



November 8, 2022

TO: Council Members
Mayor Molnar
Directors
Staff
Media

From: Clerk of Council

RE: **AGENDA – Work Session & Regular Meeting: Thursday, November 10, 2022**
“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. APPROVAL OF MINUTES [J. BRANDT, J. GARVAS]

Thursday, October 27, 2022 – Regular Council Meeting

IV. PUBLIC COMMENTS

V. CORRESPONDENCE

VI. PENDING &/OR NEW LEGISLATION

ORD.NO. 67 - 2022 [J. GARVAS, J. BRANDT]

AN ORDINANCE PROVIDING FOR THE 2023 ANNUAL APPROPRIATIONS FOR THE CITY OF MACEDONIA, OHIO

1st Read 10-27-22
2nd Read
3rd Read

ORD.NO. 71 - 2022 [J. BRANDT, J. TULLEY]

AN EMERGENCY ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCEL, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A BASCH 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

1st Read 10-27-22
2nd Read
3rd Read

RES.NO. 75 - 2022 [V. VENTURA, J. GARVAS]

A RESOLUTION AUTHORIZING THE MAYOR TO COMPLETE AND EXECUTE ODOT PRELIMINARY PARTICIPATORY LEGISLATION GIVING CONSENT FOR ODOT TO PROCEED WITH PROJECT – PID NO. 116540 FOR THE RESURFACING OF A PORTION OF VALLEY VIEW ROAD

1st Read
2nd Read
3rd Read

VII. MOTIONS/OTHER LEGISLATIVE ACTION

- Motion to accept a donation in the amount of \$50.00 from Susan Marrone which is to be used for City Police Department purposes [J. Tulley]

VIII. MAYOR’S REPORT

IX. COMMITTEE REPORTS

X. DEPARTMENT REPORTS

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

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT [J. TULLEY, V. VENTURA]

November

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

***Public Comment for those not able to attend in-person at the November 10th 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 November 9th, 2022 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 YouTube. The link to access will be available on the City of Macedonia's website www.macedonia.oh.us

November

2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 Mayor's Court	4	5
6	7	8 Election Day	9	10 Mayor's Court City Council Work Session + Meeting	11 Veterans Day	12
13	14	15	16 Parks & Rec Commission Meeting BZA	17 Mayor's Court	18	19
20	21 Planning Commission	22	23	24 Thanksgiving (No Council Meeting)	25	26
27	28	29	30			

Record of Proceedings
Regular Council Meeting
October 27th, 2022

1 Presiding Officer, Mayor Nicholas Molnar called the October 27th, 2022 regular meeting to order at
2 7:30p.m.
3

4 **Present:** Council members Jessica Brandt, Dave Finley, Jeff Garvas, Jan Tulley, and Vini J.
5 Ventura. Also present: Law Director Mark Guidetti and Clerk of Council Jon Hoover.
6

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

10 **APPROVAL OF MINUTES:**
11

12 Ms. Brandt moved, second by Mr. Garvas, to **approve the minutes of the regular meeting of October**
13 **13, 2022 as received from the Clerk of Council.** The motion carried unanimously upon a voice vote.
14

15 **PUBLIC COMMENTS:** None
16

17 **CORRESPONDENCE:** None
18

19 **INTRODUCTION, READINGS & ADOPTION OF LEGISLATION**
20

21 **RESOLUTION NO. 64-2022**

22 A RESOLUTION AUTHORIZING THE MAYOR TO COMPLETE AND EXECUTE PRELIMINARY
23 LEGISLATION AS REQUIRED BY ODOT GIVING CONSENT FOR ODOT'S INSTALLATION OF
24 CERTAIN PAVEMENT MARKINGS ALONG STATE ROUTE 8 FOR PROJECT D04 PM R-WR
25 FY2023 – PID NO. 115375 was offered by Mr. Finley for **first, second and third readings by title only.**
26 Seconded by Ms. Tulley. The motion carried unanimously by a voice vote.
27

28 Dir. Gigliotti explained this resolution is to allow ODOT to perform pavement markings on State Route 8
29 next year. The City is responsible for 20% of the cost of this project, which will amount to \$2,900.
30

31 Mr. Finley moved, second by Ms. Tulley, to **adopt RES.NO. 64-2022 and post the same according to**
32 **law.** Motion carried unanimously by a voice vote. **RES.NO. 64-2022 declared and adopted.**
33

34 **RESOLUTION NO. 65-2022**

35 A RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN MUNICIPAL PROPERTY BY
36 THE PUBLIC SERVICE DEPARTMENT OF THE CITY OF MACEDONIA IN ACCORDANCE
37 WITH OHIO REVISED CODE SECTION 721.15 was offered by Ms. Brandt for **first, second and third**
38 **readings by title only.** Seconded by Mr. Ventura. The motion carried unanimously by a voice vote.
39

40 Dir. Wilson stated this resolution would allow the old pond fountain from Longwood Park to be put up
41 for auction on GovDeals.com. The Mayor elaborated that this old fountain in question was not
42 functioning properly and the new one is very beautiful.
43

44 Ms. Brandt moved, second by Mr. Ventura, to **adopt RES.NO. 65-2022 and post the same according to**
45 **law.** Motion carried unanimously by a voice vote. **RES.NO. 65-2022 declared and adopted.**
46

47 **ORDINANCE NO. 66-2022**

48 AN ORDINANCE APPROVING USE OF THE CITY OF MACEDONIA UPDATED PLANNED
49 CAPITAL PURCHASE PROGRAM FOR CERTAIN PLANNED CAPITAL PURCHASES was offered
50 by Mr. Ventura for **first, second and third readings by title only.** Seconded by Ms. Tulley. The motion
51 carried unanimously by a voice vote.
52

Record of Proceedings
Regular Council Meeting
October 27th, 2022

53 Dir. Veres shared that there is \$1,491,000 set aside for capital purchases and this ordinance follows the
54 guidelines that the auditors like the City to have in place to update Council annually on the open purchase
55 orders from the program.

56
57 Mr. Ventura moved, second by Ms. Tulley, to **adopt ORD.NO. 66-2022 and post the same according**
58 **to law.** Motion carried by a majority voice vote. Councilors Brandt, Garvas, Tulley and Ventura in the
59 affirmative, Councilor Finley in the negative. **ORD.NO. 66-2022 declared and adopted.**

60
61 **ORDINANCE NO. 67-2022**
62 AN ORDINANCE PROVIDING FOR THE 2023 ANNUAL APPROPRIATIONS FOR THE CITY OF
63 MACEDONIA, OHIO was offered by Mr. Garvas for **first reading by title only.**

64
65 Dir. Veres stated this ordinance is the culmination of several Finance Committee meetings and will have
66 three readings with the opportunity to pass before the end of the year.

