



February 21, 2023

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Public Hearing: Thursday, February 23, 2023 @ 7:15pm**

I. **ROLL CALL**

II. **PURPOSE OF HEARING:**

- **To consider the new application for placement of land at 9066 North Bedford Road in an Agricultural District**

III. **ADJOURNMENT** [J. TULLEY, J. BRANDT]



February 21, 2023

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Work Session & Regular Meeting: Thursday, February 23, 2023**
“Council Office Hours” with Councilor Garvas: 6:30pm
Work Session: 7:00pm
Public Hearing: 7:15pm
Council Meeting: 7:30pm

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE BY MAYOR NICHOLAS MOLNAR

III. PROCLAMATION BY THE MAYOR FOR DEVELOPMENTAL DISABILITIES AWARENESS MONTH

IV. APPROVAL OF MINUTES [J. BRANDT, J. GARVAS]

Thursday, February 9, 2023 – Regular Council Meeting

V. PUBLIC COMMENTS

VI. CORRESPONDENCE

VII. PENDING &/OR NEW LEGISLATION

ORD.NO. 12 - 2023 [D. FINLEY, V. VENTURA]

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR DONATION OF THE REAL PROPERTY KNOWN AS PERMANENT PARCEL NOS. 33-00010, 33-00012 AND 33-03316

1st Read 1-26-2023

2nd Read 2-9-2023
3rd Read

ORD.NO. 18 - 2023 [V. VENTURA, D. FINLEY]

AN ORDINANCE AMENDING CHAPTER 1327 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA BY ADDING SECTION 1327.06 RELATIVE TO THE REGISTRATION OF RESIDENTIAL RENTAL PROPERTY WITHIN THE CITY OF MACEDONIA

1st Read 2-9-2023
2nd Read
3rd Read

ORD.NO. 19 - 2023 [V. VENTURA, J. GARVAS]

AN ORDINANCE AMENDING ORDINANCE NO. 67-2022 RELATIVE TO CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF JANUARY 1, 2023 TO DECEMBER 31, 2023

1st Read
2nd Read
3rd Read

RES.NO. 20 - 2023 [J. GARVAS, J. TULLEY]

A FINAL RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH PROJECT – PID 116540 RELATIVE TO THE RESURFACING OF A PORTION OF VALLEY VIEW ROAD WITHIN THE CITY OF MACEDONIA

1st Read
2nd Read
3rd Read

RES.NO. 21 - 2023 [J. TULLEY, J. BRANDT]

A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PROPERTY BY THE CITY OF MACEDONIA IN ACCORDANCE WITH CITY OF MACEDONIA CODIFIED ORDINANCE § 121.05 AND OHIO REVISED CODE § 721.15

1st Read
2nd Read
3rd Read

ORD.NO. 22 - 2023 [J. TULLEY, D. FINLEY]

AN ORDINANCE APPROVING THE APPLICATION FOR PLACEMENT INTO AN AGRICULTURAL DISTRICT OF THE REAL PROPERTY LOCATED AT 9066 NORTH BEDFORD ROAD WITHIN THE CITY OF MACEDONIA

1st Read
2nd Read
3rd Read

ORD.NO. 23 - 2023 [J. BRANDT, J. GARVAS]

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 79-2022 WHICH ESTABLISHED THE COMPENSATION SCHEDULE FOR THE NON-UNION CITY EMPLOYEES OF MACEDONIA EFFECTIVE JANUARY 1, 2023

1st Read

2nd Read
3rd Read

VIII. MOTIONS/OTHER LEGISLATIVE ACTION

IX. MAYOR'S REPORT

X. COMMITTEE REPORTS

XI. DEPARTMENT REPORTS

Service Department:	Director Daniel Wilson
Engineer Department:	Director Joe Gigliotti
Parks & Recreation Department:	Director Jason Chadock
Finance Department:	Director John Veres
Fire Department:	Chief Brian Ripley
Police Department:	Lieutenant Vince Yakopovich
Human Resources Department:	Director Annette Smith
Building Department:	Commissioner Robert Rodic
IT Department:	Director Kyle Collins
Law Department:	Director Mark Guidetti

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. ADJOURNMENT [J. GARVAS, V. VENTURA]

March

Public Notice of City Meetings / Calendar of Events / Dates of Interest

***Public Comment for those not able to attend in-person at the February 23rd Council Meeting should be sent to Clerk of Council Jon Hoover at jhoover@macedonia.oh.us . Public comment must be received no later than the close of business on February 22nd, 2023 and will be subsequently made available to the public.**

***Note ***

- This City Council meeting will take place in Council Chambers at the Macedonia City Center, 9691 Valley View Rd., Macedonia, OH 44056
- Council's meeting will also be livestreamed through YouTube. The link to access will be available on the City of Macedonia's website www.macedonia.oh.us

March							2023
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
			1	2 Mayor's Court	3	4	
5	6	7	8	9 Mayor's Court City Council Work Session + Meeting	10	11	
12	13	14	15 Parks & Rec BZA	16 Mayor's Court	17	18	
19	20 Planning Commission	21	22	23 Mayor's Court City Council Work Session + Meeting	24	25	
26	27	28	29	30	31		

Record of Proceedings
Regular Council Meeting
February 9th, 2023

1 Presiding Officer, Mayor Nicholas Molnar called the February 9th, 2023 regular meeting to order at
2 7:30p.m.

3
4 **Present:** Council members Jessica Brandt, Dave Finley, Jeff Garvas, Jan Tulley, and Vini J.
5 Ventura. Also present: Law Director Mark Guidetti and Clerk of Council Jon Hoover.

6
7 **INVOCATION & PLEDGE OF ALLEGIANCE**

8
9 **APPROVAL OF MINUTES:**

10
11 Ms. Brandt moved, second by Mr. Garvas, to **approve the minutes of the regular meeting of January**
12 **26, 2023 as received from the Clerk of Council.** The motion carried unanimously by a voice vote.

13
14 **PUBLIC COMMENTS:** None

15
16 **CORRESPONDENCE:** The Clerk of Council read an e-mail received from a resident expressing thanks
17 to Lt. Joe Natali of the Macedonia Fire Department for his time and assistance addressing a concern.

18
19 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

20
21 **ORDINANCE NO. 1-2023**

22 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
23 WITH LORDSTOWN EV CORPORATION FOR THE PURCHASE OF A 2023 ENDURANCE CC1L
24 PICKUP TRUCK FOR THE CITY SERVICE DEPARTMENT WITHOUT THE NECESSITY OF
25 ADVERTISEMENT AND FORMAL BIDDING was offered by Mr. Finley for **third reading by title**
26 **only.**

27
28 Mr. Finley moved, second by Ms. Tulley, to **adopt ORD.NO. 1-2023 and post the same according to**
29 **law.** Motion carried by a majority voice vote. Councilors Brandt, Garvas, Tulley and Ventura in the
30 affirmative, Councilor Finley in the negative. **ORD.NO. 1-2023 declared and adopted.**

31
32 **ORDINANCE NO. 12-2023**

33 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR
34 DONATION OF THE REAL PROPERTY KNOWN AS PERMANENT PARCEL NOS. 33-00010, 33-
35 00012 AND 33-03316 was offered by Mr. Finley for **second reading by title only.**

36
37 The Mayor stated that there will be more to come on this ordinance, likely in the next meeting.

38
39 **RESOLUTION NO. 13-2023**

40 A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF DONNY BASCH TO THE
41 CITY OF MACEDONIA PARKS & RECREATION COMMISSION was offered by Ms. Brandt for
42 **first, second and third readings by title only.** Seconded by Ms. Tulley. The motion carried
43 unanimously by a voice vote.

44
45 The Mayor shared that this resolution is to reappoint Mr. Basch to the Parks and Recreation Commission,
46 as he had previously been confirmed to fill an unfinished term.

47
48 Ms. Brandt stated she is happy whenever residents volunteer to serve and is looking forward to working
49 with Mr. Basch for another five years.

