



April 25, 2023

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Work Session & Regular Meeting: Thursday, April 27, 2023**
“Council Office Hours” with Councilor Finley: 6:45pm
Work Session: 7:15pm
Council Meeting: 7:30pm

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE BY MAYOR NICHOLAS MOLNAR

III. APPOINTMENTS AND SWEARING-IN

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

Thursday, April 13, 2023 – Regular Council Meeting

V. PUBLIC COMMENTS

VI. CORRESPONDENCE

VII. PENDING &/OR NEW LEGISLATION

ORD.NO. 50 - 2023 [J. GARVAS, J. TULLEY]

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF MACEDONIA A PROPOSED AMENDMENT TO SECTION 11.01 OF THE CHARTER REGARDING THE COMPOSITION OF THE BOARD OF ZONING AND BUILDING CODE APPEALS

1st Read 4-13-23
2nd Read
3rd Read

ORD.NO. 51 - 2023 [J. GARVAS, J. BRANDT]

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF MACEDONIA A PROPOSED AMENDMENT TO ARTICLE XIII OF THE CHARTER REGARDING PARKS AND RECREATION

1st Read 4-13-23

2nd Read

3rd Read

ORD.NO. 52 - 2023 [V. VENTURA, D. FINLEY]

AN ORDINANCE AUTHORIZING PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM, AND FURTHER AUTHORIZING THE PURCHASE OF A NEW AMR-60 AUTOMATED ROTARY MOWER FROM M-TECH FOR USE BY THE SERVICE DEPARTMENT

1st Read

2nd Read

3rd Read

ORD.NO. 53 - 2023 [J. TULLEY, J. BRANDT]

AN EMERGENCY ORDINANCE ESTABLISHING A MORATORIUM FOR A PERIOD OF TWELVE (12) MONTHS ON APPLICATIONS FOR, AND THE GRANTING OF PERMITS OR OTHER AUTHORIZATIONS RELATING TO CAR WASH ESTABLISHMENTS WITHIN THE CITY OF MACEDONIA

1st Read

2nd Read

3rd Read

RES.NO. 54 - 2023 [D. FINLEY, V. VENTURA]

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

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:	Chief 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, J. TULLEY]

May

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

***Public Comment for those not able to attend in-person at the April 27th 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 April 26th, 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

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

Record of Proceedings
Regular Council Meeting
April 13th, 2023

1 Presiding Officer, Mayor Nicholas Molnar called the April 13th, 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 **PROCLAMATION:** The Clerk of Council, on behalf of the Mayor, read a Proclamation declaring April
10 21 to be Arbor Day in the City of Macedonia.
11

12 **RECOGNITIONS:** The Mayor recognized Dispatcher Karen Nelson for her accomplishments in being
13 named the 2022-2023 Dispatcher of the Year by the Veterans of Foreign Wars, Department of Ohio. Ms.
14 Nelson was present to accept the recognition and spoke briefly, emphasizing the success in part is due to
15 the cohesion amongst the dispatchers. The Mayor shared that when he has visited the dispatch center, he
16 is impressed that through all the chaos, the City's dispatchers do a phenomenal job and everyone in the
17 community appreciates the job they do.
18

19 Following Lt. Costello's swearing in, the Mayor read certificates of recognition for both the Nordonia
20 boys and girls bowling teams declaring April 13, 2023 to be Nordonia Knights Boys/Girls Bowling Team
21 Day Day and recognized each team's achievements, including the girls team making history by becoming
22 the first female team from Nordonia to win a state title. In attendance were bowlers RJ Lewis, Bryce
23 Lewin, Drew Kitzmiller, Josh Ware and Aiden Bulanda from the boys team; Hailey Whitten, Kolbey
24 Lewin, Brooke Barnes, Abby Toronski, Grace Bzdafka and Kaitlyn McNutt from the girls team. Also in
25 attendance was Head Coach Ty Lachowski.
26

27 **CEREMONIAL SWEARING-IN:** Christian Costello was ceremonially sworn in as the new Executive
28 Lieutenant of the Macedonia Police Department. In attendance were several family members and
29 colleagues, to which Lt. Costello expressed thanks for their support and patience throughout the
30 promotional process. Chief Yakopovich added that Lt. Costello has the abilities to one day be Chief as
31 well. Chief Ripley shared that in 2022 the ISO, which rates fire departments, rated communications in the
32 Macedonia Fire Department as 10 out of 10, and that is due in large part to the dispatchers.
33

34 **APPROVAL OF MINUTES:**
35

36 Ms. Brandt moved, second by Mr. Garvas, to **approve the minutes of the regular meeting of March 23,**
37 **2023 as received from the Clerk of Council.** The motion carried by a majority voice vote. Councilors
38 Brandt, Garvas, Tulley and Ventura in the affirmative. Councilor Finley abstained.
39

