

Minutes of the Regular Meeting of Stow City Council held on Thursday, March 9, 2017, at 7:31 p.m.

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

City Officials Present: Mayor Kline, Finance Director Baranek, Director of Budget & Management Earle, Director of Planning & Development Kurtz, Service Director Wren, Fire Chief Stone, Police Chief Film, City Engineer McCleary, Manager of Information Systems Germano, Deputy Engineer Jones, Engineering Consultant Bell, Clerk of Courts Colavecchio, Court Administrator Klinger, IT Director Hatfield & Clerk of Council Emahiser

Call to Order

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

Approval of Minutes

MOTION:

Mr. Pribonic moved and Mr. Riehl seconded to approve the Minutes of the Regular Council Meeting of February 23, 2017 as circulated.

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

No Votes: None. The motion carried.

Committee Reports

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

1. Several items would be introduced in legislative form.

Mr. Pribonic reported on the Planning Committee Meeting of March 9, 2017 as follows:

1. One item would be introduced in legislative form tonight. Another item would be introduced in legislative form at the next Council Meeting.

Mr. Adaska reported on the Public Improvements Committee Meeting of March 9, 2017 as follows:

1. Had an excellent presentation by the Engineering Department concerning stormwater projects.

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

1. Recessed into executive session to discuss pending/imminent litigation.

Comments from Other Persons Present

Paul Zuravel
3720 Gilbert Road

Mr. Zuravel stated earlier this evening when he was at a committee meeting everybody witnessed the fact that he couldn't come up here and ask questions without being accused of badgering a city employee. He didn't feel that was right. He felt it was wrong. He felt if the Mayor wanted to come in and protect everybody every time they were in a tough spot she should rethink that.

To his point that maybe something was done on this lot, the lot has been on the market as a parcel for sale for 45 days and right now has a contingent contract on it, which he believed under the City's Code it is illegal to sell any property that hasn't been surveyed and legally recorded as a lot. So now they had a lot for sale that wasn't legally recorded yet.

He asked if somebody called his daughter a whore, if that would be badgering?

City Officials' Reports

Mayor Kline reported as follows:

1. Next Thursday, March 16th, at 5:00 p.m., the City was going to have its annual reception for its boards and commissions members. It was a tradition they have had for several years to recognize the volunteerism of people who serve on a variety of boards and commissions around the City. It would be held here in the Council Chambers. It was free. Council Members were welcome to attend.
2. Wanted to let the community, specifically the business community, know that on March 23rd there will be a Manufacturing Summit hosted by Connexus, which is the new Summit Workforce Development.

Mr. Razor and she thought a few other people had been to some Connexus events. Connexus was designed to connect businesses, education, the community and government to make sure that best practices and best business practices are being followed and that they can grow business in northeast Ohio.

There is a Manufacturing Summit for area manufacturers, business leaders and government leaders on March 23rd in Fairlawn. If people would like information, either Ken Trenner, her or the Connexus website could provide those details.

Mr. Razor stated he would be attending that Connexus event as well. He thanked the Mayor for bringing that up.

Director of Budget & Management Earle reported as follows:

1. He wanted to give a brief clarification on Mr. Lowdermilk's questions concerning possible expenses this year for the dispatch center.

If the dispatch center did begin operations before the end of the year and it was necessary to have expenses in 2017, it would simply be switching our expenses from here to the dispatch center. There could be a variance there plus or minus, but that was essentially what it would be. He didn't believe it would be operational before 2018. However, it could be.

Mr. Lowdermilk stated his point wasn't so much the operating budget, it was the capital outlay that might have to happen and not planning for that. He assumed, based on what everybody had told them, they should save money eventually by just moving their operating budget over. That was what everyone wanted to tell everyone. However, the capital outlay was what the big crux was. For it to be

operational, that capital outlay would have to happen. He asked Mr. Earle if he agreed with that? Mr. Earle stated that he did.

Mr. Lowdermilk stated so when they were looking at potentially 3-4 major cities, even if they used the suspect numbers they were given initially, they were talking about \$750,000 and it could grow to \$1,000,000 if there were cost overruns per entity. That was a significant amount of money to take out of their funds.