50
51 Ms. Brandt moved, second by Ms. Tulley, to **adopt RES.NO. 13-2023 and post the same according to**
52 **law.** Motion carried by a unanimous voice vote. **RES.NO. 13-2023 declared and adopted.**

53

Record of Proceedings
Regular Council Meeting
February 9th, 2023

54 **RESOLUTION NO. 14-2023**

55 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS, BIDS AND
56 SPECIFICATIONS, AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS,
57 FOR CERTAIN IMPROVEMENTS ALONG CITY HALL'S EMERGENCY DRIVEWAY was offered
58 by Mr. Ventura for **first, second and third readings by title only**. Seconded by Mr. Finley. The motion
59 carried unanimously by a voice vote.

60

61 Dir. Gigliotti explained this project is to perform various concrete repairs and asphalt resurfacing for the
62 emergency services driveway at the City Center as well as correct drainage issues on that driveway.

63

64 Mr. Ventura moved, second by Mr. Finley, to **adopt RES.NO. 14-2023 and post the same according to**
65 **law**. Motion carried by a unanimous voice vote. **RES.NO. 14-2023 declared and adopted.**

66

67 **RESOLUTION NO. 15-2023**

68 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS, BIDS AND
69 SPECIFICATIONS, AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS,
70 TO RESURFACE GOLDEN LINK BOULEVARD was offered by Mr. Finley for **first, second and**
71 **third readings by title only**. Seconded by Ms. Tulley. The motion carried unanimously by a voice vote.

72

73 Dir. Gigliotti explained this project is to resurface Golden Link Boulevard in the Golden Link shopping
74 center, and is a joint project with Northfield Center Township. 50% of the project is funded by OPWC.
75 The Mayor shared that the City is responsible for 42.5% of the project, and Dir. Guidetti further stated the
76 City has a cooperative agreement in place with the Township.

77

78 Mr. Finley moved, second by Ms. Tulley, to **adopt RES.NO. 15-2023 and post the same according to**
79 **law**. Motion carried by a unanimous voice vote. **RES.NO. 15-2023 declared and adopted.**

80

81 **ORDINANCE NO. 16-2023**

82 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
83 WITH TIM GANLEY CHEVROLET OF AURORA FOR THE PURCHASE OF ONE (1)
84 CHEVROLET TAHOE FOR THE CITY POLICE DEPARTMENT, AND TO ENTER INTO A
85 CONTRACT WITH STATEWIDE TO OUTFIT THE TAHOE, FOR A TOTAL AMOUNT NOT TO
86 EXCEED \$67,500.00 WITHOUT THE NECESSITY OF ADVERTISEMENT AND FORMAL
87 BIDDING was offered by Mr. Garvas for **first, second and third readings by title only**. Seconded by
88 Ms. Brandt. The motion carried unanimously by a voice vote.

89

90 The Mayor shared the difficulty in obtaining police vehicles and that the useful life of the current fleet is
91 being pushed. He was able to locate this vehicle locally.

92

93 Mr. Garvas moved, second by Mr. Ventura, to **replace "Tim Ganley" with "Ken Ganley" wherever it**
94 **may occur throughout the ordinance**. The motion carried unanimously by a voice vote.

95

96 Mr. Garvas moved, second by Mr. Ventura, to **adopt ORD.NO. 16-2023 and post the same according**
97 **to law**. Motion carried by a unanimous voice vote. **ORD.NO. 16-2023 declared and adopted.**

98

99 **ORDINANCE NO. 17-2023**

100 AN ORDINANCE AMENDING SECTION 171.02 OF THE CODIFIED ORDINANCES OF THE CITY
101 OF MACEDONIA RELATIVE TO THE POSITIONS OF CLERK OF COURT AND DEPUTY CLERK
102 OF COURT OF THE MAYOR'S COURT was offered by Ms. Tulley for **first, second and third**
103 **readings by title only**. Seconded by Mr. Garvas. The motion carried unanimously by a voice vote.

104

105 The Mayor stated that when the pandemic began, two staff members of the Mayor's Court were not
106 necessary. This ordinance puts those positions back by hiring one additional full-time member of the

Record of Proceedings
Regular Council Meeting
February 9th, 2023

107 department. Currently there are staff members from both the Human Resources and Finance Departments
108 working in the Mayor’s Court, which takes them off task and causes their departments to struggle.
109

110 Ms. Tulley moved, second by Mr. Garvas, to **amend Section b to remove the last part of the sentence**
111 **“subject to confirmation by a majority of those elected or appointed to Council”**. The motion carried
112 unanimously by a voice vote.
113

114 Ms. Tulley moved, second by Mr. Garvas, to **adopt ORD.NO. 17-2023 and post the same according to**
115 **law**. Motion carried by a unanimous voice vote. **ORD.NO. 17-2023 declared and adopted.**
116

117 **ORDINANCE NO. 18-2023**

118 AN ORDINANCE AMENDING CHAPTER 1327 OF THE CODIFIED ORDINANCES OF THE CITY
119 OF MACEDONIA BY ADDING SECTION 1327.06 RELATIVE TO THE REGISTRATION OF
120 RESIDENTIAL RENTAL PROPERTY WITHIN THE CITY OF MACEDONIA was offered by Mr.
121 Ventura for **first reading by title only**.
122

123 The Mayor stated he anticipated more conversation on this ordinance.
124

125 Ms. Brandt shared that if anyone has questions or concerns about this ordinance to reach out to Council or
126 the Clerk of Council.
127

128
129 **MOTIONS / OTHER LEGISLATIVE ACTION:** None
130

131 **MAYOR’S REPORT**

132 ~January 2023 Mayor’s Court revenue was \$35,792.79

133 ~NOPEC gives back to member communities based on usage, which has allowed for new lights
134 at ball fields, the Rec Center and City Hall. Macedonia is being awarded \$31,368 this year, and
135 the Mayor thanks them.

136 ~Contrary to rumors being circulated, TJ Maxx and Nordstrom Rack are still coming to town.

137 ~Regarding the recent incident that involved the discharge of a police firearm, many are asking
138 for information now but there is a legal process in place that prevents details from being released
139 while an investigation is ongoing. Information is not being hidden, and the Mayor vows to
140 disseminate information as soon as the Law Department says he can. Dir. Guidetti reinforced that
141 there is a legal process in place and the City is following established protocol. The Mayor
142 pointed out that Macedonia is a safe community and referenced how the Flock cameras in town
143 are helping in that regard. Trust in our Police Department. Mr. Ventura added that other
144 communities utilizing the Flock cameras share information between police departments.

145 ~Happy Birthday this week to Mr. Ventura and the Mayor’s wife.

146 ~Council President Brandt’s father, Bob Brandt, Jr. passed away recently, and the Mayor was in
147 awe learning the fact that Mr. Brandt had been awarded a Bronze Star, which is for a heroic or
148 meritorious deed in conflict. The Mayor asked for a moment of silence to recognize Council
149 President Brandt’s father.

150 ~Don’t drive distracted—put the phones down and operate your vehicle.
151

152 **COMMITTEE REPORTS**

153
154 **Parks & Recreation Commission:** Ms. Brandt reported the next Commission meeting will be on
155 Wednesday, February 15 at 6pm in the activity room of the Recreation Center.
156

157 **Charter Review Commission:** Mr. Garvas reported the Commission is tentatively scheduled to have its
158 first meeting at 6pm on Wednesday, February 22 with additional dates to follow once the Commission
159 can establish a schedule.

160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212

DEPARTMENT REPORTS

Service Department: Director Wilson – The Service Department is helping on the front desk project at the Recreation Center, and some upcoming projects will be renovations of the City Hall lobby and bathrooms. In the process of hiring a maintenance technician to fill a vacancy, as well as conducting interviews for seasonal staff soon. A conversation was had with Dan Davis, one of the veterans involved in the planning of Veterans Park, about volunteer groups, material donations, and various projects surrounding the park. Mr. Garvas inquired on the timing of the restroom being completed at the park, to which Dir. Wilson shared the goal is for completion in April.

