

Council met in **REGULAR SESSION** on Monday, April 10, 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 to the Flag was recited and Mr. Megyes 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, March 27, 2017, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, to accept the Finance Department Report for March 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. 36-2017

ORDINANCE NO. 36-2017. PRESENTED BY: MR. PALMER. TITLE: CHANGE ORDER – STANTEC - WTP PAC FEEDER. AN ORDINANCE AUTHORIZING A CHANGE ORDER WITH STANTEC CONSULTING, IN THE AMOUNT OF \$49,900, TO COVER ADDITIONAL CA SERVICES, RFI RESPONSES, AND PERIODIC SITE VISITS FOR THE BARBERTON WATER TREATMENT PLANT PAC FEEDER, 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. 36-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 37-2017

ORDINANCE NO. 37-2017. PRESENTED BY: MR. SOYARS. TITLE: BARBERTON CODIFIED ORDINANCE UPDATE. AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO DECLARE 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. 37-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 38-2017

ORDINANCE NO. 38-2017. PRESENTED BY: MR. SOYARS. TITLE: ENTER INTO CONTRACT - TENABLE PROTECTIVE SERVICES, INC. AN ORDINANCE AUTHORIZING THE BARBERTON MUNICIPAL COURT TO ENTER INTO CONTRACT WITH TENABLE PROTECTIVE SERVICES, INC., THE LOWEST AND/OR BEST BIDDER AS RECOMMENDED BY THE COURT ADMINISTRATOR FOR A PERIOD OF ONE YEAR TO PROVIDE UNARMED UNIFORMED SECURITY OFFICERS, 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. 38-2017 BE ADOPTED.** President Maurer asked Mrs. Daugherty when they say “unarmed” he assumes they mean no side arm but will they have a taser, pepper spray, or that type of thing. He asked how those people will defend themselves. Mrs. Daugherty stated they are unarmed and she does not know about the taser. She said the idea is to screen beforehand and that is what the metal detector is for. She stated at the County Courthouse you cannot wear a sidearm unless you are testifying, so a police officer cannot wear his gun. Mrs. Conrad-Wokojance stated her sister was a security guard for an organization like that and she worked at Ocasek and it is very common. She said hopefully this will be what they need and if a security button needs to be put in she is sure the administration will find a way to make it happen. Mrs. Daugherty stated they will have police radios which are channeled for the Barberton Police Department. President Maurer said they are free to have any occupation they want to. All Members voted “yea.” Motion carried.

ORDINANCE NO. 39-2017

ORDINANCE NO. 39-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION – PARKS. AN ORDINANCE APPROPRIATING \$20,000 FROM THE UNAPPROPRIATED ITEM OF THE PARKS REVOLVING FUND TO THE PARKS REVOLVING FUND BUDGET AS A RESULT OF MONIES RECEIVED FROM THE CELL TOWER PROJECT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, 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 Mrs. Debevec, seconded by Mr. Megyes, that **ORDINANCE NO. 39-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 40-2017

ORDINANCE NO. 40-2017. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - PARK PLAY PROGRAM ACTIVITIES. AN ORDINANCE 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 SUPPLIES AND EQUIPMENT FOR THE SUMMER PARK PLAY PROGRAM, 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. 40-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 41-2017

ORDINANCE NO. 41-2017. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - LITTER COLLECTION PROGRAM. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE DIRECTOR OF PARKS AND RECREATION TO THE BARBERTON COMMUNITY FOUNDATION, IN THE AMOUNT OF \$900, TO BE USED TOWARDS A CITYWIDE LITTER COLLECTION PROGRAM, 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. 41 -2017 BE ADOPTED.** Angeloff, Conrad-Wokojance, Soyars, Coburn, Frey, Debevec, and Palmer all voted “yea.” Mr. Megyes abstained. Motion carried.

ORDINANCE NO. 42-2017

ORDINANCE NO. 42-2017. PRESENTED BY: MR. MEGYES. TITLE: DISPOSAL OF MISCELLANEOUS ITEMS. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SCRAP / SALVAGE UTILITY AND STREET DEPARTMENT METAL, PARTS AND OUTDATED EQUIPMENT RESULTING FROM DAY TO DAY DEPARTMENTAL OPERATIONS, 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. 42-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 43-2017

ORDINANCE NO. 43-2017. PRESENTED BY: MR. MEGYES. TITLE: AMEND AGREEMENT - NEW CINGULAR WIRELESS PCS, LLC. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO AMEND THE GROUND LEASE AGREEMENT BETWEEN THE CITY OF BARBERTON AND NEW CINGULAR WIRELESS PCS, LLC FOR THE CONTINUED USE OF THE CITY OWNED PARCEL AS A CELLULAR COMMUNICATIONS TOWER SITE. 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. 43-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 44-2017

ORDINANCE NO. 44-2017. PRESENTED BY: MR. MEGYES. TITLE: GRANT APPLICATION – PARKS - O.D.N.R. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE DIRECTOR OF PARKS AND RECREATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR A \$60,000 NATURE WORKS GRANT TO FUND A PLAYGROUND AT McCAFFERTY PARK, 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. 44-2017 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

The Clerk stated she received a new liquor license request from Neighborhood Development Services Inc., DBA Nine Muses, 584 W. Tuscarawas Avenue. The Clerk said a copy was given to Mrs. Daugherty, Chief Morber and Mr. Megyes and no objections were received. President Maurer asked Mrs. Daugherty what the classification of this license is. Mrs. Daugherty stated she believes is it just beer and wine and not spirits but she is not positive.

President Maurer stated Friday, April 14th the Municipal Building will be closed in observance of Good Friday. He wished everyone a Happy Easter and said to enjoy your family and friends.

President Maurer asked Mr. Megyes or Mrs. McLean how the goose abatement at the lake was going. Mr. Megyes stated it started the previous Thursday.

Mr. Vinay announced the Board of Zoning Appeals meeting on April 20th has been changed to 5:00p.m.

Mr. Stefan stated the Design Review Board meeting for April 11th has been cancelled.

COMMUNICATION FROM THE MAYOR

Mayor Judge stated the next Change 4 Change will be Friday, April 28th at the Whatchamacallit benefiting the Barberton Youth Football.

Mayor Judge said he had the privilege of being involved in a ribbon cutting at Signet over on Snyder Avenue which is a new warehouse facility that was put in over the last 7 months. He said it is 50 new jobs for the city with another 50 jobs by the end of next year. He said this is major expansion for Signet. He stated he wanted to thank the building, planning and stormwater departments and their employees for coming together, working with the county, working with the developer and the construction company on getting that together. He stated they were under budget and 7 weeks under in time frame. He said it was a win/win for everyone involved.

Mayor Judge stated he had some good news he wanted to share. He said the City of Barberton will be receiving 4 awards through the Summit County Safety Council – 100% Award, Achievement Award, Group Award, and Special Award which are surrounding workplace accidents, or lack of. He said this really speaks volumes of our department heads, our HR department, Greg Tracy, and Ron Gable. President Maurer stated most of the recipients of the awards were industry and very few were governmental agencies. He said private companies can lay down edicts on how they are going to operate their show whereas municipalities have a lot of restrictions.

Mayor Judge said through the Ohio Water Environmental Association, Denny Weaver was nominated and won the F. D. Dean Stewart Award for Plant Operations, Maintenance and Record Keeping. He congratulated him and said he does an amazing job and we are very lucky to have him.

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

Adjourned: 7:55 P.M.

Craig Megyes,
Vice-President of Council

Renee Fox
Clerk of Council