

Council met in **REGULAR SESSION** on Monday, March 23, 2015, at 7:42 P.M. in the Council Chambers with President Maurer presiding. Members present: Avant, Debevec, Endres, Frey, Lysenko, Megyes, Soyars, and Wagner. The Pledge of Allegiance to the Flag was recited and Mr. Wagner gave the Invocation. There was a moment of silence for Mr. Loreto George, a retired principal who passed away this past week.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Regular Legislative Session held on Monday, March 9, 2015, 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

Scott Snyder, Co-Founder of Hero’s Rock which is a 501C3 non-profit which builds tribute rockers for children of fallen heroes. He stated tonight they will take a vote, a very important vote. He said he was here a few weeks ago and mentioned numbers of all of the fallen across the country and what communities have done to honor their sacrifice. He said the vote tonight could be a shining example on how Barberton chooses to honor the sacrifice of Justin Winebrenner. Mr. Snyder said he mentioned numbers and how we should put names to those numbers. He said tonight he would like to put a face to a name – actually two. *He held up a picture of Justin and his daughter Charlie.* He stated Charlie just turned five and Justin was not there to witness it. He said when she grows, she will not have the opportunity to see her dad cheering her on playing soccer and when she graduates, she won’t be able to look out in the crowd and see her dad with that big Justin smile and when she gets married her dad won’t be able to walk her down the aisle. He stated tonight you have an opportunity to show her that Barberton appreciates the service he did for the community and you will honor his sacrifice. Mr. Snyder said he begs them please – do the right thing and get the Justin Winebrenner Bridge dedicated – do it for the family – do it for Justin – do it for his daughter. He stated this is something that should be a no brainer and this is how we honor our fallen today. He said we put names and faces to the numbers and we do not generalize and we do not minimize. Mr. Snyder said please do the right thing.

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. 34-2015

ORDINANCE NO. 34-2015. PRESENTED BY: MRS. DEBEVEC. TITLE: ENTER INTO CONTRACT - SPANO CONSTRUCTION COMPANY, INC. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH SPANO CONSTRUCTION COMPANY, INC., THE LOWEST AND/OR BEST BIDDER, FOR THE 2015 SIDEWALK REPLACEMENT PROGRAM FOR AN AMOUNT NOT TO EXCEED \$86,375.00, AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mr. Lysenko, 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. Lysenko, that **ORDINANCE NO. 34-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 35-2015

ORDINANCE NO. 35-2015. PRESENTED BY: MR. AVANT. TITLE: FY 2015 CDBG ANNUAL ACTION PLAN. AN ORDINANCE APPROVING THE FY 2015 CDBG ANNUAL ACTION PLAN BUDGET, AND DECLARING AN EMERGENCY. It was moved by Mr. Avant 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 Mr. Avant, seconded by Mr. Soyars, that **ORDINANCE NO. 35-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 36-2015

ORDINANCE NO. 36-2015. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - MUM GARDEN. 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 \$5,000, TO BE USED FOR THE UPGRADE AND RENOVATION OF THE MUM GARDEN LOCATED AT LAKE ANNA PARK, AND DECLARING AN EMERGENCY. It was moved by Mr. Megyes, seconded by Mr. Avant, 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 Mr. Avant, that **ORDINANCE NO. 36-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 37-2015

ORDINANCE NO. 37-2015. PRESENTED BY: MR. MEGYES. TITLE: DISPOSAL OF VARIOUS PIECES OF OFFICE FURNITURE. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DISPOSE OF VARIOUS PIECES OF OFFICE SUPPLY FURNITURE, INCLUDING BUT NOT LIMITED TO, CHAIRS, DESKS, PARTITIONS, AND FILING CABINETS, AND DECLARING AN EMERGENCY. It was moved by Mr. Megyes, seconded by Mr. Avant, 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 Mr. Avant, that **ORDINANCE NO. 37-2015 BE ADOPTED.** President Maurer asked Mr. Vinay if the Habitat for Humanity would take this furniture. Mr.

Vinay stated Habitat for Humanity takes more residential items and we are going to scrap this furniture. All Members voted “yea.” Motion carried.

