



September 26, 2023

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Work Session & Regular Meeting: Thursday, September 28, 2023**
“Council Office Hours” with Councilor Garvas: 6:45pm
Work Session: 7:15pm
Council Meeting: 7:30pm

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE BY MAYOR NICHOLAS MOLNAR

III. PRESENTATION ON COUNTY REAPPRAISAL PROCESS

Dominic Basile and Christina Balliet from the Summit County Fiscal Office will present on the recent reappraisal and impact on property tax rates

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

Thursday, September 14, 2023 – Regular Council Meeting

V. PUBLIC COMMENTS

VI. CORRESPONDENCE

VII. PENDING &/OR NEW LEGISLATION

RES.NO. 87 - 2023 [V. VENTURA, J. GARVAS]

A RESOLUTION OPPOSING H.R. 3372, A U.S. HOUSE OF REPRESENTATIVES BILL TO AMEND TITLE 23 OF THE U.S. CODE TO ESTABLISH A PILOT PROGRAM CONCERNING CERTAIN 6-AXLE VEHICLES OPERATING ON THE INTERSTATE HIGHWAY SYSTEM

1st Read 8-24-23

2nd Read 9-14-23
3rd Read

ORD.NO. 90 - 2023 [J. GARVAS, V. VENTURA]
AN ORDINANCE AMENDING SECTION 161.18 OF THE CODIFIED ORDINANCES OF
THE CITY OF MACEDONIA RELATIVE TO CERTAIN EMPLOYEE BENEFITS

1st Read 9-14-23
2nd Read
3rd Read

VIII. MOTIONS/OTHER LEGISLATIVE ACTION

- Motion to issue written notice, pursuant to City Codified Ordinance 1385.11, to the owner of 1250 Twinsburg Road, and to the owner of 8334 Shepard Road, of the City's intent to demolish the buildings located on the respective properties [J. Tulley, J. Brandt]

IX. MAYOR'S REPORT

X. COMMITTEE REPORTS

XI. DEPARTMENT REPORTS

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

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. ADJOURNMENT [J. GARVAS, J. TULLEY]

October

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

***Public Comment for those not able to attend in-person at the September 28th 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 September 27th, 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

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

Record of Proceedings
Regular Council Meeting
September 14th, 2023

1 Presiding Officer, Mayor Nicholas Molnar called the September 14th, 2023 regular Council meeting to
2 order at 7:30p.m.
3

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

6 **Absent:** Council member Jan Tulley
7

8 **INVOCATION & PLEDGE OF ALLEGIANCE**

9
10 **APPROVAL OF MINUTES:**

11
12 Ms. Brandt moved, second by Mr. Garvas, to **approve the minutes of the regular meeting of August**
13 **24, 2023 as received from the Clerk of Council.** The motion carried by a unanimous voice vote.
14

15 **PUBLIC COMMENTS:** None

16
17 **CORRESPONDENCE:** None
18

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

20
21 **RESOLUTION NO. 87-2023**

22 A RESOLUTION OPPOSING H.R. 3372, A U.S. HOUSE OF REPRESENTATIVES BILL TO AMEND
23 TITLE 23 OF THE U.S. CODE TO ESTABLISH A PILOT PROGRAM CONCERNING CERTAIN 6-
24 AXLE VEHICLES OPERATING ON THE INTERSTATE HIGHWAY SYSTEM was offered by Mr.
25 Ventura for **second reading by title only.**
26

27 **RESOLUTION NO. 88-2023**

28 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
29 COUNTY BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES &
30 CERTIFYING THE SAME TO THE SUMMIT COUNTY FISCAL OFFICE was offered by Ms. Brandt
31 for **first, second and third readings by title only.** Seconded by Mr. Ventura. The motion carried
32 unanimously by a voice vote.
33

34 Dir. Veres reported the amounts and rates are the same as the previous year.
35

36 Ms. Brandt moved, second by Mr. Ventura, to **adopt RES.NO. 88-2023 and post the same according to**
37 **law.** Motion carried by a majority voice vote. Councilors Brandt, Garvas and Ventura voting in the
38 affirmative. Councilor Finley voting in the negative. **RES.NO. 88-2023 declared and adopted.**
39

