

Council met in **REGULAR SESSION** on Monday, November 16, 2020 at 6:25 P.M. in the Council Chambers with President Megyes presiding. Members present: Angeloff, Coburn, Debevec, Frey, Greer, Griffin, Heitic, and Jaber. The Pledge of Allegiance to the Flag was recited and President Megyes gave the Invocation.

President Megyes stated Council Rule 103 states the Regular and Committee of the Whole meetings shall be at 7:30 P.M. Since they are starting earlier than this, they will need to Invoke Council Rule 702. It was moved by Mrs. Debevec, seconded by Mr. Heitic to Invoke Council 702 to Suspend Council Rule 103. All Members voted “yea.” Motion carried.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Regular Legislative Session held on Monday, October 26, 2020 as presented. All Members voted “yea.” Motion carried.

It was moved by Mrs. Frey, seconded by Mrs. Debevec to approve the Finance Report for the month of October, 2020 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.**

### **FIRST READING OF ORDINANCES AND RESOLUTIONS**

#### **RESOLUTION NO. 133-2020**

**RESOLUTION NO. 133-2020. PRESENTED BY: MRS. ANGELOFF. TITLE: ZONING PERMIT MORATORIUM. A RESOLUTION IMPOSING A MORATORIUM OF NO LONGER THAN ONE (1) YEAR ON THE ISSUING OF ZONING PERMITS FOR ENTERTAINMENT DEVICE ARCADES, USED CAR LOTS, MINI WAREHOUSE, LIMITED INDOOR STORAGE AND DOLLAR STORES WITHIN THE CITY OF BARBERTON, AND DECLARING AN EMERGENCY.**

**ORDINANCE NO. 134-2020**

**ORDINANCE NO. 134-2020. PRESENTED BY: MRS. COBURN. TITLE: MITIGATION ASSISTANCE DESIGNEE - ARTHUR STREET. AN ORDINANCE DESIGNATING CITY OF BARBERTON AGENTS FOR THE ADMINISTRATION OF THE CITY'S MITIGATION ASSISTANCE ACQUISITION/DEMOLITION PROJECT FUNDED UNDER THE HAZARDOUS MITIGATION GRANT PROGRAM (HMGP) AS A RESULT OF FEDERAL DECLARATION FEMA-DR-4360-OH, 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 voted "yea." Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 134-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 135-2020**

**ORDINANCE NO. 135-2020. PRESENTED BY: MRS. COBURN. TITLE: MITIGATION ASSISTANCE DESIGNEE - 15<sup>th</sup> STREET NW. AN ORDINANCE DESIGNATING CITY OF BARBERTON AGENTS FOR THE ADMINISTRATION OF THE CITY'S MITIGATION ASSISTANCE ACQUISITION/DEMOLITION PROJECT FUNDED UNDER THE HAZARDOUS MITIGATION GRANT PROGRAM (HMGP) AS A RESULT OF FEDERAL DECLARATION FEMA-DR-4360-OH, 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 voted "yea." Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 135-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 136-2020**

**ORDINANCE NO. 136-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - WATER FUND. AN ORDINANCE APPROPRIATING \$10,583.30 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. Frey, seconded by Mrs. Coburn, 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. Frey, seconded by Mrs. Coburn, that **ORDINANCE NO. 136-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 137-2020**

**ORDINANCE NO. 137-2020. PRESENTED BY: MRS. DEBEVEC. TITLE: ENACTING THE CODE OF ORDINANCES. AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF BARBERTON REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Debevec, seconded by Mr. Greer, 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. Greer, that **ORDINANCE NO. 137-2020 BE ADOPTED.** All Members voted "yea." Motion carried.

**ORDINANCE NO. 138-2020**

**ORDINANCE NO. 138-2020. PRESENTED BY: MR. HEITIC. TITLE: TRANSFER OF PROPERTY - CHRISTIAN HEALTHCARE MINISTRIES, INC. AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO CONVEY PARCEL #0101927 TO CHRISTIAN HEALTHCARE MINISTRIES, INC. VIA QUITCLAIM DEED, WITH RETENTION BY THE CITY OF BARBERTON OF A PERMANENT EASEMENT ENCLOSING THE MEMORIAL CEMETERY, AND DECLARING AN EMERGENCY.**

It was moved by Mr. Heitic, seconded by Mr. Jaber, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Mr. Heitic stated Christian Healthcare Ministries has acted in good faith throughout this whole project and suspension should be warranted. All Members voted “yea.” Motion carried. It was moved by Mr. Heitic, seconded by Mr. Jaber, that **ORDINANCE NO. 138-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 139-2020**

**ORDINANCE NO. 139-2020. PRESENTED BY: MRS. FREY. TITLE: AUTHORIZE PAYMENT - BROUSE McDOWELL. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TWO SEPARATE INVOICES TO BROUSE McDOWELL IN THE AMOUNTS OF \$4,725 AND \$4,900, AND DECLARING AN EMERGENCY.**

It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 139-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 140-2020**