So now the question was do they just pay that out of their capital fund and, if so, what would that look like for the rest of their other projects, or do they issue notes and go into debt, in which case that \$750,000 or \$1,000,000 probably becomes \$1,500,000 or \$2,000,000 by the time they pay it back? If they were planning this and the City Administration wants to seriously review it, then they should see what those impacts might be.

Mr. Earle stated that was the point of bringing it up. He didn't believe they would just take the capital outlay and pay it with cash in the first year. The COG would not. It would be financed over a period of years – capital leases and perhaps general obligation debt and those types of things.

The key on the operating costs was the words he had used – essentially save money. There was no guarantee that the first day out-of-the-box they would be saving money, but eventually they would compared to what it would be in the future without the original COG. Mr. Lowdermilk stated that part of it – today - wasn't his concern.

Law Director Zibritosky reported as follows:

1. Gave Council copies of her Annual Report. Annually she was going to try to apprise Council and the city-at-large of the number, trends and types of cases that were seen so they could see what types of things were increasing or decreasing and different changes that they see every year.

In 2016 the annual total number of cases was pretty similar to 2015. There was a slight decline. It went from 1,499 in 2015 to 1,445 in 2016. Both of those figures though were still a significant increase from 2014. Basically what she thought what they were seeing was they had been seeing an increase and were now seeing it level off.

Of the 2016 total cases those originating in Stow experienced the largest decrease. As everyone knows, we also prosecute for all the northern Summit County Townships. They were listed at the bottom of her letter. By statute they had to do that.

There were increases in the number of township cases, but the Stow ones were decently significant. The total number of felony cases for both Stow and the townships fell to 198 from 209 in 2015. The total number of misdemeanors fell to 1,247 from 1,290 in 2015.

They also had it broken down in terms of types of offenses. One of the key things to look at was her office saw a 20% decrease in theft cases back down to 2014 levels with a total of 158 in 2016 as opposed to 202 in 2015 and 156 in 2014.

Regarding OVI, traffic and DUS cases there was a little bit of movement but relatively static. However misdemeanor domestic violence cases actually experienced a 61% increase this year with 73 cases in 2016 as compared to 45 in 2015 and 49 in 2014.

The last trend to kind of look at was their misdemeanor drug cases. They had decreased by 18% with 149 in 2016 as compared to 183 in 2015 and 160 in 2014.

Something to keep in mind was this was really a report of what her office does. The number of crimes that come thru her office as the law department was not directly correlated or not representative of the total number of crimes necessarily committed. These were just the ones that actually turned into cases.

The third paragraph of her cover letter kind of explained that. There could be more. It wasn't necessarily completely inclusive of everything.

Theft and drug offenses tend to go together. They saw an increase in both last year. They were relatively kind of around the same levels. Now they were seeing a decrease in both – 20% and 18%.

She didn't know if that meant anything. Maybe it was just an off year. Maybe it was just that a lot of people pled at arraignment so she wasn't seeing them in these number. However, she hoped that was a trend that continues.

She was available to answer questions. No questions were raised.

Service Director Wren reported as follows:

1. After the high winds they had experience yesterday they still had three road closures. Portions of King and Call were still closed. A portion of Progress Park was limited to one lane. Those were all due to wires that were down.

They were waiting for Ohio Edison to respond today. He had spoken to their representative from Ohio Edison earlier. They planned on everything being completed within the City by Saturday at the very latest. However, he was hoping they could do more.

Their largest area that was out was on Marsh Road and areas around it. That came back on around noon today.

City Engineer McCleary reported as follows:

1. Wanted to update people on the bridge project in the Norton/S.R. 91 Project. The traffic signals were going in as they speak.

The winter has been a little bit better for construction, although the next five days don't look too good, so everything is still weather dependent until the weather does break.

For the traffic signal at Fishcreek and S.R. 91, the poles were up. However, they were still a month or two away before it was operational.

Mr. Adaska thought Mr. McCleary was an excellent employee and he did excellent work. However, he was troubled by the project on Seasons Road on the west side of the expressway.

About four weeks ago a preliminary plan was brought before Council. In the interest of economic development and moving the City forward by bringing new businesses in, he had supported it. However, he was very concerned about all the trees starting to come down.

