

Council met in **REGULAR SESSION** on Monday, March 9, 2020 at 7:35 P.M. in the Council Chambers with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Greer, Griffin and Jaber. Mr. Heitic was absent. The Pledge of Allegiance to the Flag was recited and Mrs. Angeloff gave the Invocation.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Regular Legislative Session held on Monday, February 24, 2020, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Frey, seconded by Mrs. Debevec to approve the Finance Report for the month of February, 2020 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. 15-2020

RESOLUTION NO. 15-2020. PRESENTED BY: MRS. COBURN. TITLE: MEMORANDUM OF UNDERSTANDING - SUMMIT COUNTY DEPARTMENT OF PUBLIC HEALTH. A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AMENDED MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SUMMIT COUNTY DEPARTMENT OF PUBLIC HEALTH TO PROVIDE COMPLIANT SERVICES FOR THE CITY’S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Coburn, 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 Mrs. Coburn, seconded by Mrs. Frey, that **RESOLUTION NO. 15-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 16-2020

ORDINANCE NO. 16-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - INFLOW / INFILTRATION ELIMINATION. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$43,000, FOR ASSISTANCE WITH THE IDENTIFICATION AND CORRECTION OF INFLOW AND INFILTRATION PROBLEMS IN NORTON ACRES, AND DECLARING AN EMERGENCY. It was moved by Mrs. Coburn, 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 Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 16-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 17-2020

ORDINANCE NO. 17-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - INFLOW / INFILTRATION CONSULTATION. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$39,000, FOR ASSISTANCE WITH THE IDENTIFICATION AND CORRECTION OF INFLOW AND INFILTRATION PROBLEMS IN THE SANITARYU SEWER SYSTEM, AND DECLARING AN EMERGENCY. It was moved by Mrs. Coburn, 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 Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 17-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 18-2020

ORDINANCE NO. 18-2020. PRESENTED BY: MRS. COBURN. TITLE: MITIGATION ASSISTANCE DESIGNEE. AN ORDINANCE DESIGNATING CITY OF BARBERTON AGENTS FOR THE ADMINISTRATION OF THE CITY’S MITIGATION ASSISTANCE ACQUISITION/DEMOLITION PROJECT FUNDED UNDER THE HAZARDOUS MITIGATION GRANT PROGRAM (HMGP) AS A RESULT OF FEDERAL DECLARATION FEMA-DR-4360-OH, AND DECLARING AN EMERGENCY. It was moved by Mrs. Coburn, 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 Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 18-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 19-2020

RESOLUTION NO. 19-2020. PRESENTED BY: MRS. COBURN. TITLE: GRANT REQUEST - ENVIRONMENTAL PROTECTION AGENCY. A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR FEDERAL ENVIRONMENTAL PROTECTION AGENCY CLEAN WATER ACTION, SECTION 319(H) GRANT FUNDING PROGRAMMED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR STIMSON CREEK RESTORATION, AND DECLARING AN EMERGENCY. It was moved by Mrs. Coburn, 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 Mrs. Coburn, seconded by Mrs. Frey, that **RESOLUTION NO. 19-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 20-2020

ORDINANCE NO. 20-2020. PRESENTED BY: MRS. DEBEVEC. TITLE: PUBLIC SAFETY DISPATCH CENTER. AN ORDINANCE APPROVING AN AMENDMENT TO ORDINANCE NO. 77-2013 WHICH ESTABLISHED THE SOUTHWEST SUMMIT COUNCIL OF GOVERNMENTS (SWSCOG) TO NOW INCLUDE SPRINGFIELD TOWNSHIP, AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mr. Greer, 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. Greer, that **ORDINANCE NO. 20-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 21-2020

RESOLUTION NO. 21-2020. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. JABER. TITLE: PROSTATE CANCER AWARENESS MONTH. A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON DECLARING SEPTEMBER AS “PROSTATE CANCER AWARENESS MONTH.”

ORDINANCE NO. 22-2020

ORDINANCE NO. 22-2020. PRESENTED BY: MR. JABER. TITLE: BARBERTON CODIFIED ORDINANCES - CHAPTER 875 - T21. AN ORDINANCE ADDING CHAPTER 875 “TOBACCO 21” TO SECTION 8 “BUSINESS REGULATION & TAXATION” TO THE BARBERTON CODIFIED ORDINANCES OF THE CITY OF BARBERTON TO PROHIBIT THE SALE OF CIGARETTES, OTHER TOBACCO PRODUCTS, AND TOBACCO PRODUCT PARAPHERNALIA TO INDIVIDUALS UNDER THE AGE OF TWENTY-ONE, AUTHORIZING A CONTRACT WITH THE SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT TO IMPLEMENT THESE PROVISIONS THROUGH REGULATIONS, AND DECLARING AN EMERGENCY. It was moved by Mr. Griffin, seconded by President Megyes, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Mr. Jaber stated he works in an establishment that has a cigarette license so he will be abstaining from voting on this. All Members voted “yea.” Motion carried. It was moved by Mr. Griffin, seconded by President Megyes, that **ORDINANCE NO. 22-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 23-2020

ORDINANCE NO. 23-2020. PRESENTED BY: MRS. FREY. TITLE: 2020 OPERATING AND CAPITAL BUDGET. AN ORDINANCE ADOPTING A BUDGET FOR VARIOUS FUNDS OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2020, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING AN EMERGENCY.

