

Council met in REGULAR SESSION on Monday, July 25, 2022 at 6:34 P.M. in the Council Chambers with President Greer presiding. The Pledge of Allegiance to the Flag was given followed by the Invocation by Mrs. Frey.

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

It was moved by Mr. Heitic, seconded by Mrs. Thompson to approve the Minutes of the Regular Legislative Meeting held on Monday, July 11, 2022, as presented. No remarks made. All Members voted "Aye." Motion carried.

It was moved by Mrs. Thompson, seconded by Mr. Heitic to approve the Minutes of the Public Hearing held on Monday, July 11, 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**

Chris Davis of 3750 Random Drive Akron, Ohio 44319 spoke for Coventry Local Schools as the Board President regarding the Trucen Farm Legislation.

George Fisk, Superintendent of the Coventry Local Schools spoke regarding Trucen Farm Legislation.

*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. 102-2022**

PRESENTED BY MR. JABER & MR. HEITIC TITLE: APPROPRIATION PARKS DEPARTMENT AN ORDINANCE APPROPRIATING \$20,000 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE CAPITAL BUDGET OF PARKS ADMINISTRATION OF THE GENERAL FUND, AND DECLARING AN EMERGENCY.

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 **ORDINANCE NO. 102-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 103-2022

PRESENTED BY MR. JABER & MR. HEITIC TITLE: APPROPRIATION PARKS DEPARTMENT AN ORDINANCE APPROPRIATING \$5,000 FROM THE UNAPPROPRIATED ITEM OF THE BEAUTIFICATION FUND TO THE PARKS DEPARTMENT OPERATION AND MAINTENANCE BUDGET OF THE BEAUTIFICATION FUND, AS A RESULT OF INCREASED PRICES, AND DECLARING AN EMERGENCY.

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 **ORDINANCE NO. 103-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 104-2022

PRESENTED BY MRS. COBURN TITLE: PURCHASE OF PROPERTY 131 14<sup>TH</sup> STREET NW AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT TO PURCHASE THE PROPERTY AT 131 14<sup>TH</sup> STREET NW, UNDER THE HAZARD MITIGATION GRANT PROGRAM IN THE AMOUNT OF \$67,500.00, AND DECLARING AN EMERGENCY.

In Mrs. Coburn's absence, it was moved by Mrs. Frey, seconded by Mrs. Bailey, 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 Mrs. Bailey, that **ORDINANCE NO. 104-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 105-2022

PRESENTED BY MRS. COBURN & MRS. ANGELOFF TITLE: ENTER INTO CONTRACT BURGESS & NIPLE AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH BURGESS & NIPLE, THE LOWEST AND/OR BEST BIDDER, FOR ENGINEERING, DESIGN AND BIDDING SERVICES FOR THE REPLACEMENT OF A 6" WATER MAIN WITH AN 8" WATER MAIN ON WISTERIA DRIVE FROM AZALEA BOULEVARD TO AZALEA BOULEVARD AND A SMALL PORTION OF COLUMBINE DRIVE, AND TO ALSO INCLUDE COMPLETE RESURFACING OF THE ROAD, AND DECLARING AN EMERGENCY.

In Mrs. Coburn's absence, it was moved by Mrs. Frey, 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. Frey, seconded by Mrs. Angeloff, that **ORDINANCE NO. 105-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 106-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION MAINTENANCE BUDGET AN ORDINANCE APPROPRIATING ~~\$1,020,000.00~~ \$900,000.00 FROM THE COMMITTED FUNDS OF THE UNAPPROPRIATED ITEM OF THE GENERAL FUND TO THE MISCELLANEOUS GENERAL FUND OPERATION AND MAINTENANCE BUDGET, AND DECLARING AN EMERGENCY. AS AMENDED DURING THE FINANCE COMMITTEE MEETING JULY 25, 2022.

