



June 20, 2023

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Work Session & Regular Meeting: Thursday, June 22, 2023**
“Council Office Hours” with Councilor Ventura: 6:30pm
Work Session: 7:00pm
Council Meeting: 7:30pm

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE BY MAYOR NICHOLAS MOLNAR

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

Thursday, May 25, 2023 – Regular Council Meeting

IV. PUBLIC COMMENTS

V. CORRESPONDENCE

VI. 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 4-27-23
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 4-27-23

3rd Read

ORD.NO. 62 - 2023 [J. GARVAS, D. FINLEY]

AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF MACEDONIA A PROPOSED AMENDMENT TO SECTION 8.04, 8.05 AND SECTION 12.01 OF THE CHARTER REGARDING THE COMPOSITION OF THE POLICE AND FIRE DEPARTMENTS

1st Read 5-25-23

2nd Read

3rd Read

RES.NO. 63 - 2023 [J. GARVAS, J. BRANDT]

AN EMERGENCY RESOLUTION ACKNOWLEDGING AND ACCEPTING THE TERMS SET FORTH IN THE REPORT OF THE FACT FINDER RELATIVE TO THE SERGEANT AND PATROL OFFICER BARGAINING UNITS OF THE CITY OF MACEDONIA POLICE DEPARTMENT

1st Read

2nd Read

3rd Read

RES.NO. 64 - 2023 [V. VENTURA, J. BRANDT]

A RESOLUTION ADOPTING ALTERNATE TAX BUDGET INFORMATION FOR THE CITY OF MACEDONIA, OHIO FOR FISCAL YEAR 2024, AND SUBMITTING THE SAME TO THE SUMMIT COUNTY AUDITOR

1st Read

2nd Read

3rd Read

RES.NO. 65 - 2023 [J. TULLEY, J. GARVAS]

A RESOLUTION AUTHORIZING THE MAYOR TO TAKE SUCH STEPS NECESSARY TO APPLY FOR FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION, DISTRICT EIGHT PUBLIC WORKS COMMITTEE, PROGRAM YEAR 36, FOR THE LEDGE ROAD RESURFACING PROJECT AND THE HIGHLAND ROAD/VALLEY VIEW ROAD INTERSECTION IMPROVEMENT PROJECT

1st Read

2nd Read

3rd Read

RES.NO. 66 - 2023 [J. GARVAS, D. FINLEY]

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF NATE FALKENSTEIN TO MACEDONIA'S CIVIL SERVICE COMMISSION

1st Read
2nd Read
3rd Read

ORD.NO. 67 - 2023 [D. FINLEY, J. TULLEY]

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY FOR THE REPLACEMENT OF A TRAFFIC CONTROL BOX AND EQUIPMENT FOR THE INTERSECTION OF ROUTE 8 AND HIGHLAND ROAD IN THE CITY OF MACEDONIA WITHOUT THE NECESSITY OF ADVERTISEMENT AND FORMAL BIDDING

1st Read
2nd Read
3rd Read

ORD.NO. 68 - 2023 [J. BRANDT, V. VENTURA]

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

ORD.NO. 69 - 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

ORD.NO. 70 - 2023 [J. TULLEY, J. BRANDT]

AN ORDINANCE AMENDING SECTION 909.04 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA RELATIVE TO NOXIOUS WEEDS

1st Read
2nd Read
3rd Read

VII. MOTIONS/OTHER LEGISLATIVE ACTION

VIII. MAYOR'S REPORT

IX. COMMITTEE REPORTS

X. 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

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT [D. FINLEY, J. BRANDT]

June/July

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

***Public Comment for those not able to attend in-person at the June 22nd 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 June 21st, 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

June/July							2023
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
25	26	27	28	29	30	1	
2	3	4 Independence Day	5	6 Mayor's Court	7	8 ReWorks Shred Day	
9	10	11	12	13 Mayor's Court Finance Committee City Council Work Session + Meeting	14	15	
16	17 Planning Commission	18	19 BZA	20 Mayor's Court	21	22	
23	24	25	26	27 Mayor's Court Car Cruise	28	29	
30	31						

Record of Proceedings
Regular Council Meeting
May 25th, 2023

1 Presiding Officer, Mayor Nicholas Molnar called the May 25th, 2023 regular meeting to order at 7:30p.m.

2
3 **Present:** Council members Jessica Brandt, Dave Finley, Jeff Garvas, Jan Tulley, and Vini J.
4 Ventura. Also present: Law Director Mark Guidetti and Clerk of Council Jon Hoover.
5

6 **INVOCATION & PLEDGE OF ALLEGIANCE**

7
8 **SWEARING-IN:** The Mayor swore-in William Culver to the position of Patrol Officer in the Police
9 Department. Ptl. Culver spoke briefly and introduced his wife in attendance, stating he is excited for this
10 new chapter in Macedonia.
11

12 **PROCLAMATION:** The Mayor read a proclamation observing May 21-27 as National Public Works
13 Week.
14

15 **APPROVAL OF MINUTES:**

16
17 Ms. Brandt moved, second by Mr. Garvas, to **approve the minutes of the regular meeting of May 11,**
18 **2023 as received from the Clerk of Council.** The motion carried unanimously by a voice vote.
19

20 **PUBLIC COMMENTS:** None
21

22 **CORRESPONDENCE:** None
23

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

25
26 **ORDINANCE NO. 50-2023**

27 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
28 MACEDONIA A PROPOSED AMENDMENT TO SECTION 11.01 OF THE CHARTER REGARDING
29 THE COMPOSITION OF THE BOARD OF ZONING AND BUILDING CODE APPEALS remained at
30 second reading.
31

32 **ORDINANCE NO. 51-2023**

33 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
34 MACEDONIA A PROPOSED AMENDMENT TO ARTICLE XIII OF THE CHARTER REGARDING
35 PARKS AND RECREATION remained at second reading.
36

37 **ORDINANCE NO. 60-2023**

38 AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 79-2022 WHICH ESTABLISHED
39 THE COMPENSATION SCHEDULE FOR THE NON-UNION CITY EMPLOYEES OF MACEDONIA
40 EFFECTIVE JANUARY 1, 2023 was offered by Mr. Ventura for **first, second and third readings by**
41 **title only.** Seconded by Ms. Brandt. The motion carried by a unanimous voice vote.
42

43 Dir. Guidetti stated this legislation is to separate and amend the position description for the Police Chief's
44 assistant.
45

46 Mr. Ventura moved, second by Ms. Brandt, to **adopt ORD.NO. 60-2023 and post the same according**
47 **to law.** Motion carried by a unanimous voice vote. **ORD.NO. 60-2023 declared and adopted.**
48

49 **RESOLUTION NO. 61-2023**

50 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE PLANS, BIDS, AND
51 SPECIFICATIONS, AND FURTHER AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS,
52 FOR A CONTRACT TO PERFORM THE IROQUOIS TRAIL DITCH ENCLOSURE PROJECT FOR

Record of Proceedings
Regular Council Meeting
May 25th, 2023

53 THE CITY OF MACEDONIA was offered by Ms. Tulley for **first, second and third readings by title**
54 **only**. Seconded by Mr. Finley. The motion carried unanimously by a voice vote.
55

56 Dir. Gigliotti stated this project is for “upsizing” an existing storm sewer on Iroquois Trail to eliminate a
57 flooding problem. The project is budget-neutral for the City, as funds from the Northeast Ohio Regional
58 Sewer District will be utilized for this purpose.
59

60 Ms. Tulley moved, second by Mr. Finley, to **adopt RES.NO. 61-2023 and post the same according to**
61 **law**. Motion carried by a unanimous voice vote. **RES.NO. 61-2023 declared and adopted.**
62

63 **ORDINANCE NO. 62-2023**

64 AN ORDINANCE PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
65 MACEDONIA A PROPOSED AMENDMENT TO SECTION 8.04, 8.05 AND SECTION 12.01 OF
66 THE CHARTER REGARDING THE COMPOSITION OF THE POLICE AND FIRE DEPARTMENTS
67 was offered by Mr. Garvas for **first reading by title only**.
68

69 Dir. Guidetti stated this proposed amendment is to confirm and clarify the practice for unclassified
70 employees of the Police and Fire Departments since 1971.
71

72 **MOTIONS / OTHER LEGISLATIVE ACTION:** None
73

74 **MAYOR’S REPORT**

- 75 ~Congratulations to this year’s Nordonia High School graduates!
 - 76 ~Free mulch for the residents is slated for June. Those wishing to drop off brush and branches, or
 - 77 pick up mulch will need to show identification that the individual is a Macedonia resident.
 - 78 ~Regarding Walmart, the wish is to change the perspective in the community and to that end he
 - 79 and Chief Yakopovich have been in touch with the new manager there with the goal of instilling
 - 80 confidence that Walmart and the Commons are a great place to shop. More things are planned
 - 81 there for this summer.
 - 82 ~Crumb Cookies will be moving into the location currently held by Don Basch Jewelers once
 - 83 they relocate to their new building. Timing for that move is to be determined.
 - 84 ~Happy Memorial Day!
 - 85 ~Don’t drive distracted—no text is worth it!
- 86

87 **COMMITTEE REPORTS**
88

89 **Parks & Recreation Commission:** Ms. Brandt reported the Parks & Recreation Commission had its
90 latest meeting on Wednesday, May 17 and discussed both programs that have transpired and that are
91 upcoming. Thanks to the volunteers and the staff of the Parks & Recreation Department for their
92 collaboration and time. The next meeting will be the third Wednesday in June, with no meeting in July.
93

94 **DEPARTMENT REPORTS**
95

96 **Service Department:** Director Wilson – Thanks for the Public Works Week proclamation. The
97 bathrooms are complete at both City Hall and Veterans Memorial Park. The autonomous mower is on
98 order, and the new bucket truck should be arriving at the beginning of June. The tub grinder for mulch
99 should be brought in next week by Brimfield Aggregate. Happy Memorial Day and thank you to all the
100 veterans who served.
101

102 **Engineer:** Director Gigliotti – The annual road paving program began this past Tuesday. Newport Drive
103 will be restricted to one-way traffic (eastbound direction only) starting Tuesday, May 30. Valley View
104 Road between Twinsburg Road and the Hudson border will be resurfaced starting in July.
105

Record of Proceedings
Regular Council Meeting
May 25th, 2023

106 **Parks and Recreation Department:** Director Chadock – SummerFest is coming up on June 9-10, with a
107 5k that Saturday morning and fireworks concluding the festival that night. Video was submitted to the
108 NRPA for the Grand Plaque award; thanks for the help from all involved, including Community Focus.
109 The submitted video was then played on the screens in Council Chambers.

110
111 **Finance Department:** Director Veres – July 17 is the due date for RITA refund forms, and if residents
112 need assistance filling them out they can contact the Finance Department.

113
114 **Fire Department:** Chief Ripley – Reminder that it is now legal to display fireworks on Memorial Day
115 weekend. Hydrant flushing is completed, with the painting project ongoing. The two new squads are
116 scheduled to arrive in early July, with the new engine to come in mid-July. Happy belated birthday to the
117 Mayor, and many thanks to the veterans.

118
119 The Mayor noted that you may see a Macedonia truck in Sagamore Hills or Northfield Center as they are
120 painting hydrants in those communities as well.

121
122 **Police Department:** Chief Yakopovich – Thanks to the veterans and happy Memorial Day. Welcome to
123 Patrolman Culver. The last two Ford Interceptors have arrived and are being outfitted. School ends on
124 June 1, so please be careful on the roads with more children out playing.

125
126 **HR Department:** Director Smith – No report

127
128 **Building Department:** Commissioner Rodic – Absent

129
130 **IT Department:** Director Collins – Major projects include resolved Fire CAD display issues, user
131 account cleanup for the Police Department, printer moves, edited timeclocks and camera additions. Small
132 municipalities are being targeted for hacking right now, so be smart about what you click. Happy
133 Memorial Day.

134
135 **Law Department:** Director Guidetti – No report

136
137 **UNFINISHED BUSINESS:** None

138
139 **NEW BUSINESS:** Ms. Brandt thanked the Service Department workers and wished them a happy Public
140 Works Week.

141
142 There being no further business, Mr. Ventura moved, second by Ms. Tulley, to **adjourn the meeting.**
143 The motion passed **unanimously** pursuant to a voice vote and the meeting was adjourned at
144 approximately 8:02p.m.

145
146
147 **Date:** _____

148
149
150 **Attest:** _____
151 Jon Hoover, Clerk of Council

152
153
154 **Mayor:** _____
155 Nicholas Molnar

156

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 serving as regular members of the Board. There shall be an additional two (2) electors of the municipality serving 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: ADMINISTRATION/LAW DEPARTMENT

SPONSOR: Garvas

**CITY OF MACEDONIA
ORDINANCE NO. 62 – 2023**

**AN ORDINANCE
PROVIDING FOR SUBMISSION TO THE ELECTORS OF THE CITY OF
MACEDONIA A PROPOSED AMENDMENT TO SECTION 8.04, 8.05 AND SECTION
12.01 OF THE CHARTER REGARDING THE COMPOSITION OF THE POLICE AND
FIRE DEPARTMENTS**

WHEREAS, it has become necessary to amend Section 8.04, 8.05 and Section 11.01 of the Charter of the City of Macedonia to clarify the classification of members of the City’s Police and Fire Departments; and

WHEREAS, it has been deemed in the best interest of the health, safety and welfare of City residents to amend Section 8.04, 8.05 and 12.01 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 to clarify the full-time employees within the City’s Police and Fire Departments that are members of the classified civil service?

_____ 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 VIII

Section 8.04 Police Department.

(a) The Police Department shall consist of a Chief of Police and such officers, patrolmen, and personnel as established by Council by ordinance or resolution. All full-time ~~dispatchers, officers, and patrolmen, and personnel~~ shall be appointed by the Director of Public Safety in accordance with Civil Service regulations of this Charter, the statutes of the State of Ohio, and the provisions of this Section. Appointments shall be made for the appropriate probationary period of continuous service, and such appointments shall not be deemed finally made until the appointees have satisfactory served their probationary period. Thirty (30) days before the end of the probationary period, the Director of Public Safety shall transmit to the Mayor a record of each employee's service with his recommendation thereon; and with the concurrence of the Mayor, the Director of Public Safety may remove or finally appoint the employee, as the case may be. The Police Department shall perform all duties established by the statutes of the State of Ohio or the Ordinances of Council.

(b) All part-time personnel shall be appointed by the Director of Public Safety subject to concurrence of the Mayor. Appointments of part-time personnel shall be subject to an additional concurrence of the Mayor after the probationary period in the same manner provided in Section 8.04(a) above.

Section 8.05 Fire Department.

(a) The Fire Department shall consist of a Fire Chief and such officers, fire ~~fightersmen, and personnel~~ as established by Council by ordinance or resolution. All full-time ~~officers, and fire fightersmen, and personnel~~ shall be appointed by the Director of Public Safety in accordance with Civil Service regulations of this Charter, the statutes of the State of Ohio, and the provisions of this Section. Appointments of full-time personnel shall be made for the appropriate probationary period of continuous service, and shall not be deemed finally made until the appointees have satisfactorily served their probationary period. Thirty (30) days before the end of the probationary period, the Director of Public Safety shall transmit to the Mayor a record of each full-time employee's service with his recommendations thereon; and with the concurrence of the Mayor, the Director of Public Safety may remove or finally appoint the employee, as the case may be.

(b) All part-time personnel shall be appointed by the Director of Public Safety subject to concurrence of the Mayor. Appointments of part-time personnel shall be subject to an additional concurrence of the Mayor after the probationary period in the same manner provided in Section 8.05(a) above.