40 **PUBLIC COMMENTS:** None
41

42 **CORRESPONDENCE:** The Clerk of Council read a letter from the Twinsburg Fire Department to Chief
43 Ripley, wherein Twinsburg's Chief Timothy Morgan expressed gratitude for the mutual aid received from
44 Macedonia's Fire Department on a recent house fire, which included Captain Dave Chesnik and
45 FireMedics Jim Ferris, Meredith Hurley, Bryan Mitchell and John Schwab.
46

47 The Clerk of Council also read an e-mail Chief Ripley received from Russ and Tricia Mazzola of
48 Northfield Center Township, commending the compassionate and respectful response given by
49 Macedonia's emergency personnel during a recent situation. Those staff members included: Captain
50 Dave Chesnik, FireMedics Mike Jaskolka, Matt Harman, Anthony Lewicki and Bill Rogers from the Fire
51 Department, along with Officers Ashley Barendfeld and Chris Neal of the Police Department.
52
53

54 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**

55
56 **ORDINANCE NO. 41-2023**

57 AN ORDINANCE ESTABLISHING THE MUNICIPAL FUND “RECREATION TRUST FUND 703”
58 FOR CERTAIN PARKS AND RECREATION DEPARTMENT REVENUE was offered by Ms. Brandt
59 for **first, second and third readings by title only**. Seconded by Mr. Garvas. The motion carried
60 unanimously by a voice vote.

61
62 Dir. Veres stated there is currently a Spirit of Macedonia fund which allows for contributions and
63 donations towards that event, while this fund would handle all other activities that may receive donations
64 at the Recreation Center.

65
66 Ms. Brandt moved, second by Mr. Garvas, to **amend Section 1 of ORD.NO. 41-2023 to exclude the**
67 **accumulation of any sponsorship funds received by the Parks & Recreation Department concerning**
68 **the Spirit of Macedonia SummerFest**. Motion carried by a unanimous voice vote.

69
70 Ms. Brandt moved, second by Mr. Garvas, to **adopt ORD.NO. 41-2023 and post the same according to**
71 **law**. Motion carried by a unanimous voice vote. **ORD.NO. 41-2023 declared and adopted.**

72
73 **ORDINANCE NO. 42-2023**

74 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE
75 NORTHEAST OHIO PUBLIC ENERGY COUNCIL IN ORDER TO ACCEPT ENERGIZED
76 COMMUNITY GRANT(S) was offered by Ms. Tulley for **first, second and third readings by title**
77 **only**. Seconded by Mr. Finley. The motion carried unanimously by a voice vote.

78
79 The Mayor shared that the City receives dollars from NOPEC to put towards projects like lighting the ball
80 fields at Longwood Park, and this would be the second of three years where the City is utilizing these
81 funds.

82
83 Ms. Tulley moved, second by Mr. Finley, to **adopt ORD.NO. 42-2023 and post the same according to**
84 **law**. Motion carried by a majority voice vote. Councilors Brandt, Finley, Garvas and Ventura voting in
85 the affirmative. Councilor Tulley abstained. **ORD.NO. 42-2023 declared and adopted.**

86
87 **ORDINANCE NO. 43-2023**

88 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
89 WITH NATIONS BUS SALES FOR THE PURCHASE OF A 2022 ELDORADO ADVANCE FORD
90 TRANSIT BUS FOR THE CITY OF MACEDONIA SERVICES AND PROGRAMMING WITHOUT
91 THE NECESSITY OF ADVERTISEMENT AND FORMAL BIDDING was offered by Mr. Ventura for
92 **first, second and third readings by title only**. Seconded by Ms. Tulley. The motion carried
93 unanimously by a voice vote.

94
95 The Mayor stated the City has been working to acquire a bus for some time and an opportunity to
96 purchase one has finally come. One of the bus uses would be transporting seniors for various programs.

97
98 Mr. Ventura moved, second by Ms. Tulley, to **adopt ORD.NO. 43-2023 and post the same according**
99 **to law**. Motion carried by a majority roll call vote.

100
101 Roll call vote: Ayes: Councilors Brandt, Finley, Garvas, and Ventura
102 Nays: Councilor Tulley

103
104 **ORD.NO. 43-2023 declared and adopted.**

105
106

Record of Proceedings
Regular Council Meeting
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107 **ORDINANCE NO. 44-2023**

108 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT
109 WITH STATEWIDE FORD, INC. FOR THE PURCHASE OF FIVE (5) FORD EXPLORERS AND
110 OUTFITTING OF VEHICLES FOR THE CITY POLICE DEPARTMENT WITHOUT THE
111 NECESSITY OF ADVERTISEMENT AND FORMAL BIDDING was offered by Mr. Garvas for **first,**
112 **second and third readings by title only.** Seconded by Mr. Ventura. The motion carried unanimously by
113 a voice vote.

114
115 Chief Yakopovich stated this legislation is another step along the way of trying to secure vehicles for the
116 Police Department, adding that orders over the last few years have either been cancelled by the dealer or
117 only partially filled.

