

RESOLUTION NO. 100-2025

FIRST ENERGY RELIABILITY OF SERVICE

A RESOLUTION OF THE CITY OF BARBERTON CONDEMNING FIRST ENERGY'S RELIABILITY OF SERVICE AND DISTRIBUTION OF A PUBLIC UTILITY, AND REQUESTING A \$100.00 CREDIT TO THE CITY OF BARBERTON'S RESIDENTIAL RATE PAYERS, AND DECLARING AN EMERGENCY.

WHEREAS, There is a great concern due to the increase in outages, frequency and severity which last for extended periods of time. Such increase produces actual, real economic loss, but most importantly the impact on the health and safety of our most vulnerable residents; and

WHEREAS, Residents experience loss of food, which in the current economic environment is a very real loss of actual dollars; and

WHEREAS, Residents' health and safety is impacted as they lack reliable service to power health care devices; and

WHEREAS, Residents become trapped in multi-floor buildings due to loss of access to elevators; and

WHEREAS, Residents who work from home are unable to carry out the basic functions of their jobs; and

WHEREAS, Residents and the general public are impacted by inoperable traffic control devices and loss of street lighting; and

WHEREAS, First responders, including police and fire, are compelled to respond to all of the above calls created by service failures in addition to urgent emergencies; and

WHEREAS, Businesses are forced shut down which impacts not only our local economy, but many of our businesses are engaged in the global economy; and

WHEREAS, Due to consistent outages and service failures, the entire City of Barberton community's health, safety, and economic viability are in great risk; and

WHEREAS, PUCO allowed FirstEnergy to tack on a rider known as a Distribution Modernization Rider (DMR) as an extra charge to each electric bill, supposedly to pay to modernize the grid. This money could not be tracked, resulting in a \$225 million surplus since introduction subsidized by Ohio rate payers; and

WHEREAS, The Supreme Court of Ohio has ruled the rider to be unconstitutional, yet First Energy was not required to refund the overages; and

WHEREAS, We as the Legislative Authority and representatives of the citizens find that First Energy's commitment and service to be lacking, and request relief to the residents for the above facts laid out by the Mayor's Executive Authority and Administration.

NOW, THEREFORE, BE IT RESOLVED, AND IT HEREBY RESOLVED, that the City of Barberton hereby condemns First Energy's reliability of service and distribution of a public utility, and requests a \$100.00 credit to the City of Barberton's residential rate payers;

SECTION 1. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of it’s committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to facilitate timely implementation, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after it’s passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed July 28, 2025

Clerk of Council

President of Council

Approved _____ 2025

Mayor