

Record of Proceedings

Regular Council Meeting

October 10, 2019

Presiding Officer, Mayor Nicholas Molnar called the October 10 regular meeting to order at 7:30 p.m.

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

Absent: Council member Bilkie (In audience. Not seated on dais pursuant to Res. No. 88-2019)

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 September 26, 2019.

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

PUBLIC COMMENTS None.

READINGS & ADOPTION OF LEGISLATION

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 **third reading by title only**. A second not required.

Mr. Ventura moved, Ms. Brandt seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 75-2019 and post same according to law. ORD. NO. 75-2019 declared adopted.**

Relative to ORD.NO.75-2019 and prior to adoption, Law Director explained as he did during the previously held public hearing that pursuant to the Ohio Revised Code there are several requirements when amending, creating an addendum to the JEDD agreement, in this case proposing adding land to the territory of the JEDD. One of those requirements includes holding a public hearing which has been fulfilled by Macedonia, a party in the JEDD agreement. Another requirement is that the other partner in the JEDD agreement, Northfield Center Township also holds a public hearing and subsequently approves the amendment/ addendum. Explaining further Mr. Guidetti said the request to add 21 plus acres stems from a Consent Decree entered into as a result of litigation between Spitzer, the owner of the property and Northfield Center Township. As part of that Consent Decree Spitzer petitioned for its land to be added to the JEDD. Macedonia's half of the process has concluded tonight. Northfield Center Township will be undertaking similar action and thereafter the JEDD Board will approve the addendum Mr. Guidetti stated.

ORD. NO. 85 -2019

AN ORDINANCE AMENDING CHAPTER 137 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA CREATING THE POSITION OF SERVICE DEPARTMENT SUPERVISOR WITHIN THE DEPARTMENT OF PUBLIC SERVICE was **offered** by Ms. Tulley for its **second reading by title only**. A second not required.

ORD. NO. 86-2019

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NOL 69-2019 RELATIVE TO THE COMPENSATION SCHEDULE OFR THE NON-NION CITY EMPLOYEEES OF MACEDONIA was **offered** by Ms. Brandt for its **second reading by title only**. A second not required.

EXECUTIVE SESSION

At 7:35 p.m., Mr. Brandt moved, Mr. Barker seconded to adjourn into Executive Session pursuant to O. R.C. 121.22 (g)(2), to discuss the purchase of property for public purposes (In attendance as well was Law Director Guidetti)

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

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At 8:46 p.m. Council reconvened into its regular meeting.

ORD. NO. 89 - 2019

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR ACQUIRE A REAL PROPERTY INTEREST IN THE FORMER BEDFORD ANODIZING PROPERTY LOCATED AT 7860 EMPIRE PARKWAY AS PART OF THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) CLOSURE PLAN PROCESS 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 authorizing the same carried unanimously on a voice vote.

Ms. Brandt moved, Mr. Barker seconded and motion carried unanimously on a voice vote to amend ORD. NO. 89-2019, Section 1 to read: “...for a nominal amount, not to exceed One Thousand Dollars (\$1,000)...”

Ms. Brandt moved, Mr. Bilkie seconded, and **motion carried unanimously on a voice vote to adopt ORD. NO. 89-2019, as amended and post same according to law. ORD. NO. 89-2019 declared adopted as amended.**

Relative to ORD. NO. 89-2019 and prior to adoption, Law Director Guidetti explained that an anodizing facility was previously located on this property. Insofar as there were environmental issues associated with parcels the property has been in environmental remediation and evaluation for a number of years. It is to a point now Mr. Guidetti stated that the property is on the list of forfeited properties. The City is currently working with numerous agencies in order for the City to be in the position to acquire it added Mr. Guidetti.

ADDITIONS TO THE AGENDA

ORD. NO. 90 - 2019

Mr. Barker moved, Mr. Ventura seconded and motion carried unanimously on a voice vote to **add to the agenda and waive the 48-Rule regarding ORD. NO. 90-2019: AN ORDINANCE AMENDING ORDINANCE NO. 114-2018 RELATIVE TO CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF JANUARY 1, 2019 TO DECEMBER 31, 2019**

Mr. Barker **offered ORD. NO. 90-2019 for its first reading by title only**. A second not required.

ORD. NO. 91 - 2019

Mr. Ventura moved, Ms. Brandt seconded and motion carried unanimously on a voice vote to **add to the agenda and waive the 48-Rule regarding ORD. NO. 91 – 2019: AN ORDINANCE ESTABLISHING A “TECHNOLOGY ADVANCEMENT FUND”**

Mr. Ventura offered ORD. NO. 91-2019 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.

Mr. Ventura moved, Ms. Brandt seconded, and motion **carried unanimously on a voice vote to adopt ORD. NO. 91-2019, and post same according to law. ORD. NO. 91-2019 declared adopted.**

Relative to ORD. NO. 91-2019 Mayor Molnar explained that over the years, due primarily to financial constraints Macedonia has not stayed abreast with advancements and enhancements to the technological component of city operations. Operating today at less than optimal condition is no longer acceptable the Mayor said so by creating fund specifically earmarking revenues helps in keeping vital operations of the city in optimum condition. Over the last several months the city has experienced numerous problems relative to computer hardware and software as well as the telephone system the Mayor said. Fortunately the problem with communication system never effected the 911 system as it in on a separate system the Mayor added.

MOTIONS / OTHER LEGISLATIVE ACTION: See above, Executive Session

CORRESPONDENCE: None.

