

ORDINANCES – 2009

RESOLUTION NO. 1-2009

PASSED 01-12-09

COMMENDATION – ALI JOSEPH ALHERIMI

Resolution of the Council of the City of Barberton to honor and give public recognition to Ali Joseph Alherimi for the determination and commitment he demonstrated to become an Eagle Scout.

ORDINANCE NO. 2-2009

PASSED 01-12-09

SUBMIT GRANT APPLICATION – CLEAN OHIO REVITALIZATION FUND

Resolution authorizing the City of Barberton to file an application to the State of Ohio to participate in the Clean Ohio Revitalization Fund (CORF) for the 888 Wooster Road Redevelopment Project; and authorizing the City Planning Director, Diane Sheridan, as the official representative, emergency.

ORDINANCE NO. 3-2009

PASSED 01-12-09

PURCHASE OF VARIOUS PROPERTIES – CDBG FUNDS

Authorizing the Mayor, or his designee, to execute an agreement to purchase the following five properties using CDBG Funds: 309 Lucas Street, 303 Van Street, 327 Wunderlich Avenue, 303 Newell Street, and 123 7th Street, emergency.

ORDINANCE NO. 4-2009

PASSED 01-12-09

BIDS AND CONTRACTS – YEAR'S REQUIREMENTS FOR MATERIALS AND SERVICES

Authorizing the Director of Public Service or the Director of Public Safety to advertise for bids and/or enter into contracts covering the year's requirements for materials and services used in the ordinary and daily operation of the municipal departments in the City of Barberton, emergency.

ORDINANCE NO. 5-2009

PASSED 01-12-09

ENTER INTO CONTRACT - METLIFE

Authorizing the Mayor to enter into a two-year contract with Metlife for the City's Dental Plan to cover Police, Fire, and Non-bargaining Employees, beginning January 1, 2009 through December 31, 2010, emergency.

ORDINANCE NO. 6-2009

PASSED 01-12-09

ENTER INTO CONTRACT – MEDICAL MUTUAL

Authorizing the Mayor to enter into contract with Medical Mutual of Ohio for 2009 for the administration of the aggregate minimum premium contract for medical coverage for all full-time City of Barberton employees, which will also include vision coverage for Police, Fire, and Non-bargaining Employees, beginning January 1, 2009 through December 31, 2009, emergency.

ORDINANCE NO. 7-2009

PASSED 01-12-09

APPROPRIATION – PLANNING – OHIO AND ERIE CANALWAY COALITION GRANT

Appropriating \$25,000 from the Unappropriated Item of the General Fund to the Planning Department Operating Budget, due to a grant from the Ohio and Erie Canalway Coalition, to be used on the Downtown Towpath Trailhead Project, emergency.

ORDINANCE NO. 8-2009
PASSED 01-12-09

APPROPRIATION – PLANNING – OHIO AND ERIE CANALWAY ASSOCIATION GRANT

Appropriating \$68,000 from the Unappropriated Item of the General Fund to the Planning Department Operating Budget, due to a grant from the Ohio and Erie Canalway Association (OECA), emergency.

ORDINANCE NO. 9-2009
PASSED 01-12-09

APPROPRIATION – PLANNING – USEPA/BROWNFIELD GRANT

Appropriating \$11,085 from the Unappropriated Item of the General Fund to the Planning Department Operating Budget, due to USEPA/Brownfield Grants, emergency.

ORDINANCE NO. 10-2009
PASSED 01-12-09

CHANGE ORDER – UTILITIES – WWTP UPGRADE

Authorizing a change order with CT Consultants to continue and complete the design engineering for the WWTP Upgrade, in the amount of \$167,000, emergency.

ORDINANCE NO. 11-2009
PASSED 01-12-09

APPROPRIATION – UTILITIES – WWTP UPGRADE

Appropriating \$167,000 from the Unappropriated Item of the Sewer Improvement Reserve Fund to the Sewer Improvement Reserve Fund Capital Budget, to continue and complete the design engineering for the WWTP Upgrade, emergency.

RESOLUTION NO. 12-2009

COMMENDATION – BRANDON KARL

Resolution of the Council of the City of Barberton to honor and give public recognition to Brandon Karl for the determination and commitment he demonstrated to become an Eagle Scout.

ORDINANCE NO. 13-2009
PASSED 01-26-09

ENTER INTO CONTRACT – LAW DEPARTMENT – AKRON LEGAL DEFENDER'S OFFICE

Authorizing the Law Director to enter into a one-year contract with the Akron Legal Defender's Office, to provide legal representation to indigent persons, emergency.

ORDINANCE NO. 14-2009
PASSED 01-26-09

PURCHASE OF WARD DIESEL NO SMOKE UNITS – FIRE DEPARTMENT

Authorizing the Director of Public Safety to purchase 8 Ward Diesel No Smoke Units from Ward Diesel Filter Systems, Inc., without competitive bidding being a sole source provider, for \$68,592, emergency.

RESOLUTION NO. 15-2009
PASSED 01-26-09

ENTER INTO MUTUAL AID AGREEMENT – AREA SWAT TEAMS

Authorizing the Mayor to enter into a three-year mutual aid agreement with Special Weapons and Tactics (SWAT) Teams from the Summit County Sheriff's Office, City of Akron, City of Cuyahoga Falls, The University of Akron, METRO SWAT, and Summit County to provide mutual assistance among the various communities for the use of their SWAT Teams upon request, emergency.

ORDINANCE NO. 16-2009
PASSED 01-26-09

2009 STREET RESURFACING PROGRAM – PREPARATION OF PLANS

Authorizing and directing the Engineer to prepare plans, specifications, and an estimation of cost for the 2009 Street Resurfacing Program, emergency.

ORDINANCE NO. 17-2009
PASSED 01-26-09

APPROPRIATION – PLANNING – ODOT GRANT

Appropriating \$18,000 from the Unappropriated Item of the General Fund to the Planning Department Operating Budget, due to a grant from the Ohio Department of Transportation (ODOT), to facilitate the development of a “Safe Route to School Plan,” emergency.

ORDINANCE NO. 18-2009
PASSED 01-26-09

APPROPRIATION – CDBG FUND

Appropriating \$4,196.01 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Operating Budget, due to façade loan payments, in order to carry out eligible CDBG activities, emergency.

ORDINANCE NO. 19-2009
PASSED 01-26-09

APPROPRIATION – FIRE DEPARTMENT

Appropriating a total amount of \$68,592.00, \$58,516.20 of said amount from the Unappropriated Item of the FEMA Fund to the FEMA Fund Capital Budget, due to the 2008 Assistance to Firefighters Grant, and \$10,075.80 of said amount from the Unappropriated Item of the Fire Capital Levy Fund to the Fire Capital Levy Fund Capital Budget, to purchase eight (8) Ward Diesel No Smoke Units, emergency.

ORDINANCE NO. 20-2009
PASSED 01-26-09

AUTHORIZE PAYMENT – CT CONSULTANTS

Authorizing the Director of Finance to pay an invoice to CT Consultants, in the amount of \$4,118.48, for their services in evaluating streets for the 2009 Paving Program, emergency.

RESOLUTION NO. 21-2009
PASSED 01-26-09

WATER RESOURCE RESTORATION SPONSOR PROGRAM (WRRSP)

Resolution of the Council of the City of Barberton recognizing the importance of and supporting the conservation and enhancement of natural resources such as the Spring Hill Wetlands Water Resource Restoration Sponsor Program (WRRSP) Project located in the City of Aurora, emergency.

ORDINANCE NO. 22-2009
PASSED 02-09-09

AMENDING TABLE 1130I – BARBERTON DEVELOPMENT CODE

An ordinance amending Table 1130I, “Area wide Business Use Groups – Use Group 16C, Special Highway Commercial Uses,” of the Barberton Development Code, to include cosmetic/tattoo salons and body piercing establishments.

ORDINANCE NO. 23-2009
PASSED 02-09-09

ZONING MAP AMENDMENT – 546 SNYDER AVENUE

An ordinance authorizing the rezoning of 546 Snyder Avenue, Parcel #01.11935, from C-1 (Convenience Commercial) to C-2 (Neighborhood Commercial).

RESOLUTION NO. 24-2009
PASSED 02-09-09

“2009 – THE YEAR OF THE RIVER”

A resolution of the Council of the City of Barberton to show support for the work being done by the Summit Soil & Water Conservation District and other organizations that restore and protect our natural resources by promoting the Year 2009 as being “The Year of the River,” emergency.

ORDINANCE NO. 25-2009
PASSED 02-09-09

ENTER INTO CONTRACT – GINOSKO – WWTP ANALYTICAL SERVICE CONTRACT

Authorizing the Director of Public Service to enter into a three-year ongoing contract with Ginosko, the lowest and/or best bidder, in an amount not to exceed \$40,000 per year, to provide professional analytical services for industrial pretreatment at the Wastewater Treatment Plant, emergency.

ORDINANCE NO. 26-2009
PASSED 02-09-09

ENTER INTO CONTRACT – NEIGHBORHOOD STABILIZATION PROGRAM

Authorizing the Mayor to enter into contract with the State of Ohio Department of Development Office of Housing and Community Partnerships in the amount of \$1,212,098, in order for the Planning Department to carry out the Neighborhood Stabilization Program (NSP), emergency.

ORDINANCE NO. 27-2009
PASSED 02-09-09

ENTER INTO CONTRACT – PARKS - ODNR

Authorizing the Director of Parks and Recreation to enter into contract with the Ohio Department of Natural Resources (ODNR), for \$8,418.32, to purchase equipment and to advertise for the Southern Summit County Water Exploration Camp, emergency.

ORDINANCE NO. 28-2009
PASSED 02-09-09

CREATE NEW FUND – APPROPRIATION – NEIGHBORHOOD STABILIZATION FUND (NSP FUND)

Authorizing the Director of Finance to create a new fund, the Neighborhood Stabilization Program Fund; and appropriating \$1,212,098 from the Unappropriated Item of the Neighborhood Stabilization Program Fund to the Neighborhood Stabilization Program Budget, due to a grant from the State of Ohio Department of Development Office of Housing and Community Partnerships, to carry out eligible NSP activities, emergency.

RESOLUTION NO. 29-2009

COMMENDATION – GLENN “JEEP” DAVIS

Resolution of the Council of the City of Barberton to honor and give public recognition to Glenn “Jeep” Davis for his many accomplishments and to extend the sympathy of this Council and the citizens of Barberton to the Davis Family.

ORDINANCE NO. 30-2009

AMEND ORD. NO. 164-2002 – BARBERTON DEVELOPMENT CODE FEE SCHEDULE

Amending Ordinance No. 164-2002, “Development Code Fee Schedule,” by increasing certain fees as set forth in Section 1320.01(6) of the Barberton Development Code.

ORDINANCE NO. 31-2009
PASSED 02-23-09

“REFUSE COLLECTION AND DISPOSAL PROGRAM” - AMENDING ORD. NO. 11-2008

Amending Ord. No. 11-2008, “Refuse Collection and Disposal Program,” to reflect an increase in the Trash Haulers Permit Fee (Section 1060.03) and to reflect an increase in the Monthly Service Fee (Section 1060.08), due to the contract price adjustment, emergency.

