

Council met in **REGULAR SESSION** on Monday, September 26, 2016, at 7:37 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, September 12, 2016, 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.

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.

CITIZENS ADDRESSING COUNCIL

Terry Avant. 1066 Belleview Avenue, Barberton. Mr. Avant stated he came to speak about the lease property at the parks. He said he is not going to say “I told you so” or he is not going to say that “If we would have passed the zoning change a couple years ago we wouldn’t have this problem today.” He said he is not going to say that. He stated he would like to ask why the Oakdale property isn’t revisited in this issue. He said he thinks it would work out for several ways. He said if the hospital would have spent the \$73,000 they could have bought it and donated it to the city and the baseball field could have been built there and they would still have a ballfield on that side of town. He said one of the complaints he read in the paper is they are losing the only ballfield on that side of town but it would eliminate the maintenance and the situation the school has and it would bring the needs of the people in the community if it was donated to the City for a ballpark. He stated they know the hospital doesn’t want to build another deck. He said he knows it costs millions of dollars so they know they are going to need surface parking and if we need to find a way to provide it for them. He said the less parking there is the less service there is going to be. He said that is easy to understand with any practicality. He said as far as the parks go, he knows that any vacated or sales of property has to go to the vote of the people and this is not necessarily vacating it even though you will vacate it for at least 10 years. He said if they decide it is working out they know they are going to reissue the lease for another 10 years. Mr. Avant stated theoretically it is being vacated. He said it is not being used for what it was used for before but if you provide that acreage at Oakdale he thinks it would answer a lot of the situations/problems. He said the money for the purchase could be used for developing a ballfield. He said that is his concern and he is not there to stick up for the people who live by the park, he is just wondering why that option could not have been addressed or revisited.

Mike Hughes, Senior Vice President of Hospital Operations at Barberton Hospital. Mr. Hughes stated to answer the question about the ballfield, there was a lot of discussion about that when they had an open forum at Tuscora Park. He said that was one of the main issues when they

were looking at the park land where would they be able to put a parking lot that was open surface parking and what it was going to encroach upon. He said there is no way to save the ballfield and get the number of parking spots that they need to be able to be functional. He said it won't fit anywhere else. He stated part of the way the lease came about is the City valued that property at \$175,000. He said it is a ten year lease for \$17,500 per year. He said the hospital also agreed to make an investment of \$275,000 into the community that would be put into some type of Barberton Foundation Fund that the Mayor and others in this Council would be part of the distribution and utilization of those funds. He said \$75,000 of that was set aside to replace that ballfield, the one that will be vacated by putting the surface lot there. He said the \$75,000 can be utilized to put a ballfield wherever the Parks Commission feels is the most appropriate to place. He said they have tried to make amends so that they are not taking a ballfield away from the community but actually it will be able to upgrade that ballfield to a better field to what is currently on the property now. He said it will be a part of wherever the Parks Commission feels is the most appropriate for them to place that. Mr. Hughes stated that was the intent in the plan as it was put forward to the Mayor and to the individuals here in the room. He asked if there is any more clarification.

Mr. Avant stated "It is fine, thank you."

Mr. Hughes stated the surface parking is free parking as opposed to if you build a deck and you have to charge for it because of the cost. He asked if there were any more questions. There were none.

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 94-2016

ORDINANCE NO. 94-2016. PRESENTED BY: MR. MEGYES. TITLE: EASEMENT – NORTON. AN ORDINANCE AMENDING ORDINANCE NO. 14-2016 TO ADD PERMISSION FOR THE INSTALLATION OF TIME WARNER CABLE WITHIN SAID EASEMENT, 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. 94-2016 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 95-2016

ORDINANCE NO. 95-2016. PRESENTED BY: MR. MEGYES. TITLE: ENTER INTO LEASE AGREEMENT – PARKS - SUMMA HEALTH SYSTEMS. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH SUMMA HEALTH SYSTEMS FOR A SECTION OF TUSCORA PARK FOR HOSPITAL PARKING. *1st Reading Only.*

ORDINANCE NO. 96-2016

ORDINANCE NO. 96-2016. 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. 96-2016 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 97-2016

ORDINANCE NO. 97-2016. PRESENTED BY: MR. PALMER. TITLE: SEWER RATE MODIFICATION. AN ORDINANCE AMENDING ORDINANCE NO. 187-2015 TO MODIFY THE UTILITIES SEWER RATE ORDINANCE IN ACCORDANCE WITH THE NEW BARBERTON NORTON SEWER AGREEMENT, AND DECLARING AN EMERGENCY. *1st Reading Only*

