

Council met in REGULAR SESSION on Monday, October 11, 2021 at 7:45 P.M. in the Council Chambers with President Megyes presiding. The Pledge of Allegiance to the Flag was recited and Mr. Greer gave the Invocation.

The Clerk called the roll: Members present: Mrs. Angeloff, Mrs. Colburn, Mrs. Debevec, Mrs. Frey, Mr. Greer, Mr. Griffin, Mr. Heitic, Mr. Jaber.

It was moved by Mrs. Debevec, seconded by Mrs. Frey, to approve the Minutes of the Regular Legislative Meeting held on Monday, September 27, 2021, as presented. No remarks made. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mrs. Frey, to approve the Minutes of the Executive Session held on Monday, September 27, 2021, as presented. No remarks made. All Members voted “yea.” Motion carried.

It was moved by Mrs. Frey, seconded by Mrs. Debevec, to approve the Financial Report for the month of September 2021 as presented. No remarks made. All Members voted “yea.” Motion carried.

### **PETITIONS AND CLAIMS**

There were none.

### **MATTERS REFERRED**

Each Council Member, the Mayor and the Safety and Service Directors were given a report prepared by the Council Clerk listing all matters before all committees with their packets.

### **CITIZENS ADDRESSING COUNCIL**

Paul Risley of 25 Fifth Street NE Barberton Ohio spoke regarding Ordinance 112-2021, Amusement Gaming Legislation.

**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. 113-2021**

PRESENTED BY MRS. DEBEVEC TITLE: ENTER INTO CONTRACT - STRYKER  
AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO ENTER INTO  
CONTRACT WITH STRYKER IN THE AMOUNT OF \$93,467.24, FOR THE PURCHASE  
OF FOUR (4) POWER-LOAD COT FASTENER SYSTEMS, 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. 113-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

Before RESOLUTION 114-2021 was read, the following statement was read:

The Following Resolution was voted on in the Utilities Committee meeting and added to the agenda. The Committee invoked Council Rule 702 to suspend rule 302 (The 10-Day Rule), 401 (The Not Called for in Committee of the Whole Rule).

### **RESOLUTION NO. 114-2021**

PRESENTED BY MRS. COBURN TITLE: STORMWATER WEEK  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON DECLARING THE  
WEEK OF OCTOBER 17 THROUGH OCTOBER 23, 2021 STORMWATER WEEK IN THE  
CITY OF BARBERTON, AND DECLARING IT 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 **RESOLUTION NO. 114-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

This ended the First Readings.

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

### **ORDINANCE NO. 112-2021**

PRESENTED BY: MRS. ANGELOFF TITLE: AMEND BARBERTON CODIFIED  
ORDINANCES “AMUSEMENT DEVICES, SKILL-BASED AMUSEMENT MACHINES,

AND ARCADES” AN ORDINANCE AMENDING SECTION 836.04(b) OF THE BARBERTON CODIFIED ORDINANCES, “LICENSE FEE; TRANSFER AND DISPLAY” OF AMUSEMENT DEVICES, SKILL-BASED AMUSEMENT MACHINES, AND ARCADES (ORD. NO. 53-2012).

This will go for a third reading.

This ended the second readings.

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

#### **ORDINANCE NO. 99-2021**

PRESENTED BY: MRS. ANGELOFF TITLE: ZONING MAP AMENDMENT  
VARIOUS PARCELS - NORTON AVENUE AN ORDINANCE AUTHORIZING THE  
REZONING OF VARIOUS PARCELS ON NORTON AVENUE, PARCELS 01.15727,  
01.13934, 01.13935, 01.02305 BE REZONED FROM C3 (COMMUNITY CENTER  
COMMERCIAL) TO I2 (MEDIUM INDUSTRIAL) AND PARCEL 01.11042 BE REZONED  
FROM RT-40 (TWO FAMILY) TO I2 (MEDIUM INDUSTRIAL).

It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 99-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

#### **ORDINANCE NO. 100-2021**

PRESENTED BY: MRS. ANGELOFF TITLE: ZONING MAP AMENDMENT  
VARIOUS PARCELS – GEORGE STREET AN ORDINANCE AUTHORIZING THE  
REZONING OF VARIOUS PARCELS ON GEORGE STREET, PARCELS 01.08632,  
01.08624 AND 01.08631 BE REZONED FROM RS40 (SINGLE-FAMILY DETACHED) TO  
RM18 (RESIDENTIAL MULTI FAMILY).

