

## ORDINANCES – 2012

**ORDINANCE NO. 1-2012**  
PASSED 01-09-12

### **APPROPRIATION – COAF SEIBERLING OFFICE ABATEMENT**

Appropriating \$387,626 from the Unappropriated Item of the City Grant Fund to the City Grant Fund Operating Budget, due to a grant from the Ohio Department of Development's Office of Redevelopment, for the COAF Seiberling Office Abatement, emergency.

**ORDINANCE NO. 2-2012**  
PASSED 01-09-12

### **APPROPRIATION – PHASE II – COAF SEIBERLING INDUSTRIAL PROJECT**

Appropriating \$289,312 from the Unappropriated Item of the City Grant Fund to the City Grant Fund Operating Budget, due to a grant from the Ohio Department of Development's Office of Redevelopment, for a Phase II environmental assessment of the COAF Seiberling Industrial Project, emergency.

**RESOLUTION NO. 3-2012**  
PASSED 01-23-12

### **COMMENDATION – MICHAEL ANDERSON**

Resolution of the Council of the City of Barberton honoring and giving public recognition to Michael Anderson for his 8 years of dedicated service to the City of Barberton as Sixth Ward Councilman.

**RESOLUTION NO. 4-2012**  
PASSED 01-23-12

### **COMMENDATION – PAUL SUBOTICKI**

Resolution of the Council of the City of Barberton honoring and giving public recognition to Paul Suboticki for his 8 years of dedicated service to the City of Barberton as First Ward Councilman.

**RESOLUTION NO. 5-2012**  
PASSED 01-23-12

### **COMMENDATION – MAYOR ROBERT J. GENET**

Resolution of the Council of the City of Barberton honoring and giving public recognition to Mayor Robert J. Genet for his 20 years of dedicated service to the City of Barberton as Mayor, Council President, and Sixth Ward Councilman.

**RESOLUTION NO. 6-2012**  
PASSED 01-23-12

### **COMMENDATION – JUDGE GREG MACKO**

Resolution of the Council of the City of Barberton honoring and giving public recognition to Judge Greg Macko for his 27 years of dedicated service to the City and Citizens of Barberton as Police Officer, Sergeant, Lieutenant, and Detective in the Barberton Police Department, then as Law Director, and finally as Judge of Barberton Municipal Court.

**ORDINANCE NO. 7-2012**  
PASSED 02-27-12

### **VACATION OF PORTAGE STREET**

Authorizing the vacation of a 50-foot section of Portage Street, located on the playground and parking lot of Portage elementary School, between parcels #01.13729, #01.13727, and #01.00555, emergency.

**RESOLUTION NO. 8-2012**  
PASSED 01-23-12

### **SUBMIT GRANT APPLICATION – US EPA**

Approving the submission of a grant application by the Director of Public Service to the US EPA, to apply for an EPA Air Quality Grant to assist in the purchase of new Tier 4 Compliant diesel engine vehicles for the Streets, Stormwater, and Parks Departments, emergency.

**ORDINANCE NO. 9-2012**  
PASSED 01-23-12

### **AMEND SECTION 856 – BARBERTON CODIFIED ORDINANCES TAXICAB RATE INCREASE**

Amending Section 856.05 of the Barberton Codified Ordinances, "Taxicab Rates," to increase the rates for taxicab operators licensed under the provisions of this Chapter, emergency.

**RESOLUTION NO. 10-2012**  
PASSED 02-13-12

**COMMENDATION – JACQUELINE A. HOLLENBACH**

Resolution of the Council of the City of Barberton to honor and give public recognition to Jacqueline Hollenbach for her ten (10) years of dedicated service to the City of Barberton as Deputy Clerk in the Barberton Municipal Court Clerk of Court's Office.

**ORDINANCE NO. 11-2012**  
PASSED 02-13-12

**AMENDING ORD. NO. 42-2009**

Amending Ordinance No. 42-2009, "Appointments – Barberton / Summit County Tax Incentive Review Council," by making the following changes to the TIRC appointments: Mayor William B. Judge, as Alternate, and Gary Endres, as Council Representative, emergency.

