

Minutes of the Regular Meeting of Stow City Council held on Thursday, September 14, 2017, at 7:00 p.m.

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

City Officials Present: Mayor Kline, Finance Director Baranek, Director of Budget & Management Earle, Service Director Wren, Economic Development Coordinator Trenner, City Engineer McCleary, Lieutenant Stirm, Manager of Information Systems Germano & Clerk of Council Emahiser

Press Representatives: Stow Sentry

Call to Order

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

Approval of Minutes

MOTION:

Mr. Pribonic moved and Mr. D'Antonio seconded to approve the Minutes of the Regular Council Meeting of August 10, 2017 as circulated.

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

No Votes: None. The motion carried.

Reading of Communications

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

1. Proclamation by the Mayor proclaiming the week of September 17th as "Constitution Week". This item was read in its entirety. A copy of the Proclamation was presented to representatives of the Daughters of the Revolution.

Committee Reports

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

1. One item would be introduced in legislative form.

Mr. Razor reported on the Committee-of-the-Whole Meeting of September 14, 2017 as follows:

1. One item would be introduced in legislative form.

Comments from Other Persons Present

Anthony Erhardt
4662 Dresher Trail

Mr. Erhardt stated he was a senior at Kent State University. He was taking an Urban Politics and Policy Class. They had an assignment where they could do a variety of

projects, one of which was to attend a City Council Meeting and talk to City Council Members about the structure and function of local government.

He asked if he could interview the Mayor, the President of Council and a few Council Members after the meeting about local government and touch on the zoning issue? That was a contentious issue from what he could gather reading on-line.

Mr. Rasor welcomed Mr. Erhardt to the meeting. He stated they were all very accessible to answer his questions.

Mayor Kline stated that the City's Planning Director, Rob Kurtz, was not here this evening. However, she knew he would be more than happy to talk to him and provide him with background and historical information on zoning issues in general in Stow and on specific projects. She would make sure Mr. Erhardt had his contact information too.

Alex Bryan
4674 Trillium Drive

Mr. Bryan stated he wanted to touch base on a few items this evening since it had been a little while since Council last met.

First off he wanted to thank Council President Mike Rasor for his attentiveness to requests and concerns he had had over the last couple of months.

The first was the mowing of high grass that was creating a sight line obstruction to on-coming traffic on Seasons Road, under S.R. 8, and another in regards to the bump across multiple lanes on S.R. 8 South just north of Graham Road. The high grass was quickly mowed and that section of S.R. 8 extending into Cuyahoga Falls is currently being resurfaced.

Additionally he wanted to thank Councilman Brian Lowdermilk for his continued assistance in providing information and transparency regarding the COG proposal to regionalize our 911 Dispatch.

Unlike someone simply blocking the open exchange of ideas, not answering questions from concerned and engaged citizens and publically lying about those who you seek a vote from, these examples illustrate efficient and valuable citizen engagement that builds trust and cooperation between citizens and local government to effect positive change and improvement in all our daily lives.

He also wanted to applaud Council's continued efforts to make the City of Stow a fair and friendly community for citizens and businesses to live and operate in. All too often we are quick to make laws which restrict the freedoms and liberties of one another but are hesitant to repeal laws that are guilty of such things. It is refreshing to see in our community the initiatives taken to replace these restrictive laws with protections that benefit everyone.

He stated yesterday our nation's National Anthem, the Star Spangled Banner, written by Francis Scott Key in 1814, celebrated its 203 birthday. Since 1931 this anthem, born from the poem entitled Defense of Fort McHenry, has served as a beacon of patriotic inspiration recognizing the sacrifice and service of all who have fought and died to preserve our God-given freedoms and liberties.

While most are quite familiar with the first verse of the Star Spangled Banner, few knew there were actually four verses. He shared the fourth verse as follows:

Oh! thus be it ever, when freemen shall stand
Between their loved home and the war's desolation!
Blest with victory and peace, may the heav'n rescued land
Praise the Power that hath made and preserved us a nation.
Then conquer we must, when our cause it is just,

And this be our motto: "in God is our trust."
And the starspangled banner in triumph shall wave
O'er the land of the free and the home of the brave!

