

Council met in REGULAR SESSION on Monday, April 25, 2022 at 6:33 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was given followed by the Invocation 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 11, 2022, as presented. No remarks made. All Members 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

Mr. Pat Betts of 222 16th Street NW Barberton discussed the conditions of the City's streets.

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. 53-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION LAW ENFORCEMENT TRUST FUND AN ORDINANCE APPROPRIATING \$12,917.00 FROM THE UNAPPROPRIATED ITEM OF THE LAW ENFORCEMENT TRUST FUND TO THE LAW DEPARTMENT OPERATION AND MAINTENANCE BUDGET OF THE LAW ENFORCEMENT TRUST 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 voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 53-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

RESOLUTION NO. 54-2022

PRESENTED BY MRS. ANGELOFF & MRS. COBURN TITLE: SOUTH VAN BUREN FUNDING GRANTS A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR FUNDING OPPORTUNITIES, INCLUDING BUT NOT LIMITED TO OPWC, EDA, AND OTHER SUCH FUNDING, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Angeloff and Seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mrs. Angeloff and Seconded by Mrs. Coburn that **RESOLUTION NO. 54-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 55-2022

PRESENTED BY MRS. ANGELOFF & MRS. COBURN TITLE: ENTER INTO CONTRACT GPD GROUP INC. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH GPD GROUP INC. (GPD), FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF SOUTH VAN BUREN BETWEEN SNYDER AVENUE AND RUSSELL AVENUE IN AN AMOUNT NOT TO EXCEED \$381,465.00, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Angeloff and Seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mrs. Angeloff and Seconded by Mrs. Coburn, that **ORDINANCE NO. 55-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 56-2022

PRESENTED BY MRS. FREY & MR. HEITIC TITLE: APPROPRIATION FIRE PREVENTION & EDUCATION FUND AN ORDINANCE APPROPRIATING \$2000.00 FROM THE UNAPPROPRIATED ITEM OF THE FIRE PREVENTION EDUCATION FUND TO THE OPERATING AND MAINTENANCE BUDGET OF THE FIRE PREVENTION AND EDUCATION FUND FOR THE PURCHASE OF PUBLIC EDUCATION SUPPLIES, 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 voted "Aye." Motion carried. It was moved by Mrs. Frey, seconded by Mr. Heitic, that **ORDINANCE NO. 56-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 57-2022

PRESENTED BY MR. JABER TITLE: SALE OF 635 NORTON AVENUE AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE PROPERTY LOCATED AT 635 NORTON AVENUE, PARCEL #01.06960, #01.06961, #01.06962, AND #01.06963 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 voted "Aye." Motion carried. It was moved by Mr. Jaber, seconded by Mr. Heitic, that **ORDINANCE NO. 57-2022 BE ADOPTED.** President Greer voiced his support for this Ordinance. All Members voted "Aye." Motion carried.

ORDINANCE NO. 58-2022

PRESENTED BY MR. JABER TITLE: ENTER INTO CONTRACT NATIONAL AUTO FLEET GROUP, INC. AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO ENTER INTO CONTRACT WITH NATIONAL AUTO FLEET GROUP (SOURCEWELL CONTRACT 091521-NAF) IN THE AMOUNT OF \$99,536.66 FROM ARPA FUNDS FOR THE PURCHASE OF A LIGHT TRANSIT BUS, 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 voted "Aye." Motion carried. It was moved by Mr. Jaber, seconded by Mr. Heitic, that **ORDINANCE NO. 58-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

RESOLUTION NO. 59-2022

PRESENTED BY MRS. THOMPSON TITLE: BUILDING SAFETY MONTH
A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON DECLARING MAY
AS "BUILDING SAFETY."

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 voted "Aye." Motion carried. It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION NO. 59-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 44-2022

PRESENTED BY MRS. THOMPSON TITLE: ZONING MAP AMENDMENT
105 W. STATE STREET AN ORDINANCE AUTHORIZING THE REZONING OF
105 W. STATE STREET (PARCEL #01.16769), FROM RS40, SINGLE-FAMILY
DETACHED TO C3, COMMUNITY CENTER COMMERCIAL.

THIS WILL GO FOR THREE (3) READINGS. The first reading was April 11, 2022, this is the second reading and the third reading will be on May 9, 2022.

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE 38-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION BUILDING
MAINTENANCE FUND AN ORDINANCE APPROPRIATING \$65,000 FROM
THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE BUILDING
MAINTENANCE FUND TO ADDRESS THE LEAK IN THE ROOF ABOVE COUNCIL
CHAMBERS AND THE PLANNING DEPARTMENT, AND DECLARING AN
EMERGENCY.

This will go for three (3) readings or until all estimates are obtained.
The first reading was March 28, 2022 and the Second reading was April 11, 2022. The Ordinance was read for the third time by the Clerk. President Greer stated that this Ordinance was Withdrawn during the Finance Committee Meeting held earlier this evening. No vote was taken. This Ordinance is hereby Withdrawn.

APPOINTMENTS:

City of Barberton's Design Review Board

Miss Katherine Ferguson To begin immediately to fill the unexpired term of
Megan Sutherland ending 12-31-2023.

It was moved by Mrs. Thompson and seconded by Mrs. Angeloff to appoint Miss Katherine Ferguson to The City of Barberton's Design Review Board to fill the unexpired term of Megan Sutherland ending 12-31-2023. With no remarks or objections and all Council Members voting "Aye" Motion Carried.

City of Barberton's Board of Zoning Appeals

Mr. Terry Avant To begin immediately to fill the unexpired term of
Mr. Richard Waltz ending 12-31-2024.

