

Council met in **REGULAR SESSION** on Monday, March 27, 2017, at 7:30 P.M. in the Council Chambers with President Maurer presiding. Members present: Coburn, Debevec, Frey, Megyes, Palmer, Soyars, and Conrad-Wokojance. Mrs. Angeloff was absent. The Pledge of Allegiance to the Flag was recited and Mr. Palmer 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, March 13, 2017, as presented. All Members voted “yea.” Motion carried.

### **PETITIONS AND CLAIMS**

The Clerk read a note from State Representative Greta Johnson regarding Resolution No. 21-2017 entitled “Opposition of Governor’s Proposed Budget.”

### **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.

**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.**

### **CITIZENS ADDRESSING COUNCIL**

Dr. Michael Hughes from Barberton Summa Hospital gave an update on various issues. Dr. Hughes stated they had a changeover in their emergency department physicians back on January 1<sup>st</sup>. He said that created somewhat of an upheaval because it occurred in 72 hours and normally that type of changeover occurs over 6-9 months. He said because of the emergency situation that arose, they expected to have a joint commission visit or survey done and that is the main accreditation body that accredits hospitals for them to be able to take care of Medicare and Medicaid patients. He said that occurred about 2 weeks ago and they received a written report last week which said that there were zero safety or quality concerns in any of their emergency departments. He said there was one issue that did arise that they knew about and they had already corrected. He said one of their physicians during the credentialing process had a piece of paper missing out of his file. He said he was board certified and he is credentialed appropriately but there was one piece of paper that they caught. He said they pulled him out of the emergency department. He stated he did see patients for about 2 hours. He said they got the piece of paper corrected, put it back in and three hours later he was put back in seeing patients. Dr. Hughes said because he was not technically credentialed that creates an issue that they had to address. He said they put processes in place so make sure that does not happen anymore. He said they were satisfied with that and the written report will be forwarded to them but all in all this was a tremendous feather in the hat of all the people in their emergency departments across the system

that works so tirelessly to get this turnover to happen and happen without any safety or quality concerns. He said this also is supported by 49 physicians that signed a letter, 3 of which were interviewed by the Beacon Journal last week and that group of physicians has set out on a mission to change the narrative about Summa in this community and they are seeking out every opportunity they can to get the good news out there about the things that Summa is doing for the communities and a lot of issues that they are addressing. He said that group is going to be meeting with all of the Summa Fire Chiefs on April 19<sup>th</sup>. He said they are going to try to get in front of people and really explain what is really going on. He stated those two things are some of the positivity that is coming out. Dr. Hughes said speaking of Barberton specifically, the emergency department residency program does not impact Barberton Hospital. He said it does impact City Hospital and they have not heard from the appeal process on that yet but what they do know is the probation that the organization owns does not affect the family practice residency at Barberton. He said it is intact and will be able to continue to function and it is fully accredited. He said all of the other residencies are accredited, they are just on probation which means you can't expand the residencies during this time frame. He said on that, they have not heard back from the appeal yet and it was due the 24<sup>th</sup> so hopefully it is good news if it is taking that much longer for them to make a decision about this. Dr. Hughes said the other thing he wanted to let everyone know is they did arrange a contractual arrangement with a GI (gastrointestinal) group. He said the GI physicians had left the hospital in December and they have been using Locum Tenens Physicians to cover the GI service. He said they signed a contract Friday night for the GI physicians at Akron General and they will be moving their practices to Barberton. He said that will be starting July 1<sup>st</sup>. Dr. Hughes stated the last thing is the parking which Mr. Stefan and everyone has gotten through all the red tape and they hope to start with the surface lot in early May. He said once the surface lot is completed at the end of the summer, which is the target date, the deck will be brought down. He said once the deck is down, the land will be prepped and then by the summer of 2018 they hope to have the surface lot where the deck is now. He said that is the update he has and asked if there were any questions. President Maurer asked if they are going to be expanding the OB department too. Dr. Hughes stated he cannot give a definitive answer to that because he is in negotiations currently with some of the OB doctors in Medina to move their practices to Barberton or at least utilize Barberton for their deliveries. He said that just happened last week so some of the discussions have just started but they are looking into that.