(c) The Fire Department shall perform all duties established by the Statutes of the State of Ohio or the ordinances of Council.

Section 12.01 Creation, Duties and Term.

Council shall by ordinance provide for and establish a Civil Service Commission and a Civil Service System. The Commission shall consist of five (5) electors of the Municipality, not holding other municipal office or employment to be appointed by the Mayor, subject to confirmation by a majority of the members elected to Council, for terms of six years each. Council shall stagger the initial terms of office of the Civil Service Commission members so that thereafter no more than one member's term shall expire in any year. A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment. The Commission shall designate one of its members a chairman and may appoint a secretary, who need not be a member of the Commission and may hold other municipal office or employment. Council shall determine which employees of the Municipality shall be within the classified service and which shall be within the unclassified service, provided that ~~except as in addition to those~~ except as in addition to those qualified in Section 12.02 or 12.03 hereof, all full-time ~~members~~ dispatchers, officers and patrolmen of the Police Department, and all full-time officers and fire fighters of the Fire Departments, including ~~the Chief of Police and Fire Chief~~, shall be in the classified service, and provided further that persons, other than those serving a probationary period of employment, who have been continuously employed on a full-time basis in the service of the Municipality in the same or similar position for at least ninety (90) days prior to the date such position is placed in the classified service, shall be retained in the same or similar position without examination until discharged, reduced, disciplined, promoted or transferred in accordance with the rules and regulations of the Commission.



ORIGINATOR: ADMINISTRATION

SPONSOR: Garvas

**CITY OF MACEDONIA
RESOLUTION NO. 63 - 2023**

**AN EMERGENCY RESOLUTION
ACKNOWLEDGING AND ACCEPTING THE TERMS SET FORTH IN THE REPORT OF
THE FACT FINDER RELATIVE TO THE SERGEANT AND PATROL OFFICER
BARGAINING UNITS OF THE CITY OF MACEDONIA POLICE DEPARTMENT**

WHEREAS, the City of Macedonia and the Ohio Patrolmen’s Benevolent Association (“OPBA”) previously entered into negotiations for successor collective bargaining agreements to be effective January 1, 2023 through December 31, 2025 for the Patrol Officer bargaining unit as well as the Sergeant bargaining unit, respectively; and

WHEREAS, said negotiations, being unsuccessful in reaching agreement, resulted in the appointment of a fact finder by the State Employment Relations Board (“SERB”) to attempt to resolve any remaining outstanding issues between the parties; and

WHEREAS, the City and OPBA representatives met with the SERB-appointed Fact finder on April 27, 2023, and the Fact Finder issued her Report and Recommendation on or about June 19, 2023, the receipt of which is hereby acknowledged by Council, and which included specific recommendations as to the remaining outstanding issues between the parties; and

WHEREAS, Council now desires to approve the Report and Recommendation, having determined such approval is in the best interest of the City and its residents.

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

Section 1. The Council for the City of Macedonia hereby acknowledges, accepts and approves the terms of the Fact Finder’s Report and Recommendation attached hereto and incorporated herein by reference as Exhibit “A,” for purposes of resolving the outstanding issues and entering into successor collective bargaining agreements effective January 1, 2023 through December 31, 2025 for both the Patrol Officer as well as the Sergeant bargaining units.

Section 2. 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 3. Wherefore, this Resolution 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

STATE OF OHIO

STATE EMPLOYMENT RELATIONS BOARD

FACT FINDER'S REPORT

AND

RECOMMENDATION

IN THE MATTER OF:

CITY OF MACEDONIA

AND

OHIO PATROLMEN'S BENEVOLENT ASSOCIATION

SERB CASE No. 2022-MED-09-1032 (Patrol)

SERB CASE No. 2022-MED-09-1037 (Sergeants)

Before Fact Finder Susan Fernandez

Hearing Date: April, 27, 2023

Report Date: June 19, 2023

For the Employer:
Pat Hoban, Counsel
Kastner Westman & Wilkins, LLC
3550 West Market St.
Suite 100
Akron, Ohio 44333

For the Labor Organization
Dominic Saturday, Staff Representative
OPBA
10147 Royalton Rd., Suite J
North Royalton, Oh. 44133

INTRODUCTION AND BACKGROUND

Pursuant to Ohio Revised Code Section 4117.14(C)(3), the State Employment Relations Board on January 20, 2023 appointed the undersigned to serve as Fact Finder in this matter. The Parties timely submitted their position statements on April 26, 2023 and the fact-finding hearing was held on April 27, 2023 at the Macedonia City Hall Building. An appreciable portion of the hearing day was devoted to mediation however, except for an issue regarding bereavement, the parties did not reach agreement on any of the open issues. During the course of the evidentiary hearing, the parties were afforded the opportunity to advocate for their respective positions, submit evidence, and present testimony. The position statements and exhibits were given full consideration.

The City of Macedonia is located in Summit County and lies approximately 15 miles southeast of Cleveland, Ohio. The population numbers at about 13,000 individuals living within a total land area of nearly 10 square miles. The City enjoys a diverse population of which over 94 % have achieved education levels at or above high school completion. The per capita income is approximately \$49,000 and the City's poverty rate is below 5%. The City has several large parks that offer scenic walking and bike trails in the Cuyahoga Valley area. Macedonia has a mix of small local businesses and larger corporate entities.

The Fact finding hearing concerned successor collective bargaining agreements for two separate bargaining units. The first unit is comprised of approximately (eighteen) 18 full-time Patrol Officers and the second unit consists of two (2) full-time Sergeants. The Ohio Patrolmen's Benevolent Association (OPBA or Union) represents both units. The City of Macedonia (Macedonia or the City) also has collective bargaining agreements with three additional bargaining units: International Association of Fire Fighters Local 3947, Dispatchers represented by the OPBA, and a unit of Service Department employees represented by the International Brotherhood of Teamsters Local 436. All five contracts expired on December 31, 2022. At the time of the hearing, the City had reached agreement with the IAFF fire fighters and OPBA dispatch units; a ratification vote was scheduled for the IBT service unit employees.

Bargaining for the 2023-2025 CBAs began in the fall of 2022. The terms of the expired contracts were effective from January 1, 2020 to December 31, 2022. Meetings with the OBPA represented units and the City began on October 6, 2022. The parties agreed to meet without legal counsel and Mayor Nick Molar served as the City's chief negotiator. The Union's bargaining representatives were Sgt. Costello and Sgt. Glontz (both are now Lieutenants). Additional negotiating meetings were held on November 2, November 23, and November 28.

It is apparent that the manner in which the negotiations were conducted resulted in a degree of confusion and that fundamentals of the negotiating process appear not to have been observed by the negotiating teams. The parties did not exchange written proposals. There is also disagreement on whether the parties reached any tentative agreements; the City asserts that the parties did not "TA" any contract language while the Union asserts that parties reached

agreement on a CBA for both units that the City did not observe. The cross filing of unfair labor practice charges, which were later withdrawn, was raised by both parties at the hearing and most likely was a contributing factor to the impasse.

OPEN ISSUES¹

Article 24 Wages-Patrol Officers

Article 23 Wages- Sergeants

Article 24 Wages/Training Instructor Stipends-Patrol Officers

Article 23 Wages/Training Instructor Stipends- Sergeants

Article 24 Wages/Educational Degree Compensation-Patrol Officers

Article 23 Wages/Educational Degree Compensation-Sergeants

Article 32 Insurance-Patrol Officers

Article 30 Insurance -Sergeants

Article 20 Sick Leave -Patrol Officers

Article 19 Sick Leave-Sergeants

Article 19 Holidays-Patrol Officers

Article 18 Holidays- Sergeants

Article 26 Uniform Allowance- Patrol Officers

¹ At the hearing, the Parties agreed to add language to bereavement leave (Article 22, Section, 22.02 -Patrol and Article 21, Section 21.02 Sergeants), to include son-in-law and daughter-in-law to the existing definition of those family relations that qualify as immediate family.

Article 25 Uniform Allowance-Sergeants

Article 25 Longevity-Patrol Officers

Article 24 Longevity-Sergeants

Article 18 Vacations-Patrol Officers

Article 17 Vacations-Sergeants

Article 36 Duration-Patrol Officers

Sergeants Signatures (Duration)

The recommendations in this Report are made in consideration of the following statutory criteria as set forth in Ohio Revised Code, Section 4117.14 (G)(7) and the Ohio Administrative Code, Section 4117-9-05 (J).

1. Past collectively bargained agreements between the parties;
2. Comparison of open issues related to other public and private employees performing comparable work, giving consideration to factors peculiar to the area and the classifications involved;
3. The interest and welfare of the public, the ability of the public employer to finance and administer the issues proposed, and the effect of the adjustments on the normal standard of public service;
4. Lawful authority of the public employer;
5. Stipulations of the parties; and,
6. Such factors as not confined to those above which are normally and traditionally taken into consideration.

ECONOMIC OVERVIEW

This is not a case where the City is asserting that dire financial circumstances prevent it from offering wage increases or that it must seek a reduction in benefits in order to avoid fiscal distress. Accordingly, the discussion of the City's financial circumstances will not focus on a detailed analysis regarding ability to pay or the need to seek concessions. On the contrary, Macedonia has done an admirable job balancing the difficult circumstances presented by the pandemic and pivoted in an efficient manner to deal with the uncertainty that Covid would have on the City's budget. For example, in May 2020 Regional Income Tax Agency (RITA) notified City personnel of a decline in income tax collections for the remainder of the year. As result, the City came up with a plan to reduce its expenditures by \$3 million and a \$1.6 million reduction in planned capital expenditures. While the tax collections did not decrease as much as RITA predicted, the City was certainly in keeping with its overall plan implemented in 2018 to promote financial stability by maximizing available resources, scheduling capital improvements, and creating a financial reserve to pay for recurring financial liabilities and to support operations in the event of a sudden crisis, such as the financial crisis of 2009 and, more recently, Covid 19.

In their pre-hearing statements, the parties raised numerous points to support their respective positions as to why their proposals should be adopted by this Fact Finder.

In support of its position, the City asserts the following:

- Through careful fiscal planning, the City has been able to raise its unencumbered General Fund balance from 1.9 million in 2018 (15% of General Fund expenditures) to 5.78 million in 2022 (33% of General Fund expenditures). The General Fund is supported by income tax collections of 2.5%. The income tax collections funds safety services (fire and police) as well as the street fund, resident refunds and other funds. About 75% of expenditures from the General Fund is for wages and benefits. The City's wage proposal of 4%, 3% 3% is in keeping with the objective to responsibly manage the funds entrusted to the City by Macedonia residents.
- From 2020 to 2022 the City received a total of \$2.36 million in Covid relief funds. These funds enabled the City to offset qualifying costs and to realize one-time increases to the General Fund. For example, while the General Fund grew from \$1.985 million in 2018 to \$5.782 million in 2022, part of the increase is attributable to Covid funds. In 2020 CARES Act revenues of \$1.111 million were used to cover fire fighters wages and benefits. Per City Finance Director, had the Cares Act funds not been received by the City, the 2022 unencumbered fund balance of \$5.782 million would have been reduced by \$1.111 million.
- The City has significant spending plans for 2023 and based on those plans the City expects the unencumbered General Fund balance to decrease to 3.6 million. Transfers out of the General Fund in 2023 are budgeted to be \$5.253 million as compared to \$4.042 million in 2022. City Exh. 27.
- The City also expects the 2023 General Fund expenditures to exceed revenues by 2.1 million due largely to a projected decrease in revenues and increased

expenditures and transfers out of the General Fund to support various capital improvements and projects delayed by Covid.

- Transfers out of the General Fund grew in 2022 (\$4.042 million contrasted with \$2.835 in 2021) because the City was now planning on making capital improvements that had been delayed due to Covid, such as road improvement projects.
- These projects include the consolidation of City Service Department facilities into a single location which will cost \$7 million, \$1.75 of which the City will fund with cash and borrow the balance. This is reflected in the transfer out of General Funds increase from \$4.042 million in 2022 to \$5.253 million budgeted for 2023. City Exh. 27.
- Funds must be transferred out of the General Fund to purchase 13 new Police Department vehicles. Park and road improvements are also planned.
- As a result of City's careful planning, it was in a position to offer the most robust wage increase since 2009 to all five bargaining units and its non-represented employees of 4% in 2023, 3% in 2024, and 3% in 2025.
- While revenues increased since 2018 from 13.9 million to 18.6 million, expenditures also increased from 13.1 million to 17.3 million.
- For 20 years the City has approached wage increases and benefit terms to establish a City-wide pattern for all units. For years the City has negotiated the same percent wage increase and maintained identical health insurance benefits for all represented and non-represented employees.
- Since at least 2015, all five units have received the same percentage wage increase.
- In addition to a 10% wage increase over 3 years, the City will maintain the 2023 benefits premium freeze at 2022 levels with no change to the insurance plan design.
- The pattern bargaining for wages should not be disrupted as it will undermine effective labor relations and sow discontent among the other bargaining units.
- If wages and other pattern compensation enhancements, including the one-year health insurance premium freeze, are considered as a total compensation package, the Patrol and Sergeants units are well into the top 10 among comparable jurisdictions.
- The burden is on the Union to prove the necessity to break an established pattern.²
- Fact Finder Sellman explained that where an employer has demonstrated consistency in negotiating parity on core economic terms, the pattern should be observed unless there exist clear extenuating circumstances that support an exception.³
- Given OPBA's bad faith tactics, seeking to break the internal city-wide pattern,

² State of Ohio v. Ohio Troopers Association, BU 1 & 15, (Dworkin 1997)

³ Hancock County Sheriff, SERB Case No. 16-MED-11-1345 (10/02/2017, Sellman J.)

filing a frivolous unfair labor practice charge, and demanding that the City sign an imaginary TA, the City's wage proposal should be implemented upon ratification rather than be applied retroactively.

- While the City's current balances enable it to pay more, the robust 10% wage increase settlement and the effect it will have on the Patrol and Sergeant units standing among comparable jurisdictions, render any increase in the base rate patently unreasonable.
- The City has established the reasonableness of its wage proposal through internal and external comparables. Internally, there exists a wage pattern among its bargaining units. Out of five units, two safety forces units agreed to the 4%-3%-3% pattern and at the time of the hearing, the Service Department tentatively agreed to the same.
- As for external comparables, the Sergeants unit current compensation is in the middle of adjacent jurisdictions in Summit, Medina, Cuyahoga, Geauga, and Portage counties (19th out of 31 units). The City's wage proposal increases the Sergeants to 17th in total compensation in 2023, 11th in 2024, and 6th in 2025 with a top-level base wage rate of \$98,085.69 and a total compensation rate of \$104,255.69.
- Patrol Officers are currently 22 out of 32 comparable jurisdictions in the same five counties. The City's wage proposal increases Patrol Officers to 18th in total compensation in 2023, 10th in 2024, and 9th in 2025 with a top-level wage rate of \$83,352 and a total compensation rate of \$89,022.
- The City's wage proposal also reduces the Patrol Officer wage scale top out from 85+ months (7-years) to 61+ months (5 years), which matches terms reached with the Fire Unit. The City's wage proposals will also help with recruitment and retention.
- SERB Wage Settlement Report shows that the statewide average for Police Units for years 2022-2024 total 9.13% total for those 3 years. In that same time period, the Akron/Canton region, inclusive of all types of units, had a total average of 8.57%. The City's wage proposal totaling 10% for the 2023-2025 contract surpasses SERB's averages regardless of region or unit type.
- If the Union relies on the 2022 4th Quarter wage statistics it should be kept in mind that the numbers for the 4th Quarter are skewed as evidenced by the updated 2023 1st Quarter wage statics, which have an annual wage increase average of 3.44%. Moreover, the annual wage increase for 2022 among Fact finding recommendations was 3.33%.
- As for any inflation argument the Union may raise, it must be considered that inflation equally affects the City as well as employees. For example, the cost of natural gas to the City year-to-date increased 3-fold over 2022 natural gas cost and it is anticipated the budget year-end cost will exceed the estimate for 2022 by \$254,400.00. City Exh. 31.
- While the Union may argue the CPI supports their position on wage increases, the CPI is not a reliable basis for determining wage issues in the public sector. The

U.S. Bureau of Labor Statistics recommend considering additional factors such as productivity, industry standards, regional comparisons, and cost of living adjustments.

