

## ORDINANCES – 2010

**RESOLUTION NO. 1-2010**  
PASSED 01-11-10

**COMMENDATION – CHRISTOPHER J. SILVA**

Resolution of the Council of the City of Barberton to honor and give public recognition to Christopher J. Silva for his 4 years of dedicated service on Barberton City Council.

**RESOLUTION NO. 2-2010**  
PASSED 01-11-10

**COMMENDATION – JAMES R. DIPPEL**

Resolution of the Council of the City of Barberton to honor and give public recognition to James R. Dippel for his two years of dedicated service on Barberton City Council.

**RESOLUTION NO. 3-2010**  
PASSED 01-11-10

**COMMENDATION – SGT. PETER F. MAURER**

Resolution of the Council of the City of Barberton to honor and give public recognition to Sgt. Peter F. Maurer for his 31½ years of dedicated service to the Barberton Police Department and the City of Barberton.

**ORDINANCE NO. 4-2010**  
PASSED 01-11-10

**PROVIDE SANITARY SEWER SERVICE – CITY OF NORTON**

Authorizing the City of Barberton to support the requests by the City of Norton and the Summit County Department of Environmental Services (DOES) to provide sanitary sewer services to the following areas in Norton: certain sections of Greenwich Road, Oak Street, and Dorothy Court, emergency.

**RESOLUTION NO. 5-2010**  
PASSED 01-25-10

**COMMENDATION – VICKI MITCHELL**

Resolution of the Council of the City of Barberton to honor and give public recognition to Vicki Mitchell for her 10 years of dedicated service to the City of Barberton as Administrative Assistant to the Director of Public Service.

**ORDINANCE NO. 6-2010**  
PASSED 01-25-10

**PURCHASE OF PROPERTY – 402 NEWELL STREET**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 402 Newell Street, for \$17,000, plus closing costs, using NSP and CDBG funding, emergency.

**ORDINANCE NO. 7-2010**  
PASSED 01-25-10

**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 \$3,705, to be used for staff training, to purchase supplies and for advertising the boating program, emergency.

**ORDINANCE NO. 8-2010**  
PASSED 01-25-10

**ENTER INTO CONTRACT – 31<sup>ST</sup> STREET NW  
ROADWAY IMPROVEMENT PROJECT**

Authorizing the Director of Public Service to enter into a professional services contract with the GPD Group, in the amount of \$40,000, for engineering and design work for the 31<sup>st</sup> Street NW Roadway Improvement Project, emergency.

**RESOLUTION NO. 9-2010**  
PASSED 01-25-10

**APPLICATION FOR FEDERAL STP FUNDS – BARBERTON ROADWAY IMPROVEMENT PROJECT**

Allowing the Mayor to apply for Federal Surface Transportation Program (STP) Funds programmed by the Akron Metropolitan Area Transportation Study (AMATS) to improve certain streets listed in the Barberton Roadway Improvement Project, emergency.

**ORDINANCE NO. 10-2010**  
PASSED 01-25-10

**AUTHORIZE PAYMENT – COURTS – PITNEY BOWES**

Authorizing the Director of Finance to pay an invoice to Pitney Bowes, in the amount of \$7,764.93, for postage costs incurred by the Municipal Court from September 2009, emergency.

**ORDINANCE NO. 11-2010**  
PASSED 01-25-10

**APPROPRIATION – 31<sup>ST</sup> STREET NW ROADWAY IMPROVEMENT PROJECT**

Appropriating \$40,000 from the Unappropriated Item of the Infrastructure Reserve Fund to the Infrastructure Reserve Fund Operating Budget, for the 31<sup>st</sup> Street NW Roadway Improvement Project, emergency.

**ORDINANCE NO. 12-2010**  
PASSED 01-25-10

**CREATE NEW FUND – APPROPRIATION – WASTEWATER TREATMENT PLANT CONSTRUCTION FUND**

Authorizing the Director of Finance to create a new fund, the “Wastewater Treatment Plant Construction Fund,” and to appropriate \$4,960,661 from the Unappropriated Item of the Wastewater Treatment Plant Construction Fund to the Sewer Plant Construction Fund Capital Budget, emergency.

**ORDINANCE NO. 13-2010**  
PASSED 01-25-10

**APPROPRIATION – FIRE DEPARTMENT**

Appropriating \$5,125 from the Unappropriated Item of the General Fund to the Fire Department Operating Budget, due to a grant from the Tuscora Park Health and Wellness Foundation, to complete the Fire Department Bariatric Ambulance Project, emergency.

**ORDINANCE NO. 14-2010**  
PASSED 02-08-10

**AUTHORIZING E-BAY AUCTION – ACTIVE ADULT CENTER**

Authorizing the Director of Parks and Recreation to sell, by auction on eBay, two pool tables and the bariatric chairs no longer needed in the Active Adult Center, emergency.

**ORDINANCE NO. 15-2010**  
PASSED 02-08-10

**PURCHASE OF PROPERTY – 397 5<sup>TH</sup> STREET, NW**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 397 5<sup>th</sup> Street, NW, using State NSP Funds, for \$16,500, plus all closing costs, emergency.

**ORDINANCE NO. 16-2010**  
PASSED 02-08-10

**ENTER INTO CONTRACT – BCDC – RUSSELL AVENUE LANDFILL CLEANUP**

Authorizing the Mayor to enter into contract with the Barberton Community Development Corporation (BCDC), in the amount of \$12,324.10, to facilitate and oversee the cleanup of Russell Avenue Landfill, emergency.

**ORDINANCE NO. 17-2010**  
PASSED 02-08-10

**LEASE AGREEMENT – CANFORA DEVELOPMENT CORPORATION**

Authorizing the Mayor to enter into a five (5) year lease agreement with Canfora Development Corporation for the lease of approximately 3,835 square feet of office space for the Finance Department, emergency.

**ORDINANCE NO. 18-2010**  
PASSED 02-08-10

**ENTER INTO CONTRACT – MUNICIPAL COURT  
CAPITAL RECOVERY SYSTEMS**

Authorizing the Clerk of Courts to enter into contract with Capital Recovery Systems of Columbus, Ohio, to act as a collection agency for Barberton Municipal Court for collection of past-due court fines and costs, emergency.

**ORDINANCE NO. 19-2010**  
PASSED 02-08-10

**APPROPRIATION – 911 PHONE SYSTEM FUND  
DATA STORAGE SYSTEMS**

Appropriating \$5,000 from the Unappropriated Item of the 911 Phone System Fund to the 911 Phone System Fund Capital Budget, to assist with payment of the Data Storage Project for the City, emergency.

**ORDINANCE NO. 20-2010**  
PASSED 02-08-10

**APPROPRIATION – POLICE DEPARTMENT – JAG GRANT**

Appropriating \$5,734.90 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 complete certain projects in the Police Department, emergency.

**ORDINANCE NO. 21-2010**  
PASSED 02-08-10

**AUTHORIZE PAYMENT – URS – SAFE ROUTES TO SCHOOL  
PROGRAM**

Authorizing the Director of Finance to pay an invoice to URS, in the amount of \$15,000, to complete professional services related to the Safe Routes to School (SRTS) Implementation Plan, emergency.

**ORDINANCE NO. 22-2010**  
PASSED 02-22-10

**1998 DPZ ANNEXATION MASTER PLAN – TEXT AMENDMENTS  
NEW HAVEN NEIGHBORHOOD**

An Ordinance amending the 1998 DPZ Annexation Master Plan, New Haven Neighborhood – Architectural Guidelines, by adding certain guidelines to all Phases of the New Haven Neighborhood, except Phase 1, emergency.

