



September 21, 2021

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Work Session & Regular Meeting: Thursday, September 23, 2021**
Work Session: 7:00pm
Council Meeting: 7:30pm

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE BY MAYOR NICHOLAS MOLNAR**
- III. **APPROVAL OF MINUTES [J. TULLEY, D. FINLEY]**

Thursday, September 9, 2021 – Regular Council Meeting
- IV. **PUBLIC COMMENTS**
- V. **CORRESPONDENCE**
- VI. **PENDING &/OR NEW LEGISLATION**

ORD.NO. 56 - 2021 [J. Garvas, D. Finley]
AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A PEAK NANO MUNICIPAL IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY

1st Read 9-9-2021
2nd Read
3rd Read

ORD.NO. 57 - 2021 [D. Finley, J. Brandt]

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE WHICH DIRECTLY BENEFITS SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN OHIO STATE WATERPROOFING MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY

1st Read 9-9-2021

2nd Read

3rd Read

ORD.NO. 58 - 2021 [J. Brandt, J. Tulley]

AN EMERGENCY ORDINANCE AMENDING CHAPTER 153 OF THE CODIFIED ORDINANCES OF THE CITY OF MACEDONIA RELATIVE TO THE FIRE DEPARTMENT

1st Read

2nd Read

3rd Read

ORD.NO. 59 - 2021 [J. Tulley, J. Garvas]

AN ORDINANCE RATIFYING AN AGREEMENT WITH NORTHFIELD CENTER TOWNSHIP TO PROVIDE EMERGENCY FIRE AND MEDICAL SERVICES TO THE TOWNSHIP

1st Read

2nd Read

3rd Read

ORD.NO. 60 - 2021 [D. Finley, J. Brandt]

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO COMPLETE AND EXECUTE THE PRELIMINARY LEGISLATION AS MANDATED BY ODOT FOR PROJECT POR/SUM MCRO FY2022 (B) – PID NO. 105120

1st Read

2nd Read

3rd Read

VII. MOTIONS/OTHER LEGISLATIVE ACTION

VIII. MAYOR'S REPORT

IX. COMMITTEE REPORTS

X. DEPARTMENT REPORTS

Service Department:	Director Leon Karas
Engineer Department:	Director Joe Gigliotti
Parks & Recreation Department:	Director Jason Chadock
Finance Department:	Director John Veres
Fire Department:	Chief Brian Ripley
Police Department:	Chief Jon Golden
Human Resources Department:	Director Annette Smith
Building Department:	Commissioner Bob Rodic
IT Department:	Director Kyle Collins
Law Department:	Director Mark Guidetti

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT [J. GARVAS, J. BRANDT]

September / 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 23rd Council Meeting should be sent to Clerk of Council Jon Hoover at jhoover@macedonia.oh.us . Public comment must be received no later than the close of business on September 22th, 2021 and will be subsequently made available to the public.**

***Note ***

- In-person meetings have resumed. 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 Microsoft Teams. The link to access will be available on the City of Macedonia's website www.macedonia.oh.us

September/October

2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28 Mayor's Court	29	30 Finance Meeting	1	2
3	4	5 Mayor's Court	6	7	8	9
10	11 Columbus Day	12 Mayor's Court Finance Meeting	13	14 City Council Work Session City Council Meeting	15	16
17	18	19 Mayor's Court Parks & Rec Commission	20 Board of Zoning Appeals (BZA)	21	22	23
24	25	26 Mayor's Court	27	28 City Council Work Session City Council Meeting	29	30
31 Halloween						

Record of Proceedings
Regular Council Meeting
September 9th, 2021

1 Presiding Officer, Mayor Nicholas Molnar called the September 9th, 2021 regular meeting to order at
2 7:32p.m..
3

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

6 **Absent:** Council member Vini J. Ventura
7

8 **INVOCATION & PLEDGE OF ALLEGIANCE** Chaplain Tom O'Brien of Nordonia Hills American
9 Legion 801
10

11 **PROCLAMATIONS:**
12

13 The Mayor read a proclamation for National Preparedness Month
14 The Mayor also commemorated the 20th anniversary of September 11, 2001
15

16 **APPROVAL OF MINUTES**
17

18 Ms. Tulley moved, and Ms. Brandt seconded, a motion to approve the minutes of the regular meeting of
19 August 12, 2021 as received from the Clerk of Council. The motion carried unanimously upon a voice
20 vote.
21

22 **PUBLIC COMMENTS:**
23

24 None
25

26 **CORRESPONDENCE:**
27

28 None
29

30 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**
31

32 **ORDINANCE NO. 39-2021**

33 AN EMERGENCY ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF
34 REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS
35 TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF
36 THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF
37 TAXES, & ESTABLISHING A "BIG CARROT" MUNICIPAL PUBLIC IMPROVEMENT TAX
38 INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS
39 PURSUANT TO OHIO REVISED CODE §§ 5709.40, 5709.42 AND 5709.43 was offered by Mr. Garvas
40 for its **third reading by title only**.
41

42 The Mayor explained that this is the TIF (Tax Incremental Financing) for the former Bedford Anodizing
43 site and this will move the City forward to take the dollars diverted from the county to make
44 improvements within that area.
45

46 Mr. Garvas moved, Mr. Finley seconded to modify the "Whereas" clause where there is a blank to include
47 the date September 8. Motion carried unanimously by a voice vote.
48

49 Mr. Garvas moved, Mr. Finley seconded, to **adopt ORD.NO. 39-2021 and post the same according to**
50 **law**. Motion carried unanimously by a voice vote. **ORD.NO. 39-2021 declared and adopted.**
51
52
53

Record of Proceedings
Regular Council Meeting
September 9th, 2021

54 **RESOLUTION NO. 46-2021**

55 A RESOLUTION ACKNOWLEDGING A CITY OF MACEDONIA POLICY AS TO BLANKET
56 PURCHASE ORDERS was offered by Mr. Garvas for **second and third reading by title only**.
57 Seconded by Ms. Tulley. The motion carried unanimously by a voice vote.

58
59 Dir. Guidetti explained this resolution recognizes the City's practice of adhering to the blanket purchase
60 order policy set forth in the Revised Code and sets a maximum blanket purchase order limit at \$50,000.

61
62 Ms. Brandt asked what the previous maximum amount was, to which Dir. Guidetti responded Council
63 had not previously set a limit, but that the Ohio Revised Code provides it is up to the political subdivision
64 to set the maximum. Ms. Brandt clarified by asking confirmation that the City had been following the
65 guidelines of a \$50,000 maximum, to which Dir. Guidetti replied in the affirmative and noted the \$50,000
66 amount is up to the competitive bidding threshold.

67
68 Mr. Garvas moved, Ms. Tulley seconded, to **adopt RES.NO. 46-2021 and post the same according to**
69 **law**. Motion carried unanimously by a voice vote. **RES.NO. 46-2021 declared and adopted.**

70
71

72 **ORDINANCE NO. 47-2021**

73 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE
74 TOWNSHIP OF SAGAMORE HILLS, OHIO TO PROVIDE EMERGENCY FIRE AND MEDICAL
75 SERVICES TO THE TOWNSHIP was offered by Ms. Tulley for **second and third reading by title**
76 **only**. Seconded by Mr. Garvas. The motion carried unanimously by a voice vote.

77
78 The Mayor described the large amount of work that went into this between himself, Dir. Guidetti and
79 Chief Ripley, and noted Sagamore Hills Township had approved the agreement the previous Thursday.
80 The agreement provides 15 years of fire & EMS service and the Mayor stated he is proud to continue this
81 partnership.

82
83 Dir. Guidetti added that without Chief Ripley and the excellent services the Fire Department provides the
84 negotiations probably would have taken a lot longer.

85
86 Ms. Tulley asked to confirm the length of the contract, to which the Mayor confirmed it is 15 years.

87
88 Chief Ripley stated it is a testament to the staff of the Fire Department the way they carry themselves in
89 public and makes him feel proud of the excellent service provided both in Macedonia and Sagamore
90 Hills.

91
92 Ms. Tulley moved, Mr. Garvas seconded, to **adopt ORD.NO. 47-2021 and post the same according to**
93 **law**. Motion carried unanimously by a voice vote. **ORD.NO. 47-2021 declared and adopted.**

94
95

96 **ORDINANCE NO. 48-2021**

97 AN ORDINANCE PROVIDING FOR A SENIOR SNOW REMOVAL PROGRAM FOR THE 2021-
98 2022 WINTER SEASON was offered by Ms. Brandt for **second and third reading by title only**.
99 Seconded by Mr. Finley. The motion carried unanimously by a voice vote.

