

Council met in **REGULAR SESSION** on Monday, June 9, 2014, at 7:30 P.M. in the Council Chambers with President Maurer presiding. Members present: Avant, Debevec, Endres, Frey, Lysenko, Megyes, and Wagner. The Pledge of Allegiance to the Flag was recited and Mrs. Debevec gave the Invocation.

It was moved by Mr. Soyars, seconded by Mrs. Debevec, to approve the Minutes of the Regular Legislative Meeting held on Tuesday, May 27, 2014, 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. 72-2014**

**ORDINANCE NO. 72-2014. PRESENTED BY: MRS. DEBEVEC. TITLE: ENTER INTO CONTRACT – 2014 CONCRETE PAVING CONTRACT. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE LOWEST AND/OR BEST BIDDER, FOR THE 2014 CONCRETE PAVING CONTRACT, 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. 72-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 73-2014**

**ORDINANCE NO. 73-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – UTILITIES. AN ORDINANCE APPROPRIATING \$28,446.00 FROM THE UNAPPROPRIATED ITEM OF THE WATER FUND TO THE WATER FUND TRANSFER BUDGET AND TRANSFERRING \$28,446.00 FROM THE WATER FUND TO THE SEWER FUND, TO BE USED TO CORRECT THE 2013 EXPENDITURES, 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. 73-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 74-2014**

**ORDINANCE NO. 74-2014. PRESENTED BY: MR. SOYARS. TITLE: DISPOSAL OF VEHICLES - POLICE DEPARTMENT. AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO SCRAP/SALVAGE TWELVE (12) 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. Wagner, 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. Wagner, seconded by Mr. Megyes, that **ORDINANCE NO. 74-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 75-2014**

**ORDINANCE NO. 75-2014. PRESENTED BY: MR. SOYARS. TITLE: FOUNDATION GRANT REQUEST - FIRE DEPARTMENT. AN ORDINANCE AUTHORIZING THE FIRE CHIEF TO SUBMIT A GRANT APPLICATION TO THE BARBERTON COMMUNITY FOUNDATION FOR AN AMOUNT UP TO \$62,000 FOR THE PURCHASE OF TURNOUT GEAR FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.** It was moved by Mr. Wagner, 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. Wagner, seconded by Mr. Megyes, that **ORDINANCE NO. 75-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 76-2014**

**ORDINANCE NO. 76-2014. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - 2014 LAKE ANNA HOLIDAY LIGHTING. 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 \$10,000, TO BE USED FOR THE 2014 LAKE ANNA HOLIDAY LIGHTING, 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. 76-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 77-2014**

**ORDINANCE NO. 77-2014. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST – PARKS - 2014 BARBERTON MUM FESTIVAL. 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 \$20,000, TO BE USED FOR THE 2014 BARBERTON MUM FESTIVAL, 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. 77-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 78-2014**

**ORDINANCE NO. 78-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – PARKS. AN ORDINANCE APPROPRIATING \$3,000 FROM THE UNAPPROPRIATED ITEM OF THE PARKS REVOLVING FUND TO THE PARKS REVOLVING FUND OPERATING BUDGET DUE TO A DONATION RECEIVED FROM THE BARBERTON AREA JAYCEES TO ASSIST IN PROVIDING NEW SOUND EQUIPMENT, 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. Mr. Maurer stated that the Barberton Area Jaycees is run by very young people and they have been very productive. He stated they have been very generous to the City and this is a very nice gesture on their part. He said to let the record show this is his opinion but he is sure he speaks for everyone on council that they certainly appreciate the efforts that they put forward to come up with the money to help the City. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Megyes, that **ORDINANCE NO. 78-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 79-2014**

**ORDINANCE NO. 79-2014. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - WARWICK COMMUNICATIONS. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO WARWICK COMMUNICATIONS, INC., IN THE AMOUNT OF \$10,989.56, FOR THE ANNUAL PHONE SYSTEM SUPPORT, 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. 79-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

*The Clerk stated the utilities committee voted to add the following ordinance to agenda:*

**ORDINANCE NO. 80-2014**

**ORDINANCE NO. 80-2014. PRESENTED BY: MR. WAGNER. TITLE: AMEND ORDINANCE 14-2014. AN ORDINANCE AMENDING ORDINANCE 14-2014 AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN FUND AGREEMENT ON BEHALF OF THE**

**CITY OF BARBERTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.** Mr. Wagner stated in committee they invoked council rule 602 to suspend rules 301, 306, and 401. It was moved by Mr. Wagner, 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. Wagner, seconded by Mr. Megyes, that **ORDINANCE NO. 80-2014 BE ADOPTED.** Mr. Maurer asked who we are working with on the scope of this revolving fund. Mr. Stender replied it is the Ohio EPA. Mr. Maurer asked if this is tied in with the education that council took. Mr. Stender said it was. 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**

It was moved to by Mr. Wagner and seconded by Mrs. Debevec to excuse Mr. Soyars from tonight’s meeting. All Members voted “yea.” Motion carried.

Mr. Maurer stated June 30<sup>th</sup> we will not be meeting because it will be the 5<sup>th</sup> Monday of the month.

Mr. Maurer stated that while he was driving into work today he remembered one of his favorite quotes from one of the greatest American Poets ever, Carl Sandburg, “A baby is God’s opinion that the World should go on.” He told the Mayor congratulations on becoming a father and belated to Mr. Lysenko. He said it is a wonderful thing and he thinks we are going leave the City a great place for all these little folks and that is the reason we are here.

**Liquor License Transfer:**

From: Al’s Quality Market, 151 2<sup>nd</sup> Street SW

To: Al’s Quality Market, 563 W. Tuscarawas Ave.

The clerk stated that a copy of this request was given to Mr. Kimble and Mr. Megyes and they both have no objections. She said Chief Morber also received a copy and he has no objections.

**COMMUNICATION FROM THE MAYOR**

Mayor Judge stated this past weekend was very busy and he wanted to thank everyone who was a part of the various events throughout town – Rabies Clinic, Day of Play, Fishing Derby, and the Mark Leach concert downtown for the Relay for Life.

Mayor Judge stated that this day officially started the City’s road program. He stated the contractors have been working on installing ADA ramps around town. He said this will continue over the next few months.

Mayor Judge said if you get calls or complaints about traffic backup/detours or dust/construction vehicles, just tell them “Thank You.” He stated sometimes you have to put up with those types of things when we are getting new roads and we are going to do a lot of paving. He said we are going to have to put up with that for just a little bit but the contractors should be in and out fairly quickly and we will see a lot of new roads by the end of summer.

Mr. Judge stated that the City foreclosed on the Tracy Block downtown due to a loan that was not repaid and the last minute the owner came in and paid the debt to the City.

Mayor Judge stated this Friday we are working together with NDS and the Foundation’s Neighbor Works of America to produce “Out to Lunch in Barberton.” We are working with these groups and all the merchants downtown to try to get as many people downtown between 11-2 to eat lunch and showcase what we have and partake with what we have downtown. He stated we will have some streets closed, have DJ’s, and some bands and things like that. He stated in the e-mail he sent out contains some coupons for different merchants along with a map of who is participating. He said if you can make it that would be great.

Mayor Judge stated this Friday also starts the Summer Concert Series at the Lake.

Mayor Judge asked that the Council members he has not met with concerning the Oakdale property and Summa parking issue to please get in touch with him and set up a time to meet to discuss.

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

Adjourned: 7:54 P.M.

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Frederick S. Maurer  
President of Council

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Renee Fox  
Clerk of Council