118
119 Mr. Garvas moved, second by Mr. Ventura, to **adopt ORD.NO. 44-2023 and post the same according**
120 **to law.** Motion carried by a unanimous voice vote. **ORD.NO. 44-2023 declared and adopted.**

121
122 **ORDINANCE NO. 45-2023**

123 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
124 AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION TO FINANCE THE
125 PURCHASE OF NEW EQUIPMENT FOR THE POLICE DEPARTMENT was offered by Mr. Finley
126 for **first, second and third readings by title only.** Seconded by Ms. Brandt. The motion carried
127 unanimously by a voice vote.

128
129 Dir. Veres stated this legislation is how the City will finance the purchase of the vehicles just approved in
130 ORD. NO. 44-2023. Ms. Brandt asked for clarification on the make and model of the vehicles, to which
131 Dir. Guidetti explained the vehicles are technically known as “Ford Explorer” but are commonly referred
132 to for police purposes as “Interceptor”.

133
134 Mr. Finley moved, second by Ms. Brandt, to **adopt ORD.NO. 45-2023 and post the same according to**
135 **law.** Motion carried by a majority voice vote. Councilors Brandt, Garvas, Tulley and Ventura in the
136 affirmative. Councilor Finley in the negative. **ORD.NO. 45-2023 declared and adopted.**

137
138 **ORDINANCE NO. 46-2023**

139 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A
140 CONTRACT WITH L. CATICCHIO & SON, INC. FOR THE “LONGWOOD PARK MULTIPURPOSE
141 FIELD EXPANSION” PROJECT was offered by Ms. Brandt for **first, second and third readings by**
142 **title only.** Seconded by Ms. Tulley. The motion carried unanimously by a voice vote.

143
144 Mr. Doyle stated this legislation is to approve the best bid received for the pre-planned capital project and
145 weather-permitting, should begin and end in May of 2023. Ms. Tulley asked how many bids were
146 received, to which Mr. Doyle responded three.

147
148 Ms. Brandt moved, second by Ms. Tulley, to **adopt ORD.NO. 46-2023 and post the same according to**
149 **law.** Motion carried by a unanimous voice vote. **ORD.NO. 46-2023 declared and adopted.**

150
151 **ORDINANCE NO. 47-2023**

152 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE
153 PURCHASE AND INSTALLATION OF A FIRE ALARM SYSTEM FOR CITY HALL IN AN
154 AMOUNT NOT TO EXCEED \$150,000 was offered by Ms. Tulley for **first, second and third readings**
155 **by title only.** Seconded by Mr. Ventura. The motion carried unanimously by a voice vote.

156
157 Dir. Collins explained this legislation is to replace the fire alarm system in the building. Communication
158 cards for the current system are no longer supported by the manufacturer and have been failing for the
159 past 5-6 years.

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160
161 Ms. Tulley moved, second by Mr. Ventura, to **adopt ORD.NO. 47-2023 and post the same according**
162 **to law.** Motion carried by a unanimous voice vote. **ORD.NO. 47-2023 declared and adopted.**
163

164 **ORDINANCE NO. 48-2023**

165 AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO
166 PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023 was offered by Mr.
167 Ventura for **first, second and third readings by title only.** Seconded by Mr. Finley. The motion carried
168 unanimously by a voice vote.
169

170 Dir. Wilson shared this is a housekeeping piece of legislation which allows the City to participate in the
171 ODOT road salt contracts for the 2023-24 winter season. The amount has been scaled back slightly from
172 the previous year of 4,000 tons to 3,000.
173

174 Mr. Ventura moved, second by Mr. Finley, to **adopt ORD.NO. 48-2023 and post the same according to**
175 **law.** Motion carried by a unanimous voice vote. **ORD.NO. 48-2023 declared and adopted.**
176

177 **RESOLUTION NO. 49-2023**

178 A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PROPERTY BY
179 THE CITY OF MACEDONIA POLICE DEPARTMENT IN ACCORDANCE WITH CITY OF
180 MACEDONIA CODIFIED ORDINANCE § 121.05 AND OHIO REVISED CODE § 721.15 was offered
181 by Mr. Finley for **first, second and third readings by title only.** Seconded by Mr. Garvas. The motion
182 carried unanimously by a voice vote.
183

184 Chief Yakopovich stated these three vehicles have reached the end of usefulness for the Police
185 Department.
186

187 Mr. Finley moved, second by Mr. Garvas, to **adopt RES.NO. 49-2023 and post the same according to**
188 **law.** Motion carried by a unanimous voice vote. **RES.NO. 49-2023 declared and adopted.**
189

190 **ORDINANCE NO. 50-2023**

191 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
192 MACEDONIA A PROPOSED AMENDMENT TO SECTION 11.01 OF THE CHARTER REGARDING
193 THE COMPOSITION OF THE BOARD OF ZONING AND BUILDING CODE APPEALS was offered
194 by Mr. Garvas for **first reading by title only.**
195

196 Mr. Garvas shared this ordinance is one of two coming before Council tonight as a result of Charter
197 Review Commission meetings. The Building Commissioner and members of the BZA had brought this
198 up for review, with the idea of having two “alternate” members on the BZA to fill in in the event of
199 vacancy or known absence to try and maintain 5 members present at each meeting of that body. Mr.
200 Garvas further stated this ordinance is only to put the issue on the ballot, as Charter language cannot be
201 amended solely by Council action.
202