ORDINANCE NO. 38-2015

ORDINANCE NO. 38-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – HUMAN RESOURCE DEPARTMENT. AN ORDINANCE APPROPRIATING \$30,000 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE HUMAN RESOURCE DEPARTMENT OPERATING BUDGET TO COVER SERVICES RENDERED FROM ROETZEL AND ANDRESS FOR CONTRACT NEGOTIATIONS, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 38-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 39-2015

ORDINANCE NO. 39-2015. PRESENTED BY: MRS. FREY. TITLE: AMENDING ORDINANCE NO. 97-2011 - COMPENSATION FOR ELECTED OFFICIALS. AN ORDINANCE AMENDING ORDINANCE NO. 97-2011 TO ESTABLISH THE COMPENSATION FOR CERTAIN ELECTED OFFICIALS AND COMPENSATION PROCEDURES FOR THE NEXT FOUR YEARS, AND DECLARING AN EMERGENCY. *First Reading Only.*

ORDINANCE NO. 40-2015

ORDINANCE NO. 40-2015. PRESENTED BY: MRS. FREY. TITLE: 2015 OPERATING AND CAPITAL BUDGET. AN ORDINANCE ADOPTING A BUDGET FOR VARIOUS FUNDS OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2015, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 40-2015 BE ADOPTED.** Mr. Maurer told Mr. Flickinger and the Administration nice job on the budget ~ a lot of work spending \$40 million dollars of the people’s money. He said it was clear, precise and they made every effort to accommodate council’s questions. All Members voted “yea.” Motion carried.

ORDINANCE NO. 41-2015

ORDINANCE NO. 41-2014. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT – PERRIN ASPHALT. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO PERRIN ASPHALT, IN THE AMOUNT OF \$5,000.00, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 41-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 42-2015

ORDINANCE NO. 42-2015. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - LEGAL DEFENDERS OFFICE. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO THE LEGAL DEFENDERS OFFICE, IN THE AMOUNT OF \$4,800, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 42-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

None.

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 24-2015

ORDINANCE NO. 24-2015. PRESENTED BY: MR. LYSENKO. TITLE: ENTER INTO AGREEMENT - CITY OF NORTON. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF NORTON THAT WILL ALLOW THE CITY OF BARBERTON BUILDING DEPARTMENT TO ASSUME AUTHORITY FOR ALL BUILDING CODE ADMINISTRATIVE FUNCTIONS WITHIN NORTON LIMITS. It was moved by Mr. Lysenko, seconded by Mr. Endres, that **ORDINANCE NO. 24-2015 BE ADOPTED.** Mr. Avant stated that Norton is considering going with Summit County and asked if we vote on this will it affect what is going on or what they do will it affect our vote here. He asked if we should table this. Mr. Vinay answered that Norton is scheduled to vote on this issue tonight on this same matter and their vote is to join Barberton. He said depending on how their vote goes we could terminate if they go with the County. Mr. Maurer stated if we vote yes and they vote no it has to be a mutual agreement. Mr. Vinay agreed. Mr. Lysenko asked since Mr. Vinay has joined the city’s administration in the Mayor’s office we are missing a building inspector and are we replacing Mr. Vinay and would the Building Code Administrator function include a building inspector for the City of Norton. Mr. Vinay answered it would include building inspection services. He said as of now Mr. McCune is certified as a building inspector in our building department and we currently have an ad out for an electrical inspector and that ad requires a certification as a building inspector. Mr. Lysenko asked if we are replacing Mr. Vinay’s position or Mr. Haywood’s position. Mr. Vinay stated as of now the only position scheduled to be replaced is Mr. Haywood’s position. Mr. Endres, Mr. Wagner, Mr. Avant, Mrs. Frey, Mr. Megyes, Mr. Soyars, and Mrs. Debevec voted “yea.” Mr. Lysenko voted “no.” Motion carried.

