

Council met in **REGULAR SESSION** on Monday, November 24, 2014, 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 Mr. Soyars 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, November 10, 2014, as presented. All Members voted “yea.” Motion carried.

PETITIONS AND CLAIMS

The Clerk read a Thank You from the family of William Judge.

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. 158-2014

RESOLUTION NO. 158-2014. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. SOYARS. TITLE: COMMENDATION – DETECTIVE STEVE COBURN. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO DETECTIVE STEVE COBURN FOR HIS EXCELLENT WORK ON A RAPE INVESTIGATION. It was moved by Mr. Soyars, 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 Mr. Soyars, seconded by Mrs. Debevec, that **RESOLUTION NO. 158-2014 BE ADOPTED.** Mr. Soyars thanked Detective Coburn for all of his hard work on this case and bringing the two defendants to justice. Mr. Maurer stated that he has a background in law enforcement himself and a lot of times heroism manifests itself is ordinary people doing remarkable things. He said he cannot think of anything that is more horrible than being violated by another human being and to know that we have people like Detective Coburn that will stand up to those people, a steel thin blue line separates civilized people from savagery and that is the absolute truth in this case. He said “Well done detective, we appreciate it.” Chief Morber stated that all of the officers do an excellent job every day. He said it is a profession, true, but for most of them it is their vocation

and they would do nothing else. He stated this was a really hard case, if you could only see how hard it was, and Steve believed in it all the way. Chief Morber said ask Lt. Jamison and he could tell you that Steve took some flack about how much time he put in, even on his off time. He stated that Steve saved a life is what he did with this victim and for that we all thank Steve. He said he made them proud. Mayor Judge thanked Steve for everything he did and all of his hard work and dedication he put into this case, not only to this case but the dedicated and hard work he puts into the job itself protecting the community and all of the residents. He stated he put some really bad people away for a long time which is fantastic. He said he gave some justice and closure to the victim which you can't put a price on. He said he really appreciates the work he put into it. All Members voted "yea." Motion carried.

It was moved by Mr. Soyars, seconded by Mrs. Debevec to recess to give Detective Coburn his commendation. All Member voted "yea." Motion carried.

Recessed: 7:39 P.M.

Reconvened: 7:42 P.M.

ORDINANCE NO. 155-2014

ORDINANCE NO. 155-2014. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST - 2015 LAKE ANNA CONCERT SERIES. 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 \$24,000, FOR THE 2015 LAKE ANNA CONCERT SERIES, 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. 155-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 156-2014

ORDINANCE NO. 156-2014. 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. 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. 156-2014 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 157-2014

ORDINANCE NO. 157-2014. PRESENTED BY: MR. SOYARS. TITLE: AMEND SECTION 856 – BARBERTON CODIFIED ORDINANCES - TAXICAB RATE INCREASE. AN ORDINANCE AMENDING SECTION 856.05 OF THE BARBERTON CODIFIED ORDINANCES, “TAXICAB RATES,” TO INCREASE THE RATES FOR TAXICAB OPERATORS LICENSED UNDER THE PROVISIONS OF CHAPTER 856, 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. 157-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 159-2014

ORDINANCE NO. 159-2014. PRESENTED BY: MR. SOYARS. TITLE: AMENDING BARBERTON CODIFIED ORDINANCES SECTION 303.08 - IMPOUNDING OF VEHICLES; REDEMPTION. AN ORDINANCE AMENDING SECTION 303.08, “IMPOUNDING OF VEHICLES; REDEMPTION,” TO INCREASE THE TOWING AND IMPOUND FEES INSTITUTED BY OUR POLICE DEPARTMENT IN SECTION (D), 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. 159-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 160-2014

ORDINANCE NO. 160-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – FIRE DEPARTMENT. AN ORDINANCE APPROPRIATING \$21,350 FROM THE CITY GRANT FUND TO THE CITY GRANT FUND OPERATING BUDGET, DUE TO \$2,750 FROM A REIMBURSEMENT EMS GRANT FROM THE STATE OF OHIO AND \$18,600 FROM A BARBERTON COMMUNITY FOUNDATION GRANT FOR THE PURCHASE OF NEW TURNOUT GEAR, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mr. Soyars, that **ORDINANCE NO. 160-2014 BE ADOPTED.** Mr. Maurer stated we are very fortunate we have really outstanding personnel serving out City in very hazardous occupations, such as Firefighters, Law Enforcement, and various other City Services. He said he thinks it is great the Foundation helped out with this, as well as the State of Ohio, to protect these brave men and women when they do their jobs. He stated he cannot think of anything more scary as walking into a building that is on fire so he thinks the addition of new turnout gear is a wonderful thing. All Members voted “yea.” Motion carried.

