

Council met in REGULAR SESSION on Monday, March 28, 2022 at 6:29 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was recited and Mrs. Coburn gave the Invocation.

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

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

It was moved by Mrs. Thompson, seconded by Mrs. Frey, to approve the Minutes of the Public Meeting held on Monday, March 21, 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 34-2022

PRESENTED BY MR. HEITIC TITLE: OPERATION AND MAINTENANCE BUDGET REDUCTION AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO REDUCE THE OPERATION AND MAINTENANCE BUDGET OF THE AMERICAN RESCUE PLAN GRANT FUND BY \$411,200.00, AND DECLARING AN EMERGENCY.

It was moved by Mrs. Coburn, seconded by Mrs. Thompson, 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. Thompson, that **ORDINANCE NO. 34-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

RESOLUTION 35-2022

PRESENTED BY MRS. THOMPSON TITLE: TAX INCENTIVE REVIEW COUNCIL BWXT NUCLEAR OPERATIONS GROUP, INC. A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL REGARDING THE ENTERPRISE ZONE AGREEMENT WITHIN THE CITY OF BARBERTON FOR BWXT NUCLEAR OPERATIONS GROUP, INC., AND DECLARING AN EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, 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. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION NO. 35-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

RESOLUTION 36-2022

PRESENTED BY MRS. THOMPSON TITLE: TAX INCENTIVE REVIEW COUNCIL
B&C CASTINGS, INC. (HOWMET AEROSPACE) A RESOLUTION
ACCEPTING THE RECOMMENDATION OF THE TAX INCENTIVE REVIEW COUNCIL
REGARDING THE ENTERPRISE ZONE AGREEMENT WITHIN THE CITY OF
BARBERTON FOR B&C CASTINGS, INC. (HOWMET AEROSPACE), AND DECLARING
AN EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, 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. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION NO. 36-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

RESOLUTION 37-2022

PRESENTED BY MRS. THOMPSON TITLE: TAX INCENTIVE REVIEW COUNCIL
OUI INC. A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE
TAX INCENTIVE REVIEW COUNCIL REGARDING THE ENTERPRISE ZONE
AGREEMENT WITHIN THE CITY OF BARBERTON FOR OUI INC., AND DECLARING
AN EMERGENCY.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, 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. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION NO. 37 -2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE 38-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION BUILDING
MAINTENANCE FUND AN ORDINANCE APPROPRIATING \$65,000 FROM
THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE BUILDING
MAINTENANCE FUND TO ADDRESS THE LEAK IN THE ROOF ABOVE COUNCIL
CHAMBERS AND THE PLANNING DEPARTMENT, AND DECLARING AN
EMERGENCY.

This will go for three (3) readings or until all estimates are obtained.

RESOLUTION 39-2022

PRESENTED BY MRS. FREY TITLE: COMMENDATION – CHIEF ROB PURSLEY
A RESOLUTION BY THE COUNCIL OF THE CITY OF BARBERTON COMMENDING
CHIEF ROB PURSLEY FOR HIS 34 YEARS OF LEADERSHIP AND SERVICE TO THE
CITY OF BARBERTON AND THE BARBERTON FIRE DEPARTMENT.

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 **RESOLUTION NO. 39-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE 40-2022

PRESENTED BY MRS. COBURN TITLE: ENTER INTO CONTRACT TIM LALLY
CHEVROLET, INC. AN ORDINANCE AUTHORIZING THE CITY OF
BARBERTON TO ENTER INTO CONTRACT WITH TIM LALLY CHEVROLET, INC. IN
THE AMOUNT OF \$66,709 FOR THE PURCHASE OF A NEW 2021 CHEVY SILVERADO
5500 DUMP TRUCK, 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. 40-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

SECOND READING OF ORDINANCES AND RESOLUTIONS

There were none

THIRD READING OF ORDINANCES AND RESOLUTIONS

There were none

MISCELLANEOUS AND UNFINISHED BUSINESS

APPOINTMENTS:

Designation of the Council Clerk as the Public Records Training designee for City Council.