67
68 **ORDINANCE NO. 68-2022**
69 AN ORDINANCE AMENDING CHAPTER 920 OF THE CITY OF MACEDONIA CODIFIED
70 ORDINANCES RELATIVE TO COMPREHENSIVE STORM WATER MANAGEMENT was offered
71 by Ms. Tulley for **first, second and third readings by title only.** Seconded by Mr. Finley. The motion
72 carried unanimously by a voice vote.

73
74 Dir. Gigliotti explained these code updates do not change the technical storm water requirements
75 developers need to follow but keep the City in compliance with the OEPA.

76
77 Ms. Tulley moved, second by Mr. Finley, to **adopt ORD.NO. 68-2022 and post the same according to**
78 **law.** Motion carried unanimously by a voice vote. **ORD.NO. 68-2022 declared and adopted.**

79
80 **ORDINANCE NO. 69-2022**
81 AN ORDINANCE AMENDING CHAPTER 923 OF THE CITY OF MACEDONIA CODIFIED
82 ORDINANCES RELATIVE TO EROSION AND SEDIMENT CONTROL was offered by Mr. Finley
83 for **first, second and third readings by title only.** Seconded by Mr. Ventura. The motion carried
84 unanimously by a voice vote.

85
86 Dir. Gigliotti stated the same explanation for the previous ordinance (ORD 68-2022) applies to this
87 ordinance.

88
89 Mr. Finley moved, second by Mr. Ventura, to **adopt ORD.NO. 69-2022 and post the same according to**
90 **law.** Motion carried unanimously by a voice vote. **ORD.NO. 69-2022 declared and adopted.**

91
92 **ORDINANCE NO. 70-2022**
93 AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
94 AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION TO FINANCE THE
95 PURCHASE OF NEW EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS was offered by
96 Mr. Ventura for **first, second and third readings by title only.** Seconded by Mr. Garvas. The motion
97 carried unanimously by a voice vote.

98
99 Chief Ripley stated that the Fire Department side of this is for an ambulance that was purchased in
100 October of 2021. The chassis was received about three weeks ago and the final unit should be received in
101 January 2023.

102
103 Chief Golden explained that the Police Department side of this is for several police cars that are attempted
104 to be sourced from multiple locations.

105

Record of Proceedings
Regular Council Meeting
October 27th, 2022

106 Mr. Ventura moved, second by Mr. Garvas, to **adopt ORD.NO. 70-2022 and post the same according**
107 **to law.** Motion carried unanimously by a voice vote. **ORD.NO. 70-2022 declared and adopted.**
108

109 **ORDINANCE NO. 71-2022**

110 AN EMERGENCY ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF
111 REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS
112 TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCEL, REQUIRING THE OWNER OF THE
113 IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES,
114 ESTABLISHING A BASCH MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT
115 EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS PURSUANT TO OHIO
116 REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43 was offered by Ms. Brandt for **first**
117 **reading by title only.**
118

119 The Mayor stated this is a TIF for the new Basch Jewelry store.
120

121 **ORDINANCE NO. 72-2022**

122 AN ORDINANCE AMENDING ORDINANCE NO. 67-2021 RELATIVE TO CURRENT EXPENSES
123 AND OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF JANUARY
124 1, 2022 TO DECEMBER 31, 2022 was offered by Mr. Garvas for **first, second and third readings by**
125 **title only.** Seconded by Mr. Ventura. The motion carried unanimously by a voice vote.
126

127 Dir. Veres explained this is the 4th amendment to the 2022 appropriations and that there are no overall
128 additional appropriations in this request; this is just moving money between different groups and funds.
129

130 The Mayor shared that a number of years ago there were sometimes 60 amendments to the annual
131 appropriations, and commended Dir. Veres for keeping a tight ship on the City's finances.
132

133 Mr. Garvas moved, second by Mr. Ventura, to **adopt ORD.NO. 72-2022 and post the same according**
134 **to law.** Motion carried by a majority voice vote. Councilors Brandt, Garvas, Tulley and Ventura voting
135 in the affirmative, Councilor Finley in the negative. **ORD.NO. 72-2022 declared and adopted.**
136

137 **ORDINANCE NO. 73-2022**

138 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO
139 PURCHASE EQUIPMENT FOR THE CITY OF MACEDONIA PUBLIC SERVICE DEPARTMENT
140 was offered by Ms. Tulley for **first, second and third readings by title only.** Seconded by Mr. Finley.
141 The motion carried unanimously by a voice vote.
142

143 Dir. Wilson stated this ordinance is for the purchase of a new bucket truck, replacing the current bucket
144 truck from 1996. This purchase is part of the capital program.
145

146 Ms. Tulley moved, second by Mr. Finley, to **adopt ORD.NO. 73-2022 and post the same according to**
147 **law.** Motion carried unanimously by a voice vote. **ORD.NO. 73-2022 declared and adopted.**
148

149 **ORDINANCE NO. 74-2022**

150 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO
151 PURCHASE EQUIPMENT FOR THE CITY OF MACEDONIA PUBLIC SERVICE DEPARTMENT
152 was offered by Mr. Garvas for **first, second and third readings by title only.** Seconded by Mr. Ventura.
153 The motion carried unanimously by a voice vote.
154

155 Dir. Wilson stated this ordinance is for the purchase of a new backhoe, replacing the current backhoe
156 from 1997. This purchase is also part of the capital program.
157

Record of Proceedings
Regular Council Meeting
October 27th, 2022

158 Mr. Garvas moved, second by Mr. Ventura, to **adopt ORD.NO. 74-2022 and post the same according**
159 **to law.** Motion carried unanimously by a voice vote. **ORD.NO. 74-2022 declared and adopted.**
160

161

162 **MOTIONS / OTHER LEGISLATIVE ACTION:** None

163

164 **MAYOR'S REPORT**

165

~Happy Anniversary to Councilor Jeff Garvas and his wife!

166

~Thanks to Councilor Ventura and Council President Brandt for taking part in the B.U.D.S. event
167 at Nordonía High School on October 25. Thanks to the Fire Department for handing out candy
168 from the bucket truck.

169

~Please don't put your leaves in the streets—they can clog up inlets and cause problems.

