

Council met in **REGULAR SESSION** on Tuesday, November 12, 2019, at 7:30 P.M. in the Council Chambers with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Griffin, Palmer, Conrad-Wokojance and Zarle. The Pledge of Allegiance to the Flag was recited and President Megyes gave the Invocation.

It was moved by Mrs. Debevec, seconded by Mr. Griffin, to approve the Minutes of the Public Hearing held on Monday, October 28, 2019, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Griffin, to approve the Minutes of the Regular Legislative Session held on Monday, October 28, 2019, as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Angeloff to approve the Finance Report for the month of October, 2019, 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.

CITIZENS ADDRESSING COUNCIL

None.

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.

President Megyes stated we will be going out of order to for the next Resolution.

THIRD READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 114-2019

RESOLUTION NO. 114-2019. PRESENTED BY: MR. GRIFFIN. SPONSORED BY: ALL OF COUNCIL. TITLE: COMMENDATION – EBENEZER HARRIS. A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO EBENEZER HARRIS, ONE OF THE CITY’S MOST DECORATED VIETNAM VETERANS. It was moved by Mr. Griffin, seconded by Mrs. Debevec, that **RESOLUTION NO. 114-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Griffin, to enter into recess to present this Resolution. All Members voted “yea.” Motion carried.

Entered into recess: 7:37 P.M.

While in recess, Mr. Griffin and Mayor Judge congratulated Mr. Harris’s family on his accomplishments.

Returned into Regular Session: 7:42 P.M.

FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 126-2019

ORDINANCE NO. 126-2019. PRESENTED BY: MR. PALMER. TITLE: ENTER INTO CONTRACT – CT CONSULTANTS - NORTON ACRES PACKAGE PLANT ELIMINATION. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$68,950, FOR ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR THE NORTON ACRES PACKAGE PLANT ELIMINATION 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. 126-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 127-2019

ORDINANCE NO. 127-2019. PRESENTED BY: MRS. DEBEVEC. TITLE: APPROPRIATION - SEWER FUND. AN ORDINANCE APPROPRIATING \$68,950 FROM THE UNAPPROPRIATED ITEM OF THE SEWER FUND TO THE OPERATING BUDGET OF THE SEWER FUND, FOR THE ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES PROVIDED BY CT CONSULTANTS FOR THE NORTON ACRES PACKAGE PLANT ELIMINATION PROJECT, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Debevec, seconded by Mr. Palmer, 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. Debevec, seconded by Mr. Palmer, that **ORDINANCE NO. 127-2019 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 128-2019

ORDINANCE NO. 128-2019. PRESENTED BY: MRS. CONRAD-WOKOJANCE. TITLE: ZONING MAP AMENDMENT - 540 WOOSTER ROAD NORTH. AN ORDINANCE AUTHORIZING THE REZONING OF PARCELS 01.03751 & 01.03752 ALSO KNOWN AS 540 WOOSTER ROAD NORTH FROM RM18 RESIDENTIAL MULTIFAMILY TO C2 NEIGHBORHOOD COMMERCIAL DISTRICT.

ORDINANCE NO. 129-2019

ORDINANCE NO. 129-2019. PRESENTED BY: MRS. DEBEVEC. TITLE: AMENDING ORDINANCE NO. 38-2019 - EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES. AN ORDINANCE AMENDING ORDINANCE NO. 38-2019, "EMPLOYEES NOT INCLUDED IN NON-BARGAINING PAY GRADES," IN ORDER TO INCREASE THE PAY SCALE TO REFLECT THE RAISE IN MINIMUM WAGE BEGINNING JANUARY 1, 2020. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, 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. Debevec, seconded by Mrs. Angeloff, that **ORDINANCE NO. 129-2019 BE ADOPTED.** All Members voted "yea." Motion carried.

RESOLUTION NO. 130-2019

RESOLUTION NO. 130-2019. PRESENTED BY: MRS. DEBEVEC. 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 2019 TAX YEAR, PAYABLE IN 2020, AND DECLARING AN EMERGENCY. It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, 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. Debevec, seconded by Mrs. Angeloff, that **RESOLUTION NO. 130-2019 BE ADOPTED.** All Members voted "yea." Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 117-2019

ORDINANCE NO. 117-2019. PRESENTED BY: MRS. FREY. TITLE: PERMISSIVE MOTOR VEHICLE TAX INCREASE. AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO LEVY A PERMISSIVE MOTOR VEHICLE LICENSE TAX PURSUANT TO OHIO REVISED CODE SECTION 4504.173.

