

Council met in **REGULAR SESSION** on Monday, July 27, 2015, at 7:33 P.M. in the Council Chambers with President Maurer presiding. Members present: Avant, Debevec, Endres, Frey, Lysenko, Megyes, Soyars, and Wagner. The Pledge of Allegiance to the Flag was led by Nathan who is working towards his Eagle Scout and Mr. Lysenko gave the Invocation.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Regular Legislative Session held on Monday, July 13, 2015, as presented. All Members voted "yea." Motion carried.

PETITIONS AND CLAIMS

None.

MATTERS REQUESTED

Each Council Member, the Mayor and Service Director were given a report prepared by the Council Clerk listing all matters before all committees.

The following Minutes are not transcribed verbatim. This meeting has been recorded in its entirety and the tape is catalogued in the Clerk of Council's office.

CITIZENS ADDRESSING COUNCIL

Cecil Juseli, 279 E. Paige Avenue, Barberton. Mr. Juseli stated he was there to speak about vacated properties that are a mess in town. He stated he has one next door to him that is probably the ugliest property in the whole city. He said it has all kinds of critters and fall plants that come out of it. He stated he thinks something should be done with it or he would appreciate if something could be done with it. He said he has talked with different people at different times and never got any kind of answer about anything to really speak of, more or less that they are looking into it. Mr. Juseli said the property in question is located at 275 E. Paige and there has been no one living there for over 2 years...more like 3 years. He stated there are evasive plants all over the place that are popping up in his yard and he can't even put in a lawn because of the junk that is there. He stated it is a mess, an eyesore and a bad mark on the city. Mayor Judge asked Mr. Juseli to wait for council to end so that he may speak to him about the property.

FIRST READING OF ORDINANCES AND RESOLUTIONS

The President announced we will be skipping ahead to a resolution for an officer who is retiring.

RESOLUTION NO. 104-2015

RESOLUTION NO. 104-2015. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. SOYARS. TITLE: COMMENDATION – OFFICER LAURA HENDRICKS. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO OFFICER LAURA HENDRICKS FOR HER 23 ½ YEARS OF DEDICATED SERVICE TO THIS CITY AS A MEMBER OF THE BARBERTON POLICE DEPARTMENT. It was moved by Mr. Soyars, seconded by

Mrs. Debevec, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Soyars, seconded by Mrs. Debevec, that **RESOLUTION NO. 104-2015 BE ADOPTED.** President Maurer stated he met Laura about 22 years ago when she was new to the department and he was still an officer in Copley. He stated there was an accident in the middle of Snyder Avenue and there were a lot of interesting parties involved and he was impressed and able to see that she was in complete control and professional. He stated they are going to miss her and the commendations speak for themselves – she is an asset to the City, an asset to the Department – she will be missed. Mayor Judge thanked Laura and said he appreciates her 23 ½ years of dedication to the City of Barberton. He said he does not think people realize what they go through here as a police officer in Barberton, with your work family and even your home family. He stated he won’t tell her how old he was 23 ½ years ago but she will be missed and this commendation says it all. He said she has served as a role model, not only for the younger officers but for the kids that she comes in contact with – everyone that she comes in contact with. He said he may have been lucky but he has never seen her in a bad mood. He said he really appreciates her service to this City and wished her good luck in retirement and thanked her. Chief Morber stated he learned a lot from Laura and thanked her. He said it was an honor to serve with her. He said he learned what to do and sometimes what not to do and rollcalls were always more interesting when Laura was there. He said she was the first but never made an issue out of it, was just blue. He stated they love her and will miss her. All Members voted “yea.” Motion carried.

It was moved by Mr. Soyars, seconded by Mrs. Debevec to enter into a brief recess to give Laura her commendation.

