

Council met in **REGULAR SESSION** on Monday, September 8, 2025 at 7:12 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag and the invocation was given by Mrs. Hager.

The Clerk called the roll: Members present: President Greer, Mr. Heitic, Mrs. Thompson, Mrs. Hager, Mr. Easterling, Mrs. Beck, Mr. Griffin, Ms. Gearhart, and Mr. Harris.

It was moved by Mr. Heitic and seconded by Mrs. Thompson to approve the Minutes of the Special Legislative Meeting held on Monday, August 4, 2025 as presented. No remarks made. All Members present voted “Aye”. Motion carried.

It was moved by Mr. Heitic and seconded by Mrs. Thompson to approve the Minutes of the Special Legislative Meeting held on Tuesday, September 2, 2025 as presented. No remarks made. All Members present voted “Aye”. Motion carried.

It was moved by Mr. Heitic and seconded by Mrs. Thompson to approve the Minutes of the Executive Session held on Tuesday, September 2, 2025 as presented. No remarks made. All Members present voted “Aye”. Motion carried.

It was moved by Mrs. Thompson, seconded by Mr. Heitic to accept the Finance Report for the month of July, 2025 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, 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.

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 127 - 2025

PRESENTED BY MS. GEARHART TITLE: OPPOSING CUTS HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM A RESOLUTION OPPOSING CUTS TO THE HUD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BY THE FEDERAL GOVERNMENT, AND DECLARING AN EMERGENCY.

It was moved by Ms. Gearhart, seconded by Mrs. Beck, 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 Ms. Gearhart, seconded by Mrs. Beck, that **ORDINANCE NO. 127-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 128-2025

PRESENTED BY MR. HARRIS TITLE: AMEND BCO CHAPTER 351 SECTION 351.13 OVERNIGHT PARKING AN ORDINANCE AMENDING BARBERTON CODIFIED ORDINANCES, CHAPTER 351, SECTION 351.13 “OVERNIGHT PARKING” TO INCLUDE TWO NEW SUBSECTIONS, AND DECLARING AN EMERGENCY.

It was moved by Mr. Harris, seconded by Mr. Easterling 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. Harris, seconded by Mr. Easterling, that **ORDINANCE NO. 128-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

RESOLUTION NO. 129 - 2025

PRESENTED BY MRS. THOMPSON TITLE: ADVANCE OF LOCAL TAXES
A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING
THE ADVANCE OF LOCAL TAXES BY THE COUNTY FISCAL OFFICE FOR THE 2025 TAX
YEAR, PAYABLE IN 2026, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **RESOLUTION NO. 129-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

RESOLUTION NO. 130- 2025

PRESENTED BY MRS. THOMPSON TITLE: CERTIFYING PROPERTY TAX RATES
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES OF PROPERTY TAX AS
DETERMINED BY THE BUDGET COMMISSION OF SUMMIT COUNTY, AND AUTHORIZING
THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY
AUDITOR FOR THE YEAR 2026, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **RESOLUTION NO. 130-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 131 - 2025

PRESENTED BY MRS. THOMPSON TITLE: APPROPRIATION POLICE
DEPARTMENT AN ORDINANCE APPROPRIATING \$25,000.00 FROM THE
UNAPPROPRIATED ITEM OF THE LAW ENFORCEMENT TRUST FUND TO THE OPERATION
AND MAINTENANCE BUDGET OF THE LAW ENFORCEMENT TRUST FUND, AND
DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 131-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 132– 2025

PRESENTED BY MRS. THOMPSON TITLE: APPROPRIATION LAW
DEPARTMENT AN ORDINANCE APPROPRIATING \$15,000 FROM THE
UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE LAW DEPARTMENT’S
OPERATION AND MAINTENANCE BUDGET, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 132-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 133 - 2025

PRESENTED BY MRS. THOMPSON TITLE: LEASE PURCHASE AGREEMENT
HUNTINGTON NATIONAL BANK AN ORDINANCE AUTHORIZING THE
DIRECTOR OF FINANCE TO EXECUTE AND DELIVER A LEASE-PURCHASE AGREEMENT
WITH HUNTINGTON NATIONAL BANK, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 133-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 134 - 2025

PRESENTED BY MRS. THOMPSON TITLE: APPROPRIATION FIRE
DEPARTMENT AN ORDINANCE APPROPRIATING \$75,000.00 FROM THE
UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE CAPITAL BUDGET OF THE FIRE
DEPARTMENT IN THE GENERAL FUND, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 134-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 135 – 2025

PRESENTED BY MR. HARRIS TITLE: ENTER INTO CONTRACT PFUND SUPERIOR
SALES AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO ENTER
INTO CONTRACT WITH PFUND SUPERIOR SALES, IN THE AMOUNT OF \$318,925.00 FOR
THE PURCHASE OF A 2027 FORD F-450 LIFE LINE “SUPERLINER” AMBULANCE FOR THE
FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

