

Council met in **REGULAR SESSION** on Monday, April 11, 2011, at 7:30 P.M. in the Council Chambers with President Maurer presiding. Members present: Anderson, Judge, Lysenko, Megyes, Soyars, Suboticki, and Wagner. Mr. Avant was absent. The Pledge of Allegiance to the Flag was recited and Mr. Megyes gave the Invocation.

It was moved by Mr. Judge, seconded by Mr. Soyars, to approve the Minutes of the Regular Legislative Session held on Monday, March 28, 2011 as presented. All Members voted "yea." Motion carried.

It was moved by Mr. Anderson, seconded by Mr. Judge, to accept the Finance Department Report for March 2011, 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. 29-2011

RESOLUTION NO. 29-2011. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. SOYARS. TITLE: COMMENDATION – LT. BLAINE LOVE. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO LT. BLAINE LOVE FOR HIS 26 YEARS OF DEDICATED SERVICE TO THE BARBERTON FIRE DEPARTMENT AND TO THIS COMMUNITY. It was moved by Mr. Soyars, 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. Soyars, seconded by Mr. Megyes, that **RESOLUTION NO. 29-2011 BE ADOPTED.** Mr. Soyars said he would like to thank Lt. Love for his 26 years of service to the City and he is sure he will be missed at the Fire Department. President Maurer said he has known Blaine Love since the Pope was an altar boy! He said he has always been a cheerleader for the City of Barberton and he is just a fine human being. He said we are really going to miss him; he is a good one. He said he is sure that he has earned the respect of all members of City Council and the Administration and all the people he has worked with all those years. He said he has served this City with valor and pride and he can not say enough about him. Mayor Genet said he has not known Lt. Love as long as President Maurer; however, he has known him for about twenty years. He said he wants to commend him on a very good career, and his passion and dedication to the City. He said it is nice to have employees like Lt. Love and

he wishes him well in his retirement. President Maurer called for the vote on adoption. All Members voted “yea.” Motion carried. It was moved by Mr. Soyars, seconded by Mr. Megyes, that Council to recess in order to present Lt. Love with the resolution. All Members voted “yea.” Motion carried.

Recessed: 7:37 p.m.

Reconvened: 7:39 p.m.

Lt. Love said it has been a great career in a great city. He said he is lucky to have worked with people all of his life who really cared about what they do. He said he loved what he did, and being able to do it here, just does not get better than that.

RESOLUTION NO. 30-2011

RESOLUTION NO. 30-2011. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. SOYARS. TITLE: COMMENDATION – FIREFIGHTER DENNIS EVANS. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON HONORING AND GIVING PUBLIC RECOGNITION TO FIREFIGHTER DENNIS EVANS FOR HIS 26 YEARS OF DEDICATED SERVICE TO THE BARBERTON FIRE DEPARTMENT AND TO THIS COMMUNITY. It was moved by Mr. Soyars, 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. Soyars, seconded by Mr. Megyes, that **RESOLUTION NO. 30-2011 BE ADOPTED.** Mr. Soyars said he would like to thank Mr. Evans for his 26 years of service as a Fireman and for all he has done for the City. President Maurer said he has a background in law enforcement, and when you work in a small department like Copley Township, the fire and police departments work together quite often. He said nothing was quite as scary, or interesting, as Hazmat training. He said it takes a special breed of person. He said it goes to prove that true leadership does not necessarily come with rank; it comes with what is in a guy’s gut. He said we appreciate what all Mr. Evans has done for us. Mayor Genet said he is not sure what he can add to what Mr. Maurer and Mr. Soyars have said, but he wants to thank him for his 26 years of dedicated service to the community. He said as he retires, Mr. Evans knows that he have made a difference in this community because of his passion and dedication. He said if he shares the same love of his job as Mr. Love, obviously it was not a “job.” He said when you love what you do every day, there is no better opportunity than that. President Maurer called for the vote on adoption. All Members voted “yea.” Motion carried. It was moved by Mr. Soyars, seconded by Mr. Megyes, to recess in order to present the resolution to Mr. Evans. All Members voted “yea.” Motion carried.

Recessed: 7:44 p.m.

Reconvened: 7:46 p.m.

Mr. Evans said what a lot of people do not realize is what he felt about fire service as a career. He said it actually started when he was a teenager. He said his father and grandfather were volunteer firemen. He said they say it is a career or a job, but, to him, it was something he enjoyed. He said it was a hard decision to retire because it is hard to walk away from something you really love. He said he is going to miss the people he has worked with all of these years.

