



The mission of the Barberton City School District is meeting each child where they are at and growing them year to year until they are on one of three pathways - Enrolled, Enlisted, Employed.

BARBERTON CITY SCHOOL DISTRICT

633 Brady Ave
Barberton OH 44203

Special Meeting

October 11, 2023

Barberton Intermediate School
292 E. Robinson Ave.
5:30 p.m.

I. CALL TO ORDER - Mr. Thomas Harnden, President

- ☐ Roll Call
 - ☐ Pat Boyle
 - ☐ Megann Eberhart
 - ☐ Thomas Harnden
 - ☐ Tina Ludwig
 - ☐ Dave Polacek

II. PLEDGE OF ALLEGIANCE

III. INFORMATIONAL

DATES TO REMEMBER:

- Oct 11 BHS Girls Soccer vs Cuyahoga Falls HS
- Oct 12 BHS Volleyball vs Cuyahoga Falls HS
- Oct 13 NEOEA Day - No School
- BHS Football vs Aurora HS
- Oct 20 BHS Boys Golf vs St Vincent-St Mary HS
- Oct 24 BPS Parent/Teacher Conferences

IV. PRESENTATIONS

- A. Building Update - Barberton Intermediate School -Matt Saunders, BIS Principal
- B. Mary Elizabeth Norman-Art Club
- Jessica Krege-Crochet Club
- Brittany Marshall-Girls on the Run
- Jon Hance-Leather Club
- Andrew George-Intramurals
- Melanie Vinay-Kindness Club

V. AGENDA – Mr. Thomas Harnden, President

To approve the Agenda of the October 11, 2023 Special Meeting.

MOTION:

SECOND:

Comments or Questions:

Boyle A/N Eberhart A/N Harnden A/N Ludwig A/N Polacek A/N
Approved _____ Not Approved _____ Other Action _____

VI. BOARD BUSINESS – Mr. Thomas Harnden, President

- A. To approve the following **RESOLUTION EXPRESSING AN INTENT TO AWARD A CONSTRUCTION CONTRACT AND AUTHORIZING THE PRESIDENT AND THE TREASURER TO ENTER INTO SAID CONTRACT UPON COMPLIANCE WITH ALL CONDITIONS PRECEDENT RELATED TO THE SECURE VESTIBULE PROJECT**

WHEREAS, the Board of Education of the Barberton City School District (the "Board of Education"), determined the need to construct a secure vestibule at the High School (the "Project"); and

WHEREAS, the Board of Education engaged the services of an architect, FMD Architects (the "Architect") for cost estimating and other professional design services related to the Project; and

WHEREAS the Architect developed a cost estimate of \$47,250 for the necessary work; and

WHEREAS, said estimate is below the competitive bidding threshold of \$50,000 as set forth in RC 3313.46 and the formal procurement threshold set forth in 2 CFR 200.320; and

WHEREAS, the Architect, on behalf of the Board solicited quotes from an adequate number of qualified sources; and

WHEREAS, the Architect has advised the Board of Education on the acceptance or rejection of any or all quotes received.

NOW, THEREFORE BE IT RESOLVED, by the Board of Education, that after careful consideration and evaluation of the information before it:

Section 1. The Board of Education hereby accepts the recommendation of the Architect to award the contract to the contractor set forth below:

Bid Package

Lowest Responsible Bidder

HS Secure Vestibule

Walters Building Company, LLC

Base Bid \$ 49,953.00

Total \$ 49,953.00

Section 2. Subject to the approval of the Board of Education construction counsel, and upon compliance with all conditions precedent to Contract execution, the Board of Education hereby authorizes the President and Treasurer to sign said Contract.

Section 3. The Board of Education hereby authorizes the Treasurer to sign the Certificate of Funds, upon execution of said Contract, and attach to said Contract a copy of the Certificate of Funds. The Treasurer is also authorized to execute a notice of commencement to have on file in accordance with RC 1311.252.

Section 4. The Board of Education hereby authorizes the Treasurer (at a time determined appropriate by Treasurer), after the Treasurer's receipt of said Contract signed by the Contractor to forward a Notice to Proceed for said Contract.

Section 5. The Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education, and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

Section 6. This Resolution shall be in full force and effect from and immediately after its adoption and shall supersede any prior resolution or act of this Board of Education that may be inconsistent or duplicative with the provisions of this Resolution.

MOTION:

SECOND:

Comments or Questions:

Eberhart A/N Harnden A/N Ludwig A/N Polacek A/N Boyle A/N
Approved _____ Not Approved _____ Other Action _____

B. To approve a **RESOLUTION AUTHORIZING A CONTRACT FOR CRITERIA ENGINEER SERVICES RELATED TO ITS HVAC PROJECT**

WHEREAS, the Board of Education of the Barberton City School District (the "Board of Education"), determined the need to replace certain components of the HVAC system at the High School (the "Project"); and

WHEREAS, the Board of Education desires to secure a contract with Gardiner through Equalis/CCOG cooperative purchasing; and

WHEREAS, the Board is a member of Equalis/CCOG and is therefore qualified to select its contracts in accordance with RC 167.081; and

WHEREAS, in accordance with RC 153.71 is permitted to enter into a contract with a professional design services firm, including a criteria engineer if the fee is less than \$25,000; and

WHEREAS, the Board of Education now desires to enter into said contract.