RESOLUTION NO. 25-2015

RESOLUTION NO. 25-2015. PRESENTED BY: MRS. DEBEVEC. TITLE: NAMING OF THE ROBINSON AVENUE BRIDGE. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON REQUESTING SUMMIT COUNTY COUNCIL TO NAME THE BRIDGE SPANNING ROBINSON AVENUE TO WOOSTER ROAD WEST IN MEMORY OF JUSTIN WINEBRENNER. It was moved by Mrs. Debevec, seconded by

Mr. Lysenko, that **RESOLUTION NO. 25-2015 BE ADOPTED.** Mrs. Debevec stated that many dear friends and family of the late officer Justin Winebrenner approached city officials and council with the proposal to name the Robinson Avenue Bridge after him with the desire to keep the memory of his heroism alive. She said as chair of the street committee, she wholeheartedly agreed to introduce this resolution to her committee where all three of them agreed to introduce this to council. She said they decided three readings would allow the residents of Barberton six weeks to inform them of their wishes. Mrs. Debevec stated as these weeks have passed, the stories shared by his loved ones has confirmed what she already knew about Justin and his family. She stated he was strong yet gentle, compassionate, honorable, generous and giving of himself. She said he proved this the night in November when he sacrificed his life to save so many others. She stated they received nearly 250 (didn't count) signatures of Barberton residents that support of the naming. Mrs. Debevec said they will be voting on it this evening and she will be giving the Winebrenner family her love and support that they deserve. She said that is the way she felt and she hopes the other councilman feel the same way. Mr. Lysenko stated he understands there are different opinions and he thinks both sides of the matter are valid and he had to give this much thought before making up his mind although he has come to the conclusion that naming the bridge after someone does not mean we are diminishing the accomplishments or sacrifices of any other public servants who have given of themselves to the City or elsewhere from Barberton who have gone to work in other places and make sacrifices for those places. He said what it does mean is that we are honoring a gentleman and a police officer who lost his life protecting others and was the victim of a horrible crime. Mr. Lysenko said he has heard and read a lot about Justin Winebrenner over the last few weeks and he was an exemplary and an inspirational person to those who knew him. He stated naming the bridge after him does not mean we cannot name other things in the city in remembrance of other people who have sacrificed for this city, or who are from this city and have gone on to make sacrifices in public and other acts of bravery. He said for him he has not heard a good answer to the question "Why not name it after Justin Winebrenner?" He stated he sees so many reasons to name it after someone like him he has to vote yes and at the same time he understands other people will be saying "why pick one person" and "why name it after anybody." Mr. Lysenko said he understands all of those opinions and he respectfully disagrees and he thinks as the gentleman at the rail said earlier this is a chance for us to set the City of Barberton apart in remembering and honoring somebody like Justin Winebrenner and his family. Mr. Wagner stated he totally agrees with Mrs. Debevec and also with Mr. Lysenko and he too will be supporting Resolution 25 and he thinks it is a fitting tribute to a young man who grew up here and went to school here. He stated he was an honorable young man who died protecting the welfare of our community. Mr. Soyars stated he will be supporting the ordinance also. He said he has known the Winebrenner most of his life and being a former probation officer and a Summit County Gang Task Force Member he knows what these officers deal with day in and day out with different calls. He stated he was a cop 24 hours a day and he was off duty when this happened. He said he will be supporting this. Mr. Megyes stated he has known the Winebrenner family basically his whole

