

Record of Proceedings

Regular Council Meeting

July 26, 2018

Presiding Officer, Mayor Molnar called the July 26 regular meeting to order at 7:35 p.m.

Present: Mayor Nick Molnar and Council members' Kevin Bilkie, Jessica Brandt, 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.

FINANCIAL REPORT Mr. Bilkie moved, Mr. Ventura seconded and motion carried unanimously on a voice vote acknowledging receipt of Financial Report dated June 30, 2018.

FIRE DEPARTMENT NEWS

Firefighter Dave Aberth, the fire department's grant writer announced the U.S. Department of Homeland Security's Federal Emergency Management Agency awarded Macedonia a \$138,270 grant for operations and safety through the Assistance to Firefighters grants program. The grant money will be used for the purchase and installation of diesel exhaust removal systems at all three fire stations.

Chief Black commended Firefighter Aberth for his successful preparation of the fire grant application which lengthy with an extensive narrative. Macedonia was one of 25 departments within the first round to receive the grant Chief Black stated. The Chief added given there are 2700 fire departments in the state of Ohio and over 50,000 fire departments across the nation receiving the grant is an accomplishment.

Mayor Molnar thanked and congratulated Mr. Aberth on behalf of the administration, Council and the residents.

PUBLIC COMMENTS

~**Sylvia Hanneken, 1033 Hampton Court** opined the fire department's 5-year levy should have been placed on the November ballot for renewal because residents typically support renewals and because income tax revenue is not as reliable. Relative to the proposed Charter amendments Ms. Hanneken said she reviewed the minutes of the Charter Review Commission and does not feel the proposed amendments are progressive or forward thinking. Ms. Hanneken also feels the major changes proposed by the Charter Review Commission should not be entertained in what she described has an off-cycle review. Looking forward Ms. Hanneken suggested a city manager form of government should be considered for Macedonia. Ms. Hanneken also suggested if Council or the next Charter Review Commission does not consider amending the Charter relative creating position for a city manager then the amendment should be introduced through an initiative.

Mayor Molnar reminded Ms. Hanneken regarding the income tax levy that the purpose of increasing the income tax rate is to provide revenue which will not only support manpower needs for fire but for the department of police and service departments. The revenue is also to provide dedicated funding for long overdue and vital capital purchases, a prime example of which is replacing the well over 20-year aerial fire truck that costs over one million dollars. The fire department also needs emergency transport squads

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and the police department needs cruisers. Therefore Mayor Molnar stated in his opinion, just renewing the fire levying would have been irresponsible. Regarding amending the Charter to create the position of city manager Mayor Molnar stated every Charter Review Commission discussed that topic and not one proposed a change in Macedonia's form of government. Ironically, Mayor Molnar added, Ms. Hanneken who suggested tonight Macedonia needs a city manager to run the City ran for the position of mayor twice.

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD.NO. 2-2018:

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

Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote **to generally amend ORD. NO. 2-2018, by replacing the date of May 8, 2018 with November 6, 2018 as it appears within in the third Whereas clause and Sections 1 & 6 as well within the body of said ordinance where May 8, 2018 may otherwise appear.**

Mr. Bilkie moved, Mr. Ventura seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 2-2018 as amended** and post according to law. **ORD. NO. 2-2018 declared adopted as amended.**

ORD. NO. 3 – 2018:

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

Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **generally amend ORD. NO. 3-2018, by replacing the date of May 8, 2018 with November 6, 2018 as it appears within in the third Whereas clause and Sections 1 & 6 as well within the body of said ordinance where May 8, 2018 may otherwise appear.**

Mr. Bilkie moved, Mr. Ventura seconded to **adopt ORD. NO. 3-2018 as amended** and post same according to law.

Roll call: Ayes: Tulley***
 Nays: Bilkie*, Brandt**, Ventura****
 Adoption of ORD.NO. 3-2018 as amended declared failed

Relative to ORD.NO 3-2018 and during roll call Councilor Bilkie* stated he supports the Charter Review Commission recommendation that the composition remain at five.

