

ORDINANCES – 2009

- RESOLUTION NO. 1-2009** **COMMENDATION – ALI JOSEPH ALHERIMI**
PASSED 01-12-09 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** **SUBMIT GRANT APPLICATION – CLEAN OHIO REVITALIZATION FUND**
PASSED 01-12-09 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** **PURCHASE OF VARIOUS PROPERTIES – CDBG FUNDS**
PASSED 01-12-09 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** **BIDS AND CONTRACTS – YEAR’S REQUIREMENTS FOR MATERIALS AND SERVICES**
PASSED 01-12-09 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** **ENTER INTO CONTRACT - METLIFE**
PASSED 01-12-09 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** **ENTER INTO CONTRACT – MEDICAL MUTUAL**
PASSED 01-12-09 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** **APPROPRIATION – PLANNING – OHIO AND ERIE CANALWAY COALITION GRANT**
PASSED 01-12-09 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** **APPROPRIATION – PLANNING – OHIO AND ERIE CANALWAY ASSOCIATION GRANT**
 PASSED 01-12-09 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** **APPROPRIATION – PLANNING – USEPA/BROWNFIELD GRANT**
 PASSED 01-12-09 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** **CHANGE ORDER – UTILITIES – WWTP UPGRADE**
 PASSED 01-12-09 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** **APPROPRIATION – UTILITIES – WWTP UPGRADE**
 PASSED 01-12-09 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** **ENTER INTO CONTRACT – LAW DEPARTMENT – AKRON LEGAL DEFENDER’S OFFICE**
 PASSED 01-26-09 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** **PURCHASE OF WARD DIESEL NO SMOKE UNITS – FIRE DEPARTMENT**
 PASSED 01-26-09 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** **ENTER INTO MUTUAL AID AGREEMENT – AREA SWAT TEAMS**
 PASSED 01-26-09 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** **2009 STREET RESURFACING PROGRAM – PREPARATION OF PLANS**
 PASSED 01-26-09 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 APPROPRIATION – PLANNING – ODOT GRANT**
 PASSED 01-26-09 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 APPROPRIATION – CDBG FUND**
 PASSED 01-26-09 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 APPROPRIATION – FIRE DEPARTMENT**
 PASSED 01-26-09 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 AUTHORIZE PAYMENT – CT CONSULTANTS**
 PASSED 01-26-09 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 WATER RESOURCE RESTORATION SPONSOR PROGRAM (WRRSP)**
 PASSED 01-26-09 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 AMENDING TABLE 1130I – BARBERTON DEVELOPMENT CODE**
 PASSED 02-09-09 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 ZONING MAP AMENDMENT – 546 SNYDER AVENUE**
 PASSED 02-09-09 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 “2009 – THE YEAR OF THE RIVER”**
 PASSED 02-09-09 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 ENTER INTO CONTRACT – GINOSKO – WWTP ANALYTICAL SERVICE CONTRACT**
 PASSED 02-09-09
 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 ENTER INTO CONTRACT – NEIGHBORHOOD STABILIZATION PROGRAM**
 PASSED 02-09-09
 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 ENTER INTO CONTRACT – PARKS - ODNR**
 PASSED 02-09-09
 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 CREATE NEW FUND – APPROPRIATION – NEIGHBORHOOD STABILIZATION FUND (NSP FUND)**
 PASSED 02-09-09
 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 “REFUSE COLLECTION AND DISPOSAL PROGRAM” - AMENDING ORD. NO. 11-2008**
 PASSED 02-23-09
 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 ENTER INTO GRANT AGREEMENT – NEIGHBORHOOD DEVELOPMENT SERVICES**
 PASSED 02-23-09
 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 2009 COMMUNITY RECYCLING ACCESS GRANT – PARKS**
 PASSED 02-23-09
 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 PURCHASE OF PROPERTY – 682 W. LAKE AVENUE**
 PASSED 02-23-09
 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 PURCHASE OF PROPERTY – 190 WOOSTER ROAD NORTH**
 PASSED 02-23-09
 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 ENTER INTO CONTRACT – ORIANA HOUSE**
 PASSED 03-09-09
