

Minutes of the Regular Meeting of Stow City Council held on Thursday, May 25, 2017, at 7:00 p.m.

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

Council Members Absent:       D'Antonio

City Officials Present:         Finance Director Baranek, Director of Budget & Management Earle, Service Director Wren, Economic Development Coordinator Trenner, Lieutenant Snavelly & Clerk of Council Emahiser

Press Representatives:         Stow Sentry

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### **Call to Order**

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

### **Approval of Minutes**

#### **MOTION:**

Mr. Costello moved and Mr. Riehl seconded to approve the Minutes of the Regular Council Meeting of May 11, 2017 as circulated.

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

No Votes:    None. The motion carried.

### **Committee Reports**

Mr. Adaska reported on the Public Improvements Committee Meeting of May 25, 2017 as follows:

1. Received a report of what was happening with Adell Durbin Park. They were hoping to get some ideas of how they could improve or replace one of the structures. Mr. Wren would be getting back to them in the near future.

### **City Officials' Reports**

Finance Director Baranek reported as follows:

1. Highlighted the following items from the Bill Listing:

Total: \$967,426.00.  
Of that:  
\$673,194 was for one payroll;  
\$83,228 was for employee benefits  
(which was predominantly health care);  
\$51,519 was for refunds; and  
there were other minor fund movements.

Service Director Wren reported for Mayor Kline as follows:

1. Wished everyone a happy Memorial Day.

2. Reminded everyone that the offices at City Hall would be closed on Monday.
3. Reminded everyone that the Stow Memorial Day Ceremony would be held at 10:15 a.m. at the Stow Cemetery located on S.R. 59 on Monday.

### **New Business**

#### **MOTION:**

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

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

No Votes: None. The motion carried.

### **Disposition of Ordinances and Resolutions**

Mr. Pribonic introduced Ordinance No. 2017-49, entitled:

AN ORDINANCE ENACTED PURSUANT TO SECTION 1137.08, ENTITLED "AMENDMENTS", TO PROVIDE FOR THE AMENDMENT OF THE ZONING DISTRICTS MAP AND ZONING DISTRICTS BY RECLASSIFYING FROM I-2 INDUSTRIAL TO I-1 LIMITED INDUSTRIAL APPROXIMATELY 4 ACRES OF PROPERTY LOCATED ALONG ALLEN ROAD SOUTH OF MATCO TOOL COMPANY AND ACROSS THE STREET FROM DUPONT DOW ELASTOMERS LLC; AUTHORIZING AMENDMENT TO THE ZONING DISTRICTS MAP BY THE CITY ENGINEER.

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

Mr. Pribonic moved and Mr. Costello seconded for the adoption of Ordinance No. 2017-49.

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

No Votes: None. The motion carried.

Ordinance No. 2017-49 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Ordinance No. 2017-65 was held.

Mr. Riehl moved and Mr. Lowdermilk seconded to remove Resolution No. 2017-68 from the table.

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Lowdermilk seconded for the adoption of Resolution No. 2017-68.

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

No Votes: None. The motion carried.

Resolution No. 2017-68 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Pribonic introduced Ordinance No. 2017-70, entitled:

AN ORDINANCE ENACTED PURSUANT TO SECTION 1137.08, ENTITLED "AMENDMENTS", TO PROVIDE FOR THE AMENDMENT OF THE ZONING DISTRICTS MAP AND ZONING DISTRICTS BY RECLASSIFYING FROM R-3 RESIDENTIAL TO R-B RESIDENTIAL BUSINESS PROPERTY KNOWN AS 2099, 2105 AND 2111 GRAHAM ROAD AND THE VACANT LOT EAST OF 2011 GRAHAM ROAD (PARCEL NO. 56-00553); AUTHORIZING AMENDMENT TO THE ZONING DISTRICTS MAP BY THE CITY ENGINEER.

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

Mr. Pribonic stated that a Public Hearing was scheduled on Ordinance No. 2017-70 for Thursday, July 13, 2017, at 6:00 p.m.

Mr. Costello introduced Resolution No. 2017-73, entitled:

A RESOLUTION GRANTING REVISED CONDITIONAL ZONING CERTIFICATE, SITE PLAN AND VARIANCE APPROVAL TO MEIJER STORES LIMITED PARTNERSHIP, A MICHIGAN LIMITED PARTNERSHIP, PROPERTY OWNER, FOR THE CONSTRUCTION OF A DEPARTMENT/GROCERY STORE IN THE STOW KENT PLAZA, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None

Abstentions: Pribonic. The motion carried.