Pat Betts, 222 16<sup>th</sup> Street, Barberton. Mr. Betts invited everyone in the room to the National Association of Letter Carriers Retirement Party on April 8<sup>th</sup> at the Slovene Center. He said the cash bar starts at 6:00 and the dinner is at 7:00.

## FIRST READING OF ORDINANCES AND RESOLUTIONS

### **RESOLUTION NO. 28-2017**

**RESOLUTION NO. 28-2017. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT – ODOT - STATE ROUTE 619. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO RESURFACE STATE ROUTE 619 FROM 0.18 TO 1.79 WITH TOTAL REPLACEMENT OF CONCRETE ON STATE STREET FROM THE WOOSTER ROAD INTERSECTION TO HIRAM STREET (PID #96670), AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mr. Palmer, 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. Palmer, that **RESOLUTION NO. 28-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

### **RESOLUTION NO. 29-2017**

**RESOLUTION NO. 29-2017. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT – ODOT - 2<sup>ND</sup> STREET SW / WOOSTER ROAD. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO RESURFACE 2<sup>ND</sup> STREET SW FROM HUDSON RUN ROAD TO WOOSTER ROAD WITH POSSIBLE ROAD DIET TO BE DETERMINED, AND TO IMPLEMENT THE PRELIMINARY CONTRA-FLOW BIKE LANES ON WOOSTER ROAD FROM 2<sup>ND</sup> STREET SW TO 4<sup>TH</sup> STREET NW (PID #105373), AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mr. Palmer, 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. Palmer, that **RESOLUTION NO. 29-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

### **RESOLUTION NO. 30-2017**

**RESOLUTION NO. 30-2017. PRESENTED BY: MRS. COBURN. TITLE: EARTH DAY. A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON RECOGNIZING APRIL 22, 2017 AS EARTH DAY TO BRING AWARENESS TO THE RESIDENTS OF BARBERTON ABOUT ENVIRONMENTAL AND CONSERVATION ISSUES.** It was moved by Mrs. Coburn, seconded by Mrs. Conrad-Wokojance, 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. Conrad-Wokojance, that **RESOLUTION NO. 30-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

### **ORDINANCE NO. 31-2017**

**ORDINANCE NO. 31-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: 2017 OPERATING AND CAPITAL BUDGET. AN ORDINANCE ADOPTING A BUDGET FOR VARIOUS FUNDS OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2017, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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. Debevec, seconded by Mrs. Frey, that **ORDINANCE NO. 31-2017 BE ADOPTED.** All Members voted “yea.” Motion carried.

*Before reading Ordinance No. 32-2017, the Clerk said it was necessary to read the Fiscal Officer's Certificate.*

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$1,540,000 of notes (the Notes), to be issued in anticipation of the issuance of bond (the Bonds), for the purpose of paying costs of improving 9<sup>th</sup> Street NE by reconstructing, resurfacing, paving, grading, draining, constructing curbs, gutters and driveway aprons, installing storm sewers, realigning intersections and making other improvements as designated in the plans approved or to be approved by council (the improvement):

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 15 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is April 21, 2036, which is 20 years from April 21, 2016, the date of issuance of the original notes issued for this purpose.

Dated March 27, 2017, Signed by Raymond Flickinger, Director of Finance.

**ORDINANCE NO. 32-2017**

**ORDINANCE NO. 32-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: NOTE ORDINANCE - 9<sup>th</sup> STREET NE IMPROVEMENT PROGRAM. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,540,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING 9<sup>TH</sup> STREET NE BY RECONSTRUCTING, RESURFACING, PAVING, GRADING, DRAINING, CONSTRUCTING CURBS, GUTTERS AND DRIVEWAY APRONS, INSTALLING STORM SEWERS, REALIGNING INTERSECTIONS AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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. Debevec, seconded by Mrs. Frey, that **ORDINANCE NO. 32-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

*Before reading Ordinance No. 33-2017, the Clerk said it was necessary to read the Fiscal Officer's Certificate.*

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$500,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring and installing advanced radio metering system equipment to be used in connection with the municipal sewer and water systems, together with all necessary appurtenances thereto (the improvement):

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
3. The maximum maturity of the Notes is 180 months from their date of issuance.

Dated March 27, 2017, Signed by Raymond Flickinger, Director of Finance.

