

Council met in **REGULAR SESSION** on Monday, November 13, 2017, at 7:30 P.M. in the Council Chambers with President Maurer presiding. Members present: Angeloff, Coburn, Debevec, Frey, Megyes, Palmer, Soyars, and Conrad-Wokojance. The Pledge of Allegiance to the Flag was recited and President Maurer 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, October 23, 2017, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, to accept the Finance Department Report for the month of October 2017, 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**

Shorter Griffin, 225 Stanley Avenue. Mr. Griffin stated he is currently the President of Barberton Kiwanis Club that meets at noon. He said they are having a service project and that is why he is here. He said the public is invited to attend the Barberton Community Thanksgiving Service which is hosted by the Kiwanis Club of Barberton at the Community Holiness Church which is located at 299 Frank Avenue. He said the program will begin at 7:00 p.m. on Tuesday, November 21<sup>st</sup> with Minister Ella Ingram as the speaker. He stated this is free and no registration is required. He said he is not advertising this as a fundraiser but it is where Kenny Cheatham has his Ministry and he is building a Community Center in South Barberton. Mr. Griffin said he is going to have a collection and the funds will go towards the H.O.P.E. Community Center. He stated H.O.P.E. stands for “Helping Our People Excel.” He said this is not just for the people of South Barberton but for the people of Barberton. He stated he is very proud and glad to be a part of this because he grew up out there and they really need something. He said this is going to be helping the children.

**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. 138-2017**

**ORDINANCE NO. 138-2017. PRESENTED BY: MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST - WATER FOWL ISSUE. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION BY THE DIRECTOR**

**OF PARKS AND RECREATION TO THE BARBERTON COMMUNITY FOUNDATION, IN AN AMOUNT OF \$12,000 IN SUPPORT OF THE 2018 LAKE ANNA CANADIAN GOOSE CONTROL PROGRAM, AND DECLARING AN EMERGENCY.**

It was moved by Mr. Megyes, seconded by Mrs. Coburn, 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 Mrs. Coburn, that **ORDINANCE NO. 138-2017 BE ADOPTED.** Mrs. Debevec asked if this is for 12 months. Mr. Megyes stated it goes from April to the end of September minus July. He said they are working towards trying to get October in. Mrs. Debevec said it has been really bad this year and is still really bad now right now. She asked how much it is per month and can they up the request. Mrs. McLean stated it costs \$1,430 per month and if they get the entire amount they will be able to do it more months than they have been able to currently. Mr. Megyes said this is a problem because they should be doing this year-round and he thinks if they did this for two years all year round they shouldn’t come back. Mrs. Debevec stated for the Mum Fest it was really dirty and this is really an eye sore. She said they are back in full force. Mr. Megyes said they weren’t back for the Mum Fest. Mrs. Debevec said the week after when there were still a lot of people down at the lake enjoying the mums. Mr. Megyes said it was brought up to add October but if they get the full amount they can do this year-round. All Members voted “yea.” Motion carried.

**ORDINANCE NO. 139-2017**

**ORDINANCE NO. 139-2017. PRESENTED BY MR. MEGYES. TITLE: FOUNDATION GRANT REQUEST - 2018 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 AN AMOUNT OF \$15,000, IN SUPPORT OF THE 2018 LAKE ANNA CONCERT SERIES, AND DECLARING AN EMERGENCY.** It was moved by Mr. Megyes, seconded by Mrs. Coburn, 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 Mrs. Coburn, that **ORDINANCE NO. 139-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 140-2017**

**RESOLUTION NO. 140-2017. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. PALMER. TITLE: COMMENDATION – PAMELA MOLLRIC. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO PAMELA MOLLRIC FOR GIVING THE CITY AND ITS CITIZENS OVER 30 YEARS OF DEDICATED AND OUTSTANDING SERVICE.** It was moved by Mr. Palmer, 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. Palmer, seconded by Mr. Megyes, that **RESOLUTION NO. 140-2017 BE ADOPTED.** The Clerk stated this Resolution will be presented to Pam the following week at Committee of the Whole. All Members voted “yea.” Motion carried.

**ORDINANCE NO. 141-2017**

**ORDINANCE NO. 141-2017. PRESENTED BY: MRS. ANGELOFF. TITLE: BUILDING CODES. AN ORDINANCE TO ADOPT THE UPDATED EDITIONS OF THE OHIO BUILDING CODE, OHIO PLUMBING CODE, AND OHIO MECHANICAL CODE BY AMENDING SECTION 1406.01 OF THE BARBERTON CODIFIED ORDINANCES IN ORDER TO BE IN COMPLIANCE WITH CERTIFIED BUILDING DEPARTMENT REQUIREMENTS, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Angeloff, 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. Angeloff, seconded by Mrs. Frey, that **ORDINANCE NO. 141-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 142-2017**

**ORDINANCE NO. 142-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: REDUCTION OF FUNDS - PLANNING DEPARTMENT. AN ORDINANCE AUTHORIZING THE REDUCTION OF THE PLANNING DEPARTMENTS GENERAL FUND OPERATING BUDGET BY \$750, APPROPRIATING \$750 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE GENERAL FUND TRANSFER BUDGET AND TRANSFERRING \$750 FROM THE GENERAL FUND TO THE TRUST FUND, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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 Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 142-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 143-2017**