40 **RESOLUTION NO. 89-2023**

41 A RESOLUTION AUTHORIZING THE MAYOR TO COMPLETE AND EXECUTE PRELIMINARY
42 LEGISLATION AS REQUIRED BY ODOT GIVING CONSENT FOR ODOT'S RESURFACING OF
43 CERTAIN PAVEMENT ALONG STATE ROUTE 82 FOR PROJECT SUM SR 0082 – PID NO.
44 110669 was offered by Mr. Finley for **first, second and third readings by title only.** Seconded by Mr.
45 Garvas. The motion carried unanimously by a voice vote.
46

47 Dir. Gigliotti shared that ODOT plans to repave portions of Route 82 next year, and this legislation allows
48 for the paving of the small section of Route 82 west of SR 8 to approximately the ALDI store that falls
49 within the Macedonia limits.
50

51 Mr. Finley moved, second by Mr. Garvas, to **adopt RES.NO. 89-2023 and post the same according to**
52 **law.** Motion carried by a unanimous voice vote. **RES.NO. 89-2023 declared and adopted.**
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Record of Proceedings
Regular Council Meeting
September 14th, 2023

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ORDINANCE NO. 90-2023

AN ORDINANCE AMENDING SECTION 161.18 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA RELATIVE TO CERTAIN EMPLOYEE BENEFITS was offered by Mr. Garvas for **first reading by title only.**

Dir. Guidetti stated this legislation would expand certain benefits to non-collective bargaining employees of the Service Department and will likely be added to in the future which is why it is being kept at first reading for the moment.

ORDINANCE NO. 91-2023

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE PURCHASE AND INSTALLATION OF NEW HVAC SYSTEMS FROM WADSWORTH SOLUTIONS THROUGH THE OMNIA PARTNERS COOPERATIVE PURCHASING PROGRAM FOR THE CITY OF MACEDONIA RECREATION CENTER was offered by Ms. Brandt for **first, second and third readings by title only.** Seconded by Mr. Finley. The motion carried unanimously by a voice vote.

Dir. Chadock stated this legislation would allow for the purchase and installation of six new HVAC units at the Recreation Center, replacing the original units that are 24 years old. The units are anticipated to take 6-8 months to arrive and be installed.

Ms. Brandt moved, second by Mr. Finley, to **adopt ORD.NO. 91-2023 and post the same according to law.** Motion carried by a unanimous voice vote. **ORD.NO. 91-2023 declared and adopted.**

MOTIONS / OTHER LEGISLATIVE ACTION: None

MAYOR'S REPORT

- ~Mayor's Court receipts for August 2023 were \$44,215
- ~Crumb Cookies is slated to open in October
- ~Free Akron Zoo tickets will be available during Community Days
- ~Senior programs for gutter cleaning, rubbish and snow removal are now accepting applications. Seniors can call the Finance Department or visit the City website to see if they qualify
- ~Table and chair rentals are available. For \$25 you can rent as many tables and chairs as you would like. More information can be found on the City website under the Service tab.
- ~Please don't drive distracted! The new laws go into effect October 3 and Macedonia will be a zero-tolerance community. Ms. Brandt asked how the law addresses motorists stopped, to which Dir. Guidetti opined the General Assembly may be amending the law once it goes into effect.

COMMITTEE REPORTS

Parks & Recreation Commission: Ms. Brandt stated the next meeting will be on Wednesday, September 20 at 6:00pm upstairs in the Recreation Center.

DEPARTMENT REPORTS

Service Department: Director Wilson – Pushing to finish streetlight repair by the Winter and making it a priority. The new leaf machines are on order and should arrive by July 2024. Leaf collection season will begin October 16, and residents can look to the City website for more details as the date approaches. Culvert replacements are being wrapped up, with new ones being pushed to next year.

Record of Proceedings
Regular Council Meeting
September 14th, 2023

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Engineer: Director Gigliotti – Road paving has been completed on Newport, Elizabeth, River Run, Lancewood, Fairlane, Janes, South Melody, Golden Link and Valley View Road at the south end of town.

Parks and Recreation Department: – Director Chadock – Thanks for passage of ORD 91. Fall sports are seeing record highs in registration. The first season of Fall t-ball just started with 44 kids signed up. FallFest is on September 23 from 4:30-9:30pm in Longwood Park.

