

Minutes of the Regular Meeting of Stow City Council held on Thursday, March 24, 2016, at 7:00 p.m.

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

Council Members Absent: D'Antonio

City Officials Present: Mayor Kline, Law Director Zibritosky, Finance Director Baranek, Director of Budget & Management Earle, Service Director Wren, Assistant City Engineer Rayman, Police Chief Film, Fire Chief Stone, Parks & Recreation Director Nahrstedt & Clerk of Council Emahiser

Press Representatives: Stow Sentry

Call to Order

Mr. Rasor called the meeting to order and Mayor Kline led the prayer and pledge of allegiance.

Disposition of Minutes

MOTION:

Mr. Pribonic moved and Mr. Lowdermilk seconded to approve the Minutes of the Regular Council Meeting of March 10, 2014 as circulated.

Yes Votes: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Rasor

No Votes: None. The motion carried.

Reading of Communications

The following correspondence was read or referred to by the Clerk:

1. Email from former Clerk of Courts Kevin Coughlin to Mr. Rasor. This item was read in its entirety. A copy of the email is attached to these minutes.
2. Letter from an anonymous source sent to Mr. Riehl concerning the Clerk of Court's budget. This item was read in its entirety. A copy of the email is attached to these minutes.

Committee Reports

Mr. Riehl reported on the Finance Committee Meeting of March 24, 2016 as follows:

1. One new item would be introduced in legislative form.
2. Consideration of the City's Budget is still before Council this evening.

Mr. Adaska reported on the Public Improvements Committee Meeting of March 24, 2016 as follows:

1. Two items would be introduced in legislative form.

Comments from Other Persons Present

Michele Rohler
4075 Beckley Road

Mrs. Rohler stated she had been with the Clerk's office since May of 2003. She worked in the Criminal Traffic Division.

She was here to tell them that the past year had been downright scary. Because they had not been properly staffed, the workload could not be kept up with and they were all still working on the piles that had been left simply because there was not enough time in the day or enough staff to complete it.

She worked on the frontline. There were constant needs at the front window by attorneys, officers and court personnel. There was also the public window that for the past year had not been staffed in the afternoons, so the front window also had to help the public as well.

They had to prioritize and get done what had to be done now and rarely left work on time. She would hate for something to fall thru the cracks because they were too stressed and simply could not get to it.

They did service many citizens in the City of Stow community and family members who may live in any of the other 15 jurisdictions. If they could not complete their jobs adequately in a timely fashion, this could pose a potential risk to public safety.

This office was responsible to issue and recall bench warrants, jail paperwork and releases, issue and recall temporary protection orders and do multiple other tasks. She would hate to see the City that she lived in get sued over something that did not get done because they were understaffed.

As Council Members knew, they were in the process of going paperless. Doing so posed a whole new workload to complete. They were already behind the ballgame on this. She asked Council to please give them the tools to do their job correctly.

Michelle Baker
518 Notre Dame Avenue
Cuyahoga Falls, OH

Mrs. Baker stated she had a statement from a co-worker, Susan Stofka, who was ill this evening and wasn't able to come. She had asked her to read it for her.

Mrs. Barker read the following correspondence:

My name is Susan Stofka. I began working as a Deputy Clerk in the Civil Division of Stow Municipal Court in February of 2015.

At that time, I joined two full-time Clerks and one part-time Clerk in our division. The workload was such that the two full-timers were working extra hours daily just to try to keep up. We had approximately 50 cases that needed initiated and entered into our system and 100 cases that needed summonses set and scheduled for court. The tension level was very high.

Within a few months of my starting, one of the two full-time Clerks took another job within the Court and the part-time Clerk left to attend to the needs of her family, leaving my colleague Carol and I to run the entire division.

When we brought the situation to then Clerk of Courts Coughlin, we were told the budget could not sustain the addition of another Clerk in the Civil Division. We began receiving complaints from our customers, both attorneys and non-attorneys, about the slow service we were providing, but Carol and I felt our hands were tied. Clerk Coughlin received these complaints as well. Eventually he did add a part-time Clerk, who was later changed to full-time, but unfortunately her skill level set was not what we needed, so our workload was only minimally affected. Tension was at an all time high and moral was dropping quickly.