SECOND READING OF ORDINANCES AND RESOLUTIONS

None.

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 06-2020

ORDINANCE NO. 06-2020. PRESENTED BY: MR. GREER. TITLE: DEDICATION – NEW HAVEN - PHASE I, IIA AND IIB. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON ACCEPTING THE DEDICATION OF ALL ROADS IN NEW HAVEN PHASE I, IIA AND IIB. It was moved by Mr. Greer, seconded by Mrs. Angeloff, that **ORDINANCE NO. 06-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

APPOINTMENTS

None.

MISCELLANEOUS AND UNFINISHED BUSINESS

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

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked everyone who came to his office hours the past weekend. He said there were a lot of good questions and good feedback from residents.

Mayor Judge announced the monthly Change for Change will be held at M&M’s Taphouse benefiting the Downtown Merchant’s Association.

Mayor Judge thanked Council for passing several key pieces of legislation.

Mayor Judge stated they have received letters of support from State Representative Galonski and U. S. Congressman Tim Ryan regarding the Stimson Creek Restoration Grant Request. He said they are waiting for additional letters of support for that grant.

Mayor Judge said the Akron Metro RTA is looking for people’s opinion on how they can make transit better throughout the community and county. He said they are going to local businesses to have conversations over coffee or a beverage. He said they will be at Ignite Brewery on March 10th from 4-7pm and on March 25th they will be at Kave from 9-11am.

Mayor Judge stated the City has been working with the Jaycees for quite awhile and they have decided to suspend the 2020 Cherry Blossom Festival. He said they are taking a break and stepping back to look at things. He said they will revisit this next year.

Mayor Judge said he appreciates Council passing the legislation to add Springfield to the dispatch center. He said this will help curtail costs for all the communities. He said several years ago they received the Taxpayer Hero Award from the State of Ohio. He said they only give out 5 awards and it was for the Joint Dispatch Center.

Mayor Judge stated there is a lot of information floating around, a lot of inaccurate information regarding the Coronavirus. He said as soon as they receive information from the CDC, the State or County they pass it on the City Council members, and then to the community via social media.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mrs. Daugherty had handouts for the gallery and City Council members on COVID-19.

Mr. Jaber stated he received a call from Mr. Paul Jarvis a district manager out of Cleveland who works for Amazon. He said he was questioning him regarding the number of employees that they were hiring - 1,500-3,000. He asked Mayor Judge if this is an accurate number. Mayor Judge said yes. He then asked where that information came from. Mayor Judge stated it came from the bi-weekly conference calls with the State, County and Amazon. Mr. Jaber asked if 3,000 employees are coming to Akron. Mayor Judge said yes.

Mr. Jaber said he thinks the City did a terrible job of working things out with the Jaycees. He thinks they let the citizens, the residents, the constituents and the business owners down by not working out something. He said it is over 62 years down the drain for the Cherry Blossom. He said they brought in over \$2 million back into the City. He stated they had a few problems last year and they should have done a way better job talking to them and seeing a better conclusion. He said he knows they talked to merchants downtown but they did a terrible job. Mrs. Coburn said "No Sir." Mr. Jaber said "Yes you did." Mrs. Coburn said "You are wrong." Mr. Jaber said "You're wrong." Mrs. Coburn stated she is not wrong. Mr. Jaber told Mrs. Coburn there is no reason to stand up. Mr. Jaber stated the Mayor, Safety Director and Lisa should have done a better job of keeping the Cherry Blossom in Barberton. Mrs. Coburn said they are going to keep the Cherry Blossom in Barberton they are just not going to keep the riffraff. Mr. Jaber stated the riffraff, why don't you get better security, what do you mean riffraff. President Megyes stopped them. Someone said they are Out of Order. Mr. Jaber said Out of Order is the truth because they should have kept it in the city.