170

Councilor Ventura shared that in his development leaves are a touchy subject as they have
171 roughly twelve inches from the edge of the street to the culvert and it is difficult to judge the
172 appropriate area to deposit leaves.

173

~Halloween trick-or-treating will take place on Monday, October 31 from 6-8pm

174

~Nordonía's band got "Best in Class" at a competition in New Philadelphia

175

~Nordonía's football team is rolling into the playoffs against Garfield Heights tomorrow (10/28)
176 night.

177

~Don't drive distracted! Put the phones down and drive.

178

179 **COMMITTEE REPORTS**

180

181 **Parks & Recreation Commission:** Ms. Brandt reported there was not a meeting in October, but the next
182 meeting will be on November 16th at 6pm in the activity room of the Recreation Center. It should be the
183 last meeting of the year.

184

185 **Finance Committee:** Mr. Garvas thanked everyone for participating in the Finance Committee meetings
186 the last few weeks.

187

188

189

190 **DEPARTMENT REPORTS**

191

192 **Service Department:** Director Wilson – Leaf pickup has started, with the goal to do one pass through the
193 City each week. The City website lists the streets' schedule. Please keep leaves out of the street, not
194 impeding the waterway. Fall decorations will be taken down soon and Christmas lights are being readied.
195 The Veterans Park bathroom is almost complete.

196

197 The Mayor stated that any resident that has questions about where to place leaves, please call the Service
198 Department. The last thing the City wants to do is send letters to residents.

199

200 **Engineer:** Director Gigliotti – Thanks to Council for passage of RES 64-2022 and ORDs 68&69-2022

201

202 **Parks and Recreation Department:** Director Chadock – Hoping to have the lights at Field C complete
203 before the snow arrives, with the light poles up by mid-November. Recreation Center front desk
204 demolition will start next week and should take 2-3 weeks to get the desk removed, and the new
205 downstairs flooring installed. Winterfest will take place Saturday, December 10th at Longwood Park,
206 with a similar setup to Fallfest.

207

208 **Finance Department:** Director Veres – The five items on the agenda essentially summarized the report.
209 If you were granted a return extension by RITA, you can also use that date to file your refund with the
210 City.

Record of Proceedings
Regular Council Meeting
October 27th, 2022

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Fire Department: Chief Ripley – Fire Department personnel took a call to assist an at-home birth of twins, with both the infants and mother being taken to local hospitals. Happy to report that all three are doing well. The interest rate on the purchase of a truck was 3% when the City agreed to pre-pay. Since then, the interest rate has risen to 17%. By making the purchase when the City did, savings of nearly \$135,000 were realized. Daylight savings time ends this coming Sunday, November 6 at 2:00am – please remember to change your smoke detector batteries.

Police Department: Chief Golden – Still working with the schools on safety procedures, including this week at Rushwood Elementary.

HR Department: Director Smith – Absent

Building Department: Commissioner Rodic – Permit was issued for Wave carwash. Blue down lighting was installed by the owner at IHOP, which conflicts with the Planning Commission. He has been ordered to remove the lighting but will likely come again to the Planning Commission.

IT Department: Director Collins – There have been multiple Microsoft server updates, and tweaks are being made on the new website. Happy Halloween!

The Mayor thanked Dir. Collins on the new City website.

Law Department: Director Guidetti – No report

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ms. Tulley thanked all student-athletes that play Fall sports. The Nordonia girls’ golf team went to the state tournament for the first time, coached by Greg Harris and including golfers Larisa Golembiewski, Maci Taylor, Brooke Barnes, Christina Nagy and Julia Gulla. On a separate note, please pull over to the side of the road when emergency vehicles have their flashing lights on, use your turn signals, and stop at red lights.

There being no further business, Mr. Finley moved, second by Mr. Ventura, to **adjourn the meeting**. The motion passed **unanimously** pursuant to a voice vote and the meeting was adjourned at approximately 8:06p.m.

Date: _____

Attest: _____
Jon Hoover, Clerk of Council

Mayor: _____
Nicholas Molnar

ORIGINATOR: ADMINISTRATION/FINANCE DEPARTMENT

SPONSOR: Garvas

**CITY OF MACEDONIA
ORDINANCE NO. 67 - 2022**

**AN ORDINANCE
PROVIDING FOR THE 2023 ANNUAL APPROPRIATIONS
FOR THE CITY OF MACEDONIA, OHIO**

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

Section 1. To provide for the current expenses and other expenditures of the City of Macedonia, Ohio during the fiscal year ending December 31, 2023, the following sums are hereby set aside and appropriated as set forth in the document attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. The Director of Finance is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore approved by the board of officers authorized by law to approve the same or an ordinance or resolution of Council to make expenditures; provide that no warrants shall be drawn or paid for salaries or wages except for persons employed by authority of and in accordance with law or ordinance.

Section 3. The Clerk of Council shall forward a certified copy of the ordinance to the Summit County Fiscal Officer.

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

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

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Jon Hoover, Clerk of Council