**ORDINANCE NO. 12-2012**  
PASSED 02-13-12

**AMEND ORD. NO. 139-2009 – SPECIAL ASSESSMENTS  
DEMOLITIONS, BOARD-UPS AND WEED / GRASS CUTTING**

Amending Ord. No. 139-2009, "Special Assessments – Demolitions, Board-Ups and Weed/Grass Cutting," to correct the dates on said ordinance to read that special assessments be certified to the Summit County Auditor against certain properties located within the City for the cost of ordered demolitions, lien searches, emergency board-ups and weed/grass cutting which took place from August 2008 through August 2009, emergency.

**RESOLUTION NO. 13-2012**  
PASSED 02-13-12

**ENTER INTO CONTRACT – ODOT – I-76 MOWING CONTRACT**

Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the mowing of I-76, emergency.

**RESOLUTION NO. 14-2012**  
PASSED 02-13-12

**ENTER INTO CONTRACT – ODOT – I-76 HERBICIDAL SPRAYING**

Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the herbicidal spraying of I-76 within the City of Barberton, emergency.

**ORDINANCE NO. 15-2012**  
PASSED 02-13-12

**ENTER INTO CONTRACT – CT CONSULTANTS – SNYDER  
AVENUE LIFT STATION PROJECT**

Authorizing the Mayor to enter into a professional services contract with CT Consultants, in the amount of \$259,500, for engineering improvements of the Snyder Avenue Wastewater Lift Station Project, emergency.

**ORDINANCE NO. 16-2012**  
PASSED 02-21-12

**ENTER INTO COOPERATIVE AGREEMENT – BARBERTON  
NORTON / COPLEY – LOCAL GOVERNMENT INNOVATION FUND  
PROGRAM**

Authorizing the Mayor to enter into a cooperative agreement with the City of Norton and Copley Township to submit an application to the Ohio Department of Development to receive funding from the Local Government Innovation Fund (LGIF) Program, in order to purchase equipment needed for a joint emergency dispatch system to be used among the three participating communities, emergency.

**ORDINANCE NO. 17-2012**  
PASSED 02-27-12

**DISPOSAL OF UNSAFE EQUIPMENT AND VEHICLES**

Authorizing the Director of Public Service, the Police Chief, and Fire Chief to scrap any equipment, vehicles, or property they deem to be no longer needed for any municipal purpose and is deemed to be unfit and unsafe for disposal in any other manner, emergency.

- ORDINANCE NO. 18-2012**  
PASSED 02-13-12
- AMENDING BARBERTON CODIFIED ORDINANCES – SECTION 303.08 – IMPOUNDING OF VEHICLES; REDEMPTION**  
Amending certain sections of Section 303.08, “Impounding of Vehicles; Redemption,” emergency.
- ORDINANCE NO. 19-2012**  
PASSED 02-13-12
- ENTER INTO HOME CONSORTIUM – COUNTY OF SUMMIT**  
Authorizing the Mayor to enter into a HOME Consortium with the County of Summit, beginning January 1, 2013, with an automatic renewal clause.
- ORDINANCE NO. 20-2012**  
PASSED 02-13-12
- PURCHASE OF PROPERTY – 1360 WOOSTER ROAD WEST**  
Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 1360 Wooster Road West, Parcel #01.02151, for \$1.00 plus closing costs, for demolition, using CDBG Funds, emergency.
- ORDINANCE NO. 21-2012**  
PASSED 02-13-12
- 2012 COMMUNITY RECYCLING ACCESS GRANT**  
Approving the submission of a grant application by the Director of Parks and Recreation, for the 2012 Community Recycling Access Grant from the Summit/Akron Solid Waste Management Authority, in the amount of \$20,190.88, for Barberton’s upcoming Recycling Program, emergency.
- ORDINANCE NO. 22-2012**  
PASSED 02-13-12
- ENTER INTO CONTRACT – ANNUAL AUDITS – CITY OF BARBERTON**  
Authorizing the Director of Finance to enter into contract with the Auditor of the State of Ohio and the accounting firm of Julian and Grube, Inc., to perform annual audits for the City of Barberton, from January 1, 2011 through December 31, 2014, in the amount of \$35,000 per year, emergency.
- RESOLUTION NO. 23-2012**  
PASSED 02-13-12
- OPPOSE STATE TAKEOVER – MUNICIPAL INCOME TAX COLLECTIONS**  
Resolution of the Council of the City of Barberton opposing any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio and to urge our State Legislators to reject and oppose any amendment to pending bills, or the introduction of new legislation, that would propose such transfer or control of municipal taxes to the State of Ohio Department of Taxation, emergency.
- ORDINANCE NO. 24-2012**  
PASSED 02-13-12
- APPROPRIATION – CT CONSULTANTS – SNYDER AVENUE LIFT STATION PROJECT**  
Appropriating \$259,500 from the Unappropriated Item of the Sewer Fund to the Sewer Fund Capital Budget, for the Snyder Avenue Wastewater Lift Station Project, emergency.
- ORDINANCE NO. 25-2012**  
PASSED 02-13-12
- ENTER INTO CONTRACT – MEDICAL MUTUAL**  
Authorizing the Mayor to enter into contract with Medical Mutual of Ohio for 2012, 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, 2012 through December 31, 2012, emergency.

