

Record of Proceedings

Regular Council Meeting

April 12, 2018

Presiding Officer, Mayor Joseph Migliorini called the April 12 regular meeting to order at 7:35 p.m.

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

**Absent:** Councilman Kevin Bilkie

**PLEDGE OF ALLEGIANCE & INVOCATION** by 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 and public hearing of March 22, 2018.

**FINANCIAL REPORT** Ms. Tulley moved, Mr. Molnar seconded and motion carried unanimously on a voice vote acknowledging receipt of Financial Report dated March 31, 2018.

**PUBLIC COMMENTS** None

**INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

**ORD. NO. 40-2018**

Mr. Ventura moved, Mr. Molnar seconded and motion carried unanimously on voice vote **to hold at its second reading 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.**

**RES. NO. 44- 2018**

A RESOLUTION OF APPRECIATION TO SERGEANT KENNETH TURLEY OF THE CITY OF MACEDONIA POLICE DEPARTMENT 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 in its **entirety for all three readings.** Second by Mr. Molnar carried unanimously on a voice vote.

Mr. Ventura moved, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt RES. NO. 44-2018** and post according to law. **RES. NO. 44-2018 declared adopted**

Relative to RES. NO. 44-2018, Mayor Migliorini commended and congratulated Sergeant Turley who was present with his wife Bonnie and daughter Bren. Mayor Migliorini described Sergeant Turley as a stellar, contentious employee who always had heart for Macedonia. The Mayor mentioned that Sergeant Turley has been an integral part and dedicated participant in the metamorphous of Macedonia's Memorial Park to the Veterans Memorial Park. As an aside, Mayor Migliorini mentioned when Clerk Arceci and her husband traveled to Ireland Sergeant Turley who is proud of the country of his heritage gave them several Macedonia police patches to distribute throughout Ireland. One of the patches is proudly posted in a pub known as Dirty Nelly's established in the year 1620 in the town of Bunratty, Ireland, County Cork.

Chief Golden interjected that Sergeant Turley was a loyal, dutiful and committed employee through his tenure. Sergeant Turley holds a Masters in Criminal Investigation Certificate, a degree he paid for himself. Sergeant Turley also researched and wrote the history of Macedonia's police department which is posted on the City's website.

**ORD. NO.45 -2018**

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA 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 carried unanimously on a voice vote.

Ms. Tulley, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 45-2018** and post according to law. **ORD. NO. 45-2018 declared adopted**

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**ORD. NO. 46 -2018**

AN ORDINANCE APPROVING THE APPLICATION TO RENEW THE PLACEMENT OF LAND IN AN AGRICULTURAL DISTRICT CONCERNING THE PROPERTY AT 9541 NORTH BEDFORD ROAD was **offered** by Mr. Brandt for its **first reading by title only**. Second not required.

**ORD. NO. 47 -2018**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION INC., FOR THE REPAIR OF VARIOUS STREETS IN THE 2018 ROAD PROGRAM 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, Mr. Ventura seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 47-2018** and post according to law. **ORD. NO. 47-2018 declared adopted**

Relative ORD.NO.47-2018, Engineer Gigliotti explained that two bids were received relative to the second and third phase of the road program. The lowest bid by Specialized Construction, Inc. was \$5,265,206.00; the other bid was \$5,937,795.60. The engineer's estimate was \$5.5 million. Mr. Gigliotti added that in as much as the lowest bid was below the engineer's estimate the alternate bid of Berkshire and some crack sealing is being included.

Council President Molnar reminded residents that tax dollars generated from the Issue 3 tax levy voters passed May 2017 is the revenue source funding the road project.

**ORD. NO. 48 -2018**

AN ORDINANCE AMENDING ORDINANCE NO. 39-2018 RELATIVE TO THE ANNUAL APPROPRIATIONS FOR ADDITIONAL EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF JANUARY 1, 2018 TO DECEMBER 31, 2018 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 carried unanimously on a voice vote.

Ms. Tulley, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 48-2018** and post according to law. **ORD. NO. 48-2018 declared adopted**

**ORD. NO 49 -2018**

AN ORDINANCE AMENDING SECTION 161.20 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA REGARDING EMPLOYEE HEALTH CARE 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, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 49-2018** and post according to law. **ORD. NO. 49-2018 declared adopted**

**ORD. NO. 50 -2018**

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF CLIFFORD BENDER TO THE POSITION OF PART-TIME FIREFIGHTER 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, Mr. Molnar seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 50-2018** and post according to law. **ORD. NO. 50-2018 declared adopted**

**ORD. NO.51 -2018**

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF MATTHEW DUPLAZA TO THE POSITION OF PART-TIME FIREFIGHTER 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, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 51-2018** and post according to law. **ORD. NO. 51-2018 declared adopted**

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**ORD. NO. 52 -2018**

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF DAVID SMITH TO THE POSITION OF PART-TIME FIRE INSPECTOR 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 Mr. Molnar carried unanimously on a voice vote.

