

Council met in REGULAR SESSION on Monday, December 12, 2022 at 6:54 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was led President Greer followed by the Invocation by Mrs. Frey.

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 28, 2022, as presented. No remarks made. All Members voted “Aye.” Motion carried.

It was moved by Mr. Heitic, seconded by Mrs. Coburn to approve the Finance Report for the month of November, 2022as 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. 169-2022

PRESENTED BY MR. HEITIC TITLE: ENTER INTO CONTRACT MEDICAL
MUTUAL AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
ONE-YEAR CONTRACT WITH MEDICAL MUTUAL OF OHIO (MMO), THROUGH A
PARTNERSHIP WITH SUMMIT COUNTY HEALTH CONNECTION, FOR EMPLOYEE
BENEFITS WHICH INCLUDE MEDICAL AND PRESCRIPTION COVERAGE BEGINNING
JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 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. 169-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 170-2022

PRESENTED BY MR. HEITIC TITLE: AMEND ORDINANCE NO. 99-2020
“BARBERTON RESIDENTIAL SERVICES RELIEF PROGRAM”
AN ORDINANCE AMENDING ORDINANCE NO. 99-2020, BY AMENDING SECTION 2
PART (B) AND (C) BY INCREASING THE INCOME LEVEL FROM \$30,000 ANNUALLY
TO \$36,100 ANNUALLY, 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. 170-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 171-2022

PRESENTED BY MR. HEITIC TITLE: 2023 STREET CAPITAL IMPROVEMENT BUDGET
AN ORDINANCE ADOPTING A BUDGET FOR THE STREET CAPITAL IMPROVEMENT FUND OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2023 AND PROVIDING FOR THE ADMINISTRATION THEREOF, 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. 171-2022 BE ADOPTED.** Mr. Heitic stated that he wanted to thank every Department Head and the Legal Department for getting this done early. While working on the Budget he stated he knows this was a pain in the butt but it will hopefully help us to start earlier next year. All Members voted “Aye.” Motion carried.

RESOLUTION NO. 172-2022

PRESENTED BY MRS. ANGELOFF TITLE: ENTER INTO CONTRACT – ODOT BRIDGE INSPECTION PROGRAM
A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR, OR HIS DESGNEE, TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR BRIDGE INSPECTION PROGRAM SERVICES, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Angeloff and Seconded by Mrs. Bailey, 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. Angeloff and Seconded by Mrs. Bailey, that **RESOLUTION NO. 172-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 173-2022

PRESENTED BY MRS. THOMPSON TITLE: REMOVAL OF RAILROAD AND UTILITY PARCELS
AN ORDINANCE AMENDING ORDINANCE NO. 91-2019 TO REMOVE CERTAIN PARCELS FROM AN EXISTING TAX INCREMENT FINANCING EXEMPTION PROVIDED FOR IN SAID ORDINANCE; AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, 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 Mrs. Angeloff, that **ORDINANCE NO. 173-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 174-2022

PRESENTED BY MRS. THOMPSON TITLE: REMOVAL OF POWELL AND HERALD BUILDINGS
AN ORDINANCE AMENDING ORDINANCE NO. 173-2022 TO REMOVE CERTAIN PARCELS FROM AN EXISTING TAX INCREMENT FINANCING EXEMPTION PROVIDED FOR IN SAID ORDINANCE; AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, 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 Mrs. Angeloff, that **ORDINANCE NO. 174-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 175-2022

PRESENTED BY MRS. THOMPSON TITLE: PAYMENTS IN LIEU OF TAXES
AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL
PROPERTY TO BE A PUBLIC PURPOSE, REQUIRING THE OWNERS OF THE
IMPROVEMENTS THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES;
ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT
FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; PROVIDING RELATED
AUTHORIZATIONS PURSUANT TO SECTIONS 5709.41, 5709.42 AND 5709.43, OF THE
OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that the rule as required by
Section 5.10 of the Barberton City Charter be suspended. Mr. Heitic stated that since this applies
to 180-2022, he would suggest that this be read as a First Reading and then vote along with 180-
2022. He worries that if we pass this legislation and not 180-2022 that the developer could
possibly go ahead with changes prior to the passage of 180-2022. Law Director Miller stated
that these this piece of Legislation and 180-2022 called for One (1) Reading. This is why the
changes were put in place in a timely fashion. It was decided that this would go for two (2)
Readings. Since a motion to Suspend was made, roll was called by the Clerk and All Members
voted "NO." Motion denied.