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MAYOR'S REPORT

~ Mayor stated the City received numerous calls regarding the letter each property owner received in a "blue envelope" which pertained to the change in the billing method of the \$20.80 Water Maintenance and Expansion fee. The fee first established in 1964 has not increased, but it was the tone of the letter that was off-putting and confusing for many residents. The "blue enveloped" letter was informing residents in a mandatory legal way that instead of the finance department issuing paper invoices on an annual basis like the department had been doing for years, the \$20.80 annual fee has now been placed on the property tax bill of each property owner. Going forward Summit County will remit the \$20.80 to the City on behalf of each property owner. Changing the method of payment was done for efficiency and cost effectiveness. In hindsight the Mayor stated additional information, a brief clarification should have been included in the "blue enveloped" legally written letter.

~Mayor Molnar mentioned there has been a lot of social chatter about the condition, congestion and poor traffic flow at the intersection of Highland and Valley View Roads. In fact a Northfield Center resident even reached out to Council President Tulley about it. The problems at this intersection are not new; they have been ongoing for years Mayor Molnar stated. Remedy is going to be expensive. Just adding turning lanes is estimated to cost \$2 million the Mayor added. The Mayor said since taking office, he, along with Engineer Gigliotti have placed this intersection in the forefront of their concern. ODOT and AMATs have been drawn into the loop help effect resolution.

Engineer Gigliotti interjected the bottom line to seeking resolution is securing funding.

Council President Tulley asked if the traffic study if done at different times of the day because she barely missed being in accident at about 1 p.m., to which Chief Golden advised Ms. Tulley the study is staggered throughout the day. The Chief added the traffic observers noted to him that they underestimated the amount of traffic in the area outside peak traffic hours.

~The Mayor reminded motorists as he continues to do; please do not drive distracted. Please keep the phone down. Do not text and drive.

MAYOR'S STATE OF THE ROAD ADDRESS

Mayor provided a power point presentation explaining Macedonia's pavement condition rating system and current condition of the roads. The pavement condition rating system or PCR, the Mayor explained was developed by the Ohio Department of Transportation. The rating assigned is based on visual inspection of pavement distress. The method provides a procedure that uniformly identifies and describes the severity and extent of pavement distress. The PCR scale is 0-100, 100 being perfect pavement with no observable distress. Excluding state routes and interstate highways, in 2015 the average rating of Macedonia's roads was a PCR of 73.2 or what is considered a rating of fair. Today, that rating is 86.9 or a rating of good. Since 2015 Macedonia has spent \$11,300,000 to improve its road. Of that \$1,170,000 was taken from the General Fund, the remaining difference from revenue generated by the passage of Issue 3, the road levy. Including the 7 roads paved in 2015, 59 roads in total have been improved. The Mayor announced roads to be improved in 2020 include Broadmoor, Highland, Chinaberry Circle, Navajo Trail and N. Melody.

Council President Tulley and Councilor Barker thanked Macedonia residents for approving the road levy for without their support and approval there would not be this specific earmark that generates the revenue needed for the road program.

COMMITTEE REPORTS

Finance Committee of the Whole Councilor Barker announced the next finance meeting is Tuesday, November 12th at 6:30 p.m., at which time 2020 appropriation will continue to be discussed.

Parks and Recreation Commission Councilor Brandt announced the next P&RC meeting is Wednesday October 16 at 6 p.m., at the Recreation Center.

Northfield Macedonia Cemetery Regarding the portion of the wrought iron fence removed from the cemetery Don Davis a member of American Legion 801, whose members removed the fence explained that about 500 linear feet of fence was removed and not easily because each section of the fence was

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embedded in rock. Lead anchored the fence in place in the rock. Mr. Davis said two gates and a portion of the removed fence will be repurposed and installed at Veterans Memorial Park.

DEPARTMENT REPORTS

Service Department Director Hnottavange was not present.

Building Commissioner Commissioner Monoco was not present.

Engineer Mr. Gigliotti reported ODOT anticipates closing the north end of N. Bedford Road the week-end of October 18-19 for demolition of the old I480 Bridge. Since that week-end date has not been formally set notice and detours will be posted as soon as the dates are confirmed Mr. Gigliotti added.

Recreation Department Director Manley reminded residents of the forthcoming family friendly Haunted Hayride being held for all ages on Saturday, October 12th from 7-10pm. Two wagons will be operating that evening and the Girls Scouts will be hosting a concession stand. Although the event is free, donations are welcomed Ms. Manley added. There are also numerous sponsors helping defray some of the cost of the event.

Finance Department Director Veres reported over the next several months he will reiterate in the *eMessenger* information about the change in the billing method of the \$20.80 WM&E fee.

Fire Department Chief Ripley thanked Council for touring the new safety trailer this evening and listening to a brief tutorial about the trailer's many capabilities. Chief Ripley explained the new trailer replaced the original trailer purchased 22-years ago. The purchase of the first trailer and subsequently the second was funded through proceeds from EMS billing. Ten percent of the net proceeds from the billings is earmarked to the F.A.I.R (Fire Awareness Instruction and Respect) program. The townships of Sagamore Hills and Northfield Center are contributing to F.A.I. R through their respective EMS billings the chief added. Chief Ripley mentioned today there was a house fire in Northfield Center at 3 a.m. The family was safe, no one was injured. Chief Ripley reminded residents of the fire department's annual children's Halloween Costume Party on Sunday, October 27 from 4-6pm at fire station 1.

Police Department Chief Golden announced the newly purchased in-car cameras will be installed shortly. The next generation 911 has shipped and should be installed soon as well as will the new MDT (mobile data terminals) purchased for each cruiser.

Law Department Law Director Guidetti had no report.

Unfinished business Council President Tulley asked the status of the OLG retention basin to which Law Director Guidetti that matter has been brought to the attention of Bishop Nelson Perez.

New business None.

There being no further business Council adjourned its regular meeting unanimously on voice vote at 8:20 p.m.