

Council met in **REGULAR SESSION** on Monday, December 15, 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. Endres 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, December 8, 2014, 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 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. 172-2014

RESOLUTION NO. 172-2014. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. SOYARS. TITLE: COMMENDATION – CHIEF MORBER. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO CHIEF MORBER FOR HIS BEING AN ADVOCATE IN THE MENTAL HEALTH AND ADDICTION SERVICES FIELD. It was moved by Mr. Soyars, 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 Mr. Soyars, seconded by Mr. Wagner, that **RESOLUTION NO. 172-2014 BE ADOPTED.** Mr. Soyars thanked Chief Morber for all he does for the City and said it is a pleasure working with him on the Safety Committee. Mr. Maurer thanked the Chief for going “above and beyond” the call of duty. He stated to take time out of his schedule on something so important at the combating drug abuse in the City, be it prescription drugs or otherwise. He said he took the point on bath salts which we were on the cutting edge at the time, being the first City to do anything about it and that was under his leadership. He said to get the support of your troops is a wonderful thing. The Mayor congratulated the Chief on his award and the resolution

and thanked him for all of his hard work. He stated he has a great department, great officers, great detectives and that is a result of his leadership. He said we have been in council how many times this year, the past few years and we have given accommodations to officers/detectives and that is a reflection of his leadership. He stated it is great to see his department and him working behind the scenes and being proactive and working for the citizens of the community and he thanks him. All Members voted “yea.” Motion carried.

Recessed 7:36

Reconvened: 7:40

ORDINANCE NO. 168-2014

ORDINANCE NO. 168-2014. PRESENTED BY: MR. MEGYES. TITLE: LEASE AGREEMENT - CANFORA DEVELOPMENT CORPORATION. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR LEASE AGREEMENT WITH CANFORA DEVELOPMENT CORPORATION FOR THE LEASE OF OFFICE SPACE FOR THE FINANCE DEPARTMENT LOCATED AT 104 3RD STREET NW, 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. 168-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 169-2014

ORDINANCE NO. 169-2014. PRESENTED BY: MR. AVANT. TITLE: ENTER INTO CONTRACT - HEPA ENVIRONMENTAL SERVICES, INC. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT, WITH HEPA ENVIRONMENTAL SERVICES, INC., THE LOWEST AND/OR BEST BIDDER, IN THE AMOUNT OF \$432.00 PER DWELLING FOR THE ENVIRONMENTAL ASSESSMENTS AND ABATEMENTS RELATED TO THE DEMOLITION OF 25, MORE OR LESS, RESIDENTIAL STRUCTURES, USING A MIX OF GENERAL FUNDING, CDBG, AND POTENTIAL OTHER GRANT FUNDING, 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 **ORDINANCE NO. 169-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 170-2014

ORDINANCE NO. 170-2014. PRESENTED BY: MR. SOYARS. TITLE: PROSECUTORIAL CONTRACT - CITY OF NEW FRANKLIN. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A THREE-YEAR CONTRACT (FOR 2015, 2016, AND 2017), WITH THE CITY OF NEW FRANKLIN, WHEREBY THE LAW DEPARTMENT WILL PROVIDE PROSECUTORIAL SERVICES TO THE CITY OF NEW FRANKLIN FOR AN ANNUAL FEE OF \$15,500, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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 Mr. Soyars, seconded by Mr. Wagner, that **ORDINANCE NO. 170-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 171-2014

ORDINANCE NO. 171-2014. PRESENTED BY: MR. SOYARS. TITLE: AUTHORIZE PAYMENT - COPLEY TOWNSHIP. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO COPLEY TOWNSHIP, IN THE AMOUNT OF \$12,341.19, FOR DISPATCH EXPENSES INCURRED DECEMBER 2013 AND JANUARY 2014, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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 Mr. Soyars, seconded by Mr. Wagner, that **ORDINANCE NO. 171-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 173-2014

ORDINANCE NO. 173-2014. PRESENTED BY: MR. SOYARS. TITLE: FOUNDATION GRANT REQUEST – POLICE BODY CAMERAS. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE CITY OF BARBERTON TO THE BARBERTON COMMUNITY FOUNDATION, IN AN AMOUNT UP TO \$65,000, TO BE USED TOWARDS THE FUNDING OF POLICE BODY CAMERAS, AND DECLARING AN EMERGENCY. It was moved by Mr. Soyars, 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 Mr. Soyars, seconded by Mr. Wagner, that **ORDINANCE NO. 173-2014 BE ADOPTED.** Mr. Maurer stated he spoke with the Chief and this is not a knee jerk reaction as a result of recent upheaval with law enforcement and communities throughout the nation. He said this particular project has been under way for several months with the department. Mr. Maurer said the officers, with his understanding, is very excited about this program because a lot of times it comes down to my word against someone else’s word and there will be documentation that the officer conducted himself properly and if not we can make corrections where necessary. All Members voted “yea.” Motion carried.

