

Council met in **REGULAR SESSION** on Monday, September 11, 2017, at 7:30 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 was led by Aiden Garvin and Harley Hoff of Boy Scout Troop 105. Mr. Palmer gave the Invocation and asked for a moment of silence in Honor of the 911 Anniversary.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Regular Legislative Session held on Monday, July 24, 2017, as presented. All Members voted "yea." Motion carried.

It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, to accept the Finance Department Reports for the months of July and August 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.

Periodically President Maurer would stop and explain the duties of council to the members of Boy Scout Troop 105 and Boy Scout Troup 127 who were in attendance at this meeting. They attended this meeting so that they could earn a badge of merit. These comments will not be in the minutes.

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 95-2017

ORDINANCE NO. 95-2017. PRESENTED BY: MRS. ANGELOFF. TITLE: FOUNDATION GRANT REQUEST - RV PROJECT. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE MAYOR TO THE BARBERTON COMMUNITY FOUNDATION IN AN AMOUNT UP TO \$5,000 FOR THE RV PROJECT THROUGH THE BARBERTON PLANNING DEPARTMENT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Angeloff, seconded by Mrs. Frey, 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. Angeloff, seconded by Mrs. Frey, that **ORDINANCE NO. 95-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

RESOLUTION NO. 96-2017

RESOLUTION NO. 96-2017. PRESENTED BY: MRS. FREY. TITLE: APPLICATION FOR FEDERAL STP FUNDS - BARBERTON ROADWAY IMPROVEMENT PROJECT. A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM (STP), RESURFACING, OR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO IMPROVE CERTAIN STREETS, 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 **RESOLUTION NO. 96-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 97-2017

ORDINANCE NO. 97-2017. PRESENTED BY: MR. PALMER. TITLE: ENTER INTO CONTRACT - AKRON TRACTOR & EQUIPMENT. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH AKRON TRACTOR & EQUIPMENT, FOR THE PURCHASE OF A KUBOTA MODEL KX080-4R3A EXCAVATOR, FOR THE WATER DISTRIBUTION GARAGE AT THE COST OF \$93,250, THROUGH THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING PROGRAM, 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. 97-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 98-2017

RESOLUTION NO. 98-2017. PRESENTED BY: MR. PALMER. TITLE: ENTER INTO AGREEMENT – WPCLF - WASTEWATER TREATMENT PLANT PHASE 3 IMPROVEMENTS. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF BARBERTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES IMPROVEMENTS; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; 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 **RESOLUTION NO. 98-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 99-2017

ORDINANCE NO. 99-2017. PRESENTED BY: MR. PALMER. TITLE: PURCHASE OF PROPERTY - PPG INDUSTRIES, INC. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF APPROXIMATELY 1.65 ACRES SITUATED IN THE CITY OF BARBERTON, PARCEL #0109008 FROM PPG INDUSTRIES, INC., IN THE AMOUNT OF \$8,500, 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. 99-2017 BE ADOPTED.** President Maurer asked Mr. Weaver where is the physical location of this parcel. Mr. Weaver asked him if he knew where the Water Distribution Garage on Water Street was. President Maurer said he did. Mr. Weaver said it is contiguous with this parcel and is on the north side. All Members voted “yea.” Motion carried.

ORDINANCE NO. 100-2017

ORDINANCE NO. 100-2017. PRESENTED BY: MR. SOYARS. TITLE: DISPOSAL OF VEHICLES - POLICE DEPARTMENT. AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO SCRAP/SALVAGE FORTY-ONE (41) VEHICLES DEEMED TO BE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND UNFIT AND UNSAFE FOR DISPOSAL IN ANY OTHER MANNER, 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. 100-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 101-2017

ORDINANCE NO. 101-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION – FIRE DEPARTMENT - PURCHASE OF SELF-CONTAINED BREATHING APPARATUS. AN ORDINANCE APPROPRIATING \$181,271 FROM THE FEMA GRANT FUND TO THE FIRE DEPARTMENT CAPITAL OPERATING BUDGET DUE TO A 2016 ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF NEW SELF-CONTAINED BREATHING APPARATUS (SCBA’S), AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mr. Soyars, 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 Mr. Soyars, that **ORDINANCE NO. 101-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 102-2017

ORDINANCE NO. 102-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION – FIRE DEPARTMENT - PURCHASE OF AMBULANCE. AN ORDINANCE APPROPRIATING \$178,182 FROM THE FEMA GRANT FUND TO THE FIRE DEPARTMENT CAPITAL OPERATING BUDGET DUE TO A 2016 ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURCHASE OF ONE (1) OR MORE AMBULANCES, AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mr. Soyars, 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 Mr. Soyars, that **ORDINANCE NO. 102-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 103-2017

