

Record of Proceedings

Regular Council Meeting

March 8, 2018

Presiding Officer, Mayor Joseph Migliorini called the March 8 regular meeting to order at 7:30 p.m.

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 by City Chaplin Commander Tom O'Brien, Nordonia Hills American Legion #801.

MINUTES Mr. Bilkie moved, Mr. Ventura seconded and motion carried unanimously on a voice vote to approve the minutes of regular meeting of February 22, 2018.

FINANCIAL REPORT Mr. Ventura moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote acknowledging receipt of Financial Report dated February 28, 2018.

PUBLIC COMMENTS None

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD. NO. 11-2018

Ms. Brandt moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to **amend the first version of ORD. NO. 11-2018: AN ORDINANCE AMENDING SECTION 1381.02 AND SECTION 1381.03 REGARDING SATELLITE EARTH STATIONS to conform to the second version introduced this evening entitled: AN ORDINANCE AMENDING SECTION 1381 OF THE CODIFIED ORDINANCES REGARDING SATELLITE EARTH STATIONS.**

Ms. Brandt offered **ORD. NO. 11-2018 (Version 2) for its third reading by title only**. Second not required.

Ms. Brandt moved, Mr. Molnar seconded to **adopt ORD. NO. 11-2018 (Version 2)** and post same according to law.

Roll call: Ayes: None
Nays: Bilkie, Brandt, Molnar and Ventura
Abstention: Tulley
ORD. NO. 11-2018 (Version 2) declared failed.

Relative to ORD. NO. 11-2018 (Version 2) and prior to roll call Councilor Tulley asked Law Director Guidetti if the satellite ordinance exempts property owners who may already have a satellite dish on their property in their front yard to which he answered the ordinance applies to property owners with front yard dishes for which satellite service has been discontinued and the property owner is seeking another permit for an additional dish.

During roll call Mr. Bilkie stated while he understands the reasoning behind Ordinance No. 11-2018 he personally does not feel it can be enforced the way it should be.

Ms. Brandt stated that when she purchased her home a satellite dish was present which as the new homeowner became her responsibility and burden to remove. Ms. Brandt thought Ordinance No. 11-2018 would be viable if satellite dishes would be incorporated into the Point of Sale inspection this way the burden to remove the dish is on the seller and not the buyer. Ms. Brandt opined as written Ordinance 11-2018 is ambiguous and presently there is not a pressing need.

Mr. Molnar stated he has not been in support of the proposed ordinance since its introduction. Most bothersome to him is lack of assurances on who's actually responsible for removing the dish. In Mr. Molnar's mind it should be the company's and never the property owner but the property owner may be forced to if denied a permit.

Ms. Tulley explained as an employee AT&T she is precluded her from voting on the ordinance. However, she learned while researching the matter that once a dish is installed it is considered property of the homeowner. Ms. Tulley mentioned she also learned during her research that before too long satellite

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dishes will be obsolete as the satellite industry is developing technology bypassing dishes to transmit signals.

Mayor Migliorini interjected the primary reason Ordinance No. 11-2018 was introduced was to control the quality of installation of satellite dishes, which since the business has been deregulated has been haphazard.

Councilor Brandt asked Mayor Migliorini if a HOA can regulate dish placement to which he answered to a limited extent like requiring concealing landscaping.

ORD. NO. 38-2018

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOTES IN A MAXIMUM PRINCIPAL AMOUNT OF \$1,300, 000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO THE PAY THE COSTS OF CONSTRUCTING, RECONSTRUCTING, RESURFACING AND OTHERWISE IMPROVING CERTAIN ROAD AND STREETS IN THE CITY; AND DELCARING AN EMERGENCY 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. 38-2018** and post according to law. **ORD. NO. 38-2018 declared adopted**

ORD. NO. 39-2018

AN ORDINANCE AMENDING ORDINANCE NO. 97-2017 RELATIVE TO THE ANNUAL APPROPRIATIONS FOR ADDITIONAL EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD JANUARY 1, 2018 TO DECEMBER 31, 2018 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. 39-2018** and post according to law. **ORD. NO. 39-2018 declared adopted**

ORD. NO. 40-2018

AN ORDINANCE AMENDING CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA REGARDING THE BOARD OF ZONING AND BUILDING CODE APPEALS was offered by Mr. Ventura for its **first reading by title only**. Second no required.

ORD. NO. 41 -2018

AN ORDINANCE SETTING A PUBLIC HEARING TO CONSIDER APPLICATION TO THE PLACEMENT OF LAND IN AN AGRICULTURAL DISTRICT WITH REFERENCE TO THE PROPERTY AT 9541 NORTH BEDFORD ROAD 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 the last whereas clause for all three readings**. 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 ORD. NO. 41-2018** and post according to law. **ORD. NO. 41-2018 declared adopted**

Relative to ORD. NO. 41-2018, Law Director Guidetti explained for a property to qualify for classification as agricultural district certain limited statutory requirements must be met. To that end, a public hearing is required by statute to give the property owner the opportunity to present reason(s) for asking for this classification.

RES. NO. 42 -2018

A RESOLUTION AUTHORIZING THE PARKS AND RECREATION DIRECTOR AND THE MAYOR TO ADVERTISE FOR BIDS FOR A CLEANING CONTRACTOR FOR THE CITY OF MACEDONIA FAMILY RECREATION CENTER 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.

