

Record of Proceedings

Regular Council Meeting

October 11, 2018

Presiding Officer, Mayor Nicholas Molnar called the October 11 regular meeting to order at 7:36 p.m.

Present: Mayor Nicholas Molnar, Council President Jan Tulley and Council members' Shane Barker, Kevin Bilkie, Jessica Brandt and Vini J. Ventura; Law Director Mark Guidetti and Council Clerk Josephine Arceci.

Absent:

PLEDGE OF ALLEGIANCE & INVOCATION led by City Chaplin Tom O'Brien, Nordonia Hills American Legion 801.

MINUTES Ms. Tulley moved, Mr. Ventura seconded and motion carried by unanimously on a voice vote to approve to the minutes of the regular meeting of September 27, 2018.

FINANCIAL REPORT Mr. Bilkie moved, Ms. Brandt seconded and motion carried unanimously on a voice vote acknowledging receipt of Financial Reported dated September 27, 2018.

PUBLIC COMMENTS

Rachel Stevenson, a member of Citizen's Advisory Committee asked for support of Issue 8, the proposed tax levy (renewal and increase) that benefits Summit County Children Services, the only agency within Summit County providing help for children who have been abused and neglected. The renewal is for 2.25 mills and the increase is 1 mill. Children Services has not had new funds in 30-years Ms. Stevenson said, thus the reason for the 1 mill increase. Since 2008 revenue has decreased by \$58.6 million dollars. Ms. Stevenson added 60% of the agency's funding is derived from levy dollars. Ohio continues to rate last throughout the nation Ms. Stevenson said in supporting child welfare agencies. Currently SCCS assists 1 in 12 children in Summit County. The opioid epidemic has exacerbated the need for services. Ms. Stevenson asked Macedonia residents to support Issue 8 because of the seriousness of the agency's financial situation.

INTRODUCTION, READINGS & ADOPTION OF LEGISLATION

ORD. NO. 104 -2018

AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF JODI MEYER TO THE POSITION OF PART-TIME POLICE AND FIRE DISPATCHER 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. 104-2018** and post according to law. **ORD. NO. 104-2018 declared adopted.**

RES. NO. 105 -2018

A RESOLUTION APPOINTING ROY METZEL TO THE CITY OF MACEDONIA BOARD OF TAX REVIEW was **offered** by Mr. Barker 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. Barker moved, Mr. Bilkie seconded, motion carried unanimously on a voice vote **to adopt RES. NO. 105-2018** and post according to law. **RES. NO. 105-2018 declared adopted.**

Relative to RES. NOS. 104 & 105-2018 Mayor Molnar explained both appointments required confirmation by Council but as mayor his appointment of Richard Iofredda to the board did not require councilmatic action.

RES. NO. 106-2018

A RESOLUTION APPOINTING TOM ZARANEC TO THE CITY OF MACEDONIA BOARD OF TAX REVIEW 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. Ventura carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Bilkie seconded, motion carried unanimously on a voice vote **to adopt RES. NO. 106-2018** and post according to law. **RES. NO. 106-2018 declared adopted.**

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ORD. NO. 107 -2018 (Culvers Restaurant PP#33-12849)

AN ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCEL, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43 was offered by Ms. Brandt for its **first reading by title only**. A second not required.

ORD. NO. 108 -2018 (KFC Restaurant PP #33-03809)

AN ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCEL, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43 was offered by Mr. Bilkie for its **first reading by title only**. A second not required.

Relative to ORD. NOS. 107 & 108-2018, Councilor Brandt provided a brief explanation of the other TIF's Council has approved with Finance Director Hall adding that tax increment financing is an economic tool many communities utilize in part because school systems are left whole, that is they continue to receive the property tax dollars they would normally receive.

MOTIONS AND/OR OTHER LEGISLATIVE ACTION None

CORRESPONDENCE Letter from Carol Zawada to Mayor Molnar in which Ms. Zawada express appreciation as a widow for the services provided relative to her yard by Service Director John Hnottavange and service department employees Mike DeBrouse, Rob Prezybylski, Bob Blazek, Nick Favazzo and Jayson McRitchie.

MAYOR'S REPORT

~ Mayor Molnar reported Mayor's Court revenue for September was \$37,223.50.

~ Mayor Molnar stated, "As I think about the upcoming levy, Issue 20, I began to consider the past. We have successfully built up our safety forces to a level that is not only accepted in the industry but proven with our ability to perform. Our police have worked hard to keep us safe while catching the wrongdoers that think their crime will exhibit success in Macedonia. Most of you are aware of the issues we experienced of late including a bank robbery, theft in retail and the isolated incident we experienced at Longwood Park. The key point I want to convey is we caught them all. Obviously we are working on prevention and early detection of crime but keep in mind, Macedonia's police officers care for this community and take safety very seriously. At no point will we give up on our diligence of keeping you safe.