ORDINANCE NO. 32-2009
PASSED 02-23-09

ENTER INTO GRANT AGREEMENT – NEIGHBORHOOD DEVELOPMENT SERVICES

Authorizing the Mayor to enter into a grant agreement and related assurances, certifications, and contracts with Neighborhood Development Services (NDS), Inc., to carry out Neighborhood Stabilization Program housing related activities, emergency.

ORDINANCE NO. 33-2009
PASSED 02-23-09

2009 COMMUNITY RECYCLING ACCESS GRANT – PARKS

Approving the submission of a grant application by the Director of Parks and Recreation for the 2009 Community Recycling Access Grant from the Summit/Akron Solid Waste Management Authority, in the amount of \$22,280.21, for Barberton's upcoming recycling program, emergency.

ORDINANCE NO. 34-2009
PASSED 02-23-09

PURCHASE OF PROPERTY – 682 W. LAKE AVENUE

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 682 W. Lake Avenue for demolition, in an amount not to exceed \$14,000 plus closing costs, emergency.

ORDINANCE NO. 35-2009
PASSED 02-23-09

PURCHASE OF PROPERTY – 190 WOOSTER ROAD NORTH

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 190 Wooster Road North, Parcel #01.11116, for demolition, in an amount not to exceed \$30,000 plus closing costs, emergency.

ORDINANCE NO. 36-2009
PASSED 03-09-09

ENTER INTO CONTRACT – ORIANA HOUSE

Authorizing the Mayor to enter into a one (1) year contract with Oriana House Incorporated for the 2009 Community Corrections Services.

ORDINANCE NO. 37-2009
PASSED 03-09-09

ENTER INTO CONTRACT – SAFETY – B & C COMMUNICATIONS

Authorizing the Director of Public Safety to enter into a five-year contract with B & C communications, without competitive bidding being a sole source provider, in the amount of \$22,200 per year, to continue to maintain the City's service, police, and fire radio systems from May 1 2009 through April 30, 2014.

ORDINANCE NO. 38-2009
PASSED 03-09-09

FEMA GRANT REQUEST – 14TH STREET FLOODING

Approving the submission of a grant application by the Director of Public Service to the Federal Emergency Management Agency (FEMA), in the amount of \$200,000, due to the flooding issues on 14th Street, emergency.

RESOLUTION NO. 39-2009
PASSED 03-09-09

GRAND BOULEVARD STORM SEWER AND ROADWAY RESTORATION – ISSUE 1

Resolution of the Council of the City of Barberton declaring the necessity to improve certain sections of Grand Boulevard and a portion of Broadview Avenue, by installing storm sewers, partial curbing, certain driveway approaches, and street resurfacing, emergency.

ORDINANCE NO. 40-2009
PASSED 03-09-09

ENTER INTO CONTRACT – HUMAN RESOURCES EMPLOYEE LIFE INSURANCE

Authorizing the Mayor to enter into a two-year contract with Lincoln Financial, the lowest and/or best bidder, in the amount of \$74,204 per year, for life insurance for City employees, emergency.

ORDINANCE NO. 41-2009
PASSED 03-09-09

**NOTE ORDINANCE – WATERWORKS SYSTEM PROJECTS AND
SANITARY SEWER SYSTEM PROJECTS**

Ordinance providing for the issuance and sale of notes in the aggregate principal amount of \$1,090,000 in anticipation of the issuance of bonds, for the purpose of improving the waterworks system and the sewer system of the city by (i) acquiring, constructing, installing and equipping an automatic meter reading system, including water meters, automatic reading devices and data concentrators, (ii) acquiring and installing electrical generating equipment at the Water Treatment Plant, (iii) installing an 10-inch diameter sanitary sewer from 31st Street, SW and Noble Avenue to the Hudson Run Trunk Sewer at Valley Avenue, (iv) installing and replacing water mains in Norton Avenue between certain termini and (v) renovating, equipping and otherwise improving the Water Treatment Plant, including engineering, each all together with necessary appurtenances thereto, emergency.

ORDINANCE NO. 42-2009
PASSED 03-23-09

**AMENDING ORD. NO. 59-2006 – APPOINTMENTS
TAX INCENTIVE REVIEW COUNCIL**

Amending Ordinance No. 59-2006, “Appointments – Barberton/Summit County Tax Incentive Review Council,” by making the following changes to the TIRC appointments: Diane Sheridan’s position to Planning Director and the appointment of Mayor Robert Genet, as Alternate, emergency.

ORDINANCE NO. 43-2009
PASSED 03-23-09

ZONING MAP AMENDMENT – 527 W. LAKE AVENUE

Authorizing the rezoning of 527 W. Lake Avenue, Parcel #01.12849, from RM30 (Residential Multi-Family) to O1 (Neighborhood Office).

ORDINANCE NO. 44-2009
PASSED 03-23-09

**BARBERTON CODIFIED ORDINANCES–AMENDING SECTION
290.03 PARKING FINE SCHEDULE**

Amending Section 290.03 of the Barberton Codified Ordinances entitled “Parking Fine Schedule,” by increasing certain fees, emergency.

RESOLUTION NO. 45-2009
PASSED 03-23-09

SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS

Resolution of the Council of the City of Barberton to support the creation of American jobs and restore economic growth and opportunity by spending Economic Recovery Plan Funds on products and services that both create jobs and help keep Americans employed whenever and wherever possible.

ORDINANCE NO. 46-2009
PASSED 03-23-09

GROUND LEASE AGREEMENT – 529 BRADY AVENUE

Authorizing the Mayor to enter into a “Ground Lease,” with an option to purchase, with the Barberton City School District Board of Education, for the property located at 529 Brady Avenue, formerly known as “A-1 Car Care,” for three (3) years, emergency.

ORDINANCE NO. 47-2009
PASSED 03-23-09

**ENTER INTO CONTRACT – PARKS – YOUTH EMPLOYMENT FOR
SUCCESS PROGRAM**

Authorizing the Mayor to enter into contract with Summit County for the Youth Employment for Success Program, emergency.

ORDINANCE NO. 48-2009
PASSED 03-23-09

2009 BUDGET

Adopting a budget for various funds of the City of Barberton for the period beginning January 1, 2009, and providing for the administration thereof, emergency.

ORDINANCE NO. 49-2009
PASSED 03-23-09

2009 CAPITAL BUDGET

Adopting an annual capital budget for various funds of the City of Barberton for the period beginning January 1, 2009, and providing for the administration thereof, emergency.

RESOLUTION NO. 50-2009
PASSED 04-13-09

COMMENDATION – VARSITY BOYS BASKETBALL TEAM

Resolution of the Council of the City of Barberton to honor and give public recognition to the 2008-2009 Varsity Boys Basketball Team and Coaches for their excellent 24-2 Season.

RESOLUTION NO. 51-2009
PASSED 04-13-09

COMMENDATION – LT. DONALD FOBEAN AND FF TERRY THOMAS

Resolution of the Council of the City of Barberton to honor and give public recognition to Lt. Donald Fobean and Firefighter Terry Thomas, for their heroic efforts in saving the life of Mr. Darryl Powell from a house fire that took place on March 5, 2009.

ORDINANCE NO. 52-2009
PASSED 04-13-09

OUI, INC. – CRA ABATEMENT - AMENDMENT

Authorizing and directing the Mayor, via the Planning Director, to submit to the State of Ohio, an amended “Business Application for Tax Incentives,” on behalf of OUI, Inc., emergency.

ORDINANCE NO. 53-2009
PASSED 04-13-09

PURCHASE OF POLICE CRUISERS

Authorizing the Director of Public Safety to enter into a contract for the purchase of one (1) Crown Victoria Cruiser and one (1) Ford Expedition for the Police Department, from Montrose Ford, for the total purchase price of \$48,070.99, a cost below the State Purchasing Price, emergency.

ORDINANCE NO. 54-2009
PASSED 04-13-09

NEIGHBORHOOD STABILIZATION PROGRAM – COUNTY APPLICATION

Authorizing the Mayor, via the Planning Director, to submit a Neighborhood Stabilization Program Application to the Summit County Department of Development, emergency.

ORDINANCE NO. 55-2009
PASSED 04-13-09

ENTER INTO CONTRACT – PARKS – PROGRAM/VOLUNTEER COORDINATOR

Authorizing the Mayor to enter into a one-year contract with the Akron Area YMCA regarding the sharing of salary of the Program/Volunteer Coordinator position, emergency.

ORDINANCE NO. 56-2009
PASSED 04-13-09

PURCHASE OF PROPERTY – 530 W. HOPOCAN AVENUE

Authorizing the Mayor to execute an agreement to purchase the property at 530 W. Hopocan Avenue, in an amount not to exceed \$20,000 plus closing costs, emergency.

ORDINANCE NO. 57-2009

ADOPT INDIGENT BURIAL POLICY

Ordinance to establish and adopt an Indigent Burial Policy for the City of Barberton, emergency.

ORDINANCE NO. 58-2009
PASSED 04-13-09

AMENDING ORD. NO. 92-2008 – EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES

Amending Ordinance No. 92-2008 by showing “per hour” amounts in the Pay Grade 3 Minimum, Midpoint, and Maximum Pay Scale instead of “annual” amounts for certain positions in Pay Grade 3 because of their non-exempt status; and by deleting the position of “Administrative Assistant II Parks” in Pay Grade 3, emergency.

ORDINANCE NO. 59-2009
PASSED 04-13-09

APPROPRIATION – CDBG FUND

Appropriating \$7,275.69 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Operating Budget, due to façade loan payments, in order to carry out eligible CDBG activities, emergency.

ORDINANCE NO. 60-2009
PASSED 04-20-09

DISPATCHER/JAILOR LABOR CONTRACT – FACT FINDING REPORT

Accepting the recommendations of the Fact Finding Report on the unresolved issues between the City of Barberton and the Ohio Patrolmen’s Benevolent Association (OPBA) as the representative for the Dispatcher/Jailor Bargaining Unit, emergency.

ORDINANCE NO. 61-2009
PASSED 04-27-09

CDBG FY2009 ANNUAL ACTION PLAN

Ordinance of the Council of the City of Barberton approving the Community Development Block Grant (CDBG) FY2009 Annual Action Plan Document and Program, emergency.

ORDINANCE NO. 62-2009
PASSED 04-27-09

ENTER INTO CONTRACT – HUD

Allowing the Mayor, via the Planning Director, to enter into contract with the Department of Housing and Urban Development (HUD), in the amount of approximately \$750,000, in order to carry out eligible CDBG activities, emergency.

ORDINANCE NO. 63-2009
PASSED 04-27-09

APPROPRIATION – 31ST STREET SAFETY STUDY

Appropriating \$13,900 from the Unappropriated Item of the Permissive License Tax Fund to the Permissive License Tax Fund Operating Budget for the 31st Street Safety Study by GPD Associates, emergency.

