

Council met in REGULAR SESSION on Monday, February 27, 2023 at 6:38 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. Angeloff.

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

It was moved by Mr. Heitic, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, February 13, 2023, as presented. No remarks made. All Members present voted "Aye." Mrs. Bailey was absent. 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. 10-2023

PRESENTED BY MR. HEITIC TITLE: AMEND ORDINANCE NO. 170-2020
"BARBERTON RESIDENTIAL SERVICES RELIEF PROGRAM"
AN ORDINANCE AMENDING ORDINANCE NO. 99-2020, BY ADDING QUALIFYING
CRITERIA TO THE BARBERTON RESIDENTIAL SERVICES RELIEF PROGRAM, 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 present voted "Aye." Mrs. Bailey was absent. Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 10-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

RESOLUTION NO. 11-2023

PRESENTED BY MRS. FREY TITLE: COMMENDATION - CAPTAIN
MICHAEL CORLL A RESOLUTION OF THE COUNCIL OF THE CITY OF
BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO CAPTAIN MICHAEL
CORLL FOR HIS 28 YEARS OF DEDICATED SERVICE TO THE CITY OF BARBERTON
FIRE DEPARTMENT AND TO THIS COMMUNITY.

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. All Members present voted "Aye." Mrs. Bailey was absent. Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **RESOLUTION NO. 11-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

RESOLUTION NO. 12-2023

PRESENTED BY MRS. FREY TITLE: COMMENDATION – FIREFIGHTER
KEVIN THACKER A RESOLUTION OF THE COUNCIL OF THE CITY OF
BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO KEVIN THACKER
FOR HIS 28 YEARS OF DEDICATED SERVICE TO THE CITY OF BARBERTON FIRE
DEPARTMENT AND TO THIS COMMUNITY.

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. All Members present voted "Aye." Mrs. Bailey was absent. Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **RESOLUTION NO. 12-2023 BE ADOPTED.** Mrs. Frey wanted to say that both Firefighter Kevin Thacker and Captain Michael Corll will be presented their Resolutions on March 27, 2023 during the Regular Legislative Meeting of Council. All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

ORDINANCE NO. 13-2023

PRESENTED BY MR. JABER TITLE: AMEND ORDINANCE NO. 69-2022
NATIONAL AUTO FLEET GROUP, INC. AN ORDINANCE AMENDING
ORDINANCE NO. 69-2022 BY INCREASING THE AMOUNT OF THE CONTRACT WITH
NATIONAL AUTO FLEET GROUP BY \$3,698.34 WHICH WOULD BRING THE TOTAL
AMOUNT OF THE CONTRACT TO \$111,935.00, NOT TO EXCEED STATE BID PRICING,
AND DECLARING AN EMERGENCY.

It was moved by Mr. Jaber, 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." Mrs. Bailey was absent. Motion carried. It was moved by Mr. Jaber, seconded by Mr. Heitic, that **ORDINANCE NO. 13-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

ORDINANCE NO. 14-2023

PRESENTED BY MR. JABER AND MR. HEITIC TITLE: AUTHORIZE PAYMENT
AKRON AREA YMCA AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO PAY AN INVOICE IN THE AMOUNT OF \$5,728.35 TO THE AKRON AREA
YMCA, AND DECLARING AN EMERGENCY.

It was moved by Mr. Jaber, 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." Mrs. Bailey was absent. Motion carried. It was moved by Mr. Jaber, seconded by Mr. Heitic, that **ORDINANCE NO. 14-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

RESOLUTION NO. 15-2023

PRESENTED BY MRS. BAILEY TITLE: DEVELOPMENTAL DISABILITIES
AWARENESS MONTH A RESOLUTION BY THE COUNCIL OF THE CITY OF
BARBERTON DECLARING MARCH AS "DEVELOPMENTAL DISABILITIES
AWARENESS MONTH."

It was moved by Mr. Jaber, seconded by Mrs. Angeloff, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members present voted "Aye." Mrs. Bailey was absent. Motion carried. It was moved by Mr. Jaber, seconded by Mrs. Angeloff, that **RESOLUTION NO. 15-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

RESOLUTION NO. 16-2023

PRESENTED BY MR. HEITIC TITLE: COMMENDATION – ALEJANDRO NAJAR
A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND
GIVE PUBLIC RECOGNITION TO ALEJANDRO NAJAR, WHO RECENTLY COMPETED
ON THE NATIONAL TV SHOW HELL'S KITCHEN; AND IS A TALENTED AND
ACCOMPLISHED CHEF.