**ORDINANCE NO. 33-2017**

**ORDINANCE NO. 33-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: NOTE ORDINANCE - METER READING SYSTEM REPLACEMENT PROJECT. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING AND INSTALLING ADVANCED RADIO METERING SYSTEM EQUIPMENT TO BE USED IN CONNECTION WITH THE MUNICIPAL SEWER AND WATER SYSTEMS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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. Debevec, seconded by Mrs. Frey, that **ORDINANCE NO. 33-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 34-2017**

**ORDINANCE NO. 34-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: AMENDING ORDINANCE NO. 93-2016 - EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES. AN ORDINANCE AMENDING ORDINANCE NO. 93-2016 TO REFLECT AN INCREASE IN THE GRADE TABLES AND ADOPTING A PAY PLAN FOR ALL NON-BARGAINING POSITIONS LISTED IN SECTION 2 OF THIS ORDINANCE EFFECTIVE JANUARY 1, 2017, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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. Debevec, seconded by Mrs. Frey, that **ORDINANCE NO. 34-2017 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 35-2017**

**ORDINANCE NO. 35-2017. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION - PLANNING GRANTS. AN ORDINANCE APPROPRIATING \$6,500 FROM THE UNAPPROPRIATED ITEM OF THE CITY GRANT FUND TO THE OPERATING BUDGET OF THE CITY GRANT FUND, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, 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. Debevec, seconded by Mrs. Frey, that **ORDINANCE NO. 35-2017 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**

It was moved by Mr. Soyars, seconded by Mrs. Debevec to appoint Council Clerk, Renee Fox as the Public Records Training Designee for City Council. Law Director Mrs. Miller stated that Council has all complied but this is just a way to summons if one council person is not able to go then the Council Clerk would count for everyone. She believes everyone has complied so this is just a back-up plan. All Members voted “yea.” Motion carried.

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

President Maurer asked Mr. Flickinger since our State Street project was funded totally by the City without the help from the State, if the new budget passes would this have affected that in a negative way. Mr. Flickinger stated he cannot say it would have affected any one project because this was income tax and that is withholdings from corporations and not individuals. He said it obviously will have an impact on anything that is funded by income tax and could be affected whether it is the police department, fire department or projects like this. He stated usually capital projects are the ones that get shorted.

Chief Baldwin stated on behalf of all the other non-bargaining employees in the city, he thanked the Mayor, his administration, and City Council for recognizing the discrepancy in the non-bargaining pay grades and thanked them for looking out for them and said it is very much appreciated.

## COMMUNICATION FROM THE MAYOR

Mayor Judge stated he would like to designate the Mayor's Administrative Coordinator, Melissa McFadden as his designee for the Public Records Training Certification.

Mayor Judge thanked council, department heads, Ray Flickinger, Lisa Miller for passing the budget and working on the budget. He said putting together a \$60,000,000 - \$65,000,000 budget when you are handcuffed by what the state and federal government does, or doesn't do, isn't easy when you are trying to fulfill needs of the community and needs of the departments and trying to move the community forward. He stated they got it done and he appreciates everyone's work on the budget and council for passing it with the questions, comments, and ideas during this process. He told them to please don't let them stop if anything comes up with appropriations or any questions and his door is always open for these types of considerations.

Mayor Judge stated Change for Change will be the upcoming Friday at the Slovene Center benefitting the Lake Anna YMCA from 4:30 - 7:00.

Mayor Judge said a representative from CCA will be at the Active Adult Center on April 5<sup>th</sup>, 13<sup>th</sup>, and 18<sup>th</sup> from 1:00 – 7:00 pm.

Mayor Judge stated the State of the City will be on April 20<sup>th</sup> at the Active Adult Center.

Mayor Judge said he had the pleasure of providing a Proclamation to the Women of the Moose who celebrated over 100 years of service to the community and as an organization within the Moose. He said himself and Mayor Zita were there. He stated they thought it was appropriate since half of the Moose is in Barberton and half of the Moose is in Norton but he believes the majority of the people in attendance were sitting on the Barberton side.

Mayor Judge stated they passed some ordinances for the funding of projects that completed last year and with the budget passing, this is when a lot of appropriations for different projects start coming out so, to council, any questions in their wards or projects they would like to see happen in the next few years – his door is always open for these types of conversations.

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

Adjourned: 8:08 P.M.

Approved: 04/10/2017

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Frederick S. Maurer  
President of Council

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Renee Fox  
Clerk of Council