Mayor Judge stated in terms of the Cherry Blossom he does not recall Mr. Jaber being in any of the meetings. Mr. Jaber said no. Mayor Judge said they met several times in 2019 and 2020 to talk about the Cherry Blossom on what it means to the residents, what it means to the staff of Barberton and the people that are attending it, what it means to the community and region at large. He said they had some great discussions. He stated there a lot of things that need to change and they are looking at those and the Jaycees came up some changes and they approved those changes and they continued those discussions and what is paramount to them and the Jaycees is they put on a quality event. He said it has always been that way. He stated what is included in a quality event is security and safety. He said you can be safe but if you don't feel safe are you truly safe. He stated there is two components to safety there. He said they have been working with them, working with the safety of the rides, working with the vendors and

working with everybody. He said it doesn't hurt to take a step back, reexamine things and move forward with something that is a quality event. He said it is not correct to make statements when you were not at the meeting. He stated they are going to continue to have conversations with the Jaycees and move forward. Mayor Judge said they have already put the Jaycees in touch with another organization that wants to do events in Barberton this spring, so hopefully that materializes. He said they provide a service to the residents and they want to provide a quality service and they want to provide a safe environment and a safe event. He stated that is the way they are going and there are a lot of variables and people who are working on that and he applauds all of their efforts for the discussions that they have had because they are all on the same page. He said again, quality of service, quality of event, safety of the people downtown, safety of the employees and safety of those that are attending. He said if you have questions, direct them to him because there were only a few of them in the meetings and he can fill you in on what the conversation was.

Mrs. Daugherty stated she supports 100% of what the Mayor said and she was involved in the meetings being the Safety Director and it came down to some incidents that occurred last year. She said some were violent and some were unruly or unattended teenagers. She said the main focus today was the venue itself. She stated they have had it at Block 7 and it is public, city owned piece of property and it is too small for the amount of rides, the size of rides, the amount of the crowd, the size of the crowd and it couldn't move forward. She said they ran into a few roadblocks with the Jaycees, they wanted some things that the City could not accommodate but they could on other things. She said it just came down to the point it could not work in this venue and they did not have time to get another venue but the City provided a couple private venues for them in January (she thinks). She said the venue itself was troublesome being right downtown which on one hand is very good on the other hand it created congested internal, meaning inside the block itself, pedestrian traffic which then causes tension. She said when you have people too close to each other and a ride as slow as the ferris wheel and a line moving up and snaking around, you have people and tension which is going to occur in these events. She said the matter of ingress and egress was also discussed, how are people going to get out and get in and what if there is a panic situation, what if a car backfires and it is misunderstood as a gun fire now you have people inside. Mrs. Daugherty stated it was discussed about fencing it all in, well how would they do that in such a downtown area. She said the logistics were becoming too difficult. She stated they did start these discussions in June after the Cherry Blossom event in May of 2019. She said these were ongoing conversations, they were meaningful and they were productive. She stated it did not produce a festival this year but she thinks it was a wise decision to give everyone a break to reconvene and think about bringing new life to this festival, having it at a different location and perhaps once you open it up the problems that occurred in this City last year would not occur again. She said once the festival gets that kind of reputation it is not hard to build upon itself and have the same crowd or the same problems due to the venue happening again and again. She stated she thinks cooler heads prevailed, wise decisions were made and she is very proud of the Jaycees for their commitment and their ability to provide for children in the greater Barberton area.

President Megyes stated when the Cherry Blossom first started, he was a little kid and it was Barberton people. He said the whole place was filled with Barberton people. He stated with the closing of the Kenmore Festival and the Coventry Festival it is a totally different crowd than it

used to be. He said that he is living in the middle of everything and it has changed so drastically the last two to three years. He said he applauds the Jaycees for what they are doing to figure out what they are going to do in the future but it has really changed a lot and not necessarily for the good. He said hopefully they can figure out something to do and come up with a better plan. He stated having witnessed everything, it has gotten out of control.

Mr. Jaber stated soon those meetings will come out from what the meetings were attended from the Mayor, Lisa, Joyce and Beth and all this stuff is BS. He said they could have fixed this stuff. He said they could have kept it. He stated for the record, they should have kept the Cherry Blossom, worked better with them and got them better security that they asked for but some of them did not want to give them. He said he will not give the exact fact; they did not want to give them the police force that they wanted and they didn't want to do it from their end. He said they asked for more police force and they said no. Mrs. Daugherty stated that is not true. Mr. Jaber said that is not true, okay. Mr. Jaber said they should have made those meetings public. He said this is a public situation with public people. Mayor Judge stated they were. Mr. Jaber stated they made a terrible job of announcing them, again. He said they never put nothing out there for them to follow and see that. Mayor Judge said more inaccurate and wrong information. Mr. Jaber said the same as Amazon, correct sir. Mayor Judge said yes. Mr. Jaber said exactly.

A resident asked if the parade is still going to be on, since the carnival rides are being shut down, will the parade still go on. Mr. Jaber said most likely not. Mrs. Daugherty said the representatives said the festival proceeds fund the expense of the parade. She said the parade is an expense, there is very little revenue involved other than the entrance fee to be part of the parade. She said it does not cover the cost of the officers that have to do the traffic control at every corner. She stated she does not know what other expenses they would have but that would be a big expense. She stated she does not know at this point if will go on, they did not know and they did not give them an answer because they had to consider expenses versus their revenues.

It was moved by Mrs. Debevec, seconded by Mrs. Frey, to adjourn.

Adjourned: 8:07 P.M.

Craig Megyes
President of Council

Renee Fox
Clerk of Council