

Minutes of the Regular Meeting of Stow City Council held on Thursday, February 9, 2017, at 7:00 p.m.

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

Council Members Absent:           Lowdermilk

City Officials Present:            Mayor Kline, Finance Director Baranek, Director of Budget & Management Earle, Law Director Zibritosky, Service Director Wren, Police Chief Film, Fire Chief Stone, Manager of Information Systems Germano & Clerk of Council Emahiser

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**Call to Order**

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

**Reading of Communications**

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

1. Complaint from Mr. Paul Zuravel addressed to Mr. Nick Wren concerning his treatment by a City employee. This email was read in its entirety. A copy of it is attached to these minutes.

**Disposition of Ordinances & Resolutions**

Mr. Rasor introduced Resolution No. 2017-22, entitled:

A RESOLUTION EXPRESSING THE OFFICIAL APPRECIATION AND GRATITUDE OF THE CITIZENS OF THE CITY OF STOW, OHIO, TO THE CELTIC CLUB OF OHIO FOR HOLDING THEIR 13<sup>TH</sup> ANNUAL CELTIC CLUB ST. PET'S DAY BULLDOG LIFT-A-THON BENEFIT TO RAISE FUNDS FOR THE STOW POLICE K-9 FUND; DIRECTING THE CLERK OF COUNCIL TO SERVE A CERTIFIED COPY OF THIS ENACTMENT UPON SAID CELTIC CLUB OF OHIO; AND DECLARING AN EMERGENCY.

which was read in its entirety by the Clerk for the first time.

Mr. Rasor thanked Mr. Collver and his organization on behalf of City Council for setting this up.

The event was in memory of Colt. It was going to take place at the High School on Saturday, March 4<sup>th</sup>, from 10:00 a.m. until 2:00 p.m. The athletic part of the event was from 10:00 a.m. until noon. They were going to have Irish entertainment, food and soft drinks. Hopefully they were going to raise a lot of money.

The City was thrilled that they decided to do this.

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

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

No Votes:   None. The motion carried.

Mr. D'Antonio moved and Mr. Pribonic seconded for the adoption of Resolution No. 2017-22.

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

No Votes: None. The motion carried.

Resolution No. 2017-22 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

A copy of the Commendation was presented to Mr. Collver, the President of the Celtic Club of Ohio.

Mr. Collver thanked City Council for taking the time to recognize them. He didn't know who was going to have more fun on March 4<sup>th</sup> them putting this on or everybody who was attending. They looked forward to a great turn-out. They had great Irish entertainment in the afternoon.

The Athletic Director, Kyle Feldman, and the Strength and Conditioning Coach, Perry Wolf, were arranging for athletes from the High School to solicit donations prior to the event. It was going to be per pound that they lift. They looked forward to it.

Again, he thanked City Council. They were very happy to be able to support the City's K-9 Unit.

Mr. Rasor introduced Resolution No. 2017-23, entitled:

A RESOLUTION EXPRESSING THE OFFICIAL APPRECIATION AND GRATITUDE OF THE CITIZENS OF THE CITY OF STOW TO GOVERNOR OF THE OHIO KIWANIS WILLIAM FLINTA; EXTENDING THE OFFICIAL GOOD WISHES FOR FUTURE HEALTH AND PROSPERITY TO HIM AND HIS FAMILY; DIRECTING THE CLERK OF COUNCIL TO SERVE A CERTIFIED COPY OF THIS ENACTMENT UPON SAID WILLIAM FLINTA; AND DECLARING AN EMERGENCY.

which was read in its entirety by the Clerk for the first time.

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Riehl seconded for the adoption of Resolution No. 2017-23.

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

No Votes: None. The motion carried.

Resolution No. 2017-23 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor stated Bill was a good friend. He was a clear servant of the community. He didn't do it for himself. He was glad that they were given the opportunity to give him some praise, which was much overdue and well earned.