It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 100-2021 BE ADOPTED.** President Megyes asked if anyone had any remarks: Mrs. Angeloff stated that she will be voting “No” on this Ordinance as she feels that it is not in the best interest of the neighborhood. Mrs. Coburn stated that she too will be voting “No” as she feels that rezoning this area is not in the City’s best interest. Mr. Heitic stated that he will be voting “No” based on the fact there is well over 500 parcels zoned RS40 and to rezone these parcels to RM18 would disrupt the harmony of the neighborhood. Mrs. Debevec stated she will be voting “No” as well primarily as she is concerned with the flooding issues in the area. Mrs. Frey stated she will also be voting “No” for the reasons previously stated by her fellow Councilpersons. Mr. Griffin stated he will be voting “No” as well citing Mr. Heitic’s and Mrs. Debevec’s reasons and adding that if this one is allowed what is to stop future rezoning requests? We need to stop it. Mr. Greer stated that the only reason he will be voting “No” to this legislation is that the owner of the property has agreed to come back to the table and work on the proper zoning within the bounds

of the area. With no other remarks, the Clerk called the roll, all members voting “No”. Motion failed.

### **APPOINTMENTS**

#### **Board of Health:**

Mr. Tyrell Fletcher	5-year term	1-1-2022 to 12-31-2026
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A motion was made by Mr. Jaber and seconded by Mr. Griffin, to appoint Mr. Tyrell Fletcher to the Board of Health for a 5-year term beginning January 1, 2022 and ending December 31, 2026. All Members voted “yea.” Motion carried.

#### **Board of Zoning:**

Mr. James Haskell	6-year term	1-1-2022 to 12-31-2027
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A motion was made by Mrs. Angeloff and seconded by Mrs. Coburn, to appoint Mr. James Haskell to the Board of Zoning for a 6-year term beginning January 1, 2022 and ending December 31, 2027. All Members voted “yea.” Motion carried.

#### **Design Review Board:**

Mrs. Susan Wynn	3-year term	1-1-2022 to 12-31-2024
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A motion was made by Mrs. Angeloff and seconded by Mrs. Coburn, to appoint Mrs. Susan Wynn to the Design Review Board for a 3-year term beginning January 1, 2022 and ending December 31, 2024. All Members voted “yea.” Motion carried.

Ms. Jolese Rogers	3-year term	1-1-2022 to 12-31-2024
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A motion was made by Mrs. Angeloff and seconded by Mrs. Coburn, to appoint Ms. Jolese Rogers to the Design Review Board for a 3-year term beginning January 1, 2022 and ending December 31, 2024. President Megyes called for remarks. Mr. Heitic wanted to comment to Mayor Judge that although he doesn’t know these appointees personally that the Mayor has sent Council four (4) quality people this time and he wanted to thank the Mayor for that. He also asked that in the Mayor’s spare time he hopes he is updating the questionnaire. With no other remarks and all Members voted “yea.” Motion carried.

## **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mrs. Angeloff stated that tomorrow (Tuesday, October 12, 2021 at 5:30 pm there will be a Design Review Board Meeting. MR. Greer wanted to announce that the signup/registration for the 2021 Halloween House Decorating Contest is on line. Links are on social media. The deadline is October 15, 2021 and that the contest begins on Saturday, October 16, 2021. Law Director Lisa Okolish-Miller stated that she wanted to give recognition to the Barberton Police Department, specifically the Detective Bureau for the solving and arrests made in the cases involving the robberies at Save-a-lot, Subway and 7<sup>th</sup> Street & Hopocan. All three involved the same defendant.

## **COMMUNICATION FROM THE MAYOR**

The Mayor, referring to the closure of the basketball court at Tuscora Park, stated that it was not an easy decision nor was it a kneejerk reaction and that doing nothing is not an option. The court will remain closed as we look at security and a larger plan for all of our parks. There have been issues in the past at several parks such as the burning of all the equipment at Harter Park on the far north side. There are a lot of issues at various parks and we want to take control them.

The survey for Lake Anna Park closes on October 20. We will collect all the data and there could possibly be a second survey at a later date depending on what the data says.

The ribbon cutting ceremony on Friday of last week for Novation SI. They flew their CEO. They are a great operation. They are going from about 25,000 sq feet here in Barberton to over 127,000 sq. feet. This is the building at the end of Foundation Place. Ravago was located there. We have been working with them for 6 or 7 years as they were looking to move to Texas as they needed a 250,000 sq. foot building but ended up going to Medina TWP and building there they were able to keep some of the Barberton employees that they had. Barberton didn't have the land to build a structure of that size. We began working with Novation SI. It is a great company and a great partnership with the City as there are great growth opportunities as we move forward. We are excited for the grown in that area of the City and we are looking forward to future growth there.

We are working with the Belgin company who purchased a small business off of Waterloo Rd. We are looking forward to growth opportunities with them.

These are two good wins for the community. There are a lot of future good wins that we are working on and hopefully they will materialize here within the next few weeks.

### **CLOSING REMARKS**

It was moved by Mrs. Debevec and seconded by Mr. Heitic to adjourn. All voting “Aye” and none apposed.

Meeting Adjourned: 8:11 pm.

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Craig Megyes  
President of Council

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Laura J. Ries-Price  
Clerk of Council