

Council met in **REGULAR SESSION** on Monday, February 8, 2021 at 7:29 P.M. in the Council Chambers with President Megyes presiding. The Pledge of Allegiance to the Flag was recited and Mr. Greer gave the Invocation.

It was moved by Mrs. Debevec, seconded by Mr. Heitic, to approve the Minutes of the Regular Legislative Session held on Monday, January 25, 2021, as presented. No remarks made. All Members voted “yea.” Motion carried.

The Clerk called the roll: Members present: Mrs. Angeloff, Mrs. Colburn, Mrs. Frey, Mrs. Debevec, Mr. Heitic, Mr. Griffin, Mr. Jaber, Mr. Greer.

It was moved by Mrs. Frey, seconded by Mrs. Debevec to approve the Finance Report for the month of January, 2021, as presented. All Members voted “yea.” Motion carried.

PETITIONS AND CLAIMS

There were 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 thru email.

CITIZENS ADDRESSING COUNCIL

There were 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

ORDINANCE NO. 06-2021 / Presented by Carol Frey

TITLE: AUTHORIZE PAYMENT SUMMIT COUNTY

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO SUMMIT COUNTY IN THE AMOUNT OF \$64,000, FOR THE 2021 RADIO ACCESS FEES WHICH ENABLES ALL CITY RADIOS TO BE ON THE COUNTY WIDE RADIO SYSTEM, 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. 06-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 07-2021 / Presented by Mrs. Angeloff

**TITLE: AMENDING BARBERTON CODIFIED ORDINANCES
CHAPTER 1478 – RENTAL PROPERTY REGISTRATION PROGRAM**

**AN ORDINANCE AMENDING SECTION 1478.08 “REGISTRATION
REQUIRED” (ORDINANCE NO. 148-2020) 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. Remarks: Mr. Heitic stated that this suspension is warranted to give the extra week for mail delivery. This is a step to bring the rental program up to speed so that the City can proceed. All Members voted “yea.” Motion carried. It was moved by Mrs. Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 07-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

ORDINANCE NO. 08-2021 / Presented by Mrs. Debevec

**TITLE: DISPOSAL OF VEHICLES
POLICE DEPARTMENT**

**AN ORDINANCE AUTHORIZING THE POLICE CHIEF TO SCRAP/SALVAGE
TWENTY-NINE (29) VEHICLES DEEMED TO BE NO LONGER NEEDED FOR ANY
MUNICIPAL PURPOSE AND UNFIT AND UNSAFE FOR DISPOSAL IN ANY OTHER
MANNER, 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. Roll called, Council members Mrs. Angeloff, Mrs. Colburn, Mrs. Frey, Mrs. Debevec, Mr. Heitic, Mr. Griffin, Mr. Greer voting Yea, Mr. Jaber voting No, Motion carried. It was moved by Mrs. Debevec, seconded by Mr. Greer, that **ORDINANCE NO. 08-2021 BE ADOPTED.** Remarks: Mr. Jaber stated he will be voting NO requesting that the City look into holding an auction, on-line auction or selling to Pull-A-Part as he feels that the revenue will be higher for the city. Mr. Jaber stated that he will research and talk to Officer Simpson and the Safety Director. Roll called, Council members Mrs. Angeloff, Mrs. Colburn, Mrs. Frey, Mrs. Debevec, Mr. Heitic, Mr. Griffin, Mr. Greer voting Yea, Mr. Jaber voting No, Motion carried. Motion carried.

**RESOLUTION NO. 09-2021
SPONSORED BY: THOMAS HEITIC**

TITLE: COMMENDATION – LISA McLEAN

A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO LISA McLEAN FOR HER YEARS OF DEDICATED SERVICE AS THE CITY OF BARBERTON’S DIRECTOR OF PARKS AND RECREATION.