**ORDINANCE NO. 23-2010**  
PASSED 02-22-10

**PURCHASE OF PROPERTY – 64 W. HUSTON**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 64 W. Huston, using State NSP Funds, for \$10,000, plus all closing costs, emergency.

**ORDINANCE NO. 24-2010**  
PASSED 02-22-10

**2010 COMMUNITY RECYCLING ACCESS GRANT**

Approving the submission of a grant application by the Director of Parks and Recreation for the 2010 Community Recycling Access Grant from the Summit/Akron Solid Waste Management Authority, in the amount of \$25,380.41, for Barberton's upcoming recycling program, emergency.

**ORDINANCE NO. 25-2010**  
PASSED 02-22-10

**ADOPTING THE AFSCME CONTRACT**

Adopting and approving a one-year collective bargaining agreement between the City of Barberton and the American Federation of State, County and Municipal Employees (AFSCME), Local 265, emergency.

**ORDINANCE NO. 26-2010**  
PASSED 02-22-10

**APPROPRIATION – PARKS DEPARTMENT – SECURITY SYSTEM  
PROJECT**

Appropriating \$25,000 from the Unappropriated Item of the General Fund to the Parks Department Operating Budget, due to a grant from the Barberton Community Foundation, to complete the security system project, emergency.

**ORDINANCE NO. 27-2010**  
PASSED 02-22-10

**CHANGE ORDER – I2C - PARKS**

Authorizing a change order in the amount of \$25,000 with I2C, from \$200,000 to \$225,000, to complete a security system project that monitors park land, emergency.

**ORDINANCE NO. 28-2010**  
PASSED 03-08-10

**ENTER INTO CONTRACT – LAW DEPARTMENT – LEGAL DEFENDER’S OFFICE**

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

**ORDINANCE NO. 29-2010**  
PASSED 03-08-10

**ENTER INTO CONTRACT – GCS INDUSTRIAL SERVICES – ENVIRONMENTAL ABATEMENT**

Authorizing the Director of Public Service to enter into contract with GCS Industrial Services, LTD, the lowest and/or best bidder, in the amount of \$72,820, using CDBG and/or NSP Funds, for the environmental abatement of seven (7) city owned residential structures, emergency.

**ORDINANCE NO. 30-2010**  
PASSED 06-14-10

**CANCELLATION OF CONTRACT – BARBERTON BOARD OF HEALTH / CITY OF BARBERTON**

Authorizing the Mayor to cancel the current contract between the Barberton Board of Health and the City of Barberton.

**ORDINANCE NO. 31-2010**  
PASSED 03-08-10

**AUTHORIZE PAYMENT – UTILITIES**

Authorizing the Director of Finance to pay an invoice to Agri-Sludge, Inc. in the amount of \$12,740, for hauling services during the month of January, emergency.

**ORDINANCE NO. 32-2010**  
PASSED 03-08-10

**AMENDING THE CODE OF REGULATIONS OF THE BARBERTON COMMUNITY FOUNDATION**

Amending Article III, Sections 1 and 2, of the Code of Regulations of the Barberton Community Foundation by adding to the Board of Directors an Ex-Officio Director, appointed by the Barberton School Board, to ensure the majority of the Members of the Foundation’s Board of Directors are appointed by supporting organizations, emergency.

**RESOLUTION NO. 33-2010**  
PASSED 04-26-10

**COMMENDATION – DAVID ALEXANDER STAVARZ**

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

**ORDINANCE NO. 34-2010**  
PASSED 03-22-10

**ENTER INTO CONTRACT – GRAND BLVD. ROADWAY AND STORM SEWER PROJECT**

Authorizing the Director of Public Service to enter into a professional services contract with Floyd Browne Group, in the amount of \$42,500, to provide construction administration and inspection for the Grand Boulevard Roadway and Storm Sewer Project, emergency.

**RESOLUTION NO. 35-2010**  
PASSED 03-22-10

**ENTER INTO CONTRACT – ODOT – 15<sup>TH</sup> STREET BRIDGE RECONSTRUCTION – FINAL RESOLUTION**

Authorizing the Director of Public Service to enter into contract with the Ohio Department of Transportation (ODOT) to reconstruct the 15<sup>th</sup> Street Bridge over ABC Railroad, for \$392,963, emergency.

**RESOLUTION NO. 36-2010**  
PASSED 03-22-10

**SUMMIT ROAD/GLENN STREET WATER TRANSMISSION MAIN REPLACEMENT PROJECT**

Authorizing participation and ratifying prior participation of the City of Barberton, Summit County, Ohio, with the Department of the Army, Corps of Engineers, for the design and construction of the Summit Road/Glenn Street Water Transmission Main Replacement Project, and authorizing the Mayor of the City of Barberton, and other appropriate city officials, to act for and on behalf of the City of Barberton, in executing, accepting or otherwise approving all documents, agreements, instruments, or other necessary papers required by the Department of the Army to implement said participation in the Project, emergency.

**ORDINANCE NO. 37-2010**  
PASSED 03-22-10

**PURCHASE OF AMBULANCE**

Authorizing the Director of Public Safety to enter into contract with Pfund Superior Sales to purchase a 2009 Wheeled Coach Ambulance for the cost of \$112,089, through the Ohio State Cooperative Purchasing Program, pursuant to Ordinance No. 42-1995, emergency.

**ORDINANCE NO. 38-2010**  
PASSED 03-22-10

**ENTER INTO CONTRACT – ORIANA HOUSE**

Authorizing the Mayor to enter into a one-year contract with Oriana House Incorporated for the 2010 Community Corrections Services, emergency.

**ORDINANCE NO. 39-2010**  
PASSED 03-22-10

**LEASE PURCHASE AGREEMENT – FIRE DEPARTMENT**

Authorizing the Director of Finance to enter into a three-year Lease Purchase Agreement with FirstMerit Bank, to finance a 2009 Wheeled Coach Ambulance for \$112,089, emergency.

**ORDINANCE NO. 40-2010**  
PASSED 03-22-10

**APPROPRIATION – FIRE DEPARTMENT**

Appropriating \$4,500 from the Unappropriated Item of the General Fund to the Fire Department Operating Budget, for the purchase of various EMS equipment, due to a grant from the State of Ohio Division of EMS, emergency.

**ORDINANCE NO. 41-2010**  
PASSED 03-22-10

**OVERRIDING THE MINIMUM FUND BALANCE POLICY**

Approving the overriding of the Minimum Fund Balance Policy for the General Fund for 2010 and the attached plan for returning to the Policy, emergency.

**ORDINANCE NO. 42-2010**  
PASSED 03-22-10

**2010 BUDGET**

Adopting a 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. 43-2010**  
PASSED 03-22-10

**2010 CAPITAL BUDGET**

Adopting an annual capital budget for various funds of the City of Barberton for the period beginning January 1, 2010, and providing for the administration thereof, emergency.

**RESOLUTION NO. 44-2010**  
PASSED 04-05-10

**ENTER INTO CONTRACT – ODOT – SR 619 SIGNALIZATION PROJECT – FINAL RESOLUTION**

Final resolution authorizing the Director of Public Service to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the SR 619 Signalization Project located at Robinson Avenue and State Route 619, emergency.

**ORDINANCE NO. 45-2010**  
PASSED 04-05-10

**APPROPRIATION – SR 619 SIGNALIZATION PROJECT**

Appropriating \$43,200 from the Unappropriated Item of the Infrastructure Improvement Reserve Fund to the Infrastructure Improvement Reserve Fund Capital Budget for the SR 619 Signalization Project, emergency.

