

Council met in **REGULAR SESSION** on Monday, September 14, 2020 at 7:08 P.M. in the Council Chambers with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Greer, Griffin, Heitic, and Jaber. The Pledge of Allegiance to the Flag was recited and Mr. Griffin gave the Invocation.

President Megyes stated Council Rule 103 states the Regular and Committee of the Whole meetings shall be at 7:30pm. Since we are starting earlier than this, we will need to Invoke Council Rules 702. It was moved by Mrs. Debevec, seconded by Mr. Heitic to Invoke Council 702 to Suspend Council Rule 103. 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, July 27, 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 Monday, August 3, 2020, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Frey, seconded by Mrs. Debevec to approve the Finance Report for the months of July, 2020 and August, 2020, 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**

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**

*The Clerk stated everyone should have received the updated Code of Regulations submitted by Mayor Judge with the requested revisions for the following ordinance.*

#### **ORDINANCE NO. 91-2020**

**ORDINANCE NO. 91-2020. PRESENTED BY: MRS. ANGELOFF. TITLE: FORMATION OF A COMMUNITY IMPROVEMENT CORPORATION. AN ORDINANCE AUTHORIZING THE FORMATION OF A COMMUNITY**

**IMPROVEMENT CORPORATION FOR THE CITY OF BARBERTON, AND APPROVING ITS ARTICLES OF INCORPORATION, 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. Mr. Heitic stated he has requested the suspension of this to only go one reading. He said this piece of legislation had been introduced in April and they have gone the equivalent of double-digit readings and only additions have been made with no subtractions. He said he thinks it is to the benefit of everything to move forward. All Members voted “yea.” Motion carried. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 91-2020 BE ADOPTED.** Mr. Heitic thanked the Mayor, Council and every department head. He said the collaboration of this piece of legislation showed that if we work together, they cannot just come together on something that is going to benefit them not next year, not 2 years, not 25 years but 30 years down the road. He said he views this to be a testimony to whatever arguments they have had or what differences they have made this is what can happen, something good and something that can benefit them all logistically, calmly, questions answered, concerns met. He said he thinks it is time to move forward. Mrs. Angeloff thanked everyone for working together on this piece of legislation. She said any suggestions or recommendations that were emailed to the Mayor or her were discussed openly and they put a lot of time into it. She said this is something that can be used in the future and it is for the community. All Members voted “yea.” Motion carried.

**ORDINANCE NO. 92-2020**

**ORDINANCE NO. 92-2020. PRESENTED BY: MRS. COBURN. TITLE: OPWC FUNDING APPLICATION - WASTEWATER TREATMENT PLANT IMPROVEMENTS – PHASE 3B. A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BARBERTON TO PREPARE AND SUBMIT A FUNDING APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS – PHASE 3B 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. All Members voted “yea.” Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 92-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 93-2020**

**ORDINANCE NO. 93-2020. PRESENTED BY: MRS. COBURN. TITLE: OPWC FUNDING APPLICATION - WASTEWATER TREATMENT PLANT IMPROVEMENTS – PHASE 3C. A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BARBERTON TO PREPARE AND SUBMIT A FUNDING APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS – PHASE 3C 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. All Members voted “yea.” Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 93-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 94-2020**

**ORDINANCE NO. 94-2020. PRESENTED BY: MRS. DEBEVEC. TITLE: ENTER INTO AGREEMENT - CITY OF NORTON AND COPLEY TOWNSHIP. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF NORTON AND COPLEY TOWNSHIP FOR JAIL SERVICES THROUGH DECEMBER 31, 2021, 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. 94-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 95-2020**

**ORDINANCE NO. 95-2020. PRESENTED BY: MRS. DEBEVEC. TITLE: DISPOSAL OF VEHICLES - POLICE DEPARTMENT. AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO SCRAP/SALVAGE TWENTY-SEVEN (27) 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. 95-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 96-2020**