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. All Members voted “yea.” Motion carried. It was moved by Mr. Heitic, seconded by Mr. Jaber, that **RESOLUTION NO. 09-2021 BE ADOPTED.** Remarks: Mr. Heitic wanted to thank the Mayor for putting this resolution together. Mrs. McLean has been top notch and her accomplishments and contributions to the City are many. Mr. Greer stated that Mrs. McLean’s interactions with the employees and volunteers for the festivals sets a prime example for the community as to how we can work together to accomplish great things. She will be greatly missed. Mrs. Angeloff stated that she has known Mrs. McLean for 30 years and worked with her for 25 years. She was the go-to person for the festivals. She knew everyone and their families by name and many sought her out when they came to town. Mrs. Angeloff stated she appreciated how the Mayor listed that Mrs. McLean knew how to stretch a dollar, had a great rapport with all the festival participants. She will be greatly missed by all. Mr. Heitic further added that although Mrs. McLean never sought out recognition, this is finally giving her the recognition she deserves. President Megyes stated that Mrs. McLean truly was a treasure to the Parks Department and to the City of Barberton and she will be truly missed by all. All Members voted “yea.” Motion carried.

ORDINANCE NO. 10-2021 / Presented by Mrs. Frey

**TITLE: AUTHORIZE PAYMENT
PORTS PETROLEUM**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AN INVOICE TO PORTS PETROLEUM IN THE AMOUNT OF \$9,610.31 FOR GASOLINE AND DIESEL FUEL, 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. 10-2021 BE ADOPTED.** All Members voted “yea.” Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

There are none

THIRD READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 01-2021 / Presented by Mrs. Angeloff

TITLE: ZONING MAP AMENDMENT AUSTIN DRIVE

AN ORDINANCE AUTHORIZING THE REZONING OF PARCEL 01.13686, A 4.04-ACRE PARCEL ON AUSTIN DRIVE, FROM C3, COMMUNITY CENTER COMMERCIAL TO RA-16, SINGLE FAMILY ATTACHED.

It was moved by Angeloff, seconded by Mrs. Coburn, that **ORDINANCE NO. 01-2021 BE ADOPTED.** Remarks: Mrs. Debevec stated she will be voting NO as a direct result of the stub roads. As Council, this is our only chance to assure the wishes of the residents are followed. We have never approved stub roads for new construction in the last 20 years and she is unsure of why we are doing it now. Mrs. Frey remarked that she will be voting YES. She states that she is happy that there are firms, business, and contractors still interested in new ventures in our community. She stated that she has observed by reading papers that many older communities are starting to put in housing developments such as this. Since this is still in the planning stages, any concerns of the citizens can still be addressed and if they feel strongly enough, they can come to the Zoning and Development meetings and have their voices heard. Mrs. Frey states that she has confidence in Mr. Hunt that he will assure that all regulations will be followed. Mr. Heitic states that the more he has looked at this ordinance and crunched the numbers, the more he remembered how the former Planning Director Joe Stephan held true to “The harmony of the neighborhood”. The only logical entrance will be off of Austin Drive. The owners of the offices behind Giant Eagle could build a wall denying any access to the land. As previously stated, the owners of the land could build businesses such as a Burger King, a sports bar or an all-night diner. As much as he hates to lose commercial land, he feels that changing this to residential more fits the harmony of the neighborhood and for that reason he will be voting YES. Mayor Judge stated that he appreciates everyone’s view points during the readings of this legislation. The property in question is being considered for new town homes and although we might not think that this is the best option for this land as it is commercial now, it has never been developed and has been for sale for over a decade. When the land went to sale via auction there were many participants but only one bidder. The current owner has a good track record for developing residential housing. If this was developed for commercial use, the same concerns would be made such as lights, traffic flow, storm water, parking and with commercial business, hours of operation, noise, litter, deliveries, etc. Although developing as residential may not provide income tax for the city, new residents will provide a flow of money into the town as they will be purchasing goods, patronizing local businesses and attending city events which is a major positive for the community. The land has been for sale and sitting vacant for many decades and has never been developed. This is not the best in terms of tax revenue for the city, but the new