**RESOLUTION NO. 46-2010**  
PASSED 04-12-10

**COMMENDATION – ANDY WILDMAN**

Resolution of the Council of the City of Barberton to honor and give public recognition to Andy Wildman for his 9 years of dedicated service to improve the Parks and City and the excellent service given to the citizens, especially the seniors.

**ORDINANCE NO. 47-2010**  
PASSED 04-12-10

**WEAPONS TRADE**

Authorizing the Director of Public Safety to trade twenty-three (23) miscellaneous weapons to Vance's Law Enforcement Supply Co. for a credit of \$2,585 to be used towards the purchase of ammunition and other equipment needed by the Police Department, emergency.

**ORDINANCE NO. 48-2010**  
PASSED 04-12-10

**ENTER INTO CONTRACT – EASTERN ROAD SANITARY SEWERS**

Authorizing the Director of Public Service to enter into a professional services contract with Burgess & Niple, in the amount of \$39,000, for a preliminary engineering evaluation for sanitary sewers on Eastern Road, emergency.

**ORDINANCE NO. 49-2010**  
PASSED 04-12-10

**APPROPRIATION – 15<sup>TH</sup> STREET BRIDGE RECONSTRUCTION PROJECT**

Appropriating \$392,960 from the Unappropriated Item of the Infrastructure Improvement Reserve Fund to the Infrastructure Improvement Reserve Fund Capital Budget, for the City's share of the 15<sup>th</sup> Street Bridge Reconstruction Project, emergency.

**ORDINANCE NO. 50-2010**  
PASSED 04-12-10

**AUTHORIZE PAYMENT – UTILITIES – WWTP IMPROVEMENT PROJECT**

Authorizing the Director of Finance to pay an invoice to the Ohio Water Development Authority, in the amount of \$8,501, for expenses associated with the loan for the WWTP Improvement Project, emergency.

**ORDINANCE NO. 51-2010**  
PASSED 04-12-10

**AUTHORIZE PAYMENT – UTILITIES – KENMORE CONSTRUCTION COMPANY**

Authorizing the Director of Finance to pay an invoice to Kenmore Construction Company, in the amount of \$23,334.46, for emergency repairs of the sanitary sewer on West Tuscarawas Avenue in December 2009, emergency.

**RESOLUTION NO. 52-2010**  
PASSED 04-26-10

**COMMENDATION – OFFICER DANTON ADAIR**

Resolution of the Council of the City of Barberton to honor and give public recognition to Officer Danton Adair for 32 years and 10 months of dedicated service to the Barberton Police Department and to this community.

**ORDINANCE NO. 53-2010**  
PASSED 04-26-10

**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. 54-2010**  
PASSED 04-26-10

**ENTER INTO CONTRACT – SUMMIT ROAD/GLENN STREET WATER MAIN PROJECT**

Authorizing the Director of Public Service to enter into a professional services contract with QCI for construction/field services for the 24” Summit Road/Glenn Street Water Main Replacement Project, in the amount of \$128,000, emergency.

**ORDINANCE NO. 55-2010**  
PASSED 04-26-10

**AMENDING ORD. NO. 242-2009 – EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES**

Amending Ord. No. 242-2009 by removing the position of Director of Parks and Recreation from Pay Grade 8 and adding the position of Director of Parks and Recreation to Pay Grade 7, emergency.

**ORDINANCE NO. 56-2010**  
PASSED 04-26-10

**APPROPRIATION – SENIOR CENTER PROGRAMS**

Appropriating \$15,000 from the Unappropriated Item of the Senior Center Trust Fund to the Senior Center Trust Fund Operating Budget, due to a grant from the Tuscora Park Health and Wellness Foundation, to utilize funds for upcoming programs, emergency.

**ORDINANCE NO. 57-2010**  
PASSED 04-26-10

**APPROPRIATION – COURT COMPUTER FUND**

Appropriating a total amount of \$40,000 from the Unappropriated Item of the Court Computer Fund, \$30,000 to the Court Computer Fund Operating Budget and \$10,000 to the Court Computer Fund Capital Budget to maintain and update computers in the offices of the Judges, the Clerk of Courts, and the Probation Department, emergency.

**ORDINANCE NO. 58-2010**  
PASSED 05-10-10

**ENTER INTO CONTRACT – BARBERTON TOWPATH PROJECT**

Authorizing the Mayor to enter into a professional services contract with the Floyd Browne Group, in the amount of \$37,250, to perform the design phase of the Barberton Towpath Project, due to a grant from the Ohio Erie Canalway Association, emergency.

**ORDINANCE NO. 59-2010**  
PASSED 05-10-10

**CDBG FY 2010 ANNUAL ACTION PLAN**

Approving the Community Development Block Grant (CDBG) FY 2010 Annual Action Plan Document and Program, emergency.

**ORDINANCE NO. 60-2010**  
PASSED 05-10-10

**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 \$818,059, in order to carry out eligible CDBG activities, emergency.

**ORDINANCE NO. 61-2010**  
PASSED 05-10-10

**PURCHASE OF PROPERTY – 527 W. HOPOCAN AVENUE**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 527 W. Hopocan Avenue, using State NSP Funds, in an amount not to exceed \$19,500, plus closing costs, emergency.

**ORDINANCE NO. 62-2010**  
PASSED 05-10-10

**ENTER INTO CONTRACT – PLANNING – USEPA**

Authorizing the Mayor, via the Planning Director, to enter into contract with the United States Environmental Protection Agency (USEPA) for \$400,000, to be used on a citywide basis, for certain Brownfield sites and property assessments, sampling plan, and community outreach/education, and emergency.

**ORDINANCE NO. 63-2010**  
PASSED 05-10-10

**AMENDING BARBERTON CODIFIED ORDINANCES – SECTION 660.20 – “OPEN BURNING”**

Amending Section 660.20 of the Barberton Codified Ordinances entitled “Open Burning,” emergency.

**ORDINANCE NO. 64-2010**  
PASSED 06-14-10

**AMENDING BARBERTON CODIFIED ORDINANCES – OHIO & NATIONAL FIRE CODES – CHAPTER 1604**

Amending Chapter 1604, “Ohio & National Fire Codes,” by adding a section to include that certain structures be required to have rapid entry key lock boxes on their buildings for use by the Fire Department, emergency.

**ORDINANCE NO. 65-2010**  
PASSED 06-28-10

**REPEAL CHAPTER 836 – ADOPT NEW CHAPTER – BARBERTON `CODIFIED ORDINANCES – “AMUSEMENT DEVICES, SKILL-BASED AMUSEMENT MACHINES, AND ARCADES”**

Repealing Chapter 836, “Amusement Devices, Skill-Based Amusement Machines, and Arcades,” of the Barberton Codified Ordinances; and adopting a new Chapter 836 of the Barberton Codified Ordinances, emergency.

**ORDINANCE NO. 66-2010**  
PASSED 05-10-10

**ENTER INTO CONTRACT – GRAND BLVD. WATERLINE PROJECT**

Authorizing the Director of Public Service to enter into a professional services contract with Floyd Browne Group, in the amount of \$43,000, for construction administration on the Grand Boulevard Waterline Project, emergency.

**ORDINANCE NO. 67-2010**  
PASSED 06-14-10

**CITY SANITARY SEWERS AND WATER – RATES FOR ASSESSMENT FOR NEW LINES**

Establishing rates for assessments of property owners with no city sanitary sewers and no sewer lines and/or no water lines on their streets, emergency.

