

Council met in REGULAR SESSION on Monday, November 22, 2021 at 7:18 P.M. in the Council Chambers with President Megyes presiding. The Pledge of Allegiance to the Flag was recited and Mrs. Coburn 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 Mr. Heitic, to approve the Minutes of the Regular Legislative Meeting held on Monday, November 8, 2021, as presented. No remarks made. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Executive Session held on Monday, November 8, 2021, as presented. No remarks made. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Special Legislative Meeting held on Monday, November 15, 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**

There were 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**

#### **RESOLUTION NO. 126-2021**

PRESENTED BY MRS. DEBEVEC                      TITLE: CATALYTIC CONVERTERS  
SUPPORT OF STATE OF OHIO HOUSE BILL 408                      A RESOLUTION OF THE  
COUNCIL OF THE CITY OF BARBERTON SUPPORTING THE PROPOSED  
LEGISLATION TO BAN THE SALE OF STOLEN CATALYTIC CONVERTERS, STATE OF  
OHIO HOUSE BILL 408, 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. 126-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

#### **ORDINANCE NO. 127-2021**

PRESENTED BY MRS. FREY & MRS. COBURN                      TITLE: APPROPRIATION  
BRENTWOOD PACKAGE PLANT ELIMINATION PROJECT                      AN ORDINANCE  
APPROPRIATING \$100,000 FROM THE UNAPPROPRIATED ITEM OF THE 517 SEWER  
FUND TO THE CAPITAL BUDGET OF THE SEWER FUND, AND DECLARING AN  
EMERGENCY.

It was moved by Mrs. Frey 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. Frey seconded by Mrs. Coburn, that **ORDINANCE NO. 127-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

#### ORDINANCE NO. 128-2021

PRESENTED BY MRS. FREY TITLE: AUTHORIZE PAYMENT – UTILITIES  
OHIO EDISON AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO  
PAY AN INVOICE TO OHIO EDISON FOR SERVICES AT THE FRASHURE PARK  
PACKAGE PLANT IN THE AMOUNT OF \$6,911.26, 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. 128-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

#### ORDINANCE NO. 129-2021

PRESENTED BY MRS. COBURN TITLE: DISPOSAL OF VEHICLES  
UTILITIES DEPARTMENT AN ORDINANCE AUTHORIZING THE DISPOSAL OF  
THREE (3) PIECES OF EQUIPMENT AND THREE (3) VEHICLES DEEMED 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. 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. 129-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

#### ORDINANCE NO. 130-2021

PRESENTED BY MR. HEITIC TITLE: FOUNDATION GRANT REQUEST SKATE  
PARK AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT  
APPLICATION TO THE BARBERTON COMMUNITY FOUNDATION, IN AN AMOUNT  
UP TO \$75,000, FOR THE CONSTRUCTION OF A SKATE PARK.

THIS WILL GO FOR THREE READINGS.

#### ORDINANCE NO. 131-2021

PRESENTED BY MRS. FREY AND MRS. DEBEVEC TITLE: ADOPTING THE IAFF  
LOCAL 329 AGREEMENT AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
BARBERTON TO ADOPT AND APPROVE THE COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE CITY OF BARBERTON AND IAFF LOCAL 329 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. 131-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

## RESOLUTION NO. 132-2021

PRESENTED BY MRS. FREY TITLE: COMMENDATION 2021 BARBERTON HIGH SCHOOL FOOTBALL TEAM A RESOLUTION OF THE COUNCIL AND ADMINISTRATION OF THE CITY OF BARBERTON COMMENDING AND SHOWING APPRECIATION TO THE BARBERTON FOOTBALL TEAM FOR THEIR EXCELLENT 2021 FOOTBALL SEASON.

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. 132-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

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

### ORDINANCE NO. 123-2021

PRESENTED BY MRS. ANGELOFF TITLE: AMENDING BARBERTON CODIFIED ORDINANCES CHAPTER 1444 - PERMITS AND FEES AN ORDINANCE AMENDING SECTION 1444.15 “GENERAL PERMIT FEES” (ORDINANCE NO. 147-2020), AND DECLARING AN EMERGENCY.

First reading 11-8-2021 / Will go for a third reading.

### RESOLUTION NO. 124-2021

PRESENTED BY MRS. ANGELOFF TITLE: VARIOUS TYPES OF BUSINESSES MORATORIUM A RESOLUTION IMPOSING A MORATORIUM UNTIL THE ADOPTION OF A NEW DEVELOPMENT CODE ON THE ISSUING OF ZONING PERMITS FOR USED CAR LOTS, MINI WAREHOUSE, LIMITED INDOOR STORAGE, AND DOLLAR STORES WITHIN THE CITY OF BARBERTON, WITH THE EXCEPTION OF PERMITTING MINI WAREHOUSES WITHIN INDUSTRIAL USE (I1, I2, I3 OR I.U.) ZONING DISTRICTS.

First reading 11-8-2021 / Will go for a third reading

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

### ORDINANCE NO. 115-2021

PRESENTED BY MRS. DEBEVEC TITLE: AMEND ORDINANCE NO. 84-2006 NUISANCE LAW AN ORDINANCE AMENDING ORDINANCE NO. 84-2006, SECTIONS 674.02 “NOTICE” AND 674.04 “COST OF ABATEMENT” OF THE BARBERTON CODIFIED ORDINANCES, BY CHANGING THE WORDING TO MODIFY NUISANCE ACTIVITIES TO BE CALCULATED USING 365 DAYS FROM THE EARLIEST NUISANCE ACTIVITY.

THIS ORDINANCE WAS AMENDED ON THE FLOOR DURING THE SAFETY COMMITTEE MEETING.

It was moved by Mrs. Debevec, seconded by Mr. Greer, that **ORDINANCE NO. 115-2021 BE ADOPTED AS AMENDED.** All Members voted “yea.” Motion carried.

## **APPOINTMENTS**

### **Barberton Civil Service Commission:**

Mr. Patrick Boyle                      6 year term                      1-1-2022 to 12-31-2027

A motion was made by Mrs. Frey and seconded by Mrs. Debevec to appoint Mr. Patrick Boyle to the Barberton Civil Service Commission for a six (6) year term commencing January 1, 2022 and ending December 31, 2027. All Members voted “yea.” Motion carried.

## **MISCELLANEOUS AND UNFINISHED BUSINESS**

### **LIQUOR LICENSE:**

NEW D3        West Theater Entertainment Center LLC  
DBA West Theater Bonnies Eatery  
1017 Wooster Road W  
Barberton, Ohio 44203

No objections received / License Approved

TRANSFER To:     Sunshine Stores LLC  
C1 C2                Dba Save A Lot  
205 Wooster Road N  
Barberton, Ohio 44203

From: Moran Foods LLC  
Dba Save A Lot  
205 Wooster Road N  
Barberton, Ohio 44203

No objections received / License Approved

## **COMMUNICATION FROM THE MAYOR**

No Comments made.

## **CLOSING REMARKS**

Mr. Greer wanted to 155 people were fed at the Salvation Army today. It was their Thanksgiving Dinner. Mr. Greer also wanted to thank Mr. Heitic as he was one of the cooks for the meal.

President Megyes asked Mr. Garret if he had anything else he would like to add as this portion was the appropriate time for his comments. Mr. Garret stated that he would wait and speak next week as his comments pertain to pending legislation.

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

Meeting Adjourned: 7:41 pm.

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Craig Megyes  
President of Council

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Laura J. Ries-Price  
Clerk of Council