

Council met in REGULAR SESSION on Monday, June 26, 2023 at 7:07 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 Mr. Griffin.

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

It was moved by Mr. Heitic, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, June 12, 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 May, 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

Mrs. Megann Eberhart of 720 Mesa Verde Drive, Barberton, Ohio re: Pending Park Sale Legislation

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. 84-2023

PRESENTED BY MRS. FREY TITLE: ENTER INTO CONTRACT U.S. ROYCE PROTECTION SERVICE AN ORDINANCE AUTHORIZING THE BARBERTON MUNICIPAL COURT TO ENTER INTO CONTRACT WITH U.S. ROYCE PROTECTION SERVICE (FKA, TENABLE PROTECTIVE), FOR A PERIOD OF ONE-YEAR TO PROVIDE UNARMED UNIFORMED SECURITY OFFICERS, 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." Mrs. Angeloff was absent. Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 84-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Angeloff was absent. Motion carried.

ORDINANCE NO. 85-2023

PRESENTED BY MRS. COBURN TITLE: ENTER INTO CONTRACT – CT CONSULTANTS BRENTWOOD PACKAGE PLANT ELIMINATION STUDY AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, FOR ADDITIONAL CONSTRUCTION ADMINISTRATION, CONSTRUCTION INSPECTION, AND ENVIRONMENTAL ASSISTANCE SUPPORT SERVICES, NOT TO EXCEED \$118,700, 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." Mrs. Angeloff was absent. Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 85-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Angeloff was absent. Motion carried.

ORDINANCE NO. 86-2023

PRESENTED BY MRS. COBURN & MR. HEITIC TITLE: APPROPRIATION
UTILITIES DEPARTMENT AN ORDINANCE APPROPRIATING \$348,158.67
FROM THE UNAPPROPRIATED ITEM OF THE FEMA FUND TO THE STORMWATER
CAPITAL BUDGET, 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." Mrs. Angeloff was absent. Motion carried. It was moved by Mrs. Coburn, seconded by Mr. Heitic, that **ORDINANCE NO. 86-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Angeloff was absent. Motion carried.

ORDINANCE NO. 87-2023

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION FIRE DEPARTMENT
AN ORDINANCE APPROPRIATING \$4,753.59 FROM THE UNAPPROPRIATED ITEM OF
THE GENERAL FUND TO THE FIRE DEPARTMENTS OPERATION AND
MAINTENANCE BUDGET OF THE GENERAL 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." Mrs. Angeloff was absent. Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 87-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Angeloff was absent. Motion carried.

ORDINANCE NO. 88-2023

PRESENTED BY MR. JABER & MR. HEITIC TITLE: APPROPRIATION
PARKS DEPARTMENT AN ORDINANCE APPROPRIATING \$2,593.08 FROM
THE UNAPPROPRIATED ITEM OF THE BEAUTIFICATION FUND TO THE PARK
DEPARTMENT'S OPERATION AND MAINTENANCE FUND BUDGET, 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. Angeloff was absent. Motion carried. It was moved by Mr. Jaber, seconded by Mr. Heitic, that **ORDINANCE NO. 88-2023 BE ADOPTED.** All Members present voted "Aye." Mrs. Angeloff was absent. Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

THERE ARE NONE

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE 77-2023

PRESENTED BY MR. JABER TITLE: PURCHASE OF PARK LAND
AN ORDINANCE TO PROVIDE FOR AN ELECTION IN ORDER TO PERMIT THE SALE
BY THE CITY OF BARBERTON, COLLEGE PARK, AND FOR GIVING NOTICE
THEREOF

THIS WAS THE THIRD READING. THE FIRST READING WAS ON MONDAY MAY 22,
2023 AND THE SECOND READING WAS ON MONDAY, JUNE 12, 2023.

It was moved by Mr. Jaber, seconded by Mr. Heitic, that **ORDINANCE NO. 77-2023 BE ADOPTED.** Mrs. Thompson, Mrs. Bailey, Mr. Griffin, Mr. Jaber, Mrs. Coburn, Mrs. Frey voted "Nay." Mr. Heitic voted "Aye." Mrs. Angeloff was absent. Motion failed.