They hadn't really had an engineer look at that project yet. From what he understood, Mr. McCleary's office hadn't looked at it yet because they didn't have all of the design plans. However, the developer, because he was apparently trying to meet a federal requirement to cut the trees down before the Indiana Bat was harmed because appar-

ently they nest in the trees between April 1st and September 31st, before or after those dates, was in the process of taking down a large amount of trees which could impact the storm water runoff in Wyoga Lake Estates. So some of his constituents were very concerned.

A lot of them agreed with him. They need economic development so they were willing to listen to proposals and things like that about improving the area. Eventually storm water may be improved. However, when you cut trees down and take away that tree canopy, you are taking away something that was naturally controlling storm water runoff. They were talking maybe 1,500-2,000 trees that were going to come down just for the road going in and that process has already begun.

He thought they needed something in the Code or the Engineering Department which would protect homeowners in a situation like that. From what he understood, it wasn't against the law or any code to remove trees if you own the land. However, he felt there should be a backup provision that if you remove the trees and all the land is sloped towards a residential development, that something be done.

Before you can put in a retention pond, you have to remove the trees so you can do some adequate grading. In this case, none of that was going to happen. They were going to remove the trees and hope and pray that they could get the equipment in there to build and design some runoff programs and storage areas for storm water before it impacts the neighborhood. He thought there should be a better way for all that to roll out.

He asked the Engineering Department to keep a special eye on the situation. Mr. McCleary thought Mr. Kurtz had reached out to Mr. Adaska. The Engineering Department had sent him information from U.S. Fish and Wildlife which requires that happen before the April 1st deadline. They were maybe three weeks away from that.

They had met with the developer. They had the preliminary plans that were way more detailed than what went to Council. They had where they were planning on putting the retention ponds. They were reserving at least 500' between Wyoga Lake Estates and the area they were clearing. So there would be a 500' buffer, which was quite a large area. Over 45 acres were not being touched on that property.

The Fogg Builders as you know were now starting their third building on the east side off of Scarlet Lane. Their existing buildings were selling out so they had a need right now to have this road built this summer. It was happening that fast for them, which was good for the City of Stow. They would keep Mr. Adaska posted along with Mr. Kurtz.

Mr. Adaska stated he really appreciated that so he could update the residents. The City has known it for years that this is a very sensitive area to storm water. If you start clearing, there is going to be consequences.

If you could somehow put the retention ponds in first, then everything would work better. However, obviously, they couldn't do that until the trees were removed. They had to make space for the ponds to exist.

That window there was what they were all worried about because it only takes one bad storm and those basins are going to flood in the low-lying areas of Wyoga Lake Estates. There was no doubt in his mind.

He had been there for 35 years and he had seen floods over those years. He knew which homes traditionally flooded along Mud Brook. In the past there was no way to prevent it. If they eliminated that many trees right behind those homes, they had to know that there was going to be an impact from the storm water.

He asked them to make sure that Mr. Fogg's team paid as much care as they could and get those retention areas put in as quickly as possible so that they didn't get into a rainy season and find out that they didn't do enough to protect these homeowners.

Mr. McCleary stated Carl Price had been the Superintendent for Fogg on the other three buildings. He would contact him. They had been very cooperative. Anytime they had requested silk fence or anybody had asked for anything to protect the streams or wetlands they had done it. Mr. Adaska stated he appreciated that.

New Business

MOTION:

Mr. Riehl moved and Mr. D'Antonio seconded to authorize the hiring of one replacement Secretary II – EMS Billing employee in the Fire Department.

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

No Votes: None. The motion carried.

MOTION:

Mr. Riehl moved and Mr. Pribonic seconded to authorize the donation of \$1,000 from the City's Drug Forfeiture Fund to the NOPE Program.

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

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 third time.

Mr. Rasor moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2016-143.

Mr. Rasor stated this was an item that was brought to his attention that they were unwittingly not giving enough time for overseas military to cast their municipal ballots.

What happens at the Board of Elections, because there is a short time-constraint between a September primary and a November general, they end up sending two ballots. The first ballot has everything on it except municipal elections. The second ballot contains everything.

What the Board of Elections generally finds is that the first ballot is completed and the second ballot is not, which effectively disenfranchises military voters and overseas people in municipal elections.