Finance Department: Director Veres – Reported that he will be a speaker at this year’s CPIM (Center for Public Investment Management) conference.

IT Department: Director Collins – 34 help desk tickets closed since the last Council meeting and continued work on projects mentioned at previous meetings.

Building Department: Commissioner Rodic – Five new building permit applications have been received for Spruce Hill Crossings Phase IV, and three new occupancy permits have been issued in Spruce Hill Crossings Phase III. Crumbl Cookies and TJ Maxx projects moving along, and some exterior work will soon be occurring at the Nordstrom/Sephora site.

HR Department: Director Smith – Working on drug free workplace programs during the last quarter. Online safety training will begin next month. The virtual health fair, on-site biometric and flu shots will take place about mid-October.

Fire Department: Assistant Chief Celinski – Thanks to Communications Specialist Christy Young for keeping the seniors informed on various programs. The open house during Fire Prevention Week will be October 10 from 5-8pm.

Police Department: Chief Yakopovich – The new school resource officer (SRO) will be starting on September 25. Congratulations to Dir. Guidetti for arguing and winning a case in front of the Ohio Supreme Court.

Law Department: Director Guidetti – Some of the EPA-mandated remediation work on the recently acquired 9150 Valley View Road building will begin next week.

UNFINISHED BUSINESS: None

NEW BUSINESS: Ms. Brandt moved, second by Mr. Garvas, to **enter into executive session pursuant to Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee or official, and 121.22(G)(5) to consider matters required to be kept confidential by federal law or regulations or state statutes.**

Roll call: Ayes: Ms. Brandt, Mr. Finley, Mr. Garvas, Mr. Ventura
Nays: None
The motion carried unanimously and Council entered into executive session at 7:49p.m. Council returned from executive session at 8:13p.m.

There being no further business, Mr. Ventura moved, second by Mr. Finley, to **adjourn the meeting.** The motion passed **unanimously** pursuant to a voice vote and the meeting was adjourned at approximately 8:13p.m.

Date: _____

Record of Proceedings
Regular Council Meeting
September 14th, 2023

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Attest: _____
Jon Hoover, Clerk of Council

Mayor: _____
Nicholas Molnar

ORIGINATOR: COUNCIL

SPONSOR: VENTURA

**CITY OF MACEDONIA
RESOLUTION NO. 87 - 2023**

**A RESOLUTION OPPOSING H.R. 3372, A U.S. HOUSE OF REPRESENTATIVES BILL
TO AMEND TITLE 23 OF THE U.S. CODE TO ESTABLISH A PILOT PROGRAM
CONCERNING CERTAIN 6-AXLE VEHICLES OPERATING ON THE INTERSTATE
HIGHWAY SYSTEM**

WHEREAS, on May 16, 2023, a bill, H.R. 3372 (“Bill”), was introduced in the U.S. House of Representatives, referred to the Committee on Transportation and Infrastructure on that same date, and referred to the House Subcommittee on Highways and Transit on May 23, 2023 where the Bill currently remains;

WHEREAS, among other things, the Bill proposes to amend Title 23 of the United States Code to establish a 10-year voluntary data collection pilot program concerning certain 6-axle vehicles;

WHEREAS, as part of that program, the Bill proposes to amend restrictions of the type, size and weight of certain 6-axle vehicles, including commercial trucks, that are permitted to travel on Interstate highways;

WHEREAS, the weight limit for commercial trucks traveling on Interstates within the City of Macedonia would be increased by 14% from 80,000lbs to 91,000lbs if the State of Ohio chose to participate in the pilot program, which increase would be potentially dangerous to the health and safety of City of Macedonia residents since the stopping distance for such vehicles would increase;

WHEREAS, if passed, the Bill would also place approximately 2,214 local bridges at risk which have a replacement cost of over two billion dollars, and similarly jeopardize the integrity of roadway located within the City of Macedonia;

WHEREAS, as a result of the foregoing, and being in the best interest of the health, safety and welfare of all City residents, Council for the City of Macedonia wishes to declare its opposition to H.R. 3372, which is due to go to the House of Representatives sometime in September, 2023.