RESOLUTION NO. 31 -2011

RESOLUTION NO. 31-2011. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. JUDGE. TITLE: LOCAL GOVERNMENT FUNDS – STATE BUDGET. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON URGING THE OHIO GENERAL ASSEMBLY TO RECONSIDER THE PROPOSED REDUCTION OF LOCAL GOVERNMENT FUNDS IN THE STATE BUDGET AND TO CONTINUE ITS HISTORY OF PARTNERSHIP WITH OHIO’S LOCAL GOVERNMENTS, AND DECLARING AN EMERGENCY. It was moved by Mr. Judge, seconded by Mr. Suboticki, 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. Judge, seconded by Mr. Suboticki, that **RESOLUTION NO. 31-2011 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 32-2011

ORDINANCE NO. 32-2011. PRESENTED BY: MR. SUBOTICKI. TITLE: AMENDING CHAPTER 1422 OF THE BARBERTON CODIFIED ORDINANCES. AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 1422 OF THE BARBERTON CODIFIED ORDINANCES, “REGISTRATION IN GENERAL,” TO REQUIRE REGISTRATION FOR GENERAL CONTRACTORS, TO ADJUST CERTAIN FEES, AND TO CLARIFY CERTAIN SECTIONS, AND DECLARING AN EMERGENCY.

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ORDINANCE NO. 33-2011

ORDINANCE NO. 33-2011. PRESENTED BY: MR. ANDERSON. TITLE: AUTHORIZE PAYMENT – UTILITIES – JIM GANGLE BULLDOZING & EXCAVATING COMPANY. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO JIM GANGLE BULLDOZING & EXCAVATING COMPANY INC., IN THE AMOUNT OF \$4,900, FOR ADDITIONAL WORK REQUIRED ON THE DEMOLITION OF A STRUCTURE AT SEVENTH AND HOLMES, AND DECLARING AN EMERGENCY. It was moved by Mr. Anderson, 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. Anderson, seconded by Mr. Megyes, that **ORDINANCE NO. 33-2011 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 34-2011

ORDINANCE NO. 34-2011. PRESENTED BY: MR. ANDERSON. TITLE: CHANGE ORDERS – AUTHORIZE PAYMENT – ENVIRONMENTAL MANAGEMENT SPECIALISTS – 888 WRW PROJECT. AN ORDINANCE AUTHORIZING CERTAIN CHANGE ORDERS IN THE CONTRACT WITH ENVIRONMENTAL MANAGEMENT SPECIALISTS (EMS), TO COMPLETE THE 888 WOOSTER ROAD WEST PROJECT, IN THE AMOUNT OF \$245,699.46; AND AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE INVOICE FOR SAID AMOUNT, AND DECLARING AN EMERGENCY. It was moved by Mr. Anderson, seconded by Mr. Suboticki, 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. Anderson, seconded by Mr. Suboticki, that **ORDINANCE NO. 34-2011 BE ADOPTED.** 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

It was moved by Mr. Judge, seconded by Mr. Anderson, to excuse Mr. Avant from this evening's meeting. All Members voted "yea." Motion carried.

President Maurer said not to discount anything said about these fine men leaving, but there are unsung heroes out there all the time, and they often come in the faces of wives, sons, and daughters. He said it is tough being married to a policeman or fireman because they have hazardous jobs. He said you can never say enough about a man's family because without their support, a man cannot do his job.

Mr. Judge said he is having a public meeting on Saturday at 11:00 a.m. at the Active Adult Center to go over any issues or questions residents may have and to present several options the Streets Committee is looking at as a paving program. He said he would show that presentation.

President Maurer said our State Representative, Zack Milkovich, is here in the gallery this evening.

COMMUNICATION FROM THE MAYOR

Mayor Genet said between these two individuals who were honored tonight, there is 52 years of dedicated service. He said it is no surprise to anyone that we have awesome safety forces, fire and police. He said tomorrow Victims Assistance is honoring the Second Shift Police Department for their actions at the Walgreen's incident. He said the training they were provided enabled them to dismantle that very dangerous situation. He said this shows everyone the quality safety forces we have.

A motion was made by Mr. Judge, seconded by Mr. Soyars, to adjourn.

Adjourned: 7:56 P.M.

Frederick S. Maurer
President of Council

Susan Matuch
Clerk of Council

