it adds to pothole repairs.

Regarding another matter, Councilor Ventura thanked resident Larry Marek who took advantage this evening of meeting with Mr. Ventura and Ms. Brandt during “Council Office Hours”, the time being set aside at 6:30pm on the evenings of council meeting in order to give residents an opportunity for one-on-one with a member of council. During the next “Council Office Hours” on March 8 Mr. Molnar will be available at 6:30pm. For the March 22 meeting, Mr. Bilkie will be present. Mr. Ventura thanked the Ken Lahmers of the NewsLeader for including information about the “Council Office Hours” in his recent article.

There being no further business before council, the meeting was adjourned at 8:40pm