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

Section 1. That Council for the City of Macedonia, Ohio hereby declares its opposition to U.S. H.R 3372 which will negatively affect commercial trucks traveling on Interstates within the City of Macedonia, Ohio.

Section 2. That the Clerk of Council is hereby instructed to send a certified copy of this resolution to the appropriate individuals/committees of the U.S. House of Representatives.

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

Section 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

ORIGINATOR: ADMINISTRATION

SPONSOR: Garvas

**CITY OF MACEDONIA
ORDINANCE NO. 90 - 2023**

**AN ORDINANCE
AMENDING SECTION 161.18 OF THE CODIFIED ORDINANCES OF THE CITY OF
MACEDONIA RELATIVE TO CERTAIN EMPLOYEE BENEFITS**

WHEREAS, upon recommendation of the Administration, 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 Chapter 161 of the Codified Ordinances of the City of Macedonia, Ohio relative to certain benefits provided to certain employees of the City of Macedonia;

WHEREAS, Council specifically desires to amend Section 161.18 of the Codified Ordinances of the City of Macedonia to allow for certain stipends provided to certain non-bargaining unit employees of the City.

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

Section 1. That Section 161.18 of the Codified Ordinances of the City of Macedonia shall be amended to read as follows:

161.18 NON-BARGAINING-UNIT EMPLOYEE STIPENDS.

(a) Full-Time Police & Fire Employees. Certain full time, non-bargaining unit members of the Police Department and Fire Department are entitled to an annual allowance each year as follows:

(1) Police – Uniform Allowance.

A. A uniform allowance for the Police Chief and Lieutenants in an amount equal to the higher of the police collective bargaining units' allowance for that year.

B. A uniform allowance for Correction Officers pursuant to the scale set forth in subsection (b)(1) below, but no allowance balance shall be carried over from year to year.

(2) Fire.

A. Uniform Allowance. A uniform allowance for Fire Chief and Assistant Fire Chief in an amount equal to the fire collective bargaining unit's allowance for that year.

B. Certification Stipend. A stipend for the Fire Chief and Assistant Fire Chief with a valid Fire Instructor, EMS Continuing Education Instructor, Fire Inspector certification, or any other certification for which a stipend is granted to members of the fire collective bargaining unit, in an amount equal to the collective bargaining unit's stipend for that year.

(b) Part-Time Police & Fire Employees.

(1) Police – Uniform Allowance. Each part-time member of the Police Department is entitled to an annual allowance in payment for necessary uniforms or parts thereof at the discretion of the Chief of Police as follows:

<u>Years of Service</u>	<u>Under 1200 Hours Worked Maximum Amount</u>	<u>Over 1200 Hours Worked Maximum Amount</u>
First year	\$375.00	\$550.00
Second year	350.00	500.00
Third year	325.00	450.00
Fourth year and thereafter	300.00	425.00

Concerning the school resource officer position only, any uniform allowance balance shall carry over from year to year up to a maximum amount of \$1,500.00.

(2) Fire – Uniform Allowance. Each part-time member of the Fire Department is entitled to an annual allowance, any balance of which shall carry over from year to year up to a maximum amount of \$1,500.00, in payment for necessary uniforms or parts thereof at the discretion of the Fire Chief as follows:

	<u>Maximum Amount</u>
First Year Start-up (Probation)	\$750.00
Under 500 hours	350.00
Between 500 and 750 hours	400.00
Between 750 and 1000 hours	450.00
Between 1000 and 1500 hours	500.00
Over 1,500 hours worked	550.00

(c) Service Employees.

(1) CDL Stipend. The Director of Public Service and Service Supervisors are entitled to an annual stipend in an amount equal to the collective bargaining unit’s stipend for that year for obtaining a “Class A” Ohio commercial driver’s license.

(2) Uniform Allowance. The Director of Public Service and Service Supervisors are entitled to an annual clothing and footwear allowance in an amount equal to the collective bargaining unit’s allowance for that year.

(d) The Director of Finance is hereby authorized to issue warrants and voucher payment for such uniforms or parts thereof, and other stipend set forth above, upon receipt of bills approved by the Chief of Police, Chief of Fire, or the Director of Public Service.

Section 2. That any current part-time fire fighter currently having a uniform balance in excess of the \$1,500 maximum cap set forth § 161.18(b)(2) above shall be “grandfathered” and not subject to the cap until such time as their balance drops below \$1,500.