Mr. Riehl stated he was proud to sponsor this resolution. He wanted to piggy-back on a lot of the comments he had made last week at the last meeting. At that meeting he

had stated that oftentimes the politicians believed they were the true community leaders, especially at the state and federal levels, simply because they hold the title. That was not true.

The true community leaders were people like Bill who go out there and proactively find problems, proactively find people and organizations in need and then lead the charge to help them out. Nothing personified that more than Bill and his service.

Kiwanis is an organization that serves the children of the world. As people had heard from the reading of the Commendation, he didn't just fall into this position. He worked his way up from the local level all the way up to serve as Governor as he does now.

Every time he saw him, he referred to him as the Governor. He very modestly acknowledged that. It is a big deal for Stow to have someone who is the Chief Executive Officer of a service organization in our state. He couldn't think of any other Stow resident who has held such an honor and has done leadership in the community at that statewide CEO level.

Bill is the kind of leader that he admired. He didn't just lay out a vision and tell other people to do it. He gets down in the weeds, he gets his hands dirty and he is there with you to solve the problem. He had asked some of his colleagues for a word to best describe him and his service. Some of them were devoted, dedicated, honest, modest, thoughtful, servant and leader.

One thing that he had noticed, especially at Pizza Palooza last week, was any time there is a community event, a volunteer service or anything in the community, Bill is there. It could be anything, even things that didn't involve Kiwanis. He didn't have to do that. That was what was so special about volunteer work. Time is very valuable and it is a very valuable commodity.

Bill dedicates himself and his service is what makes the difference. He saluted him. He congratulated him on his position. He thanked him for being a leader in the City of Stow.

Mr. Pribonic stated Bill was at every ribbon cutting with the Stow Chamber of Commerce. He was very involved with that.

Again, Pizza Palooza couldn't have been pulled off without him being a Board Member along with him with that foundation. He really leads the charge.

It is great. He has set a true example for people in Stow and around the State of Ohio. It was something that a lot of people didn't do. He emulated everything that Matt had described.

He would be having Trivia Night on February 25<sup>th</sup>. There were 16 seats still open. So if people were trivia buffs, they should see Bill or Marsha McKenna to get tickets.

Mr. D'Antonio agreed with what Matt had said. He also had the pleasure of sitting on another board with Bill. Again, he was there all the time. He volunteers. He certainly doesn't sit back.

He assists with everything from Pizza Palooza to Beer Fest. He has been a volunteer in this community for a long time. It was not just Kiwanis.

He was glad that this Kiwanis opportunity gave them the chance to give him a Commendation. He thanked him for his service.

Mr. Costello stated he had known Bill for a while. Being the fourth person to say something, there wasn't much left to say.

He wanted to also commend his wife for letting him do all of this, being there and helping him as he does. He congratulated Bill.

A copy of the Commendation was presented to William Flinta.

Mr. Flinta stated on behalf of the 71,000 Kiwanians in Ohio and the 260 clubs, he was honored to accept this recognition. He thanked everyone for that. He especially thanked the several Kiwanians in the room, including Marsha, their President this year, his family and his friends for being here.

City Council had summed it up. He really did what he did because of the fellowship and the friendship. He really enjoyed the friends he had gotten from civic involvement over the years. It was the real reason he did it.

He was just sharing his story of life with John this morning. When you start out your career, all your friends are from church and work. Then you get kids and your friends are around your kids' activities.

He still had those circles of friends, but he has gotten the big civic circle of friends too. It was so much fun to have that. Sometimes those circles cross; sometimes they don't.

He thanked everyone for their comments. He asked everyone to come out on February 15<sup>th</sup> for Trivia Night and if anyone wasn't a Kiwanian, they should talk to Marsha. He would love to talk to them.

Mr. Razor introduced Resolution No. 2017-24, entitled:

A RESOLUTION EXPRESSING THE OFFICIAL APPRECIATION AND GRATITUDE OF THE CITIZENS OF THE CITY OF STOW, OHIO TO DR. ARTL FOR HIS CONTRIBUTIONS TO THE STOW POLICE K-9 FUND; DIRECTING THE CLERK OF COUNCIL TO SERVE A CERTIFIED COPY OF THIS ENACTMENT UPON DR. ARTL; AND DECLARING AN EMERGENCY.

which was read in its entirety by the Clerk for the first time.

