

Council met in **REGULAR SESSION** on Monday, April 13, 2020 at 8:05 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 President Megyes 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, March 9, 2020, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Special Session held on Tuesday, March 17, 2020, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic to approve the Minutes of the Executive Session on Tuesday, March 17, 2020, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Special Session held on Wednesday, March 18, 2020, as presented. All Members voted “yea.” Motion carried.

PETITIONS AND CLAIMS

None.

MATTERS REFERRED

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. 32-2020

ORDINANCE NO. 32-2020. PRESENTED BY: MRS. DEBEVEC. TITLE: DISPOSAL OF VEHICLES - POLICE DEPARTMENT. AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO SCRAP/SALVAGE TWENTY-EIGHT (28) 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 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. 32-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 33-2020

RESOLUTION NO. 33-2020. PRESENTED BY: MRS. DEBEVEC. TITLE: OHIO MEMORANDUM OF UNDERSTANDING. A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS, 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 **RESOLUTION NO. 33-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 34-2020

ORDINANCE NO. 34-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT - OHIO WARN. AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO AGREEMENT WITH THE OHIO WATER/WASTEWATER AGENCY RESPONSE NETWORK (OHIO WARN), 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. 34-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 35-2020

ORDINANCE NO. 35-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - WASTEWATER TREATMENT PLANT IMPROVEMENTS. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$268,200, FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PHASE 3C DESIGN AND ADDITIONAL ENGINEERING TASKS, 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. Mr. Greer stated giving the circumstances of the City, he will be voting no on suspension and adoption giving that this is a new project moving forward. Griffin, Angeloff, Heitic, Jaber, Frey and Coburn voted “yea.” Greer and Debevec voted “no.” Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE**

NO. 35-2020 BE ADOPTED. Coburn, Frey, Jaber, Heitic, Angeloff and Griffin voted “yea.” Debevec and Greer voted “no.” Motion carried.

ORDINANCE NO. 36-2020

ORDINANCE NO. 36-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - FRASHURE PARK PACKAGE PLANT ELIMINATION PROJECT. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$17,000 FOR ADDITIONAL DESIGN AND FUNDING SUPPORT SERVICES FOR THE FRASHURE PARK PACKAGE PLANT ELIMINATION PROJECT, 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. Mr. Heitic stated he will be voting no on suspension and adoption on the next few pieces of legislation. He said he feels with the additional engineering and additional designs it is in Barberton citizens best interest that Norton residents should be paying more than they are. Greer, Frey, Angeloff, Jaber, Griffin and Coburn voted “yea.” Heitic and Debevec voted “no.” It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 36-2020 BE ADOPTED.** Coburn, Griffin, Jaber, Angeloff, Grey and Greer voted “yea.” Debevec and Heitic voted “no.” Motion carried.

ORDINANCE NO. 37-2020

ORDINANCE NO. 37-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - NORTON ACRES PACKAGE PLANT ELIMINATION PROJECT. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$70,770 FOR ADDITIONAL CONSTRUCTION PHASE SERVICES AND FUNDING SUPPORT SERVICES FOR THE NORTON ACRES PACKAGE PLANT ELIMINATION PROJECT, 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. Jaber, Frey, Coburn, Greer, Angeloff and Griffin voted “yea.” Heitic and Debevec voted “no.” Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 37-2020 BE ADOPTED.** Griffin, Angeloff, Greer, Coburn, Frey and Jaber voted “yea.” Debevec and Heitic voted “no.” Motion carried.

ORDINANCE NO. 38-2020

ORDINANCE NO. 38-2020. PRESENTED BY: MRS. COBURN. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - BRENTWOOD PACKAGE PLANT ELIMINATION PROJECT. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$47,900 FOR ADDITIONAL DESIGN AND FUNDING SUPPORT SERVICES FOR THE BRENTWOOD PACKAGE PLANT ELIMINATION PROJECT, 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. Frey, Greer, Coburn, Angeloff, Griffin and Jaber voted “yea.” Debevec and Heitic voted “no.” Motion carried. It was moved by Mrs. Coburn,

seconded by Mrs. Frey, that **ORDINANCE NO. 38-2020 BE ADOPTED.** Jaber, Griffin, Angeloff, Coburn, Greer and Frey voted “yea.” Heitic and Debevec voted “no.” Motion carried.

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.

ORDINANCE NO. 40-2020

ORDINANCE NO. 40-2020. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT – UTILITIES - BARBICAS CONSTRUCTION COMPANY INC. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO BARBICAS CONSTRUCTION COMPANY INC. IN THE AMOUNT OF \$46,000 FOR THE ASPHALT ROAD REPAIRS DUE TO WATERLINE BREAKS ON ROBINSON AVENUE, 21ST STREET AND HERMANN STREET IN 2019, 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. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 40-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 41-2020

ORDINANCE NO. 41-2020. PRESENTED BY: MRS. FREY. TITLE: GRANT REQUEST - CITY COUNCIL ELECTRONIC TECHNOLOGIES. AN ORDINANCE AUTHORIZING THE BARBERTON CITY COUNCIL TO APPLY TO THE BARBERTON COMMUNITY FOUNDATION FOR A GRANT IN AN AMOUNT UP TO \$15,000 TO PURCHASE ELECTRONIC TECHNOLOGIES FOR LIVE STREAMING CAPABILITIES AND FOR THE USE OF COUNCIL DUTIES, 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. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 41-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 42-2020

ORDINANCE NO. 42-2020. PRESENTED BY: MRS. FREY. TITLE: AMENDMENT OF CIVIL SERVICE RULES. AN ORDINANCE AMENDING ORDINANCE NO. 89-2018 TO GIVE THE BARBERTON CIVIL SERVICE COMMISSION AN ABILITY TO WAIVE, ADD OR MODIFY RULES, BY OFFICIAL VOTE OF THE COMMISSION DURING A STATE OF EMERGENCY AS DECLARED BY THE PRESIDENT, GOVERNOR, COUNTY EXECUTIVE OR MAYOR, 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. All Members voted “yea.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 42-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

None.

