

Record of Proceedings

Regular Council Meeting

August 22, 2019

Presiding Officer, Mayor Nicholas Molnar called the August 22 regular meeting to order at 7:30 p.m.

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

INVOCATION & PLEDGE OF ALLEGIANCE: Chaplain Tom O'Brien of Nordonia Hills American Legion 801.

MINUTES Ms. Tulley moved, Mr. Ventura seconded and motion carried unanimously on a voice vote approving the minutes of the regular meeting of July 11, 2019.

FINANCIAL REPORT Mr. Bilkie moved, Ms. Brandt seconded and motion carried unanimously on a voice vote acknowledging receipt of Financial Report dated June 30, 2019.

PROCLAMATION Proclaiming August 22, 2019 Reineckers Day

Reineckers Bakery celebrating its 60-Year Anniversary in the United States opening its current location, 8575 S. Freeway Drive in 1972, five years after Richard and Magdalena Reinecker purchased land in Macedonia. Founder Richard, a master baker known as a baeckermeister in German brought with him from his native Germany his baking expertise and family recipes as old as 300-years. The delicacies that he and Magdalena prepared in the early years of their business continue to be found at over 200 locations throughout Ohio. Today owners and siblings Rick, Heidi and Caroline Reinecker continue their parent's traditions and legacy: strong work ethic, commitment to their craft and community pride and thoughtfulness.

RECOGNITION Caitlin Albright, Community Outreach Liaison for NOPEC was present to explain that in 2016 NOPEC created the Recognition Program for the purpose of allowing community officials to acknowledge the hard work and dedication of their colleagues. Ms. Albright stated that over the last three years, fiscal officers, council clerks, fire and police chiefs as well as executive assistants have been acknowledged. Recognition is being given tonight Ms. Albright announced to Executive Administration Assistant Diana Augustine, who was nominated for recognition by Mayor Molnar. Ms. Albright said Mayor Molnar's nomination read as follows:

"I am nominating Diana for her unending dedication and commitment to the City of Macedonia and our residents. Diana is always willing to take a question or concern and find the best path for resolve. Her ability to help residents in need and keep the Mayor's office running efficiently is unmatched. Diana's demeanor is one to thoughtful encouragement that uplifts all spirits around her. I can't say enough positive things about Diana to express the appreciation we all have for her."

Ms. Augustine who was present was totally taken aback by the nomination. Unbeknownst to Ms. Augustine as well was that her daughter Michelle Togliatti and husband Anthony, mayor of the city of Independence and their children Anthony and Dominic were present to be part of the recognition ceremony. Ms. Augustine, humbled by the nomination thanked Mayor Molnar for the honor. Ms. Augustine added that she has always felt welcomed in Macedonia. The family atmosphere that permeates

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city hall and the community makes giving back and helping residents a very easy and natural thing to do she said.

PUBLIC COMMENTS

~ **Steve Stahl**, resident of Monroe Falls and probation officer and chief of security for Stow Municipal Court announced his candidacy for position of Stow Clerk of Court.

READINGS & ADOPTION OF LEGISLATION

ORD. NO. 53 -2019

AN EMERGENCY ORDINANCE RATIFYING THE COLLECTIVE BARGAINING AGREEMENTS FOR SERGEANTS, PATROLMEN AND DISPATCHERS FOR THE YEARS 2017, 2018 AND 2019 WITH THE OHIO PATROLMAN'S BENEVOLENT ASSOCIATION 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 its second and third readings**. Second by Ms. Tulley authorizing the same carried unanimously on a voice vote.

Mr. Barker moved, Ms. Tulley seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 53-2019 and post same according to law. ORD. NO. 53-2019 declared adopted.**

RES. NO. 61A-2019

A RESOLUTION OF NECESSITY TO CONVERT THE CITY OF MACEDONIA WATER MAINTENANCE AND EXPANSION FUND COLLECTIONS TO A SPECIAL ASSESSMENT RELATIVE TO THE SERVICES OF THE MUNICIPAL WATER SYSTEM, 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 by **title only for its second and third readings**. Second by Mr. Bilkie authorizing the same carried unanimously on a voice vote.