That alone he thought was a reason to change their primary election to May or to at least ask the voters if they would like to change it to May. A secondary but perhaps an equally important reason was that it would save them some money.

A May primary would cost about \$15,000 less than a September primary. That was before a potential City of Akron move to May. As you may or may not be aware, the cost of our elections depend on how many precincts we share those elections with. As of now they had a big friend in Akron that was sharing that September primary. However, he happened to have somebody in the know who had told him that Akron was likely to move as well.

The problem with that would be if we stay in September and Akron moves, we will have lost a big cost-sharing partner. However, if Akron and Stow moves to May, a \$15,000 a year savings could double.

There were some other communities in Summit County who also have a September primary. It was his intent over the next couple of months to visit those communities to tell them what we have done and ask them to do the same thing with the intent being that we would have even more cost-sharing partners in May giving more military voters the right to vote in municipal elections.

That was the issue. He would be happy to take anyone's questions. He appreciated Mayor Kline's and the Law Department's help on this. They were both instrumental in putting forth a proposal that works.

Mr. Lowdermilk stated he had done a little research on this too. He had talked with the Board of Elections and an individual from the State. Nobody could seem to point to him any military veteran or person who was denied the right to cast his vote.

The military also has provisions for allowing ballots to come in later. So, he thought this was more a move by the Board of Elections for maybe two reasons. One was there was a group out there he understood looking to sue somebody for not getting their ballots out on time. Depending on what happens with that, it could make that difficult.

To his knowledge again he didn't know of any deadline that they had missed up to now. So they were capable of doing this.

The other thing with moving this back to May was it would mean a filing in February or March. That would extend the campaign cycle, especially with two-year terms, to pretty much a perpetual campaign for the offices of City Council.

He wasn't sure that moving the primary was necessarily the answer. We are a non-partisan community which maybe allows them some other options. Personally, he would like to see this legislation held to give the residents an option to look at a second option.

He had been approached by other residents that this would mean them changing their schedules and them either having to vote absentee or finding some other way to cast their ballots because they wouldn't be here during that time.

For those reasons he thought they may want to keep it in September or look at another option.

Mr. Razor stated he appreciated Mr. Lowdermilk's comments.

Mr. Adaska stated he could see merits on both sides. He was all for saving money. It was getting harder and harder for administrations to find money to keep the same level of services going. He gets that. However, he also knew that the residents were pretty strapped out too.

He saw the benefit of saving the City money, but he also harkened back to a different era. When the City wanted to join a regional water district, naming it the Summit County Metropolitan Water District, Stow was so happy to be a part of it they got all their ducks in a row, voted right away and sold the rights to their waterlines for \$1.00 to be part of that system. Then they sat back and waited for the other communities to do the same and none of them ever approved it. So then Summit County owned Stow's waterlines and it cost them quite a bit of time, money and energy to get them back again.

He thought he agreed with Mr. Lowdermilk. Maybe they should sit back and wait to see what the City of Akron did, because if Akron does what Mr. Rasor thinks they are going to do, they could quickly react to that. Right now he didn't think he was going to support this. He would like to keep it in September.

Mr. Costello asked when this legislation was first introduced? Mr. Rasor stated December. Mr. Costello stated so it has been on Council's docket for three months and no one had come to Council and questioned what they were doing. Mr. Rasor stated nobody had changed their vacation plans to date that he was aware of.

Mr. Costello stated in regards to being two-year terms and basically continuing to campaign the entire time, he thought they did that now so he didn't see any change in that coming forth.

He had no problem changing it. If Akron doesn't move, they would still be saving a little bit of money. If Akron did move, they would be saving a lot more. Also if Mr. Rasor's efforts to convince some of the other municipalities to do so worked, that would be great.

This was a charter amendment so it had to go on the ballot and be accepted by the constituents of the City. To get a charter amendment on the ballot for November, they had to proceed.

Mr. D'Antonio echoed what Mr. Costello had said. They were saying that the people should decide. All this legislation was doing was asking the people to decide. It was a charter amendment so they were asking them to vote on it. They were going to give them plenty of time. They have had since December and then it would be on a ballot in November.

