

Council met in **REGULAR SESSION** on Monday, September 26, 2011, at 7:30 P.M. in the Council Chambers with President Maurer presiding. Members present: Anderson, Avant, Judge, Lysenko, Megyes, Soyars, Suboticki, and Wagner. The Pledge of Allegiance to the Flag was recited and Mr. Lysenko 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, September 12, 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

Mr. Larry Lallo, Executive Director of the Barberton Community Foundation, shared the Strategic Plan of the Foundation -- where the Foundation is headed. He said they looked at three core areas they felt would drive investment into the community: image, economic development, and educational excellence. He said social services is also a critical area which should not be ignored. He said once the Foundation moves beyond some of the heavy obligations -- the high school, the YMCA, the Senior Center, and the debt incurred for purchasing Norton Homes -- everyone will see some outstanding good in the City to the tune of about four to five million dollars a year. He said the Barberton Community Foundation is one of the largest community foundations for a city of its size in the United States.

Mr. Tom Hastings, the Chief Financial Officer of the Barberton Community Foundation, reflected on the 2010 financial statement audit. He said the Foundation received a clean and qualified opinion as a result of the audit. He discussed the information he passed out showing major financial items for the past five years. He said since the inception of the Foundation, the Foundation has granted seventy five million dollars which has gone out into the community and the Foundation still has eighty-some million dollars being invested for the future.

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. 135-2011

RESOLUTION NO. 135-2011. PRESENTED BY: MR. SUBOTICKI. TITLE: FILE APPLICATION – COAF – NORTHGATE REDEVELOPMENT PROJECT. A RESOLUTION OF THE COUNCIL AUTHORIZING THE CITY OF BARBERTON TO

FILE AN APPLICATION TO THE STATE OF OHIO, TO PARTICIPATE IN THE CLEAN OHIO ASSISTANCE FUND (COAF), FOR THE NORTHGATE REDEVELOPMENT PROJECT, AND DECLARING AN EMERGENCY. It was moved by Mr. Suboticki, 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 Mr. Suboticki, seconded by Mr. Wagner, that **RESOLUTION NO. 135-2011 BE ADOPTED.** All Members voted “yea.” Motion carried.

The Clerk said the sentence stating that a program is attached has been removed from Section 1 of Ordinance No. 136-2011.

ORDINANCE NO. 136-2011

ORDINANCE NO. 136-2011. PRESENTED BY: MR. ANDERSON. TITLE: LAND REUTILIZATION PROGRAM. AN ORDINANCE TO ADOPT AND IMPLEMENT PROCEDURES TO FACILITATE EFFECTIVE REUTILIZATION OF NONPRODUCTIVE LAND IN THE CITY OF BARBERTON, AND DECLARING AN EMERGENCY. It was moved by Mr. Anderson, 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 Mr. Anderson, seconded by Mr. Judge, that **ORDINANCE NO. 136-2011 BE ADOPTED.** Mr. Anderson said the Plan that was originally submitted with the request for legislation was taken out of the ordinance in order to submit it to the Planning Commission for review. He said they will review that plan on an as-needed basis, hopefully yearly. He said he wanted to thank Mr. Joe Stefan, Assistant Planning Director, for coming in early all those mornings to work with him on this program. He said this program is another tool that can be used in helping the City acquire land and he believes, through the years, the reutilization program will grow into other sections of the land banking program. President Maurer called for the vote on adoption. All Members voted “yea.” Motion carried.