Section 3. That the remainder of the Codified Ordinances of the City of Macedonia shall not be amended unless inconsistent with this Ordinance.

Section 4. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the Codifier of the City of Macedonia.

Section 5. 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 6. 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

161.18 UNIFORM ALLOWANCES AND OTHER SAFETY FORCE NON-BARGAINING-UNIT EMPLOYEE STIPENDS.

(a) **Full-Time Police & Fire Employees.** Each Certain full time, non-bargaining unit members of the Police Department and Fire Department is are entitled to an annual allowance each year in payment equal to the respective Bargaining Unit's stipend for that year, as follows:

(1) **Police – Uniform Allowance Stipends.**

A. **Clothing** A uniform allowance for the Police Chief and Executive Lieutenants in an amount equal to the higher of the police collective bargaining units' allowance for that year.

B. **Annual Firearm Certification Bonus for Qualified Police Chief and Executive Lieutenant** A uniform allowance for Correction Officers pursuant to the scale set forth in subsection (b)(1) below, but no allowance balance shall be carried over from year to year.

(2) **Fire Stipends.**

A. **Uniform Allowance.** ~~Clothing~~ A uniform A allowance for Fire Chief and Assistant Fire Chief in an amount equal to the fire collective bargaining unit's allowance for that year, and Executive Captain.

B. **Certification Stipend.** ~~Paramedic Certification Bonus~~ A stipend for Paramedic/Certified the Fire Chief and Assistant Fire Chief Executive Captain with a valid Fire Instructor, EMS Continuing Education Instructor, Fire Inspector certification, or any other certification for which a stipend is granted to members of the fire collective bargaining unit, in an amount equal to the collective bargaining unit's stipend for that year.

Both the Police and fire stipends as set forth in subsection (a) above shall be considered effective above retroactive to January 1, 2007, and shall be paid on an annual basis thereafter.

(b) **Part-Time Police & Fire Employees.**

(1) **Police – Uniform Allowance.** Each part-time member of the Police Department is entitled to an annual allowance in payment for necessary uniforms or parts thereof at the discretion of the Chief of Police as follows:

<u>Years of Service</u>	<u>Under 1200 Hours Worked</u> <u>Maximum Amount</u>	<u>Over 1200 Hours Worked</u> <u>Maximum Amount</u>
First year	\$375.00	\$550.00
Second year	350.00	500.00
Third year	325.00	450.00
Fourth year and thereafter	300.00	425.00

Concerning the school resource officer position only, any uniform allowance balance shall carry over from year to year up to a maximum amount of \$1,500.00.

(e)-(2) Fire – Uniform Allowance. Each part-time member of the Fire Department is entitled to an annual allowance, any balance of which shall carry over from year to year up to a maximum amount of \$1,500.00, in payment for necessary uniforms or parts thereof at the discretion of the Fire Chief as follows:

	<u>Maximum Amount</u>
First Year Start-up (Probation)	\$3750.00
Under 500 hours	300350.00
Between 500 and 750 hours	350400.00
Between 750 and 1000 hours	400450.00
Between 1000 and 1500 hours	450500.00
Over 1,500 hours worked	500550.00

(c) Service Employees.

(1) CDL Stipend. The Director of Public Service and Service Supervisors are entitled to an annual stipend in an amount equal to the collective bargaining unit’s stipend for that year for obtaining a “Class A” Ohio commercial driver’s license.

(2) Uniform Allowance. The Director of Public Service and Service Supervisors are entitled to an annual clothing and footwear allowance in an amount equal to the collective bargaining unit’s allowance for that year.

(d) The Director of Finance is hereby authorized to issue its warrants and voucher payment for such uniforms or parts thereof, and other stipend set forth above, upon receipt of bills approved by the Chief of Police, Chief of or Fire Chief, or the Director of Public Service.