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

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

No Votes: None. The motion carried.

Mr. Costello moved and Mr. Riehl seconded for the adoption of Resolution No. 2017-24.

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

No Votes: None. The motion carried.

Resolution No. 2017-24 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Razor introduced Resolution No. 2017-25, entitled:

A RESOLUTION EXPRESSING THE OFFICIAL APPRECIATION AND GRATITUDE OF THE CITIZENS OF THE CITY OF STOW, OHIO TO THE RUBBER CITY KENNEL CLUB FOR ITS CONTRIBUTION TO THE STOW POLICE K-9 FUND; DIRECTING THE CLERK OF COUNCIL TO SERVE A CERTIFIED COPY OF THIS ENACTMENT UPON THE RUBBER CITY KENNEL CLUB; AND DECLARING AN EMERGENCY.

which was read in its entirety by the Clerk.

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

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Resolution No. 2017-25.

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

No Votes: None. The motion carried.

Resolution No. 2017-25 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

### **Committee Reports**

Mr. Riehl reported on the Finance Committee Meeting of February 9, 2017 as follows:

1. Discussed numerous items. He was available to answer questions.

Mr. Rasor reported on the Committee-of-the-Whole Meeting of February 9, 2017 as follows:

1. One item would be introduced in legislative form.

### **Comments from Other Persons Present**

Alex Bryan  
4674 Trillium Drive

Mr. Bryan stated he was present this evening to address the City's interest in forming a Council of Government (COG) with Cuyahoga Falls, Tallmadge and Summit County.

He implored City Council to ask themselves if such a move would truly benefit the citizens of Stow? He understood that economics and fiscal responsibility come into play with the proposal, but he had concerns.

Some of his concerns were regarding the proposed building on Graham Road being owned by Summit County. His concern was would the rent on this building be controlled by Summit County and would they have the ability to increase these costs without any repercussions or any concerns from the citizens of Stow?

He wanted to remind everyone that this building had experienced flooding in 2014 resulting in a lengthy closure. He asked if that didn't create a concern housing a 911 dispatch center in a location subject to devastating flooding?

Electronic equipment could be destroyed, possibly losing 911 and dispatch capabilities. And, in a consolidated environment, we wouldn't have a backup dispatch available from any neighboring communities that would be able to provide any kind of common support.

He thought this new facility should be secure and safe. So ultimately his fear was that a COG would be servant to the region and not able to address specific concerns of our community.

We must not be seduced by politicians offering cash incentives to govern ourselves how they best see fit, instead we must stay true to representing our community's best interests even in the face of uncertainty.

He had read both successful and unsuccessful stories of consolidated 911 services. Success is wonderful. However, anything less could result in mistakes that may cost lives and property.

If cost-savings are going to be the justification, won't the initial consolidation costs be exorbitant? It was his understanding that the currently occupied building was designed for safe communication and was nearly paid off.

The City of Akron and Summit County 911 Centers actually currently occupy the same room sharing equipment and technology. They are actually in a room that just has a partition between the two.

Studies have been completed by these entities to understand the feasibility of combining their services. To date, these plans have never materialized. Perhaps there was an underlying reason for this.

He simply asked everyone to put Stow's needs first. He asked that people not be swayed by the promises of money from the State. He asked that people look no further than local government funds to see how that worked out for them.

### **City Officials' Reports**

Mayor Kline reported as follows:

1. Reminded Council that a week from Monday, which was February 20<sup>th</sup>, was Presidents' Day. It was a federal holiday, so City Hall would be closed.

Finance Director Baranek reported as follows:

1. Highlighted the following items from the Bill Listing:

Total: \$1,194,713.

