

Council met in REGULAR SESSION on Monday, February 28, 2022 at 6:47 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was recited and Mrs. Angeloff gave the Invocation.

The Clerk called the roll: Members present: President Greer, Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mr. Jaber, Mrs. Coburn, Mrs. Frey.

A Resolution of Council to honor Mr. Larry “Charlie” Ries was read and presented.

President Greer stated that a request has been received by Mayor Judge for an Executive Session to discuss a Certain Personnel Matters and he would entertain a motion for same.

A motion was made by Mr. Heitic and seconded by Mrs. Thompson to enter into Executive Session for the discussion of a Certain Personnel Matters.

The Clerk called the roll: Members present: President Greer, Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mr. Jaber, Mrs. Coburn, Mrs. Frey. All persons not directly involved with this discussion were asked to leave Council Chambers. All recordings were stopped and cameras turned off.

Council entered into Executive Session at 6:57 pm.

Mayor Judge, Mr. Flaker and Mrs. Icedan, Mrs. Miller present.

Council returned to the Regular Legislative Session at 7:09 pm.

It was moved by Mr. Heitic, seconded by Mrs. Thompson, to approve the Minutes of the Regular Legislative Meeting held on Monday, February 14, 2022, as presented. No remarks made. All Members voted “Aye.” Motion carried.

PETITIONS AND CLAIMS

There were none.

MATTERS REFERRED

Each Council Member, the Mayor and 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.

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. 21-2022

PRESENTED BY MRS. COBURN TITLE: ENTER INTO CONTRACT – CT CONSULTANTS NO FEASIBLE ALTERNATIVES STUDY AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH CT CONSULTANTS TO PREPARE A NO FEASIBLE ALTERNATIVES (NFA) STUDY OF SECONDARY TREATMENT BYPASSES AT THE WASTE WATER TREATMENT PLANT, 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 “Aye.” Motion carried. It was moved by Mrs. Coburn, seconded by Mrs. Frey, that **ORDINANCE NO. 21-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

RESOLUTION NO. 22-2022

PRESENTED BY MR. JABER TITLE: COMMENDATION – DOROTHY SOMERVILLE A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON TO HONOR AND GIVE PUBLIC RECOGNITION TO DOROTHY SOMERVILLE FOR HER CONTINUOUS DEDICATION TO THE CITY OF BARBERTON.

It was moved by Mr. Jaber, seconded by Mr. Heitic, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mr. Jaber, seconded by Mr. Heitic, that **RESOLUTION NO. 22-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 23-2022

PRESENTED BY MR. HEITIC & MRS. COBURN TITLE: APPROPRIATION WATER FUND AN ORDINANCE APPROPRIATING \$35,000 FROM THE UNAPPROPRIATED ITEM OF THE WATER FUND TO THE CAPITAL BUDGET OF THE WATER FUND FOR THE PURCHASE OF A FORD TRUCK FOR USE IN THE DAILY OPERATIONS AT THE WATER TREATMENT PLANT, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 23-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 24-2022

PRESENTED BY MR. HEITIC & MRS. COBURN TITLE: APPROPRIATION
BRENTWOOD PACKAGE PLANT ELIMINATION PROJECT AN ORDINANCE
APPROPRIATING \$50,000 FROM THE UNAPPROPRIATED ITEM OF THE NORTON
SANITARY SEWER CONSTRUCTION FUND TO THE CAPITAL BUDGET OF THE
NORTON SANITARY SEWER CONSTRUCTION FUND, AND DECLARING AN
EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 24-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 25-2022

PRESENTED BY MR. HEITIC & MRS. FREY TITLE: APPROPRIATION FIRE
DEPARTMENT AN ORDINANCE APPROPRIATING \$61,100 FROM THE
UNAPPROPRIATED FUND OF THE GENERAL FUND TO THE FIRE CAPITAL BUDGET
OF THE GENERAL FUND TO PAY AN INVOICE FROM BRYX, INC. FOR THE FIRE
STATION ALERTING SYSTEMS, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Frey, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Frey, that **ORDINANCE NO. 25-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 15-2022

PRESENTED BY MRS. FREY TITLE: PROSECUTORIAL CONTRACT CITY OF
GREEN AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
THREE-YEAR CONTRACT WITH THE CITY OF GREEN WHEREBY THE LAW
DEPARTMENT WILL PROVIDE PROSECUTORIAL SERVICES TO THE CITY OF
GREEN, COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2024, AND
DECLARING AN EMERGENCY.

It was moved by Mrs. Frey, seconded by Mr. Griffin, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted "Aye." Motion carried. It was

moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 15-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 16-2022

PRESENTED BY MRS. FREY TITLE: PROSECUTORIAL AGREEMENT CITY OF NEW FRANKLIN AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A THREE-YEAR AGREEMENT WITH THE CITY OF NEW FRANKLIN, WHEREBY THE LAW DEPARTMENT WILL PROVIDE PROSECUTORIAL SERVICES TO THE CITY OF NEW FRANKLIN COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Frey, seconded by Mr. Griffin, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 16-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 17-2022

PRESENTED BY MRS. FREY TITLE: PROSECUTORIAL ADMINISTRATIVE AGREEMENT CITY OF NORTON AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A THREE-YEAR AGREEMENT WITH THE CITY OF NORTON, WHEREBY THE LAW DEPARTMENT WILL PROVIDE PROSECUTORIAL ADMINISTRATIVE SERVICES TO THE CITY OF NORTON COMMENCING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Frey, seconded by Mr. Griffin, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was moved by Mrs. Frey, seconded by Mr. Griffin, that **ORDINANCE NO. 17-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

ORDINANCE NO. 20-2022

PRESENTED BY MR. HEITIC TITLE: 2022 OPERATING AND CAPITAL BUDGET AN ORDINANCE ADOPTING A BUDGET FOR VARIOUS FUNDS OF THE CITY OF BARBERTON FOR THE PERIOD BEGINNING JANUARY 1, 2022, AND PROVIDING FOR THE ADMINISTRATION THEREOF, AND DECLARING IT AN EMERGENCY.