203 **ORDINANCE NO. 51-2023**

204 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
205 MACEDONIA A PROPOSED AMENDMENT TO ARTICLE XIII OF THE CHARTER REGARDING
206 PARKS AND RECREATION was offered by Mr. Garvas for **first reading by title only.**
207

208 Mr. Garvas stated this issue was brought to the Charter Review Commission for advisement from the
209 Parks and Recreation Director. The goal is to clean up the language in the article to reflect how the City
210 operates currently. Mr. Garvas also shared that like the previous ordinance, if Council passes it will
211 appear on the November ballot.
212

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MOTIONS / OTHER LEGISLATIVE ACTION:

Mr. Ventura moved, second by Ms. Brandt to **cancel the June 8, July 27 and August 10 Council meetings for summer recess.** Motion carried by a unanimous voice vote.

MAYOR’S REPORT

- ~Mayor’s Court revenue for March of 2023 was \$48,936
- ~Celebrate telecommunicators (i.e. dispatchers)
- ~Happy Birthday to Law Director Mark Guidetti!
- ~Congratulations to Junior Council member Vini Milianta for his acceptance to South Florida University
- ~Don’t drive distracted – put down the phones and drive the car!

COMMITTEE REPORTS

Parks & Recreation Commission: Ms. Brandt reported the Parks & Recreation Commission will meet next on April 19 at 6pm in the upstairs meeting room of the Recreation Center.

Charter Review Commission: Mr. Garvas reported the Charter Review Commission will likely have its last meeting on April 19, and encouraged anyone with suggestions for the Commission to review to let him know prior to that meeting.

Finance Committee: Mr. Ventura reported there will be a meeting on July 13 prior to the Council meeting, with timing to be determined.

Cemetery Board: Ms. Tulley reported the Board will have its annual meeting in Council chambers at a time to be determined.

DEPARTMENT REPORTS

Service Department: Director Wilson – Commended the Service staff for the job they’ve done on the first floor hallway in the City Center. Looking into bulletproof glass for the Court area. Spring restoration is taking place, particularly areas that may have been damaged by plows. Proactive maintenance happening on snow and leaf machines.

Engineer: Director Gigliotti – Work on the emergency driveway improvements at the City Center are scheduled to begin later this month. Road paving is scheduled to begin in late May, and all affected residents on those roads will be alerted via mail ahead of time.

Parks and Recreation Department: Supervisor John Doyle – Spring soccer starts this weekend, with ongoing field and trail maintenance taking place. April 22 is SpringFest, which will include Earth Day cleanup and a celebration of Arbor Day. Dumpsters were delivered in front of the City Center for residents to use over the next two weeks. Residents are encouraged to visit macrec.com to see cleanup volunteer opportunities.

Finance Department: Director Veres – Macedonia resident RITA refunds are currently being processed, with the deadline of July 17 unless you have been granted an extension.

Fire Department: Chief Ripley – Hydrant cleaning will begin on Monday. Congratulations to Lt. Costello!

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265 **Police Department:** Chief Yakopovich – Looking forward to working with Lt. Costello, and
266 congratulations to Dispatcher Karen Nelson. It's good to make sure the dispatchers know they are
267 appreciated, and their ISO assessment score is remarkable.
268

269 **HR Department:** Director Smith – Absent
270

271 **Building Department:** Commissioner Rodic – Absent
272

273 **IT Department:** Director Collins – Closed 32 help desk tickets since the last Council meeting. Major
274 projects include a new link between the Recreation Center and the press box, extending wi-fi coverage
275 into the park, as well as purchasing and setting up new desks in the Police Department following changes
276 within that department. Happy Birthday to Dir. Guidetti!
277

278 **Law Department:** Director Guidetti – If Council passes the proposed Charter Amendments to appear on
279 the November 7 ballot, the deadline to submit to the Board of Elections is 60 days prior to the election.
280 Prior to that, notice will go out which will include full language of the amendment and can also be found
281 in the Clerk of Council's office.
282

283 Ms. Tulley also wished Dir. Guidetti a happy birthday.
284

285 **UNFINISHED BUSINESS:** None
286

287 **NEW BUSINESS:**
288

289 Ms. Brandt thanked the Mayor, Police and Fire Departments for making sure the City keeps its dispatch
290 operations local and not outsourcing or consolidating to a regional dispatch center. Ms. Brandt also
291 shared that NOPEC information should be arriving in the mail regarding energy rates and what NOPEC
292 provides for residents. There will be an informational meeting in the Community Room on April 17 at
293 4pm, as well as virtual meetings that can be found on nopec.org for April 18, 22 and 27. Ms. Brandt
294 explained that not only does NOPEC help residents save money on energy costs, but they give back to
295 communities in the form of grants that Macedonia has used for lighting ball fields and the City Center.
296

