

Council met in **REGULAR SESSION** on Monday, April 9, 2018, at 7:30 P.M. in the Council Chambers with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Palmer, Conrad-Wokojance and Zarle. The Pledge of Allegiance to the Flag was recited and Mrs. Zarle gave the Invocation.

It was moved by Mrs. Debevec, seconded by Mrs. Frey, to approve the Minutes of the Regular Legislative Session held on Monday, March 26, 2018, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mrs. Frey, to approve the Minutes of the Executive Session held on Monday, March 26, 2018, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, to accept the Finance Department Report for March 2018, as presented. All Members voted “yea.” Motion carried.

PETITIONS AND CLAIMS

None.

MATTERS REFERRED

Each Council Member, the Mayor and Service Director were given a report prepared by the Council Clerk listing all matters before all committees.

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.

CITIZENS ADDRESSING COUNCIL

Cory Kendrick, 1867 W. Market Street, Akron – Summit County Public Health. Mr. Kendrick thanked Barberton for having the first proposed ban on smoking in the parks. He stated when looking at public health the research is shifting and evidence shows if we want to make the biggest impact on public health we have to change policy. He said making the healthy choice the easy choice and you do that by shifting the dynamic and the social environment which people live, work and play. He said he wanted to point to Smoke Free Ohio and if you think back about 15 years ago when you went into any bar or restaurant and it was full of smoke and can anyone imagine going into a restaurant now and having that environment. He said this does very much the same thing as Smoke Free Ohio as far as restaurants and bars, it creates the environment where you couldn’t imagine being at a public ball game and getting a whiff of tobacco smoke in your face. He said smoking is one of the most preventable public health issues we have. He stated smoking kills more people than alcohol, aids, car crashes, drugs, murders, and suicides combined. Mr. Kendrick stated Ohio has one of the worst score cards for smoking in all of United States and is ranked 48 out of 50 and in Summit County almost 1 in 4 adults smoke. He said they did a survey at Barberton High School a few years ago and 27% of students smoke and 36% of students vaped. He said vaping is becoming the new smoking and the new gateway to tobacco use. He said we need to create a safe environment for our kids and our citizens and hopefully we can do that through policy change.

Paul Risley, 25 Fifth Street NE, Barberton. Mr. Risley said he was there to speak about the purchase agreement on Wooster Road W. He said he knows they have something going with it on that night and he urges them to take it to all three readings. He said the reason being is that they have passed 37 out of 39 resolutions without going to full three readings. He said as a citizen he is very concerned about that because it does not allow him to voice his opinion if he has something to learn more about or ask more details. He said he spent 35 minutes with Joe Stefan earlier asking different questions about this to finding different answers but if he learned about what they are voting on Thursday night or Friday night and then on Monday they are going to an emergency session to pass it and as a constituent in Barberton he has no ability to voice his opinion about it. He said he feels it is absolutely absurd that they have passed 37 out of 39 resolutions that way. He said there are three resolutions they are passing that night and he absolutely urges, for the citizens of Barberton, to take the time because they are the representatives and they have no ability to communicate with them if they don't. He asked them to take things a little more serious from their point of view and take it to three readings.

Mr. Pat Betts, 222 16th Street NW. Mr. Betts stated he is there to speak about the smoking ordinance. He said with all the pollution in the world he doesn't think cigarettes is going to do that much. He said first you need to shut off all the exhaust from cars and trucks and shut off everything that comes from every single building. He said you have exhaust when you mow your lawn, mow our parks, run our weed eaters and there are kids around. He said in general this does not impress him. He said you do not see the parents and grandparents lighting up next to the kids. He stated they walk 20, 30, 40 feet away and you watch them step on it and pick it up and throw it in the trash. He said yes there are people that throw them all over the place. He said it just seems like there is a whole bunch of pollution and we really don't have to worry about this one yet. He said to make everyone smile, this was all tongue-in-cheek, he really doesn't care. He said everyone knows he is a smoker and he doesn't smoke by kids. He said when you have an ordinance like this and you have everything that pollutes everything else this just doesn't make sense.

FIRST READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 40-2018

RESOLUTION NO. 40-2018. PRESENTED BY: MRS. CONRAD-WOKOJANCE. TITLE: FAIR HOUSING MONTH. A RESOLUTION PROCLAIMING THE MONTH OF APRIL AS FAIR HOUSING MONTH. It was moved by Mrs. Conrad-Wokojance, seconded by Mrs. Zarle, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "yea." Motion carried. It was moved by Mrs. Conrad-Wokojance, seconded by Mrs. Zarle, that **RESOLUTION NO. 40-2018 BE ADOPTED.** All Members voted "yea." Motion carried.