It was moved by Mr. Heitic, seconded by Mrs. Coburn, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. All Members voted “Aye.” Motion carried. It was

moved by Mr. Heitic, seconded by Mrs. Coburn, that **ORDINANCE NO. 20-2022 BE ADOPTED.** All Members voted “Aye.” Motion carried.

THIRD READING OF ORDINANCES AND RESOLUTIONS

There were none

APPOINTMENTS:

City of Barberton’s Design Review Board

Mr. Michael Howell To begin immediately to fill a current vacancy on the board for a term ending 12-31-2024.

A motion was made by Mrs. Thompson and seconded by Mrs. Angeloff to appoint Mr. Michael Howell to the City of Barberton’s Design Review Board. All members voting “aye”. Motion carried.

City Engineer

To be Announced To hire as soon as possible/ New, Full Time
Pay Grade 8 / Step 8

A motion was made by Mr. Heitic and seconded by Mrs. Thompson to hire this new, full-time employee for the position of Chief Building Officer at Pay Grade 8 Step 8. It was stated that as per Ordinance #137-2017, Non-Bargaining Pay Plan Procedure, C Hiring 1. ...If the appointing Authority chooses to hire an employee in Pay Grades 7, 8, or 9, at a step higher than Step 6 this requires City Council Approval with 7 Affirmative Votes. The Clerk called the Roll. All members present and voting “Yes”. Motion Carried.

On 2-14-2022 Council Approved by unanimous vote a pay grade for a new full-time position of Chief Building Officer. The actual job title is *Building Commissioner*. In order to make this correction Council voted again but with the correct job title of *Building Commissioner*.

Building Commissioner, City of Barberton

To be Announced To hire as soon as possible/ New, Full Time
Pay Grade 7 / Step 9

A motion was made by Mr. Heitic and seconded by Mrs. Thompson to hire this new, full-time employee for the position of Chief Building Officer at Pay Grade 7 Step 9. It was stated that as per Ordinance #137-2017, Non-Bargaining Pay Plan Procedure, C Hiring 1. ...If the appointing Authority chooses to hire an employee in Pay Grades 7, 8, or 9, at a step higher than Step 6 this requires City Council Approval with 7 Affirmative Votes. The Clerk called the Roll. All members present and voting “Yes”. Motion Carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

None.

COMMUNICATION FROM THE MAYOR

The Mayor thanked Council for passing the Capital Budget Legislation this evening. As per Mr. Heitic's remarks from the Finance Committee meeting, prices are indeed rising and it could be possible that future legislation for increased spending is possible.

ARPA funds are moving forward and Council will be kept up-to-date with information. In regards to Magic Mart, City officials are continuing to meet with the developer, we do not have a Development Agreement as yet but it is in the process and Council will be kept informed.

In regards to the pot holes, this is not a problem only to Barberton. With the changing weather, the freezing and thaw really adds to the increased number of pot holes. It also hampers the City's ability to go out and fix them quickly. The trucks are set up with a blade and salt spreader need to be modified and prepared to be used for patching. It takes time. The Mayor wanted to thank Mrs. Frey for her research and getting information on a different material to use as a patch. The Mayor requested that Council members please keep putting in the e-tickets in regards to road maintenance. Council will be provided with a report on the e-tickets and the progress in completing them.

The Change for a Change event held on February 25th generated over \$550.00 for the Magical Theatre group. The March Change for a Change will be held at the VFW. Between the Change for a Change and jeans day, the City generated over \$20,000.00 for the Esther Ryan Shoe Fund and BACM over the last few years. We've done some other fund raisers over the last few years such as flag football, basketball games but we're all getting a little older so we might not be doing sporting events in the future.

In follow-up to Mr. Heitic's remarks regarding social media, negative comments by Council members, or any city employees do not help anyone. It promotes negativity and perpetuates stereotypes. The Mayor has heard from retirees, volunteers to the boards and current employees that these types of comments hurt them and they are taken as insults. If employees do not feel that they are being supported by other employees or Council, if residents do not feel that the city is supporting itself, what kind of picture is being painted? When we reach out to developers from other communities, Cleveland, Cincinnati or Columbus, they look up and check on things like social media. Why would they want to do business in a community that is perpetuating negativity? This is not singularly to City Council; we have employees who put things out there but we are a team and we are in this together and we are all working very very hard to move the community forward.

CLOSING REMARKS

President Greer wanted to thank the Mayor for looking into the e-ticket situation and providing the summary.

Mr. Griffin wanted to ask the Mayor or Mr. Hunt about the status of the property at 74 Robinson. What kind of business is it going to be as there have been workers observed renovating the building? Mr. Hunt responded that the city noticed some work being done at the property and David Sykes stopped over to check on the work being done. No permits have been pulled in regards to any work for this address. Mr. Sykes had a talk with the contractor for that property and is working to clear this issue. The building has been whitewashed and some demo has been done but no substantial renovation has begun. There has been no end user listed and the building is still owned by IRT who purchased the entire B&W campus.

Mr. Jaber asked if there were any updates on the housing going in off of Rt. 619. The Mayor responded that there have been no updates and that there are weekly update calls being made. Mr. Jaber also asked Mr. Todd Shreve if there were any updates from ODOT regarding the sign on Rt 224 in regards to Barber Road Closures. Mr. Shreve stated that he is completing a research ticket to submit our question to them and they will respond as to how they can help us.

Meeting Adjourned 7:40 P.M.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council