

Record of Proceedings

Special Meeting

August 1, 2018

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Presiding Officer, Mayor Molnar called the August 1, 2018 special meeting to order at 6:36 p.m.

Present: Council members' Kevin Bilkie, Jessica Brandt, Janet Tulley and Vini Ventura;
Council Clerk Josephine Arceci

Legislative Items:

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 was offered by Mr. Bilkie for its **third reading by title only**. A second not required.

Prior to moving for adoption of ORD.NO 4-2018 Councilor Brandt explained that the Charter Review Commission proposed three potential options relative to amending Section 4.13, specific to censuring a member of Council. The third of the three options the CRC proposed the strictest of the options is the option preferred by the CRC. The third option, as well as the second option provides for levels of censure. However, in pertinent part the third option permits Council to prohibit the censured member from attending council meeting(s). The thought of the CRC Ms. Brandt explained is that insofar as Council's salary is not a substantial the loss of pay or losing membership on committee has less of an impact than the loss of their voice, i.e. not being in attendance at a council meeting. Ms. Brandt added Law Director Guidetti cautioned the CRC that there is no case law regarding prohibiting a council member from attending a meeting. That is not to say Ms. Brandt added that the Law Director also advised that inasmuch as Macedonia is a Chartered city, with Home Rule the third option was not viable and therefore from the perspective to the CRC the preferable.

Law Director interjected that he had provided Council an explanation of the three different options in a memo dated June 24, 2018.

Council President Tulley approves she stated the various levels of discipline detailed in the third option. As a member of Council during the last term, because the Charter was weak, too vague in this area the action taken regarding the censures that occurred was considerably limited.

Councilor Bilkie agreed as well with the third option adding just because there is no precedence regarding prohibiting a member from a meeting(s), should not preclude Macedonia from incorporating it into the Charter.

Ms. Brandt moved, Ms. Tulley seconded and motion carried unanimously on a voice vote to amend Exhibit A of ORD.NO. 4-2018 to reflect the Charter Review Commission's recommendation regarding amending § 4.13 of the Charter.

Mr. Bilkie moved, Ms. Tulley second to **adopt ORD. NO. 4-2018, as amended**, and post same according to law.

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

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48 The motion carried.
49 **ORD. NO.4-2018, as amended declared adopted.**

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51 Relative to ORD. NO. 4-2018 and during roll call Councilor Bilkie* stated this provision will finally give
52 teeth to Section 4.13. During the last term there was a council woman who did not follow the rules, who
53 was blatantly lying to the public yet Council was defenseless having little recourse to punish her for her
54 actions.

55
56 Councilor Brandt** stated the CRC discussed this provision ad nauseum because of the seriousness of the
57 provision. Several passed administrators and members of Council were interviewed towards this end and all
58 agree the provision needs to be more concise.

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60 Councilor Ventura stated he supports the amendment however instead of the word “punish” he prefers the
61 phrase “change of behavior”.

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68 **ORD.NO. 69-2018**
69 AN EMERGENCY ORDINANCE AMENDING SECTIONS 182.01(B), 182.03, AND 182.04(A) OF
70 THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA, OHIO, IN ORDER TO INCREASE
71 THE CITY’S INCOME TAX RATE BY ONE-QUARTER PERCENT (1/4%) STARTING ON
72 JANUARY 1, 2019 AND CONTINUING THEREAFTER; AND SUBMITTING THE SAME TO THE
73 ELECTORS ON NOVEMBER 6, 2018 was **offered by Ms. Tulley for its third reading by title only.**
74 Second not required.

75
76 Ms. Tulley moved, Mr. Bilkie seconded to **adopt ORD. NO.69-2018** and post same according to law.

77
78 Roll call: Ayes: Bilkie, Brandt, Tulley and Ventura
79 Nays: None
80 The motion carried.

81 **ORD. NO. 69-2018 declared adopted.**

82
83 Relative to ORD. NO. 69-2018 and prior to roll call Councilor Bilkie stated initially he had suggested
84 amending the ordinance by rolling back the levy after five years. However, after more thought the reality
85 is Macedonia seriously needs additional revenue and the revenue needs to continue for years to come in
86 order to maintain and improve services. Mr. Bilkie encouraged residents to educate themselves about the
87 City’s needs. The problem of inadequate funding cannot continue to be kicked down the road. Macedonia
88 will be in a serious financial state if the passage of income tax increase is not successful particularly since
89 the 5-year fire renewal property tax levy was not placed on the ballot.

