

Council met in **REGULAR SESSION** on Monday, April 27, 2020 at 8:27 P.M. in the Council Chambers with President Megyes presiding. Members physically present: Greer, Heitic, and Jaber. Members remotely present: Angeloff, Coburn, Debevec, Frey and Griffin. The Pledge of Allegiance to the Flag was recited at the Committee of the Whole meeting and Mrs. Coburn gave the Invocation.

The President stated Council Rule 104 states if the President chooses to combine a Committee of the Whole Meeting and Regular Legislative Meeting, the Committee of the Whole Meeting shall follow the Regular Legislative Meeting, and Council shall not vote on the requested legislation until the next scheduled Regular Legislative Session. Since we are not doing this in that format, we will need to Invoke Council Rule 702. It was moved by Mrs. Debevec, seconded by Mr. Heitic, to invoke Rule 702 to Suspend Council Rule 104. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Regular Legislative Session held on Monday, April 13, 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 March, 2020 as presented. All Members voted “yea.” Motion carried.

PETITIONS AND CLAIMS

None.

MATTERS REQUESTED

Each Council Member that was present, the Mayor and Service Director were given a report prepared by the Council Clerk listing all matters before all committees. A copy of this report was placed in the mailboxes of those attending remotely.

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. 43-2020

ORDINANCE NO. 43-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - McCAFFERTY PARK. AN ORDINANCE APPROPRIATING \$35,000 FROM THE UNAPPROPRIATED ITEM OF THE PARKS REVOLVING FUND TO THE PARKS REVOLVING FUND BUDGET, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mr. Heitic, 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. Heitic, that **ORDINANCE NO. 43-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 44-2020

RESOLUTION NO. 44-2020. PRESENTED BY: MR. GREER. TITLE: TRANSPORTATION IMPROVEMENT DISTRICT GRANT. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO SUPPORT A TRANSPORTATION IMPROVEMENT DISTRICT (TID) GRANT THROUGH SUMMIT COUNTY AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE EXPANSION OF JOBS TO THE COMMUNITY, AND DECLARING AN EMERGENCY. It was moved by Mr. Greer, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Greer, Frey, Angeloff, Heitic, Debevec, Griffin and Coburn voted “yea.” Jaber voted “no.” Motion carried. It was moved by Mr. Greer, seconded by Mrs. Angeloff, that **RESOLUTION NO. 44-2020 BE ADOPTED.** Mr. Jaber stated he voted no tonight because he thinks they should spend the money wisely and he understand it is a grant but it will still cost \$60,000 and he would like to use the money for other things. Mayor Judge stated he wanted to clarify that with this project comes quite a few jobs at DD so if you have been following them, they have closed all of their facilities except for Barberton and Cuyahoga Falls. He said they split their employees between the two. He stated this TID grant has to be associated with new jobs and that is why they are applying for it. He said the project is going to go through and this is just a resolution of support and it will help bring in those new jobs which they desperately need. He said DD has been a great partner in the community and he is happy they are in Barberton. Coburn, Griffin, Debevec, Heitic, Angeloff, Frey and Greer voted “yea.” Jaber voted “no.” Motion carried.

RESOLUTION NO. 45-2020

RESOLUTION NO. 45-2020. PRESENTED BY: MR. GREER. TITLE: ENTER INTO CONTRACT – ODOT - FINAL RESOLUTION. A FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF S. VAN BUREN AVENUE BETWEEN SNYDER AVENUE AND ROBINSON AVENUE AND W. WATERLOO ROAD BETWEEN WOOSTER ROAD AND CORDELIA AVENUE, INCLUDING CURB RAMPS AND PAVEMENT MARKINGS, AND DECLARING AN EMERGENCY. It was moved by Mr. Greer, seconded by Mrs. Angeloff, 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. Greer, seconded by Mrs. Angeloff, that **RESOLUTION NO. 45-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 46-2020