life. He said Rob and him grew up in the same neighborhood in the far west side of Barberton. He stated what happened to his family, obviously is a travesty and no parent should have to go through the passing of a child before them. He also stated no child should lose the security of a loving father. He stated some of them have approached him concerning his opinion about naming the bridge and as a 4th ward representative it is his job to reflect the collective opinions of his constituents. Mr. Megyes stated he has done that like he has done that in the past with other hard decisions. He said after speaking with over 40 people in his ward on this subject a few people had no opinions, a few people had expressed the bridge doesn't need to be named at all, but the majority of his constituents expressed the preference of naming the bridge a memorial bridge in the honor of all the heroes who have served our community. He stated he will be voting no on this ordinance. Mrs. Frey stated she will also be voting no based on the same criteria as Mr. Megyes. She said she has been approached by many people either face to face or by phone call concerning this matter and most people are opposed to naming it after one individual. She stated they would be more than happy to name it the memorial bridge or something of that nature. Mrs. Frey said they have nothing against the family, in fact, that is how everyone presses their remarks that they think it is a wonderful family and everyone thinks Justin is wonderful but they just feel that too many other people would be hurt if you name it just after one person. She said the city generally does not name things and it is very difficult to rename a street because everybody that lives on the street has to agree to it and that is how this bridge naming even came up. She stated we were approached by the NAACP about naming something for Martin Luther King. She said they wanted a street but found it too difficult to do and we tried to come up with some way on honoring him without causing too much inconvenience to the citizens of Barberton, so therefore, we came up with the bridge idea. Mrs. Frey stated that did not go over well. She said citizens were adamantly opposed to the idea and wrote letters to views line, called council members, sent e-mails and circulated a petition. She stated then November 16th occurred and Justin's friends and relatives thought it would be a good idea to name the bridge after Justin. She stated he was a wonderful son, brother, father, fiancé and a friend to everyone he has met and a dedicated police officer. She said she has not met him personally but she has heard so many good things about him and he must have been an absolutely wonderful person. Mrs. Frey said they want to honor him by naming the bridge, however, she has been faced with a lot of opposition to that and people asking that she vote no on this particular request. She looked at Mrs. Debevec and stated that her committee has worked very hard and it is a testimony to Justin that so many people will be behind this initiative and he is deserving of it however, there are too many people that just don't want to name the bridge after one individual. Mr. Endres said his comments are simple but he also will be voting no on this tonight. He said all of us here tonight have been affected by Justin Winebrenner's passing. He stated those who knew Justin and the family, classmates, teammates, or those who are related to any of them. He stated all are seeking grievance and closure. He said on the proposal for the naming of the Robinson Avenue Bridge, it brought back to him about previous ideas of an area around the outer walkway of Lake Anna to step off to look at different memorials. He stated it seemed like a good idea. Mr. Endres said some of the noted city contributors have been mentioned i.e., Woodfords, the war heroes. He stated also another idea is a memorial on the NW corner of the Lake Anna Park is just a general memorial that could be feasible. He said he spoke with his son Dean about this, because they have both been affected tremendously – Dean being a teammate/classmate and he seeing him on the field. He said Justin was always a team player who always tried to help those that needed help and that is what police officers do. He said his

son noted some other memorable people to include in a naming plaque. He said maybe a switchback walkway to connect the corners of the park to come down the pathways on the north side to a quiet walkway area ~ a reflection spot. He said how many people walk this lake in the summer time from out of town who do not know our history and we need to reflect our history so it can be seen rather than on a bridge. Mr. Endres stated he agrees with Mrs. Frey in regards to the previous naming of the bridge to Martin Luther King – it was strongly no and to not name it. He said he gets the same reflection now. He said his son had mentioned that he gets worried because they are a police family and his son worries about his brother and uncle who are active police officers. He stated they also have two retired police officers in their family ~ his brother and brother-in-law. He said they actually have four that affect him daily so this is some of the reasons why he is affected so much by this. Mr. Endres stated he does know precisely what it takes to be a parent, relative, uncle, brother, of police officers and he thinks to name this bridge after Justin Winebrenner would not be the right thing to do. He said he believes it should be in a different area in the city particularly something around the O.C. Barber area or into the walkway development. Mr. Avant stated this is a very delegate issue and he does not want to approach it lightly but he is basing his decision on what he considers the silent majority. He said they did not come down in numbers to object but they did object. He stated everybody he has talked to throughout the city said they too would like to see this bridge as a memorial bridge. He said to the 100's of people before Justin and the 100's of people that is going to come after Justin. He stated they would like to see the bridge with names across it as people come from the towpath or come from one side of town to the other they could see these names of people from the city that contributed, whether they are deceased or living that they have contributed to the city in time and effort. Mr. Avant said he did not know Justin and it sounds like he was one of the most honorable people he would ever get to meet and he thinks in that honor he would not be a selfish person and personally he does not think he would push for something like this because he would see that everybody should be recognized for their efforts. He said as an example, he asked if everyone remembers Ashley and David. He said Ashley Carpenter and David Cole were two promising teenagers that needlessly and senselessly lost their lives because of a drug bust. He said they were teenagers shot, crotched down hiding. He stated even their names should be recognized and they should be remembered throughout time by seeing their names somewhere because they were the future of the city and we lost them as Justin is the future of Akron, Barberton and Summit County. Mr. Avant said that is the reason why he thinks the best thing to do is to honor Justin and the many others that sacrificed their lives. He said he knows there was a police officer that has been retired that just passed away Saturday (Eddie Wickwire.) He said there are so many ways that this bridge, this major landmark in our city could be used to honor everybody. He stated he really believes what people are telling him and he thinks that is why this bridge could be used to honor hundreds of people today and in the future. Mr. Maurer stated he is a retired police officer from Copley Township and as they say been there, done that, bought the t-shirt and he could tell you it is not an easy job even for part-time guys like him. He said he knew Justin when he played baseball with his son Michael (10-12 years old) and he always had a smile on his face and he was always the type of kid who held up the other team members. He said when you have 10-15 kids, every once in a while you find one who is a bully – pushing other the kids around. He stated you will find one that does not want to be involved and he goes off on his own. Mr. Maurer said Justin was the guy who could get along with all of them. He said he could tell the bully to leave this kid alone without offending him. He said he could help bring the other kid out. He said this is not talk because the man lost his life but because that is