**RESOLUTION NO. 26-2012**  
PASSED 02-27-12

**COMMENDATION – MACI DEVENPORT**

Resolution to honor and give public recognition to Maci Devenport for her many achievements in ATV Motocross and for her many achievements in school.

**ORDINANCE NO. 27-2012**  
PASSED 02-27-12

**FOUNDATION GRANT REQUEST – PARKS – PARK PLAY PROGRAM**

Approving the submission of a grant application by the Director of Parks and Recreation to the Barberton Community Foundation, in the amount of \$1,000, to be used for Park Play Program activities, emergency.

**ORDINANCE NO. 28-2012**  
PASSED 02-27-12

**FOUNDATION GRANT REQUEST – PARKS**

Approving the submission of a grant application by the Director of Parks and Recreation to the Barberton Community Foundation, in the amount of \$40,000, for the replacement of the Breitenstine basketball court and an upgrade to the Tuscora Park basketball court, emergency.

**RESOLUTION NO. 29-2012**  
PASSED 02-27-12

**INTERGOVERNMENTAL AGREEMENT – SUMMIT COUNTY – PROVIDE OFFICE SERVICES**

Authorizing the Mayor of the City of Barberton to enter into an Intergovernmental Agreement with the County of Summit, Office Services Division, to provide copying and printing services, when necessary, emergency.

**ORDINANCE NO. 30-2012**  
PASSED 02-27-12

**APPROPRIATION – PURCHASE – 989 ROBINSON AVENUE**

Appropriating \$90,000 from the Unappropriated Item of the Stormwater Management Fund to the Stormwater Management Fund Capital Budget, for the purchase of the building and land at 898 Robinson Avenue, emergency.

**ORDINANCE NO. 31-2012**  
PASSED 03-12-12

**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, emergency.

**ORDINANCE NO. 32-2012**  
PASSED 03-12-12

**AMENDING BARBERTON CODIFIED ORDINANCES  
CHAPTER 844 – PEDDLERS AND SOLICITORS**

Amending certain sections of Chapter 844, "Peddlers and Solicitors," of the Barberton Codified Ordinances.

**ORDINANCE NO. 33-2012**  
PASSED 03-12-12

**AMEND BARBERTON DEVELOPMENT CODE  
STREET VENDORS**

Amending the Barberton Development Code, Section 1360.02(b), "Definitions," to clarify the definition of a street vendor and by deleting street vendors from Table 1130H (Use Group 13) #32 to remove street vendors as a permitted use.

**ORDINANCE NO. 34-2012**  
PASSED 04-09-12

**AMEND BARBERTON CODIFIED ORDINANCES – CHAPTER 1444  
PERMITS AND FEES – BUILDING**

Amending certain sections of Chapter 1444, “Permits and Fees,” to reflect increases for building, electric, plumbing, HVAC, and other miscellaneous permits.

**ORDINANCE NO. 35-2012**  
PASSED 03-12-12

**ENTER INTO GRANT AGREEMENT – ARCADIS  
COAF SEIBERLING PHASE II GRANT**

Authorizing the Mayor to enter into a grant agreement and related assurances, certifications, and contracts with Arcadis, to carry out all activities related to the COAF Seiberling Phase II Project, due to a grant from the Ohio Department of Development’s Office of Redevelopment, in the amount of \$289,312, emergency.

**ORDINANCE NO. 36-2012**  
PASSED 03-12-12

**FOUNDATION GRANT REQUEST – PARKS  
YOUTH ADVENTURE CAMP**

Approving the submission of a grant application by the Director of Parks and Recreation to the Barberton Community Foundation, in the amount of \$1,000, for the Summer Youth Adventure Camp – Send a Kid to Camp Program, emergency.