**ORDINANCE NO. 68-2010**  
PASSED 06-14-10

**AMENDING BARBERTON CODIFIED ORDINANCES SECTION 1040.10 – “UTILITY BILLING REVIEW BOARD”**

Amending Section 1040.10 of the Barberton Codified Ordinances, “Utility Billing Review Board,” emergency.

**ORDINANCE NO. 69-2010**  
PASSED 05-10-10

**ENTER INTO CONTRACT – GPD GROUP**

Authorizing the Director of Public Service to enter into a professional services contract with GPD Group, in the amount of \$22,000, to oversee the 2010 Street Resurfacing Program, the Sidewalk and Curb Program, and additional engineering services, as needed, emergency.

**ORDINANCE NO. 70-2010**  
PASSED 05-10-10

**ENTER INTO CONTRACT – GPD GROUP – STORMWATER  
ENGINEERING REVIEWS**

Authorizing the Director of Public Service to enter into contract with GPD Group, in the amount of \$4,000, for Stormwater Engineering Reviews, emergency.

**ORDINANCE NO. 71-2010**  
PASSED 05-10-10

**APPROPRIATION – CRISMAN PARK PROJECT**

Appropriating \$5,000 from the Unappropriated Item of the Parks and Recreation Improvement Fund to the Parks and Recreation Improvement Fund Capital Budget, to utilize insurance settlement funds for the playground reconstruction project at Crisman Park, emergency.

**ORDINANCE NO. 72-2010**  
PASSED 05-10-10

**APPROPRIATION – USEPA GRANT**

Appropriating a total amount of \$400,000 from the Unappropriated Item of the General Fund to the Planning Department Operating Budget, due to a grant from the USEPA, to conduct environmental assessments on potentially contaminated properties, emergency.

**ORDINANCE NO. 73-2010**  
PASSED 05-10-10

**APPROPRIATION – CDBG FUND – FAÇADE LOAN PAYMENTS**

Appropriating \$31,318.53 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. 74-2010**  
PASSED 05-10-10

**APPROPRIATION – CDBG FUND**

Appropriating \$78.00 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Fund Operating Budget, due to an overpayment for the property acquisition of 1306 Auburn Avenue, emergency.

**ORDINANCE NO. 75-2010**  
PASSED 05-10-10

**APPROPRIATION – POLICE DEPARTMENT**

Appropriating \$2,500 from the Unappropriated Item of the Drug Prevention and Education Fund to the Drug Prevention and Education Fund Operating Budget, to purchase supplies needed for Safety Town and other prevention programs, emergency.

**ORDINANCE NO. 76-2010**  
PASSED 05-24-10

**ENTER INTO CONTRACT – ONE COMMUNICATIONS**

Authorizing the Director of Public Service to enter into a 36-month contract with OneCommunications, in the amount of \$30,000, an amount lower than the Ohio State Cooperative Purchasing price, to provide the necessary telecommunications services for city buildings, emergency.

**ORDINANCE NO. 77-2010**  
PASSED 05-24-10

**APPROPRIATION – CDBG FUND**

Appropriating \$818,059 from the Unappropriated Item of the Community Development Block Grant Fund to the Community Development Block Grant Fund Operating Budget, due to the grant from the Department of Housing and Urban Development (HUD), in order to carry out eligible FY2010 CDBG activities, emergency.

**RESOLUTION NO. 78-2010**  
PASSED 06-14-10

**COMMENDATION – SHANE SMITH**

Resolution to honor and give public recognition to Shane Smith for the quick actions taken after discovering a house fire at 34 May Street on May 25, 2010, and helping to possibly save the lives of Diane Craddock and her four-year-old grandson, Jaben.

**RESOLUTION NO. 79-2010**  
PASSED 06-14-10

**COMMENDATION – OFFICER JASON STATEN**

Resolution to honor and give public recognition to Officer Jason Staten for the quick actions taken after responding to the scene of a house fire at 34 May Street on May 25, 2010, and helping to possibly save the lives of Diane Craddock and her four-year-old grandson, Jaben.

**RESOLUTION NO. 80-2010**  
PASSED 06-14-10

**COMMENDATION – LT. VINCE MORBER**

Resolution to honor and give public recognition to Lt. Vince Morber for the quick actions taken after responding to the scene of a house fire at 34 May Street on May 25, 2010, and helping to possibly save the lives of Diane Craddock and her four-year-old grandson, Jaben.

**ORDINANCE NO. 81-2010**  
PASSED 06-14-10

**BARBERTON CODIFIED ORDINANCE UPDATE**

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; and to declare an emergency.

**ORDINANCE NO. 82-2010**  
PASSED 06-14-10

**AMENDING INTERNATIONAL PROPERTY MAINTENANCE CODE**

Amending Section 304, "Exterior Structure," of the International Property Maintenance Code, by adding a regulation regarding furniture on decks, porches, balconies, and yard areas, emergency.

**ORDINANCE NO. 83-2010**  
PASSED 06-14-10

**CHANGE ORDER – SIGNAL SERVICE**

Authorizing a change order for Signal Service, in the amount of \$11,407.60, for the completion of the State Street and Fifth Street Fire Station Traffic Signalization Project, emergency.

**ORDINANCE NO. 84-2010**  
PASSED 06-28-10

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

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

**RESOLUTION NO. 85-2010**  
PASSED 06-28-10

**STREET RESURFACING PROGRAMS – 2010 AND 2011  
PREPARATION OF PLANS**

Authorizing the Director of Public Service to have plans, specifications, and estimates of cost prepared for the 2010 and 2011 Permissive and Non-Permissive Street Resurfacing Programs, emergency.

**ORDINANCE NO. 86-2010**  
PASSED 05-28-10

**ENTER INTO CONTRACT – GAME TIME  
CRISMAN PARK EQUIPMENT**

Authorizing the Mayor to enter into contract with GameTime to install new playground equipment at Crisman Park, for the cost of \$44,895.72, through the US Communities Program, pursuant to ORC 9.48(B)(2), emergency.

**ORDINANCE NO. 87-2010**  
PASSED 06-28-10

**FOUNDATION GRANT REQUEST – POLICE DEPARTMENT**

Approving the submission of a grant application to the Director of Public Safety to the Barberton Community Foundation, in the amount of \$2,124, to update the computer for the Speed Monitoring Awareness Trailer (SMART), emergency.

**ORDINANCE NO. 88-2010**  
PASSED 06-28-10

**SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION, RETENTION, AND TAX INCENTIVE**

Enter into contract with the County of Summit and the communities that are signatories to the attached updated agreement entitled “Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Incentive,” expressing a mutual desire to retain and attract businesses and jobs as outlined in said agreement, emergency.

**ORDINANCE NO. 89-2010**  
PASSED 06-28-10

**AMENDING BARBERTON CODIFIED ORDINANCES  
CHAPTER 880 – EARNED INCOME TAX**

Amending certain sections of Chapter 880, “Earned Income Tax,” in order to be in compliance with State Law and/or Central Collection Agency regulations, emergency.

**ORDINANCE NO. 90-2010**  
PASSED 06-28-10

**TRANSFER/APPROPRIATION – FIRE DEPARTMENT  
SIGNAL SERVICE COMPANY**

Transferring \$36,167.36 from the Fire Station Construction Fund to the General Bond Retirement Fund, reducing the transfer from the Fire Capital Levy Fund to the General Bond Retirement Fund by \$36,167.36; and appropriating \$36,167.36 from the Unappropriated Item of the Fire Capital Levy Fund to the Capital Budget to pay Signal Service Company for the Traffic Signalization Project, emergency.

**ORDINANCE NO. 91-2010**  
FAILED 07-12-10

**ZONING MAP AMENDMENT – 727 WOOSTER ROAD WEST**

Authorizing the rezoning of 727 Wooster Road West, from I-2 (Medium Industrial) to RM-18 (Residential Multi-Family).