ORDINANCE NO. 64-2009
PASSED 05-11-09

JONAH REALTY PROJECT – CRA ABATEMENT

Authorizing the Mayor, via the Planning Director, to submit to the State of Ohio, a “Business Application for Tax Incentives,” on behalf of Jonah Realty, emergency.

ORDINANCE NO. 65-2009
PASSED 06-08-09

REPEAL OF ORD. NO. 164-1990 AND ORD. NO. 188-1990 (CHAPTER 1495 OF THE BARBERTON CODIFIED ORDINANCES) ADOPT NEW RENTAL REGISTRATION PROGRAM

Repealing Ordinance No. 164-1990, “Enacting New Chapter 1495 Rental Properties of the Barberton Codified Ordinances” and Ordinance No.188-1990, “Establishing Fee Schedule for Rental Inspections”; and amending the Barberton Codified Ordinances by adopting a new Rental Property Registration Program.

ORDINANCE NO. 66-2009
PASSED 05-11-09

**NORTON PUBLIC HEALTH SERVICES – CONTRACT
TERMINATION**

Terminating the Public Health Services Contract between the Barberton Health District and the City of Norton, Ohio, emergency.

ORDINANCE NO. 67-2009
PASSED 05-11-09

PURCHASE OF PROPERTY – 611 W. HOPOCAN AVENUE

Authorizing the Mayor, or his designee, to enter into contract with Ohio Fidelity Title Company to purchase the property at 611 W Hopocan Avenue for \$30,000, plus closing costs, emergency.

ORDINANCE NO. 68-2009
PASSED 05-11-09

PURCHASE OF MIUS - UTILITIES

Authorizing the Director of Public Service to purchase 400 Meter Interface Units (MIUS) from CellNet Technology, Inc., without competitive bidding being a sole source provider, for a total cost of \$40,800, emergency.

ORDINANCE NO. 69-2009
PASSED 05-11-09

CDBG FY2008 ANNUAL ACTION PLAN - AMENDMENT

Ordinance of the Council of the City of Barberton approving an amendment to the Community Development Block Grant (CDBG) FY2008 Annual Action Plan, due to a grant by HUD from the American Recovery Reinvestment Act of 2009 for \$200,293, emergency.

RESOLUTION NO. 70-2009
PASSED 05-11-09

MUNICIPAL CLERKS WEEK

Resolution of the Council of the City of Barberton to recognize the week of May 3 through May 9, 2009, as Municipal Clerks Week and to extend appreciation to our Municipal Clerk, Sue Matuch, and to all Municipal Clerks, for the vital services they perform and their exemplary dedication to the communities they represent.

ORDINANCE NO. 71-2009
PASSED 05-11-09

RENTAL REHABILITATION APPROPRIATION

Appropriating \$2,000 from the Unappropriated Item of the Rental Rehabilitation Fund to the Rental Rehabilitation Fund Operating Budget, to be utilized on residential rental rehabilitation.

ORDINANCE NO. 72-2009
PASSED 05-26-09

2009 FLOODPLAIN MANAGEMENT PROGRAM

Adopting the “2009 Floodplain Management Program” and to include this Program in the Barberton Development Code, emergency.

ORDINANCE NO. 73-2009
PASSED 05-26-09

**BARBERTON DEVELOPMENT CODE – TEXT AMENDMENT
FLOODPLAINS**

Amending the Barberton Development Code by deleting Section 1110.02(f)(4)(b) and Section 1260.01 regarding “Floodplains” and replacing said sections with the adopted “2009 Floodplain Management Program,” emergency.

RESOLUTION NO. 74-2009
PASSED 05-26-09

**RESOLUTION OF NECESSITY – 2009 RESIDENTIAL RESURFACING
PROGRAM**

Resolution of the Council of the City of Barberton declaring the necessity to improve certain sections of: May Street, Newton Avenue, Fairview Avenue, Akron View Drive, George Street, 7th Street NW, Oak Avenue, 28th Street NW, 29th Street NW, and 33rd Street SW, through the “2009 Residential Street Resurfacing Program,” emergency.

ORDINANCE NO. 75-2009
PASSED 06-22-09

AMEND NON-BARGAINING EMPLOYEES POLICY
Amending the City of Barberton's Non-Bargaining Employees Policy of 2001.

ORDINANCE NO. 76-2009
PASSED 05-26-09

APPROPRIATION – RADIO SYSTEM – POLICE DEPARTMENT
Appropriating \$4,000 from the Unappropriated Item of the Mandatory Drug Fines Fund to the Police Department Capital Budget and appropriating \$4,000 from the Unappropriated Item of the Law Enforcement Trust Fund to the Police Department Capital Budget, for a total amount of \$8,000 to be used for the radio system, emergency.

ORDINANCE NO. 77-2009
PASSED 05-26-09

APPROPRIATION – GROW BARBERTON, INC. (GBI)
Appropriating \$3,000 from the Unappropriated Item of the Tax Increment Financing Fund to the Tax Increment Financing Fund Operating Budget, in order for Grow Barberton, Inc. (GBI) to carry out marketing activities, emergency.

ORDINANCE NO. 78-2009
PASSED 05-26-09

BOND ORDINANCE – FIRE STATIONS PROJECTS
An ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$2,310,000 for the purpose of improving the facilities of the City's Division of Fire, Department of Public Safety, by constructing and otherwise improving Fire Station #2 and reconstructing and otherwise improving Fire Station #1, all together with necessary equipment and appurtenances thereto, emergency.

ORDINANCE NO. 79-2009
PASSED 05-26-09

BOND ORDINANCE – WATERWORKS SYSTEM PROJECTS AND SANITARY SEWER SYSTEM PROJECTS
An ordinance providing for the issuance and sale of Bonds in the maximum principal amount of \$1,140,000 for the purpose of improving the Waterworks System and the Sewer System of the City by (i) acquiring, constructing, installing and equipping an automatic meter reading system, including water meters, automatic reading devices and data concentrators, (ii) acquiring and installing electrical generating equipment at the Water Treatment Plant, (iii) installing an 18-inch diameter sanitary sewer from 31st Street, SW and Noble Avenue to the Hudson Run Trunk Sewer at Valley Avenue, (iv) installing and replacing water mains in Norton Avenue between certain termini and (v) renovating, equipping and otherwise improving the Water Treatment Plant, including engineering, each all together with necessary appurtenances thereto, emergency.

RESOLUTION NO. 80-2009
PASSED 06-08-09

COMMENDATION – LT. DON ADAMSON
Resolution of the Council of the City of Barberton honoring and giving public recognition to Lt. Don Adamson for his 24 years of dedicated service to the Barberton Police Department and the citizens of this community.

RESOLUTION NO. 81-2009
PASSED 06-08-09

COMMENDATION – DAN TOMICH
Resolution of the Council of the City of Barberton to honor and give public recognition to Mr. Dan Tomich for his many years of loyal service to his customers and to this community.

<p>ORDINANCE NO. 82-2009 PASSED 06-08-09</p>	<p>ENTER INTO GRANT AGREEMENT – CLEAN OHIO REVITALIZATION FUND (CORF) Authorizing the Mayor, via the Planning Director, to enter into a grant agreement and related assurances, certifications, and contracts with the Ohio Department of Development, Urban Development Division, to carry out activities related to the Clean Ohio Revitalization Fund (CORF) 888 Wooster Road West, emergency.</p>
<p>ORDINANCE NO. 83-2009 PASSED 06-08-09</p>	<p>ENTER INTO AGREEMENT – USEPA/CLEAN UP GRANT PETE’S SUNOCO Authorizing the Mayor, via the Planning Director, to enter into a grant agreement and related assurances, certifications and contracts with the United States Environmental Protection Agency (USEPA), to carry out activities related to the Petroleum Clean Up Grant for the former Pete’s Sunoco, emergency.</p>
<p>ORDINANCE NO. 84-2009 PASSED 06-08-09</p>	<p>BARBERTON CODIFIED ORDINANCE UPDATE To approve the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances; to provide for the adoption of new matter in the updated and revised Codified Ordinances; to repeal ordinances and resolutions in conflict therewith; emergency.</p>
<p>ORDINANCE NO. 85-2009 PASSED 06-08-09</p>	<p>ENTER INTO CONTRACT – SUMMIT ROAD WATER TRANSMISSION MAIN PROJECT – FEDERAL APPROPRIATION CONTRACT Authorizing the Director of Public Service to enter into contract with the U.S. Army Corp or Engineers, Section 594, in the amount of \$500,000, due to a Federal Appropriation Grant, to help fund the Summit Road Water Transmission Main Project, emergency.</p>
<p>ORDINANCE NO. 86-2009 PASSED 06-08-09</p>	<p>ENTER INTO GRANT AGREEMENT – DAM PROJECT – FEDERAL APPROPRIATION CONTRACT Authorizing the Mayor to enter into a grant agreement and related assurances, certifications, and contracts with the Federal Government, for a Federal Appropriation in the amount of \$400,000, for valve replacements in the Dam, emergency..</p>
<p>ORDINANCE NO. 87-2009 PASSED 06-08-09</p>	<p>ENTER INTO AGREEMENT – WASTEWATER TREATMENT PLANT PROJECT – OHIO PUBLIC WORKS COMMISSION Authorizing the Mayor to enter into an agreement with the Ohio Public Works Commission, District 8, in the amount of \$2,000,000, for the Wastewater Treatment Plant Improvement Project, emergency.</p>
<p>ORDINANCE NO. 88-2009 PASSED 06-08-09</p>	<p>ENTER INTO GRANT AGREEMENT – WASTEWATER TREATMENT PLANT PROJECT – ARRA AWARD Authorizing the Mayor to enter into a grant agreement and related assurances, certifications, and contracts with the Federal Government, for an ARRA Award, in the amount of \$2,000,000, due to the American Recovery and Reinvestment Act of 2009, for the Wastewater Treatment Plant Improvement Project, emergency.</p>

ORDINANCE NO. 89-2009
PASSED 06-08-09

**SUBMIT ISSUE I APPLICATION – GRAND BOULEVARD - OHIO
PUBLIC WORKS COMMISSION**

Authorizing the Mayor to submit an Issue I Application to the Ohio Public Works Commission, District 8, in the amount of \$400,000, for the Waterline Replacement of the Grant Boulevard Improvement Project, emergency.

ORDINANCE NO. 90-2009
PASSED 06-08-09

**ENTER INTO CONTRACT – UTILITIES – MIU BATTERY
REPLACEMENT PROGRAM**

Authorizing the Director of Public Service to enter into contract with Landis+Gyr, without competitive bidding being a sole source provider, to begin the battery replacement program for already installed meter interface units (MIUs), in an amount not to exceed \$188,000, emergency.

ORDINANCE NO. 91-2009
PASSED 06-08-09

**ENTER INTO GRANT AGREEMENTS – FY2009 CDBG ANNUAL
ACTION PLAN**

Authorizing the Mayor to enter into grant agreements and related assurances, certifications, and contracts with Neighborhood Development Services (NDS), Barberton Community Development Corporation (BCDC), Fair Housing Advocates (FHAA), Grow Barberton, Inc. (GBI), and the Victim Assistance Program, emergency.

