

Council met in **REGULAR SESSION** on Monday, June 23, 2014, at 7:30 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. Soyars gave the Invocation.

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

RESOLUTION NO. 81-2014

RESOLUTION NO. 81-2014. SPONSORED BY: MR. ENDRES PRESENTED BY: ALL OF COUNCIL. TITLE: ELDER ABUSE AWARENESS DAY. A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON RECOGNIZING SUNDAY, JUNE 15, 2014, AS ELDER ABUSE AWARENESS DAY AND ENCOURAGING THE RESIDENTS OF SUMMIT COUNTY TO PARTICIPATE IN ANY EVENTS AND PROGRAMS OFFERED BY THE COMMUNITIES, LIBRARIES, SCHOOLS, GOVERNMENTS AND PRIVATE-SECTOR ORGANIZATIONS THAT ARE DESIGNED TO RAISE AWARENESS OF THE ABUSE OF OLDER PERSONS, FOR THE EXECUTIVE, 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 Endres, seconded by Mrs. Frey, that **RESOLUTION NO. 81-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

RESOLUTION NO. 82-2014

RESOLUTION NO. 82-2014. PRESENTED BY: MR. AVANT. TITLE: TAX INCENTIVE REVIEW COUNCIL - PPG INDUSTRIES, INC. A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL REGARDING THE ENTERPRISE ZONE AGREEMENT WITHIN THE CITY OF BARBERTON FOR PPG INDUSTRIES, INC., 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 **RESOLUTION NO. 82-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 83-2014

ORDINANCE NO. 83-2014. PRESENTED BY: MR. WAGNER. TITLE: AUTHORIZE PAYMENT – CHRISTOPHER MACZKO. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO REIMBURSE CHRISTOPHER MACZKO IN THE AMOUNT OF \$3,680, FOR HIS EDUCATION REIMBURSEMENT AT WALSH UNIVERSITY, 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. 83-2014 BE ADOPTED.** Mr. Lysenko stated he does not fault anyone for taking advantage of the City’s tuition reimbursement but he thinks this ordinance should have more stipulations and he has a few ideas. He said one could be a certain amount of employment with the City before having your tuition reimbursed, like maybe a year or two years and a cap on the amount of tuition you might be able to receive. He stated one employee recently received a bachelor’s degree to a tune of \$19,000. Mr. Lysenko stated that Mr. Maczko was enrolled in a master’s program before he started his employment with the City and he thinks that makes this situation a little different than others and he said he could not fault him for taking advantage of this opportunity. He said, “do we want an educated work force” sure. He stated in the same position before him was Gary Byers and from what he heard he did a great job. He stated there also is no class schedule required for anyone who takes advantage of the tuition reimbursement and potentially the City employees could go to school during the day, during their regular work hours and with the City manpower being at a low point, in his opinion he believes that it should be required that they do not go to day classes during a day job. He stated his request is that we take another look at this ordinance to see if there is some other way to make it better. All Members voted “yea.” Motion carried.

The clerk stated on the next ordinances changes have been made to the resolution and you will be voting on the resolution dated 6/19/2014.

RESOLUTION NO. 84-2014

RESOLUTION NO. 84-2014. PRESENTED BY: MR. WAGNER. TITLE: OPWC FUNDING APPLICATION – WADSWORTH / SUMMIT ROAD SANITARY SEWER EXTENSION. A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BARBERTON TO APPLY FOR FUNDING WITH THE OHIO PUBLIC WORKS COMMISSION, FOR THE WADSWORTH / SUMMIT ROAD SANITARY SEWER EXTENSION, 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 **RESOLUTION NO. 84-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 85-2014

RESOLUTION NO. 85-2014. 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 DR. MARTIN LUTHER KING JR, AND DECLARING AN EMERGENCY. *1st Reading Only. Mr. Maurer asked that this be removed from Matters Referred from the January request.*

ORDINANCE NO. 86-2014

ORDINANCE NO. 86-2014. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT – INSURANCE COVERAGE PROPERTY / VEHICLE / LIABILITY. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH WICHERT INSURANCE COMPANY, CONSTITUTING A ONE YEAR EXTENSION OF THE CURRENT CONTRACT FOR THE CITY’S PROPERTY / VEHICLE / LIABILITY INSURANCE COVERAGE, DUE TO EXPIRE ON JUNE 29, 2014, 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. 86-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 87–2014

ORDINANCE NO. 87-2014. PRESENTED BY: MRS. FREY. TITLE: BUSINESS INCENTIVE PROGRAM. AN ORDINANCE ADOPTING AND SUPPORTING THE BUSINESS INCENTIVE PROGRAM THAT WILL BE USED TO HELP SPUR ECONOMIC DEVELOPMENT; ATTRACTING NEW BUSINESSES TO BARBERTON AND THE EXPANSION OF CURRENT BUSINESSES, 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. 87-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

The clerk stated that the Parks Committee voted to add the following resolution to tonight's agenda.