Mr. Lowdermilk asked with it being a charter amendment what would happen to those military voters if the residents decided that they didn't want to move it? Mr. Rasor stated he would run the campaign to make sure that it passed.

Mr. Lowdermilk stated they were talking about putting it before the people. He thought that was ultimately where it should end up if they were going to do this. However, there was that chance. They weren't talking about something they could necessarily change. If people voted no, it still had to go on like it had and the Board of Elections would have to adapt to make that happen.

He asked what the deadline was for a charter amendment to be on the ballot? Mrs. Emahiser stated the end of August. Mr. Lowdermilk stated so there was time if they decided to give the residents potentially another option. He assumed that could be on the ballot as well.

Mr. Riehl stated he had been going back-and-forth on this – whether or not to move it to September or May. However, he had another idea. That was that they didn't even need a primary.

Back in 2015 there was a Law Director's race city-wide. The City spent between \$35,000 and \$36,000 to eliminate one candidate. Between 5% and 6% of the City's electorate voted in that election.

There was no harm in his mind to eliminate a primary and let all candidates go to the general. He had asked Mr. Earle to do some digging. Since 2007, which was the election that he had won, they spent over \$100,000 to eliminate nine candidates. There was so much better use that that money could go to, whether it be storm water projects, road repairs, or whatever.

He had been talking to Brian about this and they were going to propose legislation to give the voters the opportunity to have no primary at all. The School Board does this now. There have been no issues with that.

There were also numerous other communities in Summit County, between 4 and 5, that were also non-partisan like Stow that do not have primaries. He believed Hudson, Munroe Funds, Silver Lake and Twinsburg were communities that didn't have them. He didn't think that they needed them. He thought it was a waste of money.

That was something that he had just thought of outside of the box upon looking at who had voted absentee and past elections. He thought the average turn-out for the City's primaries had been around 15%. He did not think that was a real fair representative sample of the City of Stow.

Mr. Pribonic stated he had never thought of it that way. He was very intrigued by Mr. Riehl's idea. It does work for the School Board. He would like to hear more about that.

Mayor Kline stated however Council wants to tackle this, she thought that it was important to bear in mind that we should always, in a democracy, be in favor of increased ballot access. There was no valid argument against increased ballot access.

So whether it turns out that we put a charter amendment on to move the primary to May or whether it turns out that Mr. Riehl's proposed amendment is what is adopted, she would never be in favor or make statements that would say that they were not interested in increasing ballot access. She thought that was pretty undemocratic.

Mr. Lowdermilk thought Mr. Riehl's idea certainly addressed his three concerns as far as assuming the voters approve it. If it were on the ballot, they wouldn't need to worry about anybody else moving to save money.

It also wouldn't create a constant campaign although Mr. Costello may think that most of them were campaigning all year long. They certainly were not putting out signs, sending out flyers and doing all the other things that go along with that. To him, quite frankly, it didn't matter one way or the other if you moved it that way.

He wasn't sure what the Mayor was trying to put across, but, quite honestly, he thought using the Veterans as a scapegoat or some excuse for this when nobody could point to one that it had happened to was a little bit appalling, to tell you the truth, being a Veteran. He had never been denied the right to vote as a Veteran whether he was in Okinawa, Japan, Coco Beach, Florida or Stow, Ohio, and he didn't see that happening in the future for many reasons.

Those were his thoughts on it.

Mr. Razor stated Mr. Lowdermilk's lack of antidotal rebuttals to him means pretty little considering that the Board of Elections has told him that they send out these second ballots to people who are serving our military overseas and they don't get back. So he was right in that nobody had been actually told they could not vote, but it is confusing and it is an extra step. He thought they should make it easy for the people who are actively fighting for our country.

A lot of other cities have May primaries. Just north of us, Hudson has a May primary. He had met with a lot of Hudson Council People and asked them about it. They said that it worked just fine. You may have to turn in your petitions a little sooner. However, he didn't see anybody putting a primary into February or March.

To address kind of a larger point on that topic, he could not care less about the impact on the politicians in this proposal. His goal was to save the taxpayer's money and to give people in the military better ballot access. What this did to the incumbents or to the challengers didn't mean a thing to him. It was not a factor.

Mr. Lowdermilk stated it didn't matter to him either as far as the candidates. It was the residents that endured what they did to get where they were at. That was his point.

