

Record of Proceedings

Regular Council Meeting

September 27, 2018

Presiding Officer, Mayor Nicholas Molnar called the September 27 regular meeting to order at 7:35 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 13, 2018.

**FINANCIAL REPORT** Mr. Bilkie moved, Mr. Ventura seconded and motion carried by unanimously on a voice vote acknowledging receipt of Financial Report dated August 31, 2018.

**PUBLIC COMMENTS**

~**Karen Bartolozzi, Driftwood Lane** understands she said the rationale of city officials to pay for removing snow and cleaning the gutters for seniors' citizens who are below a certain income threshold particularly because each task presents safety risks. However, it bothersome to her that \$15,000 is also being allocated to subsidize their trash removal. Since moving to Macedonia, Ms. Bartolozzi said she has not been in support of subsidizing the cost of removing trash/ Ms. Bartolozzi asked when the Recreation Center locker rooms will be completed.

Councilor Bilkie informed Ms. Bartolozzi regarding the senior programs that at this point funds have simply been budgeted. No expenditures have been made.

Mayor Molnar interjected regarding the senior programs that the intent of all three is to help seniors with limited incomes to continue to live in their homes. If Macedonia's revenue was flourishing the nominal cost of these programs would be a non issue Mayor Molnar stated. If however the tax levy on the November ballot fails, all three programs will be repealed. Regarding the locker rooms, Mayor Molnar optimistically anticipates the project will be completed by the end of December.

~**Vince Viglucci, 950 Brookpoint Drive** expressed support for Issue 20 because he said the tangible benefits derived from increased revenue. The road levy Macedonia voters approved in 2017 is an example Mr. Viglucci stated of how increased tax dollars were used as promised. The increase was earmarked for a specific purpose and that purpose has become a reality as evidenced by the numerous roads repaved this year. Taxpayers with earned income of \$50,000 will pay about \$125, a small price to pay for increased safety and city services Mr. Viglucci stated. The need for a new aerial fire truck has well documented. And as a prosecutor Mr. Viglucci fully understands he said the value of updated 21<sup>st</sup> century equipment for police officers such as body cams and properly operating police cruiser video cameras. Mr. Viglucci said body cams have proved to be invaluable; they have totally changed how prosecutors charge cases. Keeping the SRO position, the school resource officer in Macedonia's schools is equally important for obviously reasons. For Mr. Viglucci the SRO was vital when he prosecuted in juvenile court.

**INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

ORD. NO. 82- 2018

AN ORDINANCE CREATING SECTION 161.23 OF CODIFIED ORDINANCES PROHIBITING NEPOTISM IN MACEDONIA HIRING PRACTICES was offered by Ms. Tulley for its third reading by title only. A second not required.

Ms. Tulley moved, Mr. Ventura seconded and motion carried unanimously on a voice vote to amend **ORD. NO. 82-2018, Section 1, CO 161.23 (a) by added the following sentence. "Employment resulting from competitive examination pursuant to the City Civil Service regulations is also exempt from this restriction."**

Mr. Bilkie moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 82-2018 as amended** and post according to law. **ORD. NO. 82-2018 declared adopted as amended.**

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**ORD. NO. 83- 2018**

AN ORDINANCE CREATING SECTION 712 OF THE CITY OF MACEDONIA'S CODIFIED ORDINANCES RELATIVE TO SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES was **offered** by Ms. Brandt for its **third reading by title only**. A second not required.

Ms. Brandt moved, Mr. Bilkie seconded, motion carried by majority on a voice vote **to adopt ORD. NO. 83-2018** and post according to law. Ms. Tulley abstained. **ORD. NO. 83-2018 declared adopted.**

Relative to ORD. NO. 83-2018, Law Director Guidetti explained the regulations Council just implemented, which have been implemented administratively are a result of litigation initiated following the General Assembly passing small cell legislations. As of yesterday Mr. Guidetti said the FCC enacted federal regulations. These regulations will be implemented 30-days of filing with the federal register. This action may require that newly created Section 712 may need to be amended Mr. Guidetti added.

**ORD. NO. 96 -2018**

AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 97-2017 FOR ADDITIONAL EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD ENDING 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 Mr. Ventura carried unanimously on a voice vote.

Mr. Bilkie moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 96-2018** and post according to law. **ORD. NO. 96-2018 declared adopted.**

**ORD. NO. 97 -2018**

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A NEW HVAC SYSTEM FOR THE MACEDONIA FAMILY RECREATION CENTER 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. Barker carried unanimously on a voice vote.

Ms. Brandt moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 97-2018** and post according to law. **ORD. NO. 97-2018 declared adopted.**

Relative to ORD. NO. 97-2018, Law Director Guidetti explained the ordinance is an emergency measure because of the time constraints. The project, locked into construction season prevents the time necessary to bid the system.