297 The Mayor further shared that more information on NOPEC is posted on the City website, and explained
298 that NOPEC is the only energy non-profit out there.
299

300 Ms. Tulley briefly explained what an energy aggregator does, and the Mayor added that the opt-out
301 residents will receive in the mail is by law, but that one does not have to opt-out.
302

303 Ms. Tulley then turned to ask Chief Yakopovich whether motorists can pass a driver going the speed limit
304 in a residential neighborhood, to which Chief Yakopovich responded they cannot for several reasons. Ms.
305 Tulley and Chief Yakopovich shared recent comments received from individuals where they noted seeing
306 a police presence along Route 82 to enforce traffic laws.
307

308 Mr. Ventura offered kudos to both Chiefs for fighting a regional dispatch system from absorbing
309 Macedonia into their system and detailed the benefits of having dispatchers serving the local community.
310

311 There being no further business, Ms. Brandt moved, second by Mr. Finley, to **adjourn the meeting**. The
312 motion passed **unanimously** pursuant to a voice vote and the meeting was adjourned at approximately
313 8:23p.m.
314

315

316

316 **Date:** _____

317

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Attest: _____
Jon Hoover, Clerk of Council

Mayor: _____
Nicholas Molnar

ORIGINATOR: CHARTER REVIEW COMMISSION

SPONSOR: COUNCILOR GARVAS

**CITY OF MACEDONIA
ORDINANCE NO. 50 – 2023**

**AN ORDINANCE
PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
MACEDONIA A PROPOSED AMENDMENT TO SECTION 11.01 OF THE CHARTER
REGARDING THE COMPOSITION OF THE BOARD OF ZONING AND BUILDING
CODE APPEALS**

WHEREAS, it has become necessary to amend Section 11.01 of the Charter of the City of Macedonia relative to the composition of the City’s Board of Zoning and Building Code Appeals; and

WHEREAS, it has been deemed in the best interest of the health, safety and welfare of City residents to amend Section 11.01 of the Charter as set forth below; and

WHEREAS, Council desires to provide for submission of this proposed amendment to the electors of the Municipality at the November 2023 general election.

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

Section 1. That the amendment proposed by Council shall be submitted to a vote of the qualified electors of the City of Macedonia at the general election to be held on Tuesday, November 7, 2023. Such amendment shall read as indicated in Exhibit “A” attached hereto and incorporated herein by reference.

Section 2. That in the event the foregoing amendment to the City Charter is approved by a majority of the electors voting thereon, such amendments shall become a part of the Charter of the City of Macedonia and shall become effective as provided therein; and the present existing sections or part sections of said Charter shall thereby be deemed repealed as they are affected.

Section 3. The ballot for the determination of this issue shall read as follows:

Shall the Charter of the City of Macedonia be amended so as to change the composition of the City Board of Zoning and Building Code Appeals by allowing for up to two alternate members to be appointed by the Mayor or his/her designee to serve on the Board in the event a regular member is unavailable?

_____ Yes

_____ No

Section 4. That the Clerk is authorized and instructed to give notice of the proposed amendments in accordance with Ohio Revised Code Section 731.211.

Section 5. That the Clerk is authorized and directed to certify a copy of this Ordinance to the Board of Elections of Summit County, provided it is passed by a two-thirds vote of Council.

Section 6. That this Ordinance be, and hereby is, determined sufficient authority upon filing with the Summit Board of Elections to cause said Board to proceed to place the herein described Charter issue upon the Macedonia City ballot at the November 7, 2023 general election; and that such authority be deemed granted to the Board by its receipt of a certified copy of this Ordinance from the Clerk of Council.

Section 7. 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 8. 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

ARTICLE XI
BOARD OF ZONING AND BUILDING CODE APPEALS

Section 11.01 Creation and Duties.

Council shall by ordinance establish a Board of Zoning and Building Code Appeals to hear appeals for exception to and variances from the application of ordinances, resolutions, regulations, measures and orders of administrative officials or agencies governing zoning and building in the Municipality under procedures established by Council. Such Board shall be made up of five (5) electors of the municipality servicing as regular members of the Board. There shall be an additional two (2) electors of the municipality servicing as alternate members of the Board. ~~Each member of whom~~ shall serve a term of five (5) years. Alternate members of the Board may serve in the place of a regular member when a regular member is unable to attend, or is otherwise unable to vote, at any meeting of the Board. Alternate members shall only have the powers of a regular member of the Board, including but not limited to the ability to deliberate and vote, when serving in place of a regular Board member.

Such Board shall have such duties and functions as may be provided by ordinance of Council or the Statutes of the State of Ohio. Members of the Board of Zoning and Building Code Appeals shall be appointed by the Mayor subject to confirmation by a majority of the members elected to Council.

The terms of the regular members shall be staggered so that one member's term shall expire each year. The terms of alternate members need not be staggered. The Board shall annually elect its own Chairman and Vice Chairman, and Secretary. The Chairman and Vice Chairman shall be elected from the regular members of the Board, and the Secretary may be a regular member, alternate, or non-member of the Board. The minutes of the Board together with its findings and orders shall be filed in the Municipal offices.