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 present voted "Aye." Mrs. Bailey was absent. Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **RESOLUTION NO. 16-2023 BE ADOPTED.** Mr. Jaber commented that Mr. Najar will be presented his Resolution on March 13, 2023 at the Regular Legislative Meeting of Council. Mr. Jaber also wanted to say how happy and proud the Najar family is of Alejandro and this recognition. All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

RESOLUTION NO. 17-2023

PRESENTED BY MRS. THOMPSON TITLE: "BARBERTON ACTIVE
TRANSPORTATION PLAN" A RESOLUTION OF THE COUNCIL OF THE
CITY OF BARBERTON TO ENACT A "BARBERTON ACTIVE TRANSPORTATION
PLAN" TO CREATE A LIVABLE, COMPLETE, AND WALKABLE STREET; TO AID THE
CITY OF BARBERTON PERSONNEL IN THE DEVELOPMENT, IMPLEMENTATION
AND FUTURE USE OF LIVABLE, COMPLETE, BIKEABLE AND WALKABLE STREETS
FOR FUTURE CITY OF BARBERTON CONSTRUCTION PROJECTS WITHIN THE
PUBLIC RIGHT-OF-WAY.

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 present voted "Aye." Mrs. Bailey was absent. Motion carried. It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION NO. 17-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Bailey was absent. Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

There were none.

THIRD READING OF ORDINANCES AND RESOLUTIONS

There were none.

MISCELLANEOUS AND UNFINISHED BUSINESS

President Greer requested a motion to excuse Councilwoman Erika Bailey from this Legislative Meeting. Mr. Heitic made the motion which was seconded by Mrs. Thompson. All Members present voted "Aye." Motion carried.

COMMUNICATION FROM THE BODY

Mrs. Frey wanted to share with Council that Ohio Edison has a service for Tree Removal for citizens and that a member of her Ward has used this service several times with good results. Mrs. Frey reached out to Ohio Edison to confirm this program and also handed out information from Ohio Edison's website regarding this program. Mrs. Angeloff questioned if this included stump removal and Mrs. Frey said this includes tree and stump removal.

Mrs. Thompson supplied Council with an update on the Euchre Tournament status. President Greer confirmed that other people, who are not involved in the tournament can attend.

Mr. Griffin wanted to remark that the discussion in this evening's Parks Committee meeting was not appreciated. Mr. Patterson, the Parks Director had not been informed of the discussion or decisions made by other City Officials regarding College Park playground equipment placement. No member of the Parks Committee or Commission was included in the discussion in regards to the placement of the replacement playground equipment. Mr. Griffin stated that this park is in his ward and he has been telling constituents that the replacement playground equipment will be placed at College Park because no one had told him or anyone else any different information. This was the first time he had heard about placing the playground equipment in any other park. Mr. Griffin stated that this lack of communication is unacceptable. The representatives of the area should have been informed of what decisions had been made. This is very poor communication.

Mr. Heitic stated in regards to the College Park issue that he remembers one meeting the Mayor said he was going to check to see if the insurance monies could be used to place the playground equipment in a different area park however there was no further communication or commitments were made. Secondly, while Council is currently just appropriating the funds to finish the purchase of the equipment, as Mrs. Angeloff stated during the Parks Committee meeting, this decision, as to which city park to place the playground equipment, is the responsibility of, and should have come from the Parks Commission followed by a recommendation report as to placement to City Council. Secondly, this is a construction project in a city park and under Section 6.01(c) of the Barberton City Charter it states that the Planning Commission must take this up as well. Mr. Heitic stated that changing the wording of the request in committee was correct as without the Parks Commission and Planning Commission input, naming a park would have restricted future possibilities. Finally addressing Councilwoman Frey in regards to the Tree Removal Program, the handout given states that the payment program for this service is not available in the States of Ohio or New Jersey. Mrs. Frey stated that it is available as her neighbor used this program.

Mrs. Angeloff stated regarding the piece of legislation from the Parks Department, that request for a piece of legislation was approved before it came before City Council. This is an example of why we have Committee Chairpersons and Co-Chairpersons who should be attending the board and commission meetings for the committees they chair. This request should have been discussed and details clarified with the Department head before it ever came to Council. Mrs. Angeloff stated that when requests come to her committee, as Chair, she calls and clarifies details prior to presenting it to her committee and to Council. She further stated that she feels bad about the confusion as it appears to the public that as elected officials Council is not doing it's homework.

Mr. Jaber stated that he and Mrs. Thompson had received numerous calls regarding the water situation in East Palestine and how that effects the safety of our water supply. He stated that he just told them to call the Mayor's office or the Water Department. When asked, no other Councilpersons had received any calls regarding this issue. Mr. Jaber stated he received nine (9) calls.

President Greer wanted to clarify that the initial request for legislation to the Parks Committee stated College Park and that is why the request was drafted with that wording. He also stated he wanted to thank the Parks Committee for amending the wording so that the legislation could be processed.