**ORDINANCE NO. 92-2010**  
PASSED 07-12-10

**ENTER INTO CONTRACTS – FY2010 CDBG ANNUAL ACTION PLAN**

Authorizing the Mayor to enter into grant agreements and related assurances, certifications, and contracts with NDS, BCDC, and FHAA to carry out the FY2010 CDBG Annual Action Plan, emergency.

**ORDINANCE NO. 93-2010**  
PASSED 07-12-10

**ENTER INTO CONTRACT – TAC COMPUTERS, INC.**

Authorizing the Mayor to enter into a three (3) year professional services contract with TAC Computers, Inc., to enhance the Police Department’s Computer Aided Dispatch and Records System to include 911 computers at Dispatch, emergency.

**ORDINANCE NO. 94-2010**  
PASSED 07-12-10

**APPROPRIATION – ANNA DEAN PARK WALKWAY**

Appropriating \$7,561 from the Unappropriated Item of the Parks and Recreation Improvement Fund to the Parks and Recreation Improvement Fund Capital Budget, to remove and to replace with concrete, an entrance walkway at Anna Dean Park, emergency.

**ORDINANCE NO. 95-2010**  
PASSED 07-12-10

**APPROPRIATION – CDBG FUND**

Appropriating \$95,404.94 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. 96-2010**  
PASSED 07-26-10

**ENTER INTO CONTRACT – CRIMSON STRUCTURES  
3<sup>RD</sup> STREET, SE, STREET IMPROVEMENT**

Authorizing the Director of Public Service to enter into contract with Crimson Structures, the lowest and/or best bidder, in the amount of \$24,675, for the full improvement of 3<sup>rd</sup> Street, SE (from Robinson Avenue to Manor Care), a collaborative effort among the City, Testa, and the Barberton City Schools, emergency.

**ORDINANCE NO. 97-2010**  
PASSED 07-26-10

**ENTER INTO CONTRACT – UTILITIES – SNYDER AVENUE  
PUMP STATION**

Authorizing the Director of Public Service to enter into a professional services contract with CT Consultants, in the amount of \$23,750, for an engineering evaluation of the Snyder Avenue Pump Station and the integrity of the force main (from the Pump Station to the WWTP), emergency.

**ORDINANCE NO. 98-2010**  
PASSED 07-26-10

**ENTER INTO CONTRACT – MANGANESE TREATMENT STUDY  
WTP**

Authorizing the Director of Public Service to enter into a professional services contract with Gantzer Water Resources Engineering, LLC, in the amount of \$29,000, for a manganese treatment study at the Barberton Reservoir (Water Treatment Plant), emergency.

**ORDINANCE NO. 99-2010**  
PASSED 07-26-10

**ENTER INTO CONTRACT – UTILITIES – AUTOMATIC METER  
READ SYSTEM**

Authorizing the Director of Public Service to enter into contract with Landis+Gyr, without competitive bidding being a sole source provider, for a total cost of \$103,000, to purchase 600 Meter Interface Units (MIUs) and 2,000 replacement batteries for the Automatic Meter Read (AMR) System, emergency.

**ORDINANCE NO. 100-2010**  
PASSED 07-26-10

**ENTER INTO CONTRACT – 888 WOOSTER ROAD WEST  
REDEVELOPMENT PROJECT**

Authorizing the Mayor to enter into contract with Environmental Management Specialists, Inc., the lowest and/or best bidder, in the amount of \$699,496.83, using Clean Ohio Revitalization grant funding to complete the demolition and remediation of 888 Wooster Road West, emergency.

**RESOLUTION NO. 101-2010**  
PASSED 07-26-10

**TAX INCENTIVE REVIEW COUNCIL – PPG INDUSTRIES, INC.**

Resolution accepting the recommendation of the Tax Incentive Review Council regarding the Enterprise Zone Agreements within the City of Barberton (PPG Industries), emergency.

**ORDINANCE NO. 102-2010**  
PASSED 07-26-10

**CDBG FY2010 ANNUAL ACTION PLAN - AMENDMENT**

Amending the Community Development Block Grant (CDBG) FY2010 Annual Action Plan Document and Program (Ordinance No. 59-2010), due to the addition of \$76,743 of Program Income, emergency.

**ORDINANCE NO. 103-2010**  
PASSED 07-26-10

**PROPOSED CHARTER AMENDMENT – MILITARY SERVICE  
MAYOR, FINANCE DIRECTOR, LAW DIRECTOR**

Provide for an election on a proposed charter amendment for the City of Barberton to eliminate a conflict related to military service for the Mayor, Finance Director, and Law Director, and for giving notice thereof, emergency.

**ORDINANCE NO. 104-2010**  
FAILED 07-26-10

**PROPOSED CHARTER AMENDMENT – RE-DRAWING OF  
WARD BOUNDARIES**

Provide for an election on a proposed charter amendment for the City of Barberton for the re-drawing of ward boundaries, and for giving notice thereof, emergency.

**ORDINANCE NO. 105-2010**  
FAILED 07-26-10

**PROPOSED CHARTER AMENDMENT – CIVIL SERVICE  
COMMISSION**

Provide for an election on a proposed charter amendment for the City of Barberton to formally provide the Civil Service Commission with the powers related to the “home rule” provision of the Ohio Constitution, and for giving notice thereof, emergency.

**ORDINANCE NO. 106-2010**  
PASSED 07-26-10

**PROPOSED CHARTER AMENDMENT – INITIATIVE AND  
REFERENDUM**

Provide for an election on a proposed charter amendment for the City of Barberton to amend the Initiative and Referendum sections to comply with State Law, and for giving notice thereof, emergency.

**ORDINANCE NO. 107-2010**  
PASSED 07-26-10

**AUTHORIZE PAYMENT – COURTS – PITNEY BOWES**

Authorizing the Director of Finance to pay an invoice to Pitney Bowes, in the amount of \$4,906.76, for postage used in the Clerk of Court’s office, emergency.

**ORDINANCE NO. 108-2010**  
PASSED 07-26-10

**APPROPRIATION – STREET IMPROVEMENTS – 3<sup>RD</sup> STREET, SE**

Appropriating \$24,675 from the Unappropriated Item fo the Infrastructure Improvement Reserve Fund to the Infrastructure Improvement Reserve Fund Capital Budget, for full improvements of a certain section of 3<sup>rd</sup> Street, SE, emergency.

**ORDINANCE NO. 109-2010**  
PASSED 07-26-10

**ENTER INTO CONTRACT – KENMORE CONSTRUCTION  
SUMMIT ROAD WATER MAIN REPLACEMENT PROJECT**

Authorizing the Director of Public Service to enter into contract with Kenmore Construction Company, the lowest and/or best bidder, in the amount of \$1,571,687, for the Summit Road Water Main Replacement Project, emergency.

**ORDINANCE NO. 110-2010**  
PASSED 07-26-10

**PROPOSED CHARTER AMENDMENT – CONFLICT OF INTEREST**

Provide for an election on a proposed charter amendment for the City of Barberton to amend Section 11.07, “Conflict of Interest,” to be in compliance with the laws of the State of Ohio, and for giving notice thereof, emergency.

**ORDINANCE NO. 111-2010**  
PASSED 09-13-10

**CONTRACT FOR HEALTH SERVICES – CITY OF BARBERTON /  
SUMMIT COUNTY HEALTH DISTRICT**

Approving and authorizing the Union of the City's Health District with the Summit County Combined General Health District and authorizing the Mayor to enter into a contract with the Summit County Combined General Health District under Ohio Revised Code 3709.07, emergency.