EXHIBIT A

CITY OF MACEDONIA

		October 27, 2022		2023 Annual		
Fund Category	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total
						changes
General	101	General				
		Council (101)	101,600	8,500		110,100
		Administrative Support (110)	-	1,480,800		1,480,800
		Mayor's Office (120)	491,700	33,900		525,600
		IT (125)	133,700	207,600		341,300
		Finance (130)	377,100	345,000		722,100
		Mayor's Court (140)	231,900	128,500		360,400
		Legal (150)	59,300	131,200		190,500
		Civil Service (160)	5,600	2,600		8,200
		City Center Service (170)	97,500	312,700		410,200
		Building & Engineering (180)	437,800	64,700		502,500
		Service (201)	435,500	215,600		651,100
		Police (210)	3,136,200	243,100		3,379,300
		Fire (222)	3,656,200	956,100		4,612,300
		Dispatch (310)	861,800	95,800		957,600
		Transfers (321)	-	-	4,603,000	4,603,000
		Advances (321)	-	-	-	-
		Total General Fund (101)	10,025,900	4,226,100	4,603,000	18,855,000
		total Personal Service + Other		14,252,000		
	102	Emergency Reserve	-	-	-	-
	103	Unclaimed Monies	-	1,000	-	1,000
	104	Retirement Reserve	-	50,000	-	50,000
	105	Refund Program	-	200,000	175,000	375,000
	106	Technology Advancement	-	100,000	-	100,000
Special Revenue	201	Street Construction Maintenance & Repair (S,C,M&R)				
		Street Maintenance & Repair (350)	1,025,300	208,800	-	1,234,100
		Salt (352) & Traffic Signals (353)	-	158,000	-	158,000
		Street Mechanic (354) & Signs Maintenance (355)	470,700	339,300	-	810,000
		Total S,C,M&R Fund (201)	1,496,000	706,100	-	2,202,100
	202	State Highway Improvement	-	55,000	-	55,000
	203	Permissive License Tax	-	50,000	-	50,000
	204	Parks & Recreation				
		Parks (203)	272,900	152,600	-	425,500
		Recreation - Parks Programming (204)	81,700	65,600	-	147,300
		Total Parks & Recreation Fund (204)	354,600	218,200	-	572,800
	205	Family Recreation Center	817,100	769,100	-	1,586,200
	207	Spirit of Macedonia Festival	-	35,000	-	35,000
	210	Water Maintenance & Expansion	26,000	124,700	-	150,700
	212	Motor Vehicle License Tax	-	100,000	-	100,000
	213	Police Pension	-	152,000	-	152,000
	216	Drug Law Enforcement	-	5,000	-	5,000
	217	Law Enforcement & Education	-	2,500	-	2,500
	220	Mayor's Court Computer	-	12,800	-	12,800
	221	F.A.I.R. Program	-	15,000	-	15,000
	223	Subdivision Tree	-	-	-	-
	224	Wireless 911	-	-	-	-
	225	Petro UST	-	-	-	-
	226	Police Donation	-	-	-	-
	233	Quiet Zone Maintenance	-	-	-	-
	259	A.R.R.A. Program	-	-	-	-
	260	Federal Fire Grant	-	-	-	-
	262	Law Enforcement Trust	-	2,500	-	2,500
	263	Federal Equity Share	-	20,500	-	20,500
	266	Local Fiscal Recovery	-	628,500	-	628,500
	280	Safety / Service	726,500	1,879,900	297,400	2,903,800
		Total Special Revenue Funds	3,420,200	4,776,800	297,400	8,494,400

EXHIBIT A

CITY OF MACEDONIA

		October 27, 2022		2023 Annual		
Fund Category	Fund #	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total
Debt Service	301	General Obligation Bond Retirement	-	1,211,500	-	1,211,500
	302	Special Assessment Bond Retirement	-	319,400	-	319,400
	304	Other Debt - (OPWC, State Infrastructure Bank, leases)	-	619,900	-	619,900
	Total Debt Service Funds			-	2,150,800	-
Capital Project	401	Capital Improvement	-	366,400	-	366,400
	405	Road Program	-	3,721,300	742,900	4,464,200
	423	Municipal Property	-	7,000,000	-	7,000,000
	424	Longwood Park Improvements	-	1,000	-	1,000
	427	Manor House Renovation	-	-	-	-
	470	Summit Pointe TIF	-	650,000	-	650,000
	471	The Avenue TIF	-	-	46,800	46,800
	472	Macedonia Shoppes TIF	-	-	7,700	7,700
	473	Maguire Property TIF	-	-	7,000	7,000
	475	Culver's TIF	-	-	10,400	10,400
	476	KFC TIF	-	-	10,400	10,400
	477	Cleanland TIF	-	-	-	-
	478	Big Carrot TIF	-	-	-	-
	479	Peak Nano TIF	-	-	-	-
480	OH State Waterproofing TIF	-	-	-	-	
Total Capital Project Funds			-	11,738,700	825,200	12,563,900
Non-Budgetary	206	Parks & Recreation Trust	-	15,000	-	15,000
	702	Revolving Payroll Escrow	-	-	-	-
	710	Escrow Deposits	-	-	-	-
	711	Mayor's Court	-	-	-	-
	712	Community Room Deposits	-	-	-	-
	714	JEDD Northfield Center	-	450,000	-	450,000
	715	Mayor's Court Bond	-	-	-	-
Total Non-Budgetary Funds			-	465,000	-	465,000
Total All Funds			13,446,100	23,708,400	5,900,600	43,055,100
				37,154,500		
Transfers	General (101) to Emergency Reserve (102)				100,000	
	General (101) to Retirement Reserve (104)				100,000	
	General (101) to Technology Advancement (106)				100,000	
	General (101) to Street Construction (201)				1,375,000	
	General (101) to Family Recreation Center (205)				300,000	
	General (101) to General Bond Retirement (301)				250,000	
	General (101) to Special Assessment Bond Retirement (302)				53,000	
	General (101) to Other Debt (304)				525,000	
	General (101) to Capital Improvements (401)				400,000	
	General (101) to Road Program (405)				1,400,000	
	General (101) to Municipal Property (423)				-	4,603,000
	Refund Program (105) to General (101)				175,000	
	Safety Services (280) to General Bond Retirement (301)				280,900	
	Safety Services (280) to Other Debt (304)				16,500	
	Road Program (405) to General Bond Retirement (301)				671,900	
	Road Program (405) to Other Debt (304)				71,000	
	The Avenue TIF (471) to Road Program (405)				46,800	
	Macedonia Shoppes TIF (472) to Road Program (405)				7,700	
Maguire Property TIF (473) to Road Program (405)				7,000		
Culver's TIF (475) to Road Program (405)				10,400		
KFC TIF (476) to Road Program (405)				10,400		
Total Transfers					5,900,600	

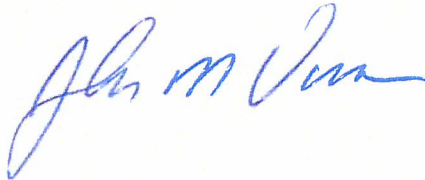
Memorandum

Date: October 20, 2022

To: Mayor Nicholas Molnar
Council President Jessica Brandt
Councilmember Dave Finley
Councilmember Vini J. Ventura

Council Vice President Jeff Garvas
Councilmember Jan Tulley
Law Director Mark Guidetti

From: John M. Veres, CPA
Director of Finance



RE: 2023 Annual Appropriations

The following are noted for Estimated Resources:

Recurring revenues, like Income Taxes, are being kept at 2022 levels. I am dropping the JEDD Income Taxes by \$150,000 to be a little more conservative since it is such a small sample.

The following are noted for Appropriations:

As mentioned in our last Finance Committee this 2023 Appropriation Ordinance is the culmination of the topics we discussed in our recent Finance Committee meetings, namely:

Capital Improvements – Both Departmental and Infrastructure
Current and future Debt
The 2023 Operating Budget

Also, as you all know, we plan to finalize the location for our new Service Department Center. That will be paid for out of the Municipal Property Fund (423) which plans to start the year with \$1,750,000. Estimating a \$7,000,000 ticket for the new center, we would plan to borrow \$5,750,000. That would leave the Fund with \$500,000 at the end of 2023. More discussion will take place as we get closer to obtaining a site, hire an architectural consultant, etc.