**ORD. NO. 98 -2018**

AN ORDINANCE APPROPRIATING FUNDS AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH VALLEY VIEW PROPERTY MANAGEMENT FOR A SENIOR GUTTER CLEANING PROGRAM FOR THE FALL 2018 SEASON 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. Bilkie carried unanimously on a voice vote.

Mr. Ventura moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 98-2018** and post according to law. **ORD. NO. 98-2018 declared adopted.**

**ORD. NO. 99 -2018**

AN ORDINANCE PROVIDING FOR A SENIOR SNOW REMOVAL PROGRAM FOR THE 2018-2018 WINTER SEASON 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 Ms. Tulley carried unanimously on a voice vote.

Mr. Barker moved, Mr. Ventura seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 99-2018** and post according to law. **ORD. NO. 99-2018 declared adopted.**

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**ORD. NO. 100-2018**

AN ORDINANCE PROVIDING FOR AND AUTHORIZING A REFUSE COLLECTION SUBSIDY FOR SENIOR CITIZENS AND MAKING APPROPRIATION FOR THAT SUBSIDY 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. Bilkie seconded, motion carried unanimously on a voice vote **to adopt ORD. NO. 100-2018** and post according to law. **ORD. NO. 100-2018 declared adopted.**

Relative to ORD. NOS. 98, 99 & 100-2018, Council President Tulley explained Council approved the ordinances in part because the time needed to register and review each registration. However, she added, while funds were appropriated Council will repeal the ordinances if the levy fails.

**RES. NO. 101-2018**

A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PROPERTY BY THE SERVICE DEPARTMENT OF THE CITY OF MACEDONIA IN ACCORDANCE WITH CITY OF MACEDONIA CODIFIED ORDINANCE SECTION 121.05 AND OHIO REVISED CODE SECTION 721.15 SUBSIDY 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 RES. NO. 101-2018** and post according to law. **RES. NO. 101-2018 declared adopted.**

**RES. NO. 102-2018**

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICE 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 Ms. Tulley carried unanimously on a voice vote.

Mr. Barker moved, Ms. Tulley seconded, motion carried unanimously on a voice vote **to adopt RES. NO. 102-2018** and post according to law. **RES. NO. 102-2018 declared adopted.**

**RES. NO. 103 -2018**

A RESOLUTION AUTHORIZING THE ADVANCE OF LOCAL TAXES BY THE SUMMIT COUNTY FISCAL OFFICE TO THE CITY OF MACEDONIA FOR 2018 TAX YEAR PAYABLE IN 2019 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 RES. NO. 103-2018** and post according to law. **RES. NO. 103-2018 declared adopted.**

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

**CORRESPONDENCE** Letter to Director Manley from Albin J. Weiler in appreciation for what Mr. Weiler described as courteous and helpful Macedonia Family Recreation Center front desk staff.

**MAYOR'S REPORT**

~ Mayor Molnar reported attending monthly meetings of association of mayors has provided insightful. Communities may differ in size, population and demographics but their problems and concerns are not dissimilar. The focus of the majority is maintaining and encouraging commercial growth. The reality is the retail sector is fading in every community. The tech industry on the other hand is booming and communities are recalculating development strategies so as to be included in the tech boom, including Macedonia.

~ Mayor Molnar reported the primary focus of his recent State of the City was Issue 20, Macedonia's income tax levy on the November ballot. The tax revenue generated by the levy will afford Macedonia the ability to replace the fire department's 28-year aerial fire truck which operates on outdated technology. The levy will also afford Macedonia the ability to retain three full-fighters currently funded

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by the 1 mill property tax, which expires at year end. Part-time staffing of firefighters will also be effected if the levy fails. The police department is in serious need of updated equipment. The department operates with radio system less than 800 MHz. In order to be in parity with the surrounding communities and the County the department needs to operate on the 800 system. This system comes at a cost of \$400,000. Police officer body cameras and video camera for the police cruisers are also on the list of needs. If the levy passes the Mayor also anticipates increasing police department staffing primarily because recent spree of crimes has him very concerned. And while all the perpetrators in each instance have been caught keeping Macedonia residents and its business safe have been first and foremost on his mind.

~Trick or Treat is scheduled on its traditional day, the evening of October 31, 2018 between the hours of 6 -8 p.m.

**COMMITTEE REPORTS:**

**Finance Committee of the Whole** Councilor Bilkie announced a finance meeting is scheduled for Thursday, October 11 at 6pm.

**Parks & Recreation Commissoon** Councilor Brandt announced the next P&RC meeting is October 3 at 6pm. Meetings are held the first Wednesday of each month in the upstairs conference room of the Recreation Center.