ORDINANCE NO. 92-2009
PASSED 06-08-09

PURCHASE OF PROPERTY – 878 W. HOPOCAN

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 878 W. Hopocan Avenue, using CDBG Funds, for \$24,000 plus closing costs, emergency.

ORDINANCE NO. 93-2009
PASSED 06-08-09

**CREATE NEW FUND – APPROPRIATION – CLEAN OHIO
REVITALIZATION GRANT FUND (CORF) – 888 WOOSTER RD.
WEST**

Authorizing the Director of Finance to create a new fund, the “Clean Ohio Revitalization Grant Fund,” and to appropriate \$1,512,889 from the Unappropriated Item of the Clean Ohio Revitalization Grant Fund to the Clean Ohio Revitalization Grant Fund Operating Budget, to carry out activities related to the CORF Grant for 888 Wooster Road West, emergency..

ORDINANCE NO. 94-2009
PASSED 06-08-09

APPROPRIATION – USEPA CLEAN UP GRANT – PETE’S SUNOCO

Appropriating \$200,000 from the Unappropriated Item of the General Fund to the Planning Department Operating Budget, due to a grant from the US Department of Environmental Protection Agency (USEPA), to carry out activities related to the petroleum clean up grant for the former Pete’s Sunoco site, emergency.

ORDINANCE NO. 95-2009
PASSED 06-08-09

APPROPRIATION – FY2009 CDBG FUND

Appropriating \$750,434 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Fund Operating Budget, to carry out eligible FY2009 CDBG activities, emergency.

ORDINANCE NO. 96-2009
PASSED 06-08-09

APPROPRIATION – FY2008 CDBG FUND

Appropriating \$5,039.22 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Fund Operating Budget, to carry out eligible FY2008 CDBG activities, emergency.

ORDINANCE NO. 97-2009
PASSED 06-22-09

AMEND ORD. NO. 32-2009 – ENTER INTO GRANT AGREEMENT - NEIGHBORHOOD DEVELOPMENT SERVICES

Amending Ord. No. 32-2009 that authorized the Mayor to enter into a grant agreement and related assurances, certifications and contracts with Neighborhood Development Services (NDS), Inc., by changing the monetary amounts in said ordinance to total \$709,000, emergency.

ORDINANCE NO. 98-2009
PASSED 06-22-09

PURCHASE OF PROPERTY – 299 4TH STREET, NW

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 299 4th Street NW, using CDBG Funds, for \$20,000 plus closing costs, emergency.

ORDINANCE NO. 99-2009
PASSED 06-22-09

TRANSFER OF PROPERTY – 123 7TH STREET, NW

Authorizing the Mayor to execute a “Quit Claim Deed” for Neighborhood Development Services (NDS) to take ownership of 123 7th Street, NW, Parcel #01.12543, for one Dollar (\$1.00), emergency.

ORDINANCE NO. 100-2009
PASSED 06-22-09

WASHINGTON SQUARE APARTMENT COMPLEX

Authorizing the Mayor to secure ownership of the Washington Square Apartment Complex in the amount of \$424,361.43, with the intent to rehab and transfer the Complex to the Akron Metropolitan Housing Association (AMHA) at fair market value, as part of the Norton Homes Relocation Agreement, emergency.

ORDINANCE NO. 101-2009
PASSED 06-22-09

ENTER INTO CONTRACT – STORM SEWER REPAIRS – KNL EXCAVATING

Authorizing the Director of Public Service to enter into contract with KNL Excavating, in the amount of \$8,943.20, to perform emergency storm sewer repairs at Herms Court, emergency.

ORDINANCE NO. 102-2009
PASSED 06-22-09

ENTER INTO CONTRACT – STREETS – PURCHASE OF LEAF PICKUP MACHINE

Authorizing the Director of Public Service to enter into contract with Jack Doheny Supplies, without competitive bidding being a sole source provider, to purchase an Arm Leaf Pickup Machine, in the amount of \$41,000, emergency.

ORDINANCE NO. 103-2009
PASSED 06-22-09

ENTER INTO CONTRACT – ODOT – 15TH STREET BRIDGE RECONSTRUCTION

Authorizing the Director of Public Service to enter into contract with the Ohio Department of Transportation (ODOT) to reconstruct the 15th Street Bridge over ABC Railroad, emergency.

ORDINANCE NO. 104-2009
PASSED 06-22-09

**ENTER INTO CONTRACT – INSURANCE COVERAGE
PROPERTY/VEHICLE/LIABILITY**

Authorizing the Mayor to enter into a professional services contract, without competitive bidding, with Wichert Insurance, constituting a one-year extension of the current contract for the City's property/vehicle/liability insurance coverage, emergency.

ORDINANCE NO. 105-2009
PASSED 06-22-09

**INTER-FUND CASH ADVANCE - APPROPRIATION
WASHINGTON SQUARE APARTMENT COMPLEX**

Authorizing an Inter-Fund Cash Advance and appropriation of \$424,361.43 from the Infrastructure Improvement Reserve Fund to the Neighborhood Stabilization Program (NSP) Grant Fund to provide temporary funding of the amounts owed to FirstMerit Bank and Ohio Cap until the State NSP Funds are received, emergency.

ORDINANCE NO. 106-2009
PASSED 06-22-09

**AMENDING ORD. NO. 58-2009 – EMPLOYEE COMPENSATION
AND PAY GRADES FOR NON-BARGAINING EMPLOYEES**

Amending Ordinance No. 58-2009 to reflect a 3% increase in Pay Grades for Non-Bargaining Employees, as well as a 3% increase in employee compensation for those Non-Bargaining Employees who are listed in Sections 1 and 2 of this ordinance, making these increases retroactive to the first pay in January 2009, emergency.

ORDINANCE NO. 107-2009
PASSED 06-22-09

**AMENDING ORD. NO. 181-2008 – EMPLOYEES NOT INCLUDED IN
NON-BARGAINING PAY GRADES**

Amending Ordinance No. 181-2008 regarding employees who are not included in the Non-Bargaining Employees Pay Grade Ordinance, by increasing the salaries of certain employees by 3%, retroactive to the first pay of January 2009, emergency.

ORDINANCE NO. 108-2009
PASSED 06-22-09

APPROPRIATION - PARKS

Appropriating \$3,500 from the Unappropriated Item of the General Fund to the Parks Department Operating Budget, due to a donation from the Barberton Area Jaycees, emergency.

RESOLUTION NO.109-2009 COMMENDATION – JOE PETERS
PASSED 07-13-09

Resolution of the Council of the City of Barberton to honor and give public recognition to Joe Peters for the many years he served on the Parks and Recreation Commission and for his numerous volunteer hours for parks events.

RESOLUTION NO.110-2009
PASSED 07-13-09

COMMENDATION – AFSCME LOCAL 265

Resolution of the Council of the City of Barberton honoring and giving public recognition to AFSCME Local 265 for their sponsorship of the Lake Anna Concert Series, as well as the City's Beautification Programs.

RESOLUTION NO.111-2009
PASSED 07-13-09

COMMENDATION – BARBERTON AREA JAYCEES

Resolution of the Council of the City of Barberton honoring and giving public recognition to the Barberton Area Jaycees for their sponsorship of the Labor Day Fireworks Program and the many years of dedicated service they have given to the City of Barberton and its residents.

- ORDINANCE NO. 112-2009**
 FAILED 07-13-09
ZONING MAP AMENDMENT – BARBERTON WHEEL ALIGNMENT
 Authorizing the rezoning of 1158, 1164, and 1174 Wooster Road West (Barberton Wheel Alignment) from C-2 (Neighborhood Commercial) to C-4 (Highway Commercial).
- ORDINANCE NO. 113-2009**
 PASSED 07-13-09
ENTER INTO CONTRACT – REGIONAL 800 MHZ RADIO SYSTEM USER AGREEMENT
 Authorizing the Mayor to enter into contract accepting the revisions to the contract previously signed between the City of Barberton and County of Summit/City of Akron for the “Regional 800 MHz Radio System User Agreement,” emergency.
- ORDINANCE NO. 114-2009**
 PASSED 07-13-09
GAS AGGREGATION PROGRAM – ADOPTION OF PLAN OF OPERATION
 Adopting the updated Plan of Operation and Governance for the Gas Aggregation Program for the City of Barberton; and repealing Ordinance No. 105-2005 that adopted a Gas Aggregation Plan, emergency.
- RESOLUTION NO. 115-2009**
 PASSED 07-13-09
TAX INCENTIVE REVIEW COUNCIL – PPG INDUSTRIES, INC.
 Accepting the recommendation of the Tax Incentive Review Council regarding the Enterprise Zone Agreement within the City of Barberton (PPG Industries), emergency.
- ORDINANCE NO. 116-2009**
 PASSED 07-13-09
TERMINATION OF TAX ABATEMENT AGREEMENT – ECS TUNING
 Authorizing the Mayor to terminate the Urban Jobs and Enterprise Zone Tax Abatement Agreement with the County of Summit and ECS Tuning, as approved by Ordinance No. 199-2007, emergency.
- ORDINANCE NO. 117-2009**
 PASSED 07-13-09
ENTER INTO GRANT AGREEMENTS – COUNTY NEIGHBORHOOD STABILIZATION PROGRAM
 Authorizing the Mayor to enter into grant agreements and related assurances, certification, and contracts with Neighborhood Development Services (NDS), to carry out County Neighborhood Stabilization Program housing related activities for \$630,000, emergency.
- ORDINANCE NO. 118-2009**
 PASSED 07-13-09
ENTER INTO CONTRACT – COUNTY OF SUMMIT
 Authorizing the Mayor to enter into contract with the County of Summit for \$980,000, in order for the Planning Department to carry out County Neighborhood Stabilization Program activities, emergency.
- ORDINANCE NO. 119-2009**
 PASSED 07-13-09
DONATION OF VACUUM SWEEPER
 Authorizing the Director of Public Service to donate a large vacuum sweeper no longer needed and no longer used by the Parks Department to the Barberton Band Boosters, emergency.
- ORDINANCE NO. 120-2009**
 PASSED 07-13-09
PURCHASE OF PROPERTY – 43/45 BROWN STREET
 Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 43/45 Brown Street for \$15,000, plus closing costs, emergency.

ORDINANCE NO. 121-2009
PASSED 07-13-09

PURCHASE OF PROPERTIES – 317/319 AND 321 WUNDERLICH AVENUE

Authorizing the Mayor, or his designee, to execute an agreement to purchase the properties at 317/319 Wunderlich Avenue for \$28,000, plus closing costs, and 321 Wunderlich Avenue for \$26,000, plus closing costs, emergency.

ORDINANCE NO. 122-2009
PASSED 07-13-09

SALE OF WATER METER – BARBERTON CITY SCHOOLS

Authorizing the Director of Public Service to sell a used three inch compound water meter no longer used by the Utilities Department to the Barberton City Schools for \$850, emergency.

