

Council met in **SPECIAL SESSION** on Monday, August 3, 2020 at 7:03 P.M. at the Active Adult Center with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Greer, Griffin, Heitic, and Jaber. The Pledge of Allegiance to the Flag was recited.

The Clerk read the Call Letter dated July 29, 2020, from Mrs. Lisa Okolish Miller, Law Director: Pursuant to rules of Council, a Special Meeting has been called by President Megyes for Monday, August 3, 2020 at 7:00 P.M. at the Active Adult Center regarding the Third Reading of the Charter Review Legislation.

CITIZENS ADDRESSING COUNCIL

The Clerk read the following letter from Dennis Liddle, 1096 S. Azalea Boulevard, Barberton.

“Mayor Judge and Barberton City Council Members,

As the Chair of the Parks Commission, a local business owner, and lifelong resident of Barberton, I urge each of you to vote against ordinance 77-2020, the proposed charter amendment related to the Parks & Recreation Commission and its Directors.

The way the amendment is written places the future of our parks in danger. By having our Directors serve at the pleasure of the Mayor and future Mayors, I believe that you would be allowing the potential slow and gradual destruction of the wonderful parks we have worked so hard to build and maintain.

The proposed change would make it much more difficult to attract and retain qualified and talented people to manage our parks, if they know they are faced with possible termination each time a new Administration is voted into office.

Ultimately, what purpose would the Parks Commission truly serve if the Parks Directors served at the pleasure of the Mayor? To rubberstamp and endorse what the Mayor recommends for our parks? They would have no control of finances and no control over management of the parks.

Currently, our commission consists of three members appointed by the Mayor with confirmation by the majority of Council and two members appointed by the Barberton Board of Education with the confirmation of a majority of Council. As a result, the Barberton Parks Commission and the Barberton Board of Education have historically cooperated to benefit students and community members by providing developmental and recreational opportunities for the community.

As with any change, we have to ask ourselves, how would this make things better? Can you honestly say this would improve our parks as we currently know them? Would it provide for a secure and long-term approach to providing quality programs and parks to our community? Not knowing who will occupy the Mayors position in the future, and how they value recreation and parks programs, allows for way too much authority over our “community parks” by someone we don’t know!

Thank you so much for your time and consideration on this issue.”

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. 75-2020

ORDINANCE NO. 75-2020. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - DEPARTMENT OF PUBLIC SERVICE. AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON REGARDING THE ELIMINATION OF THE DIVISION OF ENGINEERING, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mr. Griffin, seconded by Mr. Heitic, that **ORDINANCE NO. 75-2020 BE ADOPTED.** Mrs. Debevec thanked all of the dedicated members of the Charter Review Commission who graciously volunteered their time to provide city council with options for discussion. She said with regard to Ordinance No. 75-2020, recommending the elimination of the Division of Engineering in the Service Division of the Barberton City Charter, she will respectfully be voting "no" that evening. She said while they have not employed an engineer for several years, primarily as a result of finances, she believes the founding fathers recognized the importance of this position as our city's infrastructure continues to age. She stated she is not a proponent of removing this position from the charter because she believes an engineer is a necessary and an important asset to our city moving forward. She said as it stands now, the City of Barberton spends an enormous amount of money on outside engineering services further adding to her belief that this role is incredibly important. Coburn, Griffin, Angeloff, Greer, Frey, Megyes voted "yea." Jaber, Debevec, Heitic voted "no". Motion carried.

ORDINANCE NO. 76-2020

ORDINANCE NO. 76-2020. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - PLANNING COMMISSION / PLANNING DIRECTOR. AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON REGARDING THE APPOINTMENT OF THE DIRECTOR OF PLANNING, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mr. Griffin, seconded by Mr. Heitic, that **ORDINANCE NO. 76-2020 BE ADOPTED.** Mrs. Angeloff thanked the Planning Commission and the Parks Commission for their letters of non-support of the proposed charter changes to Ordinance No. 76-2020 and Ordinance No. 77-2020. She stated she served as Chair on the Planning, Annexation and Codes Committee in 2016 and 2017 and again this year, 2020. She said she was Chair on the City Properties, Parks and Recreation Committee in 2018 and 2019 and she can tell you that the citizens who volunteer their time are exceptional and take their responsibilities very seriously. She stated the Parks Commission consist of 3 volunteer citizens from our community and 2 citizens that are appointed by the Board of Education who all serve a 5-year term. She said as Mr. Little stated in his letter, this is to benefit our children such as after school programs, summer park programs and free lunches amongst other programs that they provide. She said the Planning Commission consists of 5 volunteer citizens who serve a 4-year term. She said as Mr. Wynn stated in his letter to council last week, the Planning Commission works for the long-