Engineer: Director Gigliotti – Thanks to Council for passing Resolutions 14 & 15. The plan will be for contract recommendations to be presented to Council in March.

Parks and Recreation Department: Director Chadock – Congratulated a former Recreation Center employee for her new role with a different municipality. The Recreation Department is posting part-time positions for summer employment. The front desk project at the Recreation Center is ongoing. The chemical controllers for the pool have been installed. The summer MAActivity guide will be out next month, and the community is encouraged to sign up for programs early as the slots will fill up very quickly.

Finance Department: Director Veres – The Finance Department closed 2022 this week and all of the reports have been sent out to Council and the Administration. RITA resident refunds have started and the deadline to file is Monday, July 17, unless your return has been extended.

Fire Department: Chief Ripley – Receipt of two new ambulances has been pushed back two more months because of air conditioning parts shortages. The completion of Station 3 is also being held back because of not being able to locate parts. On February 3, a pickup truck found its way into the pond beside Home Depot and was discovered around 11:30am. The driver had been transported to a hospital earlier in the morning. Chief Ripley encourages people to call 9-1-1 if they see something like this, stating the worst thing that could happen is dispatch telling you they are aware of the issue. On behalf of the Fire and Police Departments, deepest condolences to Ms. Brandt and her family.

Police Department: – The Mayor read the report on behalf of Interim Chief Yakopovich. A credit/debit card skimmer was confirmed to have been placed in the ATM at a local bank from January 20-28. Several reports have been received of PINs being used throughout southern Ohio, and an ongoing investigation is taking place with substantial leads. The Mayor has requested that information be disseminated to inform residents of what a skimmer looks like and how it operates.

HR Department: Director Smith – HR is working to fill two Service Department positions and will now work to fill the Deputy Clerk of Court role. Additionally, a police administrative position will soon be posted, and currently assisting the Police Department in filling the SRO position.

Building Department: Commissioner Rodic – Provided updates to construction on various projects in the City, including Optima Dermatology, Target, Don Basch Jewelers, TJ Maxx and Panda Express. The next Planning Commission meeting will be Monday, February 13 at 5:30pm, while the BZA will meet on Wednesday, February 15 at 6:30pm.

IT Department: Director Collins – Recent projects including cutting over internet at the Sagamore Fire station, wiring for the desk and chemical controllers at the Recreation Center. Dir. Collins attended cyber security training, and the link between the Recreation Center and City Center has been dialed back in and bandwidth back up.

Record of Proceedings
Regular Council Meeting
February 9th, 2023

213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253

Law Department: Director Guidetti – No report

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ms. Tulley commended a Saia semi-truck she recently saw abiding the speed limit on Aurora Road. She also congratulated Nordonia high school’s mock trial team for recently winning its district competition and advancing to regionals on February 17. Finally, Ms. Tulley shared that First Energy will have helicopters performing routine spring patrols on power lines next week.

Ms. Brandt thanked everyone in attendance for expressing their sympathy on the passing of her dad. Her parents have lived in Macedonia, in the same house, in the same neighborhood for almost 50 years. Her dad was a Boy Scout and a Girl Scout dad, an NHAA baseball dad, and a Nordonia band dad among other things, as well as a Bronze Star recipient. Her family has had a lot of wonderful friends in Macedonia and it was very nice to see so many neighbors, past and present, come pay respects and share good memories of her dad. As it happened, a nurse in the emergency room was also a Macedonia resident. Ms. Brandt would like everyone to know what wonderful people live and work for you in Macedonia, from the elected officials down to the entire staff. Special mention of Macedonia’s Dispatch and Fire Departments, for when you call 9-1-1 it may very well be your worst day, but you’ll be met not only with professionalism and skill, but also kindness, dignity, and respect. Ms. Brandt left everyone with the most important lesson she learned from her dad, which is please be kind to one another.

There being no further business, Ms. Brandt moved, second by Mr. Garvas, to **adjourn the meeting**. The motion passed **unanimously** pursuant to a voice vote and the meeting was adjourned at approximately 8:05p.m.

Date: _____

Attest: _____
Jon Hoover, Clerk of Council

Mayor: _____
Nicholas Molnar

ORIGINATOR: ADMINISTRATION

SPONSOR: Finley

**CITY OF MACEDONIA, OHIO
ORDINANCE NO. 12 - 2023**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT FOR DONATION OF THE REAL PROPERTY KNOWN AS
PERMANENT PARCEL NOS. 33-00010, 33-00012 AND 33-03316**

WHEREAS, the City of Macedonia makes every effort to encourage the proper development and beneficial use of real property within the City's boundaries; and

WHEREAS, certain real property located off of Valley View Road, which is currently owned by a private entity known as 9150 Group, LLC, has sat largely dormant for an extended period of time with little-to-no beneficial use made of said property during that period; and

WHEREAS, the City administration has been in negotiations with the entity known as 9150 Group concerning certain real property owned by that entity, which it now desires to donate to the City of Macedonia, with the understanding that certain requirements may need to be met by the City concerning the Ohio Environmental Protection Agency; and

WHEREAS, the Mayor and Council now determine that accepting the donation of approximately 5.80 acres of real property having a current address of 9150 Valley View Road and bearing permanent parcel number ("P.P.N.") 33-00010, 33-00012 and 33-03316 for public purposes is in the best interest of the City and its residents; and

WHEREAS, Council therefore desires to authorize the Mayor to enter into an agreement to accept the donation of the real property known as P.P.N.s 33-00010, 33-00012 and 33-03316.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, County of Summit and State of Ohio:

Section 1. That the Mayor is hereby and herein authorized and directed to enter into an agreement to accept the donation to the City of Macedonia by 9150 Group, LLC of certain real property with the current address of 9150 Valley View Road, Macedonia, Ohio 44056 and known as P.P.N.s 33-00010, 33-00012 and 33-03316.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

WHEREFORE, this Ordinance shall become effective upon its adoption by Council and signature by the Mayor or as may otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

ORIGINATOR: BUILDING DEPARTMENT

SPONSOR: Ventura

**CITY OF MACEDONIA
ORDINANCE NO. 18 - 2023**

**AN ORDINANCE
AMENDING CHAPTER 1327 OF THE CODIFIED ORDINANCES OF THE CITY OF
MACEDONIA BY ADDING SECTION 1327.06 RELATIVE TO THE REGISTRATION
OF RESIDENTIAL RENTAL PROPERTY WITHIN THE CITY OF MACEDONIA**

WHEREAS, it is necessary and in the best interest of the health, safety and welfare of City residents to amend Chapter 1327 of the Codified Ordinances of the City of Macedonia, Ohio by adding Section 1327.06 relative to the registration of rental property located within an R-1 Residence District in the City of Macedonia.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, County of Summit and State of Ohio:

Section 1. That Chapter 1327 of the Codified Ordinances of the City of Macedonia be amended by adding Section 1327.06, which shall read as set forth below:

* * *

1327.06 RENTAL REGISTRATION.

- (a) Purpose. The purpose of Section 1327.06 is to establish guidelines for a mandatory residential rental unit registration program. Owners of non-owner-occupied single-family and two-family dwelling units, located in a R-1 Residence District, shall register each such rental unit with the City Building Department pursuant to the provisions of this Section.
- (b) Definitions.
- (1) “Non-owner-occupied” means any residential dwelling unit which is not physically occupied by the owner of record. This does not apply to vacant structures.
 - (2) “Dwelling” means a single unit providing complete independent living facilities for one or more persons.
 - (3) “Single-family dwelling” means a detached dwelling designed for and to be occupied more or less permanently by no more than one family.
 - (4) “Two-family dwelling” means building with two dwelling units arranged, intended or designed for and to be occupied more or less permanently by no more than two families living independently of each other.
 - (5) “Rental” means any unit occupied for 30 days or more by someone other than the owner of record.
 - (6) “Immediate family” means persons related by blood, marriage, legal adoption or guardianship, but is limited to father, mother, brother, sister, son, daughter, grandfather, and grandmother.