Recessed at 7:44
Reconvened at 7:47

ORDINANCE NO. 98-2015

ORDINANCE NO. 98-2015. PRESENTED BY: MR. LYSENKO. TITLE: ESTABLISHING VACANT PROPERTY REGISTRATION PROGRAM. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON ADOPTING THE VACANT PROPERTY REGISTRATION PROGRAM, AND DECLARING AN EMERGENCY. *First Reading Only.*

ORDINANCE NO. 99-2015

ORDINANCE NO. 99-2015. PRESENTED BY: MRS. DEBEVEC. TITLE: INCREASE OF CONTRACT – MELWAY PAVING CO., INC. AN ORDINANCE AUTHORIZING AN INCREASE IN THE CONTRACT WITH MELWAY PAVING CO., INC. FOR THE 2015 MOTORPAVING, IN THE AMOUNT OF \$43,819.64, AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mr. Lysenko, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mr. Lysenko that **ORDINANCE NO. 99-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 100-2015

ORDINANCE NO. 100-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – STREET DEPARTMENT. AN ORDINANCE APPROPRIATING \$43,899 FROM THE UNAPPROPRIATED ITEM OF THE STREET CAPITAL IMPROVEMENT FUND TO THE STREET CAPITAL IMPROVEMENT FUND CAPITAL BUDGET, TO COVER THE CONTRACT OVERRUN FOR THE 2015 MOTORPAVING CONTRACT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 100-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 101-2015

RESOLUTION NO. 101-2015. PRESENTED BY: MRS. DEBEVEC. TITLE: ENTER INTO CONTRACT – ODOT - E. ROBINSON AVENUE - FINAL RESOLUTION. A FINAL RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE IMPROVEMENT OF E. ROBINSON AVENUE (PID #96871), AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mr. Lysenko, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mr. Lysenko, that **RESOLUTION NO. 101-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 102-2015

ORDINANCE NO. 102-2015. PRESENTED BY: MR. WAGNER. TITLE: ENTER INTO CONTRACT – THRASHER ENGINEERING. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE CONTRACT WITH THRASHER ENGINEERING, IN THE AMOUNT OF \$14,424, TO PROVIDE ENGINEERING RELATED SERVICES RELATIVE TO THE INSTALLATION OF TWO (2) CHECK VALVES AT THE TUSCARAWAS RIVER, AND DECLARING AN EMERGENCY. It was moved by Mr. Wagner, seconded by Mr. Megyes, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Wagner, seconded by Mr. Megyes, that **ORDINANCE NO. 102-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 103-2015

ORDINANCE NO. 103-2015. PRESENTED BY: MR. WAGNER. TITLE: ENTER INTO CONTRACT – WASTEWATER TREATMENT PLANT - STORMWATER MANAGEMENT PROJECT. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH KENMORE CONSTRUCTION COMPANY, INC., THE LOWEST AND/OR BEST BIDDER, IN THE AMOUNT OF \$42,882.00, FOR THE STORMWATER CONTAINMENT REQUIREMENTS AS REQUIRED BY THE OEPA FOR THE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY. It was moved by Mr. Wagner, seconded by Mr. Megyes, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by

Mr. Wagner, seconded by Mr. Megyes, that **ORDINANCE NO. 103-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 105-2015

ORDINANCE NO. 105-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – FIRE DEPARTMENT. AN ORDINANCE APPROPRIATING \$22,277 FROM THE CITY GRANT FUND TO THE FIRE DEPARTMENT OPERATING BUDGET, DUE TO A GRANT FROM THE ALCOA FOUNDATION TO BE USED FOR THE PURCHASE OF FLOOD RESPONSE EQUIPMENT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mr. Soyars, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Soyars, that **ORDINANCE NO. 105-2015 BE ADOPTED.** President Maurer stated he thinks it is really great that we have a corporate citizen like Alcoa concerned about the City and the welfare of our constituents by making a generous donation to the fire department. All Members voted “yea.” Motion carried.

The clerk stated that the Finance Committee voted to amend the following ordinance by changing the wording from “Appropriation to Transfer of Funds.”