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Councilor Brandt** stated as Council's representative to the Charter Review Commission she also supports the Commission's recommendation that Council remain at five members at least at this time in part because it has only been four years since its inception. Additionally, Ms. Brandt stated the problems that arose in the last term due to the five member body, the Charter Review Commission feels have been addressed by way of introducing other amendments to the Charter.

Councilor Tulley*** stated she has worked within the five member composition as well as six members and the latter is more productive. Ms. Tulley opined the voters should decide if the composition should revert back to six.

Councilor Ventura**** stated since it has not been that long ago that residents voted for a five member body he supports the current composition.

ORD. NO. 4 – 2018 [Held at second reading]

Mr. Bilkie moved, Ms. Brandt seconded and motion carried unanimously on a voice vote **to hold at is second reading ORD. NO. 4 – 2018: AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF MACEDONIA A PROPOSED AMENDMENT TO SECTION 4.13 OF THE CHARTER RELATIVE TO THE CONDUCT OF COUNCIL MEMBERS**

Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **generally amend ORD. NO. 4-2018, by replacing the date of May 8, 2018 with November 6, 2018 as it appears within in the third Whereas clause and Sections 1 & 6 as well within the body of said ordinance where May 8, 2018 may otherwise appear**

ORD. NO. 5 – 2018

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF MACEDONIA A PROPOSED AMENDMENT TO SECTION 10.01 OF THE CHARTER REGARDING THE COMPOSITION OF THE PLANNING AND ZONING COMMISSION was offered by Mr. Bilkie for **its third reading by title only**. A second not required.

Mr. Bilkie moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to **generally amend ORD. NO. 5-2018, by replacing the date of May 8, 2018 with November 6, 2018 as it appears within in the third Whereas clause and Sections 1 & 6 as well within the body of said ordinance where May 8, 2018 may otherwise appear**.

Mr. Bilkie moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 5-2018 as amended** and post according to law. **ORD. NO. 5-2018 declared adopted as amended.**

ORD. NO. 66 -2018

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF HRE CITY OF MACEDONIA A PROPOSED AMENDMENT TO VARIOUS SECTIONS OF THE CHARTER RELATIVE TO COUNCIL CONSIDERATION TO EXECUTIVE ACTION was **offered** by Ms. Brandt for its **third reading by title only**. A second not required.

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Ms. Brandt moved, Mr. Ventura seconded and motion carried unanimously on a voice vote to generally **amend ORD. NO. 66-2018, by replacing the date of May 8, 2018 with November 6, 2018 as it appears within the third Whereas clause and Sections 1 & 6 as well within the body of said ordinance where May 8, 2018 may otherwise appear.**

Ms. Brandt moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 66-2018 as amended** and post according to law. **ORD. NO. 66-2018 declared adopted as amended.**

ORD.NO. 69-2018

AN EMERGENCY ORDINANCE AMENDING SECTIONS 182.01(B), 182.03, AND 182.04(A) OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO, IN ORDER TO INCREASE THE CITY'S INCOME TAX RATE BY ONE-QUARTER PERCENT (1/4%) STARTING ON JANUARY 1, 2019 AND CONTINUING THEREAFTER; AND SUBMITTING THE SAME TO THE ELECTORS ON NOVEMBER 6, 2018 was offered by Ms. Tulley for its **second reading by title only**. A second not required.

ORD.NO. 71-2018

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF DANIEL EDWARDS 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, 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, motion carried unanimously on a voice vote **to adopt ORD. NO. 71-2018** and post according to law. **ORD. NO. 71-2018 declared adopted.**

ORD.NO. 72 -2018

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF JANAI TONY TO THE POSITION OF PART-TIME FIREFIGHTER 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. Ventura seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 72-2018** and post according to law. **ORD. NO. 72-2018 declared adopted.**

ORD.NO. 73-2018

AN ORDINANCE CONFIRMING THE FINAL APPOINTMENT BY THE MAYOR OF DANIEL PITTMAN 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 Ms. Tulley carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Ventura seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 73-2018** and post according to law. **ORD. NO. 73-2018 declared adopted.**

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ORD.NO. 74 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF DYLAN NATKO TO THE POSITION OF PART-TIME FIREFIGHTER IN 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. Bilkie carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Ventura seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 74-2018** and post according to law. **ORD. NO. 74-2018 declared adopted.**

Relative to ORD.NO. 74-2018, Mr. Natko introduced his parents and fiancé to Mayor Molnar and Council and thanked them for his appointment. Mr. Natko, a former Marine who served many times in Iraq is also a specialist in crash fire rescue.