100
101 The Mayor explained this is snow removal program for seniors that the City does each year. Household
102 income threshold levels will be listed on the City website to see if residents qualify for the service.
103 Residents may call the Service Department to enquire about it and have questions answered.

104

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105 Dir. Guidetti, Councilors Brandt and Tulley clarified the source of the income level determination for
106 these services. The Mayor also stated that these income levels will be the basis of the next several pieces
107 of legislation up for discussion at this evening's meeting (Ord.Nos. 48, 49 and 50)
108

109 Ms. Brandt moved, Mr. Finley seconded, to **adopt ORD.NO. 48-2021 and post the same according to**
110 **law.** Motion carried unanimously by a voice vote. **ORD.NO. 48-2021 declared and adopted.**
111

112

113 **ORDINANCE NO. 49-2021**

114 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
115 VALLEY VIEW PROPERTY MAINTENANCE LLC FOR A SENIOR GUTTER CLEANING
116 PROGRAM FOR THE FALL 2021 SEASON was offered by Ms. Tulley for **second and third reading**
117 **by title only.** Seconded by Mr. Garvas. The motion carried unanimously by a voice vote.
118

119

119 The Mayor stated this program allows for seniors to have their gutters cleaned for proper waterflow, and
120 uses the same income guidelines as in Ord.No. 48-2021.
121

122

122 Ms. Tulley moved, Mr. Garvas seconded, to **adopt ORD.NO. 49-2021 and post the same according to**
123 **law.** Motion carried unanimously by a voice vote. **ORD.NO. 49-2021 declared and adopted.**
124

125

126

126 **ORDINANCE NO. 50-2021**

127 AN ORDINANCE PROVIDING FOR AND AUTHORIZING A REFUSE COLLECTION SUBSIDY
128 FOR SENIOR CITIZENS AND MAKING APPROPRIATION FOR THAT SUBSIDY was offered by
129 Ms. Brandt for **second and third reading by title only.** Seconded by Ms. Tulley. The motion carried
130 unanimously by a voice vote.
131

132

132 The Mayor explained this ordinance is the trash pickup subsidy for seniors based on the same income
133 guidelines as the previous two ordinances.
134

135

135 Ms. Brandt moved, Ms. Tulley seconded, to **adopt ORD.NO. 50-2021 and post the same according to**
136 **law.** Motion carried unanimously by a voice vote. **ORD.NO. 50-2021 declared and adopted.**
137

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139

139 **RESOLUTION NO. 51-2021**

140 A RESOLUTION AUTHORIZING THE MAYOR TO TAKE SUCH STEPS NECESSARY TO APPLY
141 FOR FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION, DISTRICT EIGHT PUBLIC
142 WORKS COMMITTEE, PROGRAM YEAR 36, FOR THE GOLDEN LINK BOULEVARD
143 REPAVING PROJECT was offered by Mr. Finley for **first, second and third reading by title only.**
144 Seconded by Mr. Garvas. The motion carried unanimously by a voice vote.
145

146

146 Dir. Gigliotti explained this resolution authorizes the City to apply for outside funding to the Golden Link
147 Boulevard repaving project. Applications are due on September 28, with application results expected in
148 February of 2022. If application is successful, repaving would be scheduled for the second half of 2022.
149 This is a joint project with Northfield Center Township, with 42.5% of the project falls within the City of
150 Macedonia, and 57.5% falls within Northfield Center Township.
151

152

152 Mr. Finley moved, Mr. Garvas seconded, to **adopt RES.NO. 51-2021 and post the same according to**
153 **law.** Motion carried unanimously by a voice vote. **RES.NO. 51-2021 declared and adopted.**
154

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157

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158 **RESOLUTION NO. 52-2021**

159 A RESOLUTION AUTHORIZING THE MAYOR TO TAKE SUCH STEPS NECESSARY TO APPLY
160 FOR FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION, DISTRICT EIGHT PUBLIC
161 WORKS COMMITTEE, PROGRAM YEAR 36, FOR THE VALLEY VIEW ROAD RESURFACING
162 PROJECT was offered by Ms. Tulley for **first, second and third reading by title only**. Seconded by
163 Ms. Brandt. The motion carried unanimously by a voice vote.

164
165 Dir. Gigliotti explained this resolution is similar to the previous piece (Res.No. 51-2021) and authorizes
166 the City to apply for outside funding to the Valley View Road resurfacing project. The project on Valley
167 View Road stretches from Twinsburg Road south to the city limits with Hudson. This is a Macedonia-
168 only project, not a joint venture with a neighboring community.

169
170 Ms. Tulley moved, Ms. Brandt seconded, to **adopt RES.NO. 52-2021 and post the same according to**
171 **law**. Motion carried unanimously by a voice vote. **RES.NO. 52-2021 declared and adopted.**

172

173

174 **ORDINANCE NO. 53-2021**

175 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A
176 CONTRACT WITH SIGNARAMA CLEVELAND FOR THE MACEDONIA GOLDEN LINK
177 BOULEVARD SIGNAGE PROJECT was offered by Mr. Garvas for **first, second and third reading by**
178 **title only**. Seconded by Ms. Tulley. The motion carried unanimously by a voice vote.

179

180 Dir. Gigliotti explained this ordinance awards a contract for the construction of the monument sign to be
181 situated on the north side of the right-in, right-out Golden Link access road. This would be the entrance
182 sign with all the names of the businesses in that shopping center. Construction would be scheduled for
183 the Fall of 2021.

184

185 Dir. Guidetti reminded Council this is the second portion of the special assessment project, which the City
186 has not completed. Once the sign is completed and the final amounts are determined, a notice will go out
187 to the property owners, and the City can proceed with the final assessment ordinance. That legislation
188 will come before Council once the project is completed.

189

190 The Mayor questioned if the sign is essentially paid for by the businesses in that shopping center, and not
191 the City, to which Dir. Guidetti responded in the affirmative.

192

193 Mr. Garvas moved, Ms. Tulley seconded, to **adopt ORD.NO. 53-2021 and post the same according to**
194 **law**. Motion carried unanimously by a voice vote. **ORD.NO. 53-2021 declared and adopted.**

195

196

197 **RESOLUTION NO. 54-2021**

198 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN
199 ADDENDUM TO THE CONCESSION LEASE AGREEMENT WITH BIZPRO GOLF LTD. was
200 offered by Ms. Brandt for **first, second and third reading by title only**. Seconded by Mr. Finley. The
201 motion carried unanimously by a voice vote.

202

203 The Mayor explained that this ordinance extends the agreement with Windmill Lake (Bizpro Gold Ltd.'s
204 DBA). He stated they are a very successful entity and has been told by Bizpro that they are one of the top
205 two fitters in the country for golf clubs.

206

207 Ms. Brandt moved, Mr. Finley seconded, to **adopt RES.NO. 54-2021 and post the same according to**
208 **law**. Motion carried unanimously by a voice vote. **RES.NO. 54-2021 declared and adopted.**

209

210

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211 **ORDINANCE NO. 55-2021**

212 AN ORDINANCE RATIFYING AN AGREEMENT TO PROVIDE DISPATCH SERVICES TO
213 SAGAMORE HILLS TOWNSHIP was offered by Ms. Tulley for **first, second and third reading by**
214 **title only**. Seconded by Ms. Brandt. The motion carried unanimously by a voice vote.

215
216 Ms. Tulley moved, Ms. Brandt seconded to amend Section 1 where the dates are blank to state that these
217 dates will be consistent with what is posted in Exhibit A. Motion carried unanimously by a voice vote.

218
219 The Mayor explained this ordinance adds five more years to the current dispatch agreement with
220 Sagamore Hills Township, which equalizes the agreement that was made earlier in the evening for Fire &
221 EMS services.

222
223 Ms. Tulley moved, Ms. Brandt seconded, to **adopt ORD.NO. 55-2021 and post the same according to**
224 **law**. Motion carried unanimously by a voice vote. **ORD.NO. 55-2021 declared and adopted.**

225
226
227 **ORDINANCE NO. 56-2021**
228 AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY
229 TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE
230 WHICH DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE
231 IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES,
232 ESTABLISHING A PEAK NANO MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT
233 EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO
234 REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY
235 was offered by Mr. Garvas for **first reading by title only**.

236
237
238 **ORDINANCE NO. 57-2021**
239 AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY
240 TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE
241 WHICH DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE
242 IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES,
243 ESTABLISHING AN OHIO STATE WATERPROOFING MUNICIPAL PUBLIC IMPROVEMENT
244 TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS
245 PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND
246 DECLARING AN EMERGENCY was offered by Mr. Finley for **first reading by title only**.