It was decided that this will be a First Reading. The Second Reading will be on Monday,
December 19- 2022.

ORDINANCE NO. 176-2022

PRESENTED BY MR. HEITIC TITLE: AMEND ORDINANCE NO. 125-2022
SUMMIT COUNTY PUBLIC HEALTH/SUMMIT COUNTY AN ORDINANCE
AMENDING ORDINANCE NO. 125-2022 BY INCREASING THE AMOUNT TO NOT TO
EXCEED \$130,000 WITH SUMMIT COUNTY PUBLIC HEALTH/SUMMIT COUNTY, FOR
THE LEAD ABATEMENT AND HOUSING REHAB FOR OWNER OCCUPIED
DWELLINGS ONLY, 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. 176-2022 BE
ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO.177-2022

PRESENTED BY MRS. COBURN TITLE: ENTER INTO CONTRACT
REAM & HAAGER ENVIRONMENTAL LABORATORY INC.
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH
REAM & HAAGER ENVIRONMENTAL LABORATORY INC. FOR ANALYTICAL
SERVICES IN 2023 AND 2024, 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 "Aye." Motion carried. It was
moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 177-2022 BE
ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO.178-2022

PRESENTED BY MR. HEITIC TITLE: 2023 TEMPORARY BUDGET
AN ORDINANCE ADOPTING A TEMPORARY BUDGET FOR VARIOUS FUNDS OF THE
CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2023, AND
PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING IT 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. 177-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO.179-2022

PRESENTED BY MR. HEITIC TITLE: YEAR END APPROPRIATIONS
AMENDMENTS AN ORDINANCE MODIFYING APPROPRIATIONS WITHIN
CERTAIN DEPARTMENTS AND FUNDS IN ORDER TO COVER EXPENDITURES TO
THE END OF THE FISCAL YEAR 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. 179-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 180-2022

PRESENTED BY MRS. THOMPSON TITLE: ENTER INTO AGREEMENT
MAGIC MARKETPLACE LLC A RESOLUTION APPROVING AND
AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE
CITY AND D.R. MAGIC MARKETPLACE, LLC CONCERNING THE REDEVELOPMENT
OF CERTAIN REAL PROPERTY LOCATED IN THE CITY, AND DECLARING AN
EMERGENCY.

It was decided that this will be a First Reading. The Second Reading will be on Monday, December 19, 2022.

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

President Greer stated that at the December 19, 2022 Regular Legislative Meeting, Council will have an Ugly Sweater Meeting.

COMMUNICATION FROM THE BODY

Nothing Stated.

COMMUNICATION FROM THE MAYOR

The Mayor stated that he noticed that during the meeting his news feed stated that Columbus Ohio City Council has banned the sale of flavored tobacco products. He noted that with a city that size making such a bold move that undoubtedly it will work its way through the Health Departments throughout the state and filter down to the smaller cities.

While talking about the CDBG Budget and the repayment situation which occurred it is noted that this is not the only City that this has happened to and that the monies that we had to pay

back has been credited back to our CDBG account. At the end of the day no tax monies were wasted and the monies went back into the Barberton Community funds.

In regards to road resurfacing in town, as we discussed the legislation passed this evening is vital to our moving forward. We have one of the very best resurfacing programs in the region, if not THE best. Between 1977 and 2011, the city received just over 7 million dollars in Federal funds for our street programs. From 2012 to those currently waiting to start we have received just over 16 Million dollars in Federal funds. In the past 11 years we have received more than double the Federal funds than we received in the previous 35 years. This matches our Taxpayer dollars three to one.

The Mayor reminded everyone that his next and final Open Office Hours for 2022 will be Saturday, December 17 from 9:00 AM to 11:00 AM at the Active Adult Center of the YMCA.

Next week is the final Council meeting for 2022. We have accomplished a great deal this year and there is more on the horizon for next year.

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

Meeting Adjourned 7:24 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council