

Council met in **REGULAR SESSION** on Monday, September 25, 2017, at 7:48 P.M. in the Council Chambers with President Maurer presiding. Members present: Angeloff, Coburn, Debevec, Frey, Megyes, Palmer, Soyars, and Conrad-Wokojance. The Pledge of Allegiance to the Flag was recited and Mrs. Debevec gave the Invocation.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Regular Legislative Session held on Monday, September 11, 2017, as presented. All Members voted “yea.” Motion carried.

### **PETITIONS AND CLAIMS**

None.

### **MATTERS REFERRED**

Each Council Member, the Mayor and Service Director were given a report prepared by the Council Clerk listing all matters before all committees.

### **CITIZENS ADDRESSING COUNCIL**

None.

**The following Minutes are not transcribed verbatim. This meeting has been recorded in its entirety and the tape is catalogued in the Clerk of Council’s office.**

### **FIRST READING OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE NO. 106-2017**

**ORDINANCE NO. 106-2017. PRESENTED BY: MR. MEGYES. TITLE: DISPOSAL OF VARIOUS PIECES OF OFFICE FURNITURE. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPROVE THE SCRAPPING / SALVAGING / DISPOSAL OF VARIOUS DEPARTMENT METAL PARTS, OUTDATED OFFICE EQUIPMENT, FURNITURE (TYPEWRITERS, DESKS, CHAIRS, FILING CABINETS, ETC.) AND ADDITIONAL RELATED ITEMS FOR THE REMAINDER OF 2017, AND DECLARING AN EMERGENCY.** It was moved by Mr. Megyes, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Megyes, seconded by Mrs. Coburn, that **ORDINANCE NO. 106-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

#### **ORDINANCE NO. 107-2017**

**ORDINANCE NO. 107-2017. PRESENTED BY: MR. MEGYES. TITLE: DONATION OF PROPERTY - ELMWOOD AVENUE & CENTRAL AVENUE. AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A DONATION AGREEMENT WITH ODOT FOR THE CITY OWNED PARCELS 0111439 AND 0115836 IN ORDER TO ASSIST WITH THE I-76 INTERCHANGE PROJECT, AND DECLARING AN**

**EMERGENCY.** It was moved by Mr. Megyes, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Megyes, seconded by Mrs. Coburn, that **ORDINANCE NO. 107-2017 BE ADOPTED.** President Maurer asked if we are going to completely vacate Central Avenue for this project? Mr. Vinay stated Central Avenue will not be completely vacated. He said there are a number of houses (25-30) that will be raised as part of this project and the overpass will be taken out and then will be filled in. He said there will be a cul de sac on each side of the overpass. All Members voted “yea.” Motion carried.

**ORDINANCE NO. 108-2017**

**ORDINANCE NO. 108-2017. PRESENTED BY: MR. SOYARS. TITLE: ENTER INTO CONTRACT - 911 FLEET & FIRE EQUIPMENT. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH 911 FLEET & FIRE EQUIPMENT, A DEALER LISTED ON THE STATE TERM CONTRACT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, IN THE AMOUNT OF \$133,002, FOR THE PURCHASE OF A 2016 WHEELED COACH AMBULANCE FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.** It was moved by Mr. Soyars, seconded by Mrs. Debevec, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Soyars, seconded by Mrs. Debevec, that **ORDINANCE NO. 108-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 109-2017**

**ORDINANCE NO. 109-2017. PRESENTED BY: MR. SOYARS. TITLE: FOUNDATION GRANT REQUEST - JUSTICE CENTER. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE MAYOR TO THE BARBERTON COMMUNITY FOUNDATION FOR A MUNICIPAL COMPLEX WHICH INCLUDES A NEW JUSTICE CENTER, AND DECLARING AN EMERGENCY.** It was moved by Mr. Soyars, seconded by Mrs. Debevec, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Soyars, seconded by Mrs. Debevec, that **ORDINANCE NO. 109-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 110-2017**

**ORDINANCE NO. 110-2017. PRESENTED BY: MR. PALMER. TITLE: ENTER INTO CONTRACT – THRASHER ENGINEERING - STANLEY / BELL AREA IMPROVEMENTS. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH THRASHER ENGINEERING, TO PROVIDE CONTINUED ENGINEERING RELATED SERVICES RELATIVE TO THE STANLEY AVENUE AND BELL STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.** It was moved by Mr. Palmer, seconded by Mr. Megyes, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Palmer, seconded by Mr. Megyes, that **ORDINANCE NO. 110-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 111-2017**

**ORDINANCE NO. 111-2017. PRESENTED BY: MRS. FREY. TITLE: 2018 STREET/ROAD SALT PROGRAM. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH CARGILL INCORPORATED FOR THE 2018 STREET/ROAD SALT PROGRAM THROUGH THE COMMUNITY UNIVERSITY EDUCATION PURCHASING ASSOCIATION (CUE), AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mr. Palmer, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Palmer, that **ORDINANCE NO. 111-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 112-2017**

**ORDINANCE NO. 112-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: AUTHORIZE PAYMENT - SUNDANCE SYSTEMS INC. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO SUNDANCE SYSTEMS INC. IN THE AMOUNT OF \$6,300, FOR THE CAD SYSTEM ANNUAL SUPPORT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 112-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 113-2017**