ORDINANCE NO. 123-2009
PASSED 07-13-09

APPROPRIATION – PROJECT IMPACT

Appropriating \$17,809.53 from the Unappropriated Item of the Project Impact Fund to the Building Department Operating Budget, to continue demolition projects, emergency.

ORDINANCE NO. 124-2009
PASSED 07-13-09

COUNTY NSP APPROPRIATION

Appropriating \$980,000 from the Unappropriated Item of the County Neighborhood Stabilization Program Fund to the Planning Department Operating Budget, to carry out County Neighborhood Stabilization Program activities, emergency.

ORDINANCE NO. 125-2009
PASSED 07-13-09

**APPROPRIATION – KCI ASSOCIATES OF OHIO
15TH STREET BRIDGE**

Appropriating \$12,000 from the Unappropriated Item of the Infrastructure Improvement Reserve Fund to the Street Department Operating Budget, in order to pay KCI Associates of Ohio for professional services for the 15th Street Bridge, emergency.

RESOLUTION NO.126-2009
PASSED 07-27-09

**COMMENDATION – JONATHAN AND TOM STARLING AND
JOE, JOY, AND DAVE POLACEK**

Resolution of the Council of the City of Barberton to honor and give public recognition to Jonathan and Tom Starling and Joe, Joy, and Dave Polacek, for their heroic actions in extinguishing a house fire at 113 31st Street, SW.

ORDINANCE NO. 127-2009
PASSED 07-27-09

**ENTER INTO CONTRACT – FIRE DEPARTMENT
HEAVY RESCUE TRUCK**

Authorizing the Director of Public Safety to enter into contract with Hackney Emergency Vehicles, the lowest and/or best bidder, for the purchase of a new heavy rescue truck in the amount of \$329,207, due to being the recipient of a 2008 Assistance to Firefighters Grant for \$296,100, emergency.

ORDINANCE NO. 128-2009
PASSED 07-27-09

PURCHASE OF PROPERTY – 55-21ST STREET, NW

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 55-21st Street, NW, using County NSP Funds for \$16,830, plus closing costs, emergency.

ORDINANCE NO. 129-2009
PASSED 07-27-09

PURCHASE OF PROPERTY – 281-14TH STREET, NW

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 281 14th Street, NW, using County NSP and/or CDBG Funds, for \$10,000, plus all costs, emergency.

- ORDINANCE NO. 130-2009**
PASSED 07-27-09
- ENTER INTO CONTRACT – 2009 RESIDENTIAL STREET RESURFACING PROGRAM**
Authorizing the Director of Public Service to enter into contract with KARVO Paving, the lowest and/or best bidder, in the amount of \$354,280, for the 2009 Residential Street Resurfacing Program, emergency.
- RESOLUTION NO. 131-2009**
PASSED 07-27-09
- ADOPT “MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN”**
Resolution to adopt and participate in a “Multi-Jurisdictional Hazard Mitigation Plan,” in conjunction with the County of Summit Emergency Management Agency, emergency.
- ORDINANCE NO. 132-2009**
PASSED 07-27-09
- TRANSFER OF COURT COMPUTER FUNDS**
Transferring \$10,000 from the Court Computer Fund Capital Budget to the Court Computer Fund Operating Budget, emergency.
- ORDINANCE NO. 133-2009**
PASSED 07-27-09
- APPROPRIATION – FIRE DEPARTMENT – FEMA FUND**
Appropriating \$296,100 from the Unappropriated Item of the FEMA Fund to the FEMA Fund Capital Budget, due to being the recipient of a 2008 Assistance to Firefighters Grant, to be used towards the purchase of a new heavy rescue truck, emergency.
- ORDINANCE NO. 134-2009**
PASSED 07-27-09
- ACCEPTING CONTRACT – AUTHORIZING PAYMENT KENMORE CONSTRUCTION**
Accepting the contract with Kenmore Construction Company for the emergency repairs made on Snyder Avenue and Wooster Road North; and authorizing the Director of Finance to pay the invoice to Kenmore Construction Company, in the amount of \$18,380.69 for the emergency repairs, emergency.
- ORDINANCE NO. 135-2009**
FAILED 08-19-09
- REPEAL OF ORDINANCE NO. 65-2009 – “NEW RENTAL REGISTRATION PROGRAM”**
To repeal Ordinance No. 65-2009 regarding a new “Rental Registration Program,” emergency.
- ORDINANCE NO. 136-2009**
PASSED 08-19-09
- REFERENDUM – ORD. NO. 65-2009 – “RENTAL REGISTRATION PROGRAM”**
To provide for an election on the referendum petition of Ordinance No. 65-2009 regarding the adoption of the new “Rental Registration Program,” emergency.
- ORDINANCE NO. 137-2009**
PASSED 09-14-09
- ENTER INTO CONTRACT – BUILDING DEPARTMENT – EMERALD ENVIRONMENTAL, INC.**
Authorizing the Director of Public Service to enter into contract with Emerald Environmental, Inc., in the amount of \$12,745, to perform environmental assessments of certain properties, emergency.
- ORDINANCE NO. 138-2009**
PASSED 09-14-09
- ENTER INTO CONTRACT – BUILDING DEPARTMENT – BUTCHER & SON EXCAVATING**
Authorizing the Director of Public Service to enter into contract with Butcher & Son Excavating, Inc., in the total amount of \$21,185, for the demolition of the following structures: 88 W. State Street (the North End Fire Station), 327 Wunderlich Avenue, 399 Wunderlich Avenue, 242 14th Street, NW, and 1256 Douglass Avenue, emergency.

ORDINANCE NO. 139-2009
PASSED 09-14-09

SPECIAL ASSESSMENTS – DEMOLITIONS, BOARD-UPS, AND WEED/GRASS CUTTING

Authorizing and directing the Director of Finance of the City of Barberton to certify to the Summit County Auditor, special assessments against certain properties located within the City for the cost of ordered demolitions, lien searches, emergency board-ups, and weed/grass cutting, which took place from September 2008 through August 2009, emergency.

ORDINANCE NO. 140-2009
PASSED 09-14-09

ZONING MAP AMENDMENT – VARIOUS 30TH STREET, NW, PARCELS

Authorizing the rezoning of various 30th Street, NW, parcels from C2 (Neighborhood Commercial) to RS40 (Residential Single Family).

ORDINANCE NO. 141-2009
PASSED 10-12-09

BOUNDARY ADJUSTMENT–CITY OF BARBERTON/CITY OF NORTON

An ordinance determining to change the boundary line separating the City of Barberton and the City of Norton by mutual agreement of the City of Barberton and the City of Norton, pursuant to Section 709.37 of the Revised Code.

ORDINANCE NO. 142-2009
PASSED 09-14-09

ENTER INTO CONTRACT – DIRECT INDICTMENT SERVICES

Authorizing the Mayor to enter into a one-year contract with the County of Summit and the Summit County Prosecutor's Office, for the Direct Indictment Services Program, emergency.

ORDINANCE NO. 143-2009
PASSED 09-14-09

ENTER INTO CONTRACT – SIGNALIZATION PROJECT STATE STREET & FIFTH STREET FIRE STATION

Authorizing the Director of Public Safety to enter into contract with Signal Service, the lowest and/or best bidder, in the amount of \$76,681.94, for the traffic signalization project for State Street and the Fifth Street Fire Station, emergency.

ORDINANCE NO. 144-2009
PASSED 09-14-09

AMENDING ORD. NO. 247-2001 – POSTING PLACES

Amending Ord. No. 247-2001 designating six posting places used for public notice for all resolutions and ordinances for the City of Barberton, emergency.

ORDINANCE NO. 145-2009
PASSED 09-14-09

REPEAL OF CHAPTER 856 – TAXICABS – BARBERTON CODIFIED ORDINANCES – ADOPT NEW CHAPTER

Adopting a new Chapter 856, Taxicabs, of the Barberton Codified Ordinances, and repealing Chapter 856 of the Barberton Codified Ordinances, emergency.

ORDINANCE NO. 146-2009
WITHDRAWN 09-14-09

WITHDRAWN

ORDINANCE NO. 147-2009
PASSED 09-14-09

ENTER INTO GRANT AGREEMENTS–NDS–COUNTY NSP ACTIVITIES

Authorizing the Mayor to enter into grant agreements and related assurances, certifications, and contracts with Neighborhood Development Services, Inc. (NDS), to carry out County NSP land banking related activities, emergency.

ORDINANCE NO. 148-2009

TRANSFER OF PROPERTY – OLD WEST SIDE FIRE STATION

PASSED 09-14-09	Authorizing the Mayor to execute a "Quit Claim Deed" for Habitat for Humanity, to take ownership of the property located on one (1) parcel (two lots) of the Old West Side Fire Station on 24 th Street, NW, for One Dollar (\$1.00), emergency.
ORDINANCE NO. 149-2009 PASSED 09-14-09	AUTHORIZING CITY VEHICLE AUCTION Authorizing the Director of Public Service, the Police Chief, and the Fire Chief to dispose of various vehicles no longer needed for any municipal purpose by Public Auction, to take place on September 26, 2009, at 9:30 A.M., at the Street Department Garage, 677 Brady Avenue, emergency.
ORDINANCE NO. 150-2009 WITHDRAWN 09-14-09	WITHDRAWN
ORDINANCE NO. 151-2009 PASSED 09-14-09	PURCHASE OF PROPERTY – 637 W. HOPOCAN AVENUE Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 637 W. Hopocan Avenue (Hardman's), using State NSP Funds, for \$15,984, plus all closing costs, emergency.
ORDINANCE NO. 152-2009 PASSED 09-14-09	PURCHASE OF PROPERTY – 430/432 4TH STREET, NW Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 430/432 4 th Street, NW, using CDBG Funds, for an amount not to exceed \$10,500, plus closing costs, emergency.
ORDINANCE NO. 153-2009 PASSED 09-28-09	INTENTION TO PROCEED – 2009 RESIDENTIAL STREET RESURFACING PROGRAM An ordinance of the Council of the City of Barberton stating the intention to proceed with the 2009 Residential Street Resurfacing Program, emer.
ORDINANCE NO. 154-2009 PASSED 09-14-09	SPECIAL ASSESSMENTS – 2008 SIDEWALK REPLACEMENT PROGRAM Authorizing and directing the Director of Finance of the City of Barberton to certify to the Summit County Auditor special assessments against certain properties located within the City, under the 2008 Sidewalk Replacement Program, emergency.
ORDINANCE NO. 155-2009 PASSED 09-14-09	APPROPRIATION – CDBG FUND Appropriating \$1,836.46 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Fund Operating Budget, due to façade loan payments, in order to carry out eligible CDBG activities, emergency.
ORDINANCE NO. 156-2009 PASSED 09-14-09	APPROPRIATION – POLICE DEPARTMENT – JAG GRANT Appropriating \$35,514 from the Unappropriated Item of the General Fund to the Police Department Capital Budget, due to the 2009 Recovery Act – Justice Assistance Grant (JAG), to purchase a police cruiser, mobile computers, and radio upgrades, emergency.