**ORDINANCE NO. 140-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - LOCAL CORONAVIRUS RELIEF FUND. AN ORDINANCE APPROPRIATING \$3,328.00 FROM THE UNAPPROPRIATED ITEM OF THE LOCAL CORONAVIRUS RELIEF FUND TO THE OPERATION AND MAINTENANCE BUDGET OF THE LOCAL CORONAVIRUS RELIEF FUND, APPROPRIATING \$18,156.00 FROM THE UNAPPROPRIATED ITEM OF THE LOCAL CORONAVIRUS RELIEF FUND TO THE CAPITAL BUDGET OF THE LOCAL CORONAVIRUS RELIEF FUND, AND APPROPRIATING \$909,251.67 FROM THE UNAPPROPRIATED ITEM OF THE LOCAL CORONAVIRUS RELIEF FUND TO THE PERSONNEL SERVICE BUDGET OF THE LOCAL CORONAVIRUS RELIEF FUND, AND DECLARING AN EMERGENCY.**

It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 140-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 141-2020**

**ORDINANCE NO. 141-2020. PRESENTED BY: MRS. FREY. TITLE: APPROPRIATION - COVID-19 PSGP FUND. AN ORDINANCE APPROPRIATING \$500,000 FROM THE UNAPPROPRIATED ITEM OF THE SUMMIT COUNTY COVID-19 PSGP FUND TO THE PERSONNEL SERVICE OF THE SUMMIT COUNTY COVID-19 PSGP FUND, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 141-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 142-2020**

**RESOLUTION NO. 142-2020. PRESENTED BY: MRS. FREY. TITLE: SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY - SOLID WASTE MANAGEMENT PLAN. A RESOLUTION BY THE BARBERTON CITY COUNCIL OF THE CITY OF BARBERTON TO ADOPT THE SUMMIT COUNTY SOLID WASTE MANAGEMENT PLAN BY THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY DBA REWORKS FOR THE CITY OF BARBERTON.** It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **RESOLUTION NO. 142-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**ORDINANCE NO. 143-2020**

**ORDINANCE NO. 143-2020. PRESENTED BY: MRS. FREY. TITLE: DISPOSAL OF MISCELLANEOUS ITEMS. AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO DISPOSE OF MISCELLANEOUS ITEMS IN THE MUNICIPAL BUILDING OR TO SELL THESE ITEMS ON GOVDEALS, INCLUDING BUT NOT LIMITED TO CHAIRS, FILE CABINETS, OLD PRINTERS, ETC., WHICH ARE NO LONGER IN USE, AND DECLARING AN EMERGENCY.** It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 143-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**RESOLUTION NO. 144-2020**

**RESOLUTION NO. 144-2020. PRESENTED BY: MRS. FREY. TITLE: COMMENDATION - BARBERTON CITY SCHOOLS. A RESOLUTION OF THE COUNCIL AND ADMINISTRATION OF THE CITY OF BARBERTON COMMENDING AND SHOWING APPRECIATION TO THE BARBERTON CITY SCHOOL DISTRICT INCLUDING THE BARBERTON BOARD OF EDUCATION, ADMINISTRATORS, FACULTY AND STUDENTS FOR WORKING THROUGH THE CHALLENGES ASSOCIATED WITH THE CURRENT COVID-19 PANDEMIC.** It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **RESOLUTION NO. 144-2020 BE ADOPTED.**

Mr. Heitic stated there are currently 4 active student cases, 3 active staff cases, 7 resolved student cases and 3 resolved staff cases. He said this has to be the lowest numbers of any district in the state and is quite remarkable given what numbers they see posted daily by the state health department. He said he can't congratulate the school district enough for the job they are doing. Mayor Judge stated he does not know if there is a perfect plan out there but when this all started, they were constantly on conference calls and trying to figure it out. He said every employee in the school system, from the entry level job all the way to the administration, including the students have done a tremendous job to keep themselves safe, the students safe and families safe. He said when you see in other districts there are lawsuits and they are flipflopping – they are not sure what they are going to do. He said our school system has done a tremendous job to keep everyone safe and keep our students learning. He said he does not know if there is a perfect plan but they have done a pretty amazing job and his hats goes off to them. He said he is very proud of the school system and everyone that is associated with them. Mrs. Coburn stated the absenteeism is next to nothing with the way they have it set up now. She said the kids that are home are reporting in like they should and they do not have a problem this year. She stated they have made fantastic accommodations for the children and they have really worked it out. Mr. Greer stated he has two children in the public-school system, one in middle school and one in elementary school and they are both remote. He said he would like to thank the remote teachers and he could not be happier with the communication between the teachers and the parents. He stated he listens to the teachers throughout the day try to corral the kids if they see them veering off and the technology the Barberton City Schools implemented where they can see what the kids are doing on the screen as well as through the webcam has been pretty awesome to see. Mrs. Angeloff stated her daughter is an 8<sup>th</sup> grade teacher in the Barberton system and it is keeping the morale up of the students along with the teachers and the school has done a fantastic job. She said the students have to stay in one classroom where the teachers move around. She stated hats off to the administration and the teachers that work very hard to make the children understand what we are going through and it is remarkable that the morale is so good in the schools. Mr. Heitic stated “Go Magics!” All Members voted “yea.” Motion carried.