**ORDINANCE NO. 37-2012**  
PASSED 03-12-12

**PURCHASE OF PROPERTY – 359 BELL STREET**

Authorizing the Mayor, or his designee, to execute an agreement to purchase the property at 359 Bell Street (Parcel #01.08733), for \$8,500 plus closing costs, using CDBG Funds, emergency.

**ORDINANCE NO. 38-2012**  
PASSED 03-12-12

**APPROPRIATION – ODOT – EASTERN ROAD PROJECT**

Appropriating \$16,226 from the Unappropriated Item of the Permissive Licensing Tax Fund to the Permissive Licensing Tax Fund Capital Budget, to pay the Ohio Department of Transportation (ODOT) for Barberton’s portion of the Eastern Road Project (PID No. 88989), emergency.

**ORDINANCE NO. 39-2012**  
PASSED 03-12-12

**AMENDING BARBERTON CODIFIED ORDINANCES  
CHAPTER 672 – WEAPONS AND EXPLOSIVES**

Amending Section 672.01 of the Barberton Codified Ordinances, “Definitions,” by adding the definition of a “Person”; and by adding a section to Section 672.09, “Unlawful Transactions in Weapons,” to include the distance from a school that firearms and weapons could be sold, emergency.

**ORDINANCE NO. 40-2012**  
PASSED 03-26-12

**FOUNDATION GRANT REQUEST – FIRE DEPARTMENT –  
CITY TORNADO WARNING SYSTEM – CODE RED EMERGENCY  
COMMUNICATION SYSTEM**

Approving the submission of a grant application by the Fire Chief to the Barberton Community Foundation, in the amount of \$151,100, to replace the City Tornado Warning Siren System and for a 3-year contract for the Code Red Emergency Communication System, emergency.

- ORDINANCE NO. 41-2012**  
PASSED 03-26-12
- AMENDING BARBERTON CODIFIED ORDINANCES – SECTION 303.08 – IMPOUNDING OF VEHICLES; REDEMPTION**  
Amending Section 303.08, “Impounding of Vehicles; Redemption,” (Ord. No. 18-2012), to delete the (2) from 351.04(a)(2) in subsection (a)(11), emergency.
- RESOLUTION NO. 42-2012**  
PASSED 03-26-12
- ENTER INTO CONTRACT – ODOT – STATE STREET RESURFACING – FROM ROBINSON AVE. TO HIGHLAND AVE.**  
Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the State Street Resurfacing (PID 92719), from Robinson Avenue to Highland Avenue, emergency.
- RESOLUTION NO. 43-2012**  
PASSED 03-26-12
- ENTER INTO CONTRACT – ODOT – STATE STREET RESURFACING – FROM WOOSTER ROAD TO ELMWOOD AVE.**  
Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the State Street Resurfacing (PID 92721), from Wooster Road to Elmwood Avenue, emergency.
- RESOLUTION NO. 44-2012**  
PASSED 03-26-12
- ENTER INTO CONTRACT – ODOT – WOOSTER ROAD NORTH RESURFACING – FROM PARK AVENUE TO HOPOCAN AVENUE**  
Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the Wooster Road North Resurfacing (PID 92727), from Park Avenue to Hopocan Avenue, emergency.
- RESOLUTION NO. 45-2012**  
PASSED 03-26-12
- ENTER INTO CONTRACT – ODOT – WOOSTER ROAD WEST RESURFACING – FROM TAYLOR ROAD TO KRANCZ DRIVE**  
Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the Wooster Road West Resurfacing (PID 92729), from Taylor Road to Krancz Drive, emergency.
- ORDINANCE NO. 46-2012**  
PASSED 03-26-12
- 2012 OPERATING AND CAPITAL BUDGET**  
Adopting a budget for various funds of the City of Barberton for the period beginning January 1, 2012, and providing for the administration thereof, emergency.
- ORDINANCE NO. 47-2012**  
PASSED 03-26-12
- ENTER INTO CONTRACT – HUMAN RESOURCES EMPLOYEE LIFE INSURANCE**  
Authorizing the Mayor to enter into a renewal contract due to expire on March 31, 2012, with Lincoln Financial, the lowest and/or best bidder, for life insurance for city employees, from April 1, 2012 through April 1, 2014, emergency.
- RESOLUTION NO. 48-2012**  
PASSED 04-09-12
- “IN ABSENTIA” CORPORATE REAL ESTATE OWNERS**  
Resolution of the Council of the City of Barberton to support and encourage the General Assembly to enact legislation that allows local governments an effective means to prosecute absent corporate real estate owners / defendants, emergency.
- ORDINANCE NO. 49-2012**  
PASSED 04-09-12
- FY 2012 ANNUAL ACTION PLAN – SUBMIT TO HUD**  
Approving the submission of the FY2012 Annual Action Plan to the Department of Housing and Urban Development (HUD), emergency.