**ORDINANCE NO. 96-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - FIRE CAPITAL IN THE CITY GRANT FUND. AN ORDINANCE APPROPRIATING \$20,000 FROM THE UNAPPROPRIATED ITEM OF THE CITY GRANT FUND TO THE FIRE CAPITAL IN THE CITY GRANT FUND, 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. 96-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 97-2020**

**ORDINANCE NO. 97-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION FIRE CAPITAL LEVY CAPITAL BUDGET. AN ORDINANCE APPROPRIATING \$4,169.63 FROM THE UNAPPROPRIATED ITEM OF THE FIRE CAPITAL LEVY FUND TO THE FIRE CAPITAL LEVY CAPITAL BUDGET, 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. 97-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 98-2020**

**ORDINANCE NO. 98-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - FIRE DEPARTMENT OPERATING BUDGET. AN ORDINANCE APPROPRIATING \$1,117.34 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE FIRE DEPARTMENT'S OPERATING BUDGET, 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. 98-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 99-2020**

**ORDINANCE NO. 99-2020. PRESENTED BY: MRS. FREY. TITLE: AMEND ORDINANCE NO. 110-2008 - "BARBERTON RESIDENTIAL SERVICES RELIEF PROGRAM". AN ORDINANCE AMENDING ORDINANCE NO. 110-2008, BY AMENDING SECTION 2 PART (B) AND (C) BY INCREASING THE INCOME LEVEL FROM \$27,000 ANNUALLY TO \$30,000 ANNUALLY, 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. 99-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**RESOLUTION NO. 100-2020**

**RESOLUTION NO. 100-200. PRESENTED BY: MRS. FREY. TITLE: COVID-19 - FIRE/PARAMEDIC PERSONNEL. A RESOLUTION DECLARING FIRE/PARAMEDIC PERSONNEL AS BEING SUBSTANTIALLY DEDICATED TO MITIGATING AND PREVENTING THE SPREAD OF COVID-19, 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 **RESOLUTION NO. 100-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 101-2020**

**ORDINANCE NO. 101-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - LOCAL CORONAVIRUS RELIEF FUND. AN ORDINANCE APPROPRIATING \$998,205.16 FROM THE UNAPPROPRIATED ITEM OF THE LOCAL CORONAVIRUS RELIEF FUND TO THE PERSONNEL SERVICE BUDGET OF THE LOCAL CORONAVIRUS RELIEF FUND, 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. 101-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**RESOLUTION NO. 102-2020**

**RESOLUTION NO. 102-2020. PRESENTED BY: MRS. FREY. TITLE: OHIO DEFERRED COMPENSATION. A RESOLUTION TO ADOPT AN ADDITIONAL PLAN OFFERED BY OHIO DEFERRED COMPENSATION, 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 **RESOLUTION NO. 102-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 103-2020**

**ORDINANCE NO. 103-2020. PRESENTED BY: MRS. FREY. TITLE: TEMPORARY MODIFICATION OF THE NON-BARGAINING PERSONNEL POLICY. AN ORDINANCE TO TEMPORARILY MODIFY THE NON-BARGAINING PERSONNEL POLICY TO ALLOW A ONE-TIME ALLOWANCE FOR ELIGIBLE EMPLOYEES TO CARRY OVER AN ADDITIONAL FIVE (5) DAYS OF VACATION LEAVE EARNED IN 2020 INTO 2021.** 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. 103-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 104-2020**

**ORDINANCE NO. 104-2020. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - UNITED STATES DEPARTMENT OF THE INTERIOR. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO THE UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF \$60,000.00 FOR EXPENSES INCURRED FOR THE INSTALLATION OF TWO STREAM GAGES WITH PRECIPITATION GAGES AT EACH LOCATION, 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. 104-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 105-2020**