247
248
249 **MOTIONS / OTHER LEGISLATIVE ACTION**

250
251 Ms. Tulley moved, Mr. Finley seconded, a motion to accept as an anonymous donation the amount of
252 \$5,000 to be utilized by the Macedonia Police Department for certain law enforcement purposes. The
253 motion carried unanimously by a voice vote

254
255 The Mayor clarified that the Finance Department will deposit these funds into the Safety Services Fund
256 2800004512 and create a \$5,000 purchase order to the company that the City leases it's license plate
257 equipment from, which was the desire of the anonymous donor.

258
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264 **MAYOR'S REPORT**

- 265
- 266 - The City has had trouble finding dispatch workers, and according to the Police Chief takes about
 - 267 six months for someone to get up to speed. The Mayor thanked the dispatchers we have for
 - 268 working so hard and making sacrifices.
 - 269 - The Civil Service Commission met tonight to discuss lateral transfers for police officers, which
 - 270 will give the Police Department flexibility to get additional candidates as needed. Dir. Guidetti
 - 271 stated the Civil Service rule allowing for transfers has been on the books, but up until now the
 - 272 level of need hasn't been there to utilize this rule. The Mayor added that potential transfers
 - 273 would be interviewed by the Police Chief, Human Resources, and himself to remove any
 - 274 appearance of impropriety in hiring.
 - 275 - The Mural Project on the I-271 bridge over Rte. 82 by Speedway has begun as of 6:30pm this
 - 276 evening and should extend for seven days during non-peak traffic hours. Traffic will be
 - 277 maintained to ensure safety of those creating the mural.
 - 278 - State of the Community will be broadcast on Community Focus and a link to view will be on the
 - 279 City's website and social media accounts.
 - 280 - The Mayor recognized the passing away of former Macedonia police officers Ron Mix and Dale
 - 281 Kelly
 - 282 - Please keep the families affected by 9/11 in your thoughts and prayers
 - 283 - Please do not drive distracted

284 **COMMITTEE REPORTS**

285

286 **Parks & Recreation Committee** Ms. Brandt stated the committee had their Summer meeting on August

287 18 where they were able to meet the two new full-time staff members. Very excited to have them on the

288 team with their great backgrounds. Lots of great programming coming up with trails. It was decided to

289 not go ahead with the survey at this time. Next meeting will be Wednesday, September 15 at 6pm in the

290 activity room of the Recreation Center

291 **Finance Committee** Mr. Garvas stated the committee is scheduled to meet on September 30 and October

292 12, both at 6pm (second meeting was originally to be held on Oct. 7) to discuss the budget for 2022.

293 **Cemetery Board** No report

294

295

296

297 **DEPARTMENT REPORTS**

298

299 **Service Department:** Director Karas- Over the past month crews have been working to complete the re-

300 establishment of stormwater swales throughout the city. Asphalt repairs on North Bedford and Blackfoot

301 roads have been completed. New mirrors, touchless faucets, soap dispensers and hand dryers have been

302 installed at the park softball fields and pavilion.

303

304 The Mayor noted the department is also preparing for leaf collection season. The first pass of leaf

305 collection will be in October.

306

307 **Engineer:** Director Gigliotti- Thanked Council for passage of Resolutions 51, 52, and 53. Resurfacing of

308 the Recreation Center parking lot has been completed.

309

310 **Parks and Recreation Department:** Director Chadock – Thanked Dir. Gigliotti for his help in

311 navigating the parking lot resurfacing project, as well as the Service Department for help during

312 maintenance week. Fall sports are in full swing, with soccer and football kicking off this Saturday (9/11).

313 Field usage going on every night of the week, with every single bit of open space being utilized.

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314 Congrats to the recreation staff for doing such a great job creating programs. Fallfest will take place on
315 Saturday, September 18 in Longwood Park and feature local breweries and food trucks. AEDs have been
316 ordered for the parks but are on a two month backorder.

317

318 **Finance Department:** Director Veres was excused from this meeting.

319

320 **Fire Department:** Chief Ripley- Thanked Council for passage of the contracts with Sagamore Hills, and
321 the Mayor and Dir. Guidetti for all of their hard work on the contract. Kudos to his staff for their
322 outstanding service which helps in forming this partnership. October 6 from 6-8pm the Fire
323 Department's 100th anniversary open house will take place and include food trucks, demonstrations and
324 perhaps speakers. Santa delivery will be back this year, dates TBD.

325

326 The Mayor asked whether the Fire Department will host their Halloween party, but the Chief replied that
327 due to COVID it would not be advisable to hold the party as has been done in the past. However, he will
328 be thinking of something else that can be safely done for the kids. The Mayor reminded everyone that
329 trick-or-treat will take place on Halloween (October 31) from 6-8pm.

330

331 **Police Department:** Chief Golden- Appreciate the passage of the dispatch contract with Sagamore Hills
332 Township, and thanks to the family with the anonymous donation that will give the department two more
333 cameras to use (bringing the total to eight). The Chief noted this past week the cameras alerted them of a
334 vehicle with a warrant for robbery. The vehicle was found and an arrest was made, so the cameras are
335 working.

336

337 Ms. Brandt mentioned an article in the News Leader that discusses these cameras.

338

339 **HR Department:** Director Smith – Finalizing videos for drug-free workplace and safety training. Thanks
340 to Dir. Collins for assisting in the creation of said videos. BWC claims experience rating has improved
341 by 10% over last year, which directly affects the City's premiums.

342

343 **IT Department:** Director Collins- The IT Department has added some hybrid displays for Council
344 meetings, and audio adjustments have been made to make people heard clearer. Completed putting in
345 firewalls at the two Fire Department building, and selected a vendor to move forward with the City
346 website.

347

348 **Law Department:** No report

349

350

351

352 **UNFINISHED BUSINESS:**

353

354 None

355

356 **NEW BUSINESS:**

357

358 Ms. Tulley mentioned Community Focus will be hosting a taping for City Council candidates in the
359 November election, which will be broadcast and available for later streaming. She also informed those
360 present, with Councilor Ventura's authorization, that he had heart surgery two weeks ago. He has been
361 healing and is feeling better, but thought it best not to rush back. He cares for the City and is reading all
362 the information and asking the appropriate questions. He hopes to make it back to the next meeting on
363 September 23, and please keep him in your prayers.

364

365 Ms. Brandt mentioned there will be a 9/11 vigil at the Northfield VFW post Saturday, September 11 at
366 7:40

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367
368 Chief Ripley pointed out that Community Focus now has an app as well.
369

370 The Mayor noted that the Akron Beacon-Journal reported that the City of Macedonia had the greatest
371 growth over the past decade of any city in Summit County at 8.8%. Go Knights (Nardonia football)!

372
373 Ms. Tulley reminded everyone the speed limit on Route 82 is not 45-50mph and red lights mean stop.
374 The speed limit is 35mph and then 25mph at Crow Drive.

375
376 The Mayor's Court total revenue for the period of August 1-31 was \$12,978

377
378 There being no further business, Ms. Tulley moved, second by Ms. Brandt, to **adjourn the meeting**. The
379 motion passed **unanimously** pursuant to a voice vote and the meeting was adjourned at approximately
380 8:17p.m.

381
382
383 **Date:** _____
384

385
386 **Attest:** _____
387 Jon Hoover, Clerk of Council
388

389
390 **Mayor:** _____
391 Nicholas Molnar
392

ORIGINATOR: ADMINISTRATION

SPONSOR: Garvas

**CITY OF MACEDONIA, OHIO
ORDINANCE NO. 56 -2021**

AN ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A PEAK NANO MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 authorize this Council to describe public improvements to be made which will directly benefit parcels of real property, to declare Improvements (as defined in Ohio Revised Code Section 5709.40) with respect to such parcels to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of years, and to provide for the making of service payments in lieu of taxes by the owner of such parcels and to establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, to improve the flow of traffic in and around the parcels described in the attached **Exhibit A**, as such parcels may be consolidated or split (the “Property”), this Council may cause construction of the public improvements described in the attached **Exhibit B** (collectively, the “Public Improvements”), that once made will directly benefit the Property and the City and its residents; and

WHEREAS, the City has determined that it is necessary and appropriate and in the City’s best interest to provide for service payments in lieu of taxes with respect to the Property pursuant to Ohio Revised Code Section 5709.42 (the “Service Payments”) to pay the costs of the Public Improvements; and

WHEREAS, the Property is located within the boundaries of the Nordonia Hills City School District and within the service area of the Cuyahoga Valley Career Center (together, the “School Districts”), and the School Districts have been notified of the City’s intent to pass this Ordinance in accordance with Ohio Revised Code Sections 5709.40(D) and 5709.83, as applicable to each; and

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

Section 1. The Public Improvements described in the attached **Exhibit B**, if made or caused to be made by the City, are designated as those Public Improvements that directly benefit, or that once made will directly benefit, the Property, and are determined to be necessary for the public health, safety and welfare of the City and its residents.

