

Record of Proceedings

Regular Council Meeting

April 26, 2018

Presiding Officer, Council President Nick Molnar, Mayor Pro Tempore called the April 26 regular meeting to order at 7:32 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:** Mayor Joseph Migliorini

**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 of April 12, 2018.

**PUBLIC COMMENTS**

~**Christina Shaw of Stow, Ohio** announced her candidacy for the 27<sup>th</sup> State Committeewoman seat for the Democratic Party asking Macedonia residents voting the democratic ticket in the May primary to support her.

~**Robert Wismer, 1135 Highland Road**, explained when the property owners at that east end of Highland were assessed for widening and improving Highland Road they were promised by previous members of Council and the administration that Highland Road would be maintained. That has not been the case. Today there is a 400' long pothole in the road in front of Mr. Wismer's property being ignored, except by truck drivers who purposely hit the hole with a vengeance, perhaps out of anger for their bosses Mr. Wismer added. There is a reason Highland Road is called Thunder Alley, when the trucks are rambling the ground shakes and pictures on the walls move. Mr. Wismer said when his wife called the City about this continued annoyance it was suggested to Ms. Wismer that they plant pine trees to buffer the sound. To Mr. Wismer this wasn't the response he expected. Mr. Wismer suggested given the residential east end of Highland Road is barely one-quarter of a mile why more consideration could not be given to this area. Fixing the road would give residents a much better quality of life Mr. Wismer added.

A brief discussed ensued about where Highland Road falls in list of future road improvements. Council President Molnar assured Mr. Wismer that Mr. Molnar will speak with Mr. Gigliotti about the issue and while the road cannot be fully improved this year attempts will be made to repair the large pot hole.

Councilor Ventura interjected telling Mr. Wismer going forward if the Wismer's receive a response from any city employee like what was just convened the Wismer's should contact him.

**INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

**ORD. NO. 40-2018**

Mr. Ventura moved, Ms. Tulley 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.**[First reading, March 8, 2018]

**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 Ms. Brandt and moved Council waive the requirement that it be read by title on three different days, instructing the Clerk to read it for its **second and third readings by title only**. Second by Ms. Tulley carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Bilkie seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 46-2018** and post according to law. **ORD. NO. 46-2018 declared adopted**

**ORD. NO.55 -2018**

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF MARIO FIORITTO TO THE POSITION OF FULL-TIME FIREFIGHTER/PARAMEDIC was **offered** by Mr. Ventura and moved Council waive the requirement that it be read by title on three different days,

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instructing the Clerk to read it for **all three readings by title only**. 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. 55-2018** and post according to law. **ORD. NO. 55-2018 declared adopted**

**ORD. NO. 56-2018**

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF LEANNE HARVAN TO THE POSITION OF PART-TIME POLICE AND FIRE DISPATCHER 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 for **all three readings by title only**. 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. 56-2018** and post according to law. **ORD. NO. 56-2018 declared adopted**

Relative to ORD. NO. 56-2018, Ms. Harvan who was present thanked Council for her appointment.

**ORD. NO. 57-2018**

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,300,000, TO PAY THE COSTS OF CONSTRUCTING, RECONSTRUCTING, RESURFACING AND OTHERWISE IMPROVING CERTAIN ROADS AND STREETS IN THE CITY; AND DECLARING AN EMERGENCY 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 for **all three readings by title only**. Second by Mr. Bilkie carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to **amend ORD. NO. 57-2018 by adding to Section 12 subsection (f) entitled Qualified Tax-Exempt Obligations**

Ms. Tulley moved, Mr. Bilkie seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 57-2018 as amended** and post according to law. **ORD. NO. 57-2018 declared adopted as amended**

**ORD. NO. 58-2018**

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,900, 000, TO PAY THE COSTS OF CONSTRUCTING, RECONSTRUCTING, RESURFACING AND OTHERWISE IMPROVING CERTAIN ROADS AND STREETS IN THE CITY; AND DECLARING AN EMERGENCY 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 for **all three readings by title only**. Second by Ms. Tulley carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to **amend ORD. NO. 58-2018 by adding to Section 12 subsection (f) entitled Qualified Tax-Exempt Obligations**

Mr. Ventura moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 58-2018 as amended** and post according to law. **ORD. NO. 58-2018 declared adopted as amended.**

**ORD. NO. 59-2018**

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$6,000, 000, TO PAY THE COSTS OF CONSTRUCTING, RECONSTRUCTING, RESURFACING AND OTHERWISE IMPROVING CERTAIN ROADS AND STREETS IN THE CITY; AND DECLARING 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 for **all three readings by title only**. Second by Ms. Tulley carried unanimously on a voice vote.

**Fiscal Officer's Certificate previously presented to Council**

Ms. Tulley moved, Mr. Ventura seconded and motion carried unanimously on a voice vote to **amend ORD. NO. 59-2018 by adding to Section 12 subsection (f) entitled Qualified Tax-Exempt Obligations**

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Mr. Bilkie moved, Ms. Tulley seconded, and motion carried unanimously on a voice vote **to adopt ORD. NO. 59-2018 as amended** and post according to law. **ORD. NO. 59-2018 declared adopted as amended**

Relative to ORD. NOS. 57, 58 and 59-2018, Finance Director Hall explained that all three Notes will be combined into one Bond. Ms. Hall anticipates the Bond being sold in the bond market in June. The official statement relative to the Bond takes about 90-days to create Ms. Hall added.