Mr. Ventura, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 52-2018** and post according to law. **ORD. NO. 52-2018 declared adopted**

**ORD. NO.53 -2018**

AN ORDINANCE CONFIRMING THE APPOINTMENT OF STEVE PLATA TO THE POSITION OF FULL-TIME BUILDING AND EQUIPMENT MAINTENANCE SUPERVISOR INSPECTOR 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 carried unanimously on a voice vote.

Ms. Tulley, Mr. Ventura seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 53-2018** and post according to law. **ORD. NO. 53-2018 declared adopted**

**ORD. NO. 54 -2018**

AN ORDINANCE CONFIRMING THE APPOINTMENT OF RICH TROPF TO THE POSITION OF PART-TIME BUILDING 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. Ventura carried unanimously on a voice vote.

Mr. Molnar, Mr. Ventura seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 54-2018** and post according to law. **ORD. NO. 54-2018 declared adopted**

**MOTIONS AND/OR OTHER LEGISLATIVE ACTION**

~~~Mr. Molnar moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to reject all bids received pursuant to Ord. 14-2018 concerning certain water main improvements along Shepard Hills Blvd. and Robin Lane.

**CORRESPONDENCE** None

**MAYOR'S REPORT**

~~~Mayor Migliorini announced officials from the R.I.T.A (Regional Income Tax Agency) called to express their concern about a state senate hearing which would restrict R.I.T.A's ability to communicate with taxpayers whom they service (various community entities). Subsequently Mayor Migliorini reached out to Senator Frank LaRose but the issue had already been voted down and therefore is no longer a concern. Mayor Migliorini expressed anger and frustration over the state's continued interference with local tax collections. The stated continues to delude local revenue Mayor Migliorini said first by eliminating local government revenue communities receives annually from the state. Macedonia's loss is just over \$600,000. The state of Ohio is proud it balanced its budget but it was on the backs of local government and the state continues to erode local tax by now collecting a segment of municipal income tax. This all has become too burdensome and strains the relationship local officials have with their continuants. Adding insult to injury the law permitting the state to collect commercial municipal tax also allows the state to charge localities a fee ranging from 3-5% for these collections. Sadly, communities are left with less but paying more Mayor Migliorini added.

~~~Mayor Migliorini announced that he and officials from Oakwood, Walton Hills and Northfield Village met with Brock Milstein of the Hard Rock Casino to discuss ways, as gateway communities to the casino, to promote the entertainment complex through perhaps streetscape along the corridors of each respective community. Outside funding towards this end will be sought the Mayor added.

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**COMMITTEE REPORTS:**

**Charter Review Commission** Ms. Brandt reported the CRC has been meeting regularly; the next meeting is April 24 at 6:30pm. Minutes of the meetings are on file in council office. The Commission expects to present recommendations to Council in time for the May 10<sup>th</sup> council meeting.

Mayor Migliorini interjected he met with the CRC and appreciates the time and effort each member is undertaking. As a member of the last CRC, he understands full well the arduous task it is to review the Charter responsibly and with forethought.

**Parks & Recreation Commission** Ms. Brandt reported the Commission met April 4 and will be meeting again May 4 at the Recreation Center at 6pm. Commission members are looking forward to the renovations beginning and membership to grow.

**Streets and Highways Committee** Council President Molnar announced a S&H meeting is being held Thursday, April 19 at 6pm to review and discuss to 2018 road paving program; to learn how and when residents will be notified and apprised of the progress of the paving.

**DEPARTMENT REPORTS**

**Service Department** Director Hnottavange reported though the leaf program is technically over for the season he plans on one more pass through the city because some residents had to be advised they had to remove branches from their leaf piles before the leaves could be collected.. Mr. Hnottavange added thereafter the equipment will receive major overhauling for readiness in six month when the program resumes. Regarding potholes Mr. Hnottavange reported 76 tons of winter mix asphalt patch has been used thus far. The service director mentioned the footers have been poured and block is being installed beginning tomorrow regarding the Recreation Center's renovation project. The service director also mentioned for the very first time the Tinker's Creek Watershed Rain Barrel Workshop was sold out so another workshop has been scheduled for May 22 from 6-7pm. For a fee of \$50 participants receive a complete barrel system which includes a white 55-gallon barrel, downspout diverter and spigot. Barrels can be painted to match the color of the home. Residents who install rain barrels on their property may also receive credit towards their stormwater utility bill. Earth Day Clean-up and Arbor Day in Macedonia is Saturday April 21, 2018 announced Mr. Hnottavange. The event will take place from 9:00 a.m. until noon. Those wishing to participate will check in at the old fire station. Participants will receive a free t-shirt, a lunch ticket and clean up supplies. At 11:30 a.m. that day an Arbor Day tree will be planted. The first 100 participants will receive a free tree seedling.

Council President Molnar reminded residents that the City's off season branch pick-up came about only because of the November 2017 wind and rain storm. It came about to temporarily help residents and is not to be confused with the normal branch pick-up program. The City's resources were stretched in order to help residents in a time when so many properties were impacted by down trees and any major limbs Mr. Molnar added.