Holly Miller
Senior Administrator
Summit County Department of
Community & Economic Development
Under the County Executive
175 S. Main Street – Room 207
Akron, OH 44308

Mrs. Miller stated she had passed out the Senior Citizen Information Booklet and associated information.

She wanted to quickly go over some programs that they had available out of their department that they received funding from the federal and state level governments and funding sources that the City of Stow's citizens had been taking advantage of and continue to take advantage of. Inside the booklet was a longer sheet of paper that had all of their programs on it. She would touch on those quickly.

Their first program was their Community Development Block Grant Program. The City should be fairly familiar with that as they had used it to do some waterline and street projects in the low to moderate income area in Stow that has now increased. She believed the City's Planning Director was very familiar with how the City had utilized those dollars.

In addition to Stow utilizing the funds, Stow's residents can utilize those funds as well. As long as they are low to moderate income residents they can apply to them for minor home repairs. They typically use those to keep elderly in their homes to make sure that the applicants that are applying are warm, safe and dry. They do safety issues, so they would replace a roof, furnace, hot water tank, grab bars, etc. It was all a grant to the homeowner.

Another program they had was their Home Investment Partnership Program. The funding for this had declined drastically over the last 8-10 years. They used to get over \$1,000,000. They now get \$323,000. They typically invest that in tax credit projects, such as Madeline Park I and II and Stoney Point – projects where they get a larger return on their investment.

Another program they had that some of Stow's citizens had taken advantage of but maybe not all of them knew about was their Lead Based Paint Hazard Reduction Program. They did that in conjunction with the Health Department. It was for individuals living in homes built before 1978 that meet the income guidelines on the back of the short page insert and have children under the age of six either living in the home or visiting 62 hours or more a year.

This was for the elderly that may be on a fixed income that were watching their grandchildren, maybe they get on or off the bus there or they watch them over the summer months when they were out of school (which was more than 62 hours a year). This program removes all of the lead in the home.

Lead was typically found in people's siding, windows, doors, interior base boards and front porches. They go in, remove all of that and put all new in. It was a grant to the homeowner.

It was for either a rental property or an owner-occupied property. However, they always income qualified the tenant. Therefore, if the landlord owned multiple homes in Stow, as long as the tenants in all of those homes qualified, they could do work in all of those homes for them. They do not income qualify the actual owner of the property if it is rental property.

In addition to this \$3.2 million, there was \$400,000 on top of that. That was for as long as there was lead in the home they had a portion called Healthy Homes, so if their roof was leaking, they were able to replace their roof or electrical panel for them as a grant. However, that was not a stand-alone program. They have to have lead in their homes.

Another program they had was their Household Sewage Treatment System Program. She didn't know how many septic systems they had in Stow. However, if there were some and they were failing or they needed to tie-into public utilities and they met the income qualifications, they get about \$300,000 a year from the EPA in order to tie those individuals in or to replace the failing septic system.

The cost to replace a septic system was about \$8,500. The grant pays for all of that with the exception of \$480 which is paid to the Health Department for fees and inspections to come out and tell you that your septic system is failing.

Another program they had was their Home Weatherization Program. It was on a short piece of paper. It was designed for income individuals at the poverty level. It was designed to reduce their energy burden.

A lot of your senior citizens are on fixed incomes so they would meet these income guidelines. They go in, give them a new furnace, give them a new hot water tank, provide them with insulation, give them new LED light bulbs (interior and exterior), and give them a new refrigerator and a new freezer if they have them.

All of this was a grant. It was either for landlords or owner-occupied. Again, if it was a rental situation, they were income qualifying the tenant not the owner of the unit. They could use these programs in conjunction with each other so if someone qualified for lead and they met these income guidelines, they were also going to perform a...on their home and vice versa.

There was no maximum number of programs they could put into one house. However, they do one application for all programs. So if you have a resident who isn't sure what he may qualify for, with one phone call and one application they would fit him into where he belonged in all these programs.

Another program was their Revolving Loan Fund Program. It was a program that they funded out of the Community Development Block Grant. They set aside about \$100,000 each year. It was designed to give up to \$50,000 in a loan at 3% interest over five years to a business to either retain or create employees and jobs for low to moderate income employees within your community.

She asked if people had heard of Café O'play on Graham Road? They gave them a \$50,000 loan and they have created over 30 full-time equivalent positions with that loan. They were doing a phenomenal job.