It was moved by Mr. Harris, seconded by Mr. Easterling 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. Harris, seconded by Mr. Easterling, that **ORDINANCE NO. 135-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 136 - 2025

PRESENTED BY MRS. THOMPSON TITLE: SUMMIT COUNTY
INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING AN ORDINANCE
TO ENTER INTO CONTRACT WITH THE COUNTY OF SUMMIT AND THE COMMUNITIES
THAT ARE SIGNATORIES TO THE ATTACHED UPDATED AGREEMENT ENTITLED
“SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR
JOB CREATION AND RETENTION AND TAX INCENTIVE,” EFFECTIVE OCTOBER 1, 2025
AND EXPIRING SEPTEMBER 30, 2026 TO EXPRESS A MUTUAL DESIRE TO RETAIN AND
ATTRACT BUSINESSES AND JOBS AS OUTLINED IN SAID AGREEMENT, AND DECLARING
AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 136-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 137 - 2025

PRESENTED BY MRS. THOMPSON TITLE: APPROPRIATION FIRE
DEPARTMENT AN ORDINANCE APPROPRIATING \$4,842.04 FROM THE
UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE FIRE DEPARTMENT’S
OPERATING BUDGET, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 137-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

RESOLUTION NO. 138 - 2025

PRESENTED BY MR. HARRIS TITLE: GRANT APPLICATION A RESOLUTION OF
THE COUNCIL OF THE CITY OF BARBERTON SUPPORTING AND AUTHORIZING THE
BARBERTON FIRE DEPARTMENT TO SUBMIT A GRANT REQUEST TO THE TUSCORA
HEALTH AND WELLNESS FOUNDATION, FOR THE PURCHASE OF SEVEN AED’S FOR USE
IN FIRE DEPARTMENT APPARATUS AND AUXILIARY VEHICLES, IN THE AMOUNT OF
\$14,629.72, AND DECLARING AN EMERGENCY.

It was moved by Mr. Harris, seconded by Mr. Easterling 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. Harris, seconded by Mr. Easterling, that **RESOLUTION NO. 138-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 139 - 2025

PRESENTED BY MRS. THOMPSON TITLE: APPROPRIATION UTILITIES
DEPARTMENT AN ORDINANCE APPROPRIATING \$300,000 FROM THE
UNAPPROPRIATED ITEM OF THE WATER FUND TO THE CAPITAL BUDGET OF THE
WATER FUND, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 139-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

ORDINANCE NO. 140 - 2025

PRESENTED BY MRS. THOMPSON TITLE: APPROPRIATION UTILITIES
DEPARTMENT AN ORDINANCE APPROPRIATING \$90,000 FROM THE
UNAPPROPRIATED ITEM OF THE WATER PLANT CONSTRUCTION FUND TO THE CAPITAL
BUDGET OF THE WATER PLANT CONSTRUCTION FUND, AND DECLARING AN
EMERGENCY.

It was moved by Mrs. Thompson, 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. Thompson, seconded by Mr. Heitic, that **ORDINANCE NO. 140-2025 BE ADOPTED.** All Members present voted “Aye.” Motion carried.

This ended the First Readings.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 95-2025

PRESENTED BY MR. HARRIS TITLE: AMEND BCO CHAPTER 670: TREES, WEEDS,
AND GRASS AN ORDINANCE AMENDING BARBERTON CODIFIED ORDINANCES,
CHAPTER 670 “TREES, WEEDS, AND GRASS” TO INCLUDE THREE NEW SECTIONS 670.06
“NUISANCES – TREES, SHRUBS, BUSHES, GRASSES, AND WEEDS”, 670.07 “ABATEMENT
OF DECLARED NUISANCES—TREES, SHRUBS, BUSHES, GRASSES, & WEEDS” AND 670.08
“ASSESSMENT OF COSTS BY MUNICIPALITY OF DECLARED NUISANCES”, AND
DECLARING AN EMERGENCY.

This was the Second Reading. The First Reading was on Monday, July 28, 2025 and the Third and Final Reading will be on Monday, September 22, 2025.

THIRD READING OF ORDINANCES AND RESOLUTIONS

There were none.

APPOINTMENTS

There were none.

MISCELLANEOUS AND UNFINISHED BUSINESS

There were none.

COMMUNICATION FROM THE BODY

Mrs. Hager wanted to note that the work being done to State Street is moving along towards completion nicely.

President Greer stated that if the Consent Agenda passes it will save so much time on meetings.