Mr. Ventura moved, Mr. Bilkie seconded, and motion **carried unanimously on a voice vote to adopt RES. NO. 61A-2019 and post same according to law. RES. NO. 61A-2019 declared adopted.**

Relative to RES. NO 61A-2019, Finance Director Veres explained he proposed placing the annual WM&E fee on the tax duplicate of each parcel to simplify and streamline the invoicing process. Currently 5,000 invoices are issued annually costing not just postage but many man hours. In spite of every effort, hundreds of invoices are returned, another unnecessary cost. All this will be eliminated once the fee is placed on the duplicate. The County will simply remit the fee to Macedonia as it does the property taxes Mr. Veres added.

RES. NO. 64-2019

A RESOLUTION ADOPTING THE SUMMIT COUNTY HAZARD MITIGATION PLAN, AND DECLARING AN EMERGENCY 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 authorizing the same carried unanimously on a voice vote.

Ms. Brandt moved, Ms. Tulley seconded, and motion **carried unanimously on a voice vote to adopt RES. NO. 64-2019 and post same according to law. RES. NO. 64-2019 declared adopted.**

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RES. NO. 65- 2019

A RESOLUTION AUTHORIZING THE MAYOR TO TAKE SUCH STEPS NECESSARY TO APPLY FOR FUNDING FROM THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FEDERAL FUNDING FOR THE RESURFACING OF HIGHLAND ROAD FROM SOUTH BEDFORD ROAD TO EMPIRE PARKWAY 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 authorizing the same carried unanimously on a voice vote.

Mr. Ventura moved, Mr. Bilkie seconded, and motion **carried unanimously on a voice vote to adopt RES. NO. 65-2019 and post same according to law. RES. NO. 65-2019 declared adopted.**

RES. NO. 66-2019

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS, BIDS AND SPECIFICATIONS AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS TO ENTER INTO CONTRACTS FOR VARIOUS ROADWAYS RELATIVE TO THE 2019 PAVEMENT MARKING PROGRAM 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. Brandt authorizing the same carried unanimously on a voice vote.

Mr. Bilkie moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt RES. NO. 66-2019 and post same according to law. RES. NO. 66-2019 declared adopted.**

RES. NO. 67- 2019

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR FUNDING FROM THE OHIO ASSOCIATION OF REGIONAL COUNCIL THROUGH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDING ASSISTANCE 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 authorizing the same carried unanimously on a voice vote.

Mr. Barker moved, Ms. Tulley seconded, and motion **carried unanimously on a voice vote to adopt RES. NO. 67-2019 and post same according to law. RES. NO. 67-2019 declared adopted.**

Relative to RES. NO. 67-2019, City Engineer Gigliotti explained the 80/20 grant if received would fund adding turn lanes to the dangerous intersection of Valley View and Highland Roads. The estimated cost of improving the intersection including land acquisition is about \$2M dollars.

RES. NO. 68-2019

A RESOLUTION AUTHORIZING THE MAYOR TO GIVE CONSENT TO THE DIRECTOR OF TRANSPORTATION TO REPLACE CERTAIN SIGNAGE ALONG STATE ROUTE 82, AND DECLARING IT AN EMERGENCY 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 authorizing the same carried unanimously on a voice vote.

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Ms. Brandt moved, Mr. Bilkie seconded, and motion **carried unanimously on a voice vote to adopt RES. NO. 68-2019 and post same according to law. RES. NO. 68-2019 declared adopted.**

ORD. NO. 69 – 2019

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 51-2019 RELATIVE TO THE COMPENSATION SCHEDULE FOR THE NON-UNION CITY EMPLOYEES OF MACEDONIA was **offered** by Mr. Ventura for **its first reading by title only**. A second not required.

ORD. NO. 70 – 2019

AN ORDINANCE CREATING A PLANNED CAPITAL PURCHASE PROGRAM, AND DECLARING IT 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 by **title only for all three readings**. Second by Mr. Ventura authorizing the same carried unanimously on a voice vote.