- Fact finders have shown unwillingness to rely on recent inflation rates to bind employers to years of higher wage rates based on current conditions. As observed by Fact finder Bernardini when considering inflation volatility it would not be fair to bind an employer to annual cost-of-living increases over three years that assume record-breaking inflation highs as it is more reasonable to assume that inflation will moderate in response to monetary policy intervention.⁴
- At present, the City has limited potential for growth as it has exhausted its ability to expand commercial land usage and the accompanying income tax revenue realized from such growth. The City's last income tax raise in 2019 indicates that the City is not in a position in the near future to raise income tax rates above the current 2.5%.
- The City's health care plan is tremendously beneficial for its employees and the Fact finder should consider this benefit as being included in the City's total compensation package.
- The City offers a High Deductible Plan (HDP) combined with a Health Reimbursement Account (HRA) through Medical Mutual of Ohio. The City's long-established wellness program provides employees the opportunity, with minimal effort, to reduce their premium contribution rates (and thus increase the City's contributions from 85% to 92.5%).
- Given the City's level of funding for the HRA contributions, actual maximum out-of-pocket amounts for co-pays are \$500 for single coverage and \$850 for family coverage. This resultant premium cost payments savings to employees provides them with expansive benefits at a cost well below SERB averages and comparable jurisdictions.

In support of its position, the Union asserts the following:

- The Police Department is financed by the City's General Fund. The General Fund is the City's primary operating fund and the majority of the expenses from the General Fund are related to wages. The General Fund is comprised of 2.5% income tax collections, some property taxes, hotel taxes, enterprise funds, local government funds, and other fees or fines paid to the City. Income taxes collections is the primary source of revenues for the General Fund.
- Over the past six years, except for a decrease of \$161,000 between 2019 and 2020, revenues from income tax collections have increased each year. City Exh. 27. Accordingly, even factoring in the onset of the pandemic in 2019/2020, the City had only a slight dip in income tax collections and the

⁴ City of Troy and IAFF, Local 1638, SERB Case No. 2021-MED-09-1245 (Bernardini, June 15, 2022).

City's rate of tax collection is at an all-time high as confirmed by Finance Director John Veres.

- In 2022 the General Fund revenue from all sources was \$18.670 million.
- The City spent \$1.995 million on police department salaries and wages in 2022. The police chief and lieutenant, non-bargaining unit employees, accounted for \$229,562 or 11.5% of the police department's total budget, while the bargaining unit members' wages accounted for about 9.5% of the City's annual General Fund expenditures.
- Positive budget variances, growing tax revenues, and high fund balance to expense ratios have solidified the City's financial health in recent years and improved its flexibility to afford reasonable and justifiable wage increases for Macedonia police officers.
- Over the past 6 years, OPBA members have seen miserly pay increases that have not kept pace with the statewide average or rapidly rising inflation rates.
- The General Fund's balance compared to the overall size of its budget is one of the most significant indicators of a public employer's financial health. The City's most recent General Fund year-end balance of \$5.941 million represents a staggering reserve which was nearly 45% of its annual operating expenses.
- The above ratio far exceeds both the 5% recommendation from Standard and Poors rating services as well as the 16.67% recommendation from the more conservative Government Finances Officers (GFOA).
- Transfers out of the General Fund can be mandatory or discretionary; in 2022 the City transferred a substantial amount of funds which came to \$4.042 million.
- The City's projected fund carry over of 14% in 2023 (City Exh. 27) is not accurate when applying the three of the five fund balance categories found in the "Fund Balance Guidelines for the General Fund". Union Exh. 13. The five fund balance categories are: nonspendable fund balance, restricted fund balance, assigned fund balance, unassigned fund balance, and committed fund balance.
- City Exh 27 refers to the "Unencumbered GF Balance" when referring to the projected carry over of 14%, which is different from the GFOA unrestricted fund balance set forth in the fund balance guidelines. The unrestricted fund balance is comprised of the committed fund balance, the assigned fund balance, and the unassigned fund balance. The GFOA recommends keeping no less than 16.67% of expenditures in the unrestricted fund balance on Exh. 27 as "percentage of expenditures".
- Purchase orders are in the assigned category which means that the City can decide to spend funds for various purchase orders, the City does not have to spend this money, it *decides* to spend the money. Transfers out of the General Fund are discretionary and do not need to be repaid to General Fund. The City is mixing accounting principals of cash basis accounting with accrual basis accounting.

- When using the GFOA standards, the City is actually doing better in all years on Exh. 27 (2018-2022 and projected 2023) in the percent carry over, thus the 14.2% projected carry over is at a higher percentage than reflected on City Exh. 27.
- Positive budget variances (actual revenues exceed the budget forecast for revenues) have occurred in Macedonia in recent years. Last year, the City saw a positive variance of 4.47% on revenues and saw a positive variance of 5.03% on expenditures.
- Revenues from income tax collections are the primary funding source for the General Fund. In 2022, income tax revenues increased to an all-time high of \$11.069 million.
- The City Finance Director agreed at the hearing that the Union's revised wage proposal (Union Exh. 28) will not cause the General Fund any type of fiscal distress, such as layoffs or to defer capital improvement plans, such as the Service Center. The City can continue to make its capital improvements and at the same time finance the Union's current wage demand and it will not affect the City financial stability.
- The City can well afford the wage increases as proposed by the OPBA as revised at the Fact finding hearing
- Given its strong local economy, prime location near major highways, its skilled workforce, and a supportive business climate, the City is well-positioned to grow and thrive in the coming years.
- Macedonia police officers secured only 9% in general wage increases from 2017-2022. This contrasts with 2017-2022 wage statewide increases of 14.7% for police officers. Moreover, Macedonia police officers are the lowest paid officers among five similarly situated police departments in Summit County in regards to base wages and total compensation. There are no employees to compare officers to internally.
- Staffing has been an issue since at least 2011 and OBPA put the City on notice of concerns over dangerously low staffing levels and the City recognizes it has a recruitment and retention problem.
- The public has a strong interest in the recruitment and retention of police officers at a time when the labor market is tight.
- OPBA's wage proposal addresses the recruitment and retention issues by eliminating unusually long wage steps and provides for well-deserved general wage increases.
- OPBA members made concessions in areas such as health insurance in the hope that the City would take a cooperative and reasonable approach to negotiations.
- The City based the Mayor's 63% salary increase on comparisons to its sister cities of Cuyahoga Falls, Hudson, Stow, Tallmadge of Twinsburg. From 2019 to 2023 Finance Director John Veres received a 26% increase in wages.

- CPI-U data shows that average increases in goods and services from 2017 to 2022 increased by a staggering 20.20%, driven largely by pandemic-related inflation.
- SERB neutrals have recognized that rampant inflation is eating into employee raises. Fact Finder Bales recommended 6%-3%-3% wage increases and highlighted “front loading wage increases” would help employees deal with spiking inflation.⁵
- OPBA proposes to pay sergeants consistently at one rank differential. Macedonia sergeants are already the lowest paid sergeants in the labor market.
- Eliminating the tiered differential will encourage more patrol officers to take the sergeants exam. Patrol officers can earn more than sergeants through overtime and side work opportunities.
- The City is spending lavishly in other areas and transferring millions out of the General Fund to pay for capital improvements and subsidize other City projects.
- At the time of the hearing, three of the Cities’ five CBAs were unresolved.

Article 24 Wages (Patrol Officers) and Article 23 Wages (Sergeants)

Union’s Proposal on Wages for Patrol Officers and Sergeants

At the hearing the Union presented a revised wage proposal for Patrol Officers as follows: a .93 per hour equity increase effective January 1, 2023, with a 4% increase applied to the increased equity wage rate, 3% effective January 1, 2024, and 3% effective January 1, 2025.⁶ The proposed increase takes the base pay for the highest wage rate from \$75,546 to \$85,486 which represents an increase of 13.1% increase over the three-year period, or about 4.1% increase per year. As for the Sergeants, the Union proposes to eliminate Sections 23.02 and 23.03 to pay all Sergeants, regardless of time spent in rank, no less than 13% above the highest paid patrol officer.

City’s Proposal on Wages for Patrol Officers and Sergeants

The City proposes to increase wages for Patrol Officers as follows: 4% increase in 2023

⁵ City of Canton & Int’l Ass’n of Firefighters, Local 249, 2021-MED-08-0962 (Bales, 2022); accord Ashtabula Cnty. Sheriff & Ohio Patrolmen’s Benevolent Ass’n, 2021-MED-09-1016 (Belkin, 2022) (upholding frontloaded wage increase of 4% plus \$.20/hr. and a \$1,000 bonus, 3% plus \$.20/hr and a \$1,000 bonus; and 2%); City of Warren & Ohio Patrolmen’s Benevolent Association, 2022-MED-09-1033 (Buetner, 2023) (recommending 4%-4%-4%) and additional cases.

⁶ The Union’s original proposal in its Pre-Hearing Statement was to roll in 60 hours of sick leave reduction (6.92 hour per pay period to 4.62 hours) into base pay that would result in a 5.19% increase in 2023, 4.03% increase in 2024, and 4.19% increase in 2025.

effective upon contract ratification, 3% increase effective on January 1, 2024, and 3% increase effective on January 1, 2025. Sergeant pay is based on a rank differential of the highest paid Patrol Officer. The percent increase is the same as Patrol Officers in each year of the contract- 4% in 2023 effective upon ratification, 3% in 2024, and 3% in 2025. The top pay after 25+ months in the rank by the third year of the contract will increase from \$88, 899.02 to \$98, 085.69.

Wages-Analysis and Reommendations

The Parties provided detailed information on their take of the City's current fiscal health in support of their wage proposals. There was a significant amount of discussion by the City's Finance Director John Veres and Mayor Nickolas Molnar on the City's budgetary picture going forward in the post-pandemic years. They were questioned at length by the City's legal counsel as well as the OPBA's attorney. Both sides also presented detailed documents in support of their positions.

Wages for City employees, union presented and non-represented, comes out of the General Fund which is primarily funded by income tax revenues. A point of contention centers on the City's projected fall in General Fund percentage of expenditures carry over from 33% in 2022 to 14.2% in 2023. The Government Finance Officers Association (GFOA) recommends a carry over of at least 16% for a fiscally sound operating budget. According to the City's General Fund Data, (Exh. 27) the carryover between 2018 and 2022 ranged from 15% upwards each year to 33% in 2022. To say the least, this is a very healthy range, particularly in light of the pandemic. While the General Fund carry over was impacted in a positive manner in part due to one-time Covid funds, specifically CARES and ARPA, Macedonia appears to have faired well in comparison to other cities in Ohio. The City's careful budgetary planning as described by Mayor Malnor after he assumed office in 2018 with the assistance of Finance Director Veres also contributed to the substantial carry over.

According to the City's General Fund Data, transfers out of the General Fund rose from 1.3 million in 2018 to \$4.042 million in 2022 and the projected transfers out of the General Fund are projected to be 5.2 million in 2023. Major Molnar and Finance Director Veres indicated that planned capital improvements were put on hold due to the uncertainty presented by Covid and now is the time to go forward in implementing the delayed projects which accounts for the significant increase in transfers out of the General Fund in 2022 and 2023. In the near future, the City has committed to projects including new police vehicles, park improvement, and the consolidation of the City Service Department.

There was disagreement regarding the accounting method by which the City arrived at the percent of carry over. According to the Union, if the carry over is computed on a cash basis rather than by an accrual basis, the percent of carry over is higher than reflected in the City's 2018-2022 and projected 2023 General Fund data. Rather than a 33% carry over in 2022, the Union puts the carry over at about 44% of annual operating expenditures. Based on the Union's method of calculation, the amount of projected 2023 carry over is higher than 14.2%.

The Union takes the position that the City is conflating accounting methods when it includes, for example in 2022, \$4.042 in transfers out from the General Fund in its overall General Fund expenditures of 18.670 million, thus making the expenditures appear higher than they actually are. The Union's overall point is that the City can afford its proposed wage increase and still have funds for capital improvement projects.

While the City does not disagree that it can afford the wage increase in the near term, the Finance Director and Mayor counter that when arriving at its wage proposal it must keep in mind expenditures it will have to make for Covid delayed capital improvements described above as well as being able to plan for costly future expenditures. The 2018-2022 General Fund Data indicates that from 2018-2022 the City's revenues exceeded expenditures, but in 2023 projected expenditures exceed revenues by 2.121 million. Mayor Molnar indicated that when he assumed office in 2018, the City had home internet. The City is making plans to improve internet quality for residents and the City by moving to a fiber loop that it will have to pay to branch off to everyone in town at a current cost estimate of 20 million dollars; it would be a significant infrastructure project.

As for external comparables the City and Union rely on differing geographic data. The Union presented police officer data for six cities in Summit County: Cuyahoga Falls, Hudson, Stow, Tallmadge, Twinsburg and Macedonia for a 10-year period.⁷ (Union Tab 1). Of the six cities, Macedonia's gross wages ranked the lowest at \$75,546.77 and the same for total compensation at \$79,676.77. Macedonia has the smallest population at just over 12,000. Tallmadge (18,305) and Twinsburg (19,328) are the most similar in size to Macedonia. Tallmadge and Hudson (population 22,983) are the most similar to Macedonia in gross wages, at \$79,850 and \$77,376 respectively. The populations of Cuyahoga Falls (50,180) and Stow (34,342) are significantly larger and as such do not provide as reliable a comparison. When considering comparability as a factor in wages, approximately similar jurisdictions must be considered. When a jurisdiction is significantly different from the focal unit used, comparable data becomes less reliable. Warren County Deputy Sheriff's Benevolent Association and Warren County Sheriff's Office, SERB Case No. 2022-MED-07-0698 (Johnson 2023).⁸

The City casts a wider net in its jurisdiction comparators. The City presented data for Police Officers and Sergeants for top level wages and benefits for a 10-year period based upon Summit County and additional cities within a 15-mile radius of Macedonia. City Exh. 37 and 38. The charts refer to the Sergeants and Police Officers relative positions to these cities in each year of the 2023-2025 collective bargaining agreements. In addition to Macedonia, there are approximately 31 other cities included in the exhibits and the information presented does not include a population count for each city. The radius includes parts of the following adjacent counties: Medina County, Cuyahoga County, Geauga County, and Portage County which the

⁷ The exhibit refers to "police data" so it is unclear whether the data includes only Patrol Officers or both Patrol Officers and Sergeants, it appears based on the wage rates that it does not include Sergeants.

⁸ Twinsburg appears to be the outlier of the group with a population of just over 19,000 and gross wages of \$86,195 which is the top gross wages for all six cities.