#### **ORDINANCE NO. 145-2020**

**ORDINANCE NO. 145-2020. PRESENTED BY: MRS. FREY. TITLE: ENTER INTO CONTRACT - MEDICAL MUTUAL. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ONE-YEAR CONTRACT WITH MEDICAL MUTUAL OF OHIO (MMO), THROUGH A PARTNERSHIP WITH SUMMIT COUNTY HEALTH CONNECTION, FOR EMPLOYEE BENEFITS WHICH INCLUDE MEDICAL, PRESCRIPTION, DENTAL AND VISION COVERAGE BEGINNING JANUARY 1, 2021 THROUGH DECEMBER 31, 2021.** It was moved by Mrs. Frey, seconded by Mrs. Debevec, 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. Frey, seconded by Mrs. Debevec, that **ORDINANCE NO. 145-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

*The clerk stated earlier this evening the Rules Committee Invoked Council Rule 702 to Suspend Council Rules 302-10 Day Rule, 304-Not on the Agenda and 401-Not Called for at the Committee of the Whole Meeting to add the following:*

**RESOLUTION NO. 146-2020**

**RESOLUTION NO. 146-2020. PRESENTED BY: MR. GRIFFIN. TITLE: EXTEND HOUSE BILL 197. A RESOLUTION TO URGE GOVERNOR DEWINE AND THE OHIO LEGISLATURE TO EXTEND THE DEADLINE FOR OPERATING PUBLIC MEETINGS ELECTRONICALLY, AND DECLARING AN EMERGENCY.** It was moved by Mr. Griffin, seconded by Mr. Heitic, 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. Griffin, seconded by Mr. Heitic, that **RESOLUTION NO. 146-2020 BE ADOPTED.** All Members voted “yea.” Motion carried.

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

None.

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

None.

**APPOINTMENTS**

None.

**MISCELLANEOUS AND UNFINISHED BUSINESS**

It was moved by Mr. Griffin, seconded by Mr. Heitic to approve the change to the Rules Governing the Council of the City of Barberton to Section 3 – Request for Legislation and Appointments – adding Rule 305 - Appointments to Boards and Commissions. Mrs. Debevec thanked Mr. Heitic for following through with this change. All Members voted “yea.” Motion carried.

**Liquor License**

New – D5  
Wasabi Express LLC  
DBA Wasabi Express  
240 5<sup>th</sup> Street SE

The clerk stated a copy of this was given to Mr. Griffin, Chief Morber and Mrs. Daugherty and she did not receive any objections.

Mr. Heitic stated he met with the Mayor that morning and being a manager of a business that is in the cross hairs of possible closures and going through it for months on end earlier in the year, they had a nice discussion of what kind of resources workers and citizens of Barberton might be able to take advantage of, how certain funds might be able to be moved and how non-profits might be able to help. He said this is the time when there is no extra money if people get thrown on employment. He said the Feds have been gridlocked and the Governor does not speak much on what he is going to do. He said he encourages anyone on council if they have any ideas to contact the administration.

Mr. Griffin stated on Thursday, February 11<sup>th</sup> the Lake Anna YMCA will be having a virtual reverse raffle. He said this organization is hurting just like everyone else and he has tickets if you would like to purchase them. He said they will also have baskets to raffle or you can make a donation.

President Megyes asked everyone to enter the Active Adult Center through the door facing Hopocan Avenue starting the following Monday.

President Megyes stated the previous Saturday was the 11<sup>th</sup> Annual Leaf Raking Day. He said they were able to do 18 yards (record breaking) with a handful of kids. He said these kids are very respectful and is a reflection on the City and Coach Gotto.

### **COMMUNICATION FROM THE MAYOR**

Mayor Judge gave an update of the current COVID-19 cases for the State of Ohio and stressed how we all need to follow the mandates.

Mayor Judge also addressed council on how the City of Barberton handled the wind storm over the past weekend.

Mayor Judge thanked council for the passage of Ordinances 134-2020 and 135-2020 which is working alongside FEMA for Arthur Avenue and 15<sup>th</sup> Street. He said the city has made so much positive and proactive movements going forward with the stormwater projects.

Mayor Judge stated they are continuing with their business retention and expansions meetings as well as working with site selectors, developers and financiers on possible future developments and projects in the city which obviously is job growth.

Mayor Judge said he will be putting an informational power point presentation together for council next week which will include alternatives to generating revenue since the property tax levy failed. He said it will review the fee schedule and impact the community in a very positive way. He said they have listened to the public, listened to city council and they have conducted research and this will all come together with a presentation. He stressed how they have listened to everyone.

Mayor Judge thanked Councilwoman Frey for reaching out to Summit County Health Department. He said they did send a packet. Mrs. Frey stated they are also going to send a report via email, which is what they have agreed upon.

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

Adjourned: 7:12 P.M.

---

Craig Megyes  
President of Council

---

Renee Fox  
Clerk of Council