

Council met in REGULAR SESSION on Monday, April 10, 2023 at 6:10 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, Mrs. Frey.

It was moved by Mrs. Frey, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, March 27, 2023, as presented. No remarks made. All Members present 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. 46-2023

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION WATER FUND
AN ORDINANCE APPROPRIATING \$80,000 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 present voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 46-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

RESOLUTION NO. 47-2023

PRESENTED BY MRS. COBURN TITLE: MEMORANDUM OF AGREEMENT SUMMIT
SOIL AND WATER CONSERVATION DISTRICT A RESOLUTION AUTHORIZING
THE MAYOR, OR HIS DESIGNEE, TO EXECUTE A MEMORANDUM OF AGREEMENT
(MOA) WITH THE SUMMIT SOIL AND WATER CONSERVATION DISTRICT (SWCD)
FOR WATERSHED SERVICES TO PROVIDE CONSERVATION TECHNICAL AND
EDUCATION ASSISTANCE; INSPECTIONS OF STREAM CHANNELS AND RIPARIAN
AREAS; DEVELOPMENT AND IMPLEMENTATION OF PROTOCOLS TO MANAGE
STREAM MAINTENANCE; CREATE AND AMEND THE NON-POINT SOURCE
IMPLEMENTATION STRATEGY (NPIS-IS) PLAN; AND COLLECTION OF TECHNICAL
DATA THAT CORRESPONDS TO THE CITY'S WATERSHED GOALS, 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 present voted “Aye.” Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **RESOLUTION NO. 47-2023 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 48-2023

PRESENTED BY MRS. FREY & MR. HEITIC TITLE: AUTHORIZE PAYMENT
ORIANA HOUSE, INC. AN ORDINANCE AUTHORIZING THE DIRECTOR OF
FINANCE TO PAY AN INVOICE TO ORIANA HOUSE, INC. IN THE AMOUNT OF \$4,300,
AND DECLARING AN EMERGENCY.

It was moved by Mrs. Frey, 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.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Heitic, that **ORDINANCE NO. 48-2023 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 49-2023

PRESENTED BY MRS. ANGELOFF TITLE: ENTER INTO CONTRACT
OHIO CAT AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS
DESIGNEE, TO ENTER INTO CONTRACT WITH OHIO CAT IN THE AMOUNT OF
\$24,000 FOR THE PURCHASE OF A NEW CAT PC-306 24” COLD PLANER (GRINDER)
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 present voted “Aye.” Motion carried. It was moved by Mrs. Angeloff and Seconded by Mrs. Bailey, that **ORDINANCE NO. 49-2023 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

RESOLUTION NO. 50-2023

PRESENTED BY MRS. ANGELOFF TITLE: RESOLUTION – ODOT SAFE ROUTE
TO SCHOOL GRANT 2023 A RESOLUTION OF THE COUNCIL OF THE CITY OF
BARBERTON AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE
OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR SAFE ROUTE TO SCHOOL
(SRTS) INFRASTRUCTURE PROJECT FUNDING, 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 present voted “Aye.” Motion carried. It was moved by Mrs. Angeloff and Seconded by Mrs. Bailey, that **RESOLUTION NO. 50-2023 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 51-2023

PRESENTED BY MRS. COBURN & MRS. ANGELOFF TITLE: 2023 BIDS AND
CONTRACTS YEAR’S REQUIREMENTS FOR MATERIALS AND SERVICES
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE OR THE
DIRECTOR OF PUBLIC SAFETY TO ADVERTISE FOR BIDS AND/OR ENTER INTO
CONTRACTS IN 2023, COVERING THE YEAR’S REQUIREMENTS FOR MATERIALS
AND SERVICES USED IN THE ORDINARY AND DAILY OPERATION OF THE
MUNICIPAL DEPARTMENTS IN THE CITY OF BARBERTON, AND DECLARING AN
EMERGENCY.

It was moved by Mrs. Coburn, 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." Motion carried. It was moved by Mrs. Coburn, seconded by Angeloff, that **ORDINANCE NO. 51-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 52-2023

PRESENTED BY MRS. COBURN TITLE: ENTER INTO CONTRACT
MTECH COMPANY AN ORDINANCE AUTHORIZING THE MAYOR, OR
HIS DESIGNEE, TO ENTER INTO CONTRACT WITH MTECH COMPANY IN THE
AMOUNT OF \$554,905 FOR THE PURCHASE OF A NEW GAPVAX COMBINATION JET /
VACUUM MACHINE, 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 present voted "Aye." Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 52-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 53-2023

PRESENTED BY MRS. ANGELOFF TITLE: ENTER INTO CONTRACT HISSONG
KENWORTH AN ORDINANCE AUTHORIZING THE CITY OF
BARBERTON TO ENTER INTO CONTRACT WITH HISSONG KENWORTH OF
RICHFIELD (KENWORTH) IN THE AMOUNT OF \$192,799 FOR THE PURCHASE OF A
NEW 2024 KENWORTH T480 SNOW AND ICE TRUCK, 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 present voted "Aye." Motion carried. It was moved by Mrs. Angeloff and Seconded by Mrs. Bailey, that **ORDINANCE NO. 53-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 54-2023

PRESENTED BY MRS. ANGELOFF TITLE: ENTER INTO CONTRACT OHIO CAT
AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO
CONTRACT WITH OHIO CAT IN THE AMOUNT OF \$207,632 PLUS A 10%
CONTINGENCY (\$2,076.32) FOR A TOTAL OF NOT TO EXCEED \$209,708.32,
THROUGH THE OHIO REVISED CODE PURCHASING PROGRAM FROM
SOURCEWELL WHO IS A COOPERATIVE PURCHASING CONSORTIUM, FOR THE
PURCHASE OF A NEW 2023 MODEL 926 M WHEEL LOADER, 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 present voted "Aye." Motion carried. It was moved by Mrs. Angeloff and Seconded by Mrs. Bailey, that **ORDINANCE NO. 54-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 55-2023

PRESENTED BY MRS. BAILEY TITLE: ENTER INTO CONTRACT RIP MEDICAL
DEBT AN ORDINANCE AUTHORIZING THE MAYOR, TO ENTER INTO
CONTRACT WITH RIP MEDICAL DEBT IN THE AMOUNT NOT TO EXCEED \$110,000,
AND DECLARING AN EMERGENCY.

This is the First Reading. This will go for 3 readings.

This ended the First Readings.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 39-2023

PRESENTED BY MRS. THOMPSON TITLE: PROJECT IMPACT RULES
AN ORDINANCE AMENDING ORDINANCE NO. 155-2016 (SALE OF LAND BANK
PROPERTIES) TO REFLECT UPDATES TO THE PROJECT IMPACT PROGRAM, AND
DECLARING AN EMERGENCY.

This is the Second Reading. The first reading was on Monday, March 27, 2023.

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." Motion carried. It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **ORDINANCE NO. 39-2023 BE ADOPTED.** All Members present voted "No." Motion Failed. It was explained by President Greer that the Planning Director requested this action so that the Project Impact Rules could be re-written.

THIRD READING OF ORDINANCES AND RESOLUTIONS

There were none.

MISCELLANEOUS AND UNFINISHED BUSINESS

President Greer stated that the Appointment of Mr. Dan Knorr to the City of Barberton's Parks Commission which was on the Agenda, will be handled at a later date due to his term not beginning until January of 2024.

COMMUNICATION FROM THE BODY

Mr. Jaber read a stated by one of his constituents named Jack in regards to the scheduling of vacation time by Council Members stating that he was very dissatisfied that meetings were being missed. Mrs. Angeloff stated that the scheduling of vacations is not in the Council Rules.

Mrs. Frey stated that she has been reading about the upcoming increase in the electric bills for citizens and wanted to note that the City of Barberton's Aggregation rate is good until May of 2025 when it will be 6.05. Those not participating in the Aggregation will pay a rate of 10.76. Mrs. Frey explained how to opt in or out of our Aggregation program. Lastly, Mrs. Frey also wanted to remind everyone to return the State Auditor's Questionnaire.

Mrs. Angeloff asked Mrs. Frey if a Citizen can opt in or out of the Aggregation program at any time. Mrs. Frey responded that yes, she believed they can. Mr. Griffin asked Mrs. Frey if participation was automatic if a citizen did not make a choice. Mrs. Frey answered yes, unless they deliberately opted out participation was automatic.

COMMUNICATION FROM THE MAYOR

The Mayor wanted to thank Council for passing tonight's legislation especially the legislation. The equipment purchase approved this evening, at a value of just over one million dollars, will benefit our community for years to come.

At the last Change for Change event, we raised just over \$900.00 to benefit the Barberton Sparkles Cheerleading Squad. The event deadline was extended so as to raise over \$1000.00 and as of closing last Friday the total raised was over \$1400.00. Since Change for change began in 2012, and taking into consideration that we could not have events for well over a year and a half due to Covid, we have brought in over \$80,000.00 to benefit Barberton non-profits help Barberton residents. This is a ton of money raised by Barberton people helping Barberton people. This money stays in Barberton.

The City of Barberton was recently named one of the 30 best small towns to retire in by Go Banking Rates.com. Many of Barberton's amenities were mentioned. We were listed as 16 out of the top 30 throughout the US.

We have a new business in town, Petal Stomper Productions at the White Rabbit Galleries. They do a podcast so be listening for them in the coming weeks.

The Mayor stated that he met today with the citizens who spoke during the April 10, 2023 Council Meeting regarding the speeding on West Hopocan. This has been an ongoing conversation proper to the April 10th meeting. The problem is ongoing and citywide and due to nicer weather, there are more and various types of vehicles on the road. Solutions are being discussed. We must ensure that we are making the right decisions when it comes to the safety of our streets for all vehicles using them.

The Mayor wanted to thank everyone involved as Council discussed the first phase of the work on the dam. We applied and were denied the first time but we dug in and applied again and now \$9,000,000.00 going into Phase One and going into Phase Two. The importance in applying for and receiving these grants is that it is money not coming from taxpayer dollars from our community. We do not need to increase fees to our citizens.

Lastly, we are still handing out free disinfectant and signing residents up for the Barberton Services Relief Program giving residents a break on their utility bill.

Mr. Heitic stated that last week he questioned Mrs. Iceman about the boxes the City of Norton has installed below speed limit signs that read out the speed of passing vehicles. Mr. Heitic wanted to know if Barberton was considering using these as well. The Mayor stated that yes, we are looking at the same as Norton has, solar powered speed limit signs. We want to make sure that we are getting the best equipment and placing it at the best locations. Many residents have commented on the benefits but they don't want them in front of their house due to the brightness of the lights. The Mayor listed a few areas under consideration for placement around the City.

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

Meeting Adjourned 7:16 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council