As in the past, amendments will likely be made as we move through the year. I will try to keep those to a minimum.

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

Thank you.

CITY OF MACEDONIA				CERTIFICATE OF ESTIMATED RESOURCES											APPROPRIATIONS		TRANSFERS			
2023 Estimated Resources & Appropriations				ESTIMATED RESOURCES											SUBTRACT		advances			
2023 Annual Appropriations				ESTIMATED											changes		gen'l obligation debt			
October 27				Unencumbered Balance 01/01/2023											2023		spec assess debt			
Fund #	Fund Description	Type	ADD General Property Tax	ADD Local Gov'l	ADD Income Tax	ADD changes	ADD	ADD	ADD	ADD	ADD	ADD	ADD	ADD	ADD	Unencumbered Balance 12/31/2023	ESTIMATED Balance 12/31/2023	OPWC/lease debt	new debt	Description
101	General	Gov'l	1,984,171.00	204,456.90	11,400,000.00		3,484,200.00			rev-other	11,400,000.00	21,547,827.90			14,252,000.00	2,692,827.90				
										tr in 3					4,603,000.00					
										tr in 5										
										est rev										
										tr in 1										
102	Emergency Reserve	Gov'l					600,000.00													
103	Unclaimed Monies	Trust					5,900.00			est rev										
										tr in 1										
										est rev										
104	Retirement Reserve	Gov'l					514,900.00													
105	Refund Program	Gov'l			315,000.00		133,800.00			est rev										
										tr in 1										
										est rev										
106	Technology Advancement	Gov'l					7,000.00													
										tr in 1										
										est rev										
201	S.C.M & R	Sp Rev					48,300.00													
										est rev										
										tr in 1										
										est rev										
202	State Highway	Sp Rev					19,400.00													
203	Permissive License Tax	Sp Rev					17,200.00													
										est rev										
										tr in 1										
										est rev										
204	Parks & Recreation	Sp Rev			517,500.00		252,900.00													
										tr in 1										
										est rev										
										tr in 1										
										est rev										
205	Family Recreation Center	Sp Rev			517,500.00		146,800.00													
										tr in 1										
										est rev										
										tr in 1										
										est rev										
206	Parks & Recreation Trust	Trust					98,100.00													
										tr in 1										
										est rev										
										tr in 1										
										est rev										
207	Spirit of Macedonia	Sp Rev					43,500.00													
210	Water Maintenance & Expansion	Sp Rev					133,100.00													
212	Motor Vehicle License Tax	Sp Rev					40,100.00													
213	Police Pension	Sp Rev					10,300.00													
215	Indigent Drivers	Sp Rev					6,100.00													
216	Drug Law Enforcement	Sp Rev					34,200.00													
217	Law Enforcement Education	Sp Rev					25,100.00													
218	CDBG Block Grant	Sp Rev					8,100.00													
220	Mayor's Court Computer	Sp Rev					7,300.00													
221	F.A.I.R. Program	Sp Rev					42,300.00													
223	Subdivision Tree	Sp Rev					100.00													
224	Wireless Emergency 911	Sp Rev					12,400.00													
225	Petro Underground Storage Tanks	Sp Rev					8,400.00													
226	Police K-9 Donation	Sp Rev					1,200.00													
233	Quiet Zone Maintenance	Sp Rev					15,100.00													
259	A.R.R.A. Grant	Sp Rev					4,400.00													
260	Federal Fire Grant	Sp Rev					13,000.00													
262	Law Enforcement Trust	Sp Rev					15,400.00													
263	Federal Equitable Share	Sp Rev					54,000.00													
266	Local Fiscal Recovery	Sp Rev					628,500.00													

CITY OF MACEDONIA													
2023 Estimated Resources & Appropriations													
2023 Annual Appropriations													
October 27													
Fund #	Fund Description	Type	ESTIMATED				ADD			EQUALS			Description
			Unencumbered Balance 01/01/2023	General Property Tax	Local Gov't	Income Tax	Other Sources	2023 Total Resources	ADD changes	SUBTRACT changes	EQUALS ESTIMATED Balance 12/31/2023		
473	Maguire Property TIF	Cap	100.00				est rev	7,000.00	7,000.00			7,000.00	tr out 46
475	Culver's TIF	Cap	100.00				est rev	10,400.00	10,500.00			10,400.00	tr out 48
476	KFC TIF	Cap	100.00				est rev	10,400.00	10,500.00			10,400.00	tr out 49
477	Cleanland TIF	Cap					est rev						tr out 50
478	Big Carrot TIF	Cap					est rev						51
479	Peak Nano TIF	Cap					est rev						tr out 52
480	Ohio Slate Waterproofing TIF	Cap					est rev						tr out 53
481	Optima TIF	Cap					est rev						tr out 54
482	Space Place TIF	Cap					est rev						tr out 55
483	Wave Car Wash TIF	Cap					est rev						tr out 56
702	Revolving Payroll Funds	Agency	58,200.00				est rev		58,200.00				54
710	Escrow Deposits	Agency	96,700.00				est rev		96,700.00				55
711	OBRC Deposits	Agency	100.00				est rev		100.00				56
712	Community Room Deposits	Agency	3,300.00				est rev		3,300.00				57
714	JEDD Northfield Center	Agency	100,000.00				est rev		550,000.00				58
715	Mayors Court Bond	Agency	2,500.00				est rev		2,500.00				58
Totals			11,083,300.00	2,138,656.00	204,456.90	17,050,000.00		20,132,900.00	60,609,312.90			43,055,100.00	
Total Resources						16,600,000.00	62.74%	39,526,012.90	Total Generated Resources			7,554,212.90	
						27,175,412.90			Total Estimated Revenue				