ORDINANCE NO. 157-2009
PASSED 09-14-09

APPROPRIATION – POLICE DEPARTMENT – LAW ENFORCEMENT TRUST FUND

Appropriating \$17,000 from the Unappropriated Item of the Law Enforcement Trust Fund to the Police Department Operating Budget, to cover the shortage in the Police Training Account, emergency.

ORDINANCE NO. 158-2009
PASSED 09-14-09

APPROPRIATION – POLICE DEPARTMENT – COPS HIRING AND RECOVERY ACT

Appropriating \$33,372 from the Unappropriated Item of the General Fund to the Police Department Operating Budget, due to the Cops Hiring Recovery Act, to cover the hiring of two officers for the months of October, November, and December, emergency.

ORDINANCE NO. 159-2009
PASSED 09-14-09

CHANGE ORDER – UTILITIES – WWTP UPGRADE

Authorizing a change order with CT Consultants to continue and complete the design engineering for the WWTP Upgrade, in the amount of \$332,000, emergency.

ORDINANCE NO. 160-2009
PASSED 09-21-09

ENTER INTO MARKETING AGREEMENT

Authorizing the Mayor to enter into an agreement related to the marketing of competitive retail natural gas supply, emergency.

RESOLUTION 161-2009
PASSED 09-28-09

COMMENDATION – CHRISTINE WALLET

A resolution of the Council of the City of Barberton to honor and give public recognition to Mrs. Christine Wallet as she celebrates her 95th Birthday on September 30th.

RESOLUTION 162-2009
PASSED 09-28-09

COMMENDATION – DAVID JACOBS

A resolution of the Council of the City of Barberton to honor and give public recognition to David Jacobs for the heroic actions taken to extinguish a house fire at 24th Street and Liberty Avenue, possibly saving the lives of Harold and Linda Turk and their son.

RESOLUTION 163-2009
PASSED 09-28-09

COMMENDATION – SEAN FULLER

A resolution of the Council of the City of Barberton to honor and give public recognition to Sean Fuller for being chosen the 2009 American Legion Buckeye Boys State Representative from Barberton High School.

ORDINANCE NO. 164-2009
PASSED 09-28-09

DONATION OF CANNON

Authorizing the Mayor to donate one of the cannons owned by the City to the Ohio Veterans Memorial Park, emergency.

ORDINANCE NO. 165-2009
PASSED 09-28-09

ENTER INTO AGREEMENT – WASTEWATER TREATMENT PLANT PROJECT – WPCLF LOAN

Authorizing the Mayor to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement (WPCLF) on behalf of the City of Barberton in the amount of \$2,000,000 for planning, design and/or construction of Wastewater facilities, and designating a dedicated repayment source for the loan; and repealing Ord. No. 87-2009 to correct the name of the organization, emergency.

RESOLUTION 166-2009
PASSED 09-28-09

AMEND RESOLUTION OF NECESSITY – 2009 RESIDENTIAL RESURFACING PROGRAM – AMEND RES. NO. 74-2009

Amending Resolution No. 74-2009, declaring the necessity to improve sections of certain streets through the “2009 Residential Street Resurfacing Program,” by deleting May Street and Akron View Drive from the original list and by adding 28th Street, NW (from Liberty Avenue to Belleview Avenue) to the original list, emergency.

ORDINANCE NO. 167-2009
PASSED 09-28-09

2009 SIDEWALK REPLACEMENT AND FILL-IN PROGRAM

Establishing the City’s contribution to the 2009 Sidewalk Replacement and Fill-In Program, emergency.

ORDINANCE NO. 168-2009
PASSED 09-28-09

ENTER INTO CONTRACT – 2009 SIDEWALK REPLACEMENT AND FILL-IN PROGRAM

Authorizing the Director of Public Service to enter into contract with the lowest and/or best bidder as determined and awarded by the Board of Control, for the 2009 Sidewalk Replacement and Fill-In Program, to replace/repair residential and city-owned sidewalk, emergency.

ORDINANCE NO. 169-2009
PASSED 09-28-09

ENTER INTO CONTRACT – HUMAN RESOURCES

Authorizing the Mayor to enter into a professional services contract with Employee Benefits International, Inc., in the amount of \$28,800, to serve as the Health Care Consultant for the City of Barberton, emergency.

ORDINANCE NO. 170-2009
PASSED 09-28-09

AUTHORIZE PAYMENT – KENMORE CONSTRUCTION COMPANY

Authorizing the Director of Finance to pay an invoice to Kenmore Construction Company, in the amount of \$18,489.50, for emergency sanitary sewer repairs made on Norton Avenue, at the Stadium location, emergency.

ORDINANCE NO. 171-2009
PASSED 09-28-09

APPROPRIATION – 2009 SIDEWALK REPLACEMENT AND FILL-IN PROGRAM

Appropriating \$25,000 from the Unappropriated Item of the Sidewalk Improvement Program Fund to the Sidewalk Program Capital Budget, to be used for the 2009 Sidewalk Replacement and Fill-In Program, emergency.

ORDINANCE NO. 172-2009
PASSED 10-12-09

ENTER INTO GRANT AGREEMENT – PETE’S SUNOCO CLEANUP

Authorizing the Mayor to enter into a grant agreement and related assurances, certifications, and contracts with Malcolm Pirnie, Inc. (MPI) to carry out all activities related to the \$200,000 USEPA Brownfield Cleanup Grant for the former Pete’s Sunoco site, emergency.

ORDINANCE NO. 173-2009
PASSED 10-12-09

ENTER INTO CONTRACT – UTILITIES – CAMERA TRUCK UPGRADE

Authorizing the Director of Public Service to enter into contract with Jack Doheny to purchase equipment to modernize the existing camera truck used to evaluate our sewer systems, through the Ohio State Cooperative Purchasing Program, pursuant to Ordinance No. 42-1995, in the amount of \$60,740 with the City’s trade-in camera, emergency.

ORDINANCE NO. 174-2009
PASSED 10-12-09

WAIVE SYSTEM DEVELOPMENT CHARGES – BRENTWOOD ALLOTMENT - NORTON

Authorizing and directing the Mayor of the City of Barberton to waive System Development Charges (SDC) for the Brentwood Allotment in Norton, due to the Boundary Agreement between the City of Barberton and the City of Norton.

ORDINANCE NO. 175-2009
PASSED 10-12-09

ENTER INTO CONTRACT – PARKS – NEWTON PARK IMPROVEMENT PROJECT

Authorizing the Mayor to enter into contract with the Ohio Department of Natural Resources (ODNR), in the amount of \$99,000, to provide capital improvements at Newton Park, emergency.

ORDINANCE NO. 176-2009
PASSED 10-12-09

ACCEPT DONATION OF PROPERTY – 255 HURON STREET

Authorizing the Mayor, or his designee, to enter into contract to accept the property at 255 Huron Street as a donation for future development, in exchange for the payment of back taxes, penalties, and interest, and in an amount not to exceed \$1,500, plus closing costs, using CDBG Funds, emergency.

ORDINANCE NO. 177-2009
PASSED 10-12-09

ACCEPT DONATION OF PROPERTY – 554 W. HOPOCAN AVE.

Authorizing the Mayor, or his designee, to enter into contract to accept the property at 554 W. Hopocan Avenue, as a donation, in exchange for payment of 2007 back taxes and penalties, and in the amount of \$3,000, using CDBG or State NSP Funds, emergency.

RESOLUTION 178-2009
PASSED 10-12-09

CERTIFYING PROPERTY TAX RATES

Accepting the amounts and rates of property tax as determined by the Budget Commission of Summit County, and authorizing the necessary tax levies and certifying them to the Summit County Auditor for the Year 2010, emergency.

RESOLUTION 179-2009
PASSED 10-12-09

HEALTH RISK ASSESSMENT – HUMAN RESOURCES DEPT.

Allowing City of Barberton employees who participate in the October 28th City Health Fair and who complete a required Health Risk Assessment to receive a relief from employee health contributions for two pay periods, emergency.

ORDINANCE NO. 180-2009
PASSED 10-12-09

APPROPRIATION – PARKS DEPARTMENT – NEWTON PARK PROJECT

Appropriating \$99,000 from the Unappropriated Item of the Parks Improvement Fund to the Parks Improvement Fund Capital Budget, due to a grant initiated by State Representative John Otterman, to be used for the Newton Park Improvement Project, emergency.

ORDINANCE NO. 181-2009
PASSED 10-12-09

APPROPRIATION – REPAIR OF PAVEMENT – SOUTH VAN BUREN AVENUE

Appropriating \$30,000 from the Unappropriated Item of the Permissive License Tax Fund to the Permissive License Tax Fund Capital Budget, in order to repair pavement on South Van Buren Avenue, emergency.

ORDINANCE NO. 182-2009
PASSED 10-12-09

TRANSFER OF FUNDS – UTILITIES DEPARTMENT

Transferring \$25,000 from the Water Distribution Capital Budget to the Water Plant Operating Budget, to provide funds for cleaning the lagoons at the Water Treatment Plant, emergency.

ORDINANCE NO. 183-2009
PASSED 10-12-09

CDBG PROGRAM INCOME – TRANSFER/APPROPRIATION

Transferring \$61,754.56 from the General Fund to the Community Development Block Grant Fund and appropriating said \$61,754.56 from the Unappropriated Item of the Community Development Block Grant Fund to the FY2009 Acquisition Account, in order to carry out future CDBG acquisitions, emergency.

ORDINANCE NO. 184-2009
PASSED 10-26-09

ENTER INTO CONTRACT – KNL EXCAVATING – COVENTRY ROAD-MAY STREET – IMPROVEMENTS

Authorizing the Director of Public Service to enter into contract with KNL Excavating, in the amount of \$13,000, for the cost of the Coventry Road- May Street storm sewer improvements, emergency.

ORDINANCE NO. 185-2009
PASSED 10-26-09

ENTER INTO CONTRACT – 2009 SIDEWALK REPLACEMENT AND FILL-IN PROGRAM

Authorizing the Director of Public Service to enter into contract with Cementech, the lowest and/or best bidder, in the amount of \$215,994.95, for the 2009 Sidewalk Replacement and Fill-In Program, emergency.

RESOLUTION 186-2009
PASSED 10-26-09

DONATION OF CANNON

Authorizing the Mayor to donate the cannon owned by the City and located at Edgewood Park, to the Ohio Veterans Memorial Park, emergency.

ORDINANCE NO. 187-2009
PASSED 10-26-09

ENTER INTO CONTRACT – UTILITIES – WWTP IMPROVEMENT PROJECT – REPEAL OF ORD. NO. 159-2009

Authorizing the Director of Public Service to enter into a professional services contract with CT Consultants, in the amount of \$732,000, for the WWTP Improvement Project; and repeal of Ord. No. 159-2009 regarding a change order for the WWTP Upgrade, emergency.

RESOLUTION 188-2009
PASSED 11-09-09

SUPPORT FOR MAYOR – SUMMIT COUNTY GENERAL HEALTH DEPARTMENT

Resolution of the Council of the City of Barberton supporting the Mayor's efforts to negotiate a contract(s) with the Summit County General Health District.