Mr. Bilkie moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 70-2019 and post same according to law. ORD. NO. 70-2019 declared adopted.**

Relative to ORD. NO. 70-2019, Finance Director Veres explained by creating and implementing a PCPP allows the city to set funds aside annually for specific capital purposes. Without authorization of the program, purchase orders under current audit constraints are not allowed to remain open from one fiscal year to another. The PCPP allows a PO to remain open from one year to another and thus gives the City more flexibility within its budget and greater opportunity to fiscally plan more responsibility for future capital expenses.

ORD. NO. 71-2019

AN ORDINANCE AUTHORIZING THE MAYOR TO CONTINUE THE AGREEMENT WITH BROWNING FERRIS INDUSTRIES OF OHIO, INC. (REPUBLIC SERVICES) FOR AUTOMATED RESIDENTIAL SOLID WASTE COLLECTION, DISPOSAL AND RECYCLING SERVICES FOR A FIVE YEAR PERIOD BEGINNING DECEMBER 1, 2019 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. Barker authorizing the same carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 71-2019 and post same according to law. ORD. NO. 71-2019 declared adopted.**

ORD. NO. 72 – 2019

AN EMERGENCY ORDINANCE AUTHORIZING THE PURCHASE AND INSTALLATION OF 4RE/VISTA HARDWARE FOR THE IN-CAR DVR CAMERA SYSTEMS AND IN-HOUSE SERVER 2019 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. Bilkie authorizing the same carried unanimously on a voice vote.

Mr. Barker moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 72-2019 and post same according to law. ORD. NO. 72-2019 declared adopted**

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ORD. NO. 73-2019

AN ORDINANCE AMENDING SECTION 351.20 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA RELATIVE TO PARKING PROHIBITED ON SPECIFIC STREETS was **offered** by Ms. Brandt for its **first reading by title only**. A second not required.

ORD. NO. 74 – 2019

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH AVERO ADVISORS FOR CERTAIN RECRUITMENT SERVICES 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 authorizing the same carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 74-2019 and post same according to law. ORD. NO. 74-2019 declared adopted**

ORD. NO. 75 – 2019

AN EMERGENCY ORDINANCE AUTHORIZING AN AMENDMENT TO THE NORTHFIELD CENTER TOWNSHIP-MACEDONIA JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT REGARDING THE ADDITION OF 21.5373 ACRES OF LAND TO BE PLACED INTO THE TERRITORY OF THE JEDD was **offered** by Mr. Ventura for its **first reading by title only**. A second not required.

Public Hearing for said ordinance: Mr. Ventura moved, Mr. Bilkie seconded and motion carried unanimously on a voice vote to schedule a public hearing for October 10, 2019 at 7:00 p.m., for the purpose of hearing comment relative to Ordinance No. 75- 2019.

ORD. NO. 76- 2019

AN ORDINANCE PROVIDING FOR AND AUTHORIZING A REFUSE COLLECTION SUBSIDY FOR SENIOR CITIZENS AND MAKING APPROPRIATION FOR THAT SUBSIDY 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 through Section 2 for all three readings**. Second by Ms. Tulley authorizing the same carried unanimously on a voice vote.

Mr. Barker moved, Ms. Tulley seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 76-2019 and post same according to law. ORD. NO. 76-2019 declared adopted**

ORD. NO. 77 -2019

AN 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 2019 SEASON 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 authorizing the same carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 77-2019 and post same according to law. ORD. NO. 77-2019 declared adopted**

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ORD. NO. 78– 2019

AN ORDINANCE PROVIDING FOR A SENIOR SNOW REMOVAL PROGRAM FOR THE 2019 – 2020 WINTER SEASON 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 authorizing the same carried unanimously on a voice vote.

Ms. Tulley moved, Mr. Ventura seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 78-2019 and post same according to law. ORD. NO. 78-2019 declared adopted.**

Relative to ORD. NO. 77 & 78-2019 respectively, Council President Tulley reminded seniors eligible for their gutters to be cleaned that it is a one- time event performed in the fall and that snow removal is one push within a 24-hour time period when new snowfall reaches 3 inches.

MOTIONS / OTHER LEGISLATIVE ACTION: None

CORRESPONDENCE: None.