ORDINANCE NO. 46-2020. PRESENTED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - ELIMINATION OF PRIMARY ELECTION. AN ORDINANCE AUTHORIZING AND DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO SUBMIT A PROPOSED CHARTER AMENDMENT TO THE ELECTORS OF THE CITY OF BARBERTON, TO ABOLISH THE PRIMARY ELECTION HELD ON THE EIGHTH (8TH) TUESDAY PRIOR TO SUCH GENERAL MUNICIPAL ELECTION, TO REDUCE THE COST OF ELECTIONS FOR THE BARBERTON TAXPAYERS, TO BE VOTED UPON AT THE NOVEMBER 3, 2020 GENERAL ELECTION.

ORDINANCE NO. 47-2020

ORDINANCE NO. 47-2020. PRESENTED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - PRIMARY ELECTION DATE. AN ORDINANCE AUTHORIZING AND DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO SUBMIT A PROPOSED CHARTER AMENDMENT TO THE ELECTORS OF THE CITY OF BARBERTON, TO ESTABLISH A MAY PRIMARY ELECTION DATE FOR MUNICIPAL ELECTIONS IN THE CITY OF BARBERTON, IN ORDER TO REDUCE THE COST OF THE PRIMARY ELECTION FOR THE BARBERTON TAXPAYERS TO BE VOTED UPON AT THE NOVEMBER 3, 2020 GENERAL ELECTION, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 48-2020

ORDINANCE NO. 48-2020. PRESENTED BY: MR. GRIFFIN. TITLE: FY2019 CDBG ANNUAL ACTION PLAN AMENDMENT. It was moved by Mr. Griffin, seconded by Mr. Heitic, 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. Griffin, seconded by Mr. Heitic, that **ORDINANCE NO. 48-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 49-2020

RESOLUTION NO. 49-2020. PRESENTED BY: MRS. ANGELOFF. TITLE: FAIR HOUSING MONTH. A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON PROCLAIMING APRIL AS THE FAIR HOUSING MONTH, AND DECLARING AN EMERGENCY. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Mrs. Debevec asked since there are only 4 days left in the month of April, could they edit this and make this effective for the month May. Mayor Judge stated April is considered Fair Housing Month. All Members voted “yea.” Motion carried. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **RESOLUTION NO. 49-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 50-2020

ORDINANCE NO. 50-2020. PRESENTED BY: MRS. ANGELOFF. TITLE: FORMATION OF A COMMUNITY IMPROVEMENT CORPORATION. AN ORDINANCE AUTHORIZING THE FORMATION OF A COMMUNITY IMPROVEMENT CORPORATION FOR THE CITY OF BARBERTON, AND APPROVING ITS ARTICLES OF INCORPORATION, AND DECLARING AN EMERGENCY.

RESOLUTION NO. 51-2020

RESOLUTION NO. 51-2020. PRESENTED BY: MRS. COBURN. TITLE: WASTEWATER TREATMENT PLANT IMPROVEMENTS - PHASE 3C – OWDA LOAN. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR DESIGN OF WASTEWATER TREATMENT PLANT IMPROVEMENTS PHASE 3C PROJECT BETWEEN THE CITY OF BARBERTON AND THE OHIO WATER DEVELOPMENT AUTHORITY 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. 51-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 52-2020

ORDINANCE NO. 52-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - NORTON SANITARY SEWER. AN ORDINANCE APPROPRIATING \$135,670 FROM THE UNAPPROPRIATED ITEM OF THE NORTON SANITARY SEWER CONSTRUCTION FUND TO THE CAPITAL LINE ITEM OF THE NORTON SANITARY SEWER CONSTRUCTION FUND, AND DECLARING AN EMERGENCY. It was moved by Mrs. Frey, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Angeloff, Jaber, Greer, Griffin, Coburn and Frey voted “yea.” Debevec and Heitic voted “no.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Coburn, that **ORDINANCE NO. 52-2020 BE ADOPTED.** Mr. Heitic stated he is voting no on this ordinance because it is a combination of the three that he opposed last time and it would look silly if he authorized it now. Mrs. Debevec stated she will also be voting no because she opposed these three pieces of legislation last time. Frey, Coburn, Griffin, Greer, Jaber, and Angeloff voted “yea.” Heitic and Debevec voted “no.” Motion carried.