The Board may adopt its own regulations, but the same shall not be inconsistent with the Statutes of the State of Ohio pertaining to municipal Zoning Boards or ordinances of the municipality of Macedonia.

The Board may adopt its own regulations, but the same shall not be inconsistent with the Statutes of the State of Ohio pertaining to municipal Zoning Boards or ordinances of the municipality of Macedonia. A member of the Planning Commission, elected from its own at the first meeting of the year, shall be a non-voting member of the Board of Zoning and Building Code Appeals.



ORIGINATOR: CHARTER REVIEW COMMISSION

SPONSOR: COUNCILOR GARVAS

**CITY OF MACEDONIA
ORDINANCE NO. 51 – 2023**

**AN ORDINANCE
PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
MACEDONIA A PROPOSED AMENDMENT TO ARTICLE XIII OF THE CHARTER
REGARDING PARKS AND RECREATON**

WHEREAS, it has become necessary to amend Article XIII of the Charter of the City of Macedonia relative to City of Macedonia Parks and Recreation matters, including the operations of the City’s Parks and Recreation Department; and

WHEREAS, it has been deemed in the best interest of the health, safety and welfare of City residents to amend Article XIII of the Charter as set forth below; and

WHEREAS, Council desires to provide for submission of this proposed amendment to the electors of the Municipality at the November 2023 general election.

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

Section 1. That the amendment proposed by Council shall be submitted to a vote of the qualified electors of the City of Macedonia at the general election to be held on Tuesday, November 7, 2023. Such amendment shall read as indicated in Exhibit “A” attached hereto and incorporated herein by reference.

Section 2. That in the event the foregoing amendment to the City Charter is approved by a majority of the electors voting thereon, such amendments shall become a part of the Charter of the City of Macedonia and shall become effective as provided therein; and the present existing sections or part sections of said Charter shall thereby be deemed repealed as they are affected.

Section 3. The ballot for the determination of this issue shall read as follows:

Shall the Charter of the City of Macedonia be amended by reorganizing Article XIII to reflect the current organization and operation of the Parks and Recreation Department and Parks and Recreation Commission?

_____ Yes

_____ No

Section 4. That the Clerk is authorized and instructed to give notice of the proposed amendments in accordance with Ohio Revised Code Section 731.211.

Section 5. That the Clerk is authorized and directed to certify a copy of this Ordinance to the Board of Elections of Summit County, provided it is passed by a two-thirds vote of Council.

Section 6. That this Ordinance be, and hereby is, determined sufficient authority upon filing with the Summit Board of Elections to cause said Board to proceed to place the herein described Charter issue upon the Macedonia City ballot at the November 7, 2023 general election; and that such authority be deemed granted to the Board by its receipt of a certified copy of this Ordinance from the Clerk of Council.

Section 7. 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 8. 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

ARTICLE XIII
DEPARTMENT OF PARKS AND RECREATION COMMISSION

~~Section 13.01 Creation.~~

~~When it seems appropriate the Council shall create, by ordinance, a Parks and Recreation Commission, consisting of six (6) electors of the Municipality not holding other municipal office and one member of Council elected by Council annually. The six (6) electors shall be appointed by the Mayor and confirmed by the majority of the members elected to Council, and shall have terms of five (5) years, beginning and ending at such time as Council determines by ordinance or resolution. All seven (7) members of the Parks and Recreation Commission may vote.~~

~~Section 13.01.A Powers and Duties.~~

~~The Parks and Recreation Commission shall have such powers and duties as may be prescribed by ordinance of Council.~~

Section 13.021 Director of Parks and Recreation.

Council may by ordinance provide for the creation of the position of Director of Parks and Recreation, who shall be the head of the Parks and Recreation Department and shall serve under the general supervision of the Mayor. The Director shall be appointed by the Mayor, ~~on the advice of the Parks and Recreation Commission~~ and subject to confirmation of the majority of the members elected to Council.

Section 13.032 Qualifications and Term.

The Director of Parks and Recreation shall have knowledge of municipal park and recreation operations, budgetary and supervision skills. The Director of Parks and Recreation shall serve until removal as provided in Section 13.065 hereof, or upon written resignation.

Section 13.043 Duties in General.

The Director of Parks and Recreation, under the general supervision of the Mayor and, to the extent consistent with this Charter, shall be the Parks and Recreation administrator, and shall:

- (a) Manage, conduct and supervise all programs of the ~~p~~Parks and ~~r~~Recreation ~~d~~Department;
- (b) Be a non-voting member of the Parks and Recreation Commission;
- (c) Manage, conduct and supervise all operations of the Recreation Center; and
- (d) Have such other powers and duties as may be prescribed by ordinance of Council consistent with this Charter.

Section 13.054 Staff of the Parks and Recreation Department.

The Parks and Recreation Department shall include such other positions as are determined necessary by the Council; employees in such positions shall work under general supervision of the Director of the Parks and Recreation Department, and shall be appointed by the Mayor.

