

Council met in **REGULAR SESSION** on Monday, December 9, 2019, at 8:16 P.M. in the Council Chambers with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Griffin, Palmer, Conrad-Wokojance and Zarle. The Pledge of Allegiance to the Flag was recited and Mrs. Debevec gave the Invocation.

It was moved by Mrs. Debevec, seconded by Mr. Griffin, to approve the Minutes of the Regular Legislative Session held on Monday, November 25, 2019, as presented. All Members voted “yea.” Motion carried.

### **PETITIONS AND CLAIMS**

The Clerk read a thank you note from Daisy Harris Williams for honoring Ebenezer Harris with a Resolution.

The Clerk read a thank you letter from Jeff Ramnytz for supporting the Barberton City Schools.

The Clerk announced that she had an envelope if anyone would like to donate to the 33<sup>rd</sup> Annual AFSCME Christmas Food Drive.

### **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**

**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.**

Lisa King, Summit Metro Parks. Mrs. King stated she was there to talk about the upcoming levy which will be on March 17, 2020 ballot. She said Metro Parks has a seven-year levy that is coming towards the end. She said she is there to give the facts and what the levy is about and what they are asking for. She said the last increase was in 2006 and in 2013 they had a renewal. She stated since 2006 they have increased their parkland by 50% which went from over 8,000 acres to now 14,000 acres of land that they manage. She said within that, they were able to present to the public five new parks and they also have increased their trails by twenty-five miles, so they are at 150 miles of trails. She stated they have increased their programs from 200-250 a year to 800 a year and they have also increased their visitation from 4 million to 5 million in that time. Mrs. King stated between the growth and the cost to run the parks, they have had a rather tight belt. She said they have decreased their departments budgets to bring them to the end of the levy. She said they are going to be on the ballot asking for a renewal of 1.46 mill and they are asking for a .54 mill increase and the cost will be \$1.58 per month per \$100,000 home property value so all total that property value would be paying \$5.05 per month. She asked for Council’s endorsement.

President Megyes stated we are very blessed with the parks in the town and is very proud with what they do.

Robert Anderson, 5216 Frederick Street, Barberton. Mr. Anderson said he is there to speak about the tax increase for Summit Metro Parks. He stated the metro parks had about 130 acres that they recently sold to Norton because Norton needed property to build on. He said the Metro Parks had the opportunity to conserve that property and keep it for the future but they decided to sell it for profit and now Clinton Aluminum is building a massive building in his backyard. He stated he is there to express his concern for promoting something that is not actually conserving property for the future.

Pamela Estlock, 553 Washington Avenue, Barberton. Ms. Estlock stated she is there to talk about taxes. She stated she is all for the property tax increase because that is the least expensive for her, however, if it does not pass, she would like to see a survey of how many people work in Barberton and live outside of Barberton. She said she cannot have a job here because all of the jobs are gone or they are taken by other people so they are putting the blame back on her with the ½% decrease. She said in her estimation, if they would increase the general tax, if the property tax doesn't go through, then everyone would be affected by it.

Bruce Beckle, 96 Dogwood Lane, Barberton. Mr. Beckle stated he has been in Barberton his entire life and worked at B&W for 44 years. He said he feels like the people present tonight were people who did not want to see the additional tax on our bases and that is why they went over to the property tax. He believes the property tax is a good way to go as well but he is questioning whether that is going to generate enough revenue to cover the deficits that we have and that he thinks that council and the Mayor need to look at what else they can do to generate revenue and also look at the safety forces and get them right sized to our city. He said the bulk of our cost of the general fund is the safety forces but it has to be right sized for the city that we have just as well as B&W leaving this town, they have 600 employees – they had 1,800 employees when he worked there. He stated we have already lost that revenue and that revenue is going again. He said as the Mayor said, they very well may not be here by the end of the year if they stay in town so we are still looking at the same problem that we are looking at right now. He said we have to look hard and fast at the safety forces that they are not abusing the system and making sure that we are doing our best. He said he does not know how many of the safety forces people live here in the city, all of the employees, but he feels when they lost that, they lost ownership. He said he understands legally you cannot do that anymore but to him that is so important that if someone lives here, they are going to take pride and not pull stunts to increase their funds versus what the cities coffers are knowing that the city is in financial problems. He said he wants everyone to work together and understand the problems.