RESOLUTION NO. 53-2020

RESOLUTION NO. 53-2020. PRESENTED BY: MRS. FREY. TITLE: RESTORATION OF LOCAL GOVERNMENT FUND. A RESOLUTION STRONGLY URGING GOVERNOR DEWINE AND THE OHIO LEGISLATURE TO RE-INSTATE THE LOCAL GOVERNMENT FUND TO COMMUNITIES THROUGHOUT THE STATE OF OHIO, 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. Mr. Greer asked all the council members to do him a favor and look at this resolution. He said it is half blank and they are voting on it so he will be voting no on both suspension and adoption. Griffin, Angeloff, Heitic, Jaber, Frey and Coburn voted “yea.” Greer

and Debevec voted “no.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **RESOLUTION NO. 53-2020 BE ADOPTED.** Mr. Heitic stated he respects Mr. Greer’s pointing out that most of this is blank but he is going to put his trust in the Mayor’s hands to write this because as he stares at this, he wants to make it known that he believes the word “strongly” is not enough. He said Governor DeWine’s predecessor Governor Kasich had slashed in his 7-8 years 45% of the Local Government Fund which an absolute atrocity and hopefully all communities can come together and urge Governor DeWine. He said while he can’t reinstate the entire amount, now is the time that he can bridge that gap, make restitution to our cities and help us all recover, especially in these times. Mr. Greer stated he would like to go on record and say that he does support the intention of this resolution, it is a good intention but he thinks it is completely irresponsible of council to vote on something that is not on paper. Mayor Judge said he respects everyone’s opinion/thoughts and he understand the timing of this is not coming together like it typically should or would. He said with the COVID-19 it is day by day and he knows there is a lot of talk on business stimulus and next waves. He said everyone needs this money and as they talk about this and wanting input, he wants to make sure that communities are passing the same legislation so making it defined for the community but making it general as well. He said as Mr. Heitic pointed out, this was something stripped away, a handshake deals back in the 30’s and it was stripped away under Governor Kasich and it was free money the communities used that went straight to the General Fund. He said he respects everyone’s feelings and ideas and he will have something this week. He stated it is just getting through everything and making sure it sends the right message and it includes everything and every community that they can. He said if this does not pass tonight, he will still send a letter and, in his opinion, it looks very bad if there is not support from council. Coburn, Frey, Jaber, Heitic, Angeloff and Griffin voted “yea.” Debevec and Heitic voted “no.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 39-2020

ORDINANCE NO. 39-2020. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT - REGIONAL INCOME TAX AGENCY. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO CONTRACT WITH REGIONAL INCOME TAX AGENCY (RITA) TO ADMINISTER THE CITY’S INCOME TAX STARTING JANUARY 1, 2021, AND DECLARING AN EMERGENCY.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

None.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Jaber thanked individuals for their hard work in these meetings. He then asked the Mayor to talk with the Planning Department to communicate better with them about new businesses in

town in their wards. He said they would like to be aware of it. He said he was driving around his ward and noticed a new business, on Wooster Road a kid's day care and he stopped and asked what was going on. He said they had already talked with the Planning Department and have been approved. He said he would like to know about those things. Mayor Judge said that is not a problem and that business actually came through the Planning Department the middle of last year. He said he is surprised it took that long to open up because it has been close to a year. Mr. Heitic said he and Mr. Jaber spoke about it and it was more or less that they would like a simple sentence saying an application came through in their ward. He said it is no different than the liquor permits for whoever's ward it is. He said they would just like a heads up and it nice to see emails and he said there is no such thing as email fatigue.