ORDINANCE NO. 103-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: AMENDING ORDINANCE NO. 39-2015 - COMPENSATION FOR ELECTED OFFICIALS. AN ORDINANCE AMENDING ORDINANCE NO. 39-2015 TO ESTABLISH THE COMPENSATION FOR CERTAIN ELECTED OFFICIALS AND COMPENSATION PROCEDURES FOR THE NEXT FOUR YEARS. It was moved by

Mrs. Angeloff, seconded by Mrs. Frey, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Frey, Conrad-Wokojance, Coburn, Angeloff, and Palmer voted "yea." Debevec, Megyes, and Soyars abstained from voting. Motion carried. It was moved by Mrs. Angeloff, seconded by Mrs. Frey, that **ORDINANCE NO. 103-2017 BE ADOPTED.** Palmer, Angeloff, Coburn, Conrad-Wokojance and Frey voted "yea." Soyars, Megyes, and Debevec abstained from voting. Motion carried.

ORDINANCE NO. 104-2017

ORDINANCE NO. 104-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: AMENDING ORDINANCE NO. 34-2017 - EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES. AN ORDINANCE AMENDING ORDINANCE NO. 34-2017 TO CLARIFY THE PROCEDURE FOR STEP ADJUSTMENTS ON JANUARY 1, 2019. 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. 104-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 105-2017

ORDINANCE NO. 105-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING. AN ORDINANCE TO 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," EFFECTIVE OCTOBER 1, 2017 AND EXPIRING JUNE 30, 2018 TO EXPRESS A MUTUAL DESIRE TO RETAIN AND ATTRACT BUSINESSES AND JOBS AS OUTLINED IN SAID AGREEMENT, 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. 105-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 89-2017

ORDINANCE NO. 89-2017. PRESENTED BY: MR. PALMER. TITLE: UTILITIES ASSESSMENT - DELINQUENT WATER. AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF BARBERTON TO CERTIFY TO THE SUMMIT COUNTY AUDITOR, SPECIAL ASSESSMENTS AGAINST CERTAIN PROPERTIES FOR UNPAID UTILITIES SERVICES WHICH WILL INCLUDE ACCOUNTS MORE THAN 60 DAYS PAST DUE AND WILL INCLUDE CHARGES THROUGH AUGUST 25, 2017, 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. 89-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

Design Review Board

Megan Sutherland Immediately Expiring December 31, 2017

It was moved by Mrs. Angeloff, seconded by Mrs. Frey, to affirm the appointment of Megan Sutherland to the Barberton Design Review Board effective immediately through December 31, 2017. All Members voted “yea.” Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Liquor License Permit

New: Family Dollar Stores of Ohio Inc., DBA Family Dollar 6319, 1230 Wooster Road West
A copy was given to Mrs. Daugherty, Chief Morber, and Mrs. Frey. No objections were received.

President Maurer stated October 14th the Council Members have been invited by the Mayor to tour the city facilities which includes the WWTP, City Building, Road Garage and Water Department.

President Maurer reminded everyone that it was Patriot’s Day. He said you might want to remember the 3,000 people who died 16 years ago.

Mrs. Angeloff announced the Design Review Board which was scheduled on the following day has been cancelled.

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked the Fire Department and everyone who attended the 911 Ceremony.

Mayor Judge stated there are a lot of activities currently going on and that is one of the reasons he wants to give the tour on the 14th. He said there is a lot of things they will be asking council for and he hopes this really helps them to see things first hand. He said he hopes they come away with answers to some of their questions and a lot more insight on how things function and logistically how they run their operations.

Mayor Judge thanked anyone who came to his open office hours. He said a lot of great residents came in with a lot of questions. He stated some of it is just communication with the public and a lot of it is false rumors but he was happy to have the residents come in with questions and get things straightened away.

Mayor Judge stated the third class of the Barberton Community Leadership Institute starts that week. He said it is something he and the Law Director put together with the Foundation and Leadership Akron. He said he is happy to see that continuing.

Mayor Judge said the following week is the Walk of Fame Ceremony and Mum Festival and they could always use volunteers. He stated it is a great weekend in the City of Barberton and hopes everyone can come out and be a part of those two events.

Mayor Judge stated the next Change for Change Event will be September 29th at the Civitan Club benefiting New Horizons Treatment Center.

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

Adjourned: 8:07 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council