**ORDINANCE NO. 113-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: TRANSFER / APPROPRIATION OF FUNDS - STORM WATER VEHICLE. AN ORDINANCE TRANSFERRING \$5,471.60 FROM THE SERVICE DIRECTORS CAPITAL BUDGET TO THE GENERAL FUND TRANSFER BUDGET AND TRANSFERRING SAID AMOUNT FROM THE GENERAL FUND TO THE STORM WATER IMPROVEMENT FUND AND APPROPRIATING SAID AMOUNT FROM THE UNAPPROPRIATED ITEM OF THE STORM WATER IMPROVEMENT FUND TO THE STORM WATER IMPROVEMENT FUND CAPITAL BUDGET FOR THE UTILIZATION OF A STORM WATER VEHICLE BY THE SERVICE DIRECTOR / BUILDING DEPARTMENT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 113-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 114-2017**

**ORDINANCE NO. 114-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION - 2017 WALK OF FAME. AN ORDINANCE APPROPRIATING \$345.00 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE GENERAL FUND MISCELLANEOUS OPERATING BUDGET TO BE UTILIZED FOR THE 2017 WALK OF FAME INDUCTION CEREMONY COMMUNITY EVENT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be

suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 114-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 115-2017**

**ORDINANCE NO. 115-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION - LEGAL FEES. AN ORDINANCE APPROPRIATING \$3,500.00 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE LAW DEPARTMENT OPERATING BUDGET TO PAY FOR LEGAL EXPENSES ASSOCIATED WITH THE SETTLEMENT FROM THE SEIBERLING LAWSUIT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 115-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 116-2017**

**ORDINANCE NO. 116-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: TRANSFER OF FUNDS – CDBG. AN ORDINANCE APPROPRIATING \$36,206.26 FROM THE UNAPPROPRIATED ITEM OF THE CITY GRANT FUND TO THE CITY GRANT FUND TRANSFER BUDGET, TRANSFERRING SAID AMOUNT TO THE CDBG FUND AND APPROPRIATING SAID AMOUNT AS PROGRAM INCOME IN ORDER TO REIMBURSE THE CDBG FUND FOR THE SEIBERLING LAWSUIT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 116-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 117-2017**

**ORDINANCE NO. 117-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION - THE DEPARTMENT OF HUMAN RESOURCES. AN ORDINANCE APPROPRIATING \$40,000 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE HUMAN RESOURCE DEPARTMENT OPERATING BUDGET TO BE USED FOR THE OPERATION OF THE DEPARTMENT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 117-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 118-2017**

**ORDINANCE NO. 118-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: AUTHORIZE PAYMENT - ROETZEL AND ANDRESS. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY INVOICES TO ROETZEL AND ANDRESS WHICH ARE ASSOCIATED WITH AN ARBITRATION HEARING,**

**AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 118-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 119-2017**

**ORDINANCE NO. 119-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION - DEMOLITION OF PROPERTIES. AN ORDINANCE APPROPRIATING \$28,407.12 FROM THE UNAPPROPRIATED ITEM OF THE PROJECT IMPACT FUND TO THE PROJECT IMPACT FUND OPERATION BUDGET TO BE UTILIZED FOR THE COSTS ASSOCIATED WITH THE DEMOLITION OF VARIOUS PROPERTIES THROUGHOUT THE CITY, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 119-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 120-2017**

**ORDINANCE NO. 120-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: MASTER LEASE AGREEMENT - PNC EQUIPMENT FINANCE LLC. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT WITH PNC EQUIPMENT FINANCE, LLC, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 120-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

None.

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

None.

**APPOINTMENTS**

None.

**MISCELLANEOUS AND UNFINISHED BUSINESS**

President Maurer stated he is surprised Mrs. McLean isn't comatose after the Mum Festival. He said it was the biggest turnout ever.

**COMMUNICATION FROM THE MAYOR**

Mayor Judge stated Barberton was in a very positive spotlight this past weekend with the Mum Festival, Walk of Fame, Tuscany of Tusc. and the 4<sup>th</sup> Friday. He said there were tens of thousands of people coming into town and it couldn't have been done without Lisa, her staff and all of the volunteers who put these events together. He said this continues to grow - about 6,800 mums sold. He said he heard a lot of wonderful comments from people who lived here and came back for the Walk of Fame.

Mayor Judge said October 6<sup>th</sup> will be the kickoff of "Manufacturing Day" which is an event in conjunction with the schools and area businesses. He said they will continue to meet with the different businesses and find out what their needs are and address some of their issues.

Mayor Judge stated Change for Change will be held Friday at the Civitan Club.

Mayor Judge said he is working with Finance to finalize the budget. He said the majority of department heads have submitted their budgets and the goal is to get a budget passed this year for next year knowing that there is going to be some changes with actual numbers after they come in the first of the year. He said if you have any questions, feel free to come in.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to adjourn.

Adjourned: 8:21 P.M.  
Approved: October 9, 2017

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Frederick S. Maurer  
President of Council

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Renee Fox  
Clerk of Council