(c) Registration Requirements.

- (1) Owners of a non-owner-occupied single-family or two-family dwelling unit, located in a R-1 Residence District, shall register with the Building Department on a form provided by the City for such purpose.
- (2) Existing owners of a non-owner-occupied dwelling unit shall be initially registered with the Building Department by June 30, 2023.
- (3) New owners of a non-owner-occupied dwelling unit shall make application for registration with the Building Department within thirty (30) days of acquiring ownership.
- (4) All non-owner-occupied dwelling unit registrations shall be renewed annually by December 31 of that year after initial registration.
- (5) New non-owner-occupied dwellings shall be registered with the City before they are permitted to be rented.
- (6) These requirements apply regardless of whether any form of payment is or is not tendered.
- (7) This section does not apply to immediate family who occupies a dwelling unit or rental of an owner under this section.

(d) Penalty.

Whoever violates any of the provisions of this chapter shall be deemed guilty of a second-degree misdemeanor pursuant to Section 1365.99.

* * *

Section 2. That the remainder of the Codified Ordinances of the City of Macedonia shall not be amended unless inconsistent with this Ordinance.

Section 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of the City of Macedonia.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. Wherefore, this Ordinance shall become effective upon its adoption by Council and signature of the Mayor or as otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

ORIGINATOR: FINANCE DEPARTMENT

SPONSOR: Ventura

**CITY OF MACEDONIA
ORDINANCE NO. 19 - 2023**

**AN ORDINANCE
AMENDING ORDINANCE NO. 67-2022 RELATIVE TO CURRENT EXPENSES AND
OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF
JANUARY 1, 2023 TO DECEMBER 31, 2023**

WHEREAS, it is necessary to amend Ordinance No. 67-2022 to make certain adjustments for the allocation of funds to facilitate various necessary operating expenses of the City of Macedonia.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, County of Summit, State of Ohio:

Section 1. That Ordinance No. 67-2022 is hereby further amended, with the additions or reductions be made to the current accounts as set forth in the document attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. Wherefore, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

EXHIBIT A		CITY OF MACEDONIA			February 23, 2023		2023 Amend #1	
Fund Category	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total		

changes

General	101	General						
		Council (101)	101,600	8,500		110,100		
		Administrative Support (110)	-	1,480,800		1,480,800		
		Mayor's Office (120)	491,700	33,900		525,600		
		IT (125)	133,700	207,600		341,300		
		Finance (130)	377,100	345,000		722,100		
		Mayor's Court (140)	231,900	128,500		360,400		
		Legal (150)	59,300	131,200		190,500		
		Civil Service (160)	5,600	2,600		8,200		
		City Center Service (170)	97,500	312,700		410,200		
		Building & Engineering (180)	437,800	64,700		502,500		
		Service (201)	435,500	215,600		651,100		
		Police (210)	3,136,200	243,100		3,379,300		
		Fire (222)	3,656,200	956,100		4,612,300		
		Dispatch (310)	861,800	95,800		957,600		
		Transfers (321)	-	-	5,253,000	5,253,000		
		Advances (321)	-	-	-	-		
		Total General Fund (101)	10,025,900	4,226,100	5,253,000	19,505,000		
		total Personal Service + Other		14,252,000				
	102	Emergency Reserve	-	-	-	-		
	103	Unclaimed Monies	-	1,000	-	1,000		
	104	Retirement Reserve	-	125,000	-	125,000		
	105	Refund Program	-	200,000	200,000	400,000		
	106	Technology Advancement	-	100,000	-	100,000		

Special Revenue	201	Street Construction Maintenance & Repair (S,C,M&R)							
		Street Maintenance & Repair (350)	1,025,300	208,800	-	1,234,100			
		Salt (352) & Traffic Signals (353)	-	158,000	-	158,000			
		Street Mechanic (354) & Signs Maintenance (355)	470,700	339,300	-	810,000			
		Total S,C,M&R Fund (201)	1,496,000	706,100	-	2,202,100			
		202	State Highway Improvement	-	55,000	-	55,000		
		203	Permissive License Tax	-	50,000	-	50,000		
		204	Parks & Recreation						
			Parks (203)	272,900	152,600	-	425,500		
			Recreation - Parks Programming (204)	81,700	65,600	-	147,300		
			Total Parks & Recreation Fund (204)	354,600	218,200	-	572,800		
		205	Family Recreation Center	817,100	769,100	-	1,586,200		
		207	Spirit of Macedonia Festival	-	35,000	-	35,000		
		210	Water Maintenance & Expansion	26,000	244,700	-	270,700		
		212	Motor Vehicle License Tax	-	100,000	-	100,000		
		213	Police Pension	-	164,500	-	164,500		
		216	Drug Law Enforcement	-	5,000	-	5,000		
		217	Law Enforcement & Education	-	2,500	-	2,500		
		220	Mayor's Court Computer	-	12,800	-	12,800		
		221	F.A.I.R. Program	-	15,000	-	15,000		
		262	Law Enforcement Trust	-	2,500	-	2,500		
		263	Federal Equity Share	-	40,000	-	40,000		
		266	Local Fiscal Recovery	-	633,585	-	633,585		
	280	Safety / Service	726,500	1,959,900	297,400	2,983,800			
		Total Special Revenue Funds	3,420,200	5,013,885	297,400	8,731,485			

Debt Service	301	General Obligation Bond Retirement	-	1,211,500	-	1,211,500		
	302	Special Assessment Bond Retirement	-	319,400	-	319,400		
	304	Other Debt - (OPWC, State Infrastructure Bank, leases)	-	619,900	-	619,900		
		Total Debt Service Funds	-	2,150,800	-	2,150,800		

EXHIBIT A

CITY OF MACEDONIA

February 23, 2023

2023 Amend #1

Fund Category	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total
Capital Project	401	Capital Improvement	-	426,400	-	426,400
	405	Road Program	-	3,463,100	742,900	4,206,000
	423	Municipal Property	-	7,025,000	-	7,025,000
	424	Longwood Park Improvements	-	1,000	-	1,000
	427	Manor House Renovation	-	-	-	-
	470	Summit Pointe TIF	-	650,000	-	650,000
	471	The Avenue TIF	-	-	46,800	46,800
	472	Macedonia Shoppes TIF	-	-	7,700	7,700
	473	Maguire Property TIF	-	-	7,000	7,000
	475	Culver's TIF	-	-	10,400	10,400
	476	KFC TIF	-	-	10,400	10,400
	477	Cleanland TIF	-	-	-	-
	478	Big Carrot TIF	-	-	-	-
	479	Peak Nano TIF	-	-	-	-
480	OH State Waterproofing TIF	-	-	-	-	
		Total Capital Project Funds	-	11,565,500	825,200	12,390,700
Non-Budgetary	206	Parks & Recreation Trust	-	15,000	-	15,000
	714	JEDD Northfield Center	-	450,000	-	450,000
		Total Non-Budgetary Funds	-	465,000	-	465,000
		Total All Funds	13,446,100	23,847,285	6,575,600	43,868,985
				37,293,385		