The fire department has an ISO rating of 2. There are very few communities that can raise that flag and proudly state such. Most of the calls are reached within two minutes and we all know how critical that is. When we experience an emergency with our loved ones or ourselves, speed is of the essence, sometimes for survival. Think about that, life or death can come down to minutes or even seconds. By having an ISO rating 2 tells a story. You may ask what that means and it is simply a statistical rating based on risk. There are a handful of departments in Ohio that hold this rating and we need to maintain and understand why this is critical.

The service department is also critical in keeping Macedonia residents safe. If you think about snow and ice control in Ohio it is easy to recognize the importance. When a person makes a 911 call and the road are not clear, there is a profound impact on the ability to serve. When there is a road hazard such as a pot hole or a downed tree there is a need for an immediate correction. Service is vaster than just the few items I stated, but the need is

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real and the need is now. The buildings our service department operates from are old and dilapidated and in need of repair that cannot be funded.

Our general fund revenue is around 14 million dollars annually and we utilize our funds in great part for safety. Our projected carryover in 2019 is \$477,969.40. The industry standard is to have a carryover of 20% of the annual budget which would be \$2.8 million. We need to also state that if this levy passes, only 26% of residents will be contributing. Some of the reasons why include the fact that this not affect pension or social security for seniors. Essentially, if you are in this realm, a yes vote costs you nothing, but keeps your safety forces whole. I want to reiterate, only 26% of our residents are affected.

I would also like to touch on some of the information I have seen from those who feel this levy is unnecessary. I want to point out that the previous levy that passed has funded our roads and recreation center which is evident in the 33 roads we paved this year. Those funds were earmarked for those specific items and cannot be used anywhere else due to the reallocation of general fund portion that went from 82.5% to 77.8%. The increase in our annual budget is solely due to that levy and has not helped our other needs. Secondly, the Sioux Lane culvert was funded by NEORS. The way that worked is we all pay our water and sewer bills and a portion of that money get distributed back to Macedonia for major storm water needs. The only catch is Macedonia must put the money up front and then it gets reimbursed upon completion of the project. Again, those funds can only be used for specific purposes. Third, NEORS cost share is only \$205,000 for storm water repair, not \$225,000 which it was originally thought to be since NEORS estimates it only collects 90%.

The reason I bring this to light is the false items that you will likely get in an 11th hour flyer in your newspaper box. Unlike the party that is providing that information, we have to be truthful and honest and we can back up all of our statements with flyers with facts checked by the state. I am asking all of our residents to be wary of any propaganda you receive that does not provide a name of who supplied the information. There is a reason why you don't see a name. This community however is wise and can see through the false information so as to make decisions can be based on fact. You will notice we have our name on all of the informational flyers. I am asking you to consider keeping our safety a priority with a yes vote to continue staying a thriving, safe community.

To sum these items up, we need equipment, i.e., aerial ladder truck, ambulances, police cars, body cams, emergency radio system, increased staff to support needs and building repairs. These are critical needs and not a want but a need. If you want more information I would encourage you to contact Rhonda Hall, Macedonia's finance director at 330.468.8359, or go to the City's website, www.macedonia.oh.us and Facebook, Twitter and Instagram. You can also contact my office or any council person as they can also elaborate on any questions you may have."

COMMITTEE REPORTS:

Finance Committee of the Whole Councilor Bilkie reported Council held a finance meeting just prior to this meeting at which time options, Plan A and Plan B were discussed relative to the passage of the income tax increase. If voters approve the levy Mr. Bilkie said Plan A will be implemented. If not then Plan B which eliminates many convenient services will be imposed. Council has promised to use the tax increase as proposed as it did relative to last year's tax increase, that is last year's increase was earmarked for road improvements roads were done, 42 in last two years.

Parks & Recreation Commission Councilor Brandt reminded residents that P&RC meeting are held the first Wednesday of the month in the upstairs conference room of the Recreation Center. Ms. Brandt announced that Karen Bartolozzi, chairperson for the P&RC "mapped" the walking paths in Longwood Park. Ms. Bartolozzi and committee member Jeremy DeBenedictis have been developing a five year plan relative to the continued development of Longwood Park. The P&RC continues their focus on upgrading the baseball fields and other numerous amenities the park offers.