It was moved by Mr. Heitic, 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 Mr. Heitic, seconded by Mrs. Thompson, that **ORDINANCE NO. 106-2022 BE ADOPTED AS AMENDED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 107-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION GENERAL FUND  
CAPITAL BUDGET AN ORDINANCE APPROPRIATING \$5,769,820.00 FROM  
THE COMMITTED FUNDS OF THE UNAPPROPRIATED ITEM OF THE GENERAL FUND  
TO THE MISCELLANEOUS GENERAL FUND CAPITAL BUDGET, AND DECLARING  
AN EMERGENCY. AS AMENDED DURING THE FINANCE COMMITTEE MEETING  
JULY 25, 2022.

It was moved by Mr. Heitic, seconded by Mrs. Thompson, that the rule as required by Section 5.10 of the Barberton City Charter be suspended. Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mrs. Frey voted "Aye." Mr. Jaber voted "No" Mrs. Coburn is absent. Motion carried. It was moved by Mr. Heitic, seconded by Mrs. Thompson, that **ORDINANCE NO. 107-2022 BE ADOPTED AS AMENDED.** Mr. Jaber stated he is voting "No" this evening as it is his belief that the Pickleball Courts and the Lake Anna Upgrade Studies, which could be performed by our own Inspectors or City Administration, are not needed. As to the Roof Repairs Mr. Jaber stated that he thinks that we could better invest the money and purchase the First Merit building and move there. Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mrs. Frey voted "Aye." Mr. Jaber voted "No" Mrs. Coburn is absent. Motion carried.

ORDINANCE NO. 108-2022

PRESENTED BY MR. HEITIC TITLE: APPROPRIATION GENERAL FUND  
OPERATIONS AND MAINTENANCE BUDGET AN ORDINANCE  
APPROPRIATING \$33,565.00 FROM THE UNAPPROPRIATED ITEM OF THE GENERAL  
FUND TO THE MISCELLANEOUS GENERAL FUND OPERATIONS AND  
MAINTENANCE BUDGET, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, 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 Mr. Heitic, seconded by Mrs. Thompson, that **ORDINANCE NO. 108-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 109-2022

PRESENTED BY MRS. FREY TITLE: CAMPING ON PUBLIC PROPERTY  
AN ORDINANCE TO ENACT SECTION 642.37 OF THE CODIFIED ORDINANCES OF  
THE CITY OF BARBERTON TO PROHIBIT CAMPING UPON PUBLIC PROPERTY  
WITHIN THE CITY OF BARBERTON, 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. 109-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 110-2022

PRESENTED BY MR. HEITIC TITLE: ENTER INTO LEASE AGREEMENT  
MERITECH AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS  
DESIGNEE, TO ENTER INTO A 63-MONTH LEASE WITH MERITECH (C.C.T.  
FINANCIAL) FOR TWO NEW COPY MACHINES, AND DECLARING AN EMERGENCY.

It was moved by Mr. Heitic, 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 Mr. Heitic, seconded by Mrs. Thompson, that **ORDINANCE NO. 110-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 111-2022

PRESENTED BY MRS. COBURN TITLE: CHANGE ORDER NORTH BAY CONSTRUCTION, INC. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$1,114,856 WITH NORTH BAY CONSTRUCTION, INC., FROM \$5,608,908 TO \$6,723,764, TO REHABILITATE 4 SLUDGE TANKS THAT HAVE FAILING WALLS AND LIDS, AND DECLARING AN EMERGENCY.

In Mrs. Coburn's absence, it was moved by Mrs. Frey, seconded by Mrs. Bailey, 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 Mrs. Bailey, that **ORDINANCE NO. 111-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

ORDINANCE NO. 112-2022

PRESENTED BY MR. GRIFFIN TITLE: FY 2022 CDBG ANNUAL ACTION PLAN AN ORDINANCE APPROVING THE FY 2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN BUDGET AND DECLARING AN EMERGENCY.