**ORDINANCE NO. 112-2010**  
PASSED 09-13-10

**ENTER INTO EMPLOYMENT AGREEMENT – CITY OF  
BARBERTON / SUMMIT COUNTY HEALTH DISTRICT**

Authorizing the Mayor to enter into an Employment Agreement with the Summit County Combined General Health District, whereby certain Barberton Health Department employees will be hired by the Summit County Combined General Health District, emergency.

**ORDINANCE NO. 113-2010**  
PASSED 09-13-10

**LEASE AGREEMENT – 571 W. TUSCARAWAS AVENUE**

Authorizing the Mayor to enter into a three (3) year Lease Agreement with the Summit County Combined General Health District for the lease of 571 W. Tuscarawas Avenue (the Weigand Building), emergency.

**RESOLUTION NO. 114-2010**  
PASSED 09-13-10

**COMMENDATION – CHIEF MICHAEL C. KALLAI**

Resolution of the Council of the City of Barberton to honor and give public recognition to Chief Michael C. Kallai for 32 years of dedicated service to the Barberton Police Department and to this community, and to extend sympathy to the Kallai Family for their loss.

**ORDINANCE NO. 115-2010**  
PASSED 09-13-10

**ENTER INTO CONTRACT – SPECIALIZED CONSTRUCTION  
2010 CRACK SEALING PROJECT**

Authorizing the Director of Public Service to enter into contract with Specialized Construction, the only bidder, in the amount of \$49,500, for the 2010 Crack Sealing Project, emergency.

**ORDINANCE NO. 116-2010**  
PASSED 09-13-10

**LEVY OF SPECIAL ASSESSMENTS – 2009 RESIDENTIAL  
STREET RESURFACING PROGRAM**

Levying special assessments for the improvement in the City of certain streets through the 2009 Residential Street Resurfacing Program, emergency.

**ORDINANCE NO. 117-2010**  
PASSED 09-13-10

**AMEND ORDINANCE NO. 203-2008 – STORMWATER DRAINAGE  
SYSTEM**

Amending Ordinance No. 203-2008 by changing the professional services contract with CT Consultants, in the amount of \$65,000, to provide engineering services for the design of a stormwater drainage system to improve the 5<sup>th</sup> Street NE Corridor drainage from Paige Avenue to Fairview Avenue, emergency.

**ORDINANCE NO. 118-2010**  
PASSED 09-13-10

**ENTER INTO CONTRACT – GPD GROUP – STORMWATER DESIGN  
SERVICES**

Authorizing the Mayor to enter into contract with GPD Group, in the amount of \$40,000, for additional stormwater design services throughout the City, emergency.

**ORDINANCE NO. 119-2010**  
PASSED 09-13-10

**ENTER INTO CONTRACT – CT CONSULTANTS – GIS MAPPING UPDATES**

Authorizing the Mayor to enter into contract with CT Consultants, in the amount of \$30,000, for updates of the GIS Base Map and the 2010 GIS Storm Sewer Mapping Update Program, emergency.

**ORDINANCE NO. 120-2010**  
PASSED 09-13-10

**ENTER INTO CONTRACT – WASTE MANAGEMENT**

Authorizing the Mayor to enter into contract with Waste Management, in the amount of \$7,500, to continue the disposal program for street sweepings to a solid waste landfill, emergency.

**ORDINANCE NO. 121-2010**  
PASSED 09-13-10

**ENTER INTO CONTRACT – SJA PROPERTIES – NEWTON PARK PAVILION**

Authorizing the Mayor to enter into contract with SJA Properties, LLC, the lowest and/or best bidder, in the amount of \$99,000, to construct a pavilion at Newton Park, emergency.

**ORDINANCE NO. 122-2010**  
PASSED 09-13-10

**PURCHASE OF PROPERTY – 203 8<sup>TH</sup> STREET, NW**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 203 8<sup>th</sup> Street, NW, using CDBG Funds, for \$12,000, plus all closing costs, emergency.

**ORDINANCE NO. 123-2010**  
PASSED 09-13-10

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

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 cuttings which took place from September 2009 through August 2010, emergency.

**ORDINANCE NO. 124-2010**  
PASSED 09-13-10

**AMEND ORDINANCE NO. 216-2009 – MALCOLM PIRNIE CONTRACT**

Amending Ordinance No. 216-2009 by reducing the amount of the contract with Malcolm Pirnie for the 888 Wooster Road West Clean Ohio Revitalization Fund (CORF) Project to \$813,392.17, emergency.

**ORDINANCE NO. 125-2010**  
PASSED 09-13-10

**NOTE ORDINANCE – WATER MAIN IMPROVEMENT PROJECTS**

Ordinance providing for the issuance and sale of not to exceed \$500,000 of aggregate principal amount of Notes, in anticipation of the issuance of Bonds, for the purpose of improving the Municipal water system by paying the City's portion of the cost of replacing portions of the water mains in Summit Street and Grand Boulevard, both between certain termini, together with all necessary appurtenances thereto, emergency.

**ORDINANCE NO. 126-2010**

**AMENDING ORD. NO. 243-2009 – EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES**

Amending Section 1 of Ordinance No. 243-2009 regarding employees who are not included in the non-bargaining employees pay grade ordinance by deleting President of Council and Members of Council in this Ordinance and including them in Ordinance No 127-2010 with other elected officials.

<b>ORDINANCE NO. 127-2010</b>	<b>AMENDING ORD. NO. 17-2007 – COMPENSATION FOR ELECTED OFFICIALS</b> Amending Ordinance No. 17-2007 to establish the compensation for certain elected officials; and to include the President of Council and Members of Council in this Ordinance.
<b>ORDINANCE NO. 128-2010</b> PASSED 09-13-10	<b>ENTER INTO CONTRACT – HUMAN RESOURCES</b> Authorizing the Mayor to enter into a three (3) year professional services contract with Employee Benefits International, Inc., to provide health care consultant services for the City of Barberton, emergency.
<b>ORDINANCE NO. 129-2010</b> PASSED 09-13-10	<b>APPROPRIATION – PARKS – COPIER CONTRACT</b> Appropriating \$10,849.69 from the Unappropriated Item of the General Fund to the Parks Department Operating Budget, in order to pay off the existing copier contract, emergency.
<b>ORDINANCE NO. 130-2010</b> PASSED 09-13-10	<b>APPROPRIATION – GPD GROUP – STORMWATER DESIGN SERVICES</b> Appropriating \$40,000 from the Unappropriated Item of the Stormwater Fund to the Stormwater Fund Capital Budget, in order to pay GPD Group for stormwater design services throughout the City, emergency.
<b>ORDINANCE NO. 131-2010</b> PASSED 09-13-10	<b>APPROPRIATION – CT CONSULTANTS – GIS MAPPING UPDATES</b> Appropriating a total amount of \$30,000 to pay CT Consultants, \$22,000 from the Unappropriated Item of the Stormwater Fund to the Stormwater Fund Capital Budget for the Base Map Update and \$8,000 from the Unappropriated Item of the Stormwater Fund to the Stormwater Fund Operating Budget for the 2010 Storm Sewer Mapping Update Program, emergency.
<b>ORDINANCE NO. 132-2010</b> PASSED 09-13-10	<b>APPROPRIATION – WASTE MANAGEMENT – STORMWATER FUND</b> Appropriating \$7,500 from the Unappropriated Item of the Stormwater Fund to the Stormwater Fund Operating Budget, in order to pay Waste Management to continue the disposal program for street sweepings, emergency.
<b>ORDINANCE NO. 133-2010</b> PASSED 09-13-10	<b>TRANSFER OF FUNDS – STORMWATER FUND – UTILITY DEPARTMENT PERSONNEL</b> Transferring \$15,000 from the Stormwater Capital Budget to the Stormwater Personal Services Budget to pay Barberton Utility Department Personnel to aid in the construction of small stormwater improvement projects, emergency.
<b>ORDINANCE NO. 134-2010</b> PASSED 09-13-10	<b>TRANSFER OF FUNDS – STORMWATER FUND – HEALTH DISTRICT PERSONNEL</b> Transferring \$4,000 from the Stormwater Operating Budget to the Stormwater Personal Services Budget to pay Barberton Health District Personnel to aid in the testing and elimination of illegal sanitary sewer connections to the storm sewer system, emergency.