Transfers	General (101) to Emergency Reserve (102)	400,000	
	General (101) to Retirement Reserve (104)	200,000	
Transfers	General (101) to Technology Advancement (106)	100,000	
	General (101) to Street Construction (201)	1,375,000	
	General (101) to Family Recreation Center (205)	300,000	
	General (101) to General Bond Retirement (301)	250,000	
	General (101) to Special Assessment Bond Retirement (302)	53,000	
	General (101) to Other Debt (304)	525,000	
	General (101) to Capital Improvements (401)	400,000	
	General (101) to Road Program (405)	1,400,000	
	General (101) to Municipal Property (423)	250,000	5,253,000
	Refund Program (105) to General (101)	200,000	
	Safety Services (280) to General Bond Retirement (301)	280,900	
	Safety Services (280) to Other Debt (304)	16,500	
	Road Program (405) to General Bond Retirement (301)	671,900	
	Road Program (405) to Other Debt (304)	71,000	
	The Avenue TIF (471) to Road Program (405)	46,800	
	Macedonia Shoppes TIF (472) to Road Program (405)	7,700	
	Maguire Property TIF (473) to Road Program (405)	7,000	
	Culver's TIF (475) to Road Program (405)	10,400	
	KFC TIF (476) to Road Program (405)	10,400	
		-	
	Total Transfers	6,575,600	

Memorandum

Date: February 16, 2023

To: Mayor Nicholas Molnar
Council President Jessica Brandt
Councilmember Dave Finley
Councilmember Vini J. Ventura
Council Vice President Jeff Garvas
Councilmember Jan Tulley
Law Director Mark Guidetti

From: John M. Veres, CPA
Director of Finance

RE: Amended Annual Appropriations Ordinance – February 23, 2023

Adjusted the Beginning Unencumbered Cash Balances for all Funds as of 01/01/2023.

The following changes (in blue) are noted for Estimated Resources:

- 1) General (101) – added \$25,000 to Transfer In from Refund Program (105).
- 2) Emergency Reserve (102) – added \$300,000 to Transfer In from General (101).
- 3) Retirement Reserve (104) – added \$100,000 to Transfer In from General (101).
- 4) OneOhio (267) – added estimated revenue.
- 5) Road Program (405) – adjusted estimated revenue for Walters Road project.
- 6) Municipal Property (423) - added \$250,000 to Transfer In from General (101).

The following changes (in blue) are noted for Appropriations:

- 7) General (101) – Transfer Outs adjusted for 2, 3, & 6 above.
- 8) Retirement Reserve (104) – added \$100,000 for recent retirements.
- 9) Refund Program (105) – Transfer Out adjusted for 1) above.
- 10) CDBG Block Grant (218) – removed \$2,000 estimated expense.
- 11) Water M&E (210) – added \$120,000 for 1 LED light tower & 2 tow behind leaf machines.
- 12) Police Pension (213) – added \$12,500 for eligible pension payments.
- 13) Federal Equitable Share (263) – added \$19,500 for eligible expenditures.
- 14) Local Fiscal Recovery (266) – added \$5,085 for eligible expenditures.
- 15) Safety / Service (280) – added \$65,000 for Highland/Rt 8 signal, \$15,000 for weapons.
- 16) Capital Improvement (401) – added \$60,000 for Tanglewood drainage project.
- 17) Road Program (405) – reduced \$258,200 for final estimates of 2022 projects.
- 18) Municipal Property (423) – added \$25,000 for Sugarbush BB court resurfacing.

Please call (216) 509-1411 should you have any questions.

Thank you.

CITY OF MACEDONIA				CERTIFICATE OF ESTIMATED RESOURCES										APPROPRIATIONS				transfers					
2023 Estimated Resources & Appropriations				ACTUAL		ADD		ADD		ADD		ADD		EQUALS		SUBTRACT		EQUALS		advances			
2023 Amended Appropriations - #1				Unencumbered Balance 01/01/2023		General Property Tax		Local Gov't		Income Tax		Other Sources		2023 Total Resources		changes: 2023 Appropriations		Unencumbered Balance 12/31/2023		gen'l obligation debt			
Fund #	Fund Description	Type																			spec assess debt	OPWC/lease debt	new debt
101	General	Gov'll	5,782,626.79	1,984,171.00	222,818.22	11,400,000.00	rev-other	3,484,200.00	23,073,816.01					1.	14,252,000.00	3,568,816.01							
							fr in 3								5,253,000.00								
							fr in 5	200,000.00															
							est rev	3,684,200.00							19,505,000.00								
102	Emergency Reserve	Gov'll	600,000.00				fr in 1	400,000.00	1,000,000.00							1,000,000.00							
103	Unclaimed Monies	Trust	2,589.22				est rev		2,589.22							1,589.22							
104	Retirement Reserve	Gov'll	564,822.44				fr in 1	200,000.00	764,822.44							639,822.44							
105	Refund Program	Gov'll	160,731.68			315,000.00	est rev		475,731.68							75,731.68							
106	Technology Advancement	Gov'll	8,569.70				fr in 1	100,000.00	108,569.70							8,569.70							
201	S.C.M & R	Sp Rev	64,372.10				est rev	890,000.00	2,329,372.10							127,272.10							
							fr in 1	1,375,000.00															
								2,265,000.00															
202	State Highway	Sp Rev	30,109.40				est rev	50,000.00	80,109.40							25,109.40							
203	Permissive License Tax	Sp Rev	14,989.71				est rev	125,000.00	139,989.71							89,989.71							
204	Parks & Recreation	Sp Rev	475,091.87			517,500.00	est rev	104,000.00	1,126,591.67							553,791.67							
							est rev	30,000.00															
							fr in 1																
								134,000.00															
205	Family Recreation Center	Sp Rev	135,546.10			517,500.00	est rev	725,000.00	1,678,046.10							91,846.10							
							fr in 1	300,000.00															
								1,025,000.00															
206	Parks & Recreation Trust	Trust	244,696.28				est rev	55,000.00	299,696.28							284,696.28							
							fr in 1																
								55,000.00															
207	Spirit of Macedonia	Sp Rev	49,269.95				est rev	25,000.00	74,269.95							39,269.95							
210	Water Maintenance & Expansion	Sp Rev	168,721.48				est rev	125,000.00	293,721.48							23,021.48							
212	Motor Vehicle License Tax	Sp Rev	45,719.16				est rev	100,000.00	145,719.16							45,719.16							
213	Police Pension	Sp Rev	13,917.87			154,485.00	est rev		188,402.87							3,902.87							
215	Indigent Drivers	Sp Rev	6,093.21				est rev		6,093.21							6,093.21							
216	Drug Law Enforcement	Sp Rev	29,729.24				est rev	5,000.00	34,729.24							29,729.24							
217	Law Enforcement Education	Sp Rev	23,159.01				est rev	2,500.00	25,659.01							23,159.01							
218	CDBG Block Grant	Sp Rev	8,153.30				est rev		8,153.30							8,153.30							
220	Mayor's Court Computer	Sp Rev	13,684.40				est rev	8,000.00	21,684.40							13,684.40							
221	F.A.I.R. Program	Sp Rev	50,114.39				est rev	35,000.00	85,114.39							50,114.39							
223	Subdivision Tree	Sp Rev	115.00				est rev		115.00							115.00							
224	Wireless Emergency 911	Sp Rev	14,902.55				est rev		14,902.55							14,902.55							
225	Petro Underground Storage Tanks	Sp Rev	8,800.00				est rev		8,800.00							8,800.00							
226	Police K-9 Donation	Sp Rev	1,266.46				est rev		1,266.46							1,266.46							
233	Quiet Zone Maintenance	Sp Rev	19,073.71				est rev		19,073.71							19,073.71							
259	A.R.R.A. Grant	Sp Rev	5,416.40				est rev		5,416.40							5,416.40							
260	Federal Fire Grant	Sp Rev	14,044.11				est rev		14,044.11							14,044.11							
262	Law Enforcement Trust	Sp Rev	19,355.02				est rev		19,355.02							19,355.02							
263	Federal Equitable Share	Sp Rev	69,762.33				est rev		69,762.33							69,762.33							
							est rev									2,500.00							
																40,000.00							