It was moved by Mrs. Thompson and seconded by Mrs. Frey to approve the designation of Council Clerk Laurie Ries-Price as the Public Records Training designee for the Barberton City Council. No remarks made. All Members voted "Aye." Motion carried.

LIQUOR LICENSE:

NEW To: MARC GLASSMAN INC
C1 C2 DBA MARCS BARBERTON
 241 WOOSTER ROAD N STE B
 BARBERTON, OHIO 44203

No Objections received / License approved

COMMUNICATION FROM THE MAYOR

The mayor stated he hoped that everyone had a chance to get to the high school for the fine arts festival. This is another great showing of the school's programs and the creativity and talents of the kids going to our schools.

As to the update for the Cox-Powel building. We continue to meet with the developer and work through the many steps in the process.

In terms of the American Rescue Plan, the city has received applications from a few outside agencies and internally we have received applications from Fire, Police, Mayor's office, Parks, Utilities, Facilities and Stormwater Departments. We are still going through those steps as well. The Mayor stated he also has meetings coming up dealing with fiber optics and the internet concerning connectivity for the City of Barberton. This is a project which he has pushed for for several years. There were meetings with Fairlawn and other cities occurred regarding this before the pandemic.

There was an article in the Beacon Journal last week concerning the City of Akron using speed tables to control speed. Barberton looked at this many years ago under Councilman Terry Avant. Mr. Avant researched tables, speed bumps, signage, etc. One of the main issues at that time is still true today, to have enough staff to install the tables, maintain them, removed them seasonally, educating the public, placing and removing signage. It is very expensive and time consuming. We have looked at this method in the past when the City of Dublin began using the tables. There might be a time in the future when the City of Barberton will consider using them but for now, we will be continuing with current methods.

In terms of Covid, the newest variant, the BA.2 omicron subvariant has been found in the United States and here in Summit County. There is no separate testing for each type of variant. No stats are kept on each type of variant. It has not been found in large quantities here in Summit County. Further information is coming however it accounts for 23.1% of all national testing. With the improved weather people are out and about socializing and in the parks. We need to keep it in the front of our minds and continue with all of the protocols regarding sanitizing and social distancing. We are not out of the woods as yet.

Regarding the vote in committee regarding fireworks, there have been many laws changing lately affecting communities directly. Some have passed and some are in discussion. Through the Mayors Association, we work mostly with some lobbyists in DC and Columbus. There is a lot of information flowing out of these two areas. The mayor stated he wants to give council the most accurate information on that. If any of Council has any questions on this please let him know as he knows they have been busy on the redistricting map which is on its 4th revision right now. The mayor has spoken with our State Representative and State Senator who both sit on that committee as well as others. There is a deadline this week. Currently candidates do not know the districts and voters do not know who to vote for and who will possibly be representing us. There are a lot of programs and money at the state and federal level and you need to know who to contact.

CLOSING REMARKS

Mrs. Frey stated that she would like to say something positive after each council meeting as apposed to all the negativity that's out there so she wants to say something positive that is going on in our city, our wards, wherever. The first thing is something that benefits the whole city. Mrs. Frey stated she was reading an article recently about the City of Akron's upcoming resurfacing project. They are planning to do 60 miles of road paving because they hadn't paved any streets since 2019. The reason she mentions this is that the City of Akron, assesses the property owner for every city service that is provided. Snow plowing, leaf pickup, and paving of streets etc. are all charged per linear footage of street frontage and the charge is placed on the property tax. The homeowner has up to 5 years to pay for the paving charges. Mrs. Frey explained how the frontage was determined and stated that Akron assesses \$6.65 per linear foot for residential frontage and \$8.40 per linear foot for industrial and commercial frontage in regards to paving. Mrs. Frey stated she checked with Mr. Shreve today in regards to what a Barberton resident with an average frontage of 40 linear feet for city services such as street paving. At this point Mr. Shreve stated that he took picked a couple of the roads that were paved last year as exampled and calculated the following: Jefferson Avenue was paved last year and the City's costs were \$22.80 per linear foot of frontage for every property on that street. If one was to do a full assessment this would be the cost. Mr. Shreve stated that he believes Akron charges a percentage to the resident as some of the funds were from AMATS and other Federal funds. If we were to look at 7th Street which was one of our more expensive roads, this calculated to \$34.59 per linear foot. If the resident was assessed 50% of that it would be \$17.00 per linear foot which would still be a substantial cost. City of Barberton residents are not assessed these charges. Mrs. Frey thanked Mr. Shreve for his time in getting this information as we hear so many complaints about how our taxes are structured. Mrs. Frey also wanted to state she had some good news in her ward. There is a couple that lives in Mrs. Frey's Ward who are originally from West Virginia but moved to Barberton when they were 18 years old. They still live in Barberton, in the 6th Ward and have been married for 70 years. The husband was a barber who owned barbershops in the area. His name is Roger Stahl.