Section 2. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.40, and, in particular, Section 5709.40(B), this Council finds and determines that 100% of the increase in the assessed value of the Property that would first appear on the tax list and duplicate of real property

after the effective date of this Ordinance (which increase in assessed value is referred to in this Ordinance as the “Improvement” or “Improvements” as defined in Ohio Revised Code Section 5709.40) is a public purpose, and 100% of that Improvement is declared to be a public purpose for a period of 30 years and exempt from taxation commencing with the tax year following the year in which this Ordinance is passed and ending on the earlier of (a) the date the Improvements have been exempted from taxation for a period of 30 years or (b) the date on which the City has collected into the Fund established in Section 4 hereof a total amount of Service Payments available for and sufficient to pay the costs provided in Section 4 hereof; provided, however, that Service Payments shall be paid to the Nordonia Hills City School District and the Cuyahoga Valley Career Center in the amount of the taxes that would have been payable to the Nordonia Hills City School District and the Cuyahoga Valley Career Center, as applicable, if the Improvements had not been exempted from taxation.

Section 3. As provided in Ohio Revised Code Section 5709.42, the owner or owners of the Improvements are required to, and shall make, annual Service Payments to the County Fiscal Officer on or before the final dates for payment of real property taxes due and payable with respect to the Improvements. In accordance with Ohio Revised Code Section 5709.42, the County Fiscal Officer is requested to distribute a portion of the Service Payments directly to the Nordonia Hills City School District and to the Cuyahoga Valley Career Center in the amounts equal to the real property tax payments that the two School Districts would have received, respectively, had the Improvements not been exempted from real property taxation pursuant to this Ordinance. The Service Payments, when distributed to the City by the County Fiscal Officer, shall be deposited in the **Peak Nano** Tax Increment Equivalent Fund established in Section 4 hereof. This Council authorizes the Mayor, Finance Director and City Law Director, and other appropriate officers of the City, to provide such information and certifications and to execute and deliver or accept delivery of such instruments as are necessary and incidental to collection of those Service Payments, and to make such arrangements as are necessary and proper for payment of those Service Payments.

Section 4. This Council establishes pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, the **Peak Nano** Tax Increment Equivalent Fund (the “Fund”), into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvements, by or on behalf of the County Fiscal Officer as provided in Ohio Revised Code Section 5709.42, and provides that all of the moneys deposited in the Fund shall be used for any or all of the following purposes:

- (a) to pay any or all acquisition, construction, installation or financing costs, and any or all other direct and indirect costs of the Public Improvements, including those costs set forth in Ohio Revised Code Section 133.15(B);
- (b) to pay the interest on, principal of, and any premium on bonds or notes or other obligations, including refunding bonds or notes or other obligations issued by the City or other authorized entity, to finance costs of the Public Improvements until such notes or bonds or other obligations are paid in full;
- (c) to reimburse the City for any funds used by the City to pay costs of the Public Improvements; or
- (d) to pay, or to apply or transfer funds toward the payment of interest, principal or premium on any of the aforesaid notes, bonds, loans or other obligations prior to receipt of Service Payments.

The Fund shall remain in existence so long as Service Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved in accordance with Ohio Revised Code Section 5709.43.

Section 5. Pursuant to Ohio Revised Code Section 5709.40, the Clerk of Council is directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within 15 days after its passage. On or before March 31st of each year that the exemption set forth in Section 3 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Ohio Revised Code Section 5709.40.

Section 6. This Council determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this 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, including Ohio Revised Code Section 121.22.

Section 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective to provide funding for the Public Improvements so that such Public Improvements can be constructed, thereby providing immediately necessary public road improvements; wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Jon Hoover, Clerk of Council

EXHIBIT A

City of Macedonia
Peak Nano TIF Parcels

Parcel No. 3311102

ArcGIS Web Map



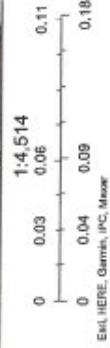
*Peak Nano TIF
PPN 3311102*

7/21/2021, 4:09:31 PM

Parcels

Road Labels

Summit County Municipal Outlines



Web AppBuild
Disclaimer: Users of this map accept all risk, not intended to serve as a professional

EXHIBIT B

PEAK NANO TIF

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

1. Roll & Hold Parkway Replacement, Rebuilding and Resurfacing. from northern to southern terminus, including the intersection at E. Highland Road will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. Improvements may include bicycle paths and walking paths.
2. Valley View Road, Rebuilding and Resurfacing. from northern to southern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. Improvements may include bicycle paths and walking paths.
3. E. Highland Road, Rebuilding and Resurfacing. from western to eastern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. Improvements may include bicycle paths and walking paths.
4. Route 82 Replacement, Rebuilding and Resurfacing. from western to eastern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. The Public Infrastructure Improvement may include bicycle paths and walking paths.
5. Route 8 Replacement, Rebuilding and Resurfacing. from northern to southern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. The Public Infrastructure Improvement may include bicycle paths and walking paths.

ORIGINATOR: ADMINISTRATION

SPONSOR: FINLEY

**CITY OF MACEDONIA, OHIO
ORDINANCE NO. 57 -2021**

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCELS, REQUIRING THE OWNERS OF THE IMPROVEMENTS ON SUCH PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN OHIO STATE WATERPROOFING MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 authorize this Council to describe public improvements to be made which will directly benefit parcels of real property, to declare Improvements (as defined in Ohio Revised Code Section 5709.40) with respect to such parcels to be a public purpose, thereby authorizing the exemption of those Improvements from real property taxation for a period of years, and to provide for the making of service payments in lieu of taxes by the owner of such parcels and to establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, to improve the flow of traffic in and around the parcels described in the attached **Exhibit A**, as such parcels may be consolidated or split (the “Property”), this Council may cause construction of the public improvements described in the attached **Exhibit B** (collectively, the “Public Improvements”), that once made will directly benefit the Property and the City and its residents; and

WHEREAS, the City has determined that it is necessary and appropriate and in the City’s best interest to provide for service payments in lieu of taxes with respect to the Property pursuant to Ohio Revised Code Section 5709.42 (the “Service Payments”) to pay the costs of the Public Improvements; and

WHEREAS, the Property is located within the boundaries of the Nordonia Hills City School District and within the service area of the Cuyahoga Valley Career Center (together, the “School Districts”), and the School Districts have been notified of the City’s intent to pass this Ordinance in accordance with Ohio Revised Code Sections 5709.40(D) and 5709.83, as applicable to each; and

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

Section 1. The Public Improvements described in the attached **Exhibit B**, if made or caused to be made by the City, are designated as those Public Improvements that directly benefit, or that once made will directly benefit, the Property, and are determined to be necessary for the public health, safety and welfare of the City and its residents.

Section 2. Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.40, and, in particular, Section 5709.40(B), this Council finds and determines that 100% of the increase in the assessed value of the Property that would first appear on the tax list and duplicate of real property after the effective date of this Ordinance (which increase in assessed value is referred to in this Ordinance

as the “Improvement” or “Improvements” as defined in Ohio Revised Code Section 5709.40) is a public purpose, and 100% of that Improvement is declared to be a public purpose for a period of 30 years and exempt from taxation commencing with the tax year following the year in which this Ordinance is passed and ending on the earlier of (a) the date the Improvements have been exempted from taxation for a period of 30 years or (b) the date on which the City has collected into the Fund established in Section 4 hereof a total amount of Service Payments available for and sufficient to pay the costs provided in Section 4 hereof; provided, however, that Service Payments shall be paid to the Nordonia Hills City School District and the Cuyahoga Valley Career Center in the amount of the taxes that would have been payable to the Nordonia Hills City School District and the Cuyahoga Valley Career Center, as applicable, if the Improvements had not been exempted from taxation.

Section 3. As provided in Ohio Revised Code Section 5709.42, the owner or owners of the Improvements are required to, and shall make, annual Service Payments to the County Fiscal Officer on or before the final dates for payment of real property taxes due and payable with respect to the Improvements. In accordance with Ohio Revised Code Section 5709.42, the County Fiscal Officer is requested to distribute a portion of the Service Payments directly to the Nordonia Hills City School District and to the Cuyahoga Valley Career Center in the amounts equal to the real property tax payments that the two School Districts would have received, respectively, had the Improvements not been exempted from real property taxation pursuant to this Ordinance. The Service Payments, when distributed to the City by the County Fiscal Officer, shall be deposited in the **Ohio State Waterproofing** Tax Increment Equivalent Fund established in Section 4 hereof. This Council authorizes the Mayor, Finance Director and City Law Director, and other appropriate officers of the City, to provide such information and certifications and to execute and deliver or accept delivery of such instruments as are necessary and incidental to collection of those Service Payments, and to make such arrangements as are necessary and proper for payment of those Service Payments.