90
91 Councilor Brandt stated while she understands Mr. Bilkie’s reasoning about limiting the years of the tax.
92 However, no one ever wants to address the cost of personnel and the continuing cost of personnel.
93 Personnel as a resource while not evident to the voters is just as important as the physical needs of the
94 City like the need of a new aerial ladder truck, a canopy for police cruisers or additional emergency

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95 vehicles Ms. Brandt stated. Equipment, physical items are conceivable because their tangible. Personnel
96 are not perceived in the same manner. Unfortunately Ms. Brandt stated not having the adequate number
97 of personnel to operate the tangible items is as serious as not having safe, operational equipment and
98 therefore in Ms. Brandt opinion the .25 percent tax increase can only be beneficial as a permanent levy. A
99 vote yes for the levy Ms. Brandt added is a vote for yourself, for your family for your city, for your
100 property and for your safety. It is counterproductive to continue to have to scrape the bottom of the barrel
101 Ms. Brandt stated to make ends meet. Residents complain Macedonia does not have as nice as amenities
102 as Twinsburg, as Hudson, as Brecksville or as where they work. The fact is Macedonia can only have
103 amenities as nice as it can afford Ms. Brandt said. Ms. Brandt hopes as Mr. Bilkie that residents educate
104 themselves about the future of where they live, where they want to continue to live. Ms. Brandt said she
105 for one is willing to be part of that education process.

106

107 Council President Tulley echoed Ms. Brandt's sentiments. Ms. Tulley also stated personnel cannot
108 simply be hired for five years without remedy for continued revenue thereafter. That said, it is up to the
109 residents to decide the direction of the City they call home.

110

111 Mayor Molnar stated the reality to him is clear, Macedonia's needs are real. The projected carryover for
112 this year is only \$200,000, as budgeted. The fire department needs a new aerial ladder truck at an
113 estimated cost of \$1.3 million; the current aerial is over 25 years old and operates on older technology.
114 The police department needs more cruisers and the service department needs and has needed more
115 personnel. There has never been a designated revenue stream for both safety services and the service
116 department. Each department has made every effort to secure outside sources of revenue, like applying
117 for grants. Grants are competitive; grant writing is an arduous, time consuming process, which does not
118 always result in success. Macedonia has been successful is receiving grants and hopefully will continue
119 to be successful but funding from grants is minuscule compared to Macedonia's real financial needs.

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121 **EXECUTIVE SESSION**

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123 **At 6:50 p.m. Council President Tulley moved, Mr. Ventura seconded to adjourn into Executive**
124 **Session in accordance with O.R.C. 121.22(G) (1) to consider the appointment, employment of a**
125 **public employee or official.**

126

127 **Roll call: Ayes: Bilkie, Brandt, Tulley and Ventura**

128

Nays: None

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The motion carried.

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131 At 7:25 p.m., Council reconvened into its Special meeting.

132

133 Law Director Guidetti advised Council there are two methods to accomplish the appointment of an
134 elected official to a council vacancy. One is by a simple motion to appoint a single candidate; the other is
135 by nomination and vote on each nomination in order of nomination. Either case requires the affirmative
136 votes of the majority of the members present for appointment.

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138 **MOTION – COUNCIL VACANCY**

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140 **Council President Tulley moved to appoint Shane Barker to fill the council vacancy to the**
141 **unexpired term ending December 31, 2019. Second: Mr. Bilkie.**

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

**Mr. Barker appointed to council vacancy for unexpired ending
December 31, 2019**

Relative to the Council President’s motion to appoint Shane Barker to the council vacancy and during roll
Councilor Bilkie* stated council experience was an important factor in his decision to approve Mr.
Barker’s appointment.

Councilor Brandt** agreed. Experience in the position as Mr. Barker has had is important. Ms. Brandt
thanked everyone who applied. Ms. Brandt said she was thrilled by how many residents expressed an
interest in the vacancy.

Council President Tulley*** encouraged the ten other applicants who applied to the vacancy to stay
involved in City activities and if they are still committed to serving on Council to seek elected office
during the 2019 elections. Ms. Tulley added as a member of Council with the most tenure on Council
she is looking forward to working again Mr. Barker because of his knowledge of city matters and
Council’s role in the city functions.

Councilor Ventura**** stated he agreed with the reasons expressed by each of his fellow council
members.

There being no further business and by majority on a voice vote the Special meeting of Council was
adjourned at 7:35 p.m.