term interest of the City. She stated could you imagine the confusion if every 4 years a Mayor could appoint a new director, and actually the entire staff. She stated this could also defer qualified professionals from working in our town. She said all she has heard in the last couple of years is that our citizens should have the right to voice their opinions and to be heard. She stated by voting yes on these two charter proposals you are basically taking away the citizens' rights to sit on these two commissions and to be able to voice their concerns and opinions that goes into selecting and working with the directors that they have chosen. She stated both of these commissions are meant to be a public process beyond party politics and she believes any Mayor should not be in total control of each department. She stated this is the reason why the government has a checks and balances procedure set in place to reduce mistakes, prevent improper behavior or decrease the risk of centralization of power. She said for these reasons she will be voting no on Ordinances No. 76-2020 and Ordinance No. 77-2020. Mrs. Debevec stated she will also be voting no on Ordinance No. 76-2020. She also thanked the Planning Commission and the Parks Commission for reaching out to council and giving them some insight. She stated the residents have already spoken regarding this in 2005 when they voted no for this exact change. She said looking at long term success for the City of Barberton, she believes the Planning Director should not be appointed so they are not worried about possibly losing their job as each administration changes. She stated she believes they will attract more qualified candidates who will want to stay here in Barberton for the duration of their career, helping the city make the best that it can be. She said she has the same analogy with regards to the Parks Director and will also be voting no on Ordinance No. 77-2020. She said they have a good system in place which the founding fathers provided them with and she thinks they should keep it. Mrs. Frey stated she agrees with what the Parks Commission and Planning Commission say, however, they will all get to have a vote at the ballot if this makes it to the ballot. She said whenever there is an opportunity for the citizenry to be able to vote on an issue, she believes they should put it on the ballot and let them cast their vote. Mr. Jaber stated he will be voting yes on Ordinance No. 76-2020. He said he feels the Mayor should have the right to pick who is the Planning Director because he is the boss, the coach – and he should be able to decide who is on his team. He said when any business goes down or has problems financially, who are they going to blame – the boss, the owner of the company. He said everyone wants to blame the Mayor and this way if he picks the Planning Director, it is on him. Mr. Heitic stated he will be voting yes on Ordinance No. 76-2020. He said he believes the Mayor should have the ability to appoint a Planning Director only for the reason that it shouldn't be a concern on whether you have a job in 4 years because if you are in City Government that could happen to any position. He said the reason he believes any incoming Mayor should be able to put in place somebody that has the same vision to move the city forward and be able to communicate more effectively than someone that is hired by a commission. Greer, Frey, Heitic, Jaber, and Griffin voted "yes." Angeloff, Debevec, Coburn and Megyes voted "no." Motion Failed.

ORDINANCE NO. 77-2020

ORDINANCE NO. 77-2020. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - PARKS AND RECREATION COMMISSION / DIRECTOR. AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON REGARDING THE APPOINTMENT OF THE DIRECTOR OF PARKS AND RECREATION, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mr. Griffin, seconded by Mr. Heitic, that **ORDINANCE NO. 77-2020 BE ADOPTED.** Jaber, Frey, Heitic, Greer and Griffin voted “yea.” Debevec, Coburn, Angeloff and Megyes voted “no.” Motion failed.

ORDINANCE NO. 78-2020

ORDINANCE NO. 78-2020. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - OTHER COMMISSIONS OR BOARDS. AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON REGARDING THE ELIMINATION OF SEVERAL BOARDS THAT ARE NO LONGER RELEVANT TO THE CURRENT OPERATION OF THE CITY, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mr. Griffin, seconded by Mr. Heitic, that **ORDINANCE NO. 78-2020 BE ADOPTED.** Mrs. Miller stated this was her request to the Charter Review Commission to clean up that area of the Charter. She said she just wanted to be aware that this request came from her. Frey, Greer, Coburn, Debevec, Angeloff, Griffin, Heitic and Jaber voted “yea.” Motion carried.

ORDINANCE NO. 79-2020

ORDINANCE NO. 79-2020. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MR. GRIFFIN. TITLE: PROPOSED CHARTER AMENDMENT - CHARTER REVIEW COMMISSION. AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON REGARDING THE APPOINTMENT DATE OF THE CHARTER REVIEW COMMISSION, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY. It was moved by Mr. Griffin, seconded by Mr. Heitic, that **ORDINANCE NO. 79-2020 BE ADOPTED.** Heitic, Coburn, Debevec, Greer, Griffin, Jaber, Frey and Angeloff voted “yea.” Motion carried.

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

Adjourned: 7:20 P.M.

Craig Megyes
President of Council

Renee Fox
Clerk of Council