Section 4. This Council establishes pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, the **Ohio State Waterproofing** Tax Increment Equivalent Fund (the “Fund”), into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvements, by or on behalf of the County Fiscal Officer as provided in Ohio Revised Code Section 5709.42, and provides that all of the moneys deposited in the Fund shall be used for any or all of the following purposes:

- (a) to pay any or all acquisition, construction, installation or financing costs, and any or all other direct and indirect costs of the Public Improvements, including those costs set forth in Ohio Revised Code Section 133.15(B);
- (b) to pay the interest on, principal of, and any premium on bonds or notes or other obligations, including refunding bonds or notes or other obligations issued by the City or other authorized entity, to finance costs of the Public Improvements until such notes or bonds or other obligations are paid in full;
- (c) to reimburse the City for any funds used by the City to pay costs of the Public Improvements; or
- (d) to pay, or to apply or transfer funds toward the payment of interest, principal or premium on any of the aforesaid notes, bonds, loans or other obligations prior to receipt of Service Payments.

The Fund shall remain in existence so long as Service Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved in accordance with Ohio Revised Code Section 5709.43.

Section 5. Pursuant to Ohio Revised Code Section 5709.40, the Clerk of Council is directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within 15 days after its passage. On or before March 31st of each year that the exemption set forth in Section 3 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Ohio Revised Code Section 5709.40.

Section 6. This Council determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this 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, including Ohio Revised Code Section 121.22.

Section 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective to provide funding for the Public Improvements so that such Public Improvements can be constructed, thereby providing immediately necessary public road improvements; wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Jon Hoover, Clerk of Council

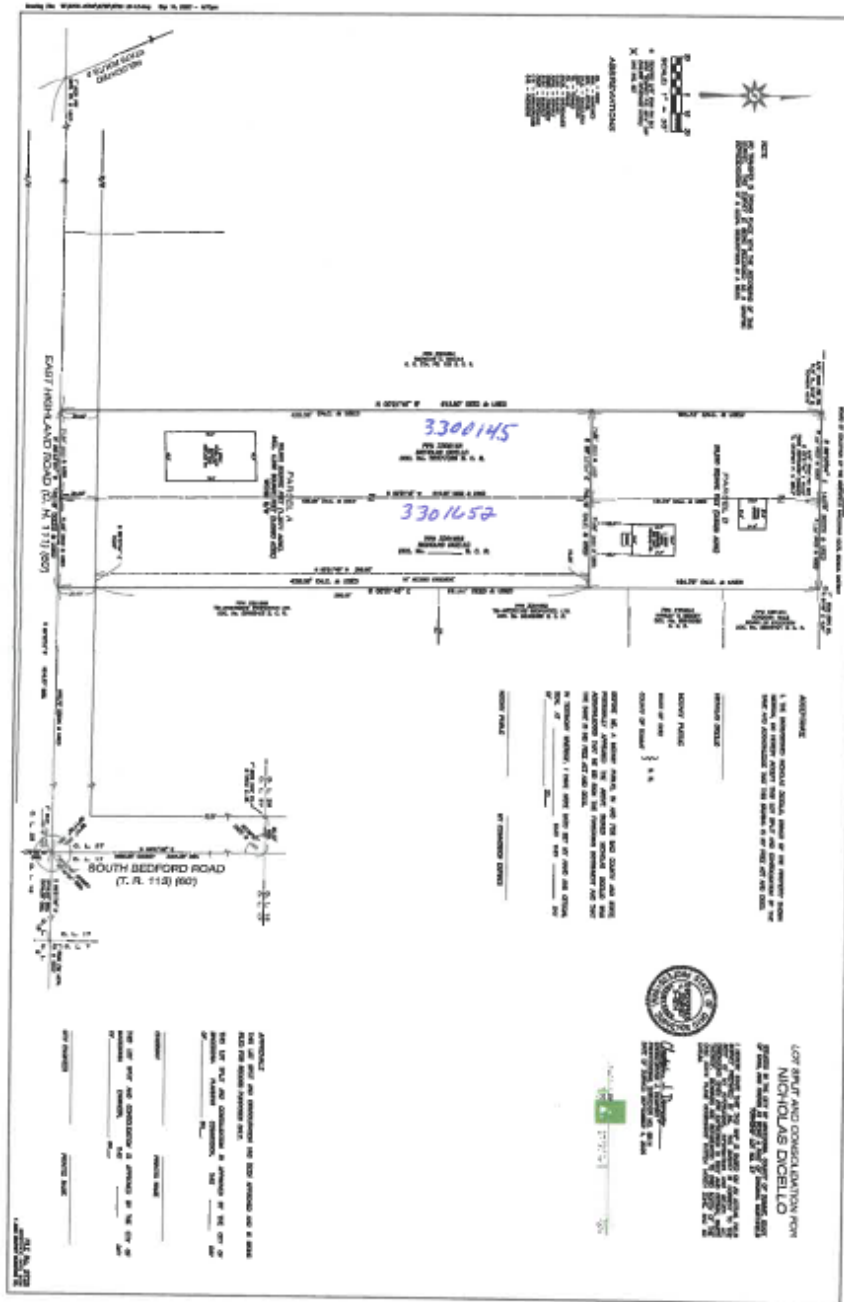
EXHIBIT A

PROPERTY

City of Macedonia
Ohio State Waterproofing TIF Parcels

Parcel No. 33-00145

Parcel No. 33-01652





DEMPSEY SURVEYING / COMPANY
 216 / 287 / 130 72815 CENTROT AVENUE
 7th Fl. 9th Fl. 11th Fl. 12th Fl. 13th Fl. 14th Fl. 15th Fl.

FILE No. 9728
 REFERENCE: 9870, 9838
 © 2000 DEMPSY SURVEYING CO.

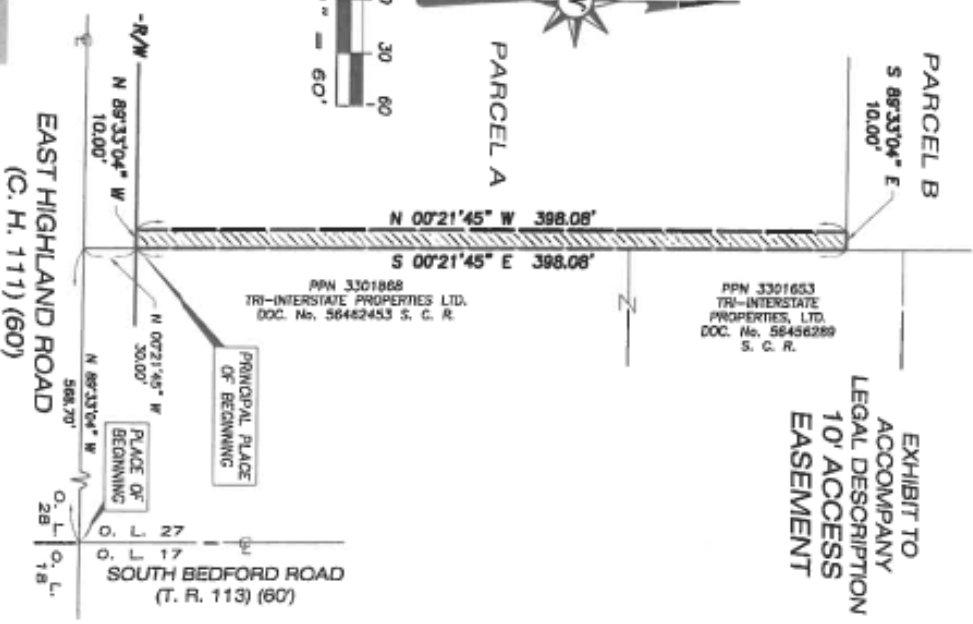
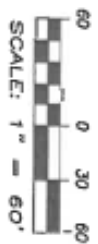




EXHIBIT B

OHIO STATE WATERPROOFING TIF

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

1. Roll & Hold Parkway Replacement, Rebuilding and Resurfacing. from northern to southern terminus, including the intersection at E. Highland Road will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. Improvements may include bicycle paths and walking paths.
2. Valley View Road, Rebuilding and Resurfacing. from northern to southern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. Improvements may include bicycle paths and walking paths.
3. E. Highland Road, Rebuilding and Resurfacing. from western to eastern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. Improvements may include bicycle paths and walking paths.
4. Route 82 Replacement, Rebuilding and Resurfacing. Route 82 from western to eastern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. The Public Infrastructure Improvement may include bicycle paths and walking paths.
5. Route 8 Replacement, Rebuilding and Resurfacing. Route 8 from northern to southern terminus will be resurfaced, replaced, upgraded or rebuilt, including providing new and additional lanes where needed including the necessity of purchasing property for public use. Existing utilities including storm and sanitary sewers will be relocated or expanded and street lighting, streetscaping, landscaping, new traffic signalization and all other necessary appurtenances to said road replacement, resurfacing and rebuilding will be installed. The Public Infrastructure Improvement may include bicycle paths and walking paths.