ORDINANCE NO. 98-2016

ORDINANCE NO. 98-2016. PRESENTED BY: MR. PALMER. TITLE: ENTER INTO AGREEMENT - NASH HEIGHTS SEWER PROJECT. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE CITY OF NORTON FOR THE TRANSFER OF THE NASH HEIGHTS GRAVITY SANITARY SEWER IMPROVEMENT PROJECT FROM THE CITY OF NORTON TO THE CITY OF BARBERTON, INCLUDING THE ACCEPTANCE OF PUBLIC BIDS SOLICITED BY THE CITY OF NORTON, AND ALSO AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH RUDZIK EXCAVATING FOR CONSTRUCTION OF SAID 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. 98-2016 BE ADOPTED.** President Maurer asked in light of new goings on regarding the other party in this contract, do they want to proceed with this? Mr. Vinay stated “Yes they do.” He said there could be a situation where the agreements will still be executed and if that happens they want to be able to proceed so obviously, they want to have this legislation in place. He said if it comes to a point that they can’t execute an agreement, obviously they won’t execute either the sewer agreement or this agreement. All Members voted “yea.” Motion carried.

ORDINANCE NO. 99-2016

ORDINANCE NO. 99-2016. PRESENTED BY: MRS. DEBEVEC. TITLE: INVESTMENT POLICY AMENDMENT. AN ORDINANCE AMENDING THE INVESTMENT POLICY FOR THE CITY OF BARBERTON, 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. 99-2016 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 during the mum fest he had a lot of fun and was able to serve two duties. He said he was there to unload the mums and then came back a few days later to load them back into the cars. He said the weather was really, really cooperating with them but unfortunately it didn't cooperate too well with the mums because they hadn't opened because it had been too warm. He said despite that, it was a great time. He said he spoke to a number of people and there was an entire bus that came in from the Pittsburgh area and he never saw so many flowers being stuffed into the belly of a tour bus. President Maurer said a lot of the help that they had were high schools kids who were getting their service points for graduation. He said in the loading area of the mums he worked with some really fantastic young kids. He said he doesn't think they have ever had this many people. He said it was a great time and Barberton put on their best and we certainly did not disappoint. He said his congratulations to the park staff. President Maurer asked Mr. McAviney asked if we knew what our approximate total is?

Mr. McAviney stated not at this point. He said they are working at the trash issues right now and once that is taken care of they should have some numbers for next week.

Mrs. Angeloff asked if they could estimate how many people were down here.

Mr. McAviney said it is so difficult to number but it was more crowded than last year and they always go with 30,000 throughout the weekend. He said Sunday was very crowded but on Saturday if you wanted to walk from one side to the other you had to go behind everything and it was that crowded throughout the whole day and it never let up.

President Maurer said if there are any suggestions you would like to make to Lisa McLean please don't forget. He said she said to let her know right away because if you wait a week you will forget what it was. President Maurer said it just keeps getting better every year and we always overcome the challenges.

President Maurer stated the festoon lighting in the Arts Entertainment District is really cool. He said if you have a chance to go that way on your way home, to check it out.

Mrs. Debevec stated she is a little glad the mums are not completely opened because for Homecoming they are going to be beautiful for pictures.

Mrs. Debevec said she wanted to give a shout out to the citizens of Barberton and especially the schools. She said as President Maurer mentioned about having good volunteers, we have really good kids in this district. She stated she works in Norton and was at Norton High School the previous Thursday when they made the announcement that our community collected \$1,600 to donate to the family of the boy who was tragically killed at Norton. She said that really says a lot about the kids in our district and how much they care about our neighbors. She said she was really proud to be from Barberton when they made that announcement because it brought tears to a lot of kids in Norton High School's eyes. She said she just wanted to let everyone know that

we do have good people in this community and for all the bad that we see there is just as much good.

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked all the volunteers, the city employees, the participants and everyone who attended the events this past week and weekend here in the city. He said it was a very busy weekend. He stated we had the mum festival all weekend where the employees and volunteers made it look easy but a lot of planning and work goes into it. He stated they had the Walk of Fame Induction on Friday evening which was fantastic, the Tuscany on Tusc, and the 4th Friday Merchants Association had their event. He said some of the members that attended the Walk of Fame for their family members had not been to downtown Barberton in a number of years so it was a great showing. He said Tuscany of Tusc was a great event with the lighting so he wanted to thank anyone who participated in that. He stated they estimated around 750 people were downtown and it was a tremendous show of what could be done, the reality or vision and the tangible part of that coming together.

Mayor Judge stated the next event celebrating the 125th Anniversary of the City will be the University of Akron football game/Barberton Day at the October 15th football game. He said they will get more information out on that with tickets and prices.

Mayor Judge said Change for Change will be Thursday at Angie's Restaurant benefiting the Barberton Schools garden program.

Mayor Judge told Council they are putting together the 2017 budget and the 2017 list of streets. He said to please send to him or Mr. Vinay a list a streets that they would like to be considered for 2017 program. He said they want to get things moving very quickly for next year. He said they are starting now and if you could get them to him in the next few weeks he would appreciate it.

Mayor Judge stated on Saturday he will have open office hours from 9:00 am until 11:00 am and it is open for any resident to come in and talk.

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

Adjourned: 8:02 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council