CITY OF MACEDONIA
2023 Estimated Resources & Appropriations
February 23

Fund #	Fund Description	Type	Sp Rev	CERTIFICATE OF ESTIMATED RESOURCES				APPROPRIATIONS				Transfers		
				ACTUAL	ADD	ADD changes	ADD	EQUALS	ADD changes	SUBTRACT	EQUALS ESTIMATED	advances	gen'l obligation debt	
			Sp Rev	General Property Tax	Local Gov't	Income Tax	2023 Total Resources	2023 Appropriations	Unencumbered Balance	12/31/2023	new debt	Description		
266	Local Fiscal Recovery	Sp Rev	633,585.04				633,585.04	633,585.04						
267	OneOhio	Sp Rev	4,554.70				9,054.70	9,054.70						
280	Safety / Service	Sp Rev	1,138,981.72			1,975,000.00	3,813,981.72	725,500.00	830,181.72				wages & benefits	
								1,761,500.00					capital items	
								195,400.00					RITA fees / OH muni fees + other	
								297,400.00					aerial tower=80mhz radio+cost	
								2,983,800.00						
301	General Bond Retirement	Debt	10,124.35				1,212,924.35	119,600.00	1,424.35				800 mhz radios	
								161,400.00					aerial tower	
								671,900.00					\$9M 2018 bonds-Road Program	
								258,600.00					70% 2010 bonds	
								1,211,500.00						
302	Special Assess Bond Retirement	Debt	1,189.71				344,189.71	319,400.00	24,789.71					
304	Other Debt	Debt	149,756.64				762,256.64	532,400.00	142,356.64				Lease pmts / State Infrastructure	
								16,500.00					2nd of 3 leasebuy for Cot Loader	
								71,000.00					OPWC payments + fees	
								619,900.00						
401	Capital Improvements	Cap	30,204.94				466,104.94	390,500.00	39,704.94				Dept capital purchases	
								35,900.00					EPA compliance	
								426,400.00						
405	Road Program	Cap	504,887.09			1,875,000.00	4,456,587.09	125,000.00	250,587.09				Road materials	
								60,000.00					Road pavement markings	
								70,000.00					storm water projects	
								1,823,000.00					Road Program	
								48,000.00					LED street lighting	
								26,000.00					RITA retainer / OH muni fees	
								30,000.00					Engineering - 4 corners	
								162,100.00					Engineering - Highland View	
								474,000.00					Empire Pkwy	
								325,000.00					Valley View Rd	
								144,500.00					Golden Link Blvd	
								144,500.00					Golden Link Blvd	
								31,000.00					Walters Rd	
								71,000.00					Walters Rd - design engineering	
								671,900.00					OPWC Ledge 2048/View 2038	
								4,206,000.00					\$9M 2018 Roads Bond 2038	
423	Municipal Property	Cap	1,755,023.75				7,755,023.75	7,025,000.00	730,023.75					
424	Longwood Park Improvements	Cap	5,912.31				5,912.31	1,000.00	4,912.31					
427	Manor House Renovation	Cap	26.27				26.27		26.27					

CITY OF MACEDONIA													
2023 Estimated Resources & Appropriations													
2023 Amended Appropriations - #1													
February 23													
Fund #	Fund Description	Type	ACTUAL			CERTIFICATE OF ESTIMATED RESOURCES			APPROPRIATIONS			Description	
			Unencumbered Balance 01/01/2023	ADD General Property Tax	ADD Local Gov't	ADD changes	ADD Income Tax	ADD	ADD	ADD	ADD		2023 Resources
470	Summit Pointe TIF	Cap	0.01				est rev	650,000.00	650,000.01	43.	650,000.00	0.01	
471	The Avenue TIF	Cap	140.56				est rev	46,800.00	46,940.56	44.	46,800.00	140.56	
472	Macedonia Shoppes TIF	Cap	213.10				est rev	7,700.00	7,913.10	45.	7,700.00	213.10	
473	Maguire Property TIF	Cap	167.65				est rev	7,000.00	7,167.65	46.	7,000.00	167.65	
475	Culver's TIF	Cap	201.53				est rev	10,400.00	10,601.53	48.	10,400.00	201.53	
476	KFC TIF	Cap	148.11				est rev	10,400.00	10,548.11	49.	10,400.00	148.11	
477	Cleanland TIF	Cap	-				est rev	-	-	50.	-	-	
478	Big Carrot TIF	Cap	-				est rev	-	-	51.	-	-	
479	Peak Nano TIF	Cap	-				est rev	-	-	52.	-	-	
480	Ohio State Waterproofing TIF	Cap	-				est rev	-	-	53.	-	-	
481	Optima TIF	Cap	-				est rev	-	-	54.	-	-	
482	Space Place TIF	Cap	-				est rev	-	-	55.	-	-	
483	Wave Car Wash TIF	Cap	-				est rev	-	-	56.	-	-	
702	Revolving Payroll Funds	Agency	68,100.88				est rev	-	68,100.88	54.	-	68,100.88	
710	Escrow Deposits	Agency	100,103.86				est rev	-	100,103.86	55.	-	100,103.86	
711	OBBC Deposits	Agency	1,905.85				est rev	-	1,905.85	56.	-	1,905.85	
712	Community Room Deposits	Agency	3,248.75				est rev	-	3,248.75	57.	-	3,248.75	
714	JEDD Northfield Center	Agency	125,075.90				est rev	450,000.00	575,075.90	58.	450,000.00	125,075.90	
715	Mayors Court Bond	Agency	7,942.56				est rev	-	7,942.56	59.	-	7,942.56	
	Totals		13,186,937.96	2,138,656.00	222,818.22			17,050,000.00	53,044,812.18		20,446,400.00	9,175,827.14	
							83.55%					0.00	
	Total Resources							16,600,000.00	26,827,774.22		39,857,874.22	43,868,985.04	
								Total Generated Resources					
								Total Estimated Revenue					

CITY OF MACEDONIA

2023 Amended Appropriations - #1

February 23

changes

	Fund #		
Beginning Estimated RESTRICTED Unencumbered Cash Balance	all other		6,067,600
Beginning Estimated UNRESTRICTED Unencumbered Cash Balance	101-106		<u>7,119,300</u>
	ALL		13,186,900
Revenue and Other Receipts			
Municipal Income Tax Funds (101,105, 204, 205)		12,750,000	
Property Tax	101, 213	2,138,700	
Local Government	101	222,800	
Tax Increment Financing (TIF) Revenue	471-483	82,300	
Safety / Service	280	1,975,000	
Road Program	405	<u>2,469,400</u>	
Other Income Funds (101, 105, 201, 204, 205, 301, 302, 401)		<u>5,559,100</u>	
Total Revenue			25,197,300
Expenses and Other Disbursements			
General	101	14,252,000	
Retirement Reserve	104	<u>125,000</u>	
Refund Program	105	200,000	
Technology Advancement	106	100,000	
Street Construction Maintenance & Repair	201	2,202,100	
Parks & Recreation	204	572,800	
Family Recreation Center	205	1,586,200	
Safety / Service	280	<u>2,686,400</u>	
			(21,724,500)
Trust / Agency Funds (206, 702 - 715) Revenue		505,000	
Trust / Agency Funds (206, 702 - 715) Expense		<u>465,000</u>	40,000
Other Funds (103, 202, 203, 207-267, 423-427, 470) Revenue		<u>1,130,000</u>	
Other Funds (103, 202, 203, 207-267, 423-427, 470) Expense		<u>9,063,600</u>	(7,933,600)
Balance available for Debt Service, Capital Improvements, Road Program & Other Costs			(4,420,800)
Debt Service			
General Bond Retirement	301	1,211,500	
Special Assessment Bond Retirement	302	319,400	
Other Debt	304	<u>619,900</u>	
			(2,150,800)
Balance available for Capital Improvements and Other Costs			(6,571,600)
Capital Improvements			
Departmental & Other Items from Five Year Capital Plan	401		<u>(426,400)</u>
Road Program			
Road Program & Storm Sewer Maintenance	405	<u>1,893,000</u>	
Other	405	<u>1,570,100</u>	(3,463,100)
Safety / Service borrowing	280		700,000
Municipal Property borrowing	423		5,750,000
Estimated Unencumbered Cash Increase (Decrease)			<u>(4,011,100)</u>
Ending RESTRICTED Unencumbered Cash Balance - Estimated	all other		3,881,300
Ending UNRESTRICTED Unencumbered Cash Balance - Estimated	101-106		<u>5,294,500</u>
	ALL		<u>9,175,800</u>

ORIGINATOR: ENGINEERING

SPONSOR: Garvas

**CITY OF MACEDONIA
RESOLUTION NO. 20 – 2023**

**A FINAL RESOLUTION
REQUESTING THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH
PROJECT – PID 116540 RELATIVE TO THE RESURFACING OF A PORTION OF
VALLEY VIEW ROAD WITHIN THE CITY OF MACEDONIA**

The following Final Resolution is enacted by the City of Macedonia, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, regarding the Valley View Road Resurfacing Project, also known as “PID 116540.”