ORDINANCE NO. 161-2014

ORDINANCE NO. 161-2014. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION – MUNICIPAL COURT. AN ORDINANCE APPROPRIATING \$20,000 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE GENERAL FUND, MUNICIPAL COURT CAPITAL BUDGET FOR THE PURPOSE OF PURCHASING A VEHICLE FOR USE BY THE COURTS SERVICE BAILIFF, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, 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 Mrs. Frey, seconded by Mr. Soyars, that **ORDINANCE NO. 161-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 162-2014

ORDINANCE NO. 162-2014. PRESENTED BY: MRS. DEBEVEC. TITLE: 2015 BIDS AND CONTRACTS - YEAR’S REQUIREMENTS FOR MATERIALS AND SERVICES. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE FOR BIDS AND/OR ENTER INTO CONTRACTS IN 2015, COVERING THE YEAR’S REQUIREMENTS FOR MATERIALS AND SERVICES USED IN THE ORDINARY AND DAILY OPERATION OF THE MUNICIPAL DEPARTMENTS IN THE CITY OF BARBERTON, 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. 162-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

The Clerk stated the Finance Committee invoked Council Rule 602 to Suspend Council Rules 301, 306 and 401 on the next two ordinances.

ORDINANCE NO. 163-2014

ORDINANCE NO. 163-2014. PRESENTED BY: MRS. FREY. TITLE: EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES. AN ORDINANCE AMENDING ORDINANCE NO. 147-2014, “EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES,” IN ORDER TO INCREASE THE SALARY OF CLERK OF COUNCIL BY 2% AND MAKING IT RETROACTIVE TO JANUARY 1, 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. 163-2014 BE ADOPTED.** Mr. Lysenko said the letter that accompanied the requested stated this follows other non-bargaining employees who received a wage increase this year. He asked for someone to refresh his memory as to who those other non-bargaining people were. Mr. Maurer said he believes that would have been the Safety Director and the Director of Public Service. Mayor Judge stated all non-bargaining employees received as increase for 2014 and it was based on where they fell in the pay scale: 1-5 received a 2% and 6-10 received a 1%. All Members voted “yea.” Motion carried.

ORDINANCE NO. 164-2014

ORDINANCE NO. 164-2014. PRESENTED BY: MRS. FREY. TITLE: YEAR END HEALTH CARE FUND ADJUSTMENT. AN ORDINANCE ELIMINATING THE CITY AND EMPLOYEE CONTRIBUTION TO THE HEALTH CARE FUND FOR THE MONTH OF DECEMBER, 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. 164-2014 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

The Clerk stated there is a Liquor License Request for Dolgen Midwest LLC, DBA Dollar General Store 9395, 747 Wooster Road North. She said a copy was given to Mayor Judge, Chief Morber and Mr. Endres and no objections were received.

The Clerk stated earlier in the year we had requested a hearing for Barberton South Inc. at 202 Snyder Avenue for a new Liquor License Permit and a hearing has been rescheduled for December 5th at 9:00 AM at the Summit County Department of Job and Family Services .

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

Mr. Maurer stated he was able to attend the Change for Change the other day and it was a very nice turnout. He said the one for Officer Winebrenner’s family should hopefully get a 100% turnout. He stated he was a fine young man.

Mr. Maurer said we paid honor to one of our Detectives today and in light of what happened this past week with the loss of one of Barberton’s own, it keeps everything in perspective as so how dangerous a world we live in sometimes. He said to keep all of our Safety Forces and Public Servants in your prayers and hopes.

Mr. Maurer stated it will be a short month in December. He said we will have our Christmas break in the week of the 22nd with the 15th being our last meeting and the 29th being a 5th week.

Mr. Maurer wished everyone a Happy Thanksgiving and thanked them for all they do.

Mr. Maurer recognized a few Girl Scouts who were in attendance for tonight's meeting to obtain their merit badges.

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked all department heads and employees who helped out and were part of the funeral procession for Officer Justin Winebrenner this past week. He stated he thought it was an awesome display of the Community coming together – all of the communities and the state, even outside of the State. He said it was an amazing event for a tragic event.

The Mayor said the Christmas Walk is this Saturday from 4:00 PM – 9:00 PM at Lake Anna.

Mayor Judge stated the canned food drive will continue thru the end of the year. He said the cans can be dropped off in the Mayor's Office.

The Mayor reminded everyone the Council Retreat is Tuesday, December 2nd - 5:30 PM at the Active Adult Center. He said if there is anything specific you would like to talk about feel free to send it to him via email and he will generate a list for all Council Members.

Mayor Judge said the Change for Change this past week collected over \$1,200 at the Green Diamond for the Greynold's Classic which is coming up. He thanked everyone who was a part of it. He said the December Change for Change is being put together currently and it will be benefiting the Winebrenner family, specifically his daughter Charlie.

The Mayor stated Council received their employee handbook on their desk. He said to take it home and read it. He stated in the front cover is a sign off sheet and asked if they could sign it and return to his office.

Mayor Judge said the Health District Meeting will be cancelled for this month.

Mayor Judge wished everyone a Happy Thanksgiving.

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

Adjourned: 8:32 P.M.

Frederick S. Maurer
President of Council

Renee Fox
Clerk of Council