ORIGINATOR: FIRE DEPARTMENT

SPONSOR: Brandt

**CITY OF MACEDONIA
ORDINANCE NO. 58 -2021**

**AN EMERGENCY ORDINANCE
AMENDING CHAPTER 153 OF THE CODIFIED ORDINANCES OF THE CITY OF
MACEDONIA RELATIVE TO THE FIRE DEPARTMENT**

WHEREAS, it is necessary and in the best interest of the health, safety and welfare of the City and its residents to amend Chapter 153 of the Codified Ordinances so as to allow for additional requisite staffing within the City's Fire Department, and specifically Macedonia Codified Ordinance 153.01 relative to the Fire Department's composition so as to include up to three "Fire Captains."

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

Section 1. That Section 153.01 of the Codified Ordinances of the City of Macedonia shall be amended to read as set forth below:

153.01 COMPOSITION.

In addition to the Fire Chief, the Fire Department may consist of the following:

- (a) Assistant Fire Chief, who shall serve as the Executive Assistant to the Fire Chief, who, in the absence of the Chief, is authorized to exercise the authority and perform the duties of the Chief;
- (b) Any number of up to three Fire Captains;
- ~~(bc)~~ Any number of up to three Fire Lieutenants;
- ~~(ed)~~ Any number of regular, full-time fire fighters as may be provided for by Council;
- ~~(de)~~ Any number of part-time fire fighters as may be provided for by Council who shall be appointed pursuant to Section 8.05(b) of the Charter. All part-time fire fighters shall be considered "0regular firemen" for the purpose of workers' compensation and insurance coverage and benefits. Part-time fire fighters may be assigned certain ranks and designated duties pursuant to the Macedonia Fire Department's Standard Operating Procedure Manual.
- ~~(ef)~~ Secretary to the Fire Chief, a nonclassified position, who shall serve as a confidential employee and assigned duties and responsibilities by the Chief of the Department.

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

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

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

Section 5. Wherefore, this Ordinance 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 involves the daily operation of various municipal departments and provided it receives the affirmative vote of three (3) or more of the members elected or appointed to this Council, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

ORIGINATOR: ADMINISTRATION

SPONSOR: TULLEY

**CITY OF MACEDONIA, OHIO
ORDINANCE NO. 59 -2021**

**AN ORDINANCE
RATIFYING AN AGREEMENT WITH NORTHFIELD CENTER TOWNSHIP
TO PROVIDE EMERGENCY FIRE AND MEDICAL SERVICES TO THE TOWNSHIP**

WHEREAS, the City of Macedonia Fire Department currently provides emergency fire and medical services to Northfield Center Township through an agreement previously entered into between the City and Township, with the agreement expiring in September 2021; and

WHEREAS, the City and Northfield Center Township wish to enter into a successor agreement to transfer responsibility for providing emergency fire and medical services from the Township to the City of Macedonia through the City’s Fire Department, and to reimburse the City for the same based on mutually-agreeable terms; and

WHEREAS, The City of Macedonia, through its Fire Department, is capable and willing to provide such services to the Township; and

WHEREAS, Council wishes to authorize the Mayor to enter into a contract with the Township for this purpose.

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

Section 1. That the agreement with the Township of Northfield Center, Ohio for the provision by the City of emergency fire and medical services to the Township as more fully described in the Agreement attached hereto as Exhibit “A” and incorporated herein by reference, is hereby ratified.

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. This Ordinance 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

FIRE SERVICES AGREEMENT
BETWEEN THE CITY OF MACEDONIA AND NORTHFIELD CENTER TOWNSHIP

This agreement (“Agreement”) is made and entered into on this ____ day of September, 2021, by and between the City of Macedonia, a chartered municipal corporation in the County of Summit, State of Ohio (“City”), in accordance with Ordinance No. ____-2021 passed by City Council on September ____, 2021, and Northfield Center Township, Ohio, a political subdivision in the County of Summit, State of Ohio (“Township”), in accordance with Resolution No. 21/09/02-A passed by the Township Trustees on September 14, 2021, for the purpose of transferring responsibility for providing emergency fire and medical services from the Township to the City through the City’s Fire Department. The City and Township are collectively referred to as the “Parties.”

WHEREAS, the City maintains a currently-functioning fire department known as the Macedonia Fire Department that provides full-time fire command, fire suppression, and emergency medical services for the City; and

WHEREAS, the City is capable of providing such services to certain third parties upon the addition or expansion of certain infrastructure, personnel, and equipment, including but not limited to the addition of personnel for fire suppression and emergency medical services, out of an existing base of operations located within the territorial boundary of such third parties, including the Township; and

WHEREAS, the Township provides certain infrastructure and equipment as specified below; and

WHEREAS, the Township desires to enter into a contract for the use of the City’s emergency fire and medical services for a 15-year period, beginning September 15, 2021 through December 31, 2036, and is willing to reimburse the City for those services, and to provide or reimburse the City for the cost of adding/expanding certain infrastructure, personnel, and equipment so as to enable the City to provide such services to the Township; and

WHEREAS, the City is willing to make such additions/expansions and provide such services, and accept the amount(s) set forth herein as compensation for those services; and

WHEREAS, the City and the Township intend to provide, through this Agreement, emergency fire and medical services in the Township and the City through a cohesive fire department supporting both communities. To this end, the City and the Township agree that all equipment owned by either party shall be collectively available to provide emergency fire and



medical services in each community; and

WHEREAS, the City and the Township agreed that this contract is a cooperative step in their mutual interest in discussing regionalization of emergency fire and medical service between the Parties and neighboring communities.

NOW, THEREFORE, the Parties agree, as follows:

I. SCOPE OF SERVICES TO BE PROVIDED BY CITY OF MACEDONIA.

The City will furnish twenty-four (24) hour a day emergency fire command and suppression services, and emergency medical services to the Township with the minimum service to be as follows:

- A. Response to all calls for emergency fire and/or emergency medical service which the Township would otherwise respond to but for this Agreement;
- B. Maintain, at a facility provided by and located in the Township, at least two firefighter-paramedics at all times for emergency fire and/or medical response within the Township;
- C. Provide for personnel for certain existing positions in the Macedonia Fire Department including a fire chief, assistant chief, fire prevention officer, administrative assistant, and sufficient firefighters-paramedics, who shall receive training to maintain any State of Ohio certification levels required to provide the services contemplated by this Agreement;
- D. Provide all existing Macedonia Fire Department equipment including an aerial tower, radio system, jaws of life, breathing air compressor, turn out gear extractor, fire safety trailer, and water rescue boat, with the understanding that the Township will also provide its equipment for the City's use in providing emergency fire and medical services in each community, and any other community contracting for such services from the City; and
- E. Provide certified personnel for annual fire inspections of Township businesses.

The Parties acknowledge and agree that the City will cover the Township's emergency fire and medical service needs based upon call volume and operational need. The Parties agree to mutually work together to best serve residents and businesses and manage call volume. The Parties will have quarterly meetings as may be necessary to review such information and discuss any needed adjustments. The Township and City agree that in the event there is an increase in call volume of more than twenty percent (20%), which does not include auto-

aid calls originating outside of the Township, an addendum may be added to this contract to cover that additional burden for personnel, etc., or the parties will mutually cooperate to reduce the call volume.

The City will assume all responsibility for hiring and training fire (including fire inspection) and medical personal to perform the services contemplated by this Agreement, and will furnish such services in accordance with the City's own policies, regulations, rules and procedures. The City shall ensure necessary certifications and licenses are obtained and maintained. The Township shall pay its appropriate share of the cost for such certifications and licenses.

The Macedonia Fire Department is a functioning fire department with a full complement of supervisors and support personnel; however, the provision of services under this Agreement will require the hiring of additional support personnel. The annual costs associated with this Agreement will help support these increased staffing costs.