**ORDINANCE NO. 50-2012**  
PASSED 04-09-12

**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 \$600,377, plus Program Income, in order to carry out eligible CDBG activities, emergency.

**ORDINANCE NO. 51-2012**  
PASSED 04-09-12

**ENTER INTO CONTRACTS – FY 2012 CDBG ANNUAL ACTION PLAN**

Allowing the Mayor, to enter into grant agreements and related assurances, certifications, and contracts with the following organizations: Victim Assistance, Neighborhood Development Services (NDS), Barberton Community Development Corporation (BCDC), and Fair Housing Advocates Association (FHAA), to carry out the FY2012 CDBG Annual Action Plan, emergency.

**RESOLUTION NO. 52-2012**  
PASSED 04-09-12

**SUPPORT FOR COOPERATIVE AGREEMENT – BARBERTON / NORTON / COPLEY – COMBINING OF DISPATCH OPERATIONS**

Resolution of the Council of the City of Barberton to support the City of Barberton's Cooperative Agreement with the City of Norton and the Township of Copley to combine dispatch operations through the Local Government Innovation Fund (LGIF) Program, emergency.

**ORDINANCE NO. 53-2012**  
PASSED 04-09-12

**AMEND BARBERTON CODIFIED ORDINANCES – “AMUSEMENT DEVICES, SKILL-BASED AMUSEMENT MACHINES, AND ARCADES”**

Amending Section 836.94(a) of the Barberton Codified Ordinances, “License Fee; Transfer and Display,” of Amusement Devices, Skill-Based Amusement Machines, and Arcades (Ord. No. 182-2010), emergency.

**ORDINANCE NO. 54-2012**  
PASSED 04-09-12

**PURCHASE OF VACTOR JET TRUCK - UTILITIES**

Authorizing the Director of Public Service to enter into contract with Jack Doheny Companies to purchase a 2012 Vactor Jet Truck, for the cost of \$375,548, less a \$15,000 trade-in, through the Ohio State Cooperative Purchasing Program, pursuant to Ordinance No. 42-1995, emergency.

**ORDINANCE NO. 55-2012**  
PASSED 04-09-12

**LEASE PURCHASE AGREEMENT – UTILITIES  
2012 VACTOR JET TRUCK**

Authorizing the Director of Finance to enter into a five-year lease purchase agreement with PNC Bank, to finance a 2012 Vactor Jet Truck for \$375,548, less \$15,000 trade-in, emergency.

**RESOLUTION NO. 56-2012**  
PASSED 04-09-12

**ENTER INTO CONTRACT–ODOT – I-76 HERBICIDAL SPRAYING CONTRACT- 2013**

Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the herbicidal spraying of I-76 for 2013 (PID #93181), emergency.

**RESOLUTION NO. 57-2012**  
PASSED 04-09-12

**ENTER INTO CONTRACT–ODOT – I-76 MOWING CONTRACT- 2013**

Authorizing the Mayor to enter into contract with the Ohio Department of Transportation (ODOT) to proceed with the mowing of I-76 for 2013 (PID #93182), emergency.

**ORDINANCE NO. 58-2012**  
PASSED 04-09-12

**AMEND BARBERTON DEVELOPMENT CODE -  
DEMOLITION STANDARDS**

Amending the Barberton Development Code by adding a new section to Chapter 1240, Section 1240.10, "Demolition Standards," to ensure safe demolition practices within the City.

**ORDINANCE NO. 59-2012**  
PASSED 04-09-12

**APPROPRIATION – CDBG FUND**

Appropriating \$7,384.11 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.