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 109-2019

ORDINANCE NO. 109-2019. PRESENTED BY: MRS. CONRAD-WOKOJANCE. TITLE: DOWNTOWN BARBERTON HISTORIC DISTRICT MAP. AN ORDINANCE AMENDING THE DOWNTOWN AND PRESERVATION OVERLAY DESIGN GUIDELINES BY AMENDING THE DOWNTOWN BARBERTON HISTORIC DISTRICT MAP TO INCLUDE PARCELS 01.07920 AND 01.07921 ALSO KNOWN AS 185 3RD STREET NW. It was moved by Mrs. Conrad-Wokojance, seconded by Mrs. Zarle, that **ORDINANCE NO. 109-2019 BE ADOPTED.** Mrs. Debevec stated she appreciates the Planning Commissions hard work, experience and creativity with the proposed legislation as she knows it was very difficult, however, she will be voting no tonight on both pieces of legislation regarding the rezoning of Faith Gym. She stated she has taken the time to speak to several of her

neighbors who lives on Lake Anna of single-family dwellings and they indicated that they are not in favor of it. She stated two of them were supposed to speak at tonight's meeting. She said many of the neighbors expressed concern regarding maintaining the integrity of the neighborhood if this property were to be sold. She said she explained the protection that the Design Review Board approval provides, however, they maintain that it was not a good idea. She stated many of them invested in their single-family homes on Lake Anna many years ago and plan on staying in them for the rest of their lives and with that being said, no one can predict what the future holds and this rezoning opens up possibilities that some of them as Lake Anna neighbors do not want to explore, like a Circle K or a bar on the lake. She said that is why she will be voting no. Mrs. Angeloff, Mr. Palmer, Mrs. Conrad-Wokojance, Mrs. Zarle, Mrs. Coburn, Mrs. Frey, and Mr. Griffin voted "yea." Mrs. Debevec voted "no." Motion carried.

ORDINANCE NO. 110-2019

ORDINANCE NO. 110-2019. PRESENTED BY: MRS. CONRAD-WOKOJANCE. TITLE: ZONING MAP AMENDMENT - 185 3rd STREET NW. AN ORDINANCE AUTHORIZING THE REZONING OF PARCELS 01.07920 & 01.07921 ALSO KNOWN AS 185 3RD STREET NW FROM RM30 RESIDENTIAL MULTIFAMILY TO CD COMMERCIAL DOWNTOWN. It was moved by Mrs. Conrad-Wokojance, seconded by Mrs. Zarle, that **ORDINANCE NO. 110-2019 BE ADOPTED.** Mrs. Conrad-Wokojance stated she has encouraged the citizens of Barberton to let council know and give them direction as to what they want. She said she is disappointed in the lack of direction either way. She said she made this motion tonight because she believes it should come to a vote because she is a real proponent of the democratic system and we have these members on council who she is sure has done their due diligence to speak with their residence to inform them of their decision for tonight. She stated the only direction she has received was from the online Herald pool and it was very much against any commercial development around the lake. She said it is really hard because there is no way for further conversation and some of the other methods that are being used to contact council are quick responses of one to two sentences. She said if this piece of legislation does not pass then we could potentially have an empty building and that is a real concern as well and we do not want empty buildings that are deteriorating. She stated as a council person it is important that she knows what people think and she has said all year to contact her by phone, email or by showing up. She said she feels like she has been put in a difficult situation because the only direction she has is by the Herald pool and she does not know if it is the best decision but it is the only direction she has and that is why she will be voting no tonight. She said she is uncomfortable doing so because of the concern of an empty building but she is trying to make sure that she upholds what her citizens want. She asked everyone to further get involved and pay attention to what goes on at council because it is super important in the decisions she makes for the community. Mrs. Zarle, Mrs. Angeloff, Mr. Griffin, Mr. Palmer, Mrs. Frey, and Mrs. Coburn "yea." Mrs. Conrad-Wokojance and Mrs. Debevec voted "no." Motion carried.

