

Council met in **REGULAR SESSION** on Monday, December 14, 2015, at 7:30 P.M. in the Council Chambers with President Maurer presiding. Members present: Avant, Debevec, Endres, Frey, Lysenko, Megyes, and Soyars. The Pledge of Allegiance to the Flag was recited and Mrs. Debevec gave the Invocation. There was a moment of silence for Mr. Gary Matney, a prominent citizen, who passed away.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Regular Legislative Session held on Monday, November 23, 2015, as presented. All Members voted "yea." Motion carried.

It was moved by Mrs. Frey, seconded by Mrs. Debevec, to accept the Finance Department Report for November 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. 183-2015

ORDINANCE NO. 183-2015. PRESENTED BY: MR. MEGYES. TITLE: WATERFOWL NUISANCE PREVENTION. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON TO PROHIBIT THE FEEDING OF WATERFOWL ON PUBLIC PROPERTY IN THE CITY OF BARBERTON BY ESTABLISHING CHAPTER 618.24 IN THE BARBERTON CODIFIED ORDINANCES, 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. 183-2015 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 184-2015

ORDINANCE NO. 184-2015. PRESENTED BY: MR. MEGYES. TITLE: DISPOSAL OF SCRAP METAL. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SCRAP METAL FROM THE UTILITY AND STREET DEPARTMENT DEEMED TO BE UNFIT AND UNSAFE FOR DISPOSAL IN ANY OTHER MANNER, 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. 184-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 185-2015

ORDINANCE NO. 185-2015. PRESENTED BY: MR. WAGNER. TITLE: ENTER INTO CONTRACT - PREMIER GMC. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT, WITHOUT COMPETITIVE BIDDING, WITH PREMIER GMC FOR THE PURCHASE OF THREE (3) PICKUP TRUCKS AT A PRICE OF \$29,010 PER TRUCK, 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. 185-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 186-2015

ORDINANCE NO. 186-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - SANITARY SEWER SYSTEM. AN ORDINANCE APPROPRIATING \$175,000 FROM THE UNAPPROPRIATED ITEM OF THE SEWER FUND TO THE SEWER ADMINISTRATION OPERATING BUDGET FOR THE FIRST PAYMENT TO SUMMIT COUNTY FOR THE SANITARY SEWER SYSTEM IN NORTON, 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. 186-2015 BE ADOPTED.** President Maurer stated this is another step in cooperation between Barberton and the City of Norton. He said we are going to help the residents out by consolidating their sewage collection, waste water treatment and lower the price for the people who are currently with the county. He said it will standardize their pricing and hopefully more good things is to come between the City of Norton and the City of Barberton because we can certainly do a lot more by working together than we can by working apart. All Members voted “yea.” Motion carried.

ORDINANCE NO. 187-2015

ORDINANCE NO. 187-2015. PRESENTED BY: MR. WAGNER. TITLE: SEWER RATE INCREASE. AN ORDINANCE AMENDING ORDINANCE NO. 208-2013 AND ENACTING A NEW ORDINANCE TO ADD A NEW RATE STRUCTURE FOR CUSTOMERS SERVED BY PACKAGE PLANTS IN THE CITY OF NORTON AND TO MODIFY THE RATES FOR SEWER CUSTOMERS WITHOUT WATER METERS, 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. 187-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 188-2015

ORDINANCE NO. 188-2015. PRESENTED BY: MR. SOYARS. TITLE: ENTER INTO CONTRACT – LAW DEPARTMENT - LEGAL DEFENDER’S OFFICE – SUMMIT COUNTY. AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO A ONE-YEAR CONTRACT WITH THE LEGAL DEFENDER’S OFFICE OF SUMMIT COUNTY, TO PROVIDE LEGAL REPRESENTATION TO INDIGENT PERSONS IN THE AMOUNT OF \$170 PER CASE, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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. Soyars, seconded by Mr. Megyes, that **ORDINANCE NO. 188-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 189-2015

ORDINANCE NO. 189-2015. PRESENTED BY: MR. SOYARS. TITLE: FOUNDATION GRANT REQUEST – FIRE - TURNOUT GEAR. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE FIRE CHIEF TO THE BARBERTON COMMUNITY FOUNDATION, IN AN AMOUNT OF \$40,000 FOR THE PURCHASE OF TURNOUT GEAR FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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. Soyars, seconded by Mr. Megyes, that **ORDINANCE NO. 189-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 190-2015