 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 ENTER INTO CONTRACT – SAFETY – B & C COMMUNICATIONS**
 PASSED 03-09-09
 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 FEMA GRANT REQUEST – 14TH STREET FLOODING**
 PASSED 03-09-09
 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 GRAND BOULEVARD STORM SEWER AND ROADWAY RESTORATION – ISSUE 1**
 PASSED 03-09-09
 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 ENTER INTO CONTRACT – HUMAN RESOURCES EMPLOYEE LIFE INSURANCE**
 PASSED 03-09-09
 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** **NOTE ORDINANCE – WATERWORKS SYSTEM PROJECTS AND SANITARY SEWER SYSTEM PROJECTS**
 PASSED 03-09-09
 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** **AMENDING ORD. NO. 59-2006 – APPOINTMENTS TAX INCENTIVE REVIEW COUNCIL**
 PASSED 03-23-09
 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** **ZONING MAP AMENDMENT – 527 W. LAKE AVENUE**
 PASSED 03-23-09
 Authorizing the rezoning of 527 W. Lake Avenue, Parcel #01.12849, from RM30 (Residential Multi-Family) to O1 (Neighborhood Office).
- ORDINANCE NO. 44-2009** **BARBERTON CODIFIED ORDINANCES–AMENDING SECTION 290.03 PARKING FINE SCHEDULE**
 PASSED 03-23-09
 Amending Section 290.03 of the Barberton Codified Ordinances entitled “Parking Fine Schedule,” by increasing certain fees, emergency.
- RESOLUTION NO. 45-2009** **SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS**
 PASSED 03-23-09
 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** **GROUND LEASE AGREEMENT – 529 BRADY AVENUE**
 PASSED 03-23-09
 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** **ENTER INTO CONTRACT – PARKS – YOUTH EMPLOYMENT FOR SUCCESS PROGRAM**
 PASSED 03-23-09
 Authorizing the Mayor to enter into contract with Summit County for the Youth Employment for Success Program, emergency.
- ORDINANCE NO. 48-2009** **2009 BUDGET**
 PASSED 03-23-09
 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 2009 CAPITAL BUDGET**
 PASSED 03-23-09 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 COMMENDATION – VARSITY BOYS BASKETBALL TEAM**
 PASSED 04-13-09 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 COMMENDATION – LT. DONALD FOBEAN AND FF TERRY THOMAS**
 PASSED 04-13-09 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 OUI, INC. – CRA ABATEMENT - AMENDMENT**
 PASSED 04-13-09 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 PURCHASE OF POLICE CRUISERS**
 PASSED 04-13-09 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 NEIGHBORHOOD STABILIZATION PROGRAM – COUNTY APPLICATION**
 PASSED 04-13-09 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 ENTER INTO CONTRACT – PARKS – PROGRAM/VOLUNTEER COORDINATOR**
 PASSED 04-13-09 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 PURCHASE OF PROPERTY – 530 W. HOPOCAN AVENUE**
 PASSED 04-13-09 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** **AMENDING ORD. NO. 92-2008 – EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES**
 PASSED 04-13-09
 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** **APPROPRIATION – CDBG FUND**
 PASSED 04-13-09
 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** **DISPATCHER/JAILOR LABOR CONTRACT – FACT FINDING REPORT**
 PASSED 04-20-09
 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** **CDBG FY2009 ANNUAL ACTION PLAN**
 PASSED 04-27-09
 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** **ENTER INTO CONTRACT – HUD**
 PASSED 04-27-09
 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** **APPROPRIATION – 31ST STREET SAFETY STUDY**
 PASSED 04-27-09
 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** **JONAH REALTY PROJECT – CRA ABATEMENT**
 PASSED 05-11-09
 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** **REPEAL OF ORD. NO. 164-1990 AND ORD. NO. 188-1990 (CHAPTER 1495 OF THE BARBERTON CODIFIED ORDINANCES) ADOPT NEW RENTAL REGISTRATION PROGRAM**
 PASSED 06-08-09
 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** **NORTON PUBLIC HEALTH SERVICES – CONTRACT TERMINATION**
 PASSED 05-11-09
 Terminating the Public Health Services Contract between the Barberton Health District and the City of Norton, Ohio, emergency.

