

Record of Proceedings  
Regular Council Meeting  
March 8, 2012

1 Presiding Officer, Council President Nicholas Molnar, Mayor Pro Tempore called the March 8 regular  
2 meeting of Macedonia City Council to order at 7:30pm.

3  
4 **Present:** Council members' Shane Barker, Rita Darrow, David Engle, Kenneth Martin and  
5 Michael Miller; Assistant City Law Director Thomas Hanculak and Council Clerk  
6 Josephine Arceci

7  
8 **Absent:** Mayor Donald Kuchta

9  
10 **PLEDGE OF ALLEGIANCE** was led by Councilor David Engle.

11  
12 **INVOCATION** was led by Council Vice President Michael Miller.

13  
14 **MINUTES** Mr. Miller moved, Mr. Barker seconded to approve the minutes of February 9, 2012  
15 regular meeting as submitted by the clerk of council.

16  
17 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
18 Nays: None.  
19 The motion carried.

20 **PUBLIC COMMENTS**

21 Sylvia Hanneken, 1033 Hampton Drive, questioned why Ordinance No. 3-2012(V2) was forwarded to the  
22 Ohio Ethics Commission since, as it's her understanding, council members have publicly declined  
23 coverage of health benefits by the City. Under this circumstance it's wiser in Ms. Hanneken's opinion to  
24 repeal Ordinance No. 3-2012(V2) or at least amend it to reflect a future effective date, as in the next term  
25 than it is to wait for a ruling by the Ethics Commission.

26  
27 With regards to another matter, resident Barbara Pangrac, 9658 Valley View Road asked for immediate  
28 relief with regards to a 50' depression in Valley View Road directly in front of her home. This huge rut is  
29 having a substantial affected on the quality of life Ms. Pangrac stated. She explained the depression in the  
30 road is so severe that every time a semi or similarly large or heavy vehicle hits the bump literally  
31 everything in her home rattles. It is not unlike experiencing an earthquake, over and over again. The cold  
32 patching remedy Service Director Crevar tried was not effective because the area of repair is just too large  
33 and cold patching; unlike asphalt is not as effective from what she has learned

34  
35 Mr. Crevar informed Council that the reason service crews have been unable to repair this problem  
36 properly and effectively is that asphalt plants do not open until April 15. Ms. Pangrac has been advised of  
37 this as well as being assured that as soon as the asphalt is available the repair will be made.

38  
39 With regards to another matter, resident Shirley Toth, 902 Eileen Drive, asked the amount of the  
40 Recreation Center membership discount proposed in Resolution No. 8-2012 to which Recreation Director  
41 Angela Gmerek answered that is \$125.00 off of any package.

42  
43 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

44 **RES. NO. 8-2012**

45 A RESOLUTION AUTHORIZING ALL MEMBERS OF THE VARIOUS BOARDS AND  
46 COMMISSIONS ELIGIBLE TO RECEIVE RECREATION FEE DISCOUNTS TO MACEDONIA  
47 FAMILY RECREATION CENTER was offered by Mr. Martin for its **second reading by title only**. Second  
48 not required.

49  
50 Relative to RES. NO. 8-2012, Councilor Martin reiterated that it was at the suggestion of resident Kurt  
51 Laubinger that volunteers of Macedonia's various boards and commissions be offered the same opportunity  
52 to join the Macedonia Recreation Center at discounted rate as the members of council. Mr. Martin estimates  
53 that this measure will allow from 35-41 board and committee members to enjoy this opportunity.

54  
55 **ORD. NO. 10-2012**

56 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MACEDONIA OCCUPANCY  
57 PROGRAM GRANT AGREEMENT WITH TPC WIRE AND CABLE CORP was offered by Mr. Barkerr  
58 for its **second reading by title only**. Second not required.

59  
60 **ORD. NO. 12-2012**

61 AN ORDINANCE ESTABLISHING SHEPARD ROAD WITH THE BOUNDARIES OF THE CITY OF  
62 MACEDONIA, TO BE A NON-THROUGH STREET WITH A MAXIMUM SPEED OF 25 MPH was  
63 **offered** by Ms. Darrow and moved Council waive the requirement that it be read by title on three different  
64 days, instructing the Clerk to read it by **title only for its second and third readings**. Second by Mr.  
65 Engle.