ORDINANCE NO. 41-2018

ORDINANCE NO. 41-2018. PRESENTED BY: MR. PALMER. TITLE: ENTER INTO CONTRACT - KENMORE CONSTRUCTION. AN ORDINANCE AUTHORIZING THE MAYOR, TO ENTER INTO CONTRACT WITH KENMORE CONSTRUCTION COMPANY, THE LOWEST AND/OR BEST BIDDER, IN AN AMOUNT OF \$231,465 FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS, PHASE 3A PROJECT, AND DECLARING AN EMERGENCY. It was moved by Mr. Palmer, seconded by Mrs. Frey, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “yea.” Motion carried. It was moved by Mr. Palmer, seconded by Mrs. Frey, that **ORDINANCE NO. 41-2018 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 42-2018

ORDINANCE NO. 42-2018. PRESENTED BY: MRS. ANGELOFF. TITLE: BARBERTON CODIFIED ORDINANCES - PARKS AND RECREATION AREAS. AN ORDINANCE AMENDING SECTION 1068.06 OF THE BARBERTON CODIFIED ORDINANCES ENTITLED “PARKS AND RECREATION AREAS – BEHAVIOR” BY ADDING A SMOKE FREE SECTION.

ORDINANCE NO. 43-2018

ORDINANCE NO. 43-2018. PRESENTED BY: MRS. ANGELOFF. TITLE: PURCHASE AGREEMENT - WOOSTER ROAD WEST. AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO PURCHASE APPROXIMATELY 3.5 ACRES, FROM THE BARBERTON COMMUNITY DEVELOPMENT CORP. (BCDC) IN THE AMOUNT OF \$100,000 PLUS CLOSING COSTS FOR PARCEL 01.15103 AND \$1 FOR PARCEL 01.15673 (888 WOOSTER ROAD WEST), TO BE USED FOR FUTURE ECONOMIC DEVELOPMENT, AND DECLARING AN EMERGENCY. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Mrs. Conrad-Wokojance stated in light of Mr. Risley’s request that they go more than one reading she personally would be more comfortable if they would go at least 2 readings in this situation since someone came and asked for it. Wokojance and Debevec voted “no.” Frey, Coburn, Angeloff, Zarle, and Palmer voted “yea.” Motion carried. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 43-2018 BE ADOPTED.** Wokojance voted “no.” Palmer, Zarle, Angeloff, Debevec, Coburn, and Frey voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 36-2018

RESOLUTION NO. 36-2018. PRESENTED BY: ALL OF COUNCIL. SPONSORED BY: MRS. DEBEVEC. TITLE: COMMENDATION – MONTE HARRIS. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO MONTE HARRIS FOR 25 YEARS OF DEDICATED SERVICE TO THE BARBERTON POLICE DEPARTMENT AND TO THIS COMMUNITY.

THIRD READING OF ORDINANCES AND RESOLUTIONS

None.

APPOINTMENTS

None.

MISCELLANEOUS AND UNFINISHED BUSINESS

The Clerk said there are two Liquor License Permit requests:

Chipotle Mexican Grill of Colorado LLC, 3186 Section of 5th and Robinson Avenue

A copy of this request was given to Mrs. Daugherty, Chief Morber and Mr. Palmer. No objections were received.

M and Ms Taphouse LLC, 523 W. Tuscarawas Avenue

A copy of this request was given to Mrs. Daugherty, Chief Morber and Mrs. Zarle. No objections were received.

COMMUNICATION FROM THE MAYOR

Mayor Judge thanked council for passing the Fair Housing resolution, a “true” resolution. He said they will have an event on April 11th which will be held at the library.

Mayor Judge stated the next Change for Change will be held on April 27th at the Sokol’s Center and the non-profit is still to be determined.

Mayor Judge stated on April 28th the City has a team for Clean Up Barberton Day if anyone would like to join. He said they are called “Helping Hands” and they have adopted a road to clean up.

Mayor Judge said the 28th is also Take Back Drug Day. Chief Morber and others will be at the former First Merit on Tusc. collecting medications from residents.

Mayor Judge said in the evening of the 28th it will be the Grapes on the Lakes.

Mayor Judge told council if they find any street lights out in their neighborhood to contact his office and they will get in touch with their contact. He said if you see a pole with a pink ribbon on it, it signifies it is on the list to get changed.

Mayor Judge said the sports complex will open up on April 13th. He said they play at least 2,000 games a year.

Mayor Judge stated he met with Congressman Ryan and his office regarding some of the needs, some of the challenges they are facing and activities/projects for this year and in the future.

Mayor Judge said he had an unexpected visitor to his office earlier in the day, Mr. George Izo a 1957 grad of Barberton who played quarterback for Notre Dame and was a pro football player.

Executive Session

President Megyes requested to enter into Executive Session in order to discuss Certain Personnel Matter to consider the appointment of a public official.

It was moved by Mrs. Debevec, seconded by Mrs. Frey to enter into Executive Session for Certain Personnel Matters to consider the appointment of a public official. All Members voted “yea.” Motion carried.

Adjourned into Executive Session: 7:51 P.M.
Returned to Regular Session: 8:19 P.M.

President Megyes reminded everyone that street sweeping will begin soon. He said if you know anyone who parks on the street to warn them.

It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, to adjourn.

Adjourned: 8:21 P.M.

Craig Megyes
President of Council

Renee Fox
Clerk of Council