Mr. Greer recognized Councilwoman Coburn for all of the work she has been doing with the COVID masks. He said there are other businesses, Erin's Nail Salon, that have stepped big time and starting making masks for the community but Mrs. Coburn was the first one out the door. He said he wanted to let her know that it is appreciated and it did not go unseen and thanked her personally.

Mrs. Debevec stated she would like to see council go back to meeting every Monday if they can get this ironed out. She said if they could do Committee of the Whole and the Legislative on different Monday's it would cause her to not vote no on so many things because this does not give her any time to review it. She said this is President's Megyes decision to how they run this and she would like to know how other council members feel about it but she would like to transition out of the Committee of the Whole followed by Legislative. Mrs. Fox suggested that they have the Legislative followed by Committee of Whole. The council members discussed this. President Megyes stated they will meet on May 4th with Committee of the Whole and on May 11th start with Legislative and then go to Committee of the Whole. He said they will meet every two weeks with that format.

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked everyone and he knows there is a lot of changes and things that are going on and this truly is day by day. He said he has been keeping track of the number of conference calls, webinars and information updates from local partners, to the county, to the state, to the feds and there is a third call from the White House this week that he will be on. He said there is a tremendous amount of information that you have to get through and it is always changing. He said as they move through internally and speak to their counterparts on COVID-19 and how it is affecting our city services, revenues and expenses they are looking at this in great detail. He said you may have seen how Akron and Cuyahoga Falls have suspended all community events for the spring and summer, and that may flow into the fall. He said they are looking at all of those things and they are looking at how they can continue to provide services for residents while keeping them healthy and safe. He said there is a lot that goes into that. He stated they will have another update this week – providing to the public and bi-weekly conference call internally. He said the Governor's rolled out a plan to start reopening the state and that does affect the City.

Mayor Judge said there have been some inquiries about businesses interested in moving to Barberton. He said the first step is send them to the Planning Department and the first step from there, whether they have a building or not, is to fill out a zoning compliance form. He said if they know what kind of business it is, they can tell them where to go zoning wise and what the process is to change zoning if need be.

Mayor Judge stated he is continuing to meet and discuss with Summa and other health agencies on best practices and moving forward. He said the Governor has done a great job on rolling the reopening out because they don't want a second wave to come through. He said fingers are crossed and they are continuing to move forward to help stimulate the economy but also to keep everyone safe.

Mayor Judge said the stimulus programs have been exhausted. He said it was an up to \$10,000 loan for a business and they have gone through that. He said the checks have been sent out and it has worked very smoothly. He said the other program that they participated in was the Greater Akron Chamber - \$5,000 grants that do not need to be repaid. He said that has been exhausted and they are getting the agreements out. He said they are looking into a phase 2 and that is where things like the CDBG amendment and the additional funding comes into play. He said that is where the Action Plan comes into play and where creating the CIC comes into play – possibly, working with NCS, NDS, BCDC, the County and all the other organizations because they know the businesses need help but they know there is other help needed in the community and they are trying to ascertain what it is and make sure they have the flexibility to meet those needs.

Mayor Judge stated it was asked by Councilwoman Debevec about the Charter Review Commission. He said they have all but one member confirmed. He said in the meantime as they go through those action, the Law Director is looking at best practices on how to have those types of meetings. He said that should come to City Council for confirmation at the next meeting.

Mayor Judge announced he is putting together a committee/task force to review the reopening plan from the Governor and how that will affect the community and what they can do to help stimulate the economy. He said they will start meeting very soon.

Mayor Judge said regarding the Foundation Grant Application that came through City Council a few weeks ago about technology upgrades – by working with other organizations in town, he was able to get matching funds up to \$7,500. He said he is still going to apply for the full \$15,000. He said he has already started the conversations so this should move very quickly.

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

Adjourned: 9:16 P.M.

Craig Megyes
President of Council

Renee Fox
Clerk of Council