APPOINTMENTS

Civil Service Commission

Lori Huffman 6-year term 1/1/2020 – 12/31/2025

It was moved by Mrs. Debevec, seconded by Mrs. Angeloff, to approve the appointment of Lori Huffman to the Civil Service Commission for a six-year term effective January 1, 2020 through December 31, 2025. Mrs. Angeloff stated this commission, in her opinion, is very important because of the state laws and having to hire people and go through the testing facility. She thanked Lori for staying with the city for another six years and she appreciates it. All Members voted “yea.” Motion carried.

Board of Health

Sandra Baker 5-year term 1/1/2020 – 12/31/2024

Janice Low 5-year term 1/1/2020 – 12/31/2024

It was moved by Mrs. Zarle, seconded by Mrs. Conrad-Wokojance, to approve the appointment of Sandra Baker to the Barberton Board of Health effective January 1, 2020 through December 31, 2024. All Members voted “yea.” Motion carried.

It was moved by Mrs. Zarle, seconded by Mrs. Conrad-Wokojance, to approve the appointment of Janice Low to the Barberton Board of Health effective January 1, 2020 through December 31, 2024. All Members voted “yea.” Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mrs. Zarle announced on Thursday, November 21st at 7:00 P.M. the Friends of the 4th Ward will have a neighborhood watch and improvement association meeting. She said the speakers will be Charles Drubel - CDS, Shaun Jaber – Councilmen Elect 4th and Jackeline Minor – 4th Ward advocate.

Mrs. Debevec announced the Free Women’s Self Defense Class sponsored by Sherri Bevan Walsh, Summit County Prosecutor will be coming to Barberton on Tuesday, November 19th from 6:00 to 8:00 P.M. She asked if you could get the word out, she would appreciate it. She said it is a great opportunity for women in the community.

Mrs. Debevec stated she help Mr. Drubel of NCS/CDS solicit on Tuscarawas for the Christmas Walk which will be held on Saturday, November 30th from 5:00 – 9:00 P.M. She stated he is looking for volunteers and donations.

COMMUNICATION FROM THE MAYOR

Mayor Judge congratulated Mrs. Huffman, Mrs. Baker and Mrs. Low. He said they put a lot of time into the boards and commissions and it is great to have that experience and the knowledge as we move forward.

Mayor Judge announced Change for Change will be held November 22nd (4:30-7:00) at the Green Diamond and will benefit the Greynold’s Classic.

Mayor Judge stated during the week he will be meeting with two different developers and also two existing businesses about possible expansions. He said he had seven different organizations in during the week which are focusing on development, economic growth and economic vitality. He said they have been very busy with a lot of attention here on the community and hopefully we can continue the momentum we have and push through this despite the loss of B&W. He said B&W is officially still scheduled to leave in October (*laughter*) and their communication is less than average but 2020 is going to be the most challenging year in the budget that he has ever seen with us loosing on of the oldest and biggest employers. He said they are doing everything they can to push through this and meeting with a lot of different organizations and businesses. He stated, unfortunately, whenever you have a development it usually takes 12-18 months to just build out and then you start realizing the tax base.

Mayor Judge stated he has been selected as the Stormwater Mitigation representative for Summit County Cities.

Mayor Judge said they have been working with FEMA to purchase homes on 14th Street. He stated 14th Street sits lower than Wolf Creek so naturally the water is going to 14th Street and it has been in the flood plane and has been flooding for over 100 years. He said he is happy to announce that almost \$600,000 will be received to purchase up to 15 homes that qualify and meet FEMA's criteria. He stated these homes will be acquired, torn down and no build zones will be placed there so they can continue to flood and it will not affect anyone. He said it is great news, it's not every house on 14th Street and they have already started to work with FEMA on 15th Street. He said as the collaboration with the Governor's Office, working with other communities and working from a regional perspective at expanding our retention pond, looking at little things to do to provide a big impact when combined together. He said he is really happy to announce that the City has received this award. He stated this alone will not solve the problem and we will never beat mother nature but the things we are doing is taking leaps and bounds to address flood mitigation from various perspectives.

Mayor Judge said as we move through the 4th quarter and into next year that his door is always open and to come in and let's talk about what they foresee or what questions they have.

It was moved by Mrs. Debevec, seconded by Mr. Griffin, to adjourn.

Adjourned: 8:07 P.M.

Craig Megyes
President of Council

Renee Fox
Clerk of Council