City asserts provides a more representative sample than the Union's comparable of select cities in Summit County. The City maintains that its overall compensation proposals by the end of the 2022-2025 contracts takes Patrol Officer and Sergeants total compensation (including the one-year health freeze on insurance premiums) well within the top 10 comparable jurisdictions.⁹ The City also notes that its wage proposal reduces the Patrol Officer wage scale top out from 85+ months (7 years) to 61+ months (5 years). The five-year top out for these two units is the same as reached with the Fire Fighter unit.

In reaching my recommendations on wages under the particular facts presented in this case, I have given greater weight to the internal wage parity among the five bargaining units over external comparables. Documentary evidence provided at the hearing, as well as information provided by Mayor Molnar and the Police Chief Yakopovich, establishes that there has been a long history of pattern wage bargaining among the five bargaining units. Evidence presented by the City shows that between 2015 and 2022, the Fire, Dispatch, Service, Patrol Officers, and Sergeants received the same base wage increase in each year of the collective bargaining agreements. Chief Yakopovich stated that in the 29 years he had been with the department there was only one occasion when the City deviated from the base wage pattern increase among the bargaining units. This occurred when the Service Unit accepted a lower base wage increase as the Unit negotiated a pension pickup. This information is of real significance in considering the internal parity in this matter. The Union did not dispute Chief Yakopovich's information.

Going forward into the 2022-2025 contract cycle, at the time of the hearing Fire and Dispatch agreed to the 4-3-3 wage increases. It was also discussed that the Service Unit employees had tentatively agreed to the same increases, but the ratification vote had not yet been held; the vote was scheduled to occur the same day as the fact finding hearing. After the hearing, the City submitted information that indicated the Service unit had ratified the agreement accepting the 4-3-3 base increases. The Union objected and took the position that the Fact Finder should not consider the post-hearing information. This proceeding is not an arbitration, but a fact finding to assist the parties in moving past the impasse and to agree to the terms of a successor collective bargaining agreement per the 4117 statutory criteria. Accordingly, it is relevant to know the information about the Service unit, but that alone is certainly not the dispositive consideration in the base wage rate issue.

Finally in the consideration of wages, the City urges that due to the Union's behavior in negotiations, regarding the TA controversy in particular, the 2023 wage increase should be effective upon ratification rather than retroactive to January 1, 2023. The Fact Finder notes that the parties executed a (G)(11) waiver. While the Fire Fighter contract was in place by December 2022, the Dispatcher unit contract was not ratified until about January 19, 2023; contract was in place by February 1, 2023. The 4% wage increase for the dispatch unit was retroactive to January 1, 2023. The Patrol and Sergeants unit should not be denied a wage increase for a significant portion of 2023 as the City made the dispatch unit increase

⁹ In considering the wage recommendations below, I have also considered the SERB wage report.

retroactive to January 1, 2023 and to do any differently in the present case could well sow the seeds of discontent among the bargaining units. The City relied upon a similar argument in urging this Fact Finder not to deviate from the wage increases agreed to by the fire fighters and dispatch of 4%-3%-3%. Both sides filed unfair labor practice charges which also contributed to the passage of time to get to fact finding, but that is a statutory right and there is no evidence to indicate that either side was doing anything other than pursuing that right.

In addition to the base rate recommendations below, I also recommend a lump sum increase for both the Patrol Officer and Sergeants unit to help in some measure to address the recruitment and retention issues discussed at the hearing. Without a deep dive into the factors giving rise to the issues facing police departments, it is widely known that police departments are finding it to be a challenge to recruit and retain officers. Patrol Officer Bryan Vince was present for the Union at the hearing. He recounted that the department (relatively small at 18 Patrol Officers and two Sergeants) recently lost an officer to the Aurora, Ohio police department which is very close to Macedonia and located in Portage County. Officer Vince stated that other officers that he is aware of are considering leaving the department. He also stated that the pool of acceptable candidates has fallen off dramatically. In the past, the department accepted far fewer candidates than the total number of applicants. As another example, Officer Vince stated that in the past, the department accepted one person out of 30 applicants on the potential recruit list. The department is now seeing far fewer and less well qualified applicants. The City did not challenge the accuracy of Patrolman Vince's information. Moreover, the City did not offer any evidence that the Fire, Dispatch, and Service units are facing similar recruitment and retention challenges.

With regard to the Patrol Officers, the City recommends amending Article 24, Section 24.02 C which would shorten the move to Grade 4 pay scale from 5 years to 4 years and reducing the time to move into Grade 5 pay scale from 8 years to 5 years of service (24.02 D), which is detailed below in the recommended contract language. In Section 24.03, the City proposed reducing the time period in that section for movement from Grade 3 to Grade 4 from 5 years to 4 years and reducing movement from Grade 4 to Grade 5 from the current 8 years to 5 years. The Union did not detail any opposition to these changes.

The City also proposed amending Article 24, Section 24.07, as detailed below, to expand the types of training that would qualify Patrol Officers to receive training pay. It is also recommended, as detailed below that a new section, Article 23, Section 23.08, be added to the Sergeants contract to include language for training certificate pay.

The City further proposed adding a new section to the Patrol Officers and Sergeants contract to provide for educational degree compensation, 24.08 and 23.07 respectively. The Union does not disagree with these additions.

As for the Sergeants rank differential, the Union proposes Sergeants be paid at one rank differential as opposed to current contract language of starting level, Months 13+ and Months 25+. The Union states that going to one rank will encourage officers to take the sergeant

exam and also points to the current wage rates for Sergeants. The number of Sergeants was recently reduced to two Sergeants and the City stated that it has no plans in the near term to increase the number of officers in the sergeant position. The Union did not present sufficient justification for changing current contract language.

Based on the foregoing, I make the wage recommendations, as specified below, and that bargaining unit Patrol Officers and Sergeants receive a lump sum bonus.

Wage Related Recommendations:

Patrol Officers-Article 24, 24.01:

Amend Section 24.01 to read as follows:

Wages shall be paid in the following manner:

PATROLMEN	<i>Eff. 1/1/2023 (retroactive) 4% Increase</i>	<i>Eff. 1/1/20212024 3% Increase</i>	<i>Eff. 1/1/20222025 3% Increase</i>
Grade 1 (1-Year Probationary Period) Annual Salary	<u>\$59,782.62</u> <u>67,390.79</u>	<u>\$63,528.27</u> <u>69,412.52</u>	<u>\$64,798.84</u> <u>71,494.90</u>
Hourly Rate	<u>\$28.74</u> <u>32.40</u>	<u>\$30.54</u> <u>33.37</u>	<u>\$31.15</u> <u>34.37</u>
Grade 2 (Months 13-24) Annual Salary	<u>\$62,769.49</u> <u>70,622.64</u>	<u>\$66,574.88</u> <u>72,741.31</u>	<u>\$67,906.38</u> <u>74,923.55</u>
Hourly Rate	<u>\$30.18</u> <u>33.95</u>	<u>\$32.01</u> <u>34.97</u>	<u>\$32.65</u> <u>36.02</u>
Grade 3 (Months 25-36) Annual Salary	<u>\$66,093.27</u> <u>74,219.01</u>	<u>\$69,965.13</u> <u>76,445.58</u>	<u>\$71,364.43</u> <u>78,738.94</u>
Hourly Rate	<u>\$31.78</u> <u>35.68</u>	<u>\$33.64</u> <u>36.75</u>	<u>\$34.31</u> <u>37.85</u>
Grade 4 (5 <u>4</u> full years with City- 60 <u>48</u> full months) Annual Salary	<u>\$67,418.26</u> <u>75,652.67</u>	<u>\$71,316.62</u> <u>77,922.25</u>	<u>\$72,742.95</u> <u>80,259.92</u>
Hourly Rate	<u>\$32.41</u> <u>36.37</u>	<u>\$34.29</u> <u>37.46</u>	<u>\$34.97</u> <u>38.59</u>
Grade 5 (Months 85 <u>60</u> +) Annual Salary	<u>\$70,113.20</u> <u>78,568.64</u>	<u>\$74,065.46</u> <u>80,925.70</u>	<u>\$75,546.77</u> <u>83,353.47</u>
Hourly Rate	<u>\$33.71</u> <u>37.77</u>	<u>\$35.61</u> <u>38.91</u>	<u>\$36.32</u> <u>40.07</u>

BONUS

All bargaining unit Patrol Officers employed as of the date of ratification of the collective bargaining agreement will receive a one-time \$2,500.00 bonus payable within thirty (30) days of ratification.

Patrol Officers-Article 24, Section 24.02:

Amend Section 24.02 to read as follows:

All starting Patrolmen shall be paid the above starting salary until the satisfactory completion of the probationary period of one (1) year in accordance with Civil Service Regulations, at which time a starting patrolman shall be paid the salary provided above for Grade 1 Patrolman.

- A) Upon satisfactory completion of the probationary period, and after twenty-four (24) months total service, a Patrolman shall be paid the compensation provided above for Grade 2 Patrolmen.
- B) Upon satisfactory completion of the probationary period, and after thirty-six (36) months total service, a Patrolman shall be paid the Grade 3 salary provided above.
- C) Upon satisfactory completion of the probationary period, and after ~~five (5)~~four (4) years total service with the City of Macedonia, a Patrolman shall be paid the Grade 4 salary provided above.
- D) Upon satisfactory completion of the probationary period, and after ~~eight (8)~~five (5) full years of service with the City of Macedonia, a Patrolman shall be paid the Grade 5 salary provided above.

Patrol Officers-Article 24, Section 24.03:

Amend Section 24.03 to read as follows:

Patrolmen newly appointed directly to Grade 1, 2, or 3 by special determination of Council upon consideration of previous comparable police experience- If a patrolman is appointed directly to Grade 1 or Grade 2 under this Section and receives satisfactory fitness and/or performance reports pursuant to Civil Service Regulations, he is eligible for promotion to the next salary grade after service in grade for the periods set forth below:

Grade 1 to Grade 2 -Twelve (12) months total

service. Grade 2 to Grade 3 -Twenty-four (24)

months total service.

Grade 3 to Grade 4 – ~~Five (5)~~ Four (4) full years ~~sixty (60)~~ forty-eight (48) months total service.

Grade 4 to Grade 5 – ~~Eight (8)~~ Five (5) full years ~~ninety-six (96)~~ sixty (60) full months total service.

Patrol Officers-Article 24, Section 24.07:

Amend Section 24.07 to read as follows:

Field Training Officer (FTO) Training Certificate Pay- Patrol Officers who are designated to serve as Field Training Officers (FTO) will be paid a premium of one hour of pay at their overtime rate per shift, and may receive a five hundred dollar (\$500) stipend, but only for any year in which they maintain an FTO certification and actively and substantially utilize that certification by training members of the Macedonia Police Department in connection with such certification. Effective in calendar year 2024, Patrol Officers who are designated to serve as Range Officers and/or Use of Force Tactics Instructors will also be eligible to receive the one hour of pay and annual stipend under the terms set forth above. Officers holding more than one training position will receive a cumulative stipend.

Patrol Officers Article 24, New Section 24.08:

Add New Section 24.08 reading as follows:

Educational Degree Compensation

An employee who obtains a job-related college degree will receive a one-time payment after completion of the degree in the amounts set forth below:

- | | |
|------------------------------|---|
| A. <u>Master's Degree</u> | <u>One thousand dollars (\$1,000.00)</u> |
| B. <u>Bachelor's Degree</u> | <u>Seven hundred and fifty dollars (\$750.00)</u> |
| C. <u>Associate's Degree</u> | <u>Five hundred dollars (\$500.00)</u> |

Employees who obtain more than one college degree are entitled only to a total payment for the highest degree obtained (For example, an employee who obtains a job-related Associate's Degree will received a one-time payment of five hundred dollars (\$500.00). If that same

employee later obtains a job-related Bachelor’s Degree he/she will receive an additional payment of two hundred and fifty dollars (\$250)). The City and the Union will mutually agree on the types of degrees which are “job related.” In order to be eligible for this payment, an employee must be employed with the City for the entire calendar year in which he/she completes the degree.

Sergeants Article 23, Sections 23.01, 23.02, 23.03, and 23.04:

Maintain current contract language regarding rank differential minimums as set forth in Sections 23.01, 23.02, and 23.03, and amend Section 23.04 as follows:

Sergeants shall be paid per the following pay scale provided it does not conflict with the provisions of Section 23.01, Section 23.02, or Section 23.03:

SERGEANTS:	Eff. 1/1 2023 4% increase Retroactive	Eff. 1/1/ 21 24 – 3% Increase	Eff. 1/1/ 22 25 – 3% Increase
<u>Start</u>	\$ 76,897.60 <u>85,900.67</u>	\$ 81,057.60 <u>88,477.69</u>	\$ 82,596.80 <u>91,132.02</u>
<u>Months 13+</u>	\$ 78,728.00 <u>87,955.71</u>	\$ 82,971.20 <u>90,594.38</u>	\$ 84,572.80 <u>93,312.21</u>
<u>Months 25+</u>	\$ 82,863.20 <u>92,455.179</u>	\$ 87,214.40 <u>95,228.82</u>	\$ 88,899.20 <u>98,085.69</u>

BONUS

All bargaining unit Sergeants employed as of the date of ratification of the collective bargaining agreement will receive one-time \$2,500.00 bonus payable within thirty (30) days of ratification.

Article 23, New Section 23:07:

New Section 23.07 reading as follows:

Educational Degree Compensation

An employee who obtains a job-related college degree will receive a one-time payment after completion of the degree in the amounts set forth below:

A. <u>Master's Degree</u>	<u>One thousand dollars (\$1,000.00)</u>
B. <u>Bachelor's Degree</u>	<u>Seven hundred and fifty dollars (\$750.00)</u>
C. <u>Associate's Degree</u>	<u>Five hundred dollars (\$500.00)</u>

Employees who obtain more than one college degree are entitled only to a total payment for the highest degree obtained (For example, an employee who obtains a job-related Associate's Degree will received a one-time payment of five hundred dollars (\$500.00). If that same employee later obtains a job-related Bachelor's Degree he/she will receive an additional payment of two hundred and fifty dollars (\$250)). The City and the Union will mutually agree on the types of degrees which are "job related." In order to be eligible for this payment, an employee must be employed with the City for the entire calendar year in which he/she completes the degree.

Article 23, New Section 23:08:

Training Certificate Pay- Sergeants who are designated to serve as Field Training Officers (FTO) will be paid a premium of one hour of pay at their overtime rate per shift, and may receive a five hundred dollar (\$500) stipend, but only for any year in which they maintain an FTO certification and actively and substantially utilize that certification by training members of the Macedonia Police Department in connection with such certification. Effective in calendar year 2024, Sergeants who are designated to serve as Range Officers and/or Use of Force Tactics Instructors will also be eligible to receive one hour of pay and annual stipend under the terms set forth above. Sergeants holding more than one training position will receive a cumulative stipend.

Article 32 Insurance (Patrol Officers) and Article 30 Insurance (Sergeants)

The City presented detailed documents regarding the High Deductible Plan (HPD) and its Health Reimbursement account (HRA). The City's insurance proposal as set forth below does not propose any changes to the health insurance plans and also freezes employee premium contributions at 2022 levels. The Union did not present a specific insurance counter proposal in its list of open issues. The City's proposal is the same as for the other bargaining units.

Insurance Recommendations:

Patrol Officers – Article 32, Section 32.01:

Maintain current terms and amend Section 32.01 to read as follows:

Effective January 1, ~~2016–2022~~ the City’s contribution for employee health insurance premium shall be ninety-~~two point~~ five percent (~~95~~92.5%) of the total monthly premium for employees who have obtained gold or platinum status in the wellness program the preceding year. Effective January 1, ~~2016~~2022, the City’s contribution for employee health insurance premium shall be ~~ninety-eighty-five~~ percent (~~90~~85%) of the total monthly premium for employees who have not obtained at least gold status in the wellness program the preceding year. The remaining share of the monthly premium shall be deducted from enrolled employees via bi-weekly payroll.