When Clerk Colavecchio started at the Court things changed. She moved a long-time floating Clerk to be a permanent fixture in the Civil Division. She added a trained full-time Clerk as well as a highly skilled part-time Clerk to our ranks. We started getting things done in a timely manner and even began getting compliments for our promptness. In the past few months, moral has gone from rock bottom to rather high and it's in large part due to the reduction of stress and the maximization of efficiency our division has been able to see.

Please reconsider the budget established for the Clerk's office. A reduction would most certainly be a detriment to the service that we provide to our community – a service which we are now very proud.

Mrs. Baker stated that was Ms. Stofka's statement. She was unable to attend this meeting.

Deanne Brown

Mrs. Brown stated she has been with the Clerk of Courts office for 31 years. She couldn't tell them what a hard-working staff she had. She couldn't have gotten thru the last year or two without most of them.

Last year they put in over 700 hours of comp time hours. Her hours were not included in that. She was working nights and weekends to get things done and never could seem to get anything done. They were always backed-up. Paperwork was backed-up and they still continued doing the best that they could.

All she could do was apologize that they didn't get the staff that they needed. She just wished there was something more she could do. She didn't think working ten hour days and weekends really assisted. She was running civil receipts. She was doing everything she possibly could to try to hold the office up. She just wished there was more she could do.

Bill Roemer
3616 Southern Road
Richfield, OH

Mr. Roemer thought from his notes this might be his sixth time speaking to Stow City Council.

He currently represents Stow and all of Summit County on the Educational Service Center Board of Governors. As part of that, he had had the opportunity about a month ago to attend the Stow-Munroe Falls School Board Meeting. He wanted to make sure he was aware of the issues facing those on the School Board as well as those in each of the 31 communities across Summit County.

He was a candidate for County Executive. He would keep the commitments that he had made in the past when he represented Stow and all of Summit County as a County Council Member At-Large.

He would be available after the meeting if anyone would like to talk. He thanked Council for their time.

City Officials' Reports

Mayor Kline reported as follows:

1. Requested that Council please not suspend the rules on the proposals put forth out of the Public Improvements Committee this evening regarding the stormwater fee. They were complex and detailed proposals which she guaranteed would have significant impact on operations as well as project management.

She thought at the very least this community ought to have time to consider them thoughtfully and carefully before City Council took a vote. She also would add that not all seven members were present tonight. At a bare minimum, she certainly believed that all seven members ought to be present to weigh in, hear information from the Administration, and hear comments from the community if there were any before making a final decision.

Mr. Razor stated he agreed with the Mayor. This was a serious proposal that deserved public comment.

Finance Director Baranek reported as follow:

1. Highlighted the following items from the Bill Listing:

Total - \$1,072,359.

Of that:

\$629,979 was for one payroll;

\$230,522 was for employee benefits;

\$37,963 was for bulk purchases;

\$34,559 was for street construction expenses;

\$34,856 was for capital improvements; &

\$23,821 was for utilities.

2. He wanted to echo Mayor Kline's comments regarding holding the stormwater legislation so that they could look at it and get public input.

They wanted to make sure that they addressed the underlying issues of where the dollars were coming from because from the proposals that they had, there was no additional new revenues coming in and all they were doing was moving expenditures from one fund to other funds and then initiating a borrowing problem that might occur in the future to do that, so they were just more or less compounding their expenditures.

He would like to see Council hold those proposed ordinances for future public discussion.

Service Director Wren reported as follows:

1. On Council's agenda was the creation of a Waterline Opt-In Program. He decided to hold that at the last minute in working closely with Mr. Lowdermilk, the finance department and the Mayor. He hoped to have that information out to Council by the middle of next week so they would have ample time to review it before their next meeting.

New Business

MOTION:

Mr. Costello moved and Mr. Adaska seconded to excuse the absence of Councilman D'Antonio.