Tom Harnden, 904 Meadowood, Barberton. Mr. Harnden stated everyone knows the problem, B&W is down 600 people and they were 1,200 people when he retired. He said they don't have a good government fund anymore – back when Randy Hart was Mayor the CDBG fund was about \$1.3 million and this year it is about \$600,000 or less. He stated none of the options tonight are going help everybody. He said there is something wrong with everyone of them, property tax affects those people on fixed income, the tax credit rollback will affect everyone who works outside the city and income affects everyone who works inside the city. He stated he

doesn't know if any one of those are going to address the immediate problem, none of those will bring in money this year. He said City Council and the administration are going to have to look at where we cut this coming year because we are not going to get any of the money until 2021. He said "Good Luck."

Jason Miller, 423 Crocus Place, Barberton. Mr. Miller said he is there to share that from him doing his internship with the Foundation, he was instrumental in bringing in over \$800,000 of treasury funds and just this past week he submitted two more grants totaling over \$300,000 to improve the lives and resources of residents here in Barberton. He said he encourages everyone to think outside of the box and to consider all options and perhaps to motivate some of the other citizens to be part of the solution versus being part of the problem. He said he would love to come back there shortly and tell them that he secured another \$300,000 for the City of Barberton.

### **FIRST READING OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE NO. 134-2019**

**ORDINANCE NO. 134-2019. PRESENTED BY: MRS. ANGELOFF. TITLE: ENTER INTO CONTRACT - ECLIPSE COMPANIES. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE ECLIPSE COMPANIES TO PERFORM EXPANSION AND ADDITIONAL IMPROVEMENTS TO THE BETZ DITCH FLOODWAY DETENTION BASIN LOCATED AT THE BARBERTON COMMUNITY SPORTS COMPLEX, 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. All Members voted "yea." Motion carried. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 134-2019 BE ADOPTED.** All Members voted "yea." Motion carried.

#### **ORDINANCE NO. 135-2019**

**ORDINANCE NO. 135-2019. PRESENTED BY: MRS. DEBEVEC. TITLE: ENTER INTO CONTRACT – LAW DEPARTMENT, LEGAL DEFENDER’S OFFICE – SUMMIT COUNTY. AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO A ONE-YEAR CONTRACT WITH THE LEGAL DEFENDER’S OFFICE OF SUMMIT COUNTY, TO PROVIDE LEGAL REPRESENTATION TO INDIGENT PERSONS IN THE AMOUNT OF \$170 PER CASE, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mr. Griffin, 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. Griffin, that **ORDINANCE NO. 135-2019 BE ADOPTED.** All Members voted "yea." Motion carried.

#### **ORDINANCE NO. 136-2019**

**ORDINANCE NO. 136-2019. PRESENTED BY: MR. GRIFFIN. TITLE: DISPOSAL OF VEHICLES - POLICE DEPARTMENT. AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO SCRAP/SALVAGE THIRTY-TWO (32) VEHICLES DEEMED TO BE NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND UNFIT AND UNSAFE FOR DISPOSAL IN ANY OTHER MANNER, AND DECLARING AN EMERGENCY.** It was moved by Mr. Griffin, 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 Mr. Griffin, seconded by Mrs. Debevec, that **ORDINANCE NO. 136-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 137-2019**