It was moved by Mrs. Thompson and seconded by Mrs. Angeloff to appoint Mr. Terry Avant to The City of Barberton's Board of Zoning Appeals to fill the unexpired term of Mr. Richard Waltz ending 12-31-2024. With no remarks or objections and all Council Members voting "Aye" Motion Carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

There were none.

CLOSING REMARKS

Mr. Jaber congratulated Lisa and Keith Luck and the Mayor on the progress on the Norton Avenue property sale stating it was a good team effort. Mr. Jaber also noted that there were other new businesses as well coming to Norton Avenue and the City is moving up.

Mr. Heitic stated, regarding the South Van Buren legislation that passed this evening, that it was a good thing and a long time coming and he wanted to express his gratitude to everyone involved in making it happen.

Mrs. Angeloff also wanted to thank everyone regarding the passing of the South Van Buren legislation. She stated that she feels that yes, Five Million dollars is a lot of money is indeed a lot of money but that it is being spent very wisely as this is a big improvement for the area. Mrs. Angeloff stated that Mr. Palmer, a former Council member went door to door talking to citizens regarding this and she is thrilled that he is finally seeing the completion of his work and it is a big plus for the city.

COMMUNICATION FROM THE MAYOR

The Mayor stated first, in regards to a question that Mrs. Frey had during the Parks Committee Meeting also held this evening, that a representative from Lampion Lighting was watching and emailed the mayor stating that the lighting in question would have a five (5) year warranty.

The Mayor also wanted to thank Council on the passage of 54-2022 and 55-2022 regarding the reconstruction of South Van Buren Avenue stating that this is a positive for the entire community. During a conversation with a resident regarding Issue 8, a previous income tax increase for the City, if it had passed, with the increases in the prices of the materials, the city would still be in debt for road maintenance. Other cities such as Akron, which has income taxes designated for road maintenance, also assess their residents and Barberton does not. Council is not thinking of assessing residents and neither are City officials. We would love to get more streets done as the ones out there that are bad are REALLY bad. We all know this. We do the worst streets first. Yes, five million dollars was designated for the South Van Buren project but we are going to go out and get funds and grants as well. A few months ago, the representative from the U. S. Economic Development Administration (EDA) was on site, on Van Buren Avenue where she saw all the issues first hand.

The Mayor also wanted to thank Council for passing 57-2022. Adding jobs to our community is important but adding livable wage jobs is imperative. The Mayor gave the specifics of the monies regarding this property sale. He explained how the original monies would be repaid and how it would eventually bring a greater revenue back to the City in terms of taxes and improvements. He also answered Councilman Heitic's questions regarding permits and fees which are approximately Five Thousand dollars (\$5,000.00).

The monthly update on the Cox-Powell building is that the Development Agreement is still being worked on and they are waiting to hear back from the State on the Remediation Grant. We heard today from the Ohio Department of Development that we have received a Two-Hundred Thousand Dollar grant for the remediation of the building. This is great news.

Change for a Change was this past Friday at Block 7 benefiting Victim's Assistance. There was a great turnout and the Mayor wanted to thank all that attended. The monies are still being calculated and the Mayor stated he will have the final total next week.

The Mayor especially wanted to thank all the participants in Clean-Up Barberton this past Saturday and the Canal Clean-up on Sunday. The Mayor stated that we would like to do more of that. There are a lot of interested parties who want to get involved with cleaning up the city when it comes to everyday litter and more serious issues involving dumping. There will be more information on this in the future.

Finally, the Mayor stated that there has been a lot of chatter going on about parking on city streets. The City follows the Ohio Manual on Uniform Traffic Control Devices which includes streets. Our streets are not uniform as they are made up of different materials, different widths, they are not straight, they are not "curb and gutter" as most newer communities' streets. With these factors it is difficult to apply uniform rules with these issues. When requests for changes are made the City does its due diligence to do what is best for the community not for just one individual. When demographics of a street or an area change, we look at making changes specific to that area such as removing signs that are no longer needed as schools close. We take each request from a resident seriously as we hold the liability for the area. Referencing a recent occurrence in Cleveland where a small child darted out between parked cars and was struck and killed, there is nothing a community can do to stop such occurrences however we can do as much as we can to mitigate such occurrences from happening. So, when it comes to parking and signage, we will do whatever we can so long as it is in the best interest of the entire community. If we look at some of the homes and streets in our city, some of the older homes don't even have driveways. In the early days families had one car and people walked to work or to the market. Now families have numerous vehicles. Our neighborhoods were not made for that and it is difficult to change the neighborhood to adapt it to modern times.

Mr. Heitic asked if the grant reimbursed the city for the monies approved. The Mayor stated that the grant is on top of the monies approved. Mr. Heitic wanted to thank the Mayor for bringing in the specific numbers regarding the sale of the old Shamrock Property. The numbers presented clarified the benefit of the property sale to the City. The Mayor clarified that the City is not in the Real-estate business and the sale of a property such as this to companies coming into town and employing citizens will bring in tax revenue dollars for years to come.

President Greer wanted to know if there was a scaling fee or a poaching fee for Barberton Tree to leave Norton and come to Barberton. The Mayor stated there were no incentives granted to the company for the move. A representative for Barberton Tree stated that the Mulch Maker's portion of the business will remain in Norton where it has grown so much that they have no more room to expand and are running out of space for employees to park. So, the move of the Barberton Tree portion of the business to Barberton, where it can expand and grow, will allow the Mulch Maker's portion of the business in Norton to grow.

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

Meeting Adjourned 7:40 pm.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council