CITY OF MACEDONIA
2023 Annual Appropriations
October 27

changes

	Fund #		
Beginning Estimated RESTRICTED Unencumbered Cash Balance	all other		5,521,700
Beginning Estimated UNRESTRICTED Unencumbered Cash Balance	101-106		<u>5,561,600</u>
	ALL		11,083,300
Revenue and Other Receipts			
Municipal Income Tax Funds (101,105, 204, 205)		12,750,000	
Property Tax		2,138,700	
Local Government	101, 213	204,500	
Tax Increment Financing (TIF) Revenue	101	82,300	
Safety / Service	471-483	1,975,000	
Road Program	280	2,835,400	
Other Income Funds (101, 105, 201, 204, 205, 301, 302, 401)	405	<u>5,559,100</u>	
Total Revenue			25,545,000
Expenses and Other Disbursements			
General	101	14,252,000	
Retirement Reserve	104	50,000	
Refund Program	105	200,000	
Technology Advancement	106	100,000	
Street Construction Maintenance & Repair	201	2,202,100	
Parks & Recreation	204	572,800	
Family Recreation Center	205	1,586,200	
Safety / Service	280	<u>2,606,400</u>	
			(21,569,500)
Trust / Agency Funds (206, 702 - 715) Revenue		505,000	
Trust / Agency Funds (206, 702 - 715) Expense		<u>465,000</u>	40,000
Other Funds (103, 202, 203, 207-267, 423-427, 470) Revenue		1,125,500	
Other Funds (103, 202, 203, 207-267, 423-427, 470) Expense		<u>8,881,500</u>	(7,756,000)
Balance available for Debt Service, Capital Improvements, Road Program & Other Costs			(3,740,500)
Debt Service			
General Bond Retirement	301	1,211,500	
Special Assessment Bond Retirement	302	319,400	
Other Debt	304	<u>619,900</u>	
Balance available for Capital Improvements and Other Costs			(2,150,800)
			(5,891,300)
Capital Improvements			
Departmental & Other Items from Five Year Capital Plan	401		(366,400)
Road Program			
Road Program & Storm Sewer Maintenance	405	1,853,000	
Other	405	<u>1,868,300</u>	(3,721,300)
Safety / Service borrowing	280	700,000	
Municipal Property borrowing	423	5,750,000	
Estimated Unencumbered Cash Increase (Decrease)			(3,529,000)
Ending RESTRICTED Unencumbered Cash Balance - Estimated	all other	3,510,800	
Ending UNRESTRICTED Unencumbered Cash Balance - Estimated	101-106	<u>4,043,400</u>	
	ALL		7,554,200

ORIGINATOR: FINANCE DEPARTMENT

SPONSOR: Brandt

**CITY OF MACEDONIA
ORDINANCE NO. 71 - 2022**

AN EMERGENCY ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE WHICH DIRECTLY BENEFIT SUCH PARCEL, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A BASCH 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

WHEREAS, Ohio Revised Code (“R.C.”) §§ 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 parcel (current parcels set to be consolidated into the single parcel of real property) described in the attached **Exhibit “A”** and **Exhibit “B”** which are incorporated herein by reference, as such parcel(s) may be consolidated or split (the “Property”), Council may cause construction of one or more of the public improvements described in the document attached hereto as **Exhibit “C”** and incorporated herein by reference (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 R.C. § 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 R.C. §§ 5709.40(D) and 5709.83, as applicable to each;

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 “C,” 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 R.C. § 5709.40, and, in particular, R.C. § 5709.40 subsection (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 R.C. § 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 Nordonias Hills City School District and the Cuyahoga Valley Career Center in the amount of the taxes that would have been payable to the Nordonias 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 R.C. § 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 R.C. § 5709.42, the County Fiscal Officer is requested to distribute a portion of the Service Payments directly to the Nordonias 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 “**BASCH** Tax Increment Equivalent Fund” established in Section 4 hereof. 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. Council hereby establishes, pursuant to and in accordance with the provisions of R.C. § 5709.43, the “**BASCH** 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 R.C. § 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, planning, engineering, installation or financing costs, and any or all other direct and indirect costs of the Public Improvements, including those costs set forth in R.C. § 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 R.C. § 5709.43.

Section 5. Pursuant to R.C. § 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 R.C. § 5709.40.

Section 6. 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 7. 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, 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; and provided it receives the affirmative vote of four (4) 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

See EXHIBIT B

City of Macedonia
BASCH TIF Parcels

Parcel Nos.					
3301996	3302000	3303238	3303240	3303242	3303733

ALL ABOVE PPN'S BEING CONSOLIDATED INTO 3313432

EXHIBIT C

BASCH TIF

DESCRIPTION OF THE PUBLIC IMPROVEMENTS

1. N. & S. Freeway Drives Replacement, Rebuilding and Resurfacing. 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. Fairlane Drive, Rebuilding and Resurfacing. from western terminus 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.
3. Shepard 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.
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.

Exhibit A ps 1 of 3 Basch TIF

- ABBREVIATIONS**
- DL - DEED
 - EN - ENCUMBRANCE
 - PL - PLAT
 - REC - RECORD
 - SEC - SECTION
 - TA - TAX MAP
 - TR - TRACT
 - W - WATER
 - WATER'S SUBDIVISION NO. 1
 - WATER'S SUBDIVISION NO. 2
 - WATER'S SUBDIVISION NO. 3
 - WATER'S SUBDIVISION NO. 4
 - WATER'S SUBDIVISION NO. 5
 - WATER'S SUBDIVISION NO. 6
 - WATER'S SUBDIVISION NO. 7
 - WATER'S SUBDIVISION NO. 8
 - WATER'S SUBDIVISION NO. 9
 - WATER'S SUBDIVISION NO. 10
 - WATER'S SUBDIVISION NO. 11
 - WATER'S SUBDIVISION NO. 12
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 - WATER'S SUBDIVISION NO. 35
 - WATER'S SUBDIVISION NO. 36
 - WATER'S SUBDIVISION NO. 37
 - WATER'S SUBDIVISION NO. 38
 - WATER'S SUBDIVISION NO. 39
 - WATER'S SUBDIVISION NO. 40
 - WATER'S SUBDIVISION NO. 41
 - WATER'S SUBDIVISION NO. 42
 - WATER'S SUBDIVISION NO. 43
 - WATER'S SUBDIVISION NO. 44
 - WATER'S SUBDIVISION NO. 45
 - WATER'S SUBDIVISION NO. 46
 - WATER'S SUBDIVISION NO. 47
 - WATER'S SUBDIVISION NO. 48
 - WATER'S SUBDIVISION NO. 49
 - WATER'S SUBDIVISION NO. 50

SCALE: 1" = 30'

• SOUTH SURVEYOR'S SIGN
• NORTH SURVEYOR'S SIGN
• BOUNDARY MARKERS
• CHAINS (ORANGE AND RED)
• METAL MARKERS

LOT CONSOLIDATION FOR DON'S DEN, LLC

SITUATED IN THE CITY OF MACEDONIA, COUNTY OF SUMMIT, AND STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL SUBDIVISION NO. 1, RECORDED IN VOLUME 48 OF MAPS, PAGES 21 AND 24 OF SUMMIT COUNTY RECORDS, AND PART OF BLOCK 4, PART OF SUBDIVISION NO. 2, RECORDED IN VOLUME 50 OF MAPS, PAGES 21 AND 24 OF SUMMIT COUNTY RECORDS, AND PART OF SOUTH FARM ROAD (50) PUBLIC, PASSED APRIL 11, 1993.