WHEREAS, on November 10, 2022, the LPA enacted Res. 75-2022 authorizing the Mayor to complete and execute preliminary legislation for the following-described project:

The project consists of improvements to Valley View Road from Twinsburg Road to the Hudson/Macedonia corporation line, including pavement planning, repair, resurfacing, and markings, lying within the City of Macedonia; and

WHEREAS, the LPA desires to and shall cooperate with the Director of Transportation in the above-described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.

The City’s share of the costs as the LPA is now estimated to be in the amount of Seventy-Three Thousand Eight Hundred and 00/100 Dollars, (\$73,800.00), but said estimated amount is to be adjusted in order for and such that the LPA’s ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of costs and expense for improving the above-described highway and has transmitted copies of the same to City Council; and

WHEREAS, the LPA desires that the Director of Transportation proceed with the aforementioned highway improvement project.

NOW, THEREFORE, BE IT ORDAINED the Council of the City of Macedonia, Summit County, State of Ohio:

Section 1. That the estimated sum, of Seventy-Three Thousand Eight Hundred and 00/100 Dollars, (\$73,800.00) is hereby appropriated for the improvement described above, and the City’s Director of Finance is hereby authorized and directed to issue an order on the treasury for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The LPA hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

Section 2. That the LPA hereby requests the Director of Transportation to proceed with the aforementioned highway improvement project.

Section 3. That Mayor is hereby authorized and director to enter into an agreement on behalf of the City with the State, as substantially set forth in the document attached hereto as Exhibit “A” and incorporated herein by reference, providing for the payment by the City of the sum of money set forth herein above for the highway improvement project.

Section 4. That the LPA, through its Clerk of Council, transmit to the Director of Transportation a fully-executed copy of this Resolution.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. This Resolution shall take effect upon adoption by Council and signature of the Mayor or after the earliest period allowed by law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Jon Hoover, Clerk of Council

C O N T R A C T
(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of **Macedonia**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: **RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: **PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of improvements to Valley View Road from Twinsburg Road to the Hudson/Macedonia corporation line, including pavement planning, repair, resurfacing, and markings, lying within the City of Macedonia.

SECTION V: FINANCIAL PARTICIPATION

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of **Seventy-Three Thousand Eight Hundred and - - - 00/100 Dollars, (\$73,800.00)**.
5. **The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.**
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;
 - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto,

- C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
- D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;
- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows:

City of Macedonia
9691 Valley View Road
Macedonia, Ohio
44056

Ohio Department of Transportation
Office of Contract Sales & Estimating
1980 West Broad Street, 1st Floor
Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.

2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

- 6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
- 7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XII: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL
(If Applicable)

**OHIO DEPARTMENT OF
TRANSPORTATION**

**LOCAL PUBLIC AGENCY
City of Macedonia**

Director of Transportation

Mayor

Date

Approved:
Dave Yost
Attorney General of Ohio

By: _____
Corinna Efke
Unit Coordinator, Transportation
Executive Agencies Section

ORIGINATOR: SERVICE DEPARTMENT

SPONSOR: Tulley

**CITY OF MACEDONIA
RESOLUTION NO. 21 - 2023**

A RESOLUTION

**AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PROPERTY BY THE
CITY OF MACEDONIA IN ACCORDANCE WITH CITY OF MACEDONIA CODIFIED
ORDINANCE § 121.05 AND OHIO REVISED CODE § 721.15**

WHEREAS, the City of Macedonia Service Department is in possession of a 2013 Dodge Charger, Police Edition, 4-door, rear wheel drive with 118,133 miles, VIN No. 2C3CDXAT7DH69498, as well as a 2011 Ford Crown Victoria with 77,645 miles, VIN No. 2FABP7BVXBX168860, and that are no longer needed for public use, or are obsolete or unfit for the use for which it was acquired; and

WHEREAS, City Codified Ordinance § 121.05 as well as Ohio Revised Code § 721.15 provide for the disposition of personal municipal property, including obsolete, or unfit equipment no longer needed for public use, or for the use for which the property was acquired, including the disposition of such property via internet auction to be authorized by the legislative authority of the municipal corporation; and

WHEREAS, Council desires to dispose of such municipal properties by way of internet auction pursuant to City Codified Ordinance § 121.05 as well as Ohio Revised Code § 721.15; and

WHEREAS, Council deems it necessary and in the best interest to the health, safety and welfare of all City residents to dispose of such municipal properties by internet auction.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Macedonia, Summit County and State of Ohio:

Section 1. That the Director of Public Service for the City of Macedonia has recommended that the 2013 Dodge Charger, Police Edition, 4-door, rear wheel drive with 118,133 miles, VIN No. 2C3CDXAT7DH69498, as well as a 2011 Ford Crown Victoria with 77,645 miles, VIN No. 2FABP7BVXBX168860, that are currently in the possession of the City of Macedonia's Department of Public Service, be disposed of by internet auction after having determined that such properties are no longer needed for public use, or is obsolete or unfit for the use for which it was acquired.

Section 2. That upon review of the information provided by the Service Department and its Director, Council hereby authorizes the sale of the property by internet auction, such properties being no longer needed for public use, or is obsolete or unfit for the use for which they were acquired.

Section 3. The sale of the properties shall be conducted by the Director of Public Service through the internet auction site:

GovDeals
100 Capital Commerce Blvd., Suite 110
Montgomery, AL 36117
www.govdeals.com

Section 4. The municipal property sold by internet auction shall be available for public bid for a minimum of fifteen (15) calendar days, including Saturdays, Sundays and legal holidays, allotted for bidding, and the property to have a minimum reserve pricing as determined by the City's Director of Public Service of \$4,500.00 for the 2013 Dodge Charger, and \$2,000.00 for the 2011 Ford Crown Victortia. If the property is not sold at internet auction, it may be disposed of by salvage or other appropriate means as determined by the Director of Public Service.

Section 5. It is found and determined that all the formal action of this Council concerning and relating to the adoption of the Resolution was adopted in an open meeting of this Council, and that all deliberations of the Council, and any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements.