- ORDINANCE NO. 67-2009 PURCHASE OF PROPERTY – 611 W. HOPOCAN AVENUE**
 PASSED 05-11-09 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 PURCHASE OF MIUS - UTILITIES**
 PASSED 05-11-09 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 CDBG FY2008 ANNUAL ACTION PLAN - AMENDMENT**
 PASSED 05-11-09 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 MUNICIPAL CLERKS WEEK**
 PASSED 05-11-09 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 RENTAL REHABILITATION APPROPRIATION**
 PASSED 05-11-09 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 2009 FLOODPLAIN MANAGEMENT PROGRAM**
 PASSED 05-26-09 Adopting the “2009 Floodplain Management Program” and to include this Program in the Barberton Development Code, emergency.
- ORDINANCE NO. 73-2009 BARBERTON DEVELOPMENT CODE – TEXT AMENDMENT
 FLOODPLAINS**
 PASSED 05-26-09 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 RESOLUTION OF NECESSITY – 2009 RESIDENTIAL RESURFACING PROGRAM**
 PASSED 05-26-09 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 AMEND NON-BARGAINING EMPLOYEES POLICY**
 PASSED 06-22-09 Amending the City of Barberton’s Non-Bargaining Employees Policy of 2001.

- ORDINANCE NO. 76-2009 APPROPRIATION – RADIO SYSTEM – POLICE DEPARTMENT**
 PASSED 05-26-09
 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 APPROPRIATION – GROW BARBERTON, INC. (GBI)**
 PASSED 05-26-09
 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 BOND ORDINANCE – FIRE STATIONS PROJECTS**
 PASSED 05-26-09
 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 BOND ORDINANCE – WATERWORKS SYSTEM PROJECTS AND SANITARY SEWER SYSTEM PROJECTS**
 PASSED 05-26-09
 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 COMMENDATION – LT. DON ADAMSON**
 PASSED 06-08-09
 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 COMMENDATION – DAN TOMICH**
 PASSED 06-08-09
 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.
- ORDINANCE NO. 82-2009 ENTER INTO GRANT AGREEMENT – CLEAN OHIO REVITALIZATION FUND (CORF)**
 PASSED 06-08-09
 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.

- ORDINANCE NO. 83-2009 ENTER INTO AGREEMENT – USEPA/CLEAN UP GRANT
PASSED 06-08-09 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.
- ORDINANCE NO. 84-2009 BARBERTON CODIFIED ORDINANCE UPDATE
PASSED 06-08-09**
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.
- ORDINANCE NO. 85-2009 ENTER INTO CONTRACT – SUMMIT ROAD WATER TRANSMISSION
PASSED 06-08-09 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.
- ORDINANCE NO. 86-2009 ENTER INTO GRANT AGREEMENT – DAM PROJECT – FEDERAL
PASSED 06-08-09 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..
- ORDINANCE NO. 87-2009 ENTER INTO AGREEMENT – WASTEWATER TREATMENT PLANT
PASSED 06-08-09 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.
- ORDINANCE NO. 88-2009 ENTER INTO GRANT AGREEMENT – WASTEWATER TREATMENT
PASSED 06-08-09 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.
- ORDINANCE NO. 89-2009 SUBMIT ISSUE I APPLICATION – GRAND BOULEVARD - OHIO
PASSED 06-08-09 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 ENTER INTO CONTRACT – UTILITIES – MIU BATTERY
PASSED 06-08-09 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 ENTER INTO GRANT AGREEMENTS – FY2009 CDBG ANNUAL ACTION PLAN**
 PASSED 06-08-09
 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 PURCHASE OF PROPERTY – 878 W. HOPOCAN**
 PASSED 06-08-09
 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 CREATE NEW FUND – APPROPRIATION – CLEAN OHIO REVITALIZATION GRANT FUND (CORF) – 888 WOOSTER RD. WEST**
 PASSED 06-08-09
 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 APPROPRIATION – USEPA CLEAN UP GRANT – PETE’S SUNOCO**
 PASSED 06-08-09
 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 APPROPRIATION – FY2009 CDBG FUND**
 PASSED 06-08-09
 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 APPROPRIATION – FY2008 CDBG FUND**
 PASSED 06-08-09
 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 AMEND ORD. NO. 32-2009 – ENTER INTO GRANT AGREEMENT - NEIGHBORHOOD DEVELOPMENT SERVICES**
 PASSED 06-22-09
 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 PURCHASE OF PROPERTY – 299 4TH STREET, NW**
 PASSED 06-22-09
 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 TRANSFER OF PROPERTY – 123 7TH STREET, NW
PASSED 06-22-09 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 WASHINGTON SQUARE APARTMENT COMPLEX
PASSED 06-22-09 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 ENTER INTO CONTRACT – STORM SEWER REPAIRS – KNL EXCAVATING
PASSED 06-22-09 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 ENTER INTO CONTRACT – STREETS – PURCHASE OF LEAF PICKUP MACHINE
PASSED 06-22-09 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 ENTER INTO CONTRACT – ODOT – 15TH STREET BRIDGE RECONSTRUCTION
PASSED 06-22-09 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 ENTER INTO CONTRACT – INSURANCE COVERAGE PROPERTY/VEHICLE/LIABILITY
PASSED 06-22-09 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 INTER-FUND CASH ADVANCE - APPROPRIATION WASHINGTON SQUARE APARTMENT COMPLEX
PASSED 06-22-09 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 AMENDING ORD. NO. 58-2009 – EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES
PASSED 06-22-09 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 AMENDING ORD. NO. 181-2008 – EMPLOYEES NOT INCLUDED IN
PASSED 06-22-09 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 APPROPRIATION - PARKS