I, HEREBY STATE THAT THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY OF THE PROPERTY TO BE CONSOLIDATED TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF, AND OPINION, AND THAT THE DIMENSIONS AND BEARINGS ARE EXPRESSED IN FEET, AND DECIMAL PARTS THEREOF, AND THAT THE COORDINATE SYSTEM NORTH ZONE AND IS (2011) DATUM.

DRAFT

CHRISTOPHER J. DEMARCO
SURVEYOR
DATE OF SURVEY: JANUARY 21, 2022

Parcels being Consolidated

- 330 1994
- 330 2000
- 330 3238
- 330 3240
- 330 3242
- 330 3733

into new PPN 3313432



BLK	LOT	ACRES	RECORD	VOL	PAGE	DATE	OWNER
1	1	1.00	1983	50	21	11/11/93	WATER'S SUBDIVISION NO. 1
1	2	1.00	1983	50	22	11/11/93	WATER'S SUBDIVISION NO. 1
1	3	1.00	1983	50	23	11/11/93	WATER'S SUBDIVISION NO. 1
1	4	1.00	1983	50	24	11/11/93	WATER'S SUBDIVISION NO. 1
1	5	1.00	1983	50	25	11/11/93	WATER'S SUBDIVISION NO. 1
1	6	1.00	1983	50	26	11/11/93	WATER'S SUBDIVISION NO. 1
1	7	1.00	1983	50	27	11/11/93	WATER'S SUBDIVISION NO. 1
1	8	1.00	1983	50	28	11/11/93	WATER'S SUBDIVISION NO. 1
1	9	1.00	1983	50	29	11/11/93	WATER'S SUBDIVISION NO. 1
1	10	1.00	1983	50	30	11/11/93	WATER'S SUBDIVISION NO. 1
1	11	1.00	1983	50	31	11/11/93	WATER'S SUBDIVISION NO. 1
1	12	1.00	1983	50	32	11/11/93	WATER'S SUBDIVISION NO. 1
1	13	1.00	1983	50	33	11/11/93	WATER'S SUBDIVISION NO. 1
1	14	1.00	1983	50	34	11/11/93	WATER'S SUBDIVISION NO. 1
1	15	1.00	1983	50	35	11/11/93	WATER'S SUBDIVISION NO. 1
1	16	1.00	1983	50	36	11/11/93	WATER'S SUBDIVISION NO. 1
1	17	1.00	1983	50	37	11/11/93	WATER'S SUBDIVISION NO. 1
1	18	1.00	1983	50	38	11/11/93	WATER'S SUBDIVISION NO. 1
1	19	1.00	1983	50	39	11/11/93	WATER'S SUBDIVISION NO. 1
1	20	1.00	1983	50	40	11/11/93	WATER'S SUBDIVISION NO. 1
1	21	1.00	1983	50	41	11/11/93	WATER'S SUBDIVISION NO. 1
1	22	1.00	1983	50	42	11/11/93	WATER'S SUBDIVISION NO. 1
1	23	1.00	1983	50	43	11/11/93	WATER'S SUBDIVISION NO. 1
1	24	1.00	1983	50	44	11/11/93	WATER'S SUBDIVISION NO. 1
1	25	1.00	1983	50	45	11/11/93	WATER'S SUBDIVISION NO. 1
1	26	1.00	1983	50	46	11/11/93	WATER'S SUBDIVISION NO. 1
1	27	1.00	1983	50	47	11/11/93	WATER'S SUBDIVISION NO. 1
1	28	1.00	1983	50	48	11/11/93	WATER'S SUBDIVISION NO. 1
1	29	1.00	1983	50	49	11/11/93	WATER'S SUBDIVISION NO. 1
1	30	1.00	1983	50	50	11/11/93	WATER'S SUBDIVISION NO. 1

NOTE

NO TRANSFER OF EASERS RIGHTS WILL BE RECORDED IN THIS SURVEY. THIS SURVEY IS BEING RECORDED AS SHOWN REPRESENTATION OF A LEGAL DESCRIPTION IN A DEED.



*Exhibit A
pg 2 of 3*

**LEGAL DESCRIPTION
Consolidated Parcel**

Basch TIF

Situated in the City of Macedonia, County of Summit, and State of Ohio, and known as being part of Original Macedonia Township Lot No. 35, further known as being part of Sublot 1 and all of Sublot 68 in Water's Subdivision No. 1 recorded in Volume 46 of Maps, Pages 210 and 211 of Summit County Records, and part of Block A, part of Sublot 69 and all of Sublot 70 in Water's Subdivision No. 2 recorded in Volume 50 of Maps, Pages 23 and 24 of Summit County Records, and part of South Farm Road vacated by City of Macedonia Ordinance No. 19-1985, passed April 11, 1985, being all of those lands conveyed to Don's Den, LLC by deed recorded in Reception No. 56260582 of Summit County Records, said premises being more particularly bounded and described as follows:

Beginning at a 3/4 inch iron pin found inside a monument box assembly on the centerline of East Aurora Road (State Route 82), 80 feet wide, at the southeasterly corner of the aforementioned Lot No. 35; thence North 89 degrees 41 minutes 33 seconds West along the centerline of said East Aurora Road, also being the southerly line of said Lot No. 35, a distance of 613.61 feet to its intersection with the centerline of Fairlane Drive, 50 feet wide, said point being witnessed by a 1 inch iron pin found inside a monument box assembly distant 0.04 foot South therefrom; thence North 00 degrees 14 minutes 36 seconds East a distance of 411.89 feet to a point; thence North 89 degrees 45 minutes 24 seconds West a distance of 25.00 feet to a point on the westerly line of said Fairlane Drive, said point being the southeasterly corner of Sublot 67 in the aforementioned Water's Subdivision No. 1 and the PRINCIPAL PLACE OF BEGINNING of the premises herein described, said point being witnessed by a 5/8 inch iron pin found distant 0.24 foot North and 0.53 foot East therefrom;