**ORDINANCE NO. 143-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: TRANSFER/APPROPRIATION - PLANNING DEPARTMENT. AN ORDINANCE AUTHORIZING THE TRANSFER OF \$9,250 FROM THE TRUST FUND CASH BALANCE TO THE GENERAL FUND AND APPROPRIATING \$9,250 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE PLANNING DEPARTMENT OPERATING BUDGET FOR THE ABATEMENT AND DEMOLITION OF THE CONDEMNED STRUCTURE AT 131 NORMAN STREET, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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 Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 143-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 144-2017**

**ORDINANCE NO. 144-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: AUTHORIZE PAYMENT - VICTIM ASSISTANCE. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO VICTIM ASSISTANCE IN THE AMOUNT OF \$8,072.80, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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 Mrs. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 144-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 145-2017**

**RESOLUTION NO. 145-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: HISTORIC TAX CREDIT. A RESOLUTION URGING CONGRESS TO PRESERVE THE FEDERAL HISTORIC TAX CREDIT IN ITS EFFORTS AT TAX REFORM AND ITS PROPOSED BUDGET PLAN AND ENCOURAGING OHIO MEMBERS OF CONGRESS TO COSPONSOR THE HISTORIC TAX CREDIT IMPROVEMENT ACT, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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 Mrs. Debevec, seconded by Mrs. Angeloff, that **RESOLUTION NO. 145-2017 BE ADOPTED.** President Maurer stated Mr. Stefan mentioned at the last Planning Commission Meeting that this historic tax resolution is extremely important to the City and our development plans to our historic district. He asked if Mr. Stefan wanted to expand any. Mr. Stefan stated unless someone has a question President Maurer said it – it is a tool, an important tool to have in our tool chest in case anybody wants to do something in downtown. He said it is an option available for them to help get them funding. All Members voted “yea.” Motion carried.

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 133-2017**

**ORDINANCE NO. 133-2017. PRESENTED BY: MRS. ANGELOFF. TITLE: AMEND BARBERTON DEVELOPMENT CODE - MEDICAL MARIJUANA ENTITIES. AN ORDINANCE AMENDING THE BARBERTON DEVELOPMENT CODE BY ADDING A NEW CHAPTER 1255, “MEDICAL MARIJUANA ENTITIES.”** *1<sup>ST</sup> Reading 10/23/2017.*

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

None

**APPOINTMENTS**

None

**MISCELLANEOUS AND UNFINISHED BUSINESS**

Mrs. Angeloff stated the Design Review Board for the following day has been cancelled and the Planning Commission Meeting which was scheduled for November 15<sup>th</sup> has been moved to November 29<sup>th</sup> at 5:30.

Mrs. Conrad-Wokojanec wished the BHS football good luck on Friday. She said she is a Barberton grad and her brother goes to Hoban so they have some rivalry going on in the household.

Mrs. Conrad-Wokojance invited everyone to come out to her fundraiser that she is holding for the Ohio Alliance to End Sexual Violence. She said it will be held on Friday, November 17<sup>th</sup> at the Magic City Brewing Company. She said the Ohio Alliance to End Sexual Violence is their statewide coalition against sexual violence and as a member of the Board of Directors they have all taken a responsibility to help fundraise for this great organization. She said she would love to see everyone out and it should be a really great time.

Mrs. Debevec stated the lights around the lake need the time changed. She said they come on way past when it is getting dark.

### **COMMUNICATION FROM THE MAYOR**

Mayor Judge thanked Council for passing Resolution 145-2017. He said it is becoming extremely difficult to fund programs and projects to do things on our level with cuts, elimination of programs and funding and changes at the State and Federal level. He said it is making it increasingly difficult to provide the services that our residents expect. He said they have seen this time and time again over the years so passing this Resolution really helps urge Congress to vote the right way and to include this.

Mayor Judge said it is getting close to the end of the year and just a few council meetings left. He said the department heads have been urged to make sure that all legislative requests are passed onto council so things are done by the end of the year.

Mayor Judge said it is getting darker earlier and staying darker later so to be cognizant about street lights that are out. He said we are paying for them whether they are working or not and one street light out with some overhanging trees in certain areas can really make an area dark and very difficult to see people walking or riding a bike. He said if you see a street light out to call his office. He stated if you see a pink ribbon around the pole that means that it has already been tagged and Edison will be out to fix it. He said the turnaround time is about 3 days.

Mayor Judge stated Change for Change is Wednesday, November 22<sup>nd</sup> benefiting the Greynold's Classic and will be held at the Green Diamond.

Mayor Judge said he hopes to see everyone out on Friday. He said in addition to Shannon's fundraiser also the football game as we take on the Hoban Knights. He wished the Magics good luck.

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

Adjourned: 8:00 P.M.

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Frederick S. Maurer  
President of Council

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Renee Fox  
Clerk of Council