

Council met in REGULAR SESSION on Monday, November 28, 2022 at 6:40 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was led by the Barberton Sparkles Cheerleading Squad followed by the Invocation by Mrs. Coburn.

The Clerk called the roll: Members present: President Greer, Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mr. Jaber, Mrs. Coburn, and Mrs. Frey.

It was moved by Mr. Heitic, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, November 14, 2022, as presented. No remarks made. All Members voted "Aye." 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

ORDINANCE NO. 156-2022

PRESENTED BY MR. HEITIC TITLE: TRANSFER OF FUNDS PLANNING
DEPARTMENT AN ORDINANCE TRANSFERRING \$9,250.00 FROM THE
TRUST FUNDS CASH BALANCE TO THE CITY OF BARBERTON'S GENERAL FUND,
AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 156-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 157-2022

PRESENTED BY MRS. THOMPSON & MR. HEITIC TITLE: APPROPRIATION
PLANNING DEPARTMENT AN ORDINANCE APPROPRIATING \$9,250.00
FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE PLANNING
DEPARTMENT OPERATION AND MAINTENANCE FUND, AND DECLARING AN
EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mr. Heitic, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mrs. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 157-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 158-2022

PRESENTED BY MR. HEITIC TITLE: AUTHORIZE PAYMENT – UTILITIES
EVERBRIDGE INC. AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO PAY AN INVOICE TO EVERBRIDGE INC. FOR THE ANNUAL NIXLE
CONTRACT IN THE AMOUNT OF \$5,400.91, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 158-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 159-2022

PRESENTED BY MR. HEITIC TITLE: ENTER INTO CONTRACT METLIFE
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH
METLIFE FOR EMPLOYEE DENTAL AND VISIONS COVERAGE BEGINNING
JANUARY 1, 2023 THROUGH DECEMBER 31, 2024 (2-YEAR CONTRACT) FOR
DENTAL AND JANUARY 1, 2023 THROUGH DECEMBER 31, 2025 (3-YEAR
CONTRACT) FOR VISION, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 159-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 160-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION LAW DEPARTMENT
AN ORDINANCE APPROPRIATING \$25,000 FROM THE UNAPPROPRIATED ITEM OF
THE GENERAL FUND TO THE LAW DEPARTMENT'S OPERATION AND
MAINTENANCE BUDGET OF THE GENERAL FUND, AND DECLARING AN
EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 160-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 161-2022

PRESENTED BY MR. HEITIC TITLE: AUTHORIZE PAYMENT CARDINAL
MAINTENANCE AND SERVICE CO. INC. AN ORDINANCE AUTHORIZING
THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO CARDINAL MAINTENANCE
AND SERVICE CO. INC., FOR MONTHLY CLEANING IN THE AMOUNT OF \$3,700.60.,
AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 161-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 162-2022

PRESENTED BY MR. HEITIC TITLE: TRANSFER OF FUNDS WATER MAINS
AN ORDINANCE TRANSFERRING \$680,000 FROM THE UNAPPROPRIATED ITEM OF
THE WATER FUND TO THE CAPITAL BUDGET OF THE WATER FUND, AND
DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 162-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 163-2022

PRESENTED BY MR. HEITIC TITLE: TRANSFER OF FUNDS FUEL COSTS
AN ORDINANCE TRANSFERRING \$80,000 FROM THE INCOME TAX FUND TO THE
INTERNAL COST ALLOCATION FUND, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 163-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 164-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION FUEL COSTS
AN ORDINANCE APPROPRIATING \$80,000 FROM THE UNAPPROPRIATED ITEM OF
THE INTERNAL COST ALLOCATION FUND TO THE OPERATION AND
MAINTENANCE BUDGET OF THE INTERNAL COST ALLOCATION FUND, AND
DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 164-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 165-2022

PRESENTED BY MR. HEITIC TITLE: TRANSFER OF FUNDS PARKS
DEPARTMENT AN ORDINANCE TRANSFERRING \$30,000 FROM THE
INCOME TAX FUND TO THE SPORTS COMPLEX OPERATING FUND, AND
DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 165-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 166-2022

PRESENTED BY MR. HEITIC TITLE: PARTICIPATION IN COMMUNITY,
UNIVERSITY, EDUCATION COUNCIL OF GOVERNMENTS PURCHASING PROGRAM
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR
ALTERNATES TO PARTICIPATE IN THE COMMUNITY, UNIVERSITY, EDUCATION
COUNCIL OF GOVERNMENTS (CUE-COG) FOR THE PURCHASE OF SUPPLIES,

SERVICES, EQUIPMENT AND CERTAIN MATERIALS, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 166-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

BEFORE READING ORDINANCE 167-2022 THE CLERK STATED THAT THIS ORDINANCE WAS VOTED ON IN THE FINANCE AND PERSONNEL COMMITTEE THIS EVENING AND ADDED TO THE AGENDA. THE COMMITTEE INVOKED COUNCIL RULE 702 TO SUSPEND RULES 302, THE 10 DAY RULE, 304 THE NOT ON AGENDA RULE AND RULE 401, THE NOT CALLED FOR IN COMMITTEE OF THE WHOLE RULE.

