

Council met in **REGULAR SESSION** on Monday, February 26, 2024 at 7:33 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was led by President Greer. The Invocation was given by President Greer.

The Clerk called the roll: Members present: President Greer, Mr. Heitic, Mrs. Thompson, Mrs. Hager, Mr. Griffin, Mrs. Beck, Ms. Gearhart, Mr. Harris. Absent: Mr. Cheatham

It was moved by Mr. Heitic, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, February 12, 2024 as presented. No remarks made. All Members present voted “Aye.” Mr. Cheatham was absent, Motion carried.

**PETITIONS AND CLAIMS**

There were none.

**MATTERS REFERRED**

Each Council Member, the Mayor, 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 digitally recorded in its entirety and is available in the Clerk of Council's office.*

**FIRST READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 14-2024  
PRESENTED BY MRS. THOMPSON TITLE: 2024 OPERATING AND CAPITAL BUDGET  
AN ORDINANCE ADOPTING A BUDGET FOR VARIOUS FUNDS OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2024, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING IT AN EMERGENCY AS AMENDED FEBRUARY 26, 2024 IN THE FINANCE COMMITTEE MEETING AS AMENDED FEBRUARY 26, 2024.

This ordinance was amended in the Finance Committee to reflect changes in the Storm Water Management portion of the Enterprise Funds.

This is the first reading. This will go for three (3) readings.

**ORDINANCE NO. 15–2024**

PRESENTED BY MRS. THOMPSON TITLE: AMENDING ORDINANCE NO. 73-2022  
EMPLOYEE COMPENSATION AND PAY GRADES FOR NON-BARGAINING EMPLOYEES  
AN ORDINANCE AMENDING ORDINANCE NO. 73-2022, AND DECLARING AN EMERGENCY.

This is the first reading. This will go for three (3) readings.

ORDINANCE NO. 16-2024

PRESENTED BY MRS. THOMPSON TITLE: NOTE ORDINANCE  
STORM WATER MANAGEMENT SYSTEM PROJECT AN ORDINANCE PROVIDING  
FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$325,000 OF NOTES, IN ANTICIPATION  
OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE  
CITY'S STORM WATER MANAGEMENT SYSTEM BY CONSTRUCTING AND IMPROVING  
STORM WATER DRAINAGE FACILITIES INCLUDING BUT NOT LIMITED TO STORM SEWERS,  
DITCHES, BACKFLOW PREVENTION DEVICES, WETLAND CONSTRUCTION, CATCH BASINS  
AND OTHER FACILITIES FOR THE RETENTION AND CONTROL OF WATERS, TOGETHER  
WITH ALL NECESSARY APPURTENANCES THERETO AND ACQUIRING ANY REAL ESTATE  
OR INTERESTS IN REAL ESTATE NECESSARY THEREFOR, AS DESIGNATED IN THE PLANS  
APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

FISCAL OFFICER'S CERTIFICATE

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$325,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving the City's storm water management system by constructing and improving storm water drainage facilities including but not limited to storm sewers, ditches, backflow prevention devices, wetland construction, catch basins and other facilities for the retention and control of waters, together with all necessary appurtenances thereto and acquiring any real estate or interests in real estate necessary therefor, as designated in the plans approved or to be approved by Council (the improvement):

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 40 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
3. The maximum maturity of the Notes is April 12, 2043, which is 20 years from April 12, 2024, the date of issuance of the original notes issued for this purpose.

Dated: February 7, 2024

Jeremy Flaker

Director of Finance  
City of Barberton, Ohio

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 present voted "Aye." Mr. Cheatham was absent, Motion carried. It was moved by Mrs. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 16-2024 BE ADOPTED.** All Members present voted "Aye." Mr. Cheatham was absent, Motion carried.

ORDINANCE NO. 17-2024

PRESENTED BY MRS. THOMPSON TITLE: NOTE ORDINANCE  
STREET IMPROVEMENT PROJECT AN ORDINANCE PROVIDING FOR THE  
ISSUANCE AND SALE OF NOT TO EXCEED \$1,800,000 OF NOTES, IN ANTICIPATION OF THE  
ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS AND  
ROADS IN THE CITY BY RESURFACING, RECONSTRUCTING, PAVING AND MAKING OTHER  
IMPROVEMENTS, TOGETHER WITH ALL NECESSARY RELATED IMPROVEMENTS AND  
APPURTENANCES THERETO, AS DESIGNATED IN THE PLANS APPROVED OR TO BE  
APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

FISCAL OFFICER’S CERTIFICATE

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$1,800,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving streets and roads in the City by resurfacing, reconstructing, paving and making other improvements, together with all necessary related improvements and appurtenances thereto, as designated in the plans approved or to be approved by Council (the improvement):

- 1. The estimated life or period of usefulness of the improvement is at least five years.
- 2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 15 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
- 3. The maximum maturity of the Notes is April 13, 2042, which is 20 years from April 13, 2022, the date of issuance of the original notes issued for this purpose.

Dated: February 7, 2024

Jeremy Flaker  
Director of Finance  
City of Barberton, Ohio

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 present voted “Aye.” Mr. Cheatham was absent, Motion carried. It was moved by Mrs. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 17-2024 BE ADOPTED.** All Members present voted “Aye.” Mr. Cheatham was absent, Motion carried.