**ORDINANCE NO. 135-2010**  
PASSED 09-13-10

**APPROPRIATION – GRAND BOULEVARD ROADWAY IMPROVEMENTS**

Appropriating \$21,250 from the Unappropriated Item of the Permissive License Tax Fund to the Permissive License Tax Fund Operating Budget, to be used for engineering services for the Grand Boulevard Roadway Improvement, emergency.

**ORDINANCE NO. 136-2010**  
PASSED 09-27-10

**AMEND ORD. NO. 172-2009 – ENTER INTO GRANT AGREEMENTS**

Amending Ordinance No. 172-2009 to make changes in the grant agreement with Malcolm Pirnie, Inc. (MPI) related to the \$200,000 USEPA Brownfield Cleanup Grant for the former Pete’s Sunoco site, emergency.

**ORDINANCE NO. 137-2010**  
PASSED 09-27-10

**ENTER INTO CONTRACT – RAY BERTOLINI TRUCKING PETE’S SUNOCO PROJECT**

Authorizing the Mayor to enter into contract with Ray Bertolini Trucking, the lowest and/or best bidder, in the amount of \$82,000, using USEPA funding for the cleanup of the Pete’s Sunoco Redevelopment Project, emergency.

**ORDINANCE NO. 138-2010**  
PASSED 09-27-10

**PURCHASE OF PROPERTY – 31 16<sup>TH</sup> STREET, NW**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 31 16<sup>th</sup> Street, NW, for \$11,000, plus closing costs, using CDBG Funds, emergency.

**ORDINANCE NO. 139-2010**  
PASSED 09-27-10

**PURCHASE OF CRUISERS – POLICE DEPARTMENT**

Authorizing the Mayor to participate in the Community-University and Educational Cooperative and Purchasing Program (CUE) to purchase three (3) vehicles from Montrose Ford, for a total amount of \$59,597.90, emergency.

**ORDINANCE NO. 140-2010**  
PASSED 09-27-10

**APPROVAL OF CONTRACT – CITY OF BARBERTON / ENVIROCLEAN SERVICES**

Approving the contract between the City of Barberton and Enviroclean Services, whereby the City will perform leachate treatments at the Wastewater Plant for a specific cost, emergency.

**ORDINANCE NO. 141-2010**  
PASSED 09-27-10

**APPROVAL OF CONTRACT – CITY OF BARBERTON / BACKFLOW SOLUTIONS**

Approving the contract between the City of Barberton and Backflow Solutions, Inc., in the amount of \$495 per year, for a program to manage the Prevention Protection Plan for our water system, as mandated by Ohio EPA, emergency.

**ORDINANCE NO. 142-2010**  
PASSED 09-27-10

**DONATION OF PROPERTY – 1306 AUBURN AVENUE**

Authorizing the Mayor to donate the property at 1306 Auburn Avenue to Habitat for Humanity of Summit County, for new construction, emergency.

**ORDINANCE NO. 143-2010**  
PASSED 09-27-10

**DONATION OF PROPERTY – 281 14<sup>TH</sup> STREET, NW**

Authorizing the Mayor to donate the property at 281 – 14<sup>th</sup> Street, NW, to Habitat for Humanity of Summit County for new construction, emergency.

- RESOLUTION NO. 144-2010**  
PASSED 10-11-10
- ENTER INTO CONTRACT – ODOT – REPLACE AND REMOVE SIGNS – IR 76**  
Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to replace and remove signs on IR76 within the City limits, emergency.
- ORDINANCE NO. 145-2010**  
PASSED 09-27-10
- HEALTH FAIR/HEALTH RISK ASSESSMENT – HUMAN RESOURCES DEPARTMENT**  
Allowing City of Barberton employees who participate in the 2010 City of Barberton Health Fair on October 27<sup>th</sup> and who complete a required Health Risk Assessment to receive relief of up to \$50 from the employee health contributions, emergency.
- ORDINANCE NO. 146-2010**  
WITHDRAWN – 09-27-10
- ORDINANCE NO. 147-2010**  
PASSED 09-27-10
- APPROPRIATION – POLICE DEPARTMENT – PURCHASE OF CRUISERS**  
Appropriating \$67,697.90 from the Unappropriated Item of the Law Enforcement Trust Fund to the Police Department Capital Budget, to purchase three (3) vehicles for the Police Department, emergency.
- ORDINANCE NO. 148-2010**  
PASSED 10-11-10
- AUTHORIZE PAYMENT – UTILITIES – KENMORE CONSTRUCTION**  
Authorizing the Director of Finance to pay an invoice to Kenmore Construction Company, in the amount of \$22,693.53, for emergency services performed the month of June 2010, emergency.
- ORDINANCE NO. 149-2010**  
PASSED 10-11-10
- PURCHASE OF REPLACEMENT PUMPS – SNYDER AVENUE PUMP STATION**  
Authorizing the purchase of two (2) Allis-Chalmers Pumps for the Snyder Avenue Pump Station, from King’s Process Equipment, in the total amount of \$49,342, the lowest and/or best bidder, emergency.
- ORDINANCE NO. 150-2010**  
PASSED 10-11-10
- OPWC GRANT APPLICATION – HOPOCAN AVENUE WATERLINE REPAIR PROJECT**  
Authorizing the Mayor of the City of Barberton to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs, and to execute contracts, as required, for the Hopocan Avenue Waterline Repair Project, emergency.
- ORDINANCE NO. 151-2010**  
PASSED 10-11-10
- ENTER INTO CONTRACT – DIRECT INDICTMENT SERVICES**  
Authorizing the Mayor to enter into a one (1) year contract with the County of Summit and the Summit County Prosecutor’s Office for the Direct Indictment Services Program, in an amount not to exceed \$27,000, emergency.
- ORDINANCE NO. 152-2010**  
PASSED 10-11-10
- PURCHASE OF PROPERTY – 922 RAYMOND**  
Authorizing the Mayor, or his designee, to execute an agreement to purchase the vacant lot at 922 Raymond, for \$3,000 plus closing costs, using CDBG Funds, emergency.