It was moved by Mr. Griffin, 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 Mr. Griffin, seconded by Mrs. Thompson, that **ORDINANCE NO. 112-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

RESOLUTION NO. 113-2022

PRESENTED BY MR. GRIFFIN TITLE: GRANT SUPPORT HUNGRY FOR HISTORY MARKER GRANT PROGRAM A RESOLUTION OF SUPPORT IN APPLYING FOR GRANT FUNDING THROUGH THE WILLIAM G. POMEROY FOUNDATION, HUNGRY FOR HISTORY MARKER GRANT PROGRAM, AND DECLARING AN EMERGENCY.

It was moved by Mr. Griffin, 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 Mr. Griffin, seconded by Mrs. Thompson, that **RESOLUTION NO. 113-2022 BE ADOPTED.** All Members voted "Aye." Motion carried.

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 98-2022

PRESENTED BY MRS. THOMPSON TITLE: DESIGNATED OUTDOOR REFRESHMENT AREA AN ORDINANCE ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) PER ORC 4301.82, AND DECLARING AN EMERGENCY.

This will go for three (3) Readings. The first reading was July 11, 2022. The third will be on August 1, 2022.

RESOLUTION NO. 100-2022

PRESENTED BY MR. HEITIC TITLE: TAX LEVY POLICE A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, OR MAINTENANCE OF BUILDINGS, EQUIPMENT, AND SUPPLIES FOR POLICE PURSUANT TO SECTION 5705.19(ZZ) OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

This will go for three (3) Readings. The first reading was July 11, 2022. The third will be on August 1, 2022.

### **THIRD READING OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE NO. 85-2022**

PRESENTED BY MR. HEITIC TITLE: AMENDING ORDINANCE NO. 47-2021  
COMPENSATION FOR ELECTED OFFICIALS AN ORDINANCE AMENDING  
ORDINANCE NO. 47-2021 TO ESTABLISH THE COMPENSATION FOR CERTAIN  
ELECTED OFFICIALS AND COMPENSATION PROCEDURES FOR THE NEXT FOUR  
YEARS.

THIS IS THE THIRD READING. THE FIRST READING WAS JUNE 27, 2022. THE  
SECOND READING WAS JULY 11, 2022.

It was moved by Mr. Heitic, seconded by Mrs. Thompson that **ORDINANCE NO. 85-2022 BE ADOPTED.** Mr. Heitic remarked that he had the Clerk distribute charts clarifying the pay grades as was passed in 2017. Mr. Heitic also wanted to remind Council that they approved the hiring of a Chief Building Officer and a City Engineer at higher pay grades so that the City could hire people with the experience and knowledge and that this has been very beneficial for the City. We need to keep that up with all positions to benefit the City. Mr. Angeloff stated that she agrees with Mr. Heitic 100% and will be voting “Yes” for this. She stated that she believes that there should have been more conversation on this topic and that she believes that other people have opinions but did not express them. Mrs. Angeloff also stated that other cities are so far ahead of our City in the pay scale process that we are having difficulty hiring qualified persons for the positions that are open. Therefore, she will be voting “Yes” however in the future she believes that more open and honest discussions are needed. Mr. Jaber stated that he will be voting “No” on this. Mr. Jaber stated that during the committee discussion on this piece of legislation he requested that the different positions be separated into individual pieces of legislation and that idea was declined. Mr. Jaber gave an example of a business plan regarding the CEO of a company. Mr. Jaber stated that if the position of Law Director was a separate piece of legislation he would vote “Yes” on that but since it is all joined, he will be voting “No.” The Roll was called, Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mrs. Frey voted “Aye.” Mr. Jaber voted “No” Mrs. Coburn is absent. Motion carried.