THIRD READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 21-2020

RESOLUTION NO. 21-2020. SPONSORED BY: MR. JABER. PRESENTED BY: ALL OF COUNCIL. TITLE: PROSTATE CANCER AWARENESS MONTH. A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON DECLARING SEPTEMBER AS “PROSTATE CANCER AWARENESS MONTH.” It was moved by Mr. Jaber, seconded by Mr. Griffin, that **ORDINANCE NO. 21-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

APPOINTMENTS

None.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Griffin stated he had a remote conference where he learned the black population in Ohio are really suffering because of the COVID-19, in fact all over the United States. He said a lot of it is hitting areas where most black people live and work. He stated 13% of the population is black and they represent 18% of the positive cases of the Corona Virus and 10% of the deaths. He said all of this is attributed to a lot of things – jobs they work in are service related – cooks, hospital orderlies, jobs where you can’t work from home. He said they have to be on the front line, like a truck driver. He said they don’t know what to do to change this but the ballot box is a place to start - if you don’t support us, we won’t support you. He stated they need to do better and there is a lot of money out there and he feels the city should look into the stimulus more and see what they might be able to do. He said the COVID-19 is going to expose the disparities and health care and the way people are represented.

President Megyes stated the next meeting will be in two weeks – April 27th.

Mrs. Frey thanked Justin and Renee for getting everything together and suggested to do more testing to work out the bugs. She asked if this is how all of the future meetings are going to be run. President Megyes stated this is the route they are taking.

President Megyes told everyone to keep their distance and to stay safe.

COMMUNICATION FROM THE MAYOR

Mayor Judge stated with so much going on he appreciates all the hard work, termination and patience. He said they are getting through this but it is going to change the way they operate and change the way they look at things. He said there will be a lot of hard decisions that have to be made in the coming weeks and months. He stated there are so many variables and so many things out there that they will have to take into account to make those decisions. He said if

council members are out helping people or residents are calling them, to make sure they give his office the information, so when FEMA contacts them they could give them the appropriate numbers. He said FEMA came in and said the city had an EF1 tornado. He then said when they have a flood, they can say this affected 200 people, they want to see documentation. He stated if people have damage to their personal property, they may contact their insurance agency or their council person but they do not contact the city directly. He said it is very important to have as much information documented with a weather event.

Mayor Judge said they are continuing to work with Ohio Edison from the storm. He said all power has been restored. He said this is a hard time with people wanting to help but needing to maintain social distancing.

Mayor Judge stated there are multiple stimulus packages and programs being initiated and rolled out from the federal level to the state to the county and locally. He said they are moving very quickly, checks being dispersed, applications are given out and reviewed on a quick manner.

Mayor Judge said he and Mr. Flaker are constantly monitoring the income tax revenues sources and trying to do forecasting. He said it is not an easy thing to do when you have so many things going on. He stated he wants to have reports for council as soon as possible but they want to make sure it is the most accurate information. He said these are going to lead to decisions and those decisions are ones they will have to vote on and they will have to live with. He said he has conference calls a few times a week with department heads, with Congressman Tim Ryan, Senator Sherard Brown, Senator Ralph Portman and local State Reps. He said he had a conference call last week through the White House. He said he has them with the county at least once, mostly twice a week which includes the Summit County Health and Emergency Management Agency. He said he spoke with The Cleveland Clinic and Akron General and he speaks with Dr. Hughes at Summa several times a week on getting updates. He said there is a lot of information flowing. He said they are trying to put as much information out as accurately and quickly as possible.

Mayor Judge said when they talk about income tax and forecasting, that is why he is always pushing on the reserves. He stated they can bring it up another time but the accounting report for the IAFF said that all the other funds are reserve funds and they can liquidate those to pay for the firemen but you can't. He said when you come up with things like what has happened and there are trees down in the parks, it becomes a safety issue, they have to scramble to bring the money together to get rid of those. He said they don't have the reserve fund because they have gone through that and they used it as it should have been. He said they are monitoring the municipality stimulus packages that are being talked about and lobbying for those but most of them are not free cash. He said there are strings attached or matching funds. He said he will be coming to council very soon with ideas that they are lobbying for.

Mayor Judge stressed the biggest thing right now is communication. He asked that council reach out to him because there may be programs available to businesses and residents.

Mayor Judge stated the utilities programs that were voted on earlier in the night – any expansion of water and sewer into another community, just not Norton, is great for growth in both communities. He said water and sewer is going to continue to be very vital and important for residential and commercial development moving forward. He said the EPA has been coming down hard on wells and septic systems. He said water and sewer is going to be liquid gold moving forward and he knows there is a lot of costs involved. He said it is important that council get involved and ask questions.

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

Adjourned: 8:52 P.M.

Craig Megyes
President of Council

Renee Fox
Clerk of Council