RESOLUTION NO. 88-2014

RESOLUTION NO. 88-2014. SPONSORED BY: MR. MEGYES. PRESENTED BY: ALL OF COUNCIL. TITLE: COMMENDATION – JACQUELINE AULENBACH. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO JACQUELINE A. AULENBACH FOR HER DEDICATION AND SUPPORT OF THE BARBERTON MUM FESTIVAL. 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 **RESOLUTION NO. 88-2014 BE ADOPTED.** Mr. Maurer stated the reality is that the mum festival is one of the most auspicious and successful social endeavors by the City where it brings out the population and showcases Barberton as a very nice place to be and it is always an outstanding event for everybody. He said Mrs. Aulenbach, her husband, and the Aris Agricultural business really did a lot for this City and he can't say enough for the people who roll up their sleeves. He said he could sit here for hours and rattle off the names of people who give their all to the mum festival. 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

Mr. Maurer said next Monday is the fifth Monday of the month so it will be two weeks before we meet and that date is July 7th.

Mr. Maurer said that Mr. Bauschlinger and Mr. Palmer go back a real long ways and he can't think of any people that have ever served the City with more dedication and more sincerity than those two and it is going to be tough to find someone to replace them and he means that from the bottom of his heart. He stated his personal thanks to both.

Mr. Avant stated he remembers Jim when he was a toddler and thinks his hair was gray then too. He said with all his council work it has been a real pleasure working with both Mr. Bauschlinger and Mr. Palmer and they have been a great help to him and his ward and he thanks them.

Mr. Wagner stated ever since he has been on Barberton City Council, every time he has had a problem and needed to go to either Jim or Elwood, and he has called Elwood 100 times, they have always taken care of the problems. He stated as it was said earlier these two are going to be really hard to replace and we are going to miss them. He said they need to reconsider (laughs) but he appreciates all they have done for the City.

Mr. Megyes said he wanted to say “Thanks too.” He said he goes way back with both of these people a long time. He said him and Jim played pee-wee football together where d Jim’s dad coached and he felt sorry for Jim because he was tough on him. He said both him and Elwood are photographers and asked if he remembers the photo of them on the sidelines in the 70’s and wonders where those people went. He said he appreciates everything that they both have done and they will be missed and thanked them.

Mrs. Debevec stated they are amazing men and she is really jealous because she wants to retire and she can’t but said that they have earned it and have done so much for the City. She told them to enjoy themselves and don’t look back – don’t think twice.

Mrs. Frey said she would like to thank both Jim and Elwood for all the help they have given her during her term on council. She said she has had to go to them a number of times and she has one more request – don’t tell the new guys about her so that she can still get help. She said they will be missed and she hopes that she runs into them in town.

Mr. Soyars said he has all the same thoughts and he appreciates all the help they gave to him when he first came onto council, who to talk to about potholes, grass, and all that stuff so he would like to say thanks to both of them.

Mr. Endres said he would like to say “Thank You” to Elwood and “Thank You” to Jim. He said they have been tremendous help not only to him on council but also to city’s organizations and the Zoning Board of Appeals.

Mr. Lysenko said thank you to both of them for a long time working for the City. He said he worked with both of them for a long time and he thanked them again and wished them congratulations.

Mr. Maurer said that politicians come and go, be they mayors, be they council people but it is the civil servants who have been running the nuts and bolts of the operation over the decades that really add continuity. He asked Jim how many mayors he worked under – 5 mayors. Jim said yes, “Starting with a relative of our mayor right now.” Mr. Maurer said that is the type of continuity that keeps the City at an even keel.

COMMUNICATION FROM THE MAYOR

Mr. Judge thanked Council for passing ordinance 83-2014. He stated it is very important that we have an educated work force whether it is a college degree or a certification. He said we have had this program for many years. He said it was tightened up and forcing the employees to take advantage of this program and they have to pay us back if they leave within a certain amount of time. He said we do cover ourselves and he encourages Mr. Lysenko or anyone else to stop in and talk about this.

Mr. Judge also thanked Council for passing ordinance 87-2014. He said the Business Incentive Program levels the playing field with other cities that have this type of program. He said he has done a lot of research and talked with a lot of municipalities and groups that have these programs. He said he is anxious to get this going and to get this advertised to the public.

Mr. Judge said this Wednesday is June's Change-for-Change. He said it will be held at Angie's and it will benefit the Lake Anna Preservation Fund.

Mayor Judge stated we received a notice from the Ohio EPA. He said he wanted to thank all of Council – he is assuming everyone participated. He said the notice stated at least 50% of council successfully completed the utility management course on line. He said that helped the City with the principle forgiveness program.

Mr. Judge said on July 7th the majority of the people will be at Council but two individuals will not be. He stated he does not want to make a big deal about it, because they do not want him to make a big deal about it but he wants to thank Mr. Palmer and Mr. Bauschlinger for their dedication to the City, dedication to the residents and just the community as a whole. He said they made their position their job a real profession and they went above and beyond what the job description is. He said he talked to Mr. Kimble about expanding the job descriptions but it would be a few pages long. He stated from the bottom of his heart "Thank You." He said they will be irreplaceable and wishes them luck in the future.

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

Adjourned: 7:57 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council