Course No. 1: Thence South 00 degrees 14 minutes 36 seconds West along the westerly line of said Fairlane Drive, distance of 191.81 feet to a 5/8 inch iron pin set at the northeasterly corner of lands conveyed to Kuchta Bros. Land Corp. by deed recorded in Official Record Volume 377, Page 178 of Summit County Records;

Course No. 2: Thence North 89 degrees 34 minutes 36 seconds West along the northerly line of said Kuchta Bros. Land Corp. lands, a distance of 488.07 feet to the northwesterly corner thereof, said point being located on the southwesterly line of South Farm Road, 50 feet wide, as vacated by the aforementioned City of Macedonia Ordinance No. 19-1985 and being witnessed by a 5/8 inch iron pin found distant 0.13 foot North and 0.38 foot East therefrom;

Course No. 3: Thence North 23 degrees 06 minutes 31 seconds West along the southwesterly line of said vacated South Farm Road, a distance of 77.69 feet to a 5/8 inch iron pin set at the most westerly corner thereof;

Course No. 4: Thence North 66 degrees 53 minutes 29 seconds East along the northwesterly line of said vacated South Farm Road, a distance of 50.00 feet to the southerly end of a curved turnout between the northeasterly line of vacated South Farm Road and the southeasterly line of Harmon Drive, 50 feet wide, said point being witnessed by a 3/4 iron pipe found (disturbed), distant North 89 degrees 13 minutes 01 second East 0.49 foot therefrom;

Course No. 5: Thence northeasterly along said curved turnout, with arc of a non-tangent curve deflecting to the right, having a radius of 30.00 feet, a central angle of 90 degrees 00 minutes 00 seconds, the chord of which bears North 21 degrees 53 minutes 29 seconds East 42.43 feet, an arc distance of 47.12 feet to a point of tangency on the southeasterly line of the aforementioned Harmon Drive, said point being witnessed by a 5/8 inch iron pin with "7911" ID cap found distant North 78 degrees 44 minutes 59 seconds East, 0.42 foot therefrom;

Course No. 6: Thence North 66 degrees 53 minutes 29 seconds East along the southeasterly line of said Harmon Drive, a distance of 9.81 feet to a point of curvature, said point being witnessed by a 3/4 inch iron pipe found distant South 85 degrees 34 minutes 33 seconds East, 0.61 foot therefrom;

Course No. 7: Thence northeasterly along the southeasterly line of said Harmon Drive, with the arc of a curve deflecting to the left, having a radius of 146.29 feet, a central angle of 34 degrees 11 minutes 56 seconds, the chord of which bears North 49 degrees 47 minutes 31 seconds East 86.03 feet, an arc distance of 87.32 feet to the southwesterly corner of Sublot 71 in the aforementioned Water's Subdivision No. 2, said point being witnessed by a 3/4 inch iron pipe found distant 0.06 foot North and 0.74 foot East therefrom;

Course No. 8: Thence South 89 degrees 45 minutes 24 seconds East along the southerly line of said Sublot 71, and along the southerly line of the aforementioned Sublot 67 in Water's Subdivision No. 1, a distance of 382.84 feet to the Principal Place of Beginning and containing 2.0499 Acres (89,292 Square Feet) of land, according to a survey by Christopher J. Dempsey, Professional Land Surveyor No. 6914 of Dempsey Surveying Company on January 21, 2022 being the same more or less but subject to all legal highways and easements of record.

All iron pins set are 5/8 inches in diameter by 30 inches long with a yellow plastic cap stamped "C. Dempsey P.S. 6914".

Bearings are referenced to Grid North of the Ohio State Plane Coordinate System North Zone, NAD 83 (2011) Datum.

Christopher J. Dempsey
Ohio Professional Surveyor No. 6914

Exhibit A Supplement

Basch TIF



Newly Consolidated PPN 3313432

ORIGINATOR: CITY ENGINEER

SPONSOR: Ventura

**CITY OF MACEDONIA
RESOLUTION NO. 75 - 2022**

**A RESOLUTION
AUTHORIZING THE MAYOR TO COMPLETE AND EXECUTE ODOT
PRELIMINARY PARTICIPATORY LEGISLATION GIVING CONSENT FOR ODOT
TO PROCEED WITH PROJECT – PID NO. 116540 FOR THE RESURFACING OF A
PORTION OF VALLEY VIEW ROAD**

WHEREAS, the City of Macedonia has identified, and the State of Ohio recognizes, the need for resurfacing of Valley View Road from the Hudson corporation limit to Twinsburg Road, all within the territorial jurisdiction of the City of Macedonia; and

WHEREAS, in order for the Ohio Department of Transportation (“ODOT”) to proceed with this project, known as “PID No. 116540, SUM Valley View Road,” 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

WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of all City residents to give consent to the Director of Transportation in order to resurface Valley View Road from the Hudson corporation limit to Twinsburg Road, all within the territorial jurisdiction of the City of Macedonia, in accordance with the project parameters.

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

Section 1. The Mayor is hereby authorized and directed to oversee the completion and execution of the Preliminary Participatory Legislation form, as set forth in the document attached hereto as Exhibit “A” and incorporated herein by reference, regarding the Valley View Road resurfacing project – “PID No. 116540, SUM Valley View Road,” giving the City’s consent for the project as the local public agency, and to otherwise cooperate with the Director of Transportation in the above-described project pursuant to the terms set forth in Exhibit “A.”

Section 2. That the Clerk of Council of the City of Macedonia is authorized and directed to complete the Certificate of Copy attached hereto as Exhibit “B,” and forward the requisite documents to ODOT upon completion of the same.

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

Section 4. This Resolution shall take effect upon adoption by Council and signature of the Mayor or after the earliest period allowed by law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Jon Hoover, Clerk of Council

PRELIMINARY PARTICIPATORY LEGISLATION
RC 5521.01

Ordinance/Resolution# _____
 PID No. 116540
 County/Route/Section SUM Valley View Rd

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:

Resurfacing of Valley View Rd from Hudson Corp Limit to Twinsburg Rd, in 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 100%, less a ten percent (10%) match to AMATS STBG funds applied to the project.

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 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

EXHIBIT "B"

_____ of _____ County, Ohio,
 (LPA)

_____, as Clerk of the _____
 (LPA)

of _____ 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)

_____ 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

_____ of _____ 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 _____ of _____ County, Ohio
 (LPA)

Attest: _____, Date _____

For the State of Ohio

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