ORDINANCE NO. 106-2015

ORDINANCE NO. 106-2015. PRESENTED BY: MRS. FREY. TITLE: TRANSFER OF FUNDS – POLICE DEPARTMENT. AN ORDINANCE TRANSFERRING \$3,750 FROM THE POLICE DEPARTMENT PERSONAL SERVICE BUDGET TO THE POLICE DEPARTMENT OPERATING COST BUDGET TO BE USED FOR HEPATITUS SHOTS FOR OFFICERS, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mrs. Soyars, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Soyars, that **ORDINANCE NO. 106-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 107-2015

ORDINANCE NO. 107-2015. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. AVANT. TITLE: AMENDING ORDINANCE 78-2015. PROPOSED CHARTER AMENDMENT – COMPENSATION AND BONDS. AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON TO PROVIDE FOR THE ADDITION OF ALL ELECTED OFFICIALS, IN ADDITION TO THE MAYOR, TO AFFIX COMPENSATION PRIOR TO ELECTION, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mr. Avant, seconded by Mr. Soyars, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Avant, seconded by Mr. Soyars, that **ORDINANCE NO. 107-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 108-2015

ORDINANCE NO. 108-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – CDBG FUNDS. AN ORDINANCE APPROPRIATING \$606,030 FROM THE UNAPPROPRIATED ITEM OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND INTO VARIOUS COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNTS TO CARRY OUT ELIGIBLE CDBG ACTIVITIES, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mr. Avant, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Avant, that **ORDINANCE NO. 108-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 109-2015

ORDINANCE NO. 109-2015. PRESENTED BY: MR. MEGYES. TITLE: SALE OF LAND BANK PROPERTIES. AN ORDINANCE AUTHORIZING THE MAYOR TO SELL PROPERTIES THAT HAVE BEEN PLACED INTO THE CITY LAND BANK TO QUALIFIED BUYERS IN ACCORDANCE WITH THE CITY LAND BANK PROGRAM, AND DECLARING AN EMERGENCY. It was moved by Mr. Megyes, seconded by Mr. Avant, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Megyes, seconded by Mr. Avant, that **ORDINANCE NO. 109-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 110-2015

ORDINANCE NO. 110-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – PARKS. AN ORDINANCE APPROPRIATING \$6,000 FROM THE UNAPPROPRIATED ITEM OF THE PARKS REVOLVING FUND TO THE PARKS REVOLVING FUND OPERATING BUDGET, TO COVER EXPENSES FOR THE 2015 LABOR DAY CELEBRATION ~ CELEBRATING 100 YEARS OF LAKE ANNA, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mr. Megyes, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Megyes, that **ORDINANCE NO. 110-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 111-2015

ORDINANCE NO. 111-2015. PRESENTED BY: MRS. FREY. TITLE: FOUNDATION GRANT REQUEST – HAIRCUTS. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE MAYOR TO THE BARBERTON COMMUNITY FOUNDATION, IN THE AMOUNT OF \$1,000, TO USE TO HELP PAY FOR HAIRCUTS FOR BARBERTON SCHOOL CHILDREN FOR THE START OF THE 2015 SCHOOL YEAR, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 111-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE 94-2015

ORDINANCE NO. 94-2015. PRESENTED BY: MRS. FREY. TITLE: NON-BARGAINING PERSONNEL POLICY – AMENDMENT. AN ORDINANCE AMENDING THE NON-BARGAINING PERSONNEL POLICY REGARDING TUITION REIMBURSEMENT. 1st Reading July 13, 2015.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

UTILITY APPEALS BOARD

Ron Cline reappointment Immediately – December 31, 2016

Keith Jones reappointment Immediately – December 31, 2017

It was moved by Mr. Wagner, seconded by Mr. Megyes to approve the reappointments of Mr. Ron Cline and Mr. Keith Jones to the Utilities Appeals Board. All Members said “aye.” Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

President Maurer stated ordinarily when we have a holiday on a Monday we meet the following Tuesday and that is the situation we have most of the time after the August break. He said this year the first Monday is Labor Day and we would come back on the 8th of September and it will be Election Day. He stated because we have several members of council up for re-election we are going to move the meeting to Wednesday instead of the traditional Tuesday after a holiday. It was moved by Mr. Soyars, seconded by Mrs. Debevec to amend Council Rule 104 to meet on Wednesday the 9th for the first meeting of September. All Members said “aye.” Motion carried.