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66 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
67 Nays: None.  
68 The motion carried.  
69

70 Ms. Darrow moved, Mr. Engle seconded to **adopt ORD. NO. 12-2012** and post same according to law.

71  
72 Roll call: Ayes: None  
73 Nays: Barker, Darrow, Engle, Martin, Miller and Molnar  
74 The motion failed. **ORD. NO. 12-2012 failed.**  
75

76 Relative to ORD. NO. 12-2012, Council President Molnar stated he introduced this legislation at the urging  
77 of a concerned Shepard Road resident. Mr. Molnar however concurs with Police Chief Golden and Engineer  
78 Fini that the status of Shepard Road should not be changed primarily because of its importance as the only  
79 south-north route at the eastern portion of the City as well as the fact that enforcing no through traffic is  
80 nearly impossible.

81  
82 Councilor Miller added that every member of council understands the concern the Shepard Road resident  
83 who requested changes to Shepard Road. Several members of council understand this issue all too well as  
84 they live on corners of busy streets or live on streets that are cut-throughs. However for the health, safety and  
85 welfare of the City generally, the residents and its visitors, it is best not to limit the amount of traffic on  
86 Shepard Road or to reduce its speed limit.  
87

88 **ORD. NO. 13-2012**

89 AN ORDINANCE CONFIRMING THE APPOINTMENT OF DAN MATEJKA TO POSITION OF FULL-  
90 TIME POLICE OFFICER was **offered** by Mr. Barker and moved Council waive the requirement that it be  
91 read by title on three different days, instructing the Clerk to read it by **title only for all three readings.**  
92 Second by Mr. Miller.  
93

94 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
95 Nays: None.  
96 The motion carried.  
97

98 Mr. Barker moved, Mr. Miller seconded to **adopt ORD. NO. 13-2012** and post same according to law.  
99

100 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
101 Nays: None  
102 The motion failed. **ORD. NO. 13-2012 adopted.**  
103

104 Relative to ORD. NO. 13-2012, Chief Golden introduced newly appointed Officer Matejka who in turn  
105 introduced his wife and family members who were present. Officer Matejka was previously employed as  
106 a deputy sheriff of the Lake County Sheriff department until he was laid off due to budget cuts.  
107

108 **ORD. NO. 14-2012**

109 AN ORDINANCE CONFIRMING THE APPOINTMENT BY THE MAYOR OF RYAN SHELBY TO  
110 POSITION OF PART-TIME CORRECTIONS OFFICER was **offered** by Mr. Miller and moved Council  
111 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by  
112 **title only for its second and third readings.** Second by Mr. Molnar.  
113

114 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
115 Nays: None.  
116 The motion carried.  
117

118 Mr. Miller moved, Mr. Molnar seconded to **adopt ORD. NO. 14-2012** and post same according to law.  
119

120 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
121 Nays: None  
122 The motion failed. **ORD. NO. 14-2012 adopted.**  
123

124 Relative to ORD. NO. 14-2012, Chief Golden explained that Ms. Shelby is also employed as the loss-  
125 prevention officer for Best Buys, Macedonia as well as employed as a part-time deputy sheriff for the  
126 Portage County Sheriff department.  
127

128 **ORD. NO. 15-2012**

129 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT  
130 TO PROVIDE EMERGENCY DISPATCH SERVICES TO THE VILLAGE OF BOSTON HEIGHTS,  
131 OHIO FOR A FIVE YEAR TERM COMMENING JANUARY 1, 2012 AND ENDING DECEMBER 31,

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132 2016 was **offered** by Mr. Engle and moved Council waive the requirement that it be read by title on three  
133 different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Miller.

134  
135 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
136 Nays: None.  
137 The motion carried.

138  
139 Mr. Engle moved, Mr. Miller seconded to **adopt ORD. NO. 15-2012** and post same according to law.

140  
141 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
142 Nays: None  
143 The motion failed. **ORD. NO. 15-2012 adopted.**

144 **ORD. NO. 16-2012**

145 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT  
146 TO PROVIDE EMERGENCY DISPATCH SERVICES TO THE VILLAGE OF BOSTON HEIGHTS,  
147 OHIO FOR A FIVE YEAR TERM COMMENING JANUARY 1, 2012 AND ENDING DECEBMER 31,  
148 2016 was **offered** by Mr. Engle moved Council waive the requirement that it be read by title on three  
149 different days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Miller.

150  
151 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
152 Nays: None.  
153 The motion carried.

154  
155 Ms. Engle moved, Mr. Miller seconded to **adopt ORD. NO. 16-2012** and post same according to law.

156  
157 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
158 Nays: None  
159 The motion failed. **ORD. NO. 16-2012 adopted.**

160 **ORD. NO. 17-2012**

161 AN ORDINANCE RATIFYING AN ADDENDUM TO THE AGREEMENT BETWEEN THE CITY OF  
162 MACEDONIA AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 3947 (FIRE  
163 DEPARTMENT) WITH REGARDS TO WAGES was **offered** by Ms. Darrow and moved Council waive  
164 the requirement that it be read by title on three different days, instructing the Clerk to read it by **title only**  
165 **for all three readings**. Second by Mr. Miller.