#### **ORDINANCE NO. 86-2022**

PRESENTED BY MRS. THOMPSON TITLE: COMMUNITY REINVESTMENT AREA  
(CRA) TRUCEN FARM AN ORDINANCE IMPLEMENTING SECTIONS 3735.65  
THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING  
THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF  
BARBERTON, OHIO, AND DESIGNATING A HOUSING OFFICER TO ADMINISTER  
THE PROGRAM, AND DECLARING AN EMERGENCY.

THIS IS THE THIRD READING. THE FIRST READING WAS JUNE 27, 2022. THE  
SECOND READING WAS JULY 11, 2022.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **ORDINANCE NO. 86-2022 BE ADOPTED.** Mr. Heitic stated he cannot support the Ordinances regarding Trucen Farm as he feels this is not a good deal for Barberton. He also stated that he believes it is not fair to other builders or developers. Mrs. Thompson stated that she agrees with Mr. Heitic that this is a very difficult decision to make regarding all the Trucen Farm Legislation and she does hear the concerns from Coventry School District and that it is not our purpose to destroy the Coventry Schools. However, for them to say that the decision is on us is not fair. The land is in the City of Barberton however, Coventry School systems does have the ability to sign that portion of their School District over to the Barberton School District if it becomes too much for Coventry. Mrs. Thompson believes that looking at the big picture and into the future with regards to city services, rental registration income, income tax etc. this is beneficial for the City of Barberton and she will be supporting these pieces of legislation. Mr. Jaber stated he agrees with Mrs. Thompson and will be voting “Yes” on these pieces of legislation because it is for the “44203” and at the end of the day it is just business. Even though we are a City we need money to

survive and again, it is just business. The City of Barberton needs this. Mr. Jaber also apologized to the Coventry School representatives stating that there is nothing in black and white to verify that it would indeed cause their school system financial harm. Mrs. Angeloff stated that she will be voting "Yes" on all the pieces of Trucen Farm Legislation. Mrs. Angeloff feels that it is beneficial for that area of Barberton as it is an indigent area this will raise that area up. Also, that this land has been sitting empty for many many years and along with the Van Buren project happening it is a "Plus Plus" deal for Barberton. None of this would be happening without Mr. Weintraub's financial input into that area and it is very beneficial for the entire town. The Roll was called, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Jaber, Mr. Griffin, Mrs. Frey voted "Aye." Mr. Heitic, voted "No" Mrs. Coburn is absent. Motion carried.

#### RESOLUTION NO. 87-2022

PRESENTED BY MRS. THOMPSON TITLE: PLANNED UNIT DEVELOPMENT  
2070 W. TURKEYFOOT LAKE ROAD A RESOLUTION BY THE COUNCIL OF  
THE CITY OF BARBERTON APPROVING A PLANNED UNIT DEVELOPMENT (PUD)  
FOR 2070 W. TURKEYFOOT LAKE ROAD (PARCELS 74.00278 AND 74.00217).

