

Council met in **REGULAR SESSION** on Monday, September 22, 2014, at 7:47 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 recited and Mr. Megyes 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, September 8, 2014, as presented. All Members voted “yea.” Motion carried.

### **PETITIONS AND CLAIMS**

None.

### **MATTERS REFERRED**

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

### **CITIZENS ADDRESSING COUNCIL**

None.

**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.**

### **FIRST READING OF ORDINANCES AND RESOLUTIONS**

#### **RESOLUTION NO. 119-2014**

**RESOLUTION NO. 119-2014. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MRS. FREY. TITLE: COMMENDATION – NINA ANGELOFF. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO NINA ANGELOFF FOR HER 25 YEARS OF DEDICATED SERVICE TO THE CITY OF BARBERTON AND TO THIS COMMUNITY.** *First Reading September 8, 2014.* 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 **RESOLUTION NO. 119-2014 BE ADOPTED.** Mr. Avant stated everyone knows how much Nina has always helped, always had a friendly attitude and was willing to help with anything asked in both offices. He said it is hard to go into an office and not see Nina sitting there. He said he would like to thank Nina for the years she helped him and the City. Mr. Maurer said he would let Mrs. Miller, Nina’s boss speak. Mrs. Miller stated that anyone that knows Nina, knows that she was not Nina’s boss. Mrs. Miller stated they miss Nina every single day. She said Shauna is pretty awesome but the one skill that Shauna does not have that Nina had is that Nina knows where alley, every street, every everything in this town is. She said you can be born and raised here and not know where most of the streets are. She said mostly they miss her caring and her consideration for everyone. She said her patience was endless with our customers. She said their customers aren’t always patient and were usually in a crisis and Nina was usually able

to handle that so kindly and carefully every single time. Mrs. Miller said from Holly and Michelle and from the bottom of their hearts they miss her caretaking and her mothering of them and they miss her all the time. Chief Morber stated that if there is a lady that did two more difficult jobs in the entire City, to sit in front of the Mayor and the Law Director, he doesn't know who. He said "Thank You for taking care of all of us for all those years." He said he will certainly miss her. Mr. Maurer stated that he has known her longer than everyone and Nina and he came to serve the City approximately at the same time. He said she was always the person that ran interference for the Mayor and generally it never required a second call to talk to the Mayor. He said if you talked with Nina you got the straight scoop and she did it with confidence and courtesy so a lot of times a second call to the big guy was not necessary because Nina handled it. He stated he used to joke that if you want to talk to boss, or the person who runs the whole show, that would be Nina. He said not to diminish our Chief Executive – Nina was just one of the people that the right arm does so much that you never see and it takes someone who's in the interworking's to appreciate how dedicated and hard she worked. He said he is proud to be counted as among her friends and one of her coworkers – one of her many admirers. He said she is respected more than most folks he knows around here. Mayor Judge stated he wanted to thank Nina for her years of dedicated service. He thanked her for all her help when he was on council. He said all it took with her is one phone call and you received the answer. He said the general public and council do not realize the things you deal with behind the scenes working for the Mayor and the Law Director. He said in some cases you may deserve hazard pay but she always had a smile on her face and did things with the utmost confidence. He said he really appreciates the years she put in besides the fact that she had two great bosses. He knows she went above and beyond her job description and he appreciates that. The Honorable Randy Hart, former Mayor of Barberton stated that things that have been expressed here are certainly important to Nina. He said people don't realize that the administrative assistant is the first person they talk to when people call and it is very important that you have someone like Nina that handles that call because Nina knew, like Lisa said, every street, every problem and she was able to handle that and she certainly handled it very well. He said she took care of him well and she always reminded him of stuff, for example she always reminded him that he is older than her. He stated he appreciates everything that Nina had done for him and he wishes her the best for the future. Nina stated that is a lot of wonderful, nice words and she thanks everyone and appreciates it. She thanks Council for the Resolution, especially Carla and Carol for co-sponsoring this. Nina said this gives her the opportunity to thank a few people who she never really got to thank – publicly. She said first of all Mayor Art Bradnick, who hired her – interviewed her twice and hired her. She said second, Jack Bell who always had an answer for her. She said she used to ask him all the time things she didn't understand and he would explain it to her and that is how she knows permissive streets and temporary streets and WPA curbs. She said Jack took the time to explain it to her and she wasn't embarrassed to ask. She said next is Mayor Randy Hart for allowing her to be part of his administration. She said it was such an honor and a privilege and those years are priceless. Nina said next is her two best buddies, what would she have done without them, Leon Ricks and Elwood Palmer. She said they are the greatest. She said to Judge Dave Fish for making that telephone call to Lisa Miller. She said to work with Lisa, Holly and Michelle – they are so brilliant – they are so smart and she wondered why she was amongst these people, they are so smart and they knew everything. She said they did not have a problem explaining things to her. She stated she did not know the legal things – motions, continuances and things of that sort. Nina stated there was no training that you just had

