

Council met in **REGULAR SESSION** on Monday, December 8, 2014, at 7:30 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 Mrs. Debevec 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, November 24, 2014, as presented. All Members voted "yea." Motion carried.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Executive Session held on Monday, November 24, 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

The citizens addressing council are transcribed verbatim

Genesis - Janae E. Tentler, 447 Sieber Avenue, Akron. I do apologize but I did mark that this will probably be past the five minutes because I have a lot of concerns that I want to address and just be straight forward about it. I apologize if this feels like I am just going to read it but we just don't want to miss anything. I appreciate your time. I am Janae Tentler - as I already said, a Barberton alum and previous resident of the City of Barberton. I still bleed purple even though life events and family careers took me to another place in the County. I have come to notice in the last few weeks there are plenty out there like me, Barberton raised, had to moved, however purple is still in our blood. My former young childhood friend, classmate, and then police officer to my current town of Akron is one of the many who is Barberton raised, Barberton alum, where he was a talented BHS soccer player and then his career took him to a different residing city but he still remained a magic. I am speaking of Justin Winebrenner. I could go on forever of the memories of Justin growing up in the neighborhood with him but I will save us all the time. I want to say, however, that I have never been more proud and humbled to be a magic as I have in the past few weeks. The tragic passing of Officer Justin Winebrenner has brought this community together, whether we still reside here or not, and whether you personally knew Justin Winebrenner or not. There is no question, in the Magic City we love and we honor our own. With honor being said I stand before you and behalf of Meagan Gwen, Joel Green, Shelly Freshwater, David Beach, who are all facebook administrators and another 17,000 supporters from the community and beyond to ask you, City Council, to place and pass legislation for the bridge that connects Robinson Avenue to the downtown area of the City to receive a name. I

also ask that when naming this bridge that it be called "The Justin Winebrenner Memorial Bridge" in honor of our hometown hero. We understand that the final decision will come from County of Summit as they own the bridge. Since the bridge is here in Barberton, we need you, Barberton City Council to pass resolution in naming the bridge before proceeding to County Council. As I personally may not be fully against the bridge being named after anyone that was previously named in the past such as, Dr. Martin Luther King, Walter Steel, Ester Ryan, Vincent Garrett, Robert Krska, Howard Woodford, and O.C. Barber, they were all heroes and were influential in the community in their own way. This is not to take away from them. However, as you can see by the outpouring support in the community and even into other states across the country, naming the bridge after Justin Winebrenner is the right thing to do. Social media has taken the idea of Meagan Gwen and went full force due to the love and respect this community has for Justin and the entire Winebrenner family. Naming the bridge after Justin Winebrenner has benefits recent and obviously fresh on our minds and hearts. At this current time, there is not a resident in this city that doesn't know about Justin and the tragedy that happened November 16, 2014. A majority of our current residents had Justin's father, Mr. Robert Winebrenner, as a police officer and a dare officer. His mother, Lori Winebrenner, as resident's knew had the most generous heart, worked for the city and fought a public battle with cancer. When we take our children across that bridge with the name Justin Winebrenner across it and they ask "Mom or Dad, who was Justin Winebrenner?" I can promise you at this current day and time a majority of our citizens in this town can educate properly the trial on who Justin Winebrenner is and how he will remain a hero to us. I can only imagine Justin's daughter Charlie will be driving over that bridge with her friends as she grows up knowing that so many in this town knew her daddy and was so influential to so many and how he filled our hearts. Right now we can pass a little bit of Justin Winebrenner, his heroism and his memory by naming the bridge after Justin Winebrenner. We stand in support what was in his blood, the thin blue line, the oath he took when he became a police officer and what he knew growing up in the Magic City beside his father. We make sure that we will never forget Justin Winebrenner and he lives on forever. I would also like to take a brief moment to discuss some of the previous names and concerns from the last time the naming of the bridge was brought to the table, because we know that is a big concern. The first is that all governing agencies do not name streets and bridges in this town. Although the city does not want to start a chain reaction of naming roadways and bridges in this town, there are currently two roads in the area named after heroes in this town. There is a stretch of road of State Route 619, from Wooster Road North to Lockwood Road named after a local military hero Howard Woodford. In the New Haven Development, off Fairland Road, we shall find Krska Place after beloved city worker, Robert Krska. With that being said, ultimately the city will not be naming this bridge, the County of Summit will be. We are respectfully here for your acceptance of the name before heading to the County Council as requested by them. The second item I would like to address is naming it after Reverend Martin Luther King. As you all are aware, and why we are here tonight, there was a petition from last time the bridge was named that was addressed. The petition in which Sandra Gotto stood before you with 600 signatures collected from other citizens for it to be named after a local hero. I stand here in front of you with an answer to those 600 citizens along with 17,000 other supporters across the country. As previously stated, naming the bridge after Justin Winebrenner is not to diminish or take away anything from local heroes and the influential Dr. Martin Luther King. We have spoken to and received blessings from Akron and State President of the NAACP, Ophelia Averitt. As you know she works hard for the African American