ORD.NO. 75 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF THOMAS MASTELLER TO THE POSITION OF PART-TIME CORRECTIONS OFFICER 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, motion carried unanimously on a voice vote **to adopt ORD. NO. 75-2018** and post according to law. **ORD. NO. 75-2018 declared adopted.**

Relative to ORD. NO. 75-2018, Mr. Mastellar introduced his parents to Mayor Molnar and Council as well as thanked them for his appointment.

ORD.NO. 76 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF CASSANDRA MATEJKA TO THE POSITION OF PART-TIME CORRECTIONS OFFICER 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, motion carried unanimously on a voice vote **to adopt ORD. NO. 76-2018** and post according to law. **ORD. NO. 76-2018 declared adopted.**

Relative to Ordinance Nos. 75-76-2018, Chief Golden explained correction officers' are responsive for jail related activities. Some of the duties of the CO include but are not limited to booking and releasing the inmates; daily and hourly checks of the inmates and deliver them their meals.

ORD.NO. 77-2018

AN ORDINANCE REAFFIRMING FUND 301-THE BOND RETIREMENT DEBT FUND was **offered** by Mr. Bilkie 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 by **title only for all three readings**. Second by Mr. Ventura carried unanimously on a voice vote.

Mr. Bilkie moved, Mr. Ventura seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 77-2018** and post according to law. **ORD. NO. 77-2018 declared adopted.**

ORD.NO. 78 -2018

AN ORDINANCE AMENDING ORDINANCE NO. 97-2017 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 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 Ms. Tulley carried unanimously on a voice vote.

Mr. Bilkie moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 78-2018** and post according to law. **ORD. NO. 78-2018 declared adopted.**

RES.NO. 79-2018

A RESOLUTION AUTHORIZING THE MAYOR TO TAKE SUCH STEPS NECESSARY TO APPLY FOR FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION, DISTRICT EIGHT PUBLIC WORKS COMMITTEE, PROGRAM YEAR 33, FOR THE VALLEY VIEW ROAD RECONSTRUCTION PROJECT 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 Ms. Tulley carried unanimously on a voice vote.

Mr. Bilkie moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt RES. NO. 79-2018** and post according to law. **RES. NO. 79-2018 declared adopted**

RES.NO. 80 -2018

A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF ANDREA FINK TO THE PARKS AND RECREATION COMMISSION 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. Ventura carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Ventura seconded, motion carried unanimously on a voice vote **to adopt RES. NO. 80-2018** and post according to law. **RES. NO. 80-2018 declared adopted.**

MOTIONS AND/OR OTHER LEGISLATIVE ACTION

CORRESPONDENCE None

MAYOR'S REPORT

~Mayor Molnar explained in light of recent transition to Mayor from being a member of Council for almost 11-years he wanted to say thank you to his peers for their confidence in him for electing him to

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the position of council president four times. Mayor Molnar said in this new role his primary goal is to create open dialogue and transparency. Mayor Molnar said he feels he shares the goals of the community. With that in mind it is paramount to him to keep on track one mindset. Also paramount to him is open communication between elected officials and the community. Mayor Molnar feels this area has been short changed and he intends to make changes in that regard.

~ Mayor Molnar stated there is exciting news on the horizon in terms of development but at this time is not a liberty to share more information.

~ Mayor Molnar announced he has scheduled a meeting with NEORS D regarding the Ledge Bedford Roads corridor.