to jump in and do it. She said you could go to them and ask them and it was there. She said she thanks them so much for that. She thanked Lisa for her being able to retire from the City of Barberton. Nina said that means a lot to her. She said she loves this town and that we don't understand how much she loves this town. She stated mostly her family. She said she was surprised that she didn't know they were going to be here. She said she walked in the door and was totally stumped. Nina thanked her husband who is not here and has never gone to anything publicly in the City of Barberton at all, never, ever but backed her 100%. She said she doesn't know what she would have done without him. She said he helped her through a lot of ups and downs working with the City. She said one day you are happy the next you hate the job – lots of ups and downs and he did not have any problem with her going out teaching people about recycling. She said he always stood behind her and for that she thanks him. All Members voted "yea." Motion carried.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to recess. All Members voted "yea." Motion carried.

Adjourned at 8:02 P.M.

Reconvened at 8:06 P.M.

#### **ORDINANCE NO. 124-2014**

**ORDINANCE NO. 124-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - UTILITIES OPERATING BUDGET. AN ORDINANCE APPROPRIATING \$67,000 FROM THE UNAPPROPRIATED ITEM OF THE WATER FUND TO THE WATER FUND OPERATING BUDGET, TO COMPLETE THE FISCAL YEAR UTILITIES OPERATING BUDGET, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mr. Wagner, 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. Wagner, that **ORDINANCE NO. 124-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

#### **ORDINANCE NO. 125-2014**

**ORDINANCE NO. 125-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - UTILITIES OPERATING BUDGET. AN ORDINANCE APPROPRIATING \$140,000 FROM THE UNAPPROPRIATED ITEM OF THE SEWER FUND TO THE SEWER FUND OPERATING BUDGET, AND TRANSFERRING AN ADDITIONAL \$55,000 FROM THE SEWER FUND CAPITAL TO THE SEWER FUND OPERATING BUDGET, TO COMPLETE THE FISCAL YEAR UTILITIES OPERATING BUDGET, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mr. Wagner, 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. Wagner, that **ORDINANCE NO. 125-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 126-2014**

**ORDINANCE NO. 126-2014. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - COMMUNITY TECHNOLOGY CENTER. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE DIRECTOR OF PARKS AND RECREATION TO THE BARBERTON COMMUNITY FOUNDATION, IN AN AMOUNT UP TO \$8,000, TO BE USED TO UPGRADE THE COMMUNITY TECHNOLOGY CENTER LOCATED AT THE ACTIVE ADULT CENTER, 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. 126-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 127-2014**

**ORDINANCE NO. 127-2014. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - 2015 LABOR DAY FIREWORKS . AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE DIRECTOR OF PARKS AND RECREATION TO THE BARBERTON COMMUNITY FOUNDATION, IN AN AMOUNT UP TO \$10,000, TO BE USED FOR THE 2015 LABOR DAY FIREWORKS SHOW, 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. 127-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 128-2014**

**RESOLUTION NO. 128-2014. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MRS. FREY. TITLE: COUNTY OF SUMMIT’S PROPOSED TAX INCREASE ENDORSEMENT. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON EXPRESSING SUPPORT FOR THE COUNTY OF SUMMIT’S PROPOSED 0.25% ADDITIONAL SALES AND USE TAX, AND URGING THE CITIZENS OF BARBERTON TO VOTE YES ON THE ISSUE AT THE NOVEMBER 4, 2014 GENERAL ELECTION, 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 **RESOLUTION NO. 128-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 129-2014**

**ORDINANCE NO. 129-2014. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - BUTCHER & SON EXCAVATING, INC. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO BUTCHER & SON EXCAVATING, INC., IN THE AMOUNT OF \$12,800.00, 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. 129-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 130-2014**