~~Strike all references to effective January 1, 2021 health insurance premium contributions and strike all references to effective January 1, 2022 health insurance premium contributions.~~

Sergeants -Article 30, Section 30.01

Maintain current terms and amend Section 30.01 to read as follows:

~~Effective January 1, 2016, the City’s contribution for employee health insurance premium shall be ninety five percent (95%) of the total monthly premium.~~ Effective January 1, ~~2016~~ 2022 the City’s contribution for employee health insurance premium shall be ninety-~~two point~~ five percent (~~92~~92.5%) of the total monthly premium for employees who have obtained gold or platinum status in the wellness program the preceding year. Effective January 1, ~~2016~~2022, the City’s contribution for employee health insurance premium shall be ~~ninety-eighty-five~~ percent (~~90~~85%) of the total monthly premium for employees who have not obtained at least gold status in the wellness program the preceding year. The remaining share of the monthly premium shall be deducted from enrolled employees via bi-weekly payroll.

~~Strike all remaining references to effective January 1, 2021 health insurance premium contributions and strike all references to effective January 1, 2022 health insurance premium contributions.~~

Article 20 Sick Leave (Patrol Officers) and Article 19 Sick Leave (Sergeants)

In support of its wage proposal, the Union recommended reducing sick leave accrual time from 6.92 hours to 4.62 hours. As I have recommended the City’s wage proposal of 4%-3%-3%, a reduction in sick leave accrual is not recommended at this time.

Sick Leave Recommendations:

Patrol Officers-Article 20

Maintain current contract language.

Sergeants-Article 19

Maintain current contract language.

Article 19 Holidays (Patrol Officers) and Article 18 Holidays (Sergeants)

It became apparent at the hearing that the Union and the City are in support of adding Juneteenth to the list of designated holidays.

Holidays Recommendations:

Patrol Officers – Article 19, Section 19.01:

Amend Section 19.01 to add **Juneteenth in 2024** to the existing language.

And further amend Section 19.01 as follows:

For purposes of calculating leave to be paid out upon retirement for full-time (forty-hour workweek) bargaining-unit employees, the above holidays shall be calculated as one hundred and twelve (112) hours of holiday time as of January 1st of each year. The fourteen (14) Holidays listed above comprise one hundred and twelve (112) hours of annual Holiday time. Effective in 2024, Juneteenth will be added to the designated paid holidays and the fifteen total holidays will comprise one hundred and twenty (120) hours of annual Holiday time.

Sergeants – Article 18, Section 18.01:

Amend Section 18.01 to add **Juneteenth in 2024** to existing language:

And further amend Section 18.01 as follows:

For purposes of calculating leave to be paid out upon retirement for full-time (forty-hour workweek) bargaining-unit employees, the above holidays shall be calculated as one hundred and twelve (112) hours of holiday time as of January 1st of each year. Effective in 2024, Juneteenth will be added to the designated paid holidays and the fifteen total holidays will comprise one hundred and twenty (120) hours of annual Holiday time.

Article 26 Uniform Allowance (Patrol Officers) and Article 25 Uniform Allowance (Sergeants)

The Union proposed increasing the uniform allowance from \$1,050.00 to \$2,050.00 citing rising uniform costs. The City proposed increasing the allowance to \$1,550.00. I recommend a compromise figure as set forth below. I also recommend the City's proposed language with regard to uniform cost reimbursement.

Uniform Allowance Recommendations:

While the City recommended that the uniform allowance be effective in starting calendar year 2024, I recommend that it begins calendar year 2023.

Patrol Officers – Article 26, Section 26.01:

Amend Section 26.01 to read as follows:

That each member of the bargaining unit is entitled to an annual allowance of **one thousand and seven hundred and fifty dollars (\$1,750.00)*** in payment for necessary uniforms or parts thereof, each year of the labor agreement. Payment shall be in a separate check issued in April and October each year. Employee must be actively employed by the city at the time of payment to be eligible. *** This language replaces current contract language of one thousand and fifty dollars (\$1,050.00).**

Patrol Officers - Article 26, New Section 26.04:

Add New Section 26.04 reading as follows:

Newly-hired Patrol Officers shall receive the annual uniform allowance payment with their first City paycheck. Newly hired employees who separate from City employment for any reason within three (3) years of the date of hire will be required to reimburse the City for all costs of initial uniforms provided under this section and the City may deduct those costs from any final payments due to the employee in accordance with the law.

Sergeants – Article 25, Section 25.01:

Amend Section 25.01 to read as follows:

That each member of the bargaining unit is entitled to an annual allowance of **one thousand and seven hundred and fifty dollars (\$1,750.00)*** in payment for necessary uniforms or parts thereof, each year of the labor agreement. Payment shall be in a separate check issued in April and October each year. Employee must be actively employed by the city at the time of payment to be eligible. ***This language replaces current contract language of one thousand and fifty dollars (\$1,050.00).**

Article 25 Longevity (Patrol Officers) and Article 24 (Sergeants)

The Union proposed to modify the longevity scale from the current language to provide for \$100.00 per year cumulative from service years 3 through 30, capping out at 30 years. There is also parity among the bargaining units in longevity pay and at this time, I do not recommend changing longevity pay.

Longevity Recommendations:

Patrol Officers-Article 25, Section 25.01

Keep current contract language in Section 25.01

Sargeants-Article 24, Section 24.01

Keep current contract language in Section 24.01.

Article 18 Vacation (Patrol Officers) and Article 17 Vacation (Sergeants)

The Union and the City proposed similar language; the only difference is that the City proposes that the language apply commencing in 2024. While I have recommended 2024 effective language elsewhere in this Report, I recommend the Union's language as set forth below.

Vacation Recommendations:

Patrol Officers – Article 18, New Section 18.12:

Add New Section 18.12 reading as follows:

Any bargaining unit member may submit a request to the City to buy back one (1) week of vacation per calendar year no later than December 1st. One (1) week of vacation is defined as forty (40) hours. To be eligible to request the buyback of vacation a member must be entitled to at least three (3) weeks of vacation per year under Article 18 of this Agreement.

Sergeants – Article 17, New Section 17.12:

Add new Section 17.12 reading as follows:

Any bargaining unit member may submit a request to the City to buy back one (1) week of vacation per calendar year no later than December 1st. One (1) week of vacation is defined as forty (40) hours. To be eligible to request the buyback of vacation a member must be entitled to at least three (3) weeks of vacation per year under Article 17 of this Agreement.

Article 36 Duration (Patrol Officers) and Sergeants Signing Page (Duration)

The Parties did not present differing proposals on contract duration.

Duration Recommendations:

Patrol Officers-Article 36, Section 36.01

The Parties agree that, except as expressly set forth herein, this Agreement shall be effective January 1, 2023 and shall continue to be in force and effect until December 31, 2025. The Parties also agree that this Agreement shall continue to remain in force and effect until a succeeding Agreement has been negotiated. **This language replaces the previous dates in the January 1, 2020 to December 31, 2022 Agreement.

Sergeants-Signing Page

The parties agree that, except as expressly set forth herein, this Agreement shall be effective January 1, 2023 and shall continue to be in force and effect until December 31, 2025. The parties also agree that this Agreement shall continue to remain in force and effect until a succeeding Agreement has been negotiated. **This language replaces the previous dates in the January 1, 2020 to December 31, 2022 Agreement.

CONCLUSION

As previously noted, the parties did not submit any agreed-upon tentative agreements. In addition to the recommendations above and the agreed-upon addition to the bereavement contract language, all unopened or unchanged articles of the CBAs are hereby incorporated in this Report and Recommendation. The Fact Finder in making this Report and Recommendation was guided by the statutory criteria with the aim of assisting the parties to reach agreement on terms of the CBAs. If the parties find that they can agree to alternative language, they are encouraged to adopt such terms as they find to be mutually acceptable.

Respectfully submitted and issued at Columbus, Ohio this 19th day of June 2023.

Susan Fernandez

Susan Fernandez, Fact Finder

CERTIFICATION OF SERVICE

I hereby certify that, on this 19th day of June, 2023, a copy of the foregoing Report and Recommendation was served by electronic mail upon Pat Hoban- phoban@kwwlaborlaw.com, Attorney for the City of Macedonia and Dominic Saturday, Staff Representative for OPBA- dsaturday@opba.com and to Micheal D. Allen, General Counsel, State Employment Relations Board, c/o mary.laurent@serb.state.oh.us.

Susan Fernandez

Susan Fernandez, Fact Finder

ORIGINATOR: FINANCE DEPARTMENT

SPONSOR: Ventura

**CITY OF MACEDONIA
RESOLUTION NO. 64 - 2023**

**A RESOLUTION
ADOPTING ALTERNATE TAX BUDGET INFORMATION FOR THE CITY OF
MACEDONIA, OHIO FOR FISCAL YEAR 2024, AND SUBMITTING THE SAME TO
THE SUMMIT COUNTY AUDITOR**

WHEREAS, the Ohio Revised Code generally requires that, on or before the 15th day of July in each year, the taxing authority of each political subdivision adopt a tax budget for the next succeeding fiscal year; and

WHEREAS, the Summit County Budget Commission is authorized pursuant to H.B. 129, effective June 3, 2002, to waive the requirement that a taxing authority adopt a tax budget for a political subdivision pursuant to Ohio Revised Code (“R.C.”) § 5705.281; and

WHEREAS, to accomplish such waiver, the County has adopted a process requiring the City to provide approved alternative tax budget information to the County Budget Commission, including the tax rates as set forth in R.C. § 5705.04, which information has been prepared by the City’s Director of Finance and attached hereto as Exhibit “A” and incorporated herein by reference; and

WHEREAS, Council deems it necessary to adopt the said budget information and to authorize the submittal of the same to Summit County, as required by law.

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

Section 1. The alternate tax budget information of and for the City of Macedonia, Ohio, showing anticipated receipts and expenditures of the City for the fiscal year 2024, a copy of which is attached as Exhibit “A,” is hereby approved and adopted as the official alternate tax budget information of the City for the fiscal year beginning January 1, 2024 through December 31, 2024.

Section 2. The Clerk of Council is hereby authorized and directed to forthwith submit a copy of said alternate budget information along with a copy of this Resolution to the Office of 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 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 4. 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

ALTERNATIVE TAX BUDGET INFORMATION**Political Subdivisions
Excluding School Districts**Political Subdivision/Taxing Unit CITY OF MACEDONIAFor the Fiscal Year Commencing January 1, 2024

Fiscal Officer Signature _____

Date _____

COUNTY OF SUMMIT**Background**

Substitute House Bill No. 129 (HB 129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Under the law in effect prior to June 3, 2002, the budget commission could only waive the tax budget for a subdivision or other taxing unit that was receiving a share of the county undivided local government fund or the county undivided local government revenue assistance fund under an alternative method or formula pursuant to ORC Sections 5747.53 and 5747.63. Thus, tax budgets could be waived only for counties, municipalities, townships and park districts. This restriction is now removed.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34 and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

At a May 7, 2002 Summit County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (including schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

The fiscal officer of a political subdivision (not a school district) must file one signed copy of this document with the Summit County Fiscal Officer, on or before July 15.

(Adopted 5/7/02)

Revised 06/29/10

DIVISION OF TAXES LEVIED

Levies Inside and Outside 10 Mill Limitation, Inclusive Of Debt Levies
List All Approved Levies Of The Taxing Authority, including charter millage.

SCHEDULE 1

I Fund Type Fund Name	II Purpose of Levy	III Millage Type Inside "I" Outside "O" Charter "C"	IV Date Authorized by Voters MM/DD/YY	V Number Of Years Levy To Run	VI Tax Year Begins/ Ends	VII Collection Year Begins/ Ends	VIII Maximum Rate Authorized	IX Estimated Gross Property Tax from levy in budget year *
General Fund	Current Exp	I					2.53	1,400,000
Police Pension	Pension Exp	I					0.30	159,300
General Fund	Current Exp	O	11/3/2020	5	2020/2024	2021/2025	5.07	676,700
General Fund Total								2,076,700

* Do not include personal property tax reimbursement amounts.

STATEMENT OF FUND ACTIVITY

Always complete for General Fund. Also complete for any fund that will receive property tax.

SCHEDULE 2

FUND: General Fund

	I	II	III	IV	V
DESCRIPTION	FOR 2021 ACTUAL	FOR 2022 ACTUAL		2023 CURRENT YEAR ESTIMATE	2024 BUDGET YEAR ESTIMATE
Revenues					
Property Taxes	1,951,258.00	1,996,485.66		2,076,715.00	2,076,700.00
Local Government from County	268,688.00	293,265.18		222,818.22	225,000.00
Income Tax	9,598,161.00	11,069,622.84		11,400,000.00	12,255,000.00
Transfers/Advances-In	-	779,795.49		200,000.00	200,000.00
Other Revenue	3,984,712.06	4,531,467.49		3,484,200.00	3,484,200.00
Total Revenues	15,802,819.06	18,670,636.66		17,383,733.22	18,240,900.00
Total Expenditures	14,968,701.08	17,344,009.95		19,990,000.00	18,230,000.00
Revenues over/(under) Expenditures	834,117.98	1,326,626.71		(2,606,266.78)	10,900.00
Beginning Cash Fund Balance	3,980,239.05	4,814,357.03		5,782,893.95	3,176,600.00
Ending Cash Fund Balance	4,814,357.03	6,140,983.74		3,176,627.17	3,187,500.00
Encumbrances (at year end)	436,283.62	358,089.79		400,000.00	-
Ending Unencumbered Fund Balance	4,378,073.41	5,782,893.95		2,776,627.17	3,187,500.00

SCHEDULE 2

FUND: Police Pension Fund - 213

	I	II	III	IV	V
DESCRIPTION	FOR 2021 ACTUAL	FOR 2022 ACTUAL		2023 CURRENT YEAR ESTIMATE	2024 BUDGET YEAR ESTIMATE
Revenues					
Property Taxes	152,735.87	155,528.02		159,322.00	159,300.00
Personal Property Tax	-	-		-	-
Local Government from County	-	-		-	-
LLGSF (Library Local Government)	-	-		-	-
Income Tax	-	-		-	-
Transfers-in	-	-		-	-
Other Revenue	-	-		-	-
Total Revenues	152,735.87	155,528.02		159,322.00	159,300.00
Total Expenditures	154,794.45	149,446.57		164,500.00	164,500.00
Revenues over/(under) Expenditures	(2,058.58)	6,081.45		(5,178.00)	(5,200.00)
Beginning Cash Fund Balance	9,895.00	7,836.42		13,917.87	8,739.87
Ending Cash Fund Balance	7,836.42	13,917.87		8,739.87	3,539.87
Encumbrances (at year end)	-	-		-	-
Ending Unencumbered Fund Balance	7,836.42	13,917.87		8,739.87	3,539.87

STATEMENT OF FUND ACTIVITY

List All Funds Individually Unless Reported On Schedule 2.