ORDINANCE 78-2023

PRESENTED BY MR. JABER TITLE: PURCHASE OF PARK LAND
AN ORDINANCE TO PROVIDE FOR AN ELECTION IN ORDER TO PERMIT THE SALE
BY THE CITY OF BARBERTON, HARTER PARK, AND FOR GIVING NOTICE THEREOF

THIS WAS THE THIRD READING. THE FIRST READING WAS ON MONDAY MAY 22,
2023 AND THE SECOND READING WAS ON MONDAY, JUNE 12, 2023.

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

ORDINANCE 79-2023

PRESENTED BY MR. JABER TITLE: PURCHASE OF PARK LAND
AN ORDINANCE TO PROVIDE FOR AN ELECTION IN ORDER TO PERMIT THE SALE
BY THE CITY OF BARBERTON, CONRAD PARK, AND FOR GIVING NOTICE THEREOF

THIS WAS THE THIRD READING. THE FIRST READING WAS ON MONDAY MAY 22,
2023 AND THE SECOND READING WAS ON MONDAY, JUNE 12, 2023.

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

MISCELLANEOUS AND UNFINISHED BUSINESS

President Greer requested a motion to excuse Councilwoman Nina Angeloff from this Regular 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 remind everyone of the communication from First Energy that was received this week regarding the residential recycling of major household appliances.

Mr. Jaber clarified the remarks that he made during his Parks Committee meeting regarding the VFW and the placement of the canon at Lake Anna.

President Greer informed everyone about the Summit County Prosecutor and Summit County Sheriff's Arrive Alive program which provides a free ride home for Summit County Residents during the holiday weekend. President Greer wished everyone a safe and happy 4th of July weekend. Finally, President Greer reminded everyone that the next meeting would be on Monday, July 3, 2023 which will be a Committee of the Whole Meeting.

COMMUNICATION FROM THE MAYOR

The Mayor reminded everyone that Christmas In July, which benefits the Barberton Area Community Ministries (BACM) and the Barberton Salvation Army, has begun and that drop-off points are here in the Mayor's office as well as the Lake Anna YMCA and other various businesses around town. Please donate non-perishables food items. Jam the RV this past weekend was cancelled due to weather but there will be more scheduled events for this during the Lake Anna Concert Series.

Change for Change will be this Thursday, July 29th at Durbin's Magic Freeze from 4:30 P.M. to 7:00 P.M. benefiting Youth Football and Cheer programs.

Regarding the sale of park land legislation, College Park specifically, the Mayor stated that he has heard from many residents throughout the city regarding this issue. The main reason they are against it is that, as stated previously in tonight's meeting, there is no plan for the land or monies from a sale. The City is working on a plan for College Park and for a safer atmosphere regarding Snyder Avenue for children and pedestrians.

The city building roof project is moving forward despite the weather. Also, the elevator repair should be completed within a few days.

Regarding the state budget, the Mayor stated that he has sent emails and has been in talks with the representatives to the state legislature on both the House and the Senate side. The two main issues are eliminating the ability of municipalities from taxing stock options and deferred compensation. They want to remove that ability. This would remove monies from the municipal level. The second is to prohibit the municipality from being able to charge a rental registration fee to landlords. Most every municipality in the State of Ohio has some sort of rental registration program with fees attached. This ability allows municipalities to keep track of the number of rental units from landlords who reside in different cities, states, and countries. It also allows for the enforcement of local legislation regarding property maintenance.

An update of the CIC, The Barberton Improvement Corporation. There was no meeting this month due to a lack of agenda items however, actions are being throughout the city for property abatements and upgrades throughout the city.

President Greer requested information on the temporary closing of State Street. The Mayor stated that it was an ODOT led project but that the project is moving forward and currently State Street is back open.

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

Meeting Adjourned 7:38 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council