The Township agrees that in the event the City expands its emergency fire and/or emergency medical service coverage into an adjoining community, an addendum, rider or other writing may be attached to this Agreement as may be necessary to cover the additional services being rendered. Both the City and Township will cooperate in joining additional communities and regionalizing the provision of emergency fire and medical services.

II. RESPONSIBILITY OF NORTHFIELD CENTER TOWNSHIP.

The Parties acknowledge that, to furnish such services, the City will add or expand certain infrastructure, personnel, and equipment as set forth below. The Parties further acknowledge and agree that the Township will provide or reimburse the City for the cost of adding/expanding such infrastructure and equipment so as to enable the City to provide such services to the Township as follows:

- A. The Township shall provide one fire engine and two rescue squads to the City;
- B. The Township shall provide standard firefighting equipment to the City including, but not limited to: nozzles and hose, one (1) ventilation fan, two (2) chain saws, one (1) circular saw, one (1) thermal imaging camera, 423 MHz and 800 MHz radios (portable and mobile), hand tools, self-contained breathing apparatuses (minimum of two units), and any other equipment necessary for emergency fire response; turnout gear, and other customary equipment as necessary to provide such services as the parties will determine;

- C. The Township shall continue to provide all equipment and infrastructure it currently provides to the City;
- D. The Township shall provide standard medical equipment to the City including, but not limited to, one (1) heart rate monitor (can be provided by the medical control hospital), computers, cell phones, 423 MHz and 800 MHz radios (portable and mobile), equipment bags, a cot system, and any other equipment necessary for emergency medical response and other customary equipment to provide such services as the parties will determine;
- E. The Township shall continue to provide, rent-free, a facility located within the Township, which shall be referred to for dispatching and safety force response purposes as the "City of Macedonia Fire Department, Northfield Center Division." This Agreement does not impact or control any name the Township may decide to attach to the facility for other purposes. The facility shall continue to be capable of serving as a base of operations for the provision of first-response emergency fire and medical services by the City to the Township. The facility shall comply with all applicable building, zoning and other codes and be suitable for the intended use of this Agreement. The facility shall include phone lines, telephone, wireless internet capable of downloading fire and EMS reports, sufficient computers (including monitors) and software capable of downloading and viewing such reports, interior parking for the fire engine, equipment needed to wash and maintain the fire and medical equipment, an office, a "day room," sleeping quarters for up to three individuals, and bathroom and shower facilities, and any other equipment necessary for providing the services contemplated by this Agreement;
- F. The Township shall obtain and maintain insurance covering all equipment and infrastructure provided to the City for its use under this Agreement, and shall provide the City verification of said insurance upon request;
- G. The Township agrees to designate one Township Trustee to act as a liaison for the Township to assist the City fire administration on an as-needed basis and as required by the City throughout the transition process and during the initial period of operation, and said Trustee shall continue to act as a liaison for the Township during the term of this Agreement. Said Trustee shall be appointed at the pleasure of the Township's Board of Trustees and may be

replaced at any time by the Board of Trustees;

- H. The Parties agree that the Township shall designate the Macedonia Fire Chief or his designee as the Fire Prevention Officer for the Township pursuant to Ohio Revised Code § 505.38 during the period of this Agreement or any extension thereof; and
- I. The Parties mutually will provide the other Party copies of records, files, and any information requested and agrees to cooperate in a reasonable manner required for the performance of this Agreement.

The Township acknowledges and agrees it will pay the full cost of such additional/expanded infrastructure and equipment, including the cost of any related maintenance performed or procured by the City. The Township may provide the equipment required under this Agreement by leasing the same from the City, at a reasonable cost to be determined by the Parties, if necessary. All Township equipment and infrastructure provided for the City's use under this Agreement shall be returned to the Township upon Termination of this Agreement. The Parties will work cooperatively in utilizing such infrastructure and equipment for providing emergency fire and medical services.

The Township agrees that the City will provide emergency fire and medical services to the Township consistent with the City's rules, regulations, policies and procedures.

The Township shall annually certify to the City that the Township currently has the funds available and appropriated to cover the costs contemplated under this Agreement, and the Township Fiscal Officer shall provide such certification to the City at the beginning of each fiscal year.

The City and the Township shall work together to obtain a current GIS map of the Township with addresses and shall be responsible for keeping the map current. The Township shall provide a copy of such current map upon request of the City.

The Township will be entitled to all detailed billing, less collection fees equal to the rate applied to the City by the third-party administrator, for emergency fire and medical services within the Township during the term of this Agreement, and the Parties will cooperate with all third party collection entities in billing for such services. While this Agreement does not contemplate current contributions by the Township into the City's F.A.I.R. fund, the Township recognizes the value of the F.A.I.R. programming for the Nordonia Hills community, and agrees to reevaluate potential contributions to the fund once such programming resumes as normal.

III. PAYMENT FOR FIRE & MEDICAL SERVICES.

For the City's provision of these basic emergency fire and medical services to the Township seven (7) days per week, 24-hours per day, the Township shall pay the City as follows:

YEAR	Amounts Charged	Total Due	Payments of
2021	<ul style="list-style-type: none"> \$176,309 (fee for emergency fire and medical services 9/15/21 through 12/31/21) 	\$176,309.00	•\$176,309 (1)
2022	<ul style="list-style-type: none"> \$575,000.00 (fee for emergency fire and medical services 1/1/22 through 12/31/22) 	\$589,000.00*	•\$147,250.00 (4)*
2023	<ul style="list-style-type: none"> \$618,450.00 (fee for emergency fire and medical services 1/1/23 through 12/31/23) 	\$618,450.00*	•\$154,612.50 (4)*
2024	<ul style="list-style-type: none"> \$649,373.00 (fee for emergency fire and medical services 1/1/24 through 12/31/24) 	\$649,373.00*	•\$162,343.25 (4)*
2025	<ul style="list-style-type: none"> \$681,841.00 (fee for emergency fire and medical services 1/1/25 through 12/31/25) 	\$681,841.00*	•\$170,460.25 (4)*
2026	<ul style="list-style-type: none"> \$715,933.00 (emergency fire and medical services 1/1/26 through 12/31/26) 	\$715,933.00*	•\$178,983.25 (4)*
2027	<ul style="list-style-type: none"> \$751,730.00 (emergency fire and medical services 1/1/27 through 12/31/27) 	\$751,730.00*	•\$187,932.50 (4)*
2028	<ul style="list-style-type: none"> \$789,316.00 (emergency fire and medical services 1/1/28 through 12/31/28) 	\$789,316.00*	•\$197,329.00 (4)*
2029	<ul style="list-style-type: none"> \$820,889.00 (emergency fire and medical services 1/1/29 through 12/31/29) 	\$820,889.00*	•\$205,224.75 (4)*

2030	<ul style="list-style-type: none"> \$853,725.00 (emergency fire and medical services 1/1/30 through 12/31/30) 	\$853,725.00*	•\$213,431.25 (4)*
2031	<ul style="list-style-type: none"> \$887,874.00 (emergency fire and medical services 1/1/31 through 12/31/31) 	\$887,874.00*	•\$221,968.50 (4)*
2032	<ul style="list-style-type: none"> \$914,510.00 (emergency fire and medical services 1/1/32 through 12/31/32) 	\$914,510.00*	•\$228,627.50 (4)*
2033	<ul style="list-style-type: none"> \$941,945.00 (emergency fire and medical services 1/1/33 through 12/31/33) 	\$941,945.00*	•\$235,486.25 (4)*
2034	<ul style="list-style-type: none"> \$970,203.00 (emergency fire and medical services 1/1/34 through 12/31/34) 	\$970,203.00*	•\$242,550.75 (4)*
2035	<ul style="list-style-type: none"> \$999,309 (emergency fire and medical services 1/1/35 through 12/31/35) 	\$999,309.00*	•\$249,827.25 (4)*
2036	<ul style="list-style-type: none"> \$1,029,289.00 (emergency fire and medical services 1/1/36 through 12/31/36) 	\$1,029,289.00*	•\$257,322.25 (4)*
<p>*Minimum amount; Parties will mutually review costs on a quarterly basis and will adjust payment for additional amounts compared to the prior year and the additional costs associated with an increase in call volume as outlined in Section I above; Plus the additional costs associated with an increase in call volume on the City's Dispatch Center from the Services rendered under this Agreement.</p>			

For the remainder of the 2021 calendar year, one payment of \$176,309.00 is due to the City immediately upon execution of this Agreement. For the 2022 through the 2036 calendar years, four (4) equal installments as set above are due and payable to the City on or before January 31, April 30, July 31, and October 31 of the year services are being provided. The City reserves the right to reassess the above costs based on service runs, staffing needs, or other pertinent statistics and a revised user fee will be negotiated as set forth above.