SCHEDULE 3

Fund Name (Show funds of same type grouped together)	Beginning Estimated Unencumbered Fund Balance	Estimated Transfers-In	Estimated Other Revenues	Total Resources Available For Expenditures	Total Budget Year Expenditures and Encumbrances	Ending Estimated Unencumbered Balance
	\$	\$	\$	\$	\$	\$
Emergency Reserve - 102	1,000,000.00	100,000.00	-	1,100,000.00	-	1,100,000.00
Unclaimed Funds - 103	1,600.00	-	-	1,600.00	1,000.00	600.00
Retirement Reserve - 104	639,800.00	100,000.00	-	739,800.00	100,000.00	639,800.00
Refund Program - 105	75,700.00	-	338,600.00	414,300.00	400,000.00	14,300.00
Technology Advancement - 106	8,600.00	100,000.00	-	108,600.00	100,000.00	8,600.00
Street Const Maint & Repair - 201	102,300.00	1,325,000.00	890,000.00	2,317,300.00	2,300,000.00	17,300.00
State Highway - 202	25,100.00	-	50,000.00	75,100.00	50,000.00	25,100.00
Permissive License - 203	90,000.00	-	125,000.00	215,000.00	145,000.00	70,000.00
Parks & Recreation - 204	553,800.00	-	690,300.00	1,244,100.00	575,000.00	669,100.00
Family Recreation Center - 205	91,800.00	125,000.00	1,281,300.00	1,498,100.00	1,475,000.00	23,100.00
Parks & Recreation Trust - 206	284,700.00	-	55,000.00	339,700.00	15,000.00	324,700.00
Spirit of Macedonia - 207	22,300.00	-	35,000.00	57,300.00	35,000.00	22,300.00
Water Main & Expansion - 210	23,000.00	-	125,000.00	148,000.00	125,000.00	23,000.00
Vehicle License Tax - 212	45,700.00	-	100,000.00	145,700.00	100,000.00	45,700.00
Indigent Drivers - 215	6,100.00	-	-	6,100.00	-	6,100.00
Drug Law Enforcement - 216	29,700.00	-	5,000.00	34,700.00	5,000.00	29,700.00
Law Enforcement Education - 217	2,300.00	-	2,500.00	4,800.00	2,500.00	2,300.00
C.D.B.G. Grant - 218	8,100.00	-	-	8,100.00	-	8,100.00

STATEMENT OF FUND ACTIVITY

List All Funds Individually Unless Reported On Schedule 2.

SCHEDULE 3

I Fund Name (Show funds of same type grouped together)	II Beginning Estimated Unencumbered Fund Balance	III Estimated Transfers-In	III Estimated Other Revenues	IV Total Resources Available For Expenditures	V Total Budget Year Expenditures and Encumbrances	VI Ending Estimated Unencumbered Balance
Mayor's Court Computer - 220	\$ 8,900.00	\$ -	\$ 8,000.00	\$ 16,900.00	\$ 8,000.00	\$ 8,900.00
F.A.I.R. Program - 221	70,100.00	-	35,000.00	105,100.00	35,000.00	70,100.00
Sub-Division Tree - 223	100.00	-	-	100.00	-	100.00
Wireless 911 - 224	14,900.00	-	-	14,900.00	-	14,900.00
Petro Underground Storage Tanks - 225	8,800.00	-	-	8,800.00	-	8,800.00
Police K-9 Donations - 226	1,300.00	-	-	1,300.00	-	1,300.00
Quiet Zone Maint - 233	19,100.00	-	-	19,100.00	-	19,100.00
A.R.R.A. Grants - 259	5,400.00	-	-	5,400.00	-	5,400.00
Federal Fire Grants - 260	14,000.00	-	-	14,000.00	-	14,000.00
Law Enforcement Trust - 262	16,800.00	-	2,500.00	19,300.00	2,500.00	16,800.00
Federal Equitable Sharing - 263	29,800.00	-	2,500.00	32,300.00	2,500.00	29,800.00
OneOhio - 267	9,100.00	-	4,500.00	13,600.00	-	13,600.00
Safety / Service - 280	555,800.00	-	2,123,100.00	2,678,900.00	2,212,800.00	466,100.00
General Bond Retirement - 301	1,400.00	1,222,800.00	-	1,224,200.00	1,220,500.00	3,700.00
Special Assessment Bonds - 302	24,800.00	25,000.00	290,000.00	339,800.00	234,300.00	105,500.00
Other Debt - 304	142,400.00	527,500.00	-	669,900.00	660,800.00	9,100.00
Capital Improvement - 401	92,200.00	120,000.00	305,700.00	517,900.00	488,400.00	29,500.00

STATEMENT OF FUND ACTIVITY

List All Funds Individually Unless Reported On Schedule 2.

SCHEDULE 3

I Fund Name (Show funds of same type grouped together)	II Beginning Estimated Unencumbered Fund Balance	III Estimated Transfers-In	IV Estimated Other Revenues	V Total Resources Available For Expenditures	VI Total Budget Year Expenditures and Encumbrances	VII Ending Estimated Unencumbered Balance
Road Program - 405	\$ 263,100.00	\$ 1,257,300.00	\$ 2,256,600.00	\$ 3,777,000.00	\$ 3,320,200.00	\$ 456,800.00
Municipal Property - 423	730,000.00	-	-	730,000.00	-	730,000.00
Longwood Park Improvements - 424	4,900.00	-	-	4,900.00	1,000.00	3,900.00
Summit Point TIF - 470	-	-	650,000.00	650,000.00	650,000.00	-
The Avenue TIF - 471	100.00	-	46,800.00	46,900.00	46,800.00	100.00
Macedonia Shoppes TIF - 472	200.00	-	7,700.00	7,900.00	7,700.00	200.00
Maguire Property TIF - 473	200.00	-	7,000.00	7,200.00	7,000.00	200.00
Culver's TIF - 475	200.00	-	10,400.00	10,600.00	10,400.00	200.00
KFC TIF - 476	100.00	-	10,400.00	10,500.00	10,400.00	100.00

UNVOTED GENERAL OBLIGATION DEBT

Required: Include General Obligation Debt To Be Paid From Inside or Charter Millage, General Obligation Debt Being Paid By Other Sources, Special Obligation Bonds, and Revenue Bonds may be included for disclosure purposes.

SCHEDULE 4

Purpose Of Bonds Or Notes	Date Of Issue	Final Maturity Date	Principal Amount Outstanding At The Beginning Of The Budget Year	Amount Required To Meet Budget Year Principal and Interest Payments
Various Purpose Series 2020	September, 2020	2030	1,718,500	266,138
Aerial Tower & 800 Mhz Radio Bonds	November, 2020	2028	950,000	277,382
General Obligation Street Improvement	July, 2018	2038	7,345,000	676,875
State Infrastructure Bank	July, 2014	2024	36,049	36,590
OPWC - Valley View Road project	July, 2020	2040	634,443	37,320
OPWC - Ledger Road project	July, 2020	2050	637,142	23,598
Totals			11,321,134	1,317,903

ORIGINATOR: CITY ENGINEER

SPONSOR: Tulley

**CITY OF MACEDONIA
RESOLUTION NO. 65 – 2023**

**A RESOLUTION
AUTHORIZING THE MAYOR TO TAKE SUCH STEPS NECESSARY TO APPLY FOR
FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION, DISTRICT EIGHT
PUBLIC WORKS COMMITTEE, PROGRAM YEAR 36, FOR THE
LEDGE ROAD RESURFACING PROJECT AND THE HIGHLAND ROAD/VALLEY
VIEW ROAD INTERSECTION IMPROVEMENT PROJECT**

WHEREAS, the City of Macedonia desires to submit an application for funding under the State of Ohio Public Works Commission (“OPWC”), District Eight Public Works Committee, Capital Improvement Program Year 36, for the Ledge Road Resurfacing Project and the Highland Road/Valley View Intersection Improvement Project, both projects located within the City of Macedonia; and

WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of all City residents to submit said application for funding with the OPWC for the Ledge Road Resurfacing Project as well as the Highland Road/Valley View Road Intersection Improvement Project as set forth below.

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

Section 1. That the Mayor is hereby authorized to apply to the Ohio Public Works Commission for local funding participation with the District Eight Public Works Committee, Program Year 36, for the Ledge Road Resurfacing Project (between North Bedford Road and Shepard Road) as well as the Highland Road/Valley View Road Intersection Improvement Project, consistent with the documents attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. Further, the Mayor, or his authorized representative, is authorized and directed to send a copy of this Resolution to the District Eight Public Works Committee in order to fulfill the requirements of the applications being submitted, and is further authorized to enter into any agreements as may be necessary and appropriate for obtaining such financial assistance.

Section 3. 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 4. Wherefore, 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

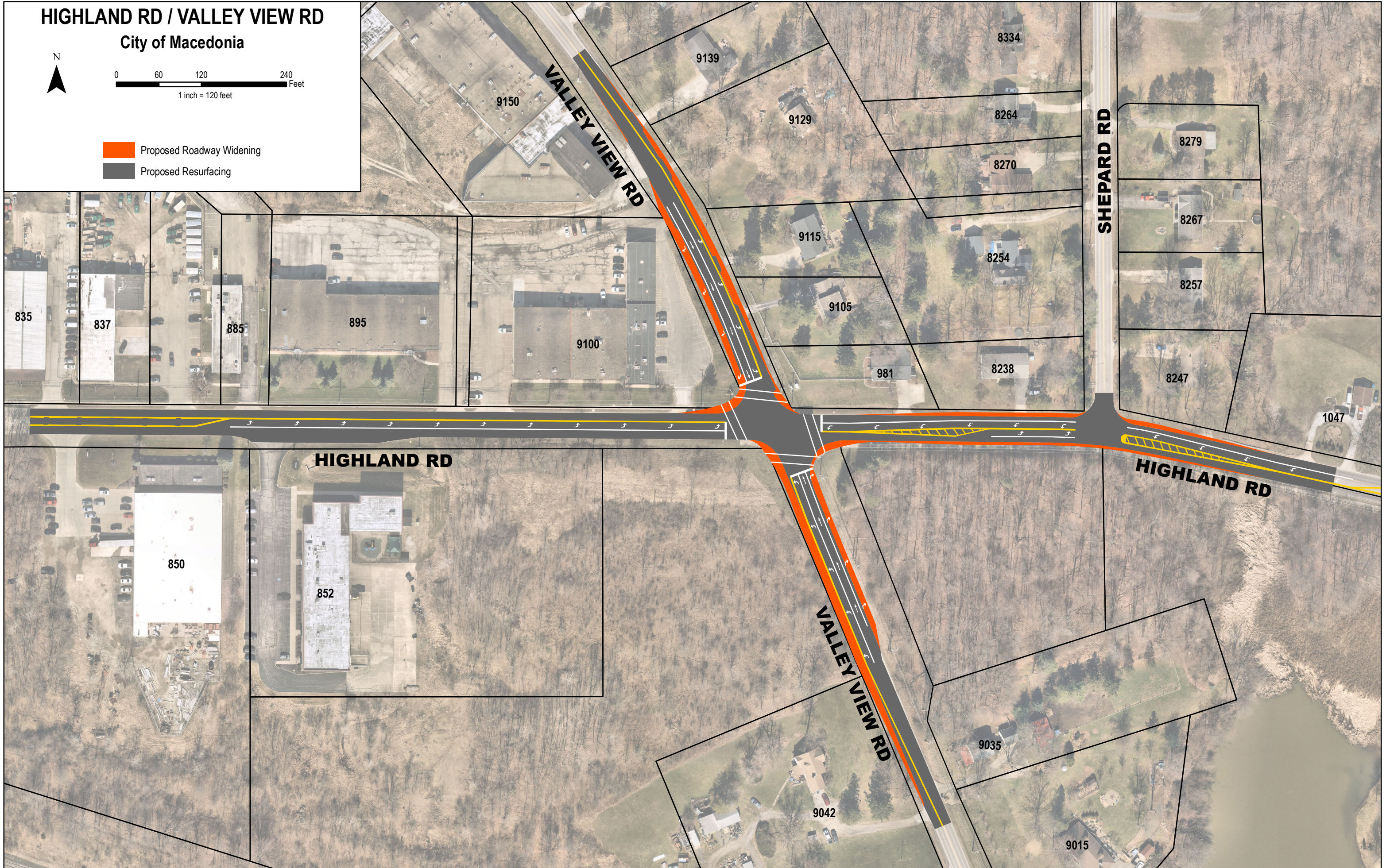
HIGHLAND RD / VALLEY VIEW RD

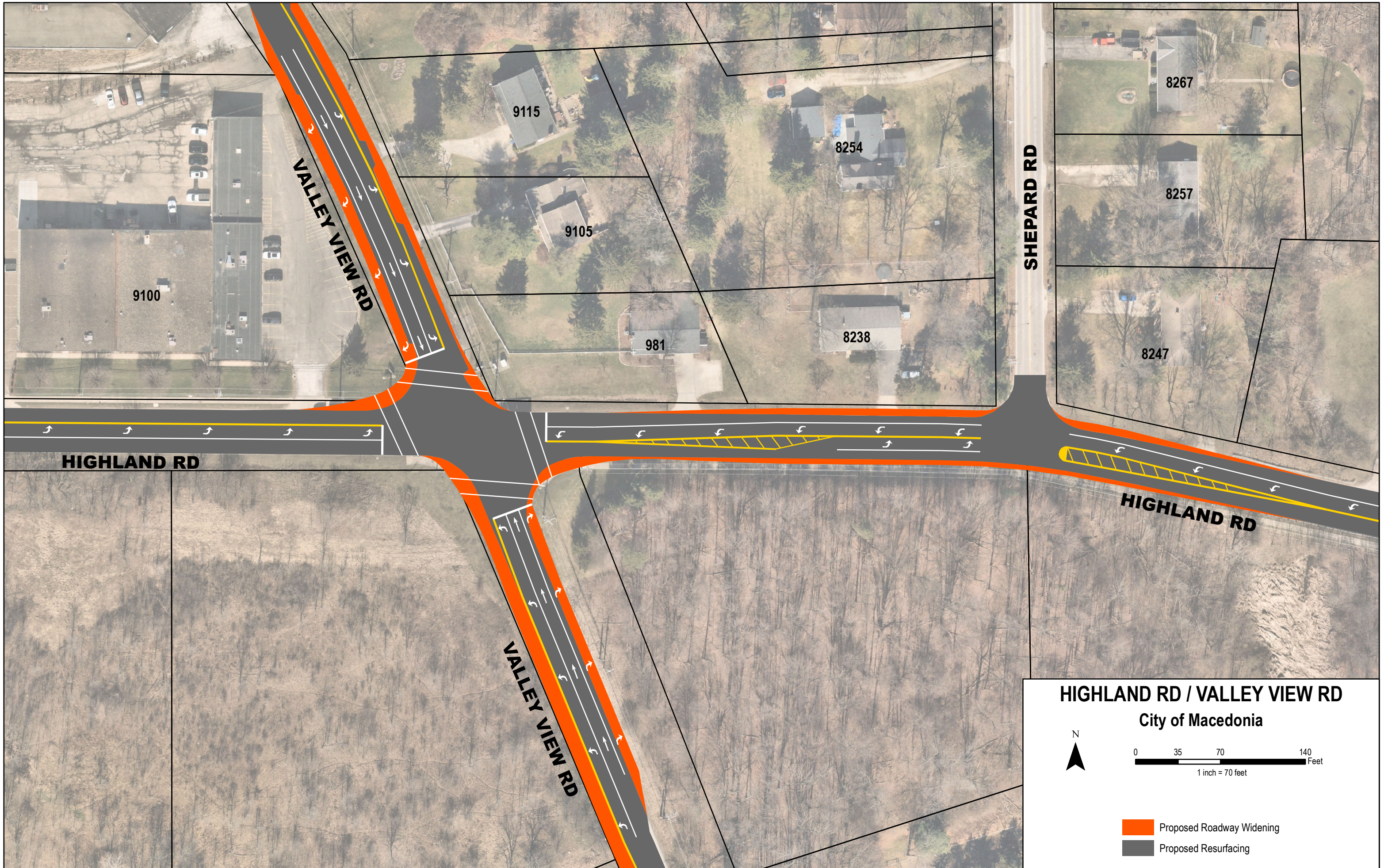
City of Macedonia



0 60 120 240
Feet
1 inch = 120 feet

-  Proposed Roadway Widening
-  Proposed Resurfacing





HIGHLAND RD

VALLEY VIEW RD

SHEPARD RD

HIGHLAND RD

VALLEY VIEW RD



HIGHLAND RD / VALLEY VIEW RD

City of Macedonia



0 35 70 140 Feet

1 inch = 70 feet

-  Proposed Roadway Widening
-  Proposed Resurfacing

ORIGINATOR: MAYOR'S OFFICE

SPONSOR: Garvas

**CITY OF MACEDONIA
RESOLUTION NO. 66 - 2023**

**A RESOLUTION
CONFIRMING THE REAPPOINTMENT OF NATE FALKENSTEIN
TO MACEDONIA'S CIVIL SERVICE COMMISSION**

WHEREAS, Section 12.01 of the Charter of the City of Macedonia sets forth the manner in which Civil Service Commission vacancies are filled; and

WHEREAS, the current term of Civil Service Commission member Nate Falkenstein set to expire on July 1, 2023, and the Mayor has announced the reappointment of Nate Falkenstein to that position, with a new term ending on or about July 1, 2028, which appointment is subject to the confirmation of Council; and

WHEREAS, Council now desires to confirm said appointment of Nate Falkenstein as a member of the City of Macedonia Civil Service Commission.