Mr. Razor thought Mr. Lowdermilk had said that they should let the residents speak. By voting no, you don't let the residents speak. This was just to put it on the ballot. He had voted to put things on the ballot that he had found very objectionable in the past just to let the people decide.

Mayor Kline could attest that Mr. Razor in no way, shape or form was using Veterans as a scapegoat. She thought that was an offensive thing to say to Mr. Razor because that was not what he was saying.

She could also attest to the fact that Mr. Razor and her had had conversations that this not only would beneficially impact people serving in the military, but it would benefit other people potentially living overseas for other reasons. For example she had a niece in the Peace Corp. This would be something that would help people serving in the Peace Corp. and people living overseas.

Again whether or not it turns out that Mr. Riehl's suggestion of eliminating primaries altogether or moving the primary to May she didn't think there was any harm and only benefit in expanding opportunities for people to vote.

Also as far as people having to change vacation plans or whatever, there was no-fault absentee voting in the State of Ohio. In fact the Secretary of State's office mails out applications for absentee ballots.

You don't have to have a reason. You can just decide that you like voting absentee. You can do early voting. The State of Ohio has made great strides in making voting easier. She thought this simply followed that trend.

She could attest that in no way, shape or form, and Mr. Razor and her had certainly had their share of disagreements over the years and all of you know that, was Mr. Razor's dedication to Veterans in question.

Mr. Lowdermilk stated he didn't mean to imply that this was him doing this. Mayor Kline stated Mr. Lowdermilk used the word scapegoat. Mr. Lowdermilk stated this had been pushed by the County and people at the State level. Mr. Razor stated this was being pushed by Mike Razor. It was his legislation. If he didn't think it was good, it wouldn't come up.

Mr. Lowdermilk stated that he had been approached at one point by people from the County. He also had talked to the State who said they were pushing the counties to make this move.

He wasn't saying that Mr. Razor was using the Veterans in any way. He was saying that was an easy argument for people at the State and County levels to say look what we are doing.

He didn't buy it himself. There were people that did. That was fine and good for them. That was their prerogative. However, he thought there were some pitfalls to moving the primary for the residents of the community.

Mr. Costello agreed with Mr. Pribonic that Mr. Riehl's proposal is intriguing. He would like to hear more about it.

MOTION:

Mr. Costello moved and Mr. D'Antonio seconded to call the question.

Yes Votes: Costello, D'Antonio & Rasor

No Votes: Adaska, Lowdermilk, Pribonic & Riehl.
The motion failed.

MOTION:

Mr. Riehl moved and Mr. Adaska seconded to table Ordinance No. 2016-143.

Mr. Rasor asked if there was any discussion on the motion to table? Mrs. Emahiser stated that she didn't know.

Mr. Pribonic thought this was a wise move. He understood where Mr. Rasor was coming from. They were still looking at August before they had to put this on.

He was intrigued by Mr. Riehl's proposal and would like to hear more. Maybe it would work out or maybe it wouldn't. However, he thought they had to look at all avenues. He applauded Mr. Rasor for bring this up.

Mr. Rasor thought maybe both of them would go on the ballot. Mr. Pribonic stated whatever the case was, he thought it was one of those things that they had to investigate to educate themselves.

Mrs. Zibritosky asked if Mrs. Emahiser had already read this? Mr. Costello stated this was the third reading.

Mr. Rasor stated it had been moved and seconded for adoption. That could be rescinded. Mrs. Emahiser stated the motion to table overrides that.

Mrs. Zibritosky stated Mrs. Emahiser knew these rules inside and out. Mrs. Emahiser stated but she didn't know about discussion. Mrs. Zibritosky stated that she hesitated to even ask.

Mr. Rasor stated this was the reason he brought it up in December. Usually they talk about this stuff in May, June or July and had to get it to the Board of Elections immediately. He didn't have a problem with tabling it. He thought it was worth discussing eliminating primaries all together. That was not something that he wanted to foreclose.

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

No Votes: None. The motion to table carried.

Mr. Rasor stated this item would remain on the Legislative Agenda.