ORDINANCE NO. 174-2014

ORDINANCE NO. 174-2014. PRESENTED BY: MR. WAGNER. TITLE: AMENDING BARBERTON CODIFIED ORDINANCES - CHAPTER 1040 – SEWERS. AN ORDINANCE AMENDING CHAPTER 1040, “SEWERS,” OF THE BARBERTON CODIFIED ORDINANCES TO INCLUDE THAT PROPERTY OWNERS ARE RESPONSIBLE FOR THE LATERALS CONNECTING THEIR SANITARY SERVICES TO THE CITY LINES, AND DECLARING AN EMERGENCY. *First Reading Only.*

ORDINANCE NO. 175-2014

ORDINANCE NO. 175-2014. PRESENTED BY: MRS. DEBEVEC. TITLE: INCREASE OF CONTRACT - THRASHER ENGINEERING - E. TUSCARAWAS AVENUE and FOURTH STREET NE. AN ORDINANCE AUTHORIZING AN INCREASE OF THE CONTRACT WITH THRASHER ENGINEERING, BY \$25,000, TO PERFORM CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE STORM SEWER EXTENSION AT E. TUSCARAWAS AVENUE AND FOURTH STREET NE, 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. 175-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 176-2014.

ORDINANCE NO. 176-2014. PRESENTED BY: MRS. FREY. TITLE: YEAR END APPROPRIATION OF FUNDS. AN ORDINANCE MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO COVER EXPENSES TO THE END OF THE YEAR, 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. 176-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 177-2014

ORDINANCE NO. 177-2014. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT – MEDICAL MUTUAL - HEALTH CARE, STOP LOSS, AND VISION. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE-YEAR CONTRACT WITH MEDICAL MUTUAL OF OHIO FOR 2015, FOR THE ADMINISTRATION OF MEDICAL COVERAGE AND STOP LOSS INSURANCE FOR ALL FULL-TIME CITY OF BARBERTON EMPLOYEES, AND VISION COVERAGE FOR FULL-TIME POLICE, FIRE AND NON-BARGAINING EMPLOYEES, BEGINNING JANUARY 1, 2015 THROUGH DECEMBER 31, 2015, 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. 177-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 178-2014

ORDINANCE NO. 178-2014. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT – AETNA - DENTAL COVERAGE. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE-YEAR CONTRACT WITH AETNA TO PROVIDE DENTAL COVERAGE FOR POLICE, FIRE, AND NON-BARGAINING EMPLOYEES, BEGINNING JANUARY 1, 2015 THROUGH DECEMBER 31, 2015, 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. 178-2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 179-2014

ORDINANCE NO. 179-2014. PRESENTED BY: MRS. FREY. TITLE: 2015 TEMPORARY OPERATING BUDGET. AN ORDINANCE ADOPTING A BUDGET FOR VARIOUS FUNDS FOR THE CITY OF BARBERTON FOR THE TEMPORARY BUDGET PERIOD BEGINNING JANUARY 1, 2015, AND PROVIDING FOR THE ADMINISTRATION THEREOF, 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. 179 -2014 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

None.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

PARKS & RECREATION COMMISSION

Donna Keim

reappointment

5-year Term

January 1, 2015 - December 31, 2019

It was moved by Mr. Megyes, seconded by Mr. Avant, to reappoint Donna Keim to the Parks and Recreation Commission. Mr. Maurer said he has worked with Donna for many years and she is a dedicated member of the commission and glad to see she is back. All Members voted “yea.” Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Maurer commended his colleagues for another really good year. He said in 2014 a lot was accomplished. He said he appreciates their dedication to the City and it is an honor to serve with all of them.

Mr. Maurer stated there will no be meetings for the next two Monday’s because of the Christmas recess and the 5th Monday of the month. He wished everyone a Merry Christmas and a Happy New Year.

COMMUNICATION FROM THE MAYOR

Mayor Judge said he is still waiting on a few sign off sheets from council members for the employee handbook, if you could get them to him.

Mayor Judge thanked everyone who donated or was a part of “Operation Warm” with Derrick Griffin and the Fire Department where they presented coats to kids at Decker School today. He stated they were able to raise over \$10,000 for the kids and all the coats which were made in the United States. He said this is the first year for this and he told Derrick the goal for next year is \$20,000.

Mayor Judge stated the canned food drive is still going on. He said you can drop them off in his office and he will give them to BACM at the end of the year.

Mayor Judge thanked Mr. Stender and the others who attended the conservancy public meeting this past Saturday. He said they were about 15 in attendance, a lot of residence from Norton and Copley. He stated there was a lot of conversation and information that was given out and there was a nice story in the Beacon Journal on Sunday concerning it. Mayor Judge said he met with Mayor Zita and the Copley Township Trustees right before this meeting and there were a lot of good comments and feedback. He said they are planning another meeting for the public in Norton and one in Copley.

Mayor Judge said on Thursday there will be a public meeting for the Bank Street Reconstruction Project starting at 6:00 at the Baptist Church on East Paige Avenue.

Mayor Judge stated Friday is the final Change for Change for the Winebrenner Family at Block 7 from 4:00 pm to 7:00 pm.

Mayor Judge wished everyone a Merry Christmas and he will see everyone on January 5th.

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