COMMITTEE REPORTS:

Council of the Whole Council President Tulley announced 11 residents have applied to the council vacancy. Each applicant will be interviewed privately and separately and asked the same questions by the Council of the Whole. The interview schedule is over two evenings. The special meetings called for this purpose are on Monday, July 30 and Tuesday, July 31 both of which are at 6:00 p.m. A third Special meeting has been scheduled for Wednesday, August 1 at 6:30 p.m. in order to deliberate and announce the replacement. Ms. Tulley added the August 1 agenda will include Ordinance Nos. 4 & 69-2018. Mayor Molnar is being allowed to be present during the interviews Ms. Tulley stated but he is not permitted to participate in the interview process. Ms. Tulley's logic regarding the Mayor's presence she explained is if Council cannot come to a decision by August 8th, the Mayor pursuant to Charter is required to make the appointment. Bit first and foremost Ms. Tulley stated it is the responsibility of the four remaining members of Council to make the appointment and that is their intent.

Parks & Recreation Commisison Councilor Brandt announced the next meeting of the P&RC is Wednesday, August 8 at 6:30 p.m., at the Recreation Center.

Longwood Manor Historical Society John Cassmer, president of LMHS stated progress continues to be made at the Manor House. The LMHS has been working on the patio and other exterior issues. Mr. Cassmer announced the LMHS may potentially be work the Wizard of Oz organization relative to upcoming Oz event.

DEPARTMENT REPORTS:

Service Department Director Hnottavange announced walls are up and progress is rapidly being made relative to new renovation at the Recreation Center. Mr. Hnottavange announced as well that road grindings from the Ledge Road project and Macedonia's road project are being utilized at Longwood Park for paths and other walk areas.

Building Commissioner

Engineer Mr. Gigliotti thanked the Mayor and Council for the passage of the OPWC resolution.

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Recreation Department Ms. Manley announced that some classes like yoga and Tai Chi are being taken outdoors. Yoga by the Lake will be take place during evening hours and Tai Chi during the morning hours. Ms. Manley also announced that registration is now open for all fall programming. Information about classes, programming and all offerings can be found on the Recreation Center's website.

Councilor Tulley commended Ms. Manley on the fall football and soccer registration signs posted at Routes 8 & 82 as they have great curb appeal and should provide a good draw.

Finance Department Director Hall announced while income tax collections for June and July increased and the cumulative variance is \$826,978.70 higher than this time last year the General Fund has only increased by \$61,000. The reason, the large variance of over \$800,000 is primarily allocated to the 2018 road program. Ms. Hall reported the tax refund program for tax year 2017 is over for this reporting period. Refunds issued thus far were 483 for a total of \$60,253.63. Seventy refunds remain under review. Ms. Hall reminded residents filing for refunds that R.I.T.A must first review and confirm the municipal return before refunds are granted. Ms. Hall proudly announced that the 2017 audit is complete and Macedonia for the second year in a row received the Ohio State Auditor Award for a having a clean audit.

Fire Department Chief Black thanked the Mayor and Council for the finals appointments of several fire department personnel as well as new appointment of Dylan Natko. The chief is hopeful that the diesel exhaust suppression systems will be installed in all three stations by the end of the year.

Police Department Chief Golden was not present.

Law Department Law Director Guidetti had no report.

Unfinished business None.

New business Councilor Ventura asked residents to take note that Ms. Hanneken who has attended the last two council meetings, has made comments and/or acquisitions then turns her back on this Mayor and this Council without waiting for a response or explanation.

Regarding another topic, Councilor Bilkie congratulated and wished Mayor Molnar well finishing the term of office of the Mayor. Councilor Bilkie said he and his fellow council members are here to support and assist the Mayor any way they can.

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Executive Session

At 8:29 p.m. Council President Tulley moved, Mr. Ventura seconded to adjourn into Executive Session in accordance with O.R.C. 121.22(G) (1) to consider the appointment and/or employment of a public employee or official.

**Roll call: Ayes: Bilkie, Brandt, Tulley and Ventura
 Nays: None
 The motion carried.**

At 8:40 p.m., Council reconvened into its regular meeting and there being no further business and adjourned the regular meeting at 8:41 p.m., by majority on a voice vote.