ORDINANCE NO. 189-2009
PASSED 10-26-09

ENTER INTO CONTRACT – BUILDING DEPARTMENT – DEMOLITION RESIDENTIAL STRUCTURES

Authorizing the Director of Public Service to enter into contract with Butcher & Son Excavating, Inc., the lowest and/or best bidder for the total amount of \$24,720, for the demolition of numerous residential structures throughout the City, emergency.

RESOLUTION 190-2009
PASSED 10-26-09

PUBLIC RECORDS POLICY

Resolution of the Council of the City of Barberton adopting an updated "Public Records Policy" in order to be in compliance with House Bill 9 and the Public Records Act; and repealing Res. No. 201-2007, "Public Records Policy – HB9," emergency.

RESOLUTION 191-2009
PASSED 10-26-09

POLITICAL ACTIVITY POLICY

Resolution of the Council of the City of Barberton adopting a "Political Activity Policy" for employees in the classified service to provide guidelines concerning political activities, emergency.

RESOLUTION 192-2009
PASSED 10-26-09

SCHOOL LEVY RENEWAL ENDORSEMENT

Resolution of the Council of the City of Barberton endorsing the Barberton City Schools Operating Levy Renewal, known as Issue 48, on the November 3, 2009, General Election ballot, emergency.

ORDINANCE NO. 193-2009
PASSED 10-26-09

NOTE ORDINANCE – FIFTH STREET IMPROVEMENT PROJECT

Providing for the issuance and sale of \$200,000 of aggregate principal amount of Notes, in anticipation of the issuance of Bonds, for the purpose of paying the City's portion of the cost of improving Fifth Street, SE between certain termini by widening, curbing, constructing sidewalks and driveway approaches, street resurfacing, storm sewers, adding street lighting and street trees, together with all necessary appurtenances thereto, emergency.

ORDINANCE NO. 194-2009
PASSED 10-26-09

NOTE ORDINANCE – ROBINSON AVENUE IMPROVEMENT PROJECT

Providing for the issuance and sale of \$350,000 of aggregate principal amount of Notes, in anticipation of the issuance of Bonds, for the purpose of paying the City's portion of the cost of improving Robinson Avenue between certain termini, by reconstructing approximately 5,200 feet of street, sidewalk/pedestrian ways, curbs, waterline and inlets, together with all necessary appurtenances thereto, emergency.

ORDINANCE NO. 195-2009
PASSED 10-26-09

APPROVAL OF REVISED 2009 HEALTH DISTRICT BUDGET – REDUCTION OF HEALTH DISTRICT FUND

Approving the revised 2009 Health District Budget and hereby authorizing the reduction of the Health District Fund Appropriation from \$1,145,970 to \$946,447, due to an unforeseen reduction in revenue, emergency.

ORDINANCE NO. 196-2009
PASSED 10-26-09

TRANSFER OF FUNDS – BUILDING DEPARTMENT

Transferring \$3,000 from the Building Department Personal Services Budget to the Building Department Operating Budget, to purchase computers and a printer to facilitate the Zone Pro Software System for the Rental Registration Program and other Building, Storm Water, Planning, and Engineering functions, emergency.

ORDINANCE NO. 197-2009
PASSED 10-26-09

APPROPRIATION – UTILITIES DEPARTMENT – WWTP IMPROVEMENT PROJECT

Appropriating \$82,000 from the Unappropriated Item of the Sewer Improvement Reserve Fund to the Sewer Improvement Reserve Fund Operating Budget, in order to pay CT Consultants for professional services for the WWTP Improvement Project, emergency.

ORDINANCE NO. 198-2009
PASSED 10-26-09

APPROPRIATION – CDBG FUND

Appropriating \$200,292 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Fund Capital Budget, due to an award from the CDBG Recovery Funds, in order to construct sidewalks in the Columbia Heights Area, emergency.

ORDINANCE NO. 199-2009
PASSED 11-02-09

**ENTER INTO CONTRACT – NORTH BAY CONSTRUCTION –
WWTP IMPROVEMENT PROJECT**

Authorizing the Mayor to enter into contract with North Bay Construction, the lowest and/or best bidder, for the total amount of \$5,210,661, for the Wastewater Treatment Plant (WWTP) Improvement Project, emergency.

ORDINANCE NO. 200-2009
PASSED 11-09-09

**ENTER INTO AGREEMENT – “AUTOMATIC AID AGREEMENT”
BARBERTON/NORTON FIRE DEPARTMENTS.**

Authorizing the Mayor to enter into an “Automatic Aid Agreement” between the City of Barberton and The City of Norton Fire Departments, to provide mutual assistance in firefighting efforts when requested.

ORDINANCE NO. 201-2009
PASSED 11-09-09

**AMEND BARBERTON CODIFIED ORDINANCES – “TEXT
MESSAGING WHILE DRIVING PROHIBITED”**

Amending Part Three of the Barberton Codified Ordinances, “Traffic Code,” by including a new Section, “Text Messaging While Driving Prohibited,” thereby establishing restrictions for text messaging while driving in the City of Barberton, emergency.

ORDINANCE NO. 202-2009
PASSED 11-09-09

ENTER INTO CONTRACT – WASTE MANAGEMENT

Authorizing the Director of Public Service to enter into contract with Waste Management, extending the current contract for the first-year option, for residential curbside garbage/recycle collection in the City of Barberton, emergency.

ORDINANCE NO. 203-2009
PASSED 11-09-09

**“REFUSE COLLECTION AND DISPOSAL PROGRAM” - AMENDING
ORD. NO. 31-2009**

Amending Ord. No. 31-2009, “Refuse Collection and Disposal Program,” to reflect an increase in the monthly service fee (Section 1060.08), due to the contract price adjustment for the first year option of the current contract, emergency.

ORDINANCE NO. 204-2009
PASSED 11-09-09

**ENTER INTO CONTRACT – BUILDING DEPARTMENT
ENVIRONMENTAL ABATEMENT**

Authorizing the Director of Public Service to enter into contract with Cardinal Environmental, Inc., the lowest and/or best bidder, in the amount of \$49,700, for the environmental abatement of various city-owned residential structures located throughout the City, using CDBG and/or NSP Funds, emergency.

ORDINANCE NO. 205-2009
PASSED 11-09-09

PURCHASE OF PROPERTY – 1306 AUBURN AVENUE

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 1306 Auburn Avenue for demolition, in an amount not to exceed \$19,500, plus closing costs, using CDBG Funds, emergency.

- ORDINANCE NO. 206-2009**
PASSED 11-09-09
- TRANSFER OF FUNDS – FIRE DEPARTMENT**
Transferring \$20,000 from the Fire Department Personal Services Budget to the Fire Department Operating Budget, to cover costs for the remainder of the year, emergency.
- ORDINANCE NO. 207-2009**
PASSED 11-09-09
- APPROPRIATION – DRUG PREVENTION EDUCATION FUND**
Appropriating \$5,000 from the Unappropriated Item of the Police Department Drug Prevention Education Fund to the Police Department Drug Prevention Operating Budget, in order to purchase items needed for Awareness Programs in the Schools, emergency.
- RESOLUTION NO. 208-2009**
PASSED 11-23-09
- COMMENDATION – MINI MAGICS – JR. VARSITY SUBURBAN LEAGUE CHAMPIONS**
Resolution of the Council of the City of Barberton to honor and give public recognition to Coach Tony Hyde, Assistant Coaches Donnie Querry and Jeff Stiebling, and the 26 football players who participated in the Mini Magics Jr. Varsity Football Program for winning the Suburban League Football Championship at the Jr. Varsity level.
- ORDINANCE NO. 209-2009**
PASSED 11-23-09
- ZONING MAP AMENDMENT – 420-440 S. VAN BUREN AVENUE (WASHINGTON SQUARE APARTMENTS)**
Authorizing the rezoning of 420-440 S. Van Buren Avenue (Washington Square Apartments), from RS-40 (Residential Single Family) to RM-18 (Low Density Multi-Family).
- ORDINANCE NO. 210-2009**
WITHDRAWN 12-14-09
- ENTER INTO CONTRACT – BUILDING DEPARTMENT 1242 1/2 BENTON STREET**
- RESOLUTION NO. 211-2009**
PASSED 11-23-09
- ADVANCE OF LOCAL TAXES**
Authorizing the advance of Local taxes by the County Fiscal Office for the 2009 tax year, payable in 2010, emergency.
- RESOLUTION NO. 212-2009 NATIONAL PUBLIC HEALTH APPRECIATION DAY**
PASSED 11-23-09
- Resolution of the Council of the City of Barberton recognizing November 23, 2009 as National Public Health Appreciation Day and hereby commending the Barberton Board of Health and the Barberton public health employees who work to protect the health of the citizens of Barberton.
- RESOLUTION NO. 213-2009 COMMENDATION – DAVID W. TROUTMAN**
PASSED 12-14-09
- Resolution of the Council of the City of Barberton to honor and give public recognition to David W. Troutman for his many years of dedicated service as Summit County Sheriff and as U.S. Marshal for Northern Ohio, and to extend sympathy to the Troutman Family due to his passing on October 26, 2009.
- ORDINANCE NO. 214-2009**
PASSED 12-14-09
- AMENDING CHAPTER 1444 OF THE BARBERTON CODIFIED ORDINANCES**
Amending certain sections of Chapter 1444 of the Barberton Codified Ordinances regarding “Permits and Fees,” in order to reflect certain fee increases, emergency.

ORDINANCE NO. 215-2009
PASSED 12-14-09

**ENTER INTO CONTRACT – BUILDING DEPARTMENT
BUTCHER & SON EXCAVATING**

Authorizing the Director of Public Service to enter into contract with Butcher & Son Excavating, Inc., in the amount of \$325, for the exterior property cleanup of 107 Elmwood Street, emergency.

ORDINANCE NO. 216-2009
PASSED 12-14-09

**ENTER INTO CONTRACT – MALCOLM PIRNIE – WOOSTER
ROAD WEST CORF PROJECT**

Authorizing the Mayor to enter into contract with Malcolm Pirnie, the lowest and/or best bidder, for the total amount of \$1,512,889, to work on the City's 888 Wooster Road West Clean Ohio Revitalization Fund (CORF) Project by carrying out the activities associated with the CORF Grant, emergency.

ORDINANCE NO. 217-2009
PASSED 12-14-09

PROSECUTORIAL CONTRACT – CITY OF GREEN

Authorizing the Mayor to enter into a three-year contract with the City of Green whereby the Law Department will provide prosecutorial services to the City of Green, commencing January 1, 2010 and ending December 31, 2012, emergency.

ORDINANCE NO. 218-2009
PASSED 12-14-09

**AMENDING BARBERTON CODIFIED ORDINANCES – DRUG
ABUSE**

Amending Section 624.03, "Drug Abuse," by deleting subsection (C)(3)(A), emergency.