Section 6. Wherefore, this Resolution shall become effective upon its adoption by Council and signature of the Mayor or as otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Jon Hoover, Clerk of Council

ORIGINATOR: Council

SPONSOR: Tulley

**CITY OF MACEDONIA
ORDINANCE NO. 22 - 2023**

**AN ORDINANCE APPROVING THE APPLICATION FOR PLACEMENT INTO AN
AGRICULTURAL DISTRICT OF THE REAL PROPERTY LOCATED AT
9066 NORTH BEDFORD ROAD WITHIN THE CITY OF MACEDONIA**

WHEREAS, pursuant to Ohio Revised Code Section 929.02(A), any person who owns agricultural land may file an application with the County Auditor to place the land in an agricultural district for five (5) years, providing certain criteria has been met; and

WHEREAS, Patrick Michael DeShane is the owner and applicant for the real property located at 9066 North Bedford Road, bearing Permanent Parcel Number 3302186 in the Summit County, Ohio Records (“Property”); and

WHEREAS, on January 26, 2023, Patrick Michael DeShane applied for the Placement of the Property in and Agricultural District for five (5) years pursuant to the Ohio Revised Code, with said application attached hereto and incorporated herein by reference as Exhibit “A”; and

WHEREAS, the applicant has submitted affirmation that the Property has been devoted exclusively to agricultural production, has farm land comprised of parcels of less than ten acres (being 7.84 acres), and the activities conducted on the land produce an average yearly gross income of at least \$2,500.00 during the previous three (3) year period; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, County of Summit and State of Ohio:

Section 1. It being apparent that the applicant has submitted an application indicating compliance with the conditions of Ohio Revised Code Section 929.02, with a public hearing having been held on February 23, 2023 at 7:15 p.m., at which time Council heard any of the opponents and proponents of the placement of the land into an agricultural district for Council’s consideration in light of all pertinent statutory requirements, Council can find no basis to reject or modify the application, and same is therefore hereby approved.

Section 2. The Clerk of Council shall notify the applicant withing five (5) days of this decision indication that same has been approved, and also forward a copy of this Ordinance to the Summit County Auditor.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council,

and that all deliberations of Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. Wherefore, this Ordinance shall become effective upon its adoption by Council and signature of the Mayor or as otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

EXHIBIT "A"

Application For Placement Of Farmland In An Agricultural District O.R.C. (Section 929.02)

(See Reverse Side For Instructions Before Completing Application)

New Application
Renewal Application

Phone Number: 330 697.3127

A. Owner's Name: Patrick Michael DeShane

Owner's Address: 9066 N. Bedford Rd. Macedonia OH 44056

Description of Land as shown on property tax statement: Lot 23 W of Bedford Rd 7.084A

Location of Property: 9066 N. Bedford Rd. Macedonia OH 44056
(Address of Street or Road)

Parcel Number (s)
330 2186

Tax District (s)
33 Macedonia City - Nordonia Hills CSD

Total Number Of Acres 7.84

B. Does any of the land lie within a municipal corporation limit? Yes No

C. Is the land presently being taxed at its current agricultural use valuation under section 5713.31? O.R.C.?
Yes No

1. If you checked "no" above show the following evidence of land use:

	Last Year Acres	Two Years Ago Acres	Three Years Ago Acres
Cropland	1.34	1.34	1.34
Permanent Pasture	2	2	2
Woodland	3	3	3
Land Retirement or Conservation Program	0	0	0
Building Areas	1	1	1
Roads and Waste	.5	.5	.5
Total Acres	7.84	7.84	7.84

D. If the land for which application is being made is less than 10 acres then: 2022 2021 2020
1. Attached evidence of the gross income for each of the past 3 years, or \$5500 \$3200 \$2850 A.N.O.
2. If the owner anticipates that the land will produce an annual gross income of \$2500 or more, evidence must be attached showing the anticipated gross income.

Wood Products to be \$6000 gross income in 2023 p.m.O.

By signing this application I authorize the Fiscal Officer or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompany exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct report.

Signature of Owner: Patrick Michael DeShane Date: Jan-26-23

Below This Line For Official Use Only pmdehane@roadrunner.com

Fiscal Officer's Signature: _____ Date: _____

Date Filed (if required) with Clerk of Municipal Corporation: _____

Clerk's Signature: _____

Action of Legislative Body of Municipal Corporation: Application Approved _____

Approved With Modifications _____ Rejected _____

Date of Legislative Action: _____ Clerk's Signature: _____

- If Modified Or Rejected, Attach Specific Reasons For Modification Or Rejection

A. Who may file?

Any owner of land use for agricultural production may file an application to have the land placed in an agricultural district.

B. What is land used for agricultural production?

Land is devoted to agricultural production when it is used for commercial, apiculture, animal husbandry, poultry husbandry, the production from commercial purposes of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs and trees, flowers or sod, or any combination of such husbandry or production including, but not limited to, the processing, drying, storage and marketing of agricultural products.

C. What does "tracts, lots, or parcel of land" mean?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as listed on the tax list and duplicate of the county, is in agricultural production and conforms to the requirements of D1, D2, or D3.

D. Are there any other requirements?

1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber, which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yields and price per bushel or similar specific information.

E. Instructions for completing application

- Print or type all entries
- List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- Describe location of property by roads, etc., and taxing district where located. State whether any portion of land lies within a municipal corporation.
- For land to be taxed at current agricultural use valuation, an initial application must be submitted to and approved by the Fiscal Officer and a renewal application must be submitted each year thereafter for land to be continued in the CAUV program. If the acreage totals 10 acres or more, do not complete part D.
- If the acreage totals less than 10 acres, complete either D (1) or (2). Do not use space at the bottom of form below dotted line.

F. Where to file?

The completed application must be filed with the Summit County Fiscal Office where the land is located. The applicant will be notified of action taken by the Fiscal Office within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Summit County Fiscal Office under section 709.03 of the Ohio Revised Code. The application must also be filed with clerk of the legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the clerk. Within the 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

G. When to file?

The original application may be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his land in a district, he shall re-apply and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following renewal application.

H. Appeal of Application

The applicant may appeal the denial of the application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he disapproves of the modifications.

ORIGINATOR: PARKS AND RECREATION DEPARTMENT

SPONSOR: Brandt

**CITY OF MACEDONIA
ORDINANCE NO. 23 - 2023**

**AN ORDINANCE
AMENDING SECTION 1 OF ORDINANCE 79-2022 WHICH ESTABLISHED THE
COMPENSATION SCHEDULE FOR THE NON-UNION CITY EMPLOYEES OF
MACEDONIA EFFECTIVE JANUARY 1, 2023**

WHEREAS, Council of the City of Macedonia, upon the recommendation of the Director of the City’s Parks and Recreation Department, wishes to amend Section 1 of the compensation scheduled previously established for the non-union employees of the City as set forth in Ordinance 79-2022, in order to create certain “seasonal” (special) positions within the Parks and Recreation Department pursuant.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Macedonia, County of Summit and State of Ohio:

Section 1. That Section 1 of Ordinance 79-2022 be amended as follows:

Section 1. That effective January 1, 2023 the following employees which are exempt from the collective bargaining units, shall be assigned to the designated paygrades. Where the ranges of pay are specified below in Sections 1 through 4, the Mayor shall determine the specific salary or wage applicable, which compensation shall be within the given paygrade unless expressly authorized by Council:

* * *

**Parks and Recreation
Department**

Recreation Director (exempt)	12	1
Recreational Supervisor – Aquatics & Fitness (exempt)	10	1
Head Lifeguard	4	As Needed (includes seasonal/special)
Swimming Instructor	4	As Needed (includes seasonal/special)
Head Swim Coach	3	As Needed
Lifeguard	3	As Needed (includes seasonal/special)
Assistant Swim Coach	2	As Needed
Recreation Supervisor – Sports & Programs (exempt)	10	1
Rec Leader	2	As Needed (includes seasonal/special)
Head Camp Counselor	2	As Needed (includes seasonal/special)
Camp Counselor	2	As Needed (includes seasonal/special)
Recreation Coordinator – Marketing & Special Events	6	1
Fitness Supervisor	2	As Needed
Fitness Attendant	1	As Needed
Customer Service Specialist	3	2
Lead Customer Service Representative	3	As Needed (includes seasonal/special)
Customer Service Representative	1	As Needed (includes seasonal/special)
Child Care Representative	1	As Needed
*Administrative Assistant	6	1
Recreation Supervisor - Facilities & Membership (exempt)	10	1
Concessions Service Worker	1	As Needed

* * *

Section 3. It is found and determined that all formal action of this Council and concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. Wherefore, this Ordinance shall become effective upon its adoption by Council and signature by the Mayor or as may otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Jon Hoover, Clerk of Council