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

Section 1. The appointment of Nate Falkenstein to the Civil Service Commission to the term ending on or about July 1, 2028 is hereby and herein confirmed.

Section 2. 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 3. 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: FINANCE DEPARTMENT

SPONSOR: Finley

**CITY OF MACEDONIA
ORDINANCE NO. 67 - 2023**

**AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY FOR
THE REPLACEMENT OF A TRAFFIC CONTROL BOX AND
EQUIPMENT FOR THE INTERSECTION OF ROUTE 8 AND
HIGHLAND ROAD IN THE CITY OF MACEDONIA WITHOUT THE
NECESSITY OF ADVERTISEMENT AND FORMAL BIDDING**

WHEREAS, Ohio Revised Code § 732.05 provides that in the case of a real and present emergency, arising in connection with the operation of any municipal department, the legislative authority may authorize entering into a contract for a purchase without formal bidding and advertising; and

WHEREAS, it has been found that a real and present emergency exists for the City in that certain traffic control/signalization equipment, including a traffic control cabinet, located at the intersection of Route 8 and Highland Road within the City of Macedonia was previously damaged as a result of a traffic incident; and

WHEREAS, as a result of the traffic control cabinet being made inoperable as a result of the traffic incident, the damaged traffic control equipment is in need of immediate replacement in order to restore the normal operations of the traffic signalization and control, and to maintain the safety of drivers, pedestrians, and the community; and

WHEREAS, in order to replace the traffic control cabinet and related equipment as expeditiously as possible with a new cabinet and equipment, and due to the existence of this real and present emergency, Council desires to authorize the necessary purchases and installation from Signal Service Company for the amount of sixty-two thousand eight hundred nineteen dollars (\$62,819.00), without the need of advertisement and formal bidding.

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

Section 1. That the Council of the City of Macedonia hereby authorizes and directs the Mayor to accept the quote and enter into a contract with Signal Service Company as set forth in the document attached hereto as **Exhibit "A"** and incorporated herein by reference, for the purchase and installation of a traffic control cabinet and related equipment to replace the damaged traffic control equipment at the intersection of Route 8 and Highland Road, in the amount of \$62,819.00, which has been deemed the best available price for such replacement of equipment, without advertising and formal bidding due to the existence of a real and present emergency requiring replacement of the traffic control equipment which, if not replaced, would jeopardize the public safety within the City.

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.

Section 3. 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

Signal Service Company

CONTROLS
TRAFFIC SIGNALS
INSTALLATION AND
MAINTENANCE

EXHIBIT "A"

Phone: (216) 662-4820/21

Fax: (216) 662-4823

Email: signal@signalservicecompany.net
4341 Cranwood Parkway • Warrensville Heights, Ohio 44128

CITY OF MACEDONIA
9691 VALLEY VIEW ROAD
MACEDONIA, OHIO 44056

FEBRUARY 1, 2023

QUOTE: MAC1--003--S

ATTN: CHIEF GOLDEN
SHARON SOPATA

APPROVED _____ DECLINED _____

QUOTATION

We are pleased to quote on the installation and/or purchase of Traffic Signal Equipment at the intersection of:

RT. 8 & HIGHLAND

1/22/2023 DT# 189982
MADE TEMPORARY REPAIRS TO TRAFFIC SIGNAL CONTROL CABINET AND
EQUIPMENT, DUE TO ACCIDENT DAMAGE.

SUBTOTAL \$1,242.00

TO COMPLETE REPAIRS:
REPLACE TRAFFIC SIGNAL CONTROL CABINET AND EQUIPMENT TO INCLUDE:

1	EA	TRAFFIC SIGNAL CONTROL TIMER		\$4,200.00
1	EA	1100 WATT BATTERY BACK-UP SYSTEM		\$5,916.00
1	EA	PREEMPTION PHASE SELECTOR		\$4,560.00
1	EA	16 POSITION WIRED BACK PANEL		\$5,318.00
1	EA	P-44 CABINET DOUBLE DOOR ENCLOSURE (NATURAL)		\$6,131.00
1	EA	ON STREET MASTER CONTROLLER		\$3,717.00
1	EA	SYSTEMS INTERFACE PANEL	@	\$1,275.00
3	EA	DETECTOR PANEL ASSEMBLY		\$1,785.00
1	EA	SURGE PROTECTION PACKAGE		\$575.00
1	EA	MALFUNCTION MANAGEMENT UNIT		\$1,500.00
1	EA	CABINET RISER BASE		\$780.00
16	EA	LOAD SWITCHES	@	\$1,296.00
1	EA	INDUSTRIAL MODEM		\$542.00
19	EA	1 CHANNEL SHELF MOUNT DETECTOR	@	\$7,220.00
19	EA	DETECTOR HARNESSSES	@	\$1,995.00
1	EA	FSK TELEMETRY		\$1,416.00
1	EA	GENERATOR INTERFACE PANEL		\$690.00
1	EA	DIAGNOSTIC PERFORMANCE TESTING		\$775.00
1	EA	MISCELLANEOUS MATERIAL		\$53.00
1	EA	MAINTENANCE OF TRAFFIC		\$8,953.00
16	HRS	LIFT TRUCK WITH TOOLS	@	\$800.00
32	HRS	TRAFFIC SIGNAL TECHNICIAN	@	\$2,080.00
		SUBTOTAL		\$61,577.00

Date _____ PO# _____

Complete Price Materials and Installation \$62,819.00

Authorized Acceptance Signature _____

Complete Price Materials Only _____

Approximate Price _____

Sales Tax _____

Total \$62,819.00

Above signed agrees to pay in full 30 days upon completion of work.

NOTE: Prices subject to change after 3 months.

"An Equal Opportunity Employer"

Quoted By David Boulter

ORIGINATOR: ADMINISTRATION/POLICE DEPARTMENT

SPONSOR: Brandt

**CITY OF MACEDONIA
ORDINANCE NO. 68 - 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 passed City of Macedonia Ordinance No. 79-2022 relative to the compensation schedule for the non-union City employees, as has been subsequently modified from time-to-time; and

WHEREAS, upon the recommendation of the Mayor and Police Chief, and in order to increase the efficiency and operations of the City's Police Department, Council 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, as has been amended from time to time, in order to allow for the new Police Department "Communications and Records Supervisor" position; and

WHEREAS, it is deemed necessary and in the best interest of the health, safety and welfare of all City residents to amend Ordinance No. 79-2022 (as has been subsequently amended since that time) to accomplish the same.

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 No. 79-2022 be, and hereby is, amended as follows:

* * *

Police Department	Pay Grade	Number of Staff
Chief (exempt)	14	1
Lieutenant (exempt)	12	Up to 3
PSAP Operations Compliance	8	1
Manager/Assistant to Chief of Police	8	1
<u>Communications and Records Supervisor</u>	<u>8</u>	<u>1</u>
Corrections Officer	5	1
Corrections Officer - P/T	5	As Needed
Dispatchers - P/T	7	As Needed
Certified School Resource Officer – P/T	8	1

* * *

Section 2. That the duties of the Communications and Records Supervisor shall be as set forth in the position description attached hereto as Exhibit “A” and incorporated herein by reference, as may be updated by the Mayor from time to time.

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

Standard Operations Policies and Procedures Manual

Macedonia Police Department, OH

Number: **10.01.09.A**

Section STAFFING

Title: JOB DESCRIPTION / COMMUNICATIONS AND RECORDS SUPERVISOR

Distribution: *Date Issued:* *Effective Date* **4/4/2023**

Cancels: *Amends:* *Date Approved:* April 4, 2023

Reviewed By: *Issued By:* Chief Vince Yakopovich

JOB DESCRIPTION /COMMUNICATIONS AND RECORDS SUPERVISOR

Division: Operations

Status: Non-exempt

Supervision Received: Dispatch Supervisor, receives general supervision from the Lieutenant.

Supervises: Supervises the Dispatch and Records staff.

Civil Service Status:

Probation: One year

Employment Status: Full-time

Work Hours: Varied

GENERAL RESPONSIBILITIES

Under general direction of the Lieutenant, manages the Department's Communications Center.

MINIMUM QUALIFICATIONS

- A. Possess a valid Ohio driver's license.
- B. Must be able to pass a background check.
- C. Ability to pass a physical exam and drug test.
- D. Must be able to pass a polygraph and psychological exam.
- E. Ability to write clear and concise reports.
- F. Ability to prepare and maintain records and reports.
- G. Ability to effectively work and communicate with coworkers, the general public and public officials.

- H. Willingness to work in hazardous conditions in the pursuit of duties.
- I. Ability to type.
- J. Ability to calmly handle emergency situations.
- K. General knowledge of computers with the ability to store and retrieve data.
- L. Ability to effectively work and communicate with the public.
- M. Willingness to maintain a close and loyal working relationship with the Chief of Police in pursuit of the Chief's lawful directives and orders.
- N. Willingness to work shifts, holidays, weekends and be on call 24/7.

Examples of acceptable qualifications for this position are completion of secondary education or equivalent; education, training and/or experience which evidences a thorough knowledge of customary Department practices and procedures, law enforcement administration, and records maintenance; demonstrable skills in typing and computer usage, and effective communication.

LICENSE, EDUCATION, AND CERTIFICATION REQUIREMENTS

Valid Ohio driver's license; LEADS/NCIC certified, LEADS certified; High School degree of equivalent.

NON-EXCLUSIVE LISTING OF ESSENTIAL FUNCTIONS

With or without accommodations, member must be able to:

1. Get along well with others.
2. Have regular and predictable attendance.
3. Exercise rational judgment.
4. Maintain the confidence and trust of the Chief of Police, superiors, Department members, and general citizenry.
5. Work independent of direct supervision.

NON-EXCLUSIVE LISTING OF DUTIES

- A. Assists Dispatchers with any inquiries, or other problems that may occur.
- B. Supervises Dispatch personnel and Dispatch operation. Maintains discipline.

C. Observes work performance of Dispatchers and compliance with policies and procedures, rules and regulations.

D. Conducts and/or initiates formal or informal disciplinary action aimed at correcting inappropriate Dispatcher activity.

E. Notes deficiencies in the performance of assigned personnel and takes corrective action on an individual or departmental basis and forwards a report of same to the Chief of Police.

F. Reports for work on time, is available for work while at work and gives a full day's work; is positive in response to directives; adjusts to change; gets along well with others; is fit for duty.

G. Maintains abilities to: train and supervise subordinate personnel; communicate effectively both orally and in writing; establish and maintain effective working relationships with subordinates, peers, and supervisors; exercise sound judgment in evaluating situations and in making decisions; and follow and give written and verbal instructions.

H. Maintains ability to use the in-house computer system.

I. May be assigned to special projects or programs.

O. Recommends policy and or operational improvements.

P. Coordinates Dispatch training procedures. Prepares Dispatch schedules.

Q. Performs any other duty as may be required and/or directed.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge

The incumbent is expected to have and develop knowledge of Department computer operations; two-way radio operations; data processing techniques and procedures; word processing and related software; Department practices, policies and procedures; law enforcement administration; law enforcement structure and process; public relations; legal terminology; English grammar and spelling; records management; judicial processes and jurisdictional limitations; workplace safety.

Skills

The incumbent must be able to perform: transcription; typing data entry; word processing; computer operation; use of modern Department equipment.

Abilities

The incumbent must be able to: carry out simple instructions; interpret a variety of

instructions in written, oral, picture, or schedule form; understand, interpret, and apply laws, rules, or regulations to specific situations; add, subtract, multiply, and divide whole numbers; prepare routine correspondence; prepare accurate documentation; compile and prepare reports; respond to routine inquiries from public and/or officials; communicate effectively; maintain records according to established procedures; handle sensitive or technical inquiries from and contacts with officials and general public; develop and maintain effective working relationships; operate a two-way radio to receive and transmit messages, perform duties in a professional manner.

WORKING CONDITIONS

Work is performed indoors in standard office environment with an occasional requirement of lifting heavy objects (e.g., Department supplies, records, etc.).

In addition to a standard office environment, the incumbent has:

1. Exposure to firearms.
2. Exposure to crowds.
3. Exposure to potentially violent or emotionally distraught persons.
4. Exposure to life-threatening situations.
5. Necessity for frequent sitting for extended periods of time.
6. Exposure to close contact with computer monitors.

DISCLAIMER

This position description in no manner states or implies that these are the only duties and responsibilities to be performed by the position incumbent.

ORIGINATOR: FINANCE DEPARTMENT

SPONSOR: Ventura

**CITY OF MACEDONIA
ORDINANCE NO. 69 - 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		June 22, 2023		2023 Amend #2	
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	12,600		18,200		
		City Center Service (170)	57,500	352,700		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)	-	-	5,728,000	5,728,000		
		Advances (321)	-	-	-	-		
			Total General Fund (101)	9,985,900	4,276,100	5,728,000	19,990,000	
			total Personal Service + Other		14,262,000			
		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	233,800	-	1,259,100		
		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	731,100	-	2,227,100		
		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	140,500	-	222,300	
			Total Parks & Recreation Fund (204)	354,600	293,200	-	647,800	
		205	Family Recreation Center	817,100	1,069,100	-	1,886,200	
		207	Spirit of Macedonia Festival	-	52,000	-	52,000	
		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	
	225	Petro UST	-	2,000	-	2,000		
	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	2,624,300	297,400	3,648,200		
		Total Special Revenue Funds	3,420,200	6,097,285	297,400	9,814,885		

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		June 22, 2023		2023 Amend #2	
Fund Category	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total	

Capital Project	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total
	401	Capital Improvement	-	818,700	-	818,700
	405	Road Program	-	3,500,500	742,900	4,243,400
	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	-	11,995,200	825,200	12,820,400

Non-Budgetary	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total
	206	Parks & Recreation Trust	-	15,000	-	15,000
	714	JEDD Northfield Center	-	472,600	-	472,600
		Total Non-Budgetary Funds	-	487,600	-	487,600
		Total All Funds	13,406,100	25,432,985	7,050,600	45,889,685
				38,839,085		

Transfers	Description	Amount	Total
	General (101) to Emergency Reserve (102)	400,000	
	General (101) to Retirement Reserve (104)	200,000	
	General (101) to Technology Advancement (106)	100,000	
	General (101) to Street Construction (201)	1,375,000	
	General (101) to Family Recreation Center (205)	600,000	
	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)	575,000	
	General (101) to Road Program (405)	1,400,000	
	General (101) to Municipal Property (423)	250,000	5,728,000
	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	7,050,600	

Memorandum

Date: June 15, 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 – June 22, 2023

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

- 1) General (101) – adjusted Income Tax based upon collections.
- 2) Refund Program (105) – adjusted Income Tax based upon collections.
- 3) Parks & Recreation (204) – adjusted Income Tax based upon collections.
- 4) Family Rec Center (205) – adjusted Income Tax based upon collections. Added \$300,000 Transfer In from General (101).
- 5) Safety / Service (280) - adjusted Income Tax based upon collections. Added \$350,000 Lease to Buy for Five Explorers.
- 6) Capital Improvement (401) – added \$60,000 and \$209,800 for NEORSD eligible projects. Added \$175,000 Transfer In from General (101).
- 7) Road Program (405) – adjusted Income Tax based upon collections. Added \$17,400 RoundUp settlement.
- 8) JEDD Northfield Center (714) - adjusted Income Tax based upon collections.