Mr. Riehl introduced Ordinance No. 2017-31, entitled:

AN ANNUAL APPROPRIATION ORDINANCE PROVIDING FOR THE
EXPENSES OF THE CITY OF STOW FOR THE YEAR 2017, AND
DECLARING AN EMERGENCY.

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

Resolution No. 2017-33 was held.

Mr. Razor introduced Resolution No. 2017-35, entitled:

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

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

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

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

No Votes: None. The motion carried.

Mr. Razor moved and Mr. Costello seconded for the adoption of Resolution No. 2017-35.

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

No Votes: None. The motion carried.

Mr. Razor stated that the City was deeply thankful for Shot Stop Ballistics' generous donation. This was just a token of their gratitude.

Ordinance No. 2017-35 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 a representative of Shot Stop Ballistics.

Mr. Riehl introduced Ordinance No. 2017-38, entitled:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A NEW STOW MUNICIPAL COURT FACILITY AND EQUIPPING AND IMPROVING ITS SITE, 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: Adaska, Costello, D'Antonio,
Lowdermilk, Pribonic, Razor & Riehl

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-38.

Mr. Razor thanked the Finance Department. He didn't know if everyone on Council knew it, but our debt has been cut about 40% in the last eight or so years. That was fiscal prudence on Council's and the Administration's part, but the Finance Department was also watching our books and the markets to determine when was the best time to get in-and-out of bonds. They thanked them for that.

Mr. Adaska thought they should point out for the listening audience at home that they were not actually going out and building another municipal court like it said in the title of this legislation. Basically that was the original title of the original legislation. They were just refinancing the debt.

Mr. Razor stated that was correct. We have only one municipal court.

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

No Votes: None. The motion carried.

Ordinance No. 2017-38 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Pribonic introduced Resolution No. 2017-39, entitled:

A RESOLUTION GRANTING A LOT SPLIT, INCLUDING VARIANCES, TO RICHARD VITULLO PROPERTY OWNER OF A PARCEL LOCATED AT 4063/4067 BECKLEY ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: Lowdermilk. The motion carried.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2017-39.

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

No Votes: Adaska & Lowdermilk. The motion carried.

Resolution No. 2017-39 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Riehl introduced Ordinance No. 2017-40, entitled:

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND SOLICIT BIDS, ON BEHALF OF THE CITY OF STOW, FOR MISCELLANEOUS STORM SEWER PROJECTS FOR 2017; AUTHORIZING AND ADOPTING PLANS AND SPECIFICATIONS PREPARED BY THE CITY OF STOW THEREFORE; AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO CONTRACTS FOR SAID SERVICES SO LONG AS PROPER AUTHORIZATION IS FIRST OBTAINED IN ACCORDANCE WITH SECTION 173.05, C.O.S.; 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: Adaska, Costello, D'Antonio,
Lowdermilk, Pribonic, Razor & Riehl

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Ordinance No. 2017-40.

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

No Votes: None. The motion carried.

Ordinance No. 2017-40 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-41, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SUMMIT TESTING & INSPECTION COMPANY FOR GEOTECHNICAL ENGINEERING AND INSPECTIONS FOR MISCELLANEOUS STORM SEWER, STORM WATER, WATER AND ROAD PROJECTS IN 2017 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: Adaska, Costello, D'Antonio,
Lowdermilk, Pribonic, Rasor & Riehl

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2017-41.

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

No Votes: None. The motion carried.

Ordinance No. 2017-41 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-42, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SUMMIT TREE FOR TREE CLEARING SERVICES FOR THE QUAIL HIGHLANDS PHASE I STORM SEWER PROJECT 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: Adaska, Costello, D'Antonio,
Lowdermilk, Pribonic, Rasor & Riehl

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-42.

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

No Votes: None. The motion carried.

Ordinance No. 2017-42 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Bill Listing

MOTION:

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

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

No Votes: None. The motion carried.

Committee Meetings Scheduled

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

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

Roads & Safety Committee
Thursday, March 23, 2017
to Follow the Finance Committee

C.O.W.
Thursday, March 23, 2017
to Follow the Roads & Safety Committee

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

Adjournment

MOTION:

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

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

No Votes: None. The motion carried.

The meeting adjourned at 8:23 p.m.

Bonnie J. Emahiser
Clerk of Council

Mike Rasor
President of Council