**ORDINANCE NO. 130-2014. PRESENTED BY: MRS. FREY. TITLE: TRANSFER OF FUNDS - BUILDING DEPARTMENT. AN ORDINANCE TRANSFERRING \$4,700 FROM THE GENERAL FUND BUILDING DEPARTMENT PERSONAL SERVICES BUDGET FUND TO THE GENERAL FUND BUILDING DEPARTMENT OPERATING BUDGET FUND, TO COVER SHORTAGES IN THE DEPARTMENT’S MILEAGE REIMBURSEMENT LINE, 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. 130-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 131-2014**

**ORDINANCE NO. 131-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - CITYWIDE BULK TRASH COLLECTION PROGRAM. AN ORDINANCE APPROPRIATING \$15,000 FROM THE UNAPPROPRIATED ITEM OF THE SOLID WASTE DISPOSAL FUND TO THE SOLID WASTE DISPOSAL OPERATING BUDGET FUND TO EXECUTE A CITYWIDE BULK TRASH COLLECTION PROGRAM, 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. 131-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 132-2014**

**ORDINANCE NO. 132-2014. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - TRAVELERS INSURANCE. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO TRAVELERS INSURANCE, IN THE AMOUNT OF \$13,375.45, 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. 132-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 118-2014**

**ORDINANCE NO. 118-2014. PRESENTED BY: MRS. FREY. TITLE: AMENDING ORDINANCE NO. 9-2013. EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES. AN ORDINANCE AMENDING ORDINANCE NO. 9-2013, “EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES,” IN ORDER TO INCREASE THE SALARY OF DIRECTOR OF PUBLIC SAFETY.** *First Reading September 8, 2014.*

### **THIRD READING OF ORDINANCES AND RESOLUTIONS**

None.

### **APPOINTMENTS**

None.

### **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mr. Maurer stated that next Monday, September 29<sup>th</sup> is the fifth Monday of the month so there will be no meeting. He said the next meeting will be Monday, October 6<sup>th</sup>.

Mr. Lysenko asked the Mayor if he was going to e-mail Council the e-mail he had in Finance Committee. Mayor Judge stated he has copies now. Mr. Maurer stated to comment on this - they had some very spirited debate this evening and all members of council gave their points of view and they were all well taken and well-intended and he appreciates the fact that they are working the integrity of the process.

### **COMMUNICATION FROM THE MAYOR**

Mayor Judge stated that he met with representatives from Congressman Ryan's office to talk about businesses, the downtown area and went over some of the issues that we have here in town. He said they talked about infrastructure and obviously flooding and Stormwater. He said they are going to set up a few more meetings and try to get the Congressman here in town and have some in depth conversations concerning those topics.

Mayor Judge reminded everyone that this weekend is the Mum Fest. He said he believes they have enough volunteers but they could always use more if you haven't signed up yet.

Mayor Judge said on Saturday at 1:00 P.M. they are going to start off the bike ride on the towpath leaving from the Fairview trailhead, down the towpath to the new pedestrian bridge and over the Robinson/Wooster Road Bridge into the Mum Fest. He stated it should be beautiful weather.

Mayor Judge wanted to congratulate some businesses – R & D Bike Shop celebrated their 35<sup>th</sup> Year here in the City and Liniform is celebrating 90 Years here in town. He said this goes with some of the other business, Durbin's last year - 60 Years and Belgrade's. He stated there are a lot of these businesses in town that have been here for many, many years and it is important to keep going to these businesses. He said they are staples in the community and we want to congratulate them. He said also with that Flohr Machine, a small manufacturing shop here in town is having a re-grand opening this Friday and they have been in business for several years.

Mayor Judge stated this Friday is our Change for Change event at Pam's Place at the corner of Wooster Road and 14<sup>th</sup> Street benefiting the Disaster Relief Fund.

Mayor Judge said Saturday, October 11<sup>th</sup> is the Canal Clean-up and if you have any questions about volunteering or times to get with him.

Mayor Judge said regarding the Non-Bargaining Pay Plan - with Council off next Monday gives Council plenty of time to get suggestions in, ask questions and get the information that you need so you can come in on the 13<sup>th</sup> and make a determination. He stated if any other information comes his way and if Council is interested he will send it out to them.

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

Adjourned: 8:26 P.M.

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Frederick S. Maurer  
President of Council

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Renee Fox  
Clerk of Council