Yes Votes: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Rasor

No Votes: None. The motion carried.

Mr. Costello stated since stormwater was such a hot topic and issue here, he wanted to exercise the right for any Council Member to bring forward any item. Since the discussion about the increased utility fee was held in Committee, he would like to have that legislation numbered and placed on the Legislative Agenda for a first reading only.

Mrs. Emahiser read the title of the legislation as follows:

AN ORDINANCE AMENDING CHAPTER 927, C.O.S., ENTITLED "STORM-WATER MANAGEMENT UTILITY", PARTICULARLY SECTION 927.07 THEREOF, ENTITLED "SCHEDULE OF FEES AND CHARGES", TO ADD A MONTHLY STORMWATER SERVICE SURCHARGE TO BE USED TO FUND IDENTIFIED STORMWATER MANAGEMENT PROGRAM ACTIVITIES.

Mr. Rasor stated that the legislation would be numbered. He also declared that the legislation was read for the first time.

Old Business

Mr. Adaska stated he had read in the Stow Sentry that our campgrounds was experiencing an anniversary. He believed it was 40 years. Also, that it was celebrating the fourth year that it's had tremendous growth.

He wanted to point out that the picnic pavilion which was removed from that facility to the golf course for reasons that it was underutilized at the campgrounds and would be better served if it was out at the golf course was the most ridiculous thing that we as a community could have done.

The campgrounds waited a long time to get that picnic pavilion. Then, in the dead of night, a group of City workers went out there and dismantled the picnic pavilion for reasons that the Administration thought it was underutilized there. It was re-erected out at the golf course and now, the campgrounds, which is experiencing the highest volume of use in its 40 years, just has a concrete slab with no protection in case it rains for families that want to have a picnic out there.

He just wanted to point that out. He felt it was disappointing that that was done. It was his understanding that none of the Council Members had been consulted about that. It was just done by the Administration. He thought it was the wrong decision to do that.

Mayor Kline thanked Mr. Adaska for noticing the increase in use. They were exceedingly proud of the campgrounds and very proud of the asset that it was to the City. She thanked him for his feedback.

She absolutely believed it was the right decision. She would make that decision again. The only correction she wanted to point out to the public and to the listening audience was that despite the drama and the mystery that that provides, it actually was done during the daytime. It would have been difficult to do that in the evening.

However, absolutely, it was better utilized at Fox Den. It was entirely an Administrative decision and one she would make again. She thanked Mr. Adaska for his feedback and

for sharing in the celebration of the campgrounds. She thought that was something that was noteworthy and a positive thing for the City of Stow.

Mr. Adaska stated it would have been a lot better served as a picnic pavilion.

Disposition of Ordinances & Resolutions

Mr. Riehl introduced Ordinance No. 2016-24, entitled:

AN ANNUAL APPROPRIATION ORDINANCE PROVIDING FOR THE
EXPENSES OF THE CITY OF STOW FOR THE YEAR 2016 AND DE-
CLARING AN EMERGENCY.

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

Mr. Riehl moved and Mr. Costello seconded for the adoption of Ordinance No. 2016-24.

Mr. Costello stated unfortunately he was not here at the last meeting. He thought it was very interesting based on the minutes that he had read.

He would comment generally that the budget was reduced for the Clerk of Courts. While he understood why some people thought that was necessary, he understood why the Law Director felt they should not be doing that.

As with all budget items, a budget was a budget. If things change, you alter the budget. While he supported the information he had received from the Clerk of Courts, he believed his fellow Council Members believed they were correct in reducing her budget. If it didn't pan out that she could sustain the budget that they had reduced it to, he requested that she come back to them.

Mr. Lowdermilk thought obviously with their discussions and talk here on the budget, this was not ideal. Going forward, and he was speaking for himself, they were setting a budget. A lot of these things may still need to come to Council for final approval. He thought they needed to scrutinize those things where they had that ability throughout the year coming thru.