166  
167 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
168 Nays: None.  
169 The motion carried.

170  
171 Ms. Darrow moved, Mr. Miller seconded to **adopt ORD. NO. 17-2012** and post same according to law.

172  
173 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
174 Nays: None  
175 The motion failed. **ORD. NO. 17-2012 adopted.**

176 **ORD. NO. 18-2012**

177 AN ORDINANCE AUTHORIZING THE CITY OF MACEDONIA TO PICK UP THE STATURORALY  
178 REQUIRED CONTRIBUTION TO THE OHIO PUBLIC RETIREMENT EMPLOYEES RETIREMENT  
179 SYSTEM FOR THE EMPLOYEES OF THE CITY PURSUANT TO IRC SECTION 414(H)(2) was  
180 **offered** by Mr. Miller and moved Council waive the requirement that it be read by title on three different  
181 days, instructing the Clerk to read it by **title only for all three readings**. Second by Mr. Barker.

182  
183 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
184 Nays: None.  
185 The motion carried.

186  
187 Mr. Miller moved, Mr. Barker seconded to **adopt ORD. NO. 18-2012** and post same according to law.

188  
189 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
190 Nays: None  
191 The motion failed. **ORD. NO. 18-2012 adopted.**

192  
193 Relative to ORD. NO. 18-2012, Finance Director Svab explained that in lieu of a negotiated wage  
194 increase during this contract period the teamsters have agreed to participate in the OPERS pick-up plan  
195 which means the City will a assume a portion of the teamsters OPERS contribution at a savings to the  
196 City of over \$10,000 per year.

197

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198 **ORD. NO. 19-2012**

199 AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A  
200 MEMORANDUM OF UNDERSTANDING WITH GovDeals, INC., IN ORDER TO FACILITATE AN  
201 ONLINE AUCTION SYSTEM TO DISPOSE THE CITY'S ASSETS DECLARED TO BE NO LONGER  
202 NEEDED OR NOT USABLE FOR CITY PURPOSES was **offered** by Mr. Martin and moved Council  
203 waive the requirement that it be read by title on three different days, instructing the Clerk to read it by  
204 **title only for its second and third readings.** Second by Mr. Barker.

205  
206 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
207 Nays: None.  
208 The motion carried.

209  
210 Mr. Martin moved, Mr. Barker seconded to **adopt ORD. NO. 19-2012** and post same according to law.

211  
212 Roll call: Ayes: Barker, Darrow, Engle, Martin, Miller and Molnar  
213 Nays: None  
214 The motion failed. **ORD. NO. 19-2012 adopted.**

215  
216 Regarding ORD. NO. 19-2012, Mr. Svab explained that under the GovDeals program the City will have the  
217 opportunity to keep its items online for 14 days. The fee of 8% GovDeals is charging the City for online  
218 access will be passed onto the buyer. Anyone can bid on the items including employees Mr. Svab stated.

219  
220 **ORD. NO. 20-2012**

221 AN ORDINANCE ACCEPTING A NEW CUL-DE-SAC ROADWAY BUILT WITH THE HIGHLAND  
222 RGSP FOR RECORD PURPOSES AND FOR NAMING was **offered** by Mr. Martin for its **first reading by**  
223 **title only.** Second not required,

224  
225 **MOTIONS / OTHER LEGISLATIVE ACTION:** ~Mr. Engle moved, Mr. Miller seconded, authorizing the  
226 Fire Chief to accept on behalf of the City of Macedonia Fire Department a donation of One (1) DeWalt  
227 Cordless Driver/Drill valued at One Hundred Ninety Nine Dollars (\$199.00) from W.W. Grainger,  
228 Bavaria Drive, Macedonia, Ohio, and authorizing the Police Chief to accept on behalf of the City of  
229 Macedonia Police Department a donation of Four (4) Battery Sticks valued at Seventy Dollars and Ten  
230 Cents (\$75.10 ) each for total value of Three Hundred Dollars and Forty Cents (\$300.40) also from W.W.  
231 Grainger, Macedonia, Ohio.

232  
233 Roll call: Ayes: Barker, Darrow, Engle, Martin and Miller  
234 Nays: None  
235 Abstention: Molnar  
236 The motion carried.

237  
238 **CORRESPONDENCE:** None.

239 **MAYOR'S REPORT:** None

240 **COMMITTEE REPORTS:**

241 **Finance Committee** Mr. Engle announced there will be a finance meeting March 15 for the purpose of  
242 finalizing the 2012 budget which must be approved by March 31, 2012. Items discussed at previous  
243 finance meetings will be revisited if necessary.

