

Minutes of the Regular Meeting of Stow City Council held on Thursday, February 11, 2016, at 7:00 p.m.

Council Members Present: Rasor, Riehl, Adaska, Costello, D'Antonio, Lowdermilk & Pribonic

City Officials Present: Mayor Drew, Finance Director Baranek, Director of Budget & Management Earle, Law Director Zibritosky, Economic Development Coordinator Trenner, City Engineer McCleary, Police Chief Film, Lieutenant Snaveley & Clerk of Council Emahiser

Press Representatives: Stow Sentry

Call to Order

Mr. Rasor called the meeting to order and Mr. D'Antonio led the prayer and pledge of allegiance.

Approval of Minutes

MOTION:

Mr. Riehl moved and Mr. Pribonic seconded to approve the Minutes of the Regular Council Meetings of January 14, 2016 and January 28, 2016 as circulated.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
 Lowdermilk & Pribonic

No Votes: None. The motion carried.

Committee Reports

Mr. Riehl reported on the Finance Committee Meeting of February 11, 2016 as follows:

1. Had a presentation.
2. Four items would be introduced in legislative form.

Mr. Rasor reported on the Committee-of-the-Whole Meeting of February 11, 2016 as follows:

1. Recessed into Executive Session to discuss contract negotiations.

City Officials' Reports

Finance Director Baranek reported as follows:

1. Highlighted the following items from the Bill Listing:

Total - \$1,359,180.
Of that:
\$638,095 was for one payroll;
\$150,469 was for employee benefits
(medical charges); &
\$64,797 was for bulk purchases.

He had received a question from a Council Member about some expenditures in the capital improvements area.

They had three expenditures for soil testing for the new development off of S.R. 91. They were actually pass-thru expenses that would be paid for by the developer. They were for the road stabilization. It was a better way for them to control the job to make sure that all the improvements were being done properly.

They also had two items on there for hazard assessment and asbestos mediation for a house that was torn down on Darrow Road. Those were mandated when they did a demolition. That would actually be billed to the property owner. If the property owner didn't pay for it, it would revert to his property taxes.

Mr. Lowdermilk asked concerning the soil testing, if we had an agreement on the payment? Mr. Baranek stated he had talked to Mr. McCleary regarding that. It had been brought before Council last year and Council approved it verbally. It had to be done. It would be paid for by the developer once all the costs were in.

Mr. Lowdermilk asked if we had an agreement with the developer? Mr. McCleary stated it had already been paid by Pulte Homes. Mr. Lowdermilk stated so those amounts had already been paid. Mr. McCleary stated that was correct.

Law Director Zibritosky reported as follows:

1. She wanted to update City Council and the public at-large on some of the law department's statistics regarding their criminal case load. They were able to run numbers very specifically for 2014 and 2015 and more generally for some of the years prior. She thought there were some important trends that she would like to communicate to them and continue to do at least on an annual basis.

In 2013, they had about 1,229 cases per year. They went up almost another 120 in 2014 and another 160 in 2015 to bring it close to 1,500 cases in one year that their department dealt with. The majority of them were Stow related, but because they were in the Stow Municipal Court House since 2009, they also did township cases. They only got a very nominal fee for that. She thought it was probably \$200/month from the County per statute. So, that was something they had been absorbing for several years.

So, they were seeing a trend upward. As they break it down further from 2014 to 2015, they were seeing about a 40% increase in felonies from 2014 to 2015. She believed they had 118 in 2014 and now in 2015, by the close of the year, they had 165.

In other categories, they were up about 23% in misdemeanors generally. The townships were down 15%. The bulk of that increase she saw as being theft and drug related. As they had updated their efforts previously with organized retail crime, it wasn't surprising that those two things go together. They tend to feed off of one another and are now kind of organizing similarly. So, they were seeing a little bit of an increase in that.

On the plus side, they were seeing a decrease in domestic violence related cases as well as OVIs. She thought that was a very positive point.

Many of you may remember that they initiated the Direct Inditement Program, they were actually the first in the Stow Municipal Court to do so in 2013. What that did was speed up their felony bind-over process.

They used to have a preliminary hearing process, which required at least one or more officers to attend just for the potential of the preliminary hearing going forward. Most of the time it never did. There was really no real purpose to it. It also required them to bring in victims to testify. It was another additional proceeding that was tiresome and sometimes traumatizing for them for these felonies. Then, it also required transport costs and extra security because they had to bring the defendant there in person.

With the Direct Inditement Program, the case goes directly to an officer that reviews it and prepares it for the Grand Jury downtown. They do not have to have officers show up for overtime to testify. They do not have to transport. They don't have to worry about the security costs. There are bond arguments. They had that just on a video camera. There was no cost related to that.

When she calculated how much that had really saved them over the past couple of years since implementing the program, just in this year alone and in overtime alone, that was the hard cost that was probably the easiest to identify, they have saved in overtime about \$23,715. That was just in overtime.

That did not include the transport costs or those intangibles about better quality of justice for the victims or also the intangibles too of the officers who often work at night having to come in for two hours of their sleeping time and then have to go back and work too. That impacted them as well. That was an intangible that was not included.

She wanted to update Council on that. Their cost for the Direct Inditement Program was less than half of what they were saving just in overtime. She thought it was great. They really were seeing some great benefits to it.

Since 2013, Cuyahoga Falls and Tallmadge have joined. They were currently in talks with other communities to get the whole jurisdiction in Stow. She thought they had been a real leader in that and it has been a real good thing.