ORDINANCE NO. 137-2011

ORDINANCE NO. 137-2011. PRESENTED BY: MR. AVANT. TITLE: AMENDING ORD. NO. 203-2010 – EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES. AN ORDINANCE AMENDING ORDINANCE NO. 203-2010, “EMPLOYEE COMPENSATION AND PAY GRADES FOR NON BARGAINING EMPLOYEES,” BY DELETING THE POSITION OF “GENERAL FOREMAN STREET DEPARTMENT” IN PAY GRADE 6 AND ADDING THE POSITION OF “GENERAL FOREMAN” IN PAY GRADE 6, AND DECLARING AN EMERGENCY. It was moved by Mr. Avant, seconded by Mr. Anderson, 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. Anderson, that **ORDINANCE NO. 137-2011 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 138-2011

ORDINANCE NO. 138-2011. PRESENTED BY: MR. AVANT. TITLE: APPROPRIATION – BEAUTIFICATION – HOLIDAY LIGHTING. AN ORDINANCE APPROPRIATING \$7,250 FROM THE UNAPPROPRIATED ITEM OF THE

BEAUTIFICATION OPERATING FUND TO THE BEAUTIFICATION OPERATING BUDGET, DUE TO A GRANT FROM THE BARBERTON COMMUNITY FOUNDATION, FOR THE 2011 HOLIDAY LIGHTING, AND DECLARING AN EMERGENCY. It was moved by Mr. Avant, seconded by Mr. Anderson, 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. Anderson, that **ORDINANCE NO. 138-2011 BE ADOPTED.** President Maurer asked Mr. McAviney if the funds were going to be used to increase the LED lighting. Mr. McAviney, Parks Director, said they are hoping to purchase LED lighting this year. He said the long-term goal is to phase out the incandescent cost-effectively because they cannot afford to take them all down at once. President Maurer called for the vote on adoption. All Members voted “yea.” Motion carried.

ORDINANCE NO. 139-2011

ORDINANCE NO. 139-2011. PRESENTED BY: MR. AVANT. TITLE: APPROPRIATION – PARKS – EDGEWOOD PARK. AN ORDINANCE APPROPRIATING \$2,400 FROM THE UNAPPROPRIATED ITEM OF THE PARKS CAPITAL IMPROVEMENT FUND TO THE PARKS IMPROVEMENT CAPITAL BUDGET, TO CONSTRUCT A FENCE AROUND THE EXISTING SPRAY PARK AT EDGEWOOD PARK, AND DECLARING AN EMERGENCY. It was moved by Mr. Avant, seconded by Mr. Anderson, 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. Anderson, that **ORDINANCE NO. 139-2011 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 140-2011

ORDINANCE NO. 140-2011. PRESENTED BY: MR. AVANT. TITLE: ADOPTING THE IAFF LOCAL 329 AGREEMENT. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON ADOPTING AND APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BARBERTON AND IAFF LOCAL 329, AND DECLARING AN EMERGENCY. It was moved by Mr. Avant, seconded by Mr. Anderson, 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. Anderson, that **ORDINANCE NO. 140-2011 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

President Maurer said to everyone who contributed their time and efforts to make the Mum Fest an outstanding event again, please know that it is appreciated, especially by Lisa McLean. He also thanked Mayor Genet, Mr. Palmer, and Shane McAviney. He said the Barberton Community Foundation had its hands in this event as well. He said this is another way to showcase the City.

Mr. McAviney said he also would like to thank everybody who volunteered at the Mum Fest. He said Lisa McLean takes on an enormous task. He said this festival would not be possible without all the volunteers under Lisa's guidance.

Mr. Anderson said Family Fun Night is scheduled for this Saturday at the Foundation Field. He said that event keeps growing every year.

COMMUNICATION FROM THE MAYOR

Mayor Genet said he would like to echo Mr. Maurer's comments. He said in addition to all the help from the organizations and volunteers, the weather was perfect. He said the crowds were great both days.

Mayor Genet said on September 17th, the Summit Akron Solid Waste Management Authority had a shredding / recycling event at the Sports Complex. He said 244 Summit County residents participated, recycling 9.4 tons of unwanted documents. He said 62% of those were from the City of Barberton.

Mayor Genet said regarding the Gas Aggregation Program, we were very lucky in locking in a rate of \$5.45 per Mcf with Constellation Energy. He said some residents will be getting letters and will be automatically enrolled unless they opt out, but others will have to take action to be able to get into the Program.

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

Adjourned: 8:15 P.M.

Frederick S. Maurer
President of Council

Susan Matuch
Clerk of Council