**RES. NO. 60-2018[**

A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PROPERTY BY THE PARK AND RECREATION DEPARTMENT OF THE CITY OF MACEDONIA IN ACCORDANCE WITH OHIO REVISED CODE SECTION 721.15 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 for **all three readings by title only**. 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 RES. NO. 60-2018 amended** and post according to law. **RES. NO. 60-2018 declared adopted.**

Relative to RES.NO.60-2018, it was mentioned that Director Manley is conducting the sale of the recreation equipment/property through an internet auction website called GovDeals.....www.govdeals.com

**MOTIONS AND/OR OTHER LEGISLATIVE ACTION** None

**CORRESPONDENCE** None

**MAYOR'S REPORT** In Mayor Migliorini's absence Mr. Molnar reported Mayor's Court revenue for March was \$50,917.50.

**COMMITTEE REPORTS:**

**Charter Review Commission** Ms. Brandt announced the next CRC meeting is Thursday, May 3 at 6pm. It has yet to be determined if another meeting will be needed. The minutes of meetings thus far are on file in the council office.

**Parks & Recreation Commission** Ms. Brandt announced the P&RC meeting is Wednesday, May 2 at 6pm at the Recreation Center at 6pm.

**Streets & Highway Committee** Council President Molnar, chair of the S&H meeting mentioned the committee (Councilor Tulley and Ventura) met on April 19 relative to this year's paving program. Paramount in this year's road program is communication with residents affected by the paving Mr. Molnar stated. The intent this time around is to keep residents informed about every aspect of the project: start dates, project stages and procedural techniques so they know when, what and how.

**Longwood Manor Historical Society** On behalf of John Cassmer, president of the Longwood Manor Historical Society Councilor Brandt announced that the LMHS is meeting regularly on the 4<sup>th</sup> Tuesday of the month. Beginning June 24, the Manor House will be opened to the public and thereafter the 4<sup>th</sup> Sunday of each month from the hours of 1 to 4. A member of the LMHS will be present to conduct tours of the first floor and historic memorabilia. The LMHS has applied for a Cyrus Eaton Charitable Foundation grant and will continue to apply for additional grants. Lowe's and Home Depot will be contacted for donations as each company has been generous in the past. This year the LMHS is also focusing their efforts on the south patio and replacing or repairing exterior wood and stucco. Additional landscaping will be done this year as well.

**DEPARTMENT REPORTS**

**Service Department** Director Hnottavange was not present.

**Building Commissioner**

**Engineer** Mr. Gigliotti had no report.

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**Recreation Department** Ms. Manley was not present.

**Finance Department** Director Hall announced tax receipts for April were nearly \$800,000 compared to about \$612,000 last year, a variance of about \$187,000. Ms. Hall explained though YTD revenue is up by about \$308,000 factoring the differences in the tax rate from last year the City's tax receipts are still lower than expected. Ms. Hall reported that the City has processed 251 tax funds in the amount of \$30,000. R.I.T.A. has 101 unprocessed applications for which the City is waiting to process.

**Fire Department** In Chief Black's absence Captain Ripley thanked Council for the final appointment of Full-Time Firefighter Mario Fioritto. Captain Ripley mentioned the department's Fire Explorers will be flushing hydrants in the same manner as last summer.

**Police Department** Chief Golden had no report

**IT Department**

**Law Department** Law Director Guidetti reported that state legislators have changed regulations relative to small cell equipment so legislation on behalf of the City will be introduced in a few weeks.

**Unfinished business** Councilor Ventura encouraged residents receiving curt or impolite responses from a City employee to document with whom they have spoken and contact Mr. Ventura.

Councilor Brandt reminded residents to vote Tuesday, May 8. Macedonia has been transparent Ms. Brandt stated about the City's financial needs relative to fire, police and service departments. Ms. Brandt encouraged residents not to vote out of spite. Ms. Brandt asked residents to be mindful about their vote, to seek facts and intelligent information about why there is a need for the levy.

Director Hall interjected prior to the last income tax increase and the change in the allocation of tax revenue, the General Fund received 82.5% of tax. Now the GF receives 77.8%. This was purposeful for road projects to become a reality. But the GF has been sacrificed and the cost of fire, police and service is paid through the GF thus the need for additional revenue for these departments.

Council President Molnar stated at a previous meeting the statement he made that City is not in the business of saving money was taken out of context. Mr. Molnar did not mean the City does not want to save the fact is the City has never had the extra funds to set aside for future expenses.

**New business**

Councilor Bilkie thanked everyone who participated in the Earth Day Clean-Up on April and Home Depot for donating the Cherry Tree that was planted that day.

Councilor Ventura announced that Councilor Brandt will be the host for the next "Council Office Hours", May 10 at 6:30 p.m.

There being no further business the meeting was adjourned at 8:05pm by the majority on voice vote.