MAYOR’S REPORT:

~ Mayor announced that the Audit Committee, Cable Consortium and Civil Service Commission each have openings for new members and encouraged residents finding interest in any of them to apply.

~ Mayor announced that the Akron Zoo is sponsoring Community Appreciation Days from September 10-15 for residents of Macedonia, Northfield Village, Northfield Center and Sagamore Hills. Free tickets to the zoo during those days are available at several locations two of which in Macedonia are Macedonia City Center and the Macedonia Family Recreation Center. The free tickets are available from August 27 –September 6. The limit is four tickets per household while supplies last. Parking, the cost per car is \$3 is not included. Zoo hours are 10 am – 5 pm.

~Mayor announced that the renovation and bathroom expansion at the Recreation Center have taken much longer than ever expected in part because of rather significant snafus’ along the way related to safety issues. In addition to insuring all safety concerns are being addressed, co-ordination of the many moving parts associated with large project renovations has been a daunting task for Directors Hnottavange and Manley said the Mayor. The Mayor stated, fingers crossed, the renovation may be completed in 30-days or so. Regardless of the timeframe the opening will not happen added the Mayor until all safety concerns has been addressed.

~Mayor announced for years the City has taken on the responsibility of trimming street trees in throughout Macedonia. Recently however legislation was adopted to amend that process, meaning the City will no longer be taking on that responsibility. That said, service crew have been criticized recently for how trees have been trimmed. The Mayor explained the City’s certified arborist fully and carefully instructs the service crew how to correctly and properly trim a tree.

~Mayor reminded residents that work and renovation to their home and/or property requires that the work to be performed must be performed by a contractor registered with Macedonia’s building department.

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~Mayor Molnar reminded motorists as he continues to do; do not drive distracted. Do not text and drive.

COMMITTEE REPORTS

Parks and Recreation Commission Councilor Brandt announced that since P&RC has been discussing creating a 9-hole disc golf course she and commission member Kevin Hunter visited the city of Euclid to see that city's course. The take away from the visit was if Macedonia is going to create a disc course it should be better than what they saw. Ms. Brandt also mentioned that the P&RC continues to brainstorm with the Nordonia Hills Garden Club and LMHS about creating a community garden. Ms. Brandt said the P&RC will be producing a survey for the public to determine a variety of information. The next P&RC meeting is Wednesday, September 4 at 6 pm. The public is encouraged to attend.

Mayor Molnar interjected that he has asked Ms. Manley to research the cost of a splash pad. Mayor Molnar feels financially this project is feasible. Many communities have them; they typically are well received by the public. The long term plan for the Rec Center was to include a basketball court and an outdoor pool. Financially, at least in the near future both projects are cost prohibitive, but a splash pool may not be.

Northfield Macedonia Cemetery Council President Tulley announced as a courtesy because Macedonia is in a "bye" year and not currently a member of the cemetery board that the oldest portion of the wrought iron fence around the cemetery has been removed. Ms. Tulley thanked Dan Davis of the American Legion and other members of the American Legion and Northfield VFW who helped remove the fence and took what was salvageable for use at Veterans Memorial Park. The newest part of the fence still remains. A decision has not been made whether the old fence will be replaced Ms. Tulley added.

DEPARTMENT REPORTS

Service Department Director Hnottavange announced that all ball field lights are installed and fully operational. Mr. Hnottavange reminded residents that Summit County ReWorks has a recycling center for hazardous waste materials (excluding latex paint) on Graham Road, Stow. The center is open from 2- 7 pm every Thursday through September 26th.

Building Commissioner

Engineer Mr. Gigliotti reported this year's road paving project other than the Valley View Road project is generally completed. Valley View Road should be completed in about three weeks Mr. Gigliotti added.

Council President Tulley asked Mr. Gigliotti the status of Our Lady of Guadalupe project to which it was Mayor Molnar who answered that the delay at this point has been as a result of the Catholic Diocese of Cleveland. The Mayor mentioned that today in fact he actually spoke with an official from Bishop Perez's office to express the seriousness and urgency of the project. Mayor Molnar said he felt the conversation went well was fruitful and he is hopeful that resolution is close.

