

Council met in **REGULAR SESSION** on Monday, October 26, 2015, at 7:38 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 Mrs. Frey 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, October 12, 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

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. 148-2015

ORDINANCE NO. 148-2015. PRESENTED BY: MRS. FREY. TITLE: TRANSFER IN AN APPROPRIATION - BUILDING DEPARTMENT. AN ORDINANCE TRANSFERRING IN AN APPROPRIATION IN THE AMOUNT OF \$7,740 FROM THE BUILDING DEPARTMENT PERSONAL SERVICES BUDGET TO THE BUILDING DEPARTMENT OPERATING BUDGET TO FUND THEIR PROFESSIONAL SERVICES BUDGET FOR THE REMAINDER OF 2015, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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. Frey, seconded by Mr. Lysenko, that **ORDINANCE NO. 148-2015 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 149-2015

ORDINANCE NO. 149-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION/TRANSFER - BUILDING DEPARTMENT. AN ORDINANCE REDUCING THE BUILDING DEPARTMENT PERSONAL SERVICES BUDGET BY \$38,000 BY APPROPRIATING \$38,000 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE GENERAL FUND TRANSFER BUDGET,

TRANSFERRING \$38,000 FROM THE GENERAL FUND CASH BALANCE TO THE STREET OPERATING FUND AND APPROPRIATING \$38,000 FROM THE UNAPPROPRIATED ITEM OF THE STREET OPERATING FUND TO THE STREET OPERATING FUND CAPITAL BUDGET TO PURCHASE A NEW PORTABLE ASPHALT HAULER AND A NEW BUCKET FOR THE DEPARTMENT'S FRONT END LOADER, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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. Frey, seconded by Mr. Lysenko, that **ORDINANCE NO. 149-2015 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 150-2015

ORDINANCE NO. 150-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - WASTE WATER TREATMENT PLANT. AN ORDINANCE APPROPRIATING \$166,000 FROM THE UNAPPROPRIATED ITEM OF THE SEWER FUND TO THE WASTE WATER TREATMENT PLANT OPERATING BUDGET DUE TO A SHORTFALL AT THE WASTE WATER TREATMENT PLANT IN THE 2015 SEWER OPERATING BUDGET, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mr. Wagner, 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. Wagner, that **ORDINANCE NO. 150-2015 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 151-2015

ORDINANCE NO. 151-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - WATER TREATMENT PLANT. AN ORDINANCE APPROPRIATING \$205,000 FROM THE UNAPPROPRIATED ITEM OF THE WATER FUND TO THE WATER PLANT OPERATING BUDGET DUE TO CHANGES IN RAW WATER QUALITY, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mr. Wagner, 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. Wagner, that **ORDINANCE NO. 151-2015 BE ADOPTED.** All Members voted "yea." Motion carried.

RESOLUTION NO. 152-2015

RESOLUTION NO. 152-2015. PRESENTED BY: MR. ENDRES. TITLE: NATIONAL PANCREATIC CANCER DAY. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON DECLARING NOVEMBER 13TH "NATIONAL PANCREATIC CANCER DAY," TO INCREASE AWARENESS ABOUT PANCREATIC CANCER AND RESEARCH INTO EARLY DETECTION, CAUSES, AND EFFECTIVE TREATMENTS, AND DECLARING AN EMERGENCY. It was moved by Mr. Endres, 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 Mr. Endres, seconded by Mrs. Frey, that **RESOLUTION NO. 152-2015 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 153-2015

ORDINANCE NO. 153-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – PARKS – COPIER MACHINES. AN ORDINANCE APPROPRIATING \$1,200 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE PARKS ADMINISTRATION OPERATING BUDGET TO COVER COPIER MACHINE RENTAL COST DUE TO THE INCORRECT AMOUNT IN THE 2015 BUDGET, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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. Frey, seconded by Mr. Megyes, that **ORDINANCE NO. 153-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 154-2015

ORDINANCE NO. 154-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – PARKS - SENIOR CENTER. AN ORDINANCE APPROPRIATING \$1,500 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE SENIOR CENTER PROGRAMS BUDGET TO COVER A SHORTAGE IN THE ELECTRIC POWER LINE ITEM IN THE SENIOR CENTER BUDGET, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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. Frey, seconded by Mr. Megyes, that **ORDINANCE NO. 154-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 155-2015

ORDINANCE NO. 155-2015. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - WINTER YOUTH ADVENTURE CAMP. 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 WINTER YOUTH ADVENTURE CAMP FIELD TRIPS, 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. 155-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 156-2015

ORDINANCE NO. 156-2015. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - KENMORE CONSTRUCTION COMPANY. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO KENMORE CONSTRUCTION COMPANY, IN THE AMOUNT OF \$151,158.21, FOR EMERGENCY SEWER REPAIRS ON 8TH STREET NW, 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. 156-2015 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 reminded everyone of the time change on Sunday morning.

President Maurer stated it would be hard not to notice that we moved an awful lot of money around today which indicates we are getting towards the end of the year. He said we are going to be closing out the month of October this Saturday. He stated going into November we will have a 5th Monday, so we will be meeting four times out of the five Mondays in November. He said then going into December we will have the three Mondays and then the 28th we will be off for the Christmas break. He stated he would like to have all the legislation in order and ready to go. Mr. Maurer said the 14th will be a Legislative Session followed immediately by a Committee of the Whole Meeting.

Mr. Megyes stated the following Thursday he will have a ward meeting at 7 pm at the Active Adult Center.

Mr. Megyes said the leaf removal – he incorporated the football team on that and they will be doing the lawns on November 14th so that gives three weeks if anybody in the City needs help with their leaves. He said to get a hold of him and they will put them on the list.

President Maurer said in that same vein he sees the trucks are out in force in Ward 3 today.

Mr. Vinay stated the 3rd shift person is working/picking up leaves also.

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked everyone who came out for Change 4 Change the past Friday which benefited the Magical Theatre and over \$360 was raised that evening. He said since they started this program, along with several other ones where they partnered with private businesses and non-profits they have raised over \$35,000 in a little over 3 ½ years.

Mayor Judge stated there are a few construction projects that started today. He said one is the sidewalk program - they are putting in a sidewalk along Norton Avenue from 5th Street to the drive entrance of Stark State. He said they have been working with Metro Bus and they will be putting in a bus stop/pad.

Mayor Judge said they are working on a project on the corner of Paige and 2nd Street – downtown where K’s Candies use to be.

Mayor Judge stated the upcoming Saturday is Trick or Treat from 5 pm to 7 pm. He said to be careful with all of the little ones running around.

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

Adjourned: 7:59 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council