Mr. Lowdermilk asked if the thefts primarily were in the shopping centers?
Mrs. Zibritosky stated yes.

When she was breaking up the categories, those were the misdemeanors because those were the cases that they had the most involvement with. Once the felony goes downtown, it was different. They didn't keep the stats on the different types. However, she did know that they had had an increase in felony thefts as well. They had even had an aggravated burglary in Wal* Mart. That was a violent theft.

So, yes. They were seeing them. Wal*Mart was a huge target, almost every-day to be honest. A lot of the major retail shops on S.R. 59 also. They were all members and very interested in their organized Retail Crime Collaborative because they were able to share information. She thought that had been working out nicely in that way.

Mr. Lowdermilk asked for what seemed to be somewhat of a significant increase or a trend, what were we doing?

Mrs. Zibritosky stated she wanted to point out one extra thing too. On the felony side, that was raw data and it was one year to the next. However, on the misdemeanor side, those were the cases that came to their desks, which meant they weren't the people that didn't just plead at arraignment.

There may be an increase in the total amount of crime, but there may just be an increase in people with the uptick in the economy that were willing to hire attorneys to fight their cases. All of that costs money. When you tend to see an economy get better, you will see people invest more in fighting their tickets and

crimes. That's when it went to them. When they just plead at arraignment, they would never see it. So, she wasn't sure where that was.

That was a good question. However, she didn't want them to think that the data on the misdemeanor side at least necessarily indicated an increase in crime. On the felony side, at least from 2014 because those were just the raw cases that came thru there, from 2014 to 2015 there was an increase at that level.

Mr. Lowdermilk stated they were starting to see a trend in specific areas. They may have something that they were doing differently. However, it would be interesting to know if they were seeing that trend, what they were doing to lessen it down-the-road.

Mr. Pribonic asked on the flip side of that if Mrs. Zibritosky knew if that was mirroring other cities like us in the state? Mrs. Zibritosky didn't know on a grand scale. From her incidental knowledge of talking to other Law Directors, yes. She thought there was some increase in the area.

She knew Barberton was experiencing a similar increase. She knew the types of issues, being drugs and thefts, yes. That was pretty common to go up in those areas. She hadn't done a survey of everyone else. It was hard enough to get this data. However, she would not be surprised if it was similar in many areas.

Disposition of Ordinances & Resolutions

Mr. Riehl introduced Resolution No. 2016-20, entitled:

A RESOLUTION AUTHORIZING AND REQUESTING THE ADVANCEMENT OF LOCAL TAXES FROM THE SUMMIT COUNTY FISCAL OFFICER FOR THE TAX YEAR 2015 PAYABLE IN 2016 IN ACCORDANCE WITH O.R.C. SECTION 321.34, AND DECLARING AN EMERGENCY.

which was read by title by the Clerk for the first time.

Mr. Riehl moved and Mr. D'Antonio seconded for the suspension of rules.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2016-20.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Resolution No. 2016-20 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2016-21, entitled:

AN ORDINANCE ENACTED BY THE CITY OF STOW, SUMMIT COUNTY, OHIO, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, SUM-SR91-09.59, PID 102183, UNDER THE SUPERVISION OF THE DIRECTOR OF TRANSPORTATION AND DECLARING AN EMERGENCY.

which was read by title by the Clerk for the first time.

Mr. Riehl moved and Mr. D'Antonio seconded for the suspension of rules.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Ordinance No. 2016-21.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Ordinance No. 2016-21 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2016-22, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A 2016 CONTRACT WITH THE STATE OF OHIO, AUDITOR OF STATE, FOR PURPOSES OF PROVIDING AUDIT SERVICES FOR THE CALENDAR YEAR 2015, WITHOUT THE NECESSITY OF PUBLIC BIDS, AND DECLARING AN EMERGENCY.

which was read by title by the Clerk for the first time.

Mr. Riehl moved and Mr. Pribonic seconded for the suspension of rules.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Adaska seconded for the adoption of Ordinance No. 2016-22.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Ordinance No. 2016-22 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2016-23, entitled:

A RESOLUTION AUTHORIZING THE CITY OF STOW TO ACCEPT GRANT FUNDS FOR THE PURPOSE OF PURCHASING TWENTY-FIVE (25) BODY CAMERAS AS WELL AS A LARGE VIDEO SERVER TO MANAGE THE VIDEOS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, AND DECLARING AN EMERGENCY.

which was read by title by the Clerk for the first time.

Mr. Riehl moved and Mr. Costello seconded for the suspension of rules.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Resolution No. 2016-23.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Resolution No. 2016-23 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Disposition of Bills

MOTION:

Mr. Riehl moved and Mr. D'Antonio seconded to approve the release of the checks for the current Bill Listing.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Committee Meetings Scheduled

Planning Committee
Thursday, February 25, 2016
at 6:00 p.m.

Finance Committee
Thursday, February 25, 2016
to follow the Planning Committee

City Council
Thursday, February 25, 2016
at 7:00 p.m.

Adjournment

MOTION:

Mr. Costello moved and Mr. Adaska seconded to adjourn.

Yes Votes: Rasor, Riehl, Adaska, Costello, D'Antonio,
Lowdermilk & Pribonic

No Votes: None. The motion carried.

The meeting adjourned at 7:19 p.m.

Bonnie J. Emahiser
Clerk of Council

Mike Rasor
President of Council