THIS IS THE THIRD READING. THE FIRST READING WAS JUNE 27, 2022. THE SECOND READING WAS JULY 11, 2022.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION 87-2022 BE ADOPTED.** Mr. Heitic stated that he has sat on Council and even before that there were discussions that Barberton did not need any more rental units. The whole development encompassing 150 rentals, is in direct apposition to what Council has stated in the past. Mr. Heitic further stated that he will be voting "No" and if anything comes up in the future regarding rentals, he doesn't want to hear anyone complain that there are too many rentals in this city because we have told other people "No." Mrs. Angeloff stated she brought an article from the Akron Beacon Journal stating that "Built to rent housing is taking off in the city..." She also stated that she has talked to other contractors and currently this is the trend. It is her belief that this is what the people want. Contractors state that they cannot build them fast enough. Young professionals are no longer staying at their positions for 30-40 years. They are working at positions 5-10 years and then moving up or they leave for a better position. These people want something nice but they do not want to buy, they want something short term so that they can leave fast and move on. Mrs. Frey stated that she agrees regarding the rentals and that she is the one that probably complains the most. However, these are not the type of rentals that are complained about. These are not shacks in the older sections of town where the owners do nothing in regards to upkeep or property maintenance. These rentals come with a maintenance fee to assure that the grounds and units will be maintained. They are being marketed to higher end renters. Also, Mr. Weintraub and his developers are investing in excess of \$40 million dollars. Mrs. Frey states that she does not believe that they would make that high of an investment if they did not expect a return. Mrs. Bailey wanted to add on to what Mrs. Angeloff stated that with regards to the businesses here such as Summa, there are residents that go through the hospital rotation every 4-5 years and then move on. There are even opportunities to have discussions with the local hospitals to present these rental units to their residents and young professionals as a housing source. It is easy for a young single professional to pick up and move and especially with the hospitals in our area this is a great opportunity for growth. Mrs. Thompson stated that she also wanted to agree with Mrs. Angeloff, Mrs. Frey and Mrs. Bailey's remarks and add that she does have some concerns with the Single-Family Homes but that the developer has been working closely with the Planning and Building Departments in regards to building a quality product. Mr. Griffin stated that in regards to the comments regarding the individual who came in wanting to build rental housing and was turned down, this man was building "Affordable Housing." He was taking an existing structure and rehabbing it. We have a ton of them. The development in discussion this evening is high end homes and rentals which will be maintained. Also, with the Van Buren Project it will be beneficial and a godsend for this area of Barberton and he will be voting "Yes" on all this legislation. Mr. Jaber stated that in regards to Mr. Heitic's comments, he was not a part of the "We" that he discussed. He voted "No" on several pieces of rental legislation. However, as previously stated, this is just business. We are here to make money and this is just good business. We are way behind other cities and we need to make money. Mrs. Frey asked to speak and stated that if it was her that said "We are not here to make money" she wanted to clarify in that what was stated is that we are not here to

make a profit. We are here to fill our coffers to provide services to our citizens. That is what government does. You do not profit; you do things to create funds to provide city services for the citizens. Mr. Jaber stated “We are here to make money – to profit. It’s about money, it’s a song that everyone knows. We are here to make a profit.” The Roll was called, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Jaber, Mr. Griffin, Mrs. Frey voted “Aye.” Mr. Heitic, voted “No” Mrs. Coburn is absent. Motion carried.

ORDINANCE NO. 88-2022

PRESENTED BY MRS. THOMPSON TITLE: ZONING MAP AMENDMENT  
2070 W. TURKEYFOOT LAKE ROAD AN ORDINANCE AUTHORIZING THE  
REZONING OF 2070 W. TURKEYFOOT LAKE ROAD (PARCELS 74.00278 AND  
74.00217), FROM I1, LIGHT INDUSTRY TO RM18, RESIDENTIAL MULTI-FAMILY.

THIS IS THE THIRD READING. THE FIRST READING WAS JUNE 27, 2022. THE SECOND READING WAS JULY 11, 2022.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **ORDINANCE NO. 88-2022 BE ADOPTED.** Mr. Heitic stated this is the big one with the rezoning. The EDA supplied us with a \$1 million dollar grant recognizing that we need jobs in Barberton. We have housing, we need jobs. When the EDA recognized we need jobs 10 years ago when we still had B&W and we returned the money we still need jobs. Mr. Heitic read a quote from a public hearing 18 years ago when this land was zoned I1 from Mayor Judge when he was a councilperson saying that he did not want issues to come up 5-10 years from that time as one can not see into the future but to make sure we are as prepared as we can be. Mr. Heitic stated that he believed we are not with this as once it is a housing development then there are no jobs there. Mr. Jaber gave his opinion using an analogy involving a free large pizza. Mrs. Angeloff stated that when this was rezoned into I1, the date given by Mr. Heitic of the Public Hearing February 22, 2011. Mrs. Angeloff stated that was 11 years ago and asked what is on that land now? Mrs. Angeloff stated that she believed several people or companies had probably looked at the property but in its current state it was not feasible for development for a business and that in the past 11 years nothing has been done and it has sat empty for 11 years. The Roll was called, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Jaber, Mr. Griffin, Mrs. Frey voted “Aye.” Mr. Heitic, voted “No” Mrs. Coburn is absent. Motion carried.