**ORDINANCE NO. 137-2019. PRESENTED BY: MR. PALMER. TITLE: 2020 BIDS AND CONTRACTS - YEAR’S REQUIREMENTS FOR MATERIALS AND SERVICES. AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE FOR BIDS AND/OR ENTER INTO CONTRACTS IN 2020, COVERING THE YEAR’S REQUIREMENTS FOR MATERIALS AND SERVICES USED IN THE ORDINARY AND DAILY OPERATION OF THE MUNICIPAL DEPARTMENTS IN THE CITY OF BARBERTON, AND DECLARING AN EMERGENCY.** It was moved by Mr. Palmer, 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 Mr. Palmer, seconded by Mrs. Frey, that **ORDINANCE NO. 137-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 138-2019**

**RESOLUTION NO. 138-2019. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO AGREEMENT - COUNTY OF SUMMIT. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR PAVEMENT MAINTENANCE, LOCATED IN THE CITY OF BARBERTON, 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. 138-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 139-2019**

**ORDINANCE NO. 139-2019. PRESENTED BY: MRS. DEBEVEC. TITLE: AUTHORIZE PAYMENT - BUSINESS COMMUNICATIONS SPECIALISTS. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO BUSINESS COMMUNICATION SPECIALISTS (BCI) IN THE AMOUNT OF \$29,619.57, 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. 139-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 140-2019**

**ORDINANCE NO. 140-2019. PRESENTED BY: MRS. DEBEVEC. TITLE: AMENDING ORDINANCE NO. 182-2015 - CHAPTER 880 – MUNICIPAL INCOME TAX. AN ORDINANCE AMENDING ORDINANCE NO. 182-2015, “CHAPTER 880 – MUNICIPAL INCOME TAX” BY AMENDING SECTION 880.08 IN ORDER TO REDUCE THE INCOME TAX CREDIT TO FIFTY-PERCENT (50%).** Mrs. Debevec stated the Finance Committee has decided to withdraw Ordinance No. 140-2019 after a lengthy

discussion. She said it was decided to have a work session on Wednesday, December 11, 2019 and explore the option of a property tax that would go to the voters.

## **SECOND READING OF ORDINANCES AND RESOLUTIONS**

None.

## **THIRD READING OF ORDINANCES AND RESOLUTIONS**

### **ORDINANCE NO. 128-2019**

**ORDINANCE NO. 128-2019. PRESENTED BY: MRS. CONRAD-WOKOJANCE. TITLE: ZONING MAP AMENDMENT - 540 WOOSTER ROAD NORTH. AN ORDINANCE AUTHORIZING THE REZONING OF PARCELS 01.03751 & 01.03752 ALSO KNOWN AS 540 WOOSTER ROAD NORTH FROM RM18 RESIDENTIAL MULTIFAMILY TO C2 NEIGHBORHOOD COMMERCIAL DISTRICT.** It was moved by Mrs. Zarle, seconded by Mrs. Angeloff, that **ORDINANCE NO. 128-2019 BE ADOPTED.** Mrs. Conrad-Wokojance stated this is the third reading of this ordinance and it has been a long process. She stated this particular property is the Old Castle Pizza property which is over by the Indian Statue. She said this is a very residential area and in the last zoning map it was zoned Residential Multi-Family. She said it doesn't make sense how it been operating but it was able to continue operating. She said after six months, where it had stopped operating it reverted back to Residential Multi-Family. She stated it was first presented to Planning Commission to rezone to change it to C3 and one of the issues that had come up with that is that it would allow for a drive-thru. She said Mr. Adam Hussein is the one that purchased that property and was the previous owner of the Magic City Pit Stop. She said the Planning Commission had concerns about there being a drive-thru and about it being a corner store type of business. She stated that was withdrawn and changed to C2 which would not allow for a drive-thru but allowable uses for a C2 are things like, something great like a little restaurant or a scrap book shop but it could also be things like a tobacco store or a business that is permitted to sell liquor or alcohol. She said that is something that she has been extremely uncomfortable with since the very beginning. She stated alcohol sales in that very residential area and she is very concerned about problems that could arise and she believes that Mr. Hussein does own some liquor licenses. Mrs. Conrad-Wokojance stated she is not comfortable with this and she wants history to know that Shannon is not okay with this. She said she has talked with people in that area that are not in support of this and just would hate to see the character of that neighborhood change. Mrs. Debevec stated she has talked with/knocked on doors in the neighborhood because she was also concerned about the ability to sell liquor. She said a lot of the residents indicated to her that they would like to see maybe offices there. She stated it is clearly not residential just based on the building but the C2 they were not comfortable with. She said she encouraged them to come speak and unfortunately, they did not. She said she will be voting no this evening because she canvased the area and asked the neighbors and they were concerned about the sale of alcohol. Mrs. Frey, Mrs. Coburn, Mrs. Angeloff, Mrs. Zarle, Mr. Griffin, and Mr. Palmer voted "yea." Mrs. Conrad-Wokojance and Mrs. Debevec voted "no." Motion carried.