the way he was. He stated he did not know him as he grew up, after coaching little league he lost track of him but he would think he did not change very much because he was just that type of guy. He said he thinks it is a very difficult situation we are looking at now. Mr. Maurer said the other thing he would like to mention is that win or lose after tonight's vote this is a resolution to the county who actually owns the bridge and it does not belong to the City of Barberton. He said under the circumstances he does not know if this is the right venue to do it and not to diminish Justin or Sergeant Woodford who is the Congressional Medal of Honor winner, or Vince Gerek or Bob Krska. He stated we have lost Firefighters, Policeman, and we have lost City Worker's on the job here in the city so this is a difficult situation but it doesn't exactly end here regardless on how the vote goes here tonight. He said he agrees with Mr. Endres, Mrs. Frey, and Mr. Avant that a hero's walk may be more suitable around Lake Anna and maybe that the renaming of the bridge is not the way to go. Mr. Maurer said, again it is not our call merely a recommendation to the county to see what they want to do so it does not end here tonight regardless. Mrs. Debevec stated she has been thinking about this and it has just been brought to her attention by the Fire Chief, and it has been running through her mind as well, she hasn't talked to any of the group about it but she just wants to make a suggestion. She said the resolution is pretty general, it says to name the bridge spanning Robinson Avenue to Wooster Road West in memory of Justin Winebrenner. She asked why can't we say the Justin Winebrenner Memorial Bridge and still be able to add people to that bridge but highlight his name. She said it is still a memorial bridge but we are highlighting Justin. She said she does not know how anyone else feels about that and she doesn't know if this would be a different piece of legislation that would need to come through or if it would change anyone's feelings. She said she does not know how the family or the group feels about that. Mr. Maurer said if we were going to do that we would need to reconstruct the resolution or we could just table it and reword it. He said because we do not have a meeting next week that would give us two weeks to do that. He said it sounds like kicking a can down the road but the question is not whether or not Justin is a deserving young man. He said he definitely was and there is no arguing that. He said the question is the venue and virtually everybody he has spoken to from the City of Barberton be it law enforcement, people who live in the city – think it is a wonderful thing but not the right venue and that is a theme that he has been getting out of this. Mr. Maurer stated he has read a lot of things on the internet, so he thinks we need to keep things close to home here but if Mrs. Debevec wishes to do that we can table the issue, amend it or withdraw it in two weeks. He said but passing it tonight is going to send it back to Summit County Council to leave it up to their discretion, basically to say we would like this to happen. He said he feels real bad about something that would not be a slam dunk unanimous. He said we are going to send it with our unanimous vote and obviously it is not going to go that way and if it doesn't go unanimously is it a left handed compliment. He asked is it going to defeat the honor that we are trying to bestow on a very fine young man who lost his life 50 years before he should have. He said that is what we are dealing with tonight and as chairman of the committee it would be her prerogative if she wishes to rework the legislation along those lines – she could move to table. Mrs. Debevec stated she spoke with the group and she spoke with Mr. Winebrenner and they would like us to vote. Mr. Lysenko, Mr. Wagner, Mrs. Debevec, and Mr. Soyars voted "yea." Mr. Endres, Mr. Megyes, Mr. Avant and Mrs. Frey voted "no." Vote 4-4. President Maurer voted "no." Motion failed.