ORDINANCE NO. 89-2022

PRESENTED BY MRS. THOMPSON TITLE: IMPLEMENTING TAX INCREMENT  
FINANCING TRUCEN FARM AN ORDINANCE DECLARING  
IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE CITY OF  
BARBERTON, OHIO TO BE A PUBLIC PURPOSE; EXEMPTING SUCH IMPROVEMENTS  
FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THE PROPERTY  
TO MAKE SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES;  
ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT  
EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, MAKING  
RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS  
5709.40, 5709.42, 5709.43 AND 5709.83; AND DECLARING AN EMERGENCY.

THIS IS THE THIRD READING. THE FIRST READING WAS JUNE 27, 2022. THE SECOND READING WAS JULY 11, 2022.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **ORDINANCE NO. 89-2022 BE ADOPTED.** Mr. Heitic continued is comments regarding the EDA that if any developers wanted to put anything on that land, he asked if any developer ever come to Council with any type of deal to open something there to put jobs in the city. Mr. Heitic further stated that with the rents being changed and the prices for houses, how much revenue will truly come into the city with these types of deals? People that can afford to live there will be working in other cities. Mr. Heitic states that he believes that this whole development will be freeloading off of the City for 15 years if this package passes. Mrs. Angeloff states that yes, ground has been broken on Austin Drive and on Eastern Road to finish what has been started with other developments. Mrs.

Thompson stated that she believes that currently the City receives about \$886 dollars yearly in property taxes as it stands. With the rental fees the City will receive potentially \$15, 000 not to mention sewer/water fees and potential income taxes. It is difficult to say and truly impossible to look into the future but she believes that down the line this is what is best for everyone. Mr. Griffin stated that something that no one else is mentioning is that there are currently people in his ward that attend Coventry Schools. And that there are families on other streets that are in Coventry and attend Barberton Schools or don't have children at all and they still pay taxes to Coventry Schools. The money follows the kids. It will not be a loss/loss for Coventry. Mrs. Thompson also wanted to state that schools receive money from the state for each child. At this point a representative from Coventry Schools spoke out of order in regards to their financial situation. President Greer Stated that this was out of order. President Greer then requested the Clerk to please call the roll at this time. The Roll was called, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Jaber, Mr. Griffin, Mrs. Frey voted "Aye." Mr. Heitic, voted "No" Mrs. Coburn is absent. Motion carried.

#### RESOLUTION NO. 95- 2022

PRESENTED BY MR. HEITIC      TITLE: TAX LEVY POLICE

A RESOLUTION DECLARING IT NECESSARY TO SUBMIT THE QUESTION OF AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, OR MAINTENANCE OF BUILDINGS, EQUIPMENT, AND SUPPLIES FOR POLICE PURSUANT TO SECTION 5705.19(ZZ) OF THE REVISED CODE, AND DECLARING AN EMERGENCY. AS AMENDED JULY 5, 2022

THIS IS THE THIRD READING. THE FIRST READING WAS JUNE 27, 2022. THE SECOND READING WAS JULY 11, 2022.