244  
245 **Planning Commission** Mr. Martin reported that at its meeting of March 12 Planning will be reviewing  
246 expansion plans relative to Joslyn Enterprises located on Valley View Road as well as signage for  
247 Holiday Tans.

248  
249 **Parks & Recreation Commission** Mr. Barker announced the next meeting of the P&RC is Wednesday,  
250 May 2 at 7pm at the Recreation Center. Meetings will be held the every other month on the first  
251 Wednesdays.

252  
253 **DEPARTMENT REPORTS**

254 **Service Department** Mr. Crevar reported that service crews have been cold patching potholes,  
255 trimming street trees and generally performing outdoors work that is normally assigned to warmer  
256 weather months. Parks crews have been removing dead or diseased trees throughout Longwood. In some  
257 cases the work had to be contracted due to the height of some the trees Mr. Crevar stated

258  
259 **Building Commissioner** Mr. Hlad's report is attached.

260  
261 Minutes amended April 26, 2012 to include in pertinent part only the verbatim dialogue that follows.

262

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263 Councilor Darrow.... "Mike, I have a question for you. I received a phone call from Frank Pla. And he  
264 would, I guess he submitted some paper work, all the paper work for review. Mr. Fini approved it. Mr.  
265 Pla has been trying to get a hold of you or something and he just wanted to know if you'd just call him."  
266

267 Councilor Martin.... "Mr. Hlad, can I just intercede here. The situation regarding Mr. Pla, and I've  
268 gotten calls from the Homeowner's Association who are concerned that certain people have picked up  
269 Mr. Pla's banner and are trying to essentially amend the subdivision plan without proper procedures  
270 taking place. Considering the nature of what has taken place with Mr. Pla and considering the threats  
271 that he has made to the Planning Commission, to the Council, the City, the Mayor and Mr. Fini I do not  
272 feel that it would be appropriate to comment because this involves possible litigation. And, I feel very  
273 strongly about that because after examining all the paperwork the City really has just bent over  
274 backwards to work and to accommodate these people. I'm concerned that anything said now would be  
275 (in audible) and a deterrent.  
276

277 Councilor Darrow.... "He just asked that you call."  
278

279 Mr. Hlad.... "Yes, I have a lot (inaudible)."  
280

281 Councilor Darrow.... "Okay, thanks."  
282

283 **Engineer** Mr. Fini had no report.  
284

285 **Recreation Department** Ms. Gmerek reminded the public that the Recreation Center is sponsoring its  
286 Family Pool Party Friday, March 9 from 7-9pm. The evening will include games and activities and will  
287 be opened to every age level. Ms. Gmerek also announced that registration for participation in the youth  
288 football league has been extended. The league is for boys and girls ages 4 to 14.  
289

290 **Finance Department** Mr. Svab thanked Chief Golden for being instrumental in what Mr. Svab  
291 described as negotiating a financially good, long term contracts for dispatch services with the villages  
292 of Boston Heights and Northfield, particularly since another community was wooing Northfield Village.  
293 Mr. Svab also thanked the fire union representatives Firefighter Joe Natali and Lt. Paul Celinski for their  
294 participation in expeditious contract negotiations.  
295

296 **Fire Department** Chief Black thanked W.W. Grainger for its donation to the fire department.  
297

298 **Police Department** Chief Golden thanked Council for considering staffing the police department to  
299 full capacity and thanked W.W Grainger as well for its donation to the police department.  
300

301 **Law Department** Mr. Hanculak had no report.  
302

303 **Unfinished business** Councilor Darrow asked Mr. Hanculak the status of the 2Club Golf facility to  
304 which Mr. Hanculak answered that Law Director Diemert is presently reviewing a serious offer.  
305

306 **New business** None.  
307

308 **EXECUTIVE SESSION** At 8:10pm Mr. Barker moved, Mr. Martin seconded to adjourn into  
309 executive session for the purpose of discussing negotiations relative to collective bargaining.  
310

311 Roll call: Ayes: Engle, Barker, Darrow, Martin, Miller and Molnar  
312 Nays: None  
313 The motion carried  
314

315 **At 8:30pm Council reconvened into its regular meeting.**

316 There being no further business before Council the meeting adjourned at 8:31pm  
317  
318

319 Date: April 26, 2012

320 Attest: \_\_\_\_\_  
321 Josephine Arceci, Clerk of Council  
322  
323

324 Acting Mayor: \_\_\_\_\_  
325 Nicholas Molnar, Council President, Mayor Pro Tempore