NOW, THEREFORE BE IT RESOLVED, by the Board of Education, that after careful consideration and evaluation of the information before it:

Section 1. The Board of Education hereby approves a contract with Viridi for criteria engineer services in the amount of \$_____.

Section 2. Subject to the approval of the Board of Education counsel, and upon compliance with all conditions precedent to Contract execution, the Board of Education hereby authorizes the President and Treasurer to sign said Contract.

Section 3. The Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education, and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

Section 4. This Resolution shall be in full force and effect from and immediately after its adoption and shall supersede any prior resolution or act of this Board of Education that may be inconsistent or duplicative with the provisions of this Resolution.

MOTION:

SECOND:

Comments or Questions:

Harnden A/N Ludwig A/N Polacek A/N Boyle A/N Eberhart A/N
Approved _____ Not Approved _____ Other Action _____

C. To approve a **RESOLUTION OF THE BOARD OF EDUCATION**
RE: PARTICIPATION IN OPIOID LITIGATION

WHEREAS this Board of Education is aware that since the 1990s the pharmaceutical industry has manufactured, distributed and marketed a variety of opioid pain medications for general use in the treatment of chronic pain conditions, resulting in such medication being the most widely distributed drugs in United States history; and

WHEREAS the manufacture, distribution and marketing of these opioid drugs has resulted in catastrophic, widespread consequences for the people of this nation, including addiction, overdoses, developmental disabilities in children, death, and major expenditures of money; and

WHEREAS the Board of Education believes that the school districts of this nation, including this school district, have suffered significant damages as a result of this national opioid epidemic, including expenditures of public funds to address the impact of this epidemic on students, teachers, other staff, and the taxpayers of this district: and

WHEREAS a number of other school districts have filed or will be filing legal claims as part of Multi-District Litigation for the purpose of pretrial proceedings, including potential settlement of claims, and are seeking to become class representatives in this litigation in an effort to be part of the proposed negotiations class seeking compensation for the impact of this epidemic on the named school districts.

NOW THEREFORE the Board of Education of Barberton City School District hereby authorizes the following:

1. That this Board of Education hereby elects to join the class action lawsuit settlement class in order to recoup damages inflicted by the opioid epidemic.
2. That this Board of Education appoints the following law firms to represent its interests in the lawsuit:
 - a. Peters, Kalail & Markakis Co., LPA (Cleveland, Ohio)
 - b. Baily Glasser LLP (Charleston West Virginia)
 - c. Gertz & Rosen (Cleveland, Ohio)
 - d. Mehri & Skalet (Washington, D.C.)
 - e. Henrichsen Law Group (Washington D.C.)
 - f. Terrell Hogan Yegelwel, P.A.
3. That this Board of Education directs the Superintendent of School and the Administrative staff to cooperate with the appointed attorneys to gather the necessary data and take other required actions necessary to assist the law firms in representing the

interests of this district.

4. That the District will expend no funds for its participation in this litigation, other than the personnel time necessary to gather data necessary to participate in the litigation.

MOTION:

SECOND:

Comments or Questions:

Ludwig A/N Polacek A/N Boyle A/N Eberhart A/N Harnden A/N
Approved _____ Not Approved _____ Other Action _____

VII. FINANCIAL BUSINESS - Mr. Craig McKendry, Treasurer

- A. The Treasurer recommends approving the certification of funds for the following purchase order(s):

PO #: 2401299
PO date: 10/01/2023
Vendor: CLEARVIEW TINTING
PO Amount: \$8,384.00
Invoice #: 59072
Invoice date: 7/19/2020
Invoice amount: \$8,384.00
Total: \$8,384.00

PO #: 2401301
PO date: 10/01/2023
Vendor: CLEARVIEW TINTING
PO Amount: \$9,282.00
Invoice #: 59071
Invoice date: 7/20/2023
Invoice amount \$9,282.00
Total: \$9,282.00

PO #: 2400695
PO date: 8/01/2023
Vendor: CDW GOVERNMENT
PO Amount: \$16,728.00
Invoice #: D12316231

Invoice date: 7/21/2023
Invoice amount: \$16,728.00
Total: \$16,728.00

MOTION:

SECOND:

Comments or Questions:

Polacek A/N Boyle A/N Eberhart A/N Harnden A/N Ludwig A/N
Approved _____ Not Approved _____ Other Action _____

VIII. ADJOURNMENT

MOTION:

SECOND:

Comments or Questions:

Boyle A/N Eberhart A/N Harnden A/N Ludwig A/N Polacek A/N
Approved _____ Not Approved _____ Other Action _____

Sincerely,
Jeffrey Ramnytz
Jeffrey Ramnytz
Superintendent