ORDINANCE NO. 167-2022

PRESENTED BY MR. HEITIC TITLE: AMEND ORDINANCE NO. 107-2022
APPROPRIATION GENERAL FUND CAPITAL BUDGET AN ORDINANCE
AMENDING ORDINANCE 107-2022 TO INCLUDE POLICE CRUISERS IN THE LIST OF
PROJECTS UNDER SECTION 1, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 167-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

BEFORE READING ORDINANCE 168-2022 THE CLERK STATED THAT THIS ORDINANCE WAS VOTED ON IN THE PUBLIC WELFARE AND SAFETY COMMITTEE THIS EVENING AND ADDED TO THE AGENDA. THE COMMITTEE INVOKED COUNCIL RULE 702 TO SUSPEND RULES 302, THE 10 DAY RULE, 304 THE NOT ON AGENDA RULE AND RULE 401, THE NOT CALLED FOR IN COMMITTEE OF THE WHOLE RULE.

ORDINANCE NO. 168-2022

PRESENTED BY MRS. FREY TITLE: PURCHASE OF POLICE CRUISER TIM
LALLY CHEVROLET AN ORDINANCE AUTHORIZING THE MAYOR, OR
HIS DESIGNEE, TO ENTER INTO CONTRACT WITH TIM LALLY CHEVROLET IN AN
AMOUNT NOT TO EXCEED \$224,046.00 TO PURCHASE POLICE VEHICLES, AND
DECLARING AN EMERGENCY.

It was moved by Mrs. Frey, seconded by Mr. Griffin, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Mr. Jaber stated that he will be voting yes on this

piece of legislation. He stated he is disappointed that ARPA funds will be used and wished the City Administration would have done a better job to get the money for the vehicles. Mr. Heitic stated that in spite of the failure of the failure of the Police Capital Levy this does not skirt our responsibility to keep our officers safe and in vehicles that are in good working conditions. Mrs. Coburn states that we should be thankful that at this moment in time we have the ARPA funds available to do this. Mrs. Angeloff stated that we have to also stop and remember that the four (4) vehicles that were ordered in 2021 that we should have received we did not receive and then with the accident in our parking lot a week ago we are down 2 more vehicles therefore this is an emergency. The Clerk called the Roll on Suspension. All Members voted "Aye." Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 168-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

This is the end of the First Readings.

SECOND READING OF ORDINANCES AND RESOLUTIONS

There are None

THIRD READING OF ORDINANCES AND RESOLUTIONS

There are None

MISCELLANEOUS AND UNFINISHED BUSINESS / CLOSING REMARKS

Mrs. Coburn stated that she thanks God that the Council Rules were changed that Council members no longer have to stand each time they speak. Other Council members agreed. President Greer agreed and stated that he is looking at continuing to update the Council Rules so as to streamline the process even further and also requested that anyone having any suggestions it would be greatly appreciated as it will be an amendment to the City Charter.

Mrs. Coburn inquired about meeting dates close to the Christmas Holiday. It was decided that Council would hold a Regular Legislative Meeting followed by a Committee of the Whole meeting on Monday, December 12th, 2022 and then a Regular Legislative Meeting on Monday December 19th, 2022. This would be the last meeting of Council for the 2022 calendar year. There will be no meeting on December 27th, 2022.

COMMUNICATION FROM THE BODY

Mr. Jaber wanted to state that the turnout for the Christmas Walk / Pub Crawl was tremendous and that he heard great feedback from citizens and business owners. Mr. Jaber suggested that things like this should be done more often. Mrs. Coburn also stated we need to be thankful for the weather would helped make the great turnout possible.

Mrs. Thompson stated that the Planning Commission Meeting for this month has been moved from the 21st to the 14th at 5:30pm.

Mrs. Frey wanted to piggyback on Mr. Jaber's positive comments regarding the Christmas Walk. Mrs. Frey stated she was not able to participate in the evening's festivities however she took advantage of the shopping earlier in the day and the discounts available and thought it was a great experience as well. In regards to the legislation for the Police Cruisers, not everyone was on board with the Police Levy voted on earlier in the year however as we have seen the circumstances that our officers are working under we now see the need for a Police Levy as ARPA funds would not have needed to be used if it had passed.

President Greer questioned why the Police Levy did not pass at the same time the Fire Levy was on the ballot. Mrs. Frey stated that would have taken place 20 years ago. Police Chief Morber stated that it was separated at that time and the Police were struck out of the Levy at that time and it became a levy for fire only.

COMMUNICATION FROM THE MAYOR

The Mayor stated that he wanted to thank the Barberton Sparkles Cheerleading Squad for leading the Pledge of Allegiance this evening.

The Cox-Powel Hearld project is moving forward. The Mayor gave an update of all steps such as abatement and cleanout that have been completed thus far.

Change for Change was a success last week benefiting the Greynolds Classic for stroke awareness. Many thanks to the Green Diamond for hosting the event.

Open office hours will be Saturday, December 10th from 9:00 am to 11:00 am at the Active Adult Center.

Again, we are partnering with the Salvation Army, BACM, Lake Anna YMCA and others in collecting non-perishable items and toiletries during the months of December and January for families in need. There will be collection boxes throughout the city.

Finally, Thank you to everyone who volunteered, participated or attended the Christmas Walk Ceremony on Saturday. The turnout was great. There were no problems that anyone is aware of.

Also, if there are any questions on the budget, funds, police cruisers, anything, the Mayor stated his door is always open and he will explain funding, what grants are available and what we are able and unable to do. The Mayor stated he is more than happy to answer any questions and that it would be a very useful exercise and educational discussion. He wanted everyone to know that the invitation is always open.

With nothing further, it was moved by Mr. Heitic and seconded by Mrs. Thompson to adjourn. All voting "Aye" and none apposed.

Meeting Adjourned 7:17 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council