MEMORANDUM

TO: COUNCIL CLERK HOOVER
FROM: ROBERT RODIC, BUILDING COMMISSIONER
SUBJECT: NOTICE TO OWNER OF INTENT TO DEMOLISH
DATE: SEPTEMBER 26, 2023
CC: MAYOR MOLNAR, COUNCIL PRESIDENT BRANDT, LAW DIRECTOR GUIDETTI AND HUMAN RESOURCES DIRECTOR SMITH

As you are aware the Building Department issued demolition orders to properties located at 8334 Shepard Road and 1250 Twinsburg Road in August in accordance with Macedonia Chapter 1385.06. The property owners have failed to meet the deadline set before them to file an appeal of the order to the Board of Zoning Appeals, or to proceed with demolition of the structures.

Macedonia Chapter 1385.11, Notice to Owner of Intent to Demolish states:

(a) When determined that an emergency exists, prior to the City invoking the provisions of Section 1385.10, Council shall cause written notice of such intent to such person or persons as provided in subsection (b) hereof.

(b) Notice shall be served in the same manner as provided in Section 1385.06, informing the owner or agent, mortgagee of record and lien holders of record of the City's intention to demolish and remove the unsafe building or structure, at least thirty days prior to such intended action by the City.

Macedonia Chapter 1385.06 requires notice to be served by personal service or certified mail to the owner's last known address and further requires that a copy of the notice be published in a newspaper of general circulation in Summit County for a period of three consecutive days.

I have presently contacted three contractors to view the sites and provide a general idea on the cost of demolition, haul away and restoration of the properties as the next step will be the formal request from my office to City Council to cause the demolition of the structures.

Louis Basic
8334 Shepard Road
Macedonia, Ohio 44056

Louis Basic
PO Box 30487
Cleveland, Ohio 44130

August 1 , 2023

ORDER TO DEMOLISH BUILDINGS/STRUCTURES

On Tuesday July 11, 2023, at approximately 10:00 AM the City of Macedonia Building Department executed an Administrative Search Warrant to inspect the property and premises at **8334 Shepard Road** to determine whether such buildings/structures are dangerous, unsafe or constitutes a nuisance pursuant to City Ordinance and to further determine if such buildings/structures are insecure, unsafe, or structurally defective and/or unfit for human habitation pursuant to the Ohio Revised Code.

Overview

The buildings/structures located at **8334 Shepard Road** are in disrepair and have been vacant and abandoned for many years [see Section 1385.02(k) below]. The owner of the property has acknowledged that he does not reside at the property which he purchased in 1997 with the intent of renovation, which was never completed.

It appears that the main structure was built as a 1-1/2 story cape cod. An attached garage was constructed to the south side of the main structure and a great room was constructed to the north side of the structure. (See exhibit 1 legacy image of the site). The family room was either under construction or renovation as it was in a “stud-stage” and was largely incomplete. The structure is uninhabitable.

Findings

The property grounds are severely overgrown, and the structure is obscured from view at the street. The City has been routinely caused to abate the growth of tall grass and weeds on the property to minimize the harborage of rodents and insects for several years. [See Section 1385.02(i) below and exhibits 2 and 3].

The main structure and attached garage were each not secured from entry thereby availing access to third parties and trespassers. [See Section 1385.02(k) below and exhibits 4 and 5] The first floor and attached garage was cluttered with discarded building supplies such as windows, doors, hot water heaters, boilers etc. [See Section 1385.02(i) below and exhibits 6, 7, 8, 9, 10, and 11].

The integrity of the roof covering and the roof system in general are in question. The roof has been compromised with a large visible hole to allow the entry of rain, snow and The gutter and downspout

system were either heavily damaged or non-existent. [See Section 1385.02(a), (c), (d), (j) and(k) below and exhibits 12, 13 and 21].

Entry of animals which is evident by the feces (and amount thereof) that exist about the interior of the structure [See Section 1385.02(i) below and exhibits 12 and 13].

Much of the interior walls are either incomplete or in a state of deterioration See Section 11385.02(a) below and exhibit 8 and 8A]. Framing members had been deteriorated or missing due to weathering and lack of maintenance.

The floor system including the floor sheathing and structural supporting members have deteriorated to the point that traversing on the first floor could likely lead to injury or death. Also observed were dead animals in a state of decay. [See Section 1385.02(a), (c) (d) and (i) below and exhibits 14, 15, 16, 17, 18, 19 and 20].