Section 13.065 Removal of the Parks and Recreation Director.

The Director of Parks and Recreation can be removed by the Mayor. The Director of Parks and Recreation may appeal the removal to Council. Council shall consider such appeal, shall hold a public hearing concerning the appeal, and may overturn the removal upon four (4) affirmative votes of the members of Council. The Director of Parks and Recreation can be removed by Council by four (4) affirmative votes of the members elected to Council.

Section 13.06 Creation of the Parks and Recreation Commission.

When it seems appropriate, Council shall create, by ordinance, a Parks and Recreation Commission, consisting of six (6) electors of the Municipality not holding other municipal office and one member of Council elected by Council annually. The six (6) electors shall be appointed by the Mayor and confirmed by the majority of the members elected to Council, and shall have terms of five (5) years, beginning and ending at such time as Council determines by ordinance or resolution. All seven (7) members of the Parks and Recreation Commission may vote.

Section 13.07 Powers and Duties of the Parks and Recreation Commission.

The Parks and Recreation Commission shall have such powers and duties as may be prescribed by ordinance of Council.



Section 13.078 Removal of Parks and Recreation Commission Members.

Any member of the Parks and Recreation Commission can be removed by the Mayor if a majority of the members elected to Council approve such removal by vote at a regularly scheduled meeting of Council.

Any member of the Parks and Recreation Commission can be removed by Council by four (4) affirmative vote of the members elected to Council.

ORIGINATOR: SERVICE DEPARTMENT

SPONSOR: Ventura

**CITY OF MACEDONIA
ORDINANCE NO. 52 – 2023**

**AN ORDINANCE
AUTHORIZING PARTICIPATION IN THE HOUSTON-GALVESTON AREA
COUNCIL COOPERATIVE PURSHASING PROGRAM, AND FURTHER
AUTHORIZING THE PURCHASE OF A NEW AMR-60 AUTOMATED ROTARY
MOWER FROM M-TECH FOR USE BY THE SERVICE DEPARTMENT**

WHEREAS, it is necessary to maintain the lawn mowing equipment for the City of Macedonia Department of Public Service in order to provide for the efficient and effective operation of the Department; and

WHEREAS, upon recommendation of the Director of Public Service, the City desires to authorize the purchase a new AMR-60 automated rotary mower that operates by GPS for the City of Macedonia Service Department through a government purchasing cooperative contract; and

WHEREAS, Houston-Galveston Area Council is a nationwide governmental procurement service (HGACBuy”) which meets or exceeds State governmental cooperative purchasing requirements; and

WHEREAS, Council further authorizes the City to first execute an interlocal contract to become a participating member of the HGACBuy cooperative purchasing program in order to purchase equipment through the program; and

WHEREAS, it is deemed necessary and in the best interest of the health, safety and welfare of all City residents to purchase a new automated rotary mower for the City of Macedonia Service Department from M-Tech through Embankscape Equipment d.b.a. “RC Mowers” at contract pricing through the HGACBuy cooperative purchasing program, Contract No. GR01-20, and, as such, competitive bidding for this purchase need not be undertaken; and

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

Section 1. The Council of the City of Macedonia hereby authorizes and directs the Mayor to first enter into an interlocal contract to become a participating member of the HGACBuy cooperative purchasing program.

Section 2. That Council of the City of Macedonia further authorizes and directs the Mayor to enter into a purchase agreement with M-Tech to purchase a new AMR 60” Rotary Mower with a 23.5hp Kawasaki Engine through the HGACBuy cooperative purchasing program,

Contract No. GR01-20, as set forth on the document attached hereto as Exhibit “A” and incorporated herein by reference.

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 by the Mayor or as may otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

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to increase profit from mowing services, which traditionally is the number one source of landscaping companies' revenue but also generally the least profitable.

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With a focus on the most advanced technology and safety in mind, our Autonomous Mowing Robots were designed and built by the RC Mowers Robotics team – a team of cross-industry heavy-hitters, led by the experts who developed the U.S. military's weapons guidance systems, and includes experts who worked to develop U.S. Department of Defense autonomous vehicles as well as leading experts in aviation safety.

RCM ROBOTICS AUTONOMY

Simply put, you'll need less labor to do more.

A single operator and our Autonomous Mowing Robots will generate the same revenue as a crew of three:

1

A single operator unloads the Autonomous Mowing Robots and mows the perimeter for each machine [first time mow only].

2

The operator mows around Keep-Out Areas such as landscaping and water features [first time mow only].

3

The operator enables Robot Mode. While the Autonomous Mowing Robots are mowing, the operator does trimming.

4

The Autonomous Mowing Robots mow everything within their perimeters, avoiding the Keep-Out Areas.

5

The Autonomous Mowing Robots stop for obstacles then resume when clear, and can plan around unexpected objects.

6

When their plans are complete, the Autonomous Mowing Robots return to their start position for loading.

7

The Autonomous Mowing Robots recall plans by location so no need to re-mow perimeters or Keep-Out Areas.