It was moved by Mrs. Thompson, seconded by Mrs. Angeloff, that **RESOLUTION NO. 95-2022 BE ADOPTED.** Mr. Heitic wanted to explain why this is one of two pieces and why they can not be passed on the same day. Mr. Heitic also wanted to say that our Police Officers deserve this and that it can not be used for wages. Mr. Jaber stated he will be voting "No" on this as he is not anti-police but that he requested numbers from 2019, 2020 & 2021 and the numbers are down. He also doesn't believe that the equipment is needed at this point and that the administration is slacking and that they need to find better ways to find money for that. He would vote "yes" if it was to hire new officers but this is for equipment. Mrs. Frey wanted to say that there is a fire levy that we have had for years and that is why the Fire Department has no problems getting the equipment and vehicles that they need. Also, if the discussion is bringing revenue into the city, other than EMS runs, that is the only revenue the Fire Department brings in. Lastly, if the belief is that the equipment is not needed, Councilperson Jaber should go look at the cars and talk with the officers. The cars are constantly on the road 24-7 some do not have working air conditioning. And as far as figures, Covid paid a factor in those calculations as well. Mr. Jaber stated that even during Covid, people were driving around and getting OVI citations a. Mrs. Thompson wanted to state that she absolutely will be supporting this legislation. That she has personally viewed the state of the cruisers. Also, this piece of legislation is just to place the Levy on the ballot and let the voters decide. Mrs. Thompson believes that everyone has the right to decide if they support this or not. The Roll was called, Mr. Heitic, Mrs. Thompson, Mrs. Bailey, Mrs. Angeloff, Mr. Griffin, Mrs. Frey voted "Aye." Mr. Jaber, voted "No" Mrs. Coburn is absent. Motion carried.

#### MISCELLANEOUS AND UNFINISHED BUSINESS / CLOSING REMARKS

President Greer requested a motion to excuse Councilwoman Coburn from this Regular Legislative Meeting. Mr. Heitic made the motion which was seconded by Mrs. Thompson. All members voted "Aye." Motion carried.



## COMMUNICATION FROM THE BODY

Mr. Heitic stated that with the passage of the 4 Trucen Farm ordinances he wanted to say that he doesn't believe this to be a win for the City. He believes it will be a "Stick" to the other citizens of the City and to the Coventry School District. That there is way too much that goes into this and that 20 years from now he fears what might happen. Mr. Heitic stated that he is disappointed that this went through but that he respects the Councilpersons that voted for it.

President Greer reminded Council of the Special Legislative Meeting to be held on August 1, 2022 at 6pm in Council Chambers.

## COMMUNICATION FROM THE MAYOR

The Mayor stated that there were quite a few pieces of legislation that passed this evening with many varied opinions and that he appreciates every opinion given both tonight and over the last few weeks. As a point of clarification, the Trucen Farm Land was originally owned by BCDC who originally applied for the grant from EDA for the city. They found out that the amount of earth moving required to make that parcel buildable was too much for development so they gave the grant monies back. Since then, one other company was serious about developing the land but never turned in plans. Then there were grand plans regarding a substation and putting greenhouses on it and this didn't come to fruition as well. Then Covid hit and we never heard from them again. From a revenue perspective we would prefer to have high paying jobs on all pieces of property. The State legislature is looking at the way income tax may or may not be calculated in the future. We are looking at how many kids may or may not be in this development. If there are kids, what school system will or will not choose to go to. There are a lot of variables that may or may not happen but the Mayor stated he appreciates all the discussion.

Last week the city met with persons looking to open a business in the City. The Mayor felt that they were very excited about what Barberton had to offer.

Change for Change last week supported the Esther Ryan Shoe Fund raised over \$400.00.

Christmas in July supporting the Salvation Army and BACM is wrapping up but there is still time to donate either at the Lake Anna YMCA or in the Mayor's office.

The update on the Cox Powell building was given. The developers applied for and received a grant to assist with the asbestos abatement of the building and that will be starting here in the next few weeks.

Barberton was selected as one of the top 10 All American City for 2022. We are in good company along with Los Angeles and San Antonio Tx. This is a HUGE honor for the city. Each year a different criterion is used and this year our collaboration with The Akron Metropolitan Housing Authority (AMHA) and Barberton City Schools created this honor. We should all be very proud about this honor.

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

Meeting Adjourned 7:59 P.M.

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Justin Greer  
President of Council

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Laura J. Ries-Price  
Clerk of Council