## **APPOINTMENTS**

None.

## **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mrs. Conrad-Wokojance stated she would like to address some things because she has been hearing a lot of talk about the safety forces, in particularly the firefighters and about their contract and how there is a minimum staffing requirement of nine firefighters. She said she was doing some of her own research and one of things she came across is that when responding to a fire you have to have a minimum of two firefighters inside and two firefighters have to be on the outside. She said if you have a minimum staffing of nine and there is one fire you are already looking at almost half of the firefighters available being able to respond to that one fire. She said in addition to the number of EMS calls that they get, there could be almost everyone out. She said that is why they have Memorandum of Understanding with different communities. She stated she also wanted to say that we are down four firefighters and fully staffed is 45 and if you start taking away firefighters that is an increase for injuries and that is also going to make our department less attractive to people that want to be firefighters. She stated also from a lot of her research, our firefighters are lower paid and a lot of our city employees don't make as much as other communities, so how are we going to remain competitive. She said she thinks it is important that we try to remain competitive but they have to think about things like safety of our firefighters. She said if you are down four and you are tired there is probably more of a chance for injuries. Mrs. Conrad-Wokojance stated they need to come up with a way to support the safety services because that is the main reason the city is formed in the first place so that we could have those safety services. She said they created a pay rate for part-time firefighters and it is something she voted no against and not because she was against part-time firefighters but because what the pay started at (\$15.??). She stated who would be a firefighter for that much when you are exposing yourself to bloodborne pathogens and responding to someone who might be high or going into a burning building. She said these are things we need to think about and if we want these services someone has to pay for it. She thanked everyone for coming and said that is what she wants it to be every week so keep coming back.

President Megyes reminded everyone that there will be a special meeting on Wednesday the 11<sup>th</sup> at 6:00 pm and the public is always invited.

## **COMMUNICATION FROM THE MAYOR**

Mayor Judge stated he appreciates the residents showing up and he appreciates the communication and discussion that they have had this evening. He said these are tough times and not only are we feeling the crunch from the Federal and State Governments, the increase prices, the consumer goods and everything else. He said there are no win-win situations here but he is glad we are able to discuss this and move forward but as Mr. Beckle said if this goes through council as a property tax and this is passed by the voters as a 3.9 mills, that gets us to where we are today. He said everything else is continuing to increase. He said we have a lot of great projects in the pipeline, a lot of them are going to take 2020 and part 2021, if not all of 2021 to build out, so we won't realize any of those tax revenues for those developments for a

year or two. He said to replace a \$35 million payroll, \$1.3 million in income tax is very, very difficult. He stated on the other side, we have the opportunity to redevelop the former B&W site which is 30 acres, 5 buildings – some of the buildings better shape than the other ones but it gives them a great opportunity to bring new jobs to the City. He said he is cautioning everyone, that gets them to where they are today. He said they need to have a backup plan and to continue to communicate and work together. He stated he appreciates the council members that have come to talk to him or called on the phone but not all of council has done that. He said everyone has to get on the same page and communicate – they don't have to agree. He thanked those again who have come in to talk with him. He said they need to work together.

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

Adjourned: 8:55 P.M.

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Craig Megyes  
President of Council

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Renee Fox  
Clerk of Council