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Display real-time mowing progress and estimated completion time

Set striping direction and overlap width

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Operating range ▶ *500 feet*

Anti-Collision ▶ *Safety system prevents collision with people, animals, and other objects. Machine stops when approached.*

Object Detection ▶ *Can detect basketball-sized objects and larger. Slows and then stops for objects in or near path. Auto resumes when object is cleared.*

Safe Enable ▶ *Will only operate autonomously when located inside of the mowing plan boundary.*

Safety Interlock ▶ *Will not operate autonomously with seat occupied.*

Environment Light ▶ *Works in any lighting conditions.*

Security ▶ *Autonomy mode requires operator authentication.*

Status Lights ▶ *Daylight visible machine status lights.*

Emergency-Stop ▶ *Machine mounted.*

Remote Emergency-Stop ▶ *Single belt clipped device controls up to 3 machines at*

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ORIGINATOR: ADMINISTRATION / MAYOR MOLNAR

SPONSOR: Tulley

**CITY OF MACEDONIA
ORDINANCE NO. 53 - 2023**

**AN EMERGENCY ORDINANCE
ESTABLISHING A MORATORIUM FOR A PERIOD OF TWELVE (12) MONTHS ON
APPLICATIONS FOR, AND THE GRANTING OF PERMITS OR OTHER
AUTHORIZATIONS RELATING TO CAR WASH ESTABLISHMENTS WITHIN THE
CITY OF MACEDONIA**

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws for the health, safety, welfare, comfort and peace of the citizens of the municipality, including reasonable restrictions on areas used for businesses and trades; and

WHEREAS, upon recommendation of the City's Administration, Council desires to implement a twelve (12) month moratorium on new car wash establishments or uses from the date of passage of this Ordinance, while the City undertakes a review and/or study of the Ordinances of the City of Macedonia, including the zoning, building and business regulation sections of the Macedonia Codified Ordinances and other applicable law; and

WHEREAS, this moratorium therefore will provide the City an opportunity to enact any reasonable regulations to protect the health, safety, welfare, peace, and comfort for the citizens of the City of Macedonia pertaining to car wash establishments.

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

Section 1. That a moratorium of twelve (12) months on the acceptance of any applications for, or granting of, any permits, zoning certificates or other authorizations allowing new car wash establishments or uses in any zoning district within the City of Macedonia is hereby established.

Section 2. That the City's Administration, including the Building Department and Zoning Inspector, is authorized and directed to undertake any and all action required to institute this moratorium.

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 is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Macedonia and the inhabitants thereof, for the reason that it provides for the daily operation of a municipal department, and provided it receives the affirmative vote of three (3) or more of the members elected or appointed to this Council, it 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

ORIGINATOR: POLICE DEPARTMENT

SPONSOR: Finley

**CITY OF MACEDONIA
RESOLUTION NO. 54 - 2023**

A RESOLUTION

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

WHEREAS, the Police Department of the City of Macedonia is in possession of the police fleet vehicles listed below, and which are no longer needed for public use, or are obsolete or unfit for the use for which they were acquired:

<u>VEH#</u>	<u>YEAR/MAKE/MODEL</u>	<u>VEHICLE IDENTIFICATION NO.</u>
471	2018 Dodge Charger	VIN: 2C3CDXKT9JH167749
472	2018 Dodge Charger	VIN: 2C3CDXKTJH170783
473	2018 Dodge Charger	VIN: 2C3CDXKT2JH174428
474	2018 Dodge Charger	VIN: 2C3DXKT5JH167750
475	2018 Dodge Charger	VIN: 2C3CDXKT0J174427
476	2018 Dodge Charger	VIN: 2C3CDXKT4JH170784
477	2018 Ford Interceptor SUV	VIN: 1FM5K8AR6HGE30352
479	2018 Ford Interceptor SUV	VIN: 1FM5K8AR8HGE30353

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 property 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 property 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 Chief of Police for the City of Macedonia has recommended that the 2018 Dodge Charger bearing VIN No. 2C3CDXKT9JH167749, 2018 Dodge Charger bearing VIN No. 2C3CDXKTJH170783, 2018 Dodge Charger bearing VIN No. 2C3CDXKT2JH174428, 2018 Dodge Charger bearing VIN No. 2C3DXKT5JH167750, 2018 Dodge Charger bearing VIN No. 2C3CDXKT0J174427, 2018 Dodge Charger bearing VIN No. 2C3CDXKT4JH170784, 2018

Ford Interceptor SUV bearing VIN No. 1FM5K8AR6HGE30352, and a 2018 Ford Inceptor bearing VIN No. 1FM5K8AR8HGE30353 that are currently in the possession of the City of Macedonia Police Department, be disposed of by internet auction after having determined that such property is 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 City Police Department and its Police Chief, Council hereby authorizes the sale of the property by internet auction, such property being no longer needed for public use, or is obsolete or unfit for the use for which it was acquired.

Section 3. The sale of the property shall be conducted by the Police Chief 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 shall be sold "AS IS" and at a sale value determined by Auction.

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