ORDINANCE NO. 219-2009
PASSED 12-14-09

CREATE NEW FUND – "911 PHONE SYSTEM FUND"

Authorizing the Director of Finance to create a new fund, the "911 Phone System Fund," to account for the \$184,016.16 collected from 911 wireless calls, to be used to upgrade the City's 911 Systems, emergency.

ORDINANCE NO. 220-2009
PASSED 12-14-09

ENTER INTO CONTRACT – AT & T – 911 PHONE SYSTEM

Authorizing the Director of Public Safety to enter into contract with AT&T to purchase three new 911 phones and support equipment for an estimated amount of \$108,810.70, without competitive bidding, pursuant to Ohio Revised Code Section 4931.49(F), emergency.

RESOLUTION NO. 221-2009
PASSED 12-14-09

**REPEAL ORD. NO. 165-2009 – ENTER INTO AGREEMENT -
WASTEWATER TREATMENT PLANT PROJECT – WPCLF LOAN**

Authorizing the Mayor to apply for, accept, and enter into a Water Pollution Control Loan Fund Agreement (WPCLF) on behalf of the City of Barberton in the amount of \$3,335,656 for planning, design and/or construction of Wastewater facilities; and designating a dedicated repayment source for the loan; and repealing Ord. No. 165-2009 to correct the amount of the loan, emergency.

ORDINANCE NO. 222-2009
PASSED 12-14-09

**REPEAL ORD. NO. 199-2009 – ENTER INTO CONTRACT – NORTH
BAY CONSTRUCTION – WWTP IMPROVEMENT PROJECT**

Authorizing the Mayor to enter into contract with North Bay Construction, the lowest and/or best bidder, for the total amount of \$5,210,661, for the Wastewater Treatment Plant (WWTP) Improvement Project; and repealing Ord. No. 199-2009 to correct the amount of the WPCLF Loan, emergency.

ORDINANCE NO. 223-2009
PASSED 12-14-09

**ENTER INTO CONTRACT – BUILDING DEPARTMENT
EMERALD ENVIRONMENTAL**

Authorizing the Director of Public Service to enter into contract with Emerald Environmental, Inc., to furnish necessary environmental abatement procedures for six (6) properties, in the amount of \$5,767.50, using NSP Funds, emergency.

ORDINANCE NO. 224-2009
PASSED 12-14-09

FOUNDATION GRANT REQUEST – PARKS DEPARTMENT

Approving the submission of a grant application by the Parks Director to the Barberton Community Foundation, in the amount of \$48,000, to be used for the Lake Anna Concert Series, the Mum Fest, and the Lake Anna Christmas Light Program, emergency.

ORDINANCE NO. 225-2009
PASSED 12-14-09

**ENTER INTO CONTRACT – AMOS DATA SYSTEMS, LLC -
STORAGE SYSTEM AND FILE PRINT SERVER**

Authorizing the Director of Public Service to enter into contract with Amos Data Systems, LLC, the lowest and/or best bidder, in the amount of \$63,067, for the purchase and installation of a storage system and file print server, emergency.

ORDINANCE NO. 226-2009
PASSED 12-14-09

**ENTER INTO CONTRACT – MUNICIPAL COURT – DIGITAL
RECORD CONVERSION PROJECT**

Authorizing the Clerk of Courts to enter into contract with 3SG Corporation, in the amount of \$7,350, for the Digital Record Conversion Project for the Municipal Court, emergency.

ORDINANCE NO. 227-2009
PASSED 12-14-09

PURCHASE OF STORMWATER SERVICE TRUCK

Authorizing the Director of Public Service to enter into contract with Power City International Trucks, to purchase a new stormwater service truck for \$87,000, through the Ohio State Cooperative Purchasing Program, pursuant to Ord. No. 42-1995, emergency.

ORDINANCE NO. 228-2009
PASSED 12-14-09

**BIDS AND CONTRACTS – YEAR’S REQUIREMENTS FOR
MATERIALS AND SERVICES**

Authorizing the Director of Public Service or the Director of Public Safety to advertise for bids and/or enter into contracts covering the year’s requirements for materials and services used in the ordinary and daily operation of the municipal departments in the City of Barberton, emergency.

ORDINANCE NO. 229-2009
PASSED 12-14-09

ENTER INTO CONTRACT – CT CONSULTANTS

Authorizing the Director of Public Service to enter into contract with CT Consultants, in the amount of \$12,000, to conduct an investigation into the reoccurring flooding along Wooster Road North, from Hopocan Avenue to the new Robinson Bridge, emergency.

ORDINANCE NO. 230-2009
PASSED 12-14-09

ENTER INTO CONTRACT – GPD CONSULTANTS

Authorizing the Director of Public Service to enter into contract with GPD Consultants, in the amount of \$7,000, to conduct the initial engineering and design for relieving the street flooding along Liberty Avenue, from 26th Street NW to 30th Street NW, emergency.

ORDINANCE NO. 231-2009
PASSED 12-14-09

**AUTHORIZE PAYMENT – COURTS – 3SG CORPORATION
DIGITAL RECORD CONVERSION PROJECT**

Authorizing the Director of Finance to pay an invoice to 3SG Corporation, in the amount of \$24,500.69, for the Court's Digital Record Conversion Project, emergency.

ORDINANCE NO. 232-2009
PASSED 12-14-09

**AUTHORIZE PAYMENT – COURTS – HILL HARDMAN OLDFIELD,
LLC**

Authorizing the Director of Finance to pay an invoice to Hill Hardman Oldfield, LLC, in the amount of \$10,833.75, for legal services provided for ongoing litigation, emergency.

ORDINANCE NO. 233-2009
PASSED 12-14-09

AUTHORIZE PAYMENT – EDGEWOOD PARK PROJECT

Authorizing the Director of Finance to pay an invoice to Cavanaugh Building Corporation, in the amount of \$18,675.84, as the retainer for the Edgewood Park Project, emergency.

ORDINANCE NO. 234-2009
PASSED 12-14-09

AUTHORIZE PAYMENT – USSSA – UMPIRE FEES

Authorizing the Director of Finance to pay an invoice to USSSA, in the amount of \$6,083, to cover umpire fees for the 2009 softball program, emergency.

ORDINANCE NO. 235-2009
PASSED 12-14-09

APPROPRIATION – POLICE DEPARTMENT – 911 PHONE SYSTEM

Appropriating \$108,810.70 from the Unappropriated Item of the 911 Phone System Fund to the Police Department Capital Budget, in order to purchase three (3) new 911 phones and support equipment from AT & T, emergency.

ORDINANCE NO. 236-2009
PASSED 12-14-09

**APPROPRIATION – POLICE DEPARTMENT – LAW
ENFORCEMENT TRUST FUND**

Appropriating \$7,000 from the Unappropriated Item of the Law Enforcement Trust Fund to the Police Department Capital Budget, to be used towards the purchase of new listening/recording equipment for the Narcotics Division, emergency.

ORDINANCE NO. 237-2009
PASSED 12-14-09

**TRANSFER/APPROPRIATION – 3SG CORPORATION
DIGITAL RECORD CONVERSION PROJECT – COURTS**

Transferring \$11,567 from the Court Computer Fund Capital Budget to the Court Computer Fund Operating Budget, and appropriating \$20,283 from the Unappropriated Item of the Court Computer Fund to the Court Computer Fund Operating Budget, in order to pay 3SG Corporation for the Digital Record Conversion Project for the Municipal Courts, emergency.

RESOLUTION NO. 238-2009
PASSED 12-21-09

COMMENDATION – TINA CALLAHAN

Resolution of the Council of the City of Barberton to honor and give public recognition to Tina Callahan for her 14 years of dedicated service to the City of Barberton and to the seniors in this community that she served with such joy and passion.

RESOLUTION NO. 239-2009
PASSED 12-21-09

COMMENDATION – TAMMY SIMMONS

Resolution of the Council of the City of Barberton to honor and give public recognition to Tammy Simmons for her dedicated service to the City of Barberton and to the YMCA.

- ORDINANCE NO. 240-2009**
PASSED 12-21-09
- PURCHASE OF PROPERTY – 371 6TH STREET, NW**
Authorizing the Mayor, or his designee, to execute an agreement to purchase the vacant lot at 317 6th Street NW, for \$1.00 plus closing costs, using CDBG Funds, emergency.
- ORDINANCE NO. 241-2009**
PASSED 12-21-09
- AMEND NON-BARGAINING EMPLOYEES POLICY (ORD. NO. 75-2009)**
Amending the City of Barberton’s Non-Bargaining Employees Policy of 2009 by eliminating the Municipal Court Judges from the City’s life insurance coverage; and amending the medical insurance section to increase medical insurance premiums for non-bargaining employees, emergency.
- ORDINANCE NO. 242-2009**
PASSED 12-21-09
- AMENDING ORD. NO. 106-2009 – EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES**
Amending Ord. No. 106-2009 to delete the following positions from said Ordinance: Night Manager, Program Volunteer Coordinator, Senior Center Manager, and Community Center Manager; reduce the salary of each exempt and non-exempt employee in Sections 1 and by 3.95%; and eliminate anniversary increases for 2010, emergency.
- ORDINANCE NO. 243-2009**
PASSED 12-21-09
- AMEND ORD. NO. 107-2009 – EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES**
Amending Ord. 107-2009 regarding employees who are not included in the non-bargaining employees pay grade ordinance by reducing the salaries of the Director of Public Service, the Clerk of Council, and the Director of Public Safety by 3.95% for the year 2010 only; and deleting the pay for Part Time Reserve Volunteer Police Officers, emergency.
- ORDINANCE NO. 244-2009**
PASSED 12-21-09
- ENTER INTO MEMORANDUMS OF UNDERSTANDING BARGAINING UNITS**
Authorizing the Mayor to enter into “Memorandums of Understanding” with the various bargaining units in order to meet the demanding challenges of balancing the 2010 Budget, emergency.
- ORDINANCE NO. 245-2009**
PASSED 12-21-09
- ENTER INTO CONTRACT – MEDICAL MUTUAL**
Authorizing the Mayor to enter into contract with Medical Mutual of Ohio for 2010, for approximately \$156,200, for the administration of the aggregate minimum premium contract for medical coverage for all full-time city of Barberton employees, which will also include vision coverage for police, fire and non-bargaining employees, beginning January 1, 2010 through December 31,2010, emergency.
- ORDINANCE NO. 246-2009**
PASSED 12-21-09
- YEAR END APPROPRIATION OF FUNDS**
Modifying appropriations within certain funds in order to cover expenses to the end of the year, emergency.
- ORDINANCE NO. 247-2009**
PASSED 12-21-09
- 2010 TEMPORARY BUDGET**
Adopting a temporary budget for various funds of the City of Barberton for the period beginning January 1, 2010, and providing for the administration thereof, emergency.

ORDINANCE NO. 248-2009
PASSED 12-21-09

**SALE OF PROPERTY – THE WASHINGTON SQUARE
APARTMENTS**

Authorizing the Mayor, or his designee, to execute an agreement to sell the Washington Square Apartments, located at 420-440 Van Buren Avenue, to Neighborhood Development Services (NDS), for the sum of \$426,997.56, emergency.