PASSED 06-22-09

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 COMMENDATION – AFSCME LOCAL 265

PASSED 07-13-09

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 COMMENDATION – BARBERTON AREA JAYCEES

PASSED 07-13-09

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 ZONING MAP AMENDMENT – BARBERTON WHEEL ALIGNMENT

FAILED 07-13-09

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 ENTER INTO CONTRACT – REGIONAL 800 MHZ RADIO SYSTEM
PASSED 07-13-09 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 GAS AGGREGATION PROGRAM – ADOPTION OF PLAN OF
PASSED 07-13-09 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 TAX INCENTIVE REVIEW COUNCIL – PPG INDUSTRIES, INC.

PASSED 07-13-09

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 TERMINATION OF TAX ABATEMENT AGREEMENT – ECS TUNING**
 PASSED 07-13-09 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 ENTER INTO GRANT AGREEMENTS – COUNTY NEIGHBORHOOD STABILIZATION PROGRAM**
 PASSED 07-13-09 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 ENTER INTO CONTRACT – COUNTY OF SUMMIT**
 PASSED 07-13-09 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 DONATION OF VACUUM SWEEPER**
 PASSED 07-13-09 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 PURCHASE OF PROPERTY – 43/45 BROWN STREET**
 PASSED 07-13-09 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 PURCHASE OF PROPERTIES – 317/319 AND 321 WUNDERLICH AVENUE**
 PASSED 07-13-09 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 SALE OF WATER METER – BARBERTON CITY SCHOOLS**
 PASSED 07-13-09 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 APPROPRIATION – PROJECT IMPACT**
 PASSED 07-13-09 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 COUNTY NSP APPROPRIATION**
 PASSED 07-13-09 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 APPROPRIATION – KCI ASSOCIATES OF OHIO
15TH STREET BRIDGE**

PASSED 07-13-09

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

PASSED 07-27-09

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 ENTER INTO CONTRACT – FIRE DEPARTMENT
HEAVY RESCUE TRUCK**

PASSED 07-27-09

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 PURCHASE OF PROPERTY – 55-21ST STREET, NW

PASSED 07-27-09

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 PURCHASE OF PROPERTY – 281-14TH STREET, NW

PASSED 07-27-09

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 ENTER INTO CONTRACT – 2009 RESIDENTIAL STREET
RESURFACING PROGRAM**

PASSED 07-27-09

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 ADOPT “MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN”

PASSED 07-27-09

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 TRANSFER OF COURT COMPUTER FUNDS

PASSED 07-27-09

Transferring \$10,000 from the Court Computer Fund Capital Budget to the Court Computer Fund Operating Budget, emergency.

ORDINANCE NO. 133-2009 APPROPRIATION – FIRE DEPARTMENT – FEMA FUND

PASSED 07-27-09

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 ACCEPTING CONTRACT – AUTHORIZING PAYMENT
PASSED 07-27-09

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.