**DEPARTMENT REPORTS:**

**Service Department** Director Hnottavange reported the installation of the structure for the roof on the addition to the Recreation Center begins tomorrow and should be completed by Monday. Afterwards, sandstone caps will be set and roof cover installed securing the building from inclement weather. Regarding Veterans Memorial Park, nearly all future planned walkways have been prepared. The area for the WW I monument is also being prepared in time for the 100<sup>th</sup> anniversary celebration on November 11. Mr. Hnottavange reminded residents to begin preparing and securing their mailboxes and/or paper boxes before this winter as the City is not liable for boxes damaged by the weight of thrown snow. Macedonia is liable only if plow blade hits the box.

**Building Commissioner**

**Engineer** Mr. Gigliotti reported this year's road paving project is moving along on time and as expected.

Councilor Ventura asked Mr. Gigliotti if Shepard Hills Blvd is slated to be paved now that water main work is finished to which Mr. Gigliotti answered that it is.

Councilor Barker commended how work has progressed relative the recently paved roads and the fact that the dollars earmarked for roads is being used for the roads as promised. Mr. Barker asked Mr. Gigliotti who is responsible for about 10-15 feet of asphalt near the Twinsburg Road Quiet Zone to which Mr. Gigliotti answered since it's the railroad's right-of-way it is under their jurisdiction.

Captain Ripley interjected the fire department was notified that the tracks will be closed for repairs for a period of two weeks starting October 22.

Mayor Molnar added it's disappointing to him that the City is always at the mercy of the railroad. Under the circumstances the City will do it best to inform the public of the closure via Twitter, FB, Instagram and the website.

**Recreation Department** Director Manley announced that a Wizard of Oz Festival is being held in Longwood Park this week-end: September 28- September 30. While not a City sponsored event the Recreation Center is hosting a free "Movie in Park Night" on September 28 as part of the week-end activities. The movie, "Wizard of Oz" will be shown at dusk on the baseball field. The Recreation is also hosting a "Dive-In Movie Night" in the pool on the 29<sup>th</sup> when it will show "Return to Oz". Doors for this event open at 7 p.m. The movie begins at 7:30 p.m. Ms. Manley announced the Recreation Center will be closed from October 22-28 for annual maintenance and cleaning.

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**Finance Department** Director Hall reported income tax receipts for September were \$680,663.56, an increase of only 9% from last year's revenue for the same month which was \$624,468.49. Ms. Hall added she has begun preparing the 2019 budget.

**Fire Department** Captain Ripley in Chief Black's absence had no report.

**Police Department** Chief Golden reported several serious crimes recently were perpetrated in Macedonia. There were no injuries during any of the instances and all the perpetrators have been apprehended. Chief Golden assured residents Macedonia is still a safe community to live in. The Chief added, remaining mindful that all cities experience crime the police department continues to be diligent in crime prevention practices. Chief Golden said in the 25-year history of Macedonia Commons there has only been a few instances of parking lot robberies and in the past five years only one vehicle has been stolen. Macedonia's WalMart has had considerably less inventory shrinkage (theft) compared to the WalMart stores in Aurora/Bainbridge or Streetsboro Chief Golden added.

Mayor Molnar, interjecting explained that through Council action Macedonia took proactive measures towards safety and security particularly regarding the big box stores like WalMart. Now knowing that the Streetsboro WalMart has had greater instances of theft positively supports Macedonia persistence regarding safety and security.

Chief Golden at Mayor Molnar's urging described a recent carjacking at WalMart as an individual parked at the furthest end and darkest area of the WalMart lot had his car stolen from him while he was in process of smoking crack cocaine. The thieves were caught within eight minutes of the department receiving the call about the theft. Neither situation was good Chief Golden stated, but the carjacking occurred in what may be considered unusual circumstances. Chief Golden also addressed a recent bank robbery, a theft at Dunkin Donuts and an incident that started in Longwood Park and ended in the city of Twinsburg.

Mayor Molnar warned Longwood Park is monitored by video cameras. Longwood is a family friendly recreation destination and everything is being done to keep the park safe and appealing for everyone who visits. Regarding WalMart, Mayor Molnar feels Macedonia's police presence in and outside the store has been a deterrent to would-be thieves.

**Law Department** Law Director Guidetti interjected the information relative to the incidences Chief Golden described are alleged at this time.

**Unfinished business** None.

**New business** Councilor Brandt announced "Council Hours" on October 11 had been cancelled due to finance meeting of Committee of the Whole at 6 p.m. that evening.

There being no further business Council by majority on a voice vote adjourned its regular meeting at 8:15 p.m.