Community as she seeks to carry out honor, the legacy of Dr. King and his visions for our country. Ms. Averitt had a previous engagement and cannot attend this evening to address council herself but did send the following statement:

Dear City Council:

*When we read about the naming of the bridge for Justin Winebrenner we are excited and delighted. He was one of the finest young men that was inspiration wherever he went, Akron, Barberton and beyond. Justin was a product of a fine family that set examples for him and other young folks to follow. To name the bridge for Justin will be an example for others - young folks to see that the City cares. I wish I could be here to address you in person but I am here in spirit. We as leaders have to show young folks to leave great footprints for others to follow and must never leave a legacy forgotten. Justin was a wonderful contributor to the community, making a difference in lives wherever he went and needed. This worthy young man, Justin who's life chose was cut short, made a difference in our lives. **He needs to be remembered.***

*Sincerely, Ophelia Averitt
National NAACP Board Member
National NAACP Life Membership Chair
First Vice President, Ohio Conference NAACP
Akron, Branch President*

I feel as I stand here representing my peers that we have addressed any concerns that have been brought up and spoken for. We have also given the facts of any opposition concerns that were spoken in the past and in this current time. Timing has been a question but with the blessing from the Winebrenner family and all the wonderful supporters out there, there is no better time to start this process. I am hoping and relying on City Council to do what they are elected to do. That is to be community leaders and keep the best interest of the citizens in the forefront. I am confident that you, City Council, will stand by your oath the same as Justin stood by his oath. By doing so, we hope that you will listen to the 17,000 supporters and that they mean something to you just as Justin meant to all of them. Don't leave this group of supporters in limbo. Please listen to their request so we can move forward to County Council and honor the memory of Justin Winebrenner so that he may live on forever.

Norman Kendall, 893 Norton Avenue, borderline resident of Barberton and Norton. Excuse me tonight I can't hear too good because this 12 year old hearing aid quit and hopefully tomorrow the VA will give me a new one because that is the only way I can get one. I only want a second – to what the young lady just said. Rather than prolong and extend this discussion you have this large group contingent tonight, let's do it and get it over with so we don't have any more discussion.

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.

Mr. Maurer stated that they do not want to make too many comments other than the fact that everybody here is very sympathetic to what you like to do. He said he actually helped to coach Justin when he was a little kid on his son's baseball team, went to school with both of his kids and he lost track of him when he was growing up but he always remembers him being a very happy, a very bright little boy. He said he always stood up for his teammates. He stated he was just a great kid. He said the apple doesn't fall far from the tree (right Rob.) Mr. Maurer stated he was a fine young man and there will be process they have to go through and he appreciates you coming out.

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 165-2014

ORDINANCE NO. 165-2014. PRESENTED BY: MR. WAGNER. TITLE: ENTER INTO CONTRACT - QUASAR ENERGY GROUP. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH QUASAR ENERGY GROUP FOR THE DISPOSAL OF BIOSOLIDS AT THE PPG QUASAR SITE, 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. 165-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 166-2014

ORDINANCE NO. 166-2014. PRESENTED BY: MR. MEGYES. TITLE: DISPOSAL OF VEHICLES - PARKS MAINTENANCE AND STREET DEPARTMENTS. AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO SCRAP/SALVAGE TWO (2) VEHICLES DEEMED TO BE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND UNFIT AND UNSAFE FOR DISPOSAL IN ANY OTHER MANNER, 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. 166-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

RESOLUTION NO. 167-2014

RESOLUTION NO. 167-2014. PRESENTED BY: MRS. FREY. TITLE: ADVANCE OF LOCAL TAXES. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE ADVANCE OF LOCAL TAXES BY THE COUNTY FISCAL OFFICE FOR THE 2014 TAX YEAR, PAYABLE IN 2015, 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. 167-2014 BE ADOPTED.** Mr. Maurer stated this is a resolution we pass every year to secure our property taxes from the county on an ongoing basis rather than waiting quarterly or semi-annually. All Members voted "yea." Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

None.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

None.

MISCELLANEOUS AND UNFINISHED BUSINESS

The clerk read a liquor license transfer for Sassy Dog, 105 ½ NW 2nd Street. No objections were received.

COMMUNICATION FROM THE MAYOR

Mayor Judge will give his report at the Committee of the Whole Meeting which will follow this meeting.

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

Adjourned: 7:49 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council