APPOINTMENTS

2015 CHARTER REVIEW BOARD

Marty Bidlingmyer
Ken Masich
Vic Myers
Pat Boyle
Jim Bauschlinger
Tom Harnden
Shannon McNulty

Mr. Maurer stated we have to have a Charter Review Commission every 5 years and the Commission is supposed to be made up of three democrats, three republicans and fill in the names of parties of preferable independent. Mr. Lysenko brought to council's attention that the Charter 12.02 states "Mayor shall, with confirmation by council appoint a commission of seven qualified electors no more than four of whom are members of the same political party. No member shall hold an elective office, appointment or employment in the government of this Municipality." Mr. Lysenko stated he noticed that he has two people on the list who are appointed to: 1. Parks Commission and 2. Board of Zoning and Appeals so if we are going to vote individually he will be voting no to those two because we will not have a full slate. He stated not only that we will have three republicans, one democrat, and one non-affiliated. Mr. Maurer said we can have the law director confirm but these people are not paid employees. Mrs. Miller stated Mr. Lysenko is correct so what she would do is take the two off and approve the other ones and have the Mayor come back with two additional names. Mr. Lysenko stated before he approves anyone to make sure we have no more than four of the same party. He said if we do it piece mill we could still end up with more than four of one political party. Mrs. Miller said it would mean if those two are democrats than you would have to replace with two democrats. Mr. Lysenko stated his problem is that he does not know if he is going to appoint two more democrats or two more republicans, or who they are or if they are independent. He said he wants to make sure we are in compliance with the charter. Mr. Maurer stated in compliance with the charter, therefore, if we had 3 democrats then you would have to appoint republicans or independents to keep the number where it needs to be in the charter. Mr. Maurer asked Mr. Lysenko what the two names he had problems with. Mr. Lysenko stated the two people that have already been appointed to boards are Marty Bidlingmyer - Parks Commission and Jim Bauschlinger – Board of Zoning and Appeals. Mr. Maurer stated he would call for the appointment of the five members who qualify under the charter and ask the mayor to submit two more names in place of Mrs. Bidlingmyer and Mr. Bauschlinger. Mrs. Miller stated those two names will come back to council for approval. President Maurer made a motion to appoint Ken Masich, Vic Myers, Pat Boyle, Tom Harnden, and Shannon McNulty to the Charter Review Board. All Members said "yea." Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Maurer stated there will be no meeting the following Monday because it is the 5th Monday of the month and we will meet again on April 6th.

Mr. Lysenko asked if any of the Charter Reviews Board meetings have been scheduled. He would like to be notified when the meetings will be so he can attend if he would like.

Mr. Maurer said we had a very contentious issue here over the bridge naming. He stated he was a very fine young man who went through the process and he is not willing to write it off. He stated there is going to be other options here and he thinks the vote of the council indicates that the venue is incorrect the honor is not. He stated he appreciates everyone's comments and voting their conscience.

COMMUNICATION FROM THE MAYOR

Mr. Stefan stated the Mayor is out of town representing the Mayor's Association and Barberton in Washington, D.C. tonight. He stated he is attending a Summit on Economic Development put on by the U. S. Department of Commerce where over 100 foreign businesses CEO's are looking to build relationships and build new businesses in our area. He said the Mayor wanted to be here tonight because he knew there were a lot of important pieces of legislation but this was confirmed over a month ago for him to be present. Mr. Stefan stated the Mayor looks forward to sharing this information with council when he returns.

Mr. Stefan stated the Change for Change will be held the following Friday at the Moose Club benefiting the Mobile Meals.

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

Adjourned: 8:38 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council