**Building Commissioner**

**Engineer** Mr. Gigliotti thanked Council for authorizing Specialized Construction. Road improvements, weather permitting begins May 1, perhaps even sooner. The Ledge Road project in conjunction with Northfield Village has begun. One lane will be opened, eastbound only. Westbound traffic has to take the detour he engineer added.

**Recreation Department** Ms. Manley announced there has been a lot of buzz amongst the patrons and positive feedback since renovation construction at the Rec began. Ms. Manley also announced since the new equipment will be delivered soon the old equipment will be auctioned on an online government auction site. Information about the auction will be forthcoming. Ms. Manley announced too that Recreation received a \$1,000 ODNR fishing grant which will be used for the annual Fishing Day held the third week-end in June. More information about this event will follow.

**Finance Department** Director Hall announced tax receipts for April were nearly \$800,000 compared \$611,885 in 2017 a difference of \$186,613. Ms. Hall explained that by extrapolating information based on last year's tax rate and this year's rate the City tax receipts are still down by \$45,600. YTD however receipts are up by \$308,222. Regarding the tax refund program Ms. Hall reported that the City has

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received thus far 277 refund application of which 159 requests have been issued. R.I.T.A. has 90 unprocessed applications for which the City is waiting. Fifteen applications are ready for Ms. Hall's review she said and 13 have yet to be processed by the finance department. WM&E bills were mailed last month the director added.

Council President Molnar asked Ms. Hall if discussions are still ongoing as to whether R.I.T.A is willing take over the refund application process in so far as some taxpayers are having difficulty filing for the refund to which Ms. Hall answer she is uncertain if that the agency ever will. However every attempt is being made to simplify the process for the taxpayers.

**Fire Department** Chief Black mentioned he has been following Facebook chatter relative to the aerial fire ladder truck and what is being said incorrect and misleading. The facts are Chief Black stated the aerial was built in 1990 (City took delivery in 1991) so this 27/28-year old vehicle cannot be refurbished, it cannot be updated. Perhaps 15-years old it could have been. To try now would cost over \$700,000 for three more years of use. Not a cost effective or responsible result. The aerial is 1990 technology with a frame that is cracked in several locations. Not unlike decisions made for personal vehicles Chief Black said, when repairs outweigh use it is time to replace. The fire department has been judicious about its equipment, judicious about maintenance of its equipment and judicious about funding. The department continues to seek grants to offset the costs. Losing the aerial Chief Black will seriously impact the functionality of Macedonia's fire department as well as its superior ISO rating.

**Police Department** Chief Golden reported Macedonia hosted a Safety Summit on April 11 for all officials of all the schools in the Nordonia Hills area; Nordonia School System, St. Barnabas and Lawrence School as well as the elected officials from the surrounding communities. The Summit was an opportunity to review and discuss and receive feedback about current safety measures being undertaken in the schools. Much was discussed Chief Golden stated but the bottom line is while much still has to be done the entities in this geographical area are way ahead of many other school districts and safety departments. Chief Golden said he continues to provide ALICE training (alert, lockdown, inform, counter and evacuate) for events relative to an active shooter for many school officials and school affiliations like PTAs, PTOs and PTUs. Mayor Migliorini was forward thinking Chief Golden by placing an SRO (safety resource officer) in Macedonia's schools. Northfield Village will be doing the same relative to Lee Eaton, Sagamore Hills for Rushwood and the Sheriff's department in Northfield Elementary and St. Barnabas.

Mayor Migliorini interjected sadly there is no easy answer. Years back the City sponsored the DARE program when drugs were pervasive; today drugs are still pervasive and violence is at an all time high. Having a SRO, like Officer Glen Nicholl physically present in the school has been a positive step. Officer Nicholl is observant and the students trust him and share with him some things they may not have otherwise shared.

**IT Department**

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

**Unfinished business**

**New business** Councilor Ventura announced that he will be the host for the next "Council Office Hours", April 26 at 6:30 p.m.