COMMUNICATION FROM THE MAYOR

The Mayor stated that in regards to the water situation in East Palestine, we are northwest of them. They are southeast of us. Everything flows south. Their water will never intersect with ours. It all flows south. The Continental Divide runs right through Coventry which is north of us. Everything north runs to Lake Erie. The Mayor stated that he received an email questioning if we get our water from the Ohio River. No. We get our water from our own reservoir. Every Mayor and every Councilmember has always been very diligent in protecting of our reservoir. We have never allowed hiking, fishing, boating or any activity on our reservoir. Our water supply will never intersect with East Palestine. There are still concerns and we are in communication with Ohio EMA and all agencies in regards to this. We are staying on top of things so if there are any questions, please contact his office. President Greer stated that Mr. Weaver has always been very open and willing to give anyone who is interested, a tour of the city's Water Treatment Plant. The Mayor stated that Mr. Weaver is extremely knowledgeable about this topic.

Mayor Judge wanted to thank everyone who participated in Change for Change this past Friday at Block 7. Close to \$400.00 was collected for Coleman Health Services.

The Mayor, along with Law Director Miller, President Greer and other elected officials met last week with Councilwoman Sykes in Akron to express the needs of our community. Many Summit County communities were represented expressing their community's concerns. It is noted that many of the concerns shared were common throughout the County. The problems we are facing are not unique to Barberton but are shared by many other area communities.

The Mayor met with Continuum of Care today which is another resource for the homeless or are on the verge of being homeless. There are many resources out there but there are many limitations associated with those resources as well. We must find the best resource to fit the need currently at hand. We will continue to work with them and explore all avenues and options available.

As was mentioned, we continue to monitor the weather. With snow in California and 70 degrees here in February, something is going on. We diligently monitor it as it effects our operations. The Mayor mentioned with the rains we have had all day there is a flood advisory in effect for north east and north central Ohio for this evening. This is not a flood watch or warning, just an advisory. What we have been doing on Flood mitigation has been working. We have cleaned out storm sewers and retention ponds. We have many more ready to go.

The Mayor stated his office has been working with the Schools on a Work Force Development Plan with the students. We are working to get the high school students and teachers more excited about getting City jobs. Last week the Mayor took a group of students on a tour of the

city facilities. These tours are needed to get students knowledgeable and interested in some of the jobs available with the City. This not only informs students of what knowledge and skills are required but informs the teachers on what is needed to be taught to students interested in these types of jobs.

Lastly, the Mayor stated that he and Councilwoman Coburn met with students last week from the high school answering questions about the city, clearing up misconceptions and getting feedback from the students. This was very successful and both have been asked back to continue this open dialog. We have very intelligent students and it was a great day.

Mrs. Frey wanted to comment on the water situation. Mrs. Frey stated that when she started on Council 12 years ago fracking was a big issue and she attended many meetings in Copley regarding this as our reservoir is in Copley. We were adamant then as well that we did not want fracking anywhere near our water supply. Mrs. Frey also wanted to state that we quarterly receive a report on our water supply. Mr. Shreve stated we have annual, quarterly and monthly testing of our water. Mrs. Frey stated she was referring to the report we receive in our water bill which goes out to all citizens. The Mayor added that these fears are real. Our safety forces and city officials train for these types of occurrences but we never know until it happens what the outlying regional effects will be. Even though our water will never intersect with them there are still concerns. The Mayor urged Council to assure their constituents that we are staying up to date on what is happening and are diligent in staying aware.

Mrs. Angeloff stated that she remembers when 9-11 happened that the first thing that happened was that our Utility Department went to the water supply and began daily testing. This was a time that she never wants to live through again but having the confidence in our workers and Utility Department to answer questions to the citizens and reassure them is invaluable. We are in good hands because we have a great staff. The Mayor assured that we educate and assure that we have the appropriate staff that continue to be diligent and work hard to keep our citizens safe as we do not know what the future holds.

Mrs. Coburn asked if we hadn't, within the past five (5) years, had our property surveyed to see whose property is against to our reservoir so that our property will not be infringed upon. The Mayor stated that we had indeed had a surveyor walk the entire reservoir so that everyone involved would know where the correct property lines are. Mrs. Coburn stated that real estate persons had unsuccessfully tried to get access to the reservoir for property owners or cut back vegetation to obtain views.

The Mayor stated that the City monitors and worries about fire breaks, ecosystem, invasive species of plants and insects, and many other things that can effect our reservoir and water supply. The Mayor again encouraged all council members to take a tour of the Water Treatment Plant as even though it was built in the turn of the century it is still very impressive. He is also grateful to all past Mayors and Councilpersons that have voted to sink vast financial funds into the plant as it is such a valuable asset to our community. This is the reason we can offer these services to other communities. Doing this stabilizes the costs to us.

With nothing further, it was moved by Mr. Heitic and seconded by Mrs. Thompson to adjourn.
All voting “Aye” and none apposed.
Meeting Adjourned 7:21 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council