The basement was flooded with 6" – 8" of water, possibly from a source with pressure such as a well. There was additional clutter of building products about the basement area. [See Section 1385.02(i) below]

The stair system to the basement was in question. There may have been a small second floor area, however, due to limited access on the first floor, a stair leading to the second floor could not be located. [See Section 1385.02(g) below]

Applicable Building Codes

The buildings/structures were reviewed under Macedonia Codified Ordinance Chapter 1385 Dangerous Buildings which are deemed to be public nuisances by reason of the condition in which the same are permitted to be or remain, and which shall may endanger the health, life, limb or property, or cause hurt, harm, inconvenience, discomfort, damage or injury to any one or more persons in the city, in any one or more or the following particulars listed in Section 1385.01:

- (a): By reason of being a nuisance to the general health of the community.
- (b): By reason of being a fire hazard.
- (c): By reason of being unsafe for occupancy or use on, in, upon about or around the aforesaid premises.
- (d): By reason of being a nuisance, because of long-continued vacancy, lack of reasonable or adequate maintenance of structure and/or premises adjacent thereto, thereby depreciating the enjoyment and use of property in the immediate vicinity to such an extent that it is harmful to the community in which such structure is situated.

Macedonia Codified Ordinance Chapter 1385.02 defines defects which cause buildings/structures to be deemed "dangerous buildings":

- (a): Those whose exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center or gravity falls outside the middle third of the line.
- (b): Those which, exclusive of the foundation show thirty-three percent (33%) or more of damage or deterioration of the nonsupporting enclosing of outside wall covering.

- (c): Those which have improperly distributed loads upon the floors and roofs or in which the same are overloaded or have insufficient strength to be reasonably safe for the purpose used.
- (d): Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City.
- (e): Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease, so as to cause injury to the health, morals, safety or general welfare of those living therein.
- (f): Those having light, air and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who live or may live therein.
- (g): Those having inadequate facilities for egress in case of fire, panic, or those having insufficient stairways, elevators, fire escapes or other means of communication.
- (h): Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
- (i): Those which, because of their condition, are unsafe, unsanitary, or dangerous to the health, safety and morals or general welfare of the people of the City.
- (j): Those buildings existing in violation of any provisions of this Building Code, any provisions of the Fire Code, or any other ordinances of the City.
- (k): Those buildings which are vacant and unguarded at doors or windows.

Conclusion

The conditions display a vacant, severely dilapidated, deteriorated structure that presented dangerous, unsafe, and unsanitary conditions. Such conditions would prevent human occupancy. The structure is beyond repair and is unsalvageable and therefore deemed a Dangerous Structure.

You are hereby ordered to demolish the buildings/structures located at 8334 Shepard Road within thirty (30) days following receipt of this order. The failure to comply shall cause the Building Commissioner to request City Council to cause such buildings/structures to be demolished and the cost which will be placed as lien against the property.

You are entitled to appeal this order to demolish the structure located at 8334 Shepard Road to the Board of Zoning and Building Code Appeals by filing a written request with the Chairman of the Board within ten (10) days after issuance of the order.

/S/

Robert Rodic CBO
Building Official

/S/

Chris Hall
Zoning Inspector

Via certified and regular mail and posted on site

Exhibits on file in the Building Department

Martin Bogner
1250 Twinsburg Road
Macedonia, Ohio 44056

August 1 , 2023

ORDER TO DEMOLISH BUILDINGS/STRUCTURES

On Thursday July 20, 2023, at approximately 9:00 AM the City of Macedonia Building Department executed an Administrative Search Warrant to inspect the property and premises at **1250 Twinsburg Road** to determine whether such buildings/structures are dangerous, unsafe, or constitutes a nuisance pursuant to City Ordinance and to further determine if such buildings/structures are insecure, unsafe, or structurally defective and/or unfit for human habitation pursuant to the Ohio Revised Code.

Overview

The buildings/structures located at **1250 Twinsburg Road** are in disrepair and have been vacant and abandoned for many years [see Section 1385.02(k) below]. The house is uninhabitable, and the owner of the property does not reside at the property which he purchased in 2013 as evidenced by exhibits 9, 11 and 15.

It appears that the main structure was built as a 1-1/2 story cape cod with an attached garage. The garage was inaccessible.