The Mayor wanted to add that in terms of the Akron Streets, yes, they do assess and have for some time but a few years ago they went to the voters and increased the income tax for streets as well. Basically, if you live in Akron or work in Akron, you are getting assessed as well. Barberton had looked at that in 2013 when we asked the voters for an income tax increase because Barberton did at one time do assessments because there has to be "up front" money and we didn't have that and we didn't think that was fair so we rescinded the assessment. President Greer clarified that it was square footage not linear footage. Mrs. Frey confirmed it was linear footage. The Mayor stated he was not sure if it went to the center of the street or how it was calculated but that also if you live on a corner there is a separate calculation for that as well.

Mr. Jaber asked for updates on the old Key Bank Building. Mr. Hunt stated that there is a Conditional Use Permit that was scheduled to come before the Planning Commission on March 16th and will be going on April 20th. Mr. Jaber also asked if there were any updates on the non-commercial city lots. Mr. Hunt stated that he had sent an email to Mr. Heitic because he had made the initial correspondence on it. Mr. Jaber asked that he be copied on all emails regarding City properties as it is now his committee. Mr. Hunt agreed. Mr. Jaber asked if there was a list of lots that are up for sale. Mr. Hunt stated that is what we are trying to determine. Mr. Jaber asked if we are going to sell them or are we going to go the way Akron did. Mr. Hunt stated he gave a disposition strategy to Council about a year ago. After that Mr. Heitic was working on some guidance that he wanted to provide. Then we hit the election cycle in November and everything was stalled. Mr. Hunt stated he had been back and forth with Mr. Heitic on this and then Planning lost an employee so it has not been completed. Mr. Jaber asked again to be copied on all emails regarding this matter. Mr. Hunt agreed.

Mrs. Thompson asked Mr. Hunt if there will be groceries in the new Marcs that is going in. Mr. Hunt stated he believed they will according to their signage but he does not know the full extent of their groceries. Mrs. Thompson stated she was asked specifically if they will have meat. Mr. Hunt stated they have meat on their sign so he is assuming that they will have meat. Mayor Judge stated that it is his understanding that they will not have a pharmacy at this location.

Mr. Griffin stated he was invited to the River of Life Ministries and was given a tour of the facilities. Their director will be coming to Council to speak. Mr. Griffin said they are comparable to BACM in that they are an outreach ministry that supplies meals and food, lunches for kids. They want to get involved with the city and see what we need and get involved with Barberton Cleanup Day and things like that. There are a lot of people in need so there is always room for more people to help. Most of the people in need are working people. The working poor who just don't have enough to get by.

President Greer wanted to note that Barberton Cleanup Day is April 23.

Mrs. Thompson that Wednesday's Child is collecting clothing and is working on a project now collecting prom dresses and suits to give to anyone who needs them. There is an event coming up Tuesday, April 5 where any student can make an appointment or come in to pick out clothing for prom or graduation. Mrs. Thompson wanted to say that Barberton High School students have been amazing with the donations of their dresses, accessories, and suits, helping to put up posters and spreading the word about the event.

With nothing further, it was moved by Mrs. Thompson and seconded by Mrs. Frey to adjourn. All voting "Aye" and none opposed.

Meeting Adjourned 7:06 pm.

Justin Greer
President of Council

Laura J. Ries-Price
Clerk of Council