money flowing into the community can be counted seven to nine times. He appreciates everyone's viewpoints. Mr. Jaber wanted to agree with the Mayor's point of view that this will be great for the City. This land has been vacant for 10 or 11 years that he knows of and that it will bring more customers for local businesses in the area and that we should be doing more of this to build the City back up. He wanted to thank Mr. Trever Hunt and the Planning Department for all the work they have put into this. Mrs. Angeloff stated that she talked to some of the residents that live on Austin Drive and others that live in Austin Estates and that they had no concerns with it and that the land had been vacant for too long. Mrs. Angeloff states that she believes this to be a positive for the City. We will have 30 plus new town houses coming in and that the age demographic of the prospective residents will be 28-40 years of age, they will be purchasing, not renting these townhouses. We can show other communities that are also building townhouses that we can do that too and bring people, young families into the City. This is a very positive thing for the City. There being no further remarks, the roll-on adoption was called, Council members Mrs. Angeloff, Mrs. Colburn, Mrs. Frey, Mr. Jaber, Mr. Heitic, Mr. Griffin, Mr. Greer voted Yea. Mrs. Debevec voting No. Motion carried.

APPOINTMENTS

There are none

MISCELLANEOUS AND UNFINISHED BUSINESS

Mrs. Debevec received a message in the chat and called on Chief Pursley to give an update on the house fire on 16th Street NW that occurred this day in the city. The Chief stated that he reached out to the Public Information Officer. There were 6 people displaced and the Red Cross has been called in to assist the residents. Two firefighters sustained minor injuries from a fall at the scene. Mr. Tracy stated that as a result of the fire about 20 houses on 16th Street NW and 17th Street NW were not able to be serviced for their trash pickup and that Kimble will be coming Tuesday morning to pick up those missed. President Megyes stated he is unable to view all participants in this meeting on his screen and to please speak up to be heard.

COMMUNICATION FROM THE MAYOR

Mayor Judge stated that he will be working with President Megyes, Councilperson Frey and Council Clerk Ries-Price on budget hearings in the near future. If there are any questions, email them to the Mayor and he provide Council with all of the questions and responses. The warming center will be at the Active Adult Center during normal business hours. If other accommodations need to be made, we will work with citizens and other agencies throughout the county as agencies in Barberton are not set up for overnight accommodations. Putting COVID-19 restrictions in place while setting up warming and cooling centers is challenging. We will monitor the weather and make changes as needed. The Mayor stated he appreciates the passing of Ordinance 07-2021 as this will help enable landlords in paying their registration fees. Statements will be going out this week.

Regarding COVID-19 – Councilman Heitic had asked if there is an issue with the vaccine compounds and opioid treatments. The Health Department says most likely No will keep monitoring. Reports came out today that CVS and Walgreens software glitch was not allowing Ohioans 65 years of age and older to make appointments for obtaining the vaccine. It is unclear as to if the situation has been resolved however Summa Barberton and Giant Eagle have no such issues and are taking appointments. President Biden is meeting with Congressional Representatives as to the stimulus package. Although it seems positive, the talks are on-going and it will take time. This is the 4th week in a row with less than 50,000 cases in a week and there has been a decrease in deaths, less than 500 for the week due to COVID-19 which is a great sign. No county in the State is at the highest, purple level, 84 counties including Summit County are at Level 3, red, and 4 are at Level 2, orange, and no county at the lowest level. This is the same as last week. In Summit County the average of new cases has gone up slightly to 212.6 over the last 7 days from 168 from last week. Still at issue is the availability of testing, lab capacity to run the tests, the number of test kits and availability of vaccines nationwide. It was brought up that Johnson & Johnson vaccine and several others are trying to fast track things through the FDA and once those get approved there will be more vaccines available to the community. There are 31 vaccine locations throughout Summit County. There are no restrictions as to going out of the county to obtain a vaccine. These numbers and restrictions change daily, sometimes hourly and we will monitor and keep the community updated.

CLOSING REMARKS

Mr. Heitic stated that for those citizens trying to schedule their vaccine through the Summit County Health Department he wanted to remind people who are getting lost, that he’s not sure what Google uses to prioritize counties but to be sure to use “Summit County OHIO” because without the state designation, Google is sending people to Summit County UTAH.

A motion was made by Mrs. Debevec and seconded by Mr. Heitic that the meeting adjourn. All in favor signified by saying “Aye”. None Opposed.

Adjourned: 8:09 P.M.

Craig Megyes
President of Council

Laura J. Ries-Price
Clerk of Council