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

- 9) General (101) – transfer adjusted for 4, & 6 above. Added \$10,000 for Civil Service testing.
- 10) SCM&R (201) – added \$25,000 for utilities.
- 11) Parks & Recreation (204) – added \$75,000 for permanent electrical sources and long-lasting holiday displays.
- 12) Family Rec Center (205) – added \$75,000 for yr 1 of 2 a Family Changing Room, \$75,000 for yr 1 of 2 the Indoor Pool Deck and \$150,000 for a Fire Panel.
- 13) Spirit of Macedonia (207) – added \$17,000 for permanent electrical sources.
- 14) Petro Underground Tanks (225) – added \$2,000 for eligible expenditures.
- 15) Safety / Service (280) – added \$17,000 for permanent electrical sources, \$75,000 for City Hall fire suppression, \$17,400 for a drone, \$20,000 for restroom upgrades, \$35,000 for 2nd floor fire department upgrades, \$350,000 for 5 Ford Explorers, \$40,000 for tasers, \$65,000 for mower and \$20,000 for misc service department equipment.
- 16) Capital Improvement (401) – added \$100,000 for trails, \$75,000 for Dodge 2500 for Parks, \$7,500 for Veterans Memorial items and \$209,800 (fully reimbursed by NEORSD) for ditch enclosure improvements.
- 17) Road Program (405) – added \$37,400 for road work & related engineering.
- 18) JEDD Northfield Center (714) - adjusted for income tax to be split.

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

Thank you.

CITY OF MACEDONIA					CERTIFICATE OF ESTIMATED RESOURCES					APPROPRIATIONS				
2023 Estimated Resources & Appropriations					2023 Amended Appropriations - #2					2023 Amended Appropriations - #2				
Fund #	Fund Description	Type	Actual Balance	Actual	ADD changes	ADD Local Govt	ADD General Property Tax	ADD Income Tax	2023 Total Resources	DESCRIPTION	2023 Appropriations	ESTIMATED Balance	ESTIMATED Unencumbered Balance	DESCRIPTION
266	Local Fiscal Recovery	Sp Rev	633,585.04	633,585.04					633,585.04		633,585.04			advances gentl obligation debt spec assess debt OPWC/Lease debt new debt
267	OneOhio	Sp Rev	4,954.70	4,954.70					9,054.70		9,054.70			wages & benefits capital items RITA fees / OH mint fees + other aerial tower<800mhz radio/cost
280	Safety / Service	Sp Rev	1,138,981.72	2,073,800.00	2,073,800.00				4,262,781.72	leasebuy - 5 Police cars leasebuy - 5 Police cars leasebuy - 5 Police cars	726,500.00	814,581.72		
301	General Bond Retirement	Debt	10,124.35	1,212,924.35	250,000.00 280,900.00 671,900.00				1,212,924.35	800 mhz radio aerial tower \$9M 2018 bonds/Road Program 70% 2010 bonds	119,600.00 161,400.00 671,900.00 298,600.00 1,211,500.00	1,424.35		
302	Special Assess Bond Retirement	Debt	1,189.71	344,189.71	280,000.00 63,000.00				344,189.71		280,000.00 63,000.00		24,789.71	
304	Other Debt	Debt	149,758.64	762,256.64	525,000.00 16,500.00 71,000.00				762,256.64	Lease prints / State Infrastructure 2nd of 3 leasebuy for Cot Leader OPWC payments + fees	532,400.00 16,500.00 71,000.00 619,900.00	142,356.64		
401	Capital Improvements	Cap	30,204.94	810,904.94	575,000.00 289,800.00 880,700.00				810,904.94	Dept capital purchases EPA compliance	782,800.00 35,900.00 818,700.00	82,204.94		
405	Road Program	Cap	504,887.09	4,567,787.09	1,400,000.00 46,800.00 7,000.00 7,000.00 10,400.00 10,400.00				4,567,787.09	Road materials Road pavement meetings storm water projects Road Program LED street lighting RITA retainer / OH mint fees Engineering - 4 corners Engineering - Highland View Empire Pkwy Valee, View Rd Golden Link Blvd Golden Link Blvd Walters Rd Walters Rd - design engineering OPWC Lodge 2045/View 2038 \$9M 2018 Bonds Bond 2038	157,500.00 60,000.00 70,000.00 1,823,000.00 48,000.00 26,000.00 30,000.00 162,100.00 474,000.00 325,000.00 144,500.00 149,400.00	324,387.09		
423	Municipal Property	Cap	1,755,023.75	7,755,023.75	66,700.00 292,500.00 144,500.00 72,200.00				7,755,023.75	Summit-TID Empire Pkwy AMATS - VV Rd OPWC - Golden Link NCT - Golden Link OPWC - Walters Rd NCT - Walters Rd RoundUp settlement	474,000.00 325,000.00 144,500.00 149,400.00	730,023.75		
424	Longwood Park Improvements	Cap	5,912.31	5,912.31	15,500.00 17,400.00				5,912.31		31,000.00 71,000.00		4,912.31	
427	Manor House Renovation	Cap	26.27	26.27	2,084,100.00				26.27		4,243,400.00		26.27	

CERTIFICATE OF ESTIMATED RESOURCES

CITY OF MACEDONIA										Transfers		
2023 Estimated Resources & Appropriations										advances		
2023 Amended Appropriations - #2										gen'l obligation debt		
June										spec assess debt		
										OP/PC/lease debt		
										new debt		
										Description		
Fund #	Fund Description	Type	Unencumbered Balance 01/01/2023	ADD changes	ADD General Property Tax	ADD Local Gov't	ADD Income Tax	ESTIMATED Unencumbered Balance 12/31/2023	Sect	2023 Appropriations	ESTIMATED Unencumbered Balance 12/31/2023	
470	Summit Pointe TIF	Cap	0.01					650,000.00	43.	650,000.00	0.01	
471	The Avenue TIF	Cap	140.56					46,800.00	fr out 43	46,800.00	140.56	
472	Macedonia Shoppes TIF	Cap	213.10					7,700.00	fr out 45	7,700.00	213.10	
473	Maguire Property TIF	Cap	167.65					7,000.00	fr out 46	7,000.00	167.65	
475	Culver's TIF	Cap	201.53					10,400.00	fr out 48	10,400.00	201.53	
478	KFC TIF	Cap	148.11					10,400.00	fr out 49	10,400.00	148.11	
477	Cleanland TIF	Cap							fr out 50			
478	Big Carrot TIF	Cap							fr out 51			
479	Peak Nano TIF	Cap							fr out 52			
480	Ohio State Waterproofing TIF	Cap							fr out 53			
481	Optima TIF	Cap							fr out 54			
482	Space Place TIF	Cap							fr out 55			
483	Wave Car Wash TIF	Cap							fr out 56			
702	Revolving Payroll Funds	Agency	68,100.88						54.		68,100.88	
703	Recreation Trust Fund	Agency							55.			
710	Escrow Deposits	Agency	100,103.86						56.		100,103.86	
711	OBBC Deposits	Agency	1,905.85						57.		1,905.85	
712	Community Room Deposits	Agency	3,248.75						58.		3,248.75	
714	JFDD Northfield Center	Agency	125,075.90				472,600.00		59.	472,600.00	125,075.90	
715	Mayors Court Bond	Agency	7,942.56						60.		7,942.56	
Totals			13,187,205.12	2,236,037.00	222,818.22	17,902,800.00	64.41%	21,558,600.00		45,889,685.04	9,217,775.30	0.00
Total Resources				41,920,255.22	Total Generated Resources							
			27,795,355.22	Total Estimated Revenues		17,430,200.00						

CITY OF MACEDONIA
2023 Amended Appropriations - #2
June

changes

Beginning Estimated RESTRICTED Unencumbered Cash Balance	Fund #		
Beginning Estimated UNRESTRICTED Unencumbered Cash Balance	all other	6,067,600	
	101-106	<u>7,119,600</u>	
	ALL		13,187,200
Revenue and Other Receipts			
Municipal Income Tax Funds (101, 105, 204, 205)		13,387,600	
Property Tax	101, 213	2,236,000	
Local Government	101	222,800	
Tax Increment Financing (TIF) Revenue	471-483	82,300	
Safety / Service	280	2,073,800	
Road Program	405	2,580,800	
Other Income Funds (101, 105, 201, 204, 205, 301, 302, 401)		<u>5,828,900</u>	
Total Revenue			26,412,000
Expenses and Other Disbursements			
General	101	14,262,000	
Retirement Reserve	104	125,000	
Refund Program	105	200,000	
Technology Advancement	106	100,000	
Street Construction Maintenance & Repair	201	2,227,100	
Parks & Recreation	204	647,800	
Family Recreation Center	205	1,886,200	
Safety / Service	280	3,350,800	
			(22,798,900)
Trust / Agency Funds (206, 702 - 715) Revenue		527,600	
Trust / Agency Funds (206, 702 - 715) Expense		<u>487,600</u>	40,000
Other Funds (103, 202, 203, 207-267, 423-427, 470) Revenue		1,130,000	
Other Funds (103, 202, 203, 207-267, 423-427, 470) Expense		<u>9,082,600</u>	(7,952,600)
Balance available for Debt Service, Capital Improvements, Road Program & Other Costs			(4,299,500)
Debt Service			
General Bond Retirement	301	1,211,500	
Special Assessment Bond Retirement	302	319,400	
Other Debt	304	619,900	
			(2,150,800)
Balance available for Capital Improvements and Other Costs			(6,450,300)
Capital Improvements			
Departmental & Other Items from Five Year Capital Plan	401		(818,700)
Road Program			
Road Program & Storm Sewer Maintenance	405	1,893,000	
Other	405	<u>1,607,500</u>	(3,500,500)
Safety / Service borrowing	280	1,050,000	
Municipal Property borrowing	423	5,750,000	
Estimated Unencumbered Cash Increase (Decrease)			<u>(3,969,500)</u>
Ending RESTRICTED Unencumbered Cash Balance - Estimated	all other	3,729,600	
Ending UNRESTRICTED Unencumbered Cash Balance - Estimated	101-106	<u>5,488,100</u>	
	ALL		<u>9,217,800</u>

ORIGINATOR: ADMINISTRATION

SPONSOR: Tulley

**CITY OF MACEDONIA
ORDINANCE NO. 70 - 2023**

**AN ORDINANCE
AMENDING SECTION 909.04 OF THE CODIFIED ORDINANCES OF
THE CITY OF MACEDONIA RELATIVE TO NOXIOUS WEEDS**

WHEREAS, upon recommendation of the Building Commissioner, it is hereby determined to be necessary and in the best interest of the health, safety and welfare of the City and its residents to amend Section 909.04 of the Codified Ordinances of the City of Macedonia, Ohio relative to noxious and/or uncultivated weeds and grass growing upon any improved property within of the City; and

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

Section 1. That Section 909.04, of the Codified Ordinances of the City of Macedonia, Ohio is hereby amended as follows:

909.04 NOXIOUS WEEDS.

(a) It is hereby determined that noxious and/or uncultivated weeds and grass growing at a height in excess of ~~eight~~six inches or higher, upon any improved property within the City after the ~~first~~fifteenth day of ~~May~~April of each year are a public nuisance. For purposes herein, property which has constructed upon it, or in proximity to it, any building or similar structure used or intended to be used as the domicile of persons or as a place of business where persons reside during working hours, or any property in a residential subdivision to which is extended any improvements required by the Subdivision Regulations, shall be considered improved property.

(b) The Clerk, upon notification from the Building Commissioner, shall cause notice on the City's ~~webpage~~website and cable station of this regulation that requires that all owners of improved property, in the City, to regularly remove the weeds and cut the grass growing upon their properties during the ensuing months of the year, by maintaining the grass and any cultivated weeds below a height of ~~eight~~six inches on the entirety of any improved property and removing any and all large piles or accumulations of cut grass and weeds from said property.

(c) Should any weeds or grass defined above be found on any improved property within the City, after the foregoing notice has been made, the Building Commissioner shall cause a written notice to be served by regular mail or personal delivery upon the owner, lessee, agent or tenant having charge of such land, notifying him that the weeds and grass are

growing on such lands and that they must be cut or destroyed within seventy-two (72) ~~days~~ hours after the service of such notice. If the address of such owner, lessee, agent or tenant having charge of the lands is unknown, it shall be sufficient to publish such notice once in a newspaper of general circulation in the City, and/or on the City's webpage site. If the owner, lessee, agent or tenant having charge of the lands fails to comply with the above notice, the Building Commissioner shall cause all weeds herein and grass to be removed and/or cut. Thereupon, the expense of all necessary work, including but not limited to cutting, mowing, raking and applying weed killer, shall be billed to the property owner by regular mail or personal delivery and, upon his failure to reimburse the City this amount within thirty days thereafter, written notice may be made to the County Fiscal Officer advising of the City's action with a statement of the charges for the services, including all services referred to above, the fees of the officers who made the service, the notice and return, and a proper description of the premises, and a request that all such costs and fees be entered upon the tax duplicate and a lien upon such lands from and after the date of the entry which shall be collected as other taxes and be returned to the Municipality according to law. In the alternative, direct legal action may be taken by the Director of Law to recover these expenses.

(d) After ~~two~~one such written notices within ~~the same~~any two-calendar-year period (excluding the period of November 15 through April 14) ~~are~~is served by the Building Commissioner upon the owner, lessee, agent or tenant having charge of such land, the City will assess a one hundred dollar (\$100.00) fine upon the owner, lessee, agent or tenant having charge of such land for each subsequent infraction. For any third and subsequent notice issued within that same period, the City will assess a two-hundred and fifty dollar (\$250.00) fine. Each day that the improved property is not brought in compliance with this section, following the issuance of the requisite notices to the owner, lessee, agent or tenant, shall constitute a separate infraction.

(e) If the property owner does not pay these fines within a period of thirty (30) days, the City may file a lien against the subject property with the County Fiscal Auditor. Such amount shall be a debt of the person to whom assessed until paid and, in case of delinquency, may be enforced as delinquent City property taxes or by a suit against such person by the City, County, or subsequent property owner who paid off such lien. (Ord. 36-2009. Passed 6-11-09.)

Section 2. That the remainder of the Codified Ordinances shall continue as presently drafted 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 for 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 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