Of that:

\$763,568 was for one payroll;  
\$204,473 was for employee benefits  
and medical insurance;  
\$60,535 was for utilities; and  
\$50,452 was for a salt purchase.

Mr. Razor stated it was his understanding that they would have a budget to look at in the next few weeks. Mr. Earle stated that was correct. There was a schedule that had been agreed upon.

Service Director Wren reported as follows:

1. Eight to ten trees were removed from the front of City Hall yesterday. That was part of Phase I of the City's relighting of the parking lot and entrances of both the Safety Building and City Hall.

The 4' lights that were out there would be replaced by 12' lights close to the building and 30' poles throughout the parking lot. All phases would probably take place over a three-year period.

This was Phase I. The employee parking lots at the Safety Building and City Hall as well as the rest of the parking lots will encompass Phases 2 and 3.

**New Business**

**MOTION:**

Mr. Costello moved and Mr. Adaska seconded to excuse the absence of Councilman Lowdermilk.

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

No Votes: None. The motion carried.

**Disposition of Ordinances & Resolutions**

Mr. Rasor introduced Ordinance No. 2016-143, entitled:

AN ORDINANCE PROVIDING FOR A SEPARATE AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO, UNDER AUTHORITY OF SECTION 19.01, CHARTER, AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AS AMENDED, TO BE SUBMITTED TO THE ELECTORATE AT THE GENERAL ELECTION ON NOVEMBER 7, 2017, WHICH SHALL AMEND SECTION 16.02 "NOMINATIONS" BY CHANGING THE DATE OF THE PRIMARY ELECTION FOR CITY ELECTED OFFICIALS FROM THE EIGHTH TUESDAY PRIOR TO THE REGULAR NOVEMBER MUNICIPAL ELECTION TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MAY, AND DECLARING AN EMERGENCY.

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

Mr. Riehl introduced Ordinance No. 2017-20, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH BRIDGESTONE AMERICAS HOLDING, INC., A SOLE SOURCE PROVIDER, TO PROVIDE POSTAGE NEEDED FOR UTILITY BILLING SERVICES, 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. Costello seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-20.

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

No Votes: None. The motion carried.

Ordinance No. 2017-20 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-21, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A 2017 CONTRACT WITH THE STATE OF OHIO, AUDITOR OF STATE, FOR PURPOSES OF PROVIDING AUDIT SERVICES FOR THE CALENDAR YEAR 2016, 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. Adaska seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Adaska seconded for the adoption of Ordinance No. 2017-21.

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

No Votes: None. The motion carried.

Ordinance No. 2017-21 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-26, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE EMERGENCY REPLACEMENT-UPGRADE OF THE FIRE PANEL AT THE SAFETY BUILDING FROM CALCOM 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 & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-26.

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

No Votes: None. The motion carried.

Ordinance No. 2017-26 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Ordinance No. 2017-27, entitled:

AN ORDINANCE AUTHORIZING THE HIRING OF ICE MILLER, L.L.P. FOR PURPOSES OF PROVIDING LEGAL COUNSEL AND DECLARING AN EMERGENCY.

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



Mr. Razor moved and Mr. Adaska seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Razor moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-27.

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

No Votes: None. The motion carried.

Ordinance No. 2017-27 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

### **Disposition of Bills**

#### **MOTION:**

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

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

No Votes: None. The motion carried.

### **Committee Meetings Scheduled**

Planning Committee  
Thursday, February 23, 2017  
at 6:00 p.m.

Finance Committee  
Thursday, February 23, 2017  
to Follow the Planning Committee

C.O.W.  
Thursday, February 23, 2017  
to follow the Finance Committee

City Council  
Thursday, February 23, 2017  
at 7:00 p.m.

### **Adjournment**

#### **MOTION:**

Mr. Adaska moved and Mr. D'Antonio seconded to adjourn.

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

No Votes: None. The motion carried.

The meeting adjourned at 7:34 p.m.

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Bonnie J. Emahiser  
Clerk of Council

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Mike Rasor  
President of Council