COMMUNICATION FROM THE MAYOR

The Mayor started his comments with corrections to comments made during the meeting on September 2, 2025 by Mrs. Megan Eberhart. The Boards mentioned by Mrs. Eberhart, Utilities Appeal which is in the Charter that the members are appointed by the Mayor and are not approved by City Council as stated. There are three (3) members which meets only when a citizen appeals their utility bill. Council members are copied on the letters regarding the status of appeals. Appeals to the recently passed Trash Container Pull-back Ordinance are handled by the Building and Zoning Appeals Board (BZA). The Flood Action Committee was established in 2012 and members are also appointed by the Mayor and not approved by City Council. The Mayor explained the reasoning and need for this committee and current discussions being held. This committee included City employees who work on repairing roads after flooding. It also included members of the City's Administration, members of our Safety Forces, and employees of the Water Distribution Garage. Over time additional members have been added including members of the EPA, as well as officials from Copley and Norton who are also affected by flooding. Although personnel in these positions have changed, all are still in communication and updated with progress of the existing on-going projects as well as studies regarding future projects.

The Mayor stated that there was a social media post from the West Theater this past weekend regarding sewer backup stating that no one from the City responded to their calls. The Mayor stated that he checked phone logs and records and no contact from them could be located. All lines are still being checked but currently there is no record of any call from them to the City. A work ticket was located at ODOT who then forwarded it to our inspector who forwarded it to Kenmore Construction by email who then forwarded it to the Mayor. The Mayor gave the history and the updates which occurred in that area from the start of the reconstruction to present. This is an on-going process and the City is doing everything they can to help businesses in the city advance.

The Mayor's open office ours the past weekend went very well with 5 citizens coming in to speak with and ask questions. Those issues are being handled currently.

This past week the Mayor attend the Barberton Academic Hall of Fame Luncheon. Many of our alumni were inducted. Our own Marty Eberhart of the Barberton Police Department was inducted as well.

The Mayor stated that last week he attended a press conference in Akron regarding the Unified Early Learning System. Several schools in Akron and one in Barberton are starting this program. This emphasizes from birth to five (5) years of age. This program is at no cost to the City. All data indicates that is a very successful program and will be expanded as local data comes in. It is always great to work with our own Barberton Community Foundation, the City of Akron and Foundations in the Akron Area for the betterment of our youth. The better we can address issues and help our youth when they are young, the better they will succeed as they are adults and more community oriented.

Finally, the qualifications were released and published in the Akron Beacon Journal for bids for the Justice Center Project. Proposals can be submitted starting in October and as results come in, that information will be released.

The Mayor asked if there were any questions. Mr. Harris asked for the names of the persons who sit on the Utility Appeals Commission. The Mayor stated that Dan Betts, Dan Knorr and Eddie Lawson sit on the Utility Appeals Commission and also listed the offices, department heads who are on the Flood Action Commission. Mr. Harris followed up that he has never seen a Nixle put out over an Ordinance and he wanted to know who authorized the Nixle regarding the Trash Pullback Ordinance. The Mayor stated that he did not know at the current time. We are always looking for residents that can see the bigger picture to volunteer for these committees. Ms. Gearhart followed up Mr. Harris's statement that if we put out Nixle messages for every ordinance that passes people would be less likely to see the emergency notifications. Ms. Gearhart also gave an update to the West Theater issue as she had talked to persons from that business.

Mr. Easterling wanted to know if contingency monies were assessed from the current projects as they are finishing up. The Mayor stated where he knew some of the monies were spent on replacement of

curbs and such. Also, Mr. Easterling had previously questioned methods the paving company used and wanted it on the minutes that asphalt was poured and concrete was put on top around casings and that in his opinion they will fail over time and need to be redone. Mr. Shreve stated it was his belief that it would be redone after completion. Mr. Easterling stated that these are failing on Fifth Street.

The Mayor followed up a comment to Ms. Gearhart regarding the ADA ramps on the corner of Wooster Road West and 14th Street NW. These are not yet completed and the issues regarding ease of access will be handled upon completion.

Mr. Heitic made comments that questions or situations regarding the Trash Can Pull Back Ordinance (76-2025) are appealable if citizens receive citations. The Ordinance is directed at habitual offenders. Life happens and if situations arise the citations are appealable. Mr. Heitic stated he is aware of the Utilities Appeal Board and thinks it is a good thing. Ms. Gearhart asked about the steps to appeal a utility bill. The Mayor explained the process. Mrs. Beck attended the most recent appeal meeting and stated she was impressed at the process. Mayor Judge stated that there will be an up coming increase in sewer fees but the City attempts to keep these costs as low as possible.

With nothing further, it was moved by Mr. Heitic and seconded by Mrs. Thompson to adjourn. All Members present voted “Aye”.

Meeting Adjourned 8:04 P. M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council