IV. WAIVER

The Township hereby expressly waives any right, claim, demand or cause of action it may now have, and have in the future against the City and/or any of its officers, officials, employees, agents, representatives, and insurers which arises, or may arise, from the performance of this Agreement by the City, its officers, officials, employees, agents, or representatives. Furthermore, the Township shall indemnify and hold the City harmless from any such claim by any non-resident or resident of the Township, or any of its officers, officials, employees, agents, representatives, insurers, or any third party that results from any act or omission of the Township or any of its officers, officials or employees.

In the event and to the extent Township cannot indemnify the City, the City and the Township agree that each will be solely and entirely responsible for its own acts, errors, and omissions, and those of its officers, officials, employees, agents, and representatives to the extent legally liable, during the performance of this Agreement. The City does not intend to and should not be construed to waive any defense to liability it may have including, but not limited to, governmental immunity.

V. TERM & TERMINATION

The Parties shall have the option to renew the Agreement for an additional five (5) years (Renewal Term) at a rate to be mutually agreed to by the Parties. Notice to initiate the Renewal Term can be given by either party, in writing, to the other, no later than one-hundred eighty (180) days before expiration of the initial term.

Either side may terminate this Agreement with one-hundred eighty (180) days written notice. In the event the Township is more than thirty (30) days late with any installment payment, the City may, at its discretion, terminate this Agreement if payment is not made by the Township within sixty (60) days of the Township's receipt of a written notice of non-payment from the

City.

In the event this Agreement is terminated and the City lays-off or takes other action resulting in City Fire Department personnel collecting unemployment compensation benefits, the Township shall reimburse the City in an amount equal to the total costs incurred by the City in connection with such unemployment compensation benefits for the initial two (2) Fire Department personnel collecting such benefits. The City shall be responsible and bear the total costs associated with any additional unemployment compensation benefits beyond the initial two (2) Fire Department personnel collecting such benefits.

VI. NOTICES

All required notices and payments to be made, shall be sent by regular mail, postage prepaid, to the following addresses; or to such other address as either party may designate for such purpose:

To the City of Macedonia:

Mayor Nicholas Molnar
9691 Valley View Road
Macedonia, Ohio 44056

To Northfield Center Township:

Northfield Center Township Trustees
9546 Brandywine Road
Northfield Center, Ohio 44067

Both the City Director of Law and Township attorney must be simultaneously copied on all notices given under this Agreement.

VII. MODIFICATIONS

By the mutual consent of the City and the Township, this Agreement may be modified whenever such modifications are deemed necessary. Any such modifications to the Agreement shall be by written amendment signed by both Parties.

VIII. ENTIRE AGREEMENT

This document constitutes the full and complete expression of the Agreement between the City and the Township and supersedes any prior or contemporaneous oral or written agreements regarding the subject matter of this Agreement. This Agreement is not intended to modify or supersede any contract for dispatch services between the City and the Township.

This Agreement does not intend to and shall not be construed to create any third-party beneficiaries.

IX. ELECTRONIC SIGNATURE/AUTHORITY

Each party agrees that the other party may conduct transactions under this Agreement by electronic means. The Parties agree that all documents requiring City or Township signatures may be executed by electronic means and that the electronic signatures affixed by the City or the Township to said documents shall have the same legal effect as if the signature was manually affixed to a paper version of the document. The Parties agree to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and other applicable laws. Each party acknowledges that the undersigned are authorized to execute this Agreement.

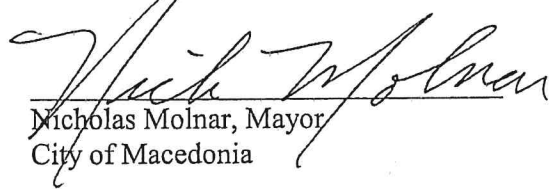
– Remainder of page intentionally left blank –

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their duly authorized officers as of the date first written above.

Approved as to Form:

Mark V. Guidetti, Director of Law
City of Macedonia

On behalf of the City of Macedonia:

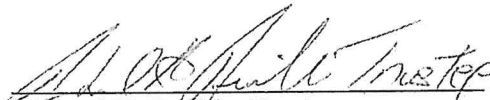
 9/15/21

Nicholas Molnar, Mayor
City of Macedonia

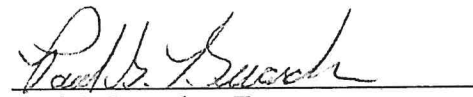
Approved as to Form:

Attorney
Northfield Center Township


On behalf of Northfield Center Township:



Richard H. Reville, Trustee
Northfield Center Township



Paul G. Buescher, Trustee
Northfield Center Township



Russell Mazzola, Trustee
Northfield Center Township

ORIGINATOR: CITY ENGINEER

SPONSOR: Finley

**CITY OF MACEDONIA
ORDINANCE NO. 60 – 2021**

**AN ORDINANCE
AUTHORIZING AND DIRECTING THE MAYOR TO COMPLETE
AND EXECUTE THE PRELIMINARY LEGISLATION AS MANDATED
BY ODOT FOR PROJECT POR/SUM MCRO FY2022 (B) – PID NO.
105120**

WHEREAS, the State of Ohio has identified the need for the microsurfacing of State Route 8 from just south of Valley View Road to the Northfield Village Corp. Limit, within the City of Macedonia; and

WHEREAS, upon review by the City’s Engineer, it has been determined that the only portion of this project with City of Macedonia’s boundaries will be the work on State Route 8; and

WHEREAS, Ohio Department of Transportation (ODOT) requires that, pursuant to Ohio Revised Code § 5521.01, a Preliminary Participatory Legislation form and a Certificate of Copy be executed and returned pursuant to the instruction in the legislation confirming the City’s consent to said project; and

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

Section 1. The State of Ohio, Ohio Department of Transportation, has identified the need for the microsurfacing of SUM SR 8 from just south of Valley View Road to the Northfield Village Corp. Limit, within the City of Macedonia as part of Project POR/SUM MCRO FY2022 (B) – PID No. 105120.

Section 2. ODOT requires that a Preliminary Legislation form and a Certificate of Copy be fully executed and returned pursuant to the instruction in the legislation confirming the City’s consent to said project.

Section 3. The Mayor is hereby authorized and directed to oversee the completion and execution of the Preliminary Participatory Legislation form, as set forth in the documents attached hereto as Exhibit “A” and incorporated herein by reference, and the return to ODOT of said documents pursuant to the instruction in the legislation confirming the City’s consent to said project.

Section 4. The Clerk of Council is authorized and directed to complete the Certification of Copy form as directed by ODOT.

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

Section 6. Wherefore, this 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

PRELIMINARY PARTICIPATORY LEGISLATION
RC 5521.01

Ordinance/Resolution# _____
 PID No. 105120
 County/Route/Section POR/SUM MCRO
FY2022 (B)

The following is _____ enacted by the City of Macedonia of Summit
 (An Ordinance/a Resolution) (Local Public Agency)
 County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Microsurfacing on SR-8 from just south of Valley View Road to the N. Corp. Limit, within the City of Macedonia.

NOW, THEREFORE, be it ordained by the City of Macedonia of Summit County, Ohio.
 (LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA agrees to participate in the cost of construction within the city limits at twenty percent (20%) total cost.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

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

(Optional-if required) The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION IV - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION V - Authority to Sign

The _____ of said _____ City of Macedonia _____ is hereby empowered on
(Contractual Agent) (LPA)
behalf of the _____ City of Macedonia _____ to enter into contracts with ODOT pre-qualified consultants
(LPA)
for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the _____ is also empowered to assign all rights,
(Contractual Agent)
title, and interests of the _____ City of Macedonia _____ to ODOT arising from any agreement with its
(LPA)
consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: _____, 20____
(Date)

Attested: _____ (Clerk) _____ (Officer of LPA - title)

Attested: _____ (Title) _____ (President of Council)

This _____ is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Macedonia of Summit County, Ohio,
(LPA)

_____, as Clerk of the City of Macedonia
(LPA)

of Summit County, Ohio, do hereby certify that the forgoing is a true and
correct copy of _____ adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Macedonia on the _____ day of _____, 20____
(LPA)

that the publication of such _____ has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
_____ have been taken; and that such _____

(Ordinance/Resolution) _____ (Ordinance/Resolution)

and certificate of publication thereof are of record in _____ Page _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this _____ day of _____, 20____

CITY SEAL

Clerk

City of Macedonia of Summit County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No
Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Macedonia of Summit County, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation