

Council met in REGULAR SESSION on Monday, April 24, 2023 at 6:35 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was led and the Invocation was given by President Greer.

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 Mr. Heitic, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, April 10, 2023, as presented. No remarks made. All Members present voted "Aye." Motion carried.

It was moved by Mr. Heitic, seconded by Mrs. Coburn to approve the Finance Report for the month of March, 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. 56-2023

PRESENTED BY MR. HEITIC TITLE: AUTHORIZE PAYMENT LIFE FORCE MANAGEMENT AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO LIFE FORCE MANAGEMENT IN THE AMOUNT OF \$5,942.39 FOR EMS COLLECTION FEES FOR NOVEMBER 2022.

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. 56-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

RESOLUTION NO. 57-2023

PRESENTED BY MRS. COBURN TITLE: DESIGNATION OF APPLICANT'S AGENT A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE TO EXECUTE A GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF PUBLIC SAFETY, OHIO EMERGENCY MANAGEMENT AGENCY AND THE CITY OF BARBERTON IN THE AMOUNT OF \$975,000 FOR PHASE I OF THE BARBERTON WOLF CREEK DAM UPGRADE PROJECT.

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. 57-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 58-2023

PRESENTED BY MR. GRIFFIN TITLE: CDBG ANNUAL ACTION PLAN AMENDMENT AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON TO APPROVE THE AMENDED FY2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN (AAP), AND DECLARING AN EMERGENCY.

It was moved by Mr. Griffin, seconded by Mrs. Thompson, 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. Griffin, seconded by Mrs. Thompson, that **ORDINANCE NO. 58-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 59-2023

PRESENTED BY MRS. FREY TITLE: ENTER INTO CONTRACT ORIANA HOUSE AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR CONTRACT WITH ORIANA HOUSE INCORPORATED FOR THE 2023 COMMUNITY CORRECTIONS CONTRACT, AND DECLARING AN EMERGENCY.

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. Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mrs. Coburn, Mrs. Frey voted "Aye." Mr. Jaber voted "No." Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 59-2023 BE ADOPTED.** Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mrs. Coburn, Mrs. Frey voted "Aye." Mr. Jaber voted "No." Motion carried.

ORDINANCE NO. 60-2023

PRESENTED BY MRS. COBURN & MR. HEITIC TITLE: APPROPRIATION WOLF CREEK DAM UPGRADE PROJECT, PHASE 1 AN ORDINANCE APPROPRIATING \$105,000 FROM THE UNAPPROPRIATED ITEM OF THE WATER IMPROVEMENT RESERVE FUND TO THE CAPITAL BUDGET OF THE WATER IMPROVEMENT FUND, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Coburn, 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. Coburn, seconded by Mr. Heitic, that **ORDINANCE NO. 60-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 61-2023

PRESENTED BY MRS. COBURN TITLE: ENTER INTO CONTRACT BURGESS & NIPLE WOLF CREEK DAM UPGRADE PROJECT, PHASE 1 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH BURGESS & NIPLE FOR THE WOLF CREEK DAM UPGRADE PROJECT, PHASE 1 DESIGN, BIDDING AND CONSTRUCTION SERVICES IN THE AMOUNT OF NOT TO EXCEED \$944,000, 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. 61-2023 BE ADOPTED.** All Members present voted "Aye." Motion carried.

ORDINANCE NO. 62-2023

PRESENTED BY MRS. FREY TITLE: ENTER INTO CONTRACT – LAW
DEPARTMENT DEFENDER’S OFFICE OF SUMMIT COUNTY AN ORDINANCE
AUTHORIZING THE LAW DIRECTOR TO ENTER INTO A ONE-YEAR CONTRACT
WITH THE LEGAL DEFENDER’S OFFICE OF SUMMIT COUNTY, TO PROVIDE LEGAL
REPRESENTATION TO INDIGENT PERSONS IN THE AMOUNT OF \$170 PER CASE,
AND DECLARING AN EMERGENCY.

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.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 62-2023 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 63-2023

PRESENTED BY MRS. FREY & MR. HEITIC TITLE: ENTER INTO CONTRACT
SnC CONSTRUCTION COMPANY LLC AN ORDINANCE AUTHORIZING THE
MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH SnC CONSTRUCTION
COMPANY LLC, THE LOWEST AND/OR BEST BIDDER, FOR IMPROVEMENTS TO
BARBERTON FIRE STATION 1 IN THE AMOUNT OF \$118,735, 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. 63-2023 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 64-2023

PRESENTED BY MRS. THOMPSON & MR. HEITIC TITLE: PTJWE CONSULTING
LLC (TOP CRAFT) CRA ABATEMENT AN ORDINANCE AUTHORIZING
THE MAYOR, VIA THE PLANNING DIRECTOR, TO SUBMIT TO THE STATE OF OHIO
A BUSINESS APPLICATION FOR TAX INCENTIVES ON BEHALF OF PTJWE
CONSULTING LLC (TOP CRAFT) FOR A 100%, 15-YEAR TAX ABATEMENT FOR THE
BUSINESS EXPANSION/IMPROVEMENTS TO 175 2ND STREET SW, AND DECLARING
AN EMERGENCY.

This was the First Reading. The Second Reading will be at a Special Legislative Meeting to be held on May 1, 2023 immediately following the Committee of the Whole Meeting scheduled on that date.

This ended the First Readings.

SECOND READING OF ORDINANCES AND RESOLUTIONS

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.

It was moved by Mrs. Bailey, seconded by Mr. Jaber, 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. Bailey, seconded by Mr. Jaber, that **ORDINANCE NO. 55-2023 BE ADOPTED.** Mr. Heitic commented on his reservations regarding the funds being used in this matter. Mr. Heitic stated that since there are applications being made to secure other fund for use on this and therefor, he is for this ordinance. Mr. Jaber stated he agreed with Mr. Heitic. Mrs. Bailey stated that she wished to thank Mayor Judge for his assistance and immediate response to the Community Foundation while working on this piece of legislation. All Members present voted “Aye.” Motion carried.

THIRD READING OF ORDINANCES AND RESOLUTIONS

There were none.

MISCELLANEOUS AND UNFINISHED BUSINESS

APPOINTMENTS

City of Barberton's Parks Commission

Mr. Robert Martin	To begin immediately to fill an unexpired term ending December 31, 2027
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A motion was made by Mr. Jaber and seconded by Mr. Heitic to appoint Mr. Robert Martin to City of Barberton's Parks Commission to begin immediately to fill an unexpired term ending December 31, 2027. All members voting "Aye." Motion carried.

COMMUNICATION FROM THE BODY

Mr. Griffin wished to thank all those who came out for the Clean Up day with special thanks to the boys and girls from the Scout Troops that cleaned up Elson Ave on the east end. They did an exceptional job not just on the side of the road but went into the woods to get trash. They went the extra mile in horrible weather and the results are great.

President Greer requested / reminded that any member of the Gallery, City officials or citizens addressing Council please step up to the podium to speak as we have had questions from the media as to who is speaking and what was said. Moving forward President Greer offered to all Department Heads and City Administration to sit, as was done pre-covid, behind Councilmembers so that their comments are audible on all recordings and they will be visible on video as well. With that, Council is looking into the idea of adding drop-microphones and additional cameras for use to record the gallery during the meetings.

COMMUNICATION FROM THE MAYOR

The Mayor thanked Council for passage of Ordinances this evening, especially 55-2023 RIP Medical Debt. The Mayor stated he submitted a request for a Resolution to apply for a grant to the Foundation's Tuscora Health and Wellness fund to assist in the funding of this.

The Mayor wanted to thank the Parks Department and all the volunteers who turned out this past weekend, despite the weather, to make for a successful Clean-up Barberton Day. There was a great turn out. Our downtown area, the parks and as Mr. Griffin stated, off Elson Avenue were all cleaned up.

Also, there was a Drug Takeback Program this past weekend which is a national program. A big Thank You to the Kiwanis and the Scout Troops who volunteered and participated and did a great job in making this a huge success.

The Mayor stated he also wished to thank the White Rabbit Gallery, our Barberton City Schools and our teachers and their talented students as this past weekend White Rabbit had some art pieces from our remarkably talented students.

The Mayor stated that this time every year is exciting as there are groups of third graders touring the City Building as well as other facilities around town. He said how exciting it is to talk with and show off artifacts to the students. They always have some great questions.

There we are working with and there will be information coming soon on some new businesses opening in town and having ribbon cuttings.

Change for Change is this Friday at El Jalapenos benefiting the Schools financial literacy program.

Finally, the Mayor stated that Rudy Sharkey, the former football coach of Barberton High School passed away this past weekend. Please keep his family in thoughts and prayers.

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

Meeting Adjourned 7:07 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council