Mr. Costello moved and Mr. Lowdermilk seconded for the adoption of Resolution No. 2017-73.

Mr. Razor stated it was his understanding that representatives from Meijer were in the audience. He asked if they had anything to say?

Chris Jones  
Real Estate Manager for  
Meijer Corporation  
2929 Walker Avenue  
Grand Rapids, Michigan

Mr. Jones stated they had spent the last year-and-a-half working out all of their agreements with various parties (Aldi's, Macy's, Stow Glen Retirement Center and Sonoco). They closed on the property last November 30<sup>th</sup>. So they were now the owner of 17.65 acres in the shopping center.

They were before Council this evening to reduce the size of their building from 192,000 sq. ft. to approximately 157,000 sq. ft. They had analyzed the site plan over that year-and-a-half. They were really tight on the site with the larger building. The smaller building just fit so much better on the site. Also, there was more green space being created.

They anticipated breaking ground on some utility work this construction season. Hopefully by July they would be ready to start some construction on some water, sewer, storm, gas and electric utility work. So people may not see a lot of vertical construction this construction season, but since this was a fifty-year old shopping center, there were a lot of existing utility lines they had to move to make way for the Meijer Project.

They currently owned the Big Lots building. Their lease expires on January 31<sup>st</sup> of 2018. So next spring they would see more vertical construction of the project. However, they would be doing some utility and underground work this summer and fall.

He would appreciate Council's support. If they had any questions he or their civil consultant would be happy to answer them.

Mr. Lowdermilk stated he had heard that Meijer was considering building 3-4 stores in the area. Mr. Jones stated they were working on a lot of different markets.

In addition to Stow, they had purchased property in Mentor, Avon and Austintown. They were under contract in Lorain. They would be closing that on Wednesday if everything goes according to plan. In the immediate area they were working on Brimfield Township and a project in Bainbridge Township.

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

No Votes: None

Abstentions: Pribonic. The motion carried.

Resolution No. 2017-73 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-74, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A ONE-YEAR CONTRACT WITH PRINCIPAL LIFE INSURANCE COMPANY FOR LIFE INSURANCE COVERAGE 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,  
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Ordinance No. 2017-74.

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

No Votes: None. The motion carried.

Ordinance No. 2017-74 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-75, entitled:

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND SOLICIT BIDS, ON BEHALF OF

THE CITY OF STOW, FOR SAFETY UPGRADE AND INTERSECTION IMPROVEMENTS TO S.R. 91/GRAHAM ROAD; AUTHORIZING AND ADOPTING PLANS AND SPECIFICATIONS PREPARED BY THE CITY OF STOW THEREFOR; 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. Costello seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2017-75.

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

No Votes: None. The motion carried.

Ordinance No. 2017-75 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-76, entitled:

A RESOLUTION AMENDING RESOLUTION 2015-64, WHICH AUTHORIZED THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH J & E DEVELOPMENT, INC. AND THE CENTIMARK CORPORATION, TO REFLECT A CHANGE IN THE LATEST ALLOWABLE COMMENCEMENT DATE AND THE LATEST ALLOWABLE TERMINATION DATE OF THE EXEMPTION.

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,  
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2017-76.

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

No Votes: None. The motion carried.

Resolution No. 2017-76 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Riehl introduced Resolution No. 2017-77, entitled:

A RESOLUTION AMENDING RESOLUTION 2015-69, WHICH AUTHORIZED THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH WALTER METALS, LLC, AND ELLWOOD SPECIALTY STEEL, LLC, TO REFLECT A CHANGE IN THE LATEST ALLOW-

ABLE COMMENCEMENT DATE AND THE LATEST ALLOWABLE TERMINATION DATE OF THE EXEMPTION.

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,  
Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2017-77.

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

No Votes: None. The motion carried.

Resolution No. 2017-77 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

**Disposition of Bills**

**MOTION:**

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

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

No Votes: None. The motion carried.

**Committee Meetings Scheduled**

Planning Committee  
Thursday, June 8, 2017  
at 6:00 p.m.

Roads & Safety Committee  
Thursday, June 8, 2017  
to Follow the Planning Committee

Finance Committee  
Thursday, June 8, 2017  
to Follow the Roads & Safety Committee

City Council  
Thursday, June 8, 2017  
at 7:00 p.m.

**Adjournment**

**MOTION:**

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

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

No Votes: None. The motion carried.

The meeting adjourned at 7:17 p.m.

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Bonnie J. Emahiser  
Clerk of Council

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Mike Rasor  
President of Council