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Council President Tulley factiously asked if Macedonia has to go to the Pope for approval. Ms. Tulley fears she stated that the project will not get underway this year even though trees were cleared early in the year to facilitate in the completion of this project.

Law Director Guidetti told Ms. Tulley her concern is the same as the City's and thus the reason Macedonia has been diligently trying to work with the diocese's in-house attorneys as well as the dioceses' committee type processes, which primarily has been the reason for the delay.

Ms. Tulley also asked about the status of the right –in / right-out access at The Crossings at Golden Link to which Law Director Guidetti answered legislation relative to the statutory sequence/process regarding special assessments will be presented soon.

Ms. Tulley asked as well about the status of the right-in / right-out entrance at Speedway to which Mayor Molnar answered the improvement, totally Speedway's responsibility is forthcoming. The drawing of the upgrade was recently submitted and has been approved the Mayor said.

Recreation Department Director Manley announced registration for all fall youth programs is underway and conveniently available online. Ms. Manley proudly announced that the Recreation Center is hosting its first time ever Craft Beer and Food Truck Festival on Sunday, September 15 from 11:00 – 4 p.m., at Longwood Park. Ms. Manley said the Julia and Dax Mellon Team from Howard Hanna Real Estate Services is the presenting sponsor of the event which will showcase offerings from about 10 local breweries with as many food trucks present. The festival will include as well music and outdoor games for adults and children. The Rec Center is also hosting another first ever event, a Haunted Hayride on Saturday, October 12 from 7 -10 pm. More information about the hayride will be forthcoming. Ms. Manley added the pool areas have been closed this week for annual maintenance and service which can only be done after the pools have been fully drained.

Finance Department Director Veres' thanked and commended Patty Kurcsak of the finance department for meticulously determining employees' retro pay increases for 2018 and increases for 2019. Mr. Veres stated. "Patty has been very busy in finance computing all the retroactive pays for each and every employee. I have been assisting in spreadsheet layouts and reviewing computations as Patty has finished calculating the retro pays. Retro pay calculation was not as simple as taking 2% of the 2018 gross wages and 1% of the 2019 wages to date. Each pay period back to the beginning of 2018 had to be computed individually for each employee to determine the retro pay amount by individual per pay period in order to report them properly to OPERS and Ohio Police and Fire, a very tedious process to say the least. I thank Patty for her extraordinary efforts in completing this monumental task and appreciate the patience and understanding of all the employees."

Fire Department Chief Ripley announced all the fire hydrants district wide have now been flushed for this year. There are about 25 hydrants tagged for replacement he added. The Chief mentioned the new fire safety trailer is due for delivery around the second week in September. Chief Ripley reminded residents that it is illegal to burn yard waste. The EPA and Summit County Air Quality are being more aggressive about citing property owners who violate the law in this regard. Chief Ripley congratulated Councilor and Sheriff's Captain Shane Barker upon his retirement from the department of Summit County Sheriff.

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Police Department Chief Golden reminded residents that school started today, therefore to be mindful of the presence of school age children and school buses in the neighborhoods. The Chief reminded residents as well because he said he receives so many calls about this, that per the Ohio Revised Code, vehicles traveling on a four or more lane highway do not have to stop for a school bus traveling in the opposite direction. The Chief also reminded residents if they do not want to be bothered by solicitors (this excludes, non –profits like church and youth organization or candidates for election) they need to register on the “No Knock List.”

Councilor Ventura thanked and commended Chief Golden for having police officers more visible this week, particularly around the school buildings and some problem areas in the community.

Law Department Law Director Guidetti had no report.

Unfinished business None.

New business None.

EXECUTIVE SESSION

At 8:35 p.m., Ms. Tulley moved, Mr. Ventura seconded to adjourn into Executive Session pursuant to O. R.C. 121.22 (g)(1), to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. (In attendance as well was Law Director Guidetti and Finance Director Veres)

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

At 9:55 p.m., Council reconvened into its regular meeting and there being no further business, called for adjournment from its regular meeting unanimously on voice vote at 9:56 p.m.