**RESOLUTION NO. 105-2020. PRESENTED BY: MRS. FREY. CITY OF BARBERTON - SUMMIT COUNTY, OHIO. TITLE: AMEND RESOLUTION NO. 89-2020 - ADDITIONAL TAX LEVY - RESOLUTION TO PROCEED TO THE BALLOT. A RESOLUTION TO PROCEED WITH THE SUBMISSION OF THE BALLOT QUESTION OF LEVYING AN ADDITIONAL THREE (3) MILL TAX TO ENSURE SUFFICIENT FUNDS FOR CURRENT OPERATING EXPENSES OF THE CITY OF BARBERTON, 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. Heitic, Coburn, Greer, Griffin, Frey, and Angeloff voted “yea.” Debevec and Jaber voted “no.” Motion carried. It was moved by Mrs. Frey, seconded by Mrs. Debevec, that **RESOLUTION NO. 105-2020 BE ADOPTED.** Angeloff, Frey, Griffin, Greer, Coburn, and Heitic voted “yea.” Jaber and Debevec voted “no.” Motion carried.

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

None.

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

None.

**APPOINTMENTS**

None.

**MISCELLANEOUS AND UNFINISHED BUSINESS**

Mrs. Angeloff announced the Planning Commission Meeting scheduled for Wednesday, September 16<sup>th</sup> will be held at the Active Adult Center. Mr. Jaber asked if it would be open to the public or is it the same rules. Mrs. Angeloff stated same rules.

**COMMUNICATION FROM THE MAYOR**

Mayor Judge thanked all elected officials and others who attended the Fire Department's 911 Ceremony. He said they will never forget the day our country was attacked but they will always honor those victims and heroes who helped that day.

Mayor Judge stated he appreciates the passage of Ordinance No. 91-2020, the formation of the CIC. He said this a key and an important tool in our toolbox for development. He said this is not to be an end all for development but it is a step in the right direction, especially when it is coupled with the other tools at our disposal. He stated if you have been reading the paper, BCDC received a grant of over \$1 million to help with small businesses. He said it is a funding mechanism that is not eligible to be granted to cities but it is granted to things like CIC. He said to just imagine if we had \$2 million in town to be given to small businesses. He said it is definitely a step in the right direction.

Mayor Judge stated there were other important pieces of legislation that are vital to the infrastructure to the community and more will be coming. He said it is very important that we keep applying for these grants to get our fair share.

Mayor Judge thanked council for passing Ordinance No. 99-2020 which raises the income level for the Barberton Residential Services Relief Program and said that, people are hurting and we know this and this piece of legislation will increase the number of residents in the community that they can help.

Mayor Judge stated internally they are continuing to work through the COVID pandemic including funding for the city, for small business and other funding to help during these times. He said based on COVID case numbers, Summit County's last week was elevated to level red but the city continues to monitor these numbers and have a weekly call with department heads and review the cases and updates. He said they are all still getting use to the new norm, which the new norm continues to change and it is anything but normal but they must all remember that changes are daily with COVID. He said there is no playbook in dealing with this pandemic whether is it government, schools, businesses or residents they are all trying to work through this and do everything that they can. He said it is important to remember when normal events, like city sponsored events, school functions or other typical types of items or events are cancelled or modified, please remember that everyone is doing the best that they can and he has confidence in all their leaders across the board that they are making the best decisions possible. He said after talking with residents or business owners, some of the changes effect people in different ways so they need to make sure everyone understands the rules and it is not the City of Barberton's rules necessary it is from higher above and we have to go by those rules and do everything they can so make sure everyone is staying as safe as possible.

Mayor Judge stated they are continuing to work on the 2021 budget and projects/programs which they know will change over the course of the rest of this year. He said it is going to be very difficult to move forward, with a levy on the ballot, as do a lot of other communities and organizations. He said it is not easy to ask for more money but he will provide more information on what they have done in the past, why there is a need and where they are going in the future.

Mayor Judge said his door is always open and it is imperative that if council has questions on any piece of legislation or anything else that they call him and they set up a meeting and talk about it because he does not bring everything to council meetings with him.

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

Adjourned: 7:50 P.M.

---

Craig Megyes  
President of Council

---

Renee Fox  
Clerk of Council