<p><b>ORDINANCE NO. 153-2010</b> PASSED 10-11-10</p>	<p><b>TRANSFER OF PROPERTY – 922 RAYMOND</b> Authorizing the Mayor to execute a “Quit Claim Deed” for Habitat for Humanity to take ownership of the property located at 922 Raymond, for One Dollar (\$1.00), emergency.</p>
<p><b>ORDINANCE NO. 154-2010</b> PASSED 10-11-10</p>	<p><b>ZONING MAP AMENDMENT – VARIOUS PARCELS – WOOSTER ROAD NORTH</b> Authorizing the rezoning of various parcels on Wooster Road North, Parcels #01.02479, 01.14379, 01.02478, and 01.10569, from RM-18 (Residential Multi-Family) to C-3 (Community Center Commercial).</p>
<p><b>ORDINANCE NO. 155-2010</b> FAILED 10-11-10</p>	<p><b>ZONING MAP AMENDMENT – 727 WOOSTER ROAD WEST</b> Authorizing the rezoning of 727 Wooster Road West, Parcel #01.08855, from I-2 (Medium Industrial) to C-3 (Community Center Commercial).</p>
<p><b>ORDINANCE NO. 156-2010</b> PASSED 10-11-10</p>	<p><b>ENTER INTO CONTRACT – BROWNFIELD RESTORATION GROUP</b> Authorizing the Mayor to enter into a professional services contract with Brownfield Restoration Group, LLC, to assist the City in completing the \$400,000 USEPA Brownfield Assessment Grant.</p>
<p><b>ORDINANCE NO. 157-2010</b> PASSED 10-11-10</p>	<p><b>AMENDING INTERNATIONAL PROPERTY MAINTENANCE CODE</b> Amending Section 404, “Occupancy Limitations,” by adding “Temporary Housing”; and amending Section 202, “General Definition,” by adding the definition of Temporary Housing to said Section.</p>
<p><b>ORDINANCE NO. 158-2010</b> PASSED 10-11-10</p>	<p><b>CERTIFYING PROPERTY TAX RATES</b> 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 2011, emergency.</p>
<p><b>ORDINANCE NO. 159-2010</b> PASSED 10-11-10</p>	<p><b>ADVANCE OF LOCAL TAXES</b> Authorizing the advance of local taxes by the County Fiscal Office for the 2010 Tax Year, payable in 2011, emergency.</p>
<p><b>ORDINANCE NO. 160-2010</b> PASSED 10-11-10</p>	<p><b>NOTE ORDINANCE – ROBINSON AVENUE IMPROVEMENT PROJECT</b> Providing for the issuance and sale of \$240,000 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.</p>
<p><b>ORDINANCE NO. 161-2010</b> PASSED 10-11-10</p>	<p><b>NOTE ORDINANCE – FIFTH STREET IMPROVEMENT PROJECT</b> Providing for the issuance and sale of \$160,000 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.</p>

**ORDINANCE NO. 162-2010**  
PASSED 10-11-10

**ENTER INTO CONTRACT – H.M. MILLER CONSTRUCTION  
GRAND BLVD. WATER MAIN REPLACEMENT PROJECT**

Authorizing the Mayor to enter into contract with H.M. Miller Construction, the lowest and/or best bidder, in the amount of \$228,200, for the Grand Boulevard Water Main Replacement Project, to support the required “Request to Proceed” from OPWC, emergency.

**RESOLUTION NO. 163-2010**  
PASSED 10-25-10

**COMMENDATION – NICOLE FISHER**

Resolution of the Council of the City of Barberton to honor and give public recognition to Nicole Fisher for being chosen the 2010 American Legion Buckeye Girls State Representative from Barberton High School.

**RESOLUTION NO. 164-2010**  
PASSED 10-25-10

**COMMENDATION – IAN MC CARTHY**

Resolution of the Council of the City of Barberton to honor and give public recognition to Ian McCarthy for being chosen the 2010 American Legion Buckeye Boys State Representative from Barberton High School.

**RESOLUTION NO. 165-2010**  
PASSED 10-25-10

**COMMENDATION – VANJA RADUKA**

Resolution of the Council of the City of Barberton to honor and give public recognition to Vanja Raduka for being chosen the 2010 American Legion Buckeye Girls State Representative from Barberton High School.

**ORDINANCE NO. 166-2010**  
PASSED 10-25-10

**CREATE NEW FUND – “RENTAL REGISTRATION PROGRAM  
FUND”**

Authorizing the Director of Finance to create a new fund, the “Rental Registration Program Fund,” to account for the monies collected from the Rental Registration Program, emergency.

**ORDINANCE NO. 167-2010**  
PASSED 10-25-10

**PURCHASE OF PROPERTY – 69-15<sup>TH</sup> STREET, NW**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 69-15<sup>th</sup> Street, NW, in the amount of \$9,900, plus closing costs, using CDBG Funding, emergency.

**ORDINANCE NO. 168-2010**  
PASSED 10-25-10

**APPROPRIATION – FUND 251**

Appropriating \$2,000 from the Unappropriated Item of the Rental Rehabilitation Fund (Fund 251) to the Rental Rehabilitation Fund Operating Costs, due to a grant from the Ohio Department of Development, to be used by the Building Department, emergency.

**ORDINANCE NO. 169-2010**  
PASSED 10-25-10

**APPROPRIATION – PARKS DEPARTMENT**

Appropriating \$16,660 from the Unappropriated Item of the Parks Capital Improvement Fund to the Parks Improvement Capital Outlay Budget, in order to remove the existing wading pools from the parks, emergency.

**ORDINANCE NO. 170-2010**  
PASSED 10-25-10

**APPROPRIATION - PARKS**

Appropriating \$2,055.47 from the Unappropriated Item of the Parks Capital Improvement Fund to the Parks Improvement Capital Outlay Budget, in order to complete the Crisman Park Playground Project, emergency.

- ORDINANCE NO. 171-2010**  
PASSED 11-01-10
- APPROPRIATION – LAW DEPARTMENT**  
Appropriating \$118,000 from the Unappropriated Item of the General Fund to Law Department Operating Costs, for professional services, emergency.
- ORDINANCE NO. 172-2010**  
PASSED 11-08-10
- ENTER INTO AGREEMENT – OHIO PUBLIC WORKS COMMISSION  
GRAND BLVD. WATERLINE PROJECT**  
Authorizing the Mayor to enter into a loan agreement with the Ohio Public Works Commission, District 8, in the amount of \$250,000, for the Grand Boulevard Waterline Project, emergency.
- ORDINANCE NO. 173-2010**  
PASSED 11-08-10
- ENTER INTO CONTRACT – WASTE MANAGEMENT**  
Authorizing the Mayor to enter into contract with Waste Management, extending the current contract for the second-year option, for residential curbside garbage/recycle collection in the City of Barberton, emergency.
- ORDINANCE NO. 174-2010**  
PASSED 11-08-10
- “REFUSE COLLECTION AND DISPOSAL PROGRAM”  
AMENDING ORD. NO. 203-2009**  
Amending Ord. No. 203-2009, “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 second-year option of the current contract, emergency.
- RESOLUTION NO. 175-2010**  
PASSED 11-08-10
- NATIONAL LEAD POISONING PREVENTION WEEK**  
Resolution of the Council of the City of Barberton to support “National Lead Poisoning Prevention Week,” to increase awareness of the importance of a lead free home environment that is safe for children, emergency.
- ORDINANCE NO. 176-2010**  
PASSED 11-08-10
- ENTER INTO CONTRACT – LAW DEPARTMENT  
LEGAL DEFENDER’S OFFICE – SUMMIT COUNTY**  
Authorizing the Mayor to enter into a one-year contract with the Legal Defender’s Office of Summit County, to provide legal representation to indigent persons, emergency.
- ORDINANCE NO. 177-2010**  
PASSED 11-08-10
- TRANSFER OF FUNDS – RENTAL REGISTRATION PROGRAM  
FUND**  
Transferring \$72,975 from the General Fund to the Rental Registration Program Fund, to comply with Section VIII(I) of Ordinance No. 65-2009, emergency.
- ORDINANCE NO. 178-2010**  
PASSED 11-08-10
- ENTER INTO CONTRACT – LAW DEPARTMENT**  
Authorizing the Mayor to enter into contract with Brouse McDowell, in the amount of \$118,000, for professional services, emergency.