He echoed Mr. Costello's comments. If there was any department as the year goes on that they want to revisit, they should come back to Council. If things have changed, maybe they could look at that. However, he thought they needed to continue with the issues they had at-hand.

It was never popular to be the one. They had to control costs. They had to do it where they could. There were only a few places where they could control costs. They had to look at all of them.

Mr. Adaska stated just to be clear, he didn't believe they were reducing the Clerk's budget. He thought they were just not increasing it. She still had the budget that she had before. He knew it was semantics. However, they weren't reducing anybody's budget, they were just not increasing it.

Mr. Razor thought if they were going to be completely clear, they were increasing the Clerk's budget by about 8.5%. They were not reducing it.

Mr. Razor stated he was going to support the budget, because as his colleagues had said, it was just a budget. They were going to continue to heavily scrutinize things that come thru it, as he had since he had been on Council for the past six years.

He certainly invited the Clerk, Mrs. Colavecchio, to come back in a few months to update them. They were open minded. In a few months they would know a little bit better about their income tax situation.

Their backs were against the wall. They were in a very difficult financial position as they have been for a long time. The reason was, frankly, they have refused to raise taxes because they were very cognizant of the costs and taxes that their residents already paid. They were watching out for those people. They cared deeply about their well-being.

Yes Votes: Adaska, Lowdermilk, Pribonic & Razor

No Votes: Riehl & Costello. The motion carried.

Ordinance No. 2016-24 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Resolution No. 2016-32 was held.

Ordinance No. 2016-33 was held.

Mr. Riehl introduced Ordinance No. 2016-34, entitled:

AN ORDINANCE AUTHORIZING EXPENDITURES WITH BELFOR PROPERTY RESTORATION FOR THE RESTORATION OF THE ATRIUM, A REAL AND PRESENT EMERGENCY EXPENDITURE, WITHOUT THE NECESSITY OF PUBLIC BIDS.

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: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Razor

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Adaska seconded for the adoption of Ordinance No. 2016-34.

Yes Votes: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Razor

No Votes: None. The motion carried.

Ordinance No. 2016-34 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Adaska introduced Ordinance No. 2016-35, entitled:

AN ORDINANCE AMENDING CHAPTER 927, C.O.S., ENTITLED "STORM-WATER MANAGEMENT UTILITY", PARTICULARLY SECTION 927.12 THEREOF, ENTITLED "STORMWATER INFLOW AND INFILTRATION ELIMINATION PROGRAM", SPECIFICALLY SUBSECTION (E) THEREOF, TO EXTEND THE PROGRAM PAST ITS ORIGINAL CESSATION DATE.

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

Mr. Adaska introduced Ordinance No. 2016-36, entitled:

AN ORDINANCE AMENDING ORDINANCE 2012-59 TO REMOVE EQUIPMENT, EMPLOYEE SALARIES, AND OHIO EPA STORMWATER QUALITY PROJECTS FROM THE LIST OF IDENTIFIED STORMWATER MANAGEMENT PROGRAM ACTIVITIES.

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

Disposition of Bills

MOTION:

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

Yes Votes: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Rasor

No Votes: None. The motion carried.

Committee Meetings Scheduled

MOTION:

Mr. Riehl moved and Mr. Rasor seconded to cancel the Regular Council Meeting scheduled for March 31, 2016.

Yes Votes: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Rasor

No Votes: None. The motion carried.

Planning Committee
Thursday, April 14, 2016
at 5:30 p.m.

Public Improvements Committee
Thursday, April 14, 2016
to follow the Planning Committee

Finance Committee
Thursday, April 14, 2016
to follow the Public Improvements Committee

City Council
Thursday, April 14, 2016
at 7:00 p.m.

Adjournment

MOTION:

Mr. Riehl moved and Mr. Lowdermilk seconded to adjourn.

Yes Votes: Riehl, Adaska, Costello, Lowdermilk,
Pribonic & Rasor

No Votes: None. The motion carried.

The meeting adjourned at 7:27 p.m.

Bonnie J. Emahiser
Clerk of Council

Mike Rasor
President of Council