Findings

The property grounds are severely overgrown, and the structure is obscured from view from the street. The City has been caused to abate the growth of tall grass and weeds on the property to minimize the harborage of rodents and insects for several years. [See Section 1385.02(i) below and exhibits 1, 2, 3, 4 and 5].

The structure was secured. The first floor was cluttered with discarded building supplies, trash, computer equipment, food products, etc. [See Section 1385.02(i) below and exhibits 6, 7, 8, 9, 10, 11, 12, 13 and 14]. Please note the state of the unused water closet and the lack of sleeping facilities. The second floor was largely vacant. Please note there are no sleeping facilities (See exhibit 15). The basement was accessible (See exhibits 16 and 17). Please note the furnace has no blower motor [See Section 1385.02(j) below].

The house siding was tattered, and the roof covered in moss in several locations. [See Section 1385.02(d) and (g) below and exhibits 4, 18 and 19].

There are several abandoned and inoperable motor vehicles and discarded automotive supplies, gasoline cans as well as other engine-operated equipment. [See Section 1385.02(i) and(j) below and exhibits 20 and 21].

The electrical service to the property was energized. The secondary feed was lying on the ground and draped over the motor vehicles making it accessible to trespassers and third parties. [See Section 1385.02(h)(i) and (j) below and exhibit 21].

Applicable Building Codes

The buildings/structures were reviewed under Macedonia Codified Ordinance Chapter 1385 Dangerous Buildings which are deemed to be public nuisances by reason of the condition in which the same are permitted to be or remain, and which shall may endanger the health, life, limb or property, or cause hurt, harm, inconvenience, discomfort, damage injury to any one or more persons in the city, in any one or more or the following particulars listed in Section 1385.01:

- (a): By reason of being a nuisance to the general health of the community.
- (b): By reason of being a fire hazard.
- (c): By reason of being unsafe for occupancy or use on, in, upon about or around the aforesaid premises.
- (d): By reason of being a nuisance, because of long-continued vacancy, lack of reasonable or adequate maintenance of structure and/or premises adjacent thereto, thereby depreciating the enjoyment and use of property in the immediate vicinity to such an extent that it is harmful to the community in which such structure is situated.

Macedonia Codified Ordinance Chapter 1385.02 defines defects which cause buildings/structures to be deemed "dangerous buildings":

- (a): Those whose exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of the line.
- (b): Those which, exclusive of the foundation show thirty-three percent (33%) or more of damage or deterioration of the nonsupporting enclosing of outside wall covering.
- (c): Those which have improperly distributed loads upon the floors and roofs or in which the same are overloaded or have insufficient strength to be reasonably safe for the purpose used.
- (d): Those which have been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the City.
- (e): Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease, so as to cause injury to the health, morals, safety or general welfare of those living therein.
- (f): Those having light, air and sanitation facilities which are inadequate to protect the health, morals, safety or general welfare of human beings who live or may live therein.
- (g): Those having inadequate facilities for egress in case of fire, panic, or those having insufficient stairways, elevators, fire escapes or other means of communication.
- (h): Those which have parts thereof which are so attached that they may fall and injure members of the public or property.
- (i): Those which, because of their condition, are unsafe, unsanitary, or dangerous to the health, safety and morals or general welfare of the people of the City.

(j): Those buildings existing in violation of any provisions of this Building Code, any provisions of the Fire Code or any other ordinances of the City.

(k): Those buildings which are vacant and unguarded at doors or windows.

Conclusion

The present conditions display a vacant, deteriorated structure that presented dangerous, unsafe, and unsanitary conditions. Such conditions would prevent human occupancy. The structure is therefore deemed a Dangerous Structure.

You are hereby ordered to demolish the buildings/structures located at 1250 Twinsburg Road within thirty (30) days following receipt of this order. The failure to comply shall cause the Building Commissioner to request City Council to cause such buildings/structures to be demolished and the cost which will be placed as lien against the property.

You are entitled to appeal this order to demolish the structure located at 1250 Twinsburg Road to the Board of Zoning and Building Code Appeals by filing a written request with the Chairman of the Board within ten (10) days after issuance of the order.

/S/

Robert Rodic CBO
Building Commissioner

/S/

Chris Hall
Zoning inspector

via certified and regular mail and posted on site

exhibits on file in the Building Department