

Council met in REGULAR SESSION on Monday, December 13, 2021 at 8:14 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 22, 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 November, 2021 as presented. 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

ORDINANCE NO. 133-2021

PRESENTED BY MRS. DEBEVEC TITLE: AMENDING BARBERTON CODIFIED ORDINANCES CHAPTER 351: PARKING GENERALLY AN ORDINANCE AMENDING SECTION 351.05 “NIGHT PARKING OF COMMERCIAL / RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS,” 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. 133-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 134-2021

PRESENTED BY MRS. FREY TITLE: 2022 TEMPORARY BUDGET ORDINANCE ADOPTING A TEMPORARY BUDGET FOR VARIOUS FUNDS OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2022, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING IT 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. 134-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 135-2021

PRESENTED BY MRS. FREY 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 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. 135-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 136-2021

PRESENTED BY MRS. FREY TITLE: APPROPRIATION COX-POWELL BUILDINGS
AN ORDINANCE APPROPRIATING \$500,000 FROM THE UNAPPROPRIATED ITEM OF
THE GENERAL FUND TO THE OPERATION AND MAINTENANCE BUDGET OF
GENERAL FUND MISCELLANEOUS, AND DECLARING AN EMERGENCY.

This will go for a Second Reading

ORDINANCE NO. 137-2021

PRESENTED BY MR. GREER TITLE: AUTHORIZE PAYMENT CITY OF NORTON
AN ORDINANCE AUTHORIZING PAYMENT TO THE CITY OF NORTON FOR THE
RESURFACING OF THE CITY OF BARBERTON’S PORTIONS OF FAIRLAND ROAD
AND EASTERN ROAD AND DECLARING AN EMERGENCY.

A comment was made by Mrs. Coburn stating that she understood that there was to be Emergency wording on this piece of legislation. After checking the request and with Mr. Tracy the Streets Committee was brought to order by Mr. Greer. A motion was made by Mr. Greer that Ordinance 137-2021 be amended to add Emergency wording. The motion was seconded by Mrs. Angeloff. All members of the Streets Committee voted “yea” the motion carried and Ordinance 137-2021 was amended on the floor to add Emergency Wording. The Clerk re-read Ordinance 137-2021 AS AMENDED.

It was moved by Mr. Greer, seconded by Mrs. Angeloff, 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 Mr. Greer, seconded by Mrs. Angeloff, that **ORDINANCE NO. 137-2021 BE ADOPTED AS AMENDED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 138-2021

PRESENTED BY MRS. FREY TITLE: AUTHORIZE PAYMENT – EVERBRIDGE INC.
2022 NIXLE CONTRACT 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 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. 138-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 139-2021

PRESENTED BY MRS. FREY TITLE: OPIOID SETTLEMENT AGREEMENT
AN ORDINANCE AUTHORIZING THE MAYOR TO PARTICIPATE IN THE
SETTLEMENT AGREEMENT WITH MULTIPLE DEFENDANTS IN THE OPIOID
SETTLEMENT, 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. 139-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

RESOLUTION NO. 140-2021

PRESENTED BY MRS. DEBEVEC TITLE: COMMENDATION – ANGIE WORRINGTON
A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE
PUBLIC RECOGNITION TO MS. ANGIE WORRINGTON FOR HER DEDICATION TO LIVING
HER BEST LIFE DESPITE HER SPECIAL NEEDS AND FOR SHARING OUR CITY WITH
MANY FAMOUS PEOPLE AND GROUPS ALONG THE WAY.

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. 140-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

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.

First reading November 22, 2021. This will go for a third reading.

THIRD 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 / Second Reading 11-22-2021

It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 123-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

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 / Second Reading 11-22-2021

It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 124-2021 BE ADOPTED.** Roll called by Clerk. Mr. Greer, Mr. Jaber and Mrs. Debevec voting “No”, Mr. Heitic, Mr. Griffin, Mr. Angeloff, Mrs. Coburn and Mrs. Frey voting “Yea”. Motion carried.

APPOINTMENTS

To the Barberton Community Foundation Board of Directors:

Mr. Jim Bauschlinger	3-year term	1-1-2022 thru 12-31-2024
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A motion was made by Mrs. Frey and seconded by Mrs. Debevec to appoint Mr. Jim Bauschlinger to the Board of Directors of the Barberton Community Foundation for a three (3) year term commencing January 1, 2022 and ending December 31, 2024. All Members voted “yea.” Motion carried.

Ms. Debra Shreiner	3-year term	1-1-2022 thru 12-31-2024
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A motion was made by Mrs. Frey and seconded by Mrs. Debevec to appoint Ms. Debra Shreiner to the Board of Directors of the Barberton Community Foundation for a three (3) year term commencing January 1, 2022 and ending December 31, 2024. All Members voted “yea.” Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Jaber stated to Mrs. Frey and Mr. Griffin that he was wondering if they could get together and review the salaries as he was looking at the Barberton Health Codes, of City employees as he feels that there is one who is underpaid. Mr. Jaber states that he feels that Mrs. Miller deserves way more money than she is getting and he wondered if it is something that Council can work on. Mayor Judge and Finance Director Jeremy Flaker explained that the salaries of Elected Officials are set prior to the election and that they can’t be changed, up or down, until the election cycle so the next time it can be changed is the Spring of 2023. Mrs. Frey stated that the process has already started. Mr. Jaber requested to be included on emails regarding this.

COMMUNICATION FROM THE MAYOR

The Mayor stated that recent weather patterns have been all over the place. With the recent weather occurrences happening in Southern Ohio and Kentucky, city officials have been in communication with weather agencies. With the weather patterns and the high winds we experienced this past weekend internal communication lines were kept open in case of freezing

rain which causes black ice. We did have limbs and trees down as well as flying lawn furniture and Christmas decorations.

The Mayor stated that he had met with our new State Legislators. They will be taking over at the first of the year. Senator Kristina Roegner and Representative Bill Roemer were here today. Judge McKenney and the Mayor met with them today and discussed the projects currently in process.

Work is being done on the 2022 Budget to get it to Council as soon as possible. It is more difficult than previous years because there are so many possible outside sources of money. For example, we have ARPA funds but have no direct guidance on permissible uses. The Mayor is attending webinars and meeting with other Mayors and Mr. Flaker is meeting with auditors to see how best we can use these funds.

The Mayor stated he has had several meetings with existing businesses which are looking to expand in our City. We are continuing to work with our partners on the storm water mitigation efforts.

Last week the mayor sat in on a webinar presented by First Energy on economic development and how this will look in the future. This is presented annually. The mayor states he tries to sit in on as many of these as possible to be aware of the outside influences on our city economy that we can not control. We are looking at opportunities and funding sources as well as challenges that we face as well. Today's legislative session is a good example of the various concerns facing the City.

Finally, the Mayor stated that we are still collecting personal items and non-perishables for BACM and the Salvation Army. This collection will go through the end of January.

CLOSING REMARKS

Mr. Heitic stated to Mr. Greg Tracy that he wanted to wish him luck in all his future endeavors and to say Thank you for all you have done for the City.

Mrs. Frey stated that since next week is Council's last Legislative Meeting for 2021 and since MR. Megyes and Mrs. Debevec will be leaving, we will be having a small gathering in the Jury room after the meeting and to not leave immediately after the meeting next week.

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

Meeting Adjourned 8:48 pm.

Craig Megyes
President of Council

Laura J. Ries-Price
Clerk of Council