ORDINANCE NO. 18-2024

PRESENTED BY MRS. THOMPSON TITLE: NOTE ORDINANCE  
METER READING SYSTEM REPLACEMENT PROJECT AN ORDINANCE  
PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$250,000 OF NOTES, IN  
ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF  
ACQUIRING AND INSTALLING ADVANCED RADIO METERING SYSTEM EQUIPMENT TO BE  
USED IN CONNECTION WITH THE MUNICIPAL SEWER AND WATER SYSTEMS, TOGETHER  
WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

FISCAL OFFICER’S CERTIFICATE

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$250,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring and installing advanced radio metering system equipment to be used in connection with the municipal sewer and water systems, together with all necessary appurtenances thereto (the improvement):

- 1. The estimated life or period of usefulness of the improvement is at least five years.
- 2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds; therefore, the maximum maturity of the Bonds is 7 years.
- 3. The maximum maturity of the Notes is April 20, 2032, which is 15 years from April 20, 2017, the date of issuance of the original notes issued for this purpose.

Dated: February 7, 2024

Jeremy Flaker  
Director of Finance  
City of Barberton, Ohio

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 present voted “Aye.” Mr. Cheatham was absent, Motion carried. It was moved by Mrs. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 18-2024 BE ADOPTED.** All Members present voted “Aye.” Mr. Cheatham was absent, Motion carried.

ORDINANCE NO. 19-2024

PRESENTED BY MRS. THOMPSON  
FRONT LOADER ACQUISITION PROJECT  
ISSUANCE AND SALE OF NOT TO EXCEED \$115,000 OF NOTES, IN ANTICIPATION OF THE  
ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING A FRONT LOADER  
FOR USE IN CARRYING OUT FUNCTIONS OF THE ROAD AND STORM SEWER DEPARTMENTS,  
AND DECLARING AN EMERGENCY.

TITLE: NOTE ORDINANCE  
AN ORDINANCE PROVIDING FOR THE

FISCAL OFFICER’S CERTIFICATE

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$115,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of acquiring a front loader for use in carrying out functions of the road and storm sewer departments (the improvement):

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 10 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.
3. The maximum maturity of the Notes is April 12, 2038, which is 15 years from April 12, 2024, the date of issuance of the original notes issued for this purpose.

Dated: February 7, 2024

Jeremy Flaker  
Director of Finance  
City of Barberton, Ohio

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 present voted “Aye.” Mr. Cheatham was absent, Motion carried. It was moved by Mrs. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 19-2024 BE ADOPTED.** All Members present voted “Aye.” Mr. Cheatham was absent, Motion carried.

ORDINANCE NO. 20-2024

PRESENTED BY MRS. THOMPSON  
FILTER SYSTEM AT WASTE WATER TREATMENT PLANT  
AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT  
TO EXCEED \$50,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS,  
FOR THE PURPOSE OF PAYING COSTS OF RECONSTRUCTING AND IMPROVING  
THE TRICKLING FILTER SYSTEM AT THE MUNICIPAL WASTE WATER  
TREATMENT PLANT, TOGETHER WITH ALL APPURTENANCES THERETO, AND  
DECLARING AN EMERGENCY.

TITLE: NOTE ORDINANCE TRICKLING

FISCAL OFFICER’S CERTIFICATE

To the Council of the City of Barberton, Ohio:

As fiscal officer of the City of Barberton, Ohio, I certify in connection with your proposed issue of not to exceed \$50,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of reconstructing and improving the trickling filter system at the municipal waste water treatment plant, together with all appurtenances thereto, (the improvement):

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 40 years, being my estimate of the life or period of usefulness of the improvement. If notes in anticipation of

the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is April 15, 2040, which is 20 years from April 15, 2020, the date of issuance of the original notes issued for this purpose.

Dated: February 7, 2024

Jeremy Flaker  
Director of Finance  
City of Barberton, Ohio

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 present voted “Aye.” Mr. Cheatham was absent, Motion carried. It was moved by Mrs. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 20-2024 BE ADOPTED.** All Members present voted “Aye.” Mr. Cheatham was absent, Motion carried.

This Ended the First Readings

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

There were none.

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

There were none.

**APPOINTMENTS**

There were none.

**MISCELLANEOUS AND UNFINISHED BUSINESS**

A motion was made by Mr. Heitic, and seconded by Mrs. Thompson to excuse Councilman Cheatham from this evening’s meeting. All members present voting “Aye.” Motion Carried. Councilman Cheatham is excused.

**COMMUNICATION FROM THE BODY**

President Greer cautioned everyone about severe weather that was incoming and to use caution.

**COMMUNICATION FROM THE MAYOR**

The Mayor stated that he had talked with President Greer as citizens are inquiring about the dates of the City-Wide Yard Sale. The dates were clarified that they are always the second weekend in June so the dates for 2024 will be June 13, 14, 15, and 16, 2024.

The Mayor wanted to thank all those that turned out for the February Change for Change which was held at the Hungarian Club benefiting the Rotary Club. Over \$420.00 was raised. The next Change for Change will be held on March 22, 2024 at the Civitan Club to benefit the Barberton Band Boosters.

The Mayor stated that he had several visits last week and met with Dan Rice, the executive Director of the Ohio Canalway Coalition. The City has been working with this organization and the Mayor stated that hopefully he will be coming to Council with some exciting plans.

Ms. Iceman and the Mayor met with Barberton High School students last week in regards to the Municipal Program. This informs students of the different positions available throughout the city and how to apply for positions with the City of Barberton.

The Mayor requested that with the warmer temperatures, the varying weather conditions, and the upcoming time change, to be mindful of citizens walking in the streets during early morning hours when it is still dark or anytime during the day. The Mayor requested to use caution during these times and conditions.

The departmental budget presentations will continue next week.

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

Meeting Adjourned 8:00 P.M.

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Justin Greer  
President of Council

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Laura J. Ries-Price  
Clerk of Council