Mr. Wagner stated the Utilities Review Board will be meeting on Thursday, July 30th at 7:00 pm in Council Chambers to hear people who are disgruntled with their utility bills.

Mr. Avant complimented the Planning Department, the Mayor’s Office, and anyone else that made Ordinance 109-2015 possible over the years. He stated he wishes it was around when he kept up the lot next to him because he ended up paying a lot of taxes to get that property and all he does is mow it. He stated he believes it is great that it was set up and they have spent so much time and hours in getting this together for people throughout the city to make use of the property next to them.

Mr. Megyes stated on August 22nd he has the 4th Annual Football cleanup day. He said it starts at 8:00 am, meeting at the stadium next to the locker room and they could use a few volunteers for supervising. He stated they will have two groups, one starting at 8:30 for 1 ½ hours and one at 10:00 for another 1 ½ hours. He said after that they will have a picnic at the Active Adult Center.

Mr. Megyes said for the Labor Day Weekend – most of the activities will be on Saturday. He stated they will have two bands on Friday night – AC/DC and Pink Floyd Tribute Bands. He said Saturday the activities will start at 8:00 am with the Jeep Davis Run and the activities go all the way to the fireworks. He stated there will be six bands that day and ten food trucks. He said they will have “Hands Around the Lake” and the lake will be dyed purple – and it will not harm anything in the lake.

President Maurer wished everyone a good recess in August. He said for everyone to play it safe and get back in September so that we can continue with the City business. He stated Council has done a great job and they deserve the time off.

COMMUNICATION FROM THE MAYOR

Mayor Judge told Mr. Lysenko, or anyone from the Planning Committee, if they have any questions from the information they received from the Vacant Property Registration to please contact his office.

Mayor Judge told Mr. Avant he appreciates the comments on the land bank and the selling of the properties. He said he appreciates the Planning Department and Commission with everything they have done to get this up and running. He stated they have some exciting programs/projects that they are looking at through the land bank. He said they will have more information for Council during the month of August because they have built a great relationship with a lot of non-profits and the counties land banks that have been working closely with them.

Mayor Judge stated they met with a representative from Sherrod Brown’s office. He said this is the first time that he can remember that they actually had a representative come to the City. He said in the past it was always a phone call or something like that.

Mayor Judge said the following day, from 3pm to 6 pm there will be an event at Fire Station 1 to help prevent heroin overdoses. He stated they are partnering with the Fire Department, Police Department, and the ADM Board to provide this program.

Mayor Judge stated the following Wednesday will be the Summit County Health Community Meeting at their headquarters - which is on Market Street.

Mayor Judge announced this month’s Change for Change is the following Friday which will benefit the Free Clinic.

Mayor Judge stated he will be meeting later in the week with our State Representative Johnson to go over a few items.

Mayor Judge said in August there will be the ribbon cutting for the new housing development in the Highlands. He stated the first house is completely done and the residents are ready to move in.

Mayor Judge stated the August's Change for Change will be held August 27th at the Green Diamond and will benefit the Bonnie Myers College Fund.

Mayor Judge reiterated what Mr. Megyes stated – there are a lot of events coming up for Labor Day. He said he would like to see a lot of participation from not only Council, but the Department Heads. He stated to keep your fingers crossed for good weather. He said it should be a great weekend with a lot of activities. He said a lot of great things and attention have been brought to the City. He stated he was on a radio show in Canton on that morning for about 1 ½ to 2 hours and they have heard about the things that have been going on in Barberton.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to adjourn.

Adjourned: 8:19 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council