Longwood Manor Historical Society Council Brandt reported on behalf of John Cassmer, president of LMHS that the South patio of the Manor House. The patio will be used in the future for outside gatherings. Restoration to the outside of the Manor House will continue as long as the weather permits. There are plans to place a dehumidifier in the basement as well as one on the second floor to prevent mildew. Two hundred people walked through the first floor of Manor House during the week-end of the

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Wizard of Oz festival. LMHS volunteers provided tours and answered questions. Thanks was extended to Macedonia's service department for help provided in getting the Manor House ready for the event. The next planned activity by the LMHS is a "Meet and Greet Santa and Ms Claus" which will be held in December the date and time to be announced at a later time.

DEPARTMENT REPORTS:

Service Department Director Hnottavange reported the leaf collection program is scheduled to begin Monday, October 22nd. Two crews are being assigned to collection, one crew on the north side of the city the other crew to the south side. The "street activity sheet" which shows what street is being done when can be viewed on Macedonia's website Mr. Hnottavange stated. Final collection is anticipated the week of November 26. Residents are reminded that leaves should be piled in wind rows. The rows should not be more than 10' from the edge of road and they should be placed 10' away from all roadside obstructions, i.e. mailboxes, trees, hydrants, street signs, etc. Leaf piles should be off of the roadway entirely and out of ditches so water flow is not obstructed. Leaf piles should contain only leaves. Please, no debris Mr. Hnottavange added. If this occurs residents will receive notice of noncompliance which will have to be resolved before the next round of collection.

Building Commissioner

Engineer Mr. Gigliotti reiterated a total of 42 roads have been part of this year's and last year's road improvement program. Nine roads were completed in 2017 and the remaining 33 will be completed by year's end.

Recreation Department Director Manley announced the Recreation Center will be closed from October 22-28 for annual maintenance and cleaning. During this period new flooring will be installed, the weight room will be expanded by 1000 feet, areas of the first and second floor will be painted, many areas of lighting will be upgraded to LED's, the pools will be drained and mechanical services performed and the wall separating the new locker room with the main building will be removed.

Finance Department Director Hall reiterated that 26.27% of the proposed income tax increase will be generated from earnings of Macedonia residents primarily because the 1 mill property tax fire levy is expiring at the end of 2018. The remaining percentage, 73.73% will from non-resident earnings. Macedonia maintains one of the lowest income tax rates in the area Ms. Hall stated. The city of Bedford tax rate is 3%, Warrensville Heights is 2.75%, the cities of Akron, Cleveland, Maple Heights, Oakwood and Walton Hills are at 2.5% she added.

Councilor Brandt interjected many communities do not offer their residents 100% tax credit.

Ms. Hall added the city of Brecksville recently through councilmatic action eliminated the 100% tax credit it had offered it residents.

Fire Department Chief Black announced the Macedonia Firefighter Association Annual Halloween Party is Sunday, October 26 from 4-6pm. The party is being held at Station 1 where participants can ride on the fire truck, receive candy bags and have their costumes judged. Traditional trick or treat night is Wednesday, October 31 from 6-8pm. Bright costumes and flashlights and parent supervision was encouraged. The Firefighters Association's annual Pancake and Sausage Breakfast is Sunday November 4 from 8 to 1 p.m.

Police Department Chief Golden reported that Summit County Council is contemplating repealing its pan-handling ordinance because the ACLU contends the County's ordinance as it is written is unconstitutional. The Summit County Chiefs Association Chief Golden added has been discussing pan-handling because of various concerns. Macedonia does not have a pan-handling ordinance. However, Chief Golden said if a person asks for money on private property, like at a business like Speedway or Get-Go the aggrieved person should report the pan-handling to the property owner. If the property owner /business owner calls the police department, the department can charge the individual pan-handling with trespassing.

Law Department Law Director Guidetti announced the Nordonia Hills school district and the Cuyahoga Valley Vocational School were notified of the two different TIFs being considered by Council. Each school system has two weeks to respond to the notice. Mr. Guidetti reiterated the school system will continue to receive 100% of property tax proceeds relative to each TIF parcel. The school systems will not be impacted negatively. The school's portion of property tax generated from each of parcel remains

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whole. Regarding pan-handling, Mr. Guidetti said about 60 communities, like Summit County were notified by the ACLU. At this point Summit County has not repealed their ordinance however the County is not enforcing.

Unfinished business None.

New business Mayor Molnar announced that Norfolk Southern is closing the Twinsburg Road rail crossing on Monday, October 22 for a period of two weeks for repairs. The City will post signs to that effect. Bavaria Road business owners have been advised by letters of the closure.

Regarding another topic, Councilor Bilkie commended the coach of Macedonia's Manta Ray swim team who after two decades of coaching has retired.

There being no further business Council by majority on a voice vote adjourned its regular meeting at 8:11 p.m.