ORDINANCE NO. 190-2015. PRESENTED BY: MR. SOYARS. TITLE: PROSECUTORIAL ADMINISTRATIVE CONTRACT - CITY OF NORTON. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A THREE-YEAR CONTRACT (FOR 2016, 2017, AND 2018), WITH THE CITY OF NORTON, WHEREBY THE LAW DEPARTMENT WILL PROVIDE PROSECUTORIAL ADMINISTRATIVE SERVICES TO THE CITY OF NORTON FOR AN ANNUAL FEE OF \$5,000, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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. Soyars, seconded by Mr. Megyes, that **ORDINANCE NO. 190-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 191-2015

ORDINANCE NO. 191-2015. PRESENTED BY: MR. SOYARS. TITLE: AMEND ORDINANCE NO. 176-2015 - PROSECUTORIAL CONTRACT - CITY OF GREEN. AN ORDINANCE AMENDING ORDINANCE NO. 176-2015 TO REVISE THE FEES WHEREBY THE LAW DEPARTMENT WILL PROVIDE PROSECUTORIAL SERVICES TO THE CITY OF GREEN, COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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. Soyars, seconded by Mr. Megyes, that **ORDINANCE NO. 191-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 192-2015

ORDINANCE NO. 192-2015. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - CDBG FUNDS. AN ORDINANCE APPROPRIATING \$16,912.00 FROM THE UNAPPROPRIATED ITEM OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME EXPENDITURE ACCOUNT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mr. Avant, that **ORDINANCE NO. 192-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 193-2015

ORDINANCE NO. 193-2015. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - TRAVELERS INSURANCE. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO TRAVELERS INSURANCE, IN THE AMOUNT OF \$4,280, 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. 193-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 194-2015

ORDINANCE NO. 194-2015. 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 \$123,431.73, 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. 194-2015 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

None.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

Civil Service Commission

Scot Stevenson reappointment January 1, 2016 – December 31, 2021
It was moved by Mrs. Frey, seconded by Mrs. Debevec, to reappoint Mr. Scot Stevenson to the Civil Service Commission until December 31, 2012. President Maurer stated he has known Mr. Stevenson for a long time, has served the city well and he is glad that he wants to stay on. All Members voted “yea.” Motion carried.

Planning Commission

Ronald Mollric reappointment January 1, 2016 – December 31, 2019
It was moved by Mr. Lysenko, seconded by Mr. Endres, to reappoint Mr. Ronald Mollric to the Planning Commission. President Maurer stated again we have a very long standing public servant with Mr. Mollric who has been the chairman of the Planning Commission for a long time and we are very fortunate to have him back. All Members voted “yea.” Motion carried.

Summit County Combined General Health District Board

Linda Berger appointment January 1, 2016 – December 31, 2020
It was moved by Mr. Endres, seconded by Mrs. Frey, to reappoint Linda Berger to the Summit Council Combined General Health District Board. All Members voted “yea.” Motion carried.

Barberton Community Foundation Board of Directors

Steve Kelleher appointment January 1, 2016 – December 31, 2018
Michael Chisnell appointment January 1, 2016 – December 31, 2018
Mrs. Frey stated she would like to wait to until the next legislative meeting to vote on this. She said it has come to her attention that some members of council would like to discuss this further. President Maurer stated as long as we get this done before the end of the year. He then asked the clerk to put this on the agenda for the next meeting.

MISCELLANEOUS AND UNFINISHED BUSINESS

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to excuse Mr. Wagner from tonight’s proceedings. Mrs. Frey stated she spoke to Mr. Wagner and he is going to try to make it to the last meeting. All Members voted “yea.” Motion carried.

The Clerk read the following Liquor License Transfer:

From: Jo2Jo LLC, 22 Wolf Avenue

To: Carters Brew Thru LLC

She stated a copy was given to Mrs. Daugherty, Chief Morber, and Mrs. Frey and no objections were received.

COMMUNICATION FROM THE MAYOR

Mayor Judge stated he will give his report at the Committee of the Whole Meeting.

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

Adjourned: 8:01 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council