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Ms. Brandt moved, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt RES. NO. 42-2018** and post according to law. **RES. NO. 42-2018 declared adopted**

CORRESPONDENCE:

~Email from Mary “Nikki” Matala, Volunteer Recruitment Manager, Hospice of the Western Reserve to Mayor Migliorini commending the quality of the *eMessenger*, Macedonia’ electronic monthly newsletter.

~Letter from young Ledgeview Elementary school student, Jayden K to Officer Glenn (Nicholls) in appreciation for Officer Nicholl protecting Ledgeview students and for making them feel safe.

MAYOR’S REPORT

- Mayor’s Court revenue for month of February was \$50,495.94.
- Mayor Migliorini stated that in light of recent school shooting in Florida he and Superintendent Joe Clark have called a school safety meeting/luncheon for Wednesday, April 11 from 11:30 a.m. to 1 p.m. The event will be held Community Room of Macedonia City Center. The invite included school officials, elected officials of all the communities in the Nordonia Hills school district, the safety chiefs from each community.
- Mayor Migliorini reminded residents as he has previously that due to substantial losses in state funding Macedonia must seek additional revenue to maintain and improve city-wide safety services. The quarter percent increase on the May 8 ballot will provide needed revenue to support the departments of fire, police and service. The Mayor stated each department has its own unique or special needs whether it is new equipment like an aerial ladder truck for the fire department, a costly upgrade to 911 call system for the police or more manpower for service so they can keep Macedonia’s roads in optimum condition. The Mayor added if residents support the rate increase the 5-year 1 mill property levy which supports just fire services will not be renewed.

COMMITTEE REPORTS:

Finance Committee Mr. Bilkie stated the finance committee met March 1 and discussed but made no determination how to use \$33,000 that is all that is available to spend this year on capital.

DEPARTMENT REPORTS

Service Department Director Hnottavange had no report.

Building Commissioner

Engineer Mr. Gigliotti reported the bid opening relative to the water main replacements on Shepard Hills Blvd and Robin Lane is Friday, March 16 at noon. The bid opening relative Ledge Road project that is being done in conjunction with Northfield Village, the lead agent for the project is Monday, March 12.

Recreation Department Ms. Manley had no report.

Finance Department Director Hall announced the tax calculator form created by RITA to help determine tax refunds should be available next week. Ms. Hall mentioned a work sheet has been added to the City Refund Application/Questionnaire to help individuals who have income that was unevenly spread throughout the year. The Refund Application is available on the City’s website. Ms. Hall mentioned Macedonia’s property tax base is the third lowest in Summit County.

Fire Department Chief Black congratulated Sergeant Ken Turley on his retirement in February. Sgt Tulley began his career in Macedonia in 1986 and was considered an asset to the City Chief Black stated.

Mayor Migliorini interjected Sergeant Turley asked that his retirement be low-keyed. The Mayor however will present a resolution in recognition of Sergeant Turley at next council meeting

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Police Department Sergeant Danko, in Chief Golden had no report.

IT Department

Law Department Law Director Guidetti had no report.

Unfinished business Councilor Ventura announced how pleased he is so far with the response to “Council Office Hours” that has been set aside before regular council meetings for residents to have a one-on-one with a member of Council. Mr. Ventura announced Councilman Bilkie will be the contract for next “Council Office Hours”, March 22 at 6:30 p.m. Councilwoman Tulley is the contact for the April 12 meeting.

New business Councilor Bilkie recognized Ledgeview Elementary School “Students of the Month” for each grade level: Kindergarten- Kayley Bilkie, Luke Brumfield, Zoey Deak, Leah Garey, Mila Hoffman and Kaelyn Mistuk; First grade- Samantha Barnes, Liam McCoy, Tori Smith and Haydn Tobicash; Second grade- Cheyenne Bartolozzi, Troy Boss, Jayden Gum and Josephine Malusky; Third grade – Maggie Hanson, Josh Lewis, Lincoln Nestel and Carley Shriver and Fourth grade- Natalie Barnes, Tyler Hysolli, Mark Wetzell and Alex Vu.

Regarding another topic, Council President Molnar mentioned that he and Councilors Bilkie and Brandt attended the Nordonia Hills school district’s open forum. During the forum a parent expressed concern that some students are intimidated by police presence in the schools. Mr. Molnar stated it is not nor has it ever been the intent of Macedonia’s police officers and School Resource Officer Glenn Nicholl to intimidate or be intimidating. The role and goal of all Macedonia’s police officers is to serve and protect and during the April 11 safety meeting Mr. Molnar intends to ensure all attendees are aware that Macedonia’s officers are approachable, that the intent of its officers’ is that those around them feel comfortable and at ease.

Executive Session

At 8:05 p.m. Mr. Molnar moved, Mr. Bilkie seconded to convene into an Executive Session for the purpose of discussing pending or threatening litigation.

**Roll call: Ayes: Bilkie, Brandt, Molnar, Tulley and Ventura
Nays: None
Motion carried**

At 8:25 p.m., Council reconvened into the regular meeting and there being no further business before council, the meeting was adjourned at 8:26 p.m.