She encouraged the City to share this with the businesses that were here looking to expand or maybe to come in. It was available to them. They partnered with Cascade Capital.

Another program they had was the Fuel Fun Assistance Program. They get money from First Energy each year. The PUCO sued First Energy about eight years ago. First Energy lost the lawsuit. They had to set aside a certain amount of money each year that allows them to assist individuals that are at the poverty level to keep their electric turned on.

If people had a delinquent balance, they could go to the Ohio Means Job Center on Tallmadge Avenue on the dates that were listed on the handout. They see about 200 people a day. It takes about three minutes for them to see each individual. They get them processed and then First Energy gives them a credit.

They only do it on these big intake days because after October Winter Crisis kicks in. However, if you know of a senior center or library or some place in your community where you think it might be good for them to do a personalized intake day for the City of Stow, they travel. They could bring their tablets and do an intake day. Again, it takes about three minutes and they can be there all day.

Lastly was the Senior Citizen Information Booklet. The Mayor had extras that would stay here at City Hall. It has some really great resources in there.

If you have a constituent where you feel there has to be a solution for a problem he is going thru and you can't find it in this booklet, you can call 211 or her and they will take that constituent from you and find the services that will help him get thru whatever circumstances he is suffering thru at that time.

She had given them a lot of information very quickly. However, Council had her card. If they had any questions she could take them now or people could email her or people could call her at any time.

Mr. Razor thanked Mrs. Miller for giving them a lot of great information.

City Officials' Reports

Mayor Kline reported as follows:

1. Welcomed Council back from their recess. They had had a busy time while Council was gone. They looked forward to many events coming over the next few weeks.
2. In response to Hurricane Harvey in Texas, the City was accepting diapers and wipes for the Texas Diaper Bank. The lobby was empty at the moment because today they sent their second full box-truck to Texas. They had collected the material over the last two weeks.

She thanked TTR Shipping in Stow. They were the City's shipping partner and they were taking the material to Texas at no cost to the City. They came last week with a large box-truck. They filled it. They came back today and they filled a second one. When they repackaged the first one it amounted to more than half a full semi-truck. They had at least that much or more today.

They would be collecting thru September 22nd. The referral agency was the Texas Diaper Bank, which had been featured in the New York Times, the Washington Post and several other publications as a reputable agency to donate to for hurricane victims in Texas.

The Diaper Bank put them in touch with an agency and TTR was taking them directly there. They were supporting the Trinity Kline Lutheran Church in Spring Texas. She had talked to them today and they had already served over 6,000 families. They continue to have need.

The Texas Diaper Bank was also in need of monetary donations. The City has collected approximately \$600 already in monetary donations. They have put those donations in a separate fund and would send a check to the Texas Diaper Bank. One hundred percent of the funds collected would go there.

The Texas Diaper Bank has seen a great need for adult incontinence items. So if somebody listening was looking at making a donation in the next week, she asked that he/she please consider donating not only diapers for infants but also adult incontinence items for senior citizens and people with disabilities who have been displaced.

People had asked if they were planning on doing something to help victims of hurricane Irma? They were. However, she had not been able to locate specific information about what may be needed to help families in the Florida area the way they were in the flooding in the Houston area and surrounding communities in Texas. People should keep their eyes tuned for that information.

She thanked the community for in essence they had entirely filled up one semi-truck so far and they had another week to go. She thought that was pretty amazing. She thanked the people of Stow for being so generous. She certainly wanted to relay the thanks she had received today from Trinity Kline Lutheran in Spring Texas. They were pretty overwhelmed with their generosity.

Finance Director Baranek reported as follows:

1. Highlighted the following items from the Bill Listing:

Total: \$2,804,690.
Of that:
\$1,357,361 was for two payrolls;
\$431,421 was for employee benefits
(\$200,000 of that was for medical benefits
and \$228,000 of that was for pension contributions);
\$280,184 was for capital improvements; and
\$178,029 was for bulk purchases
(\$169,730 of that was for the monthly bulk water payment).

Mayor Kline stated Mr. Baranek and his wife welcomed their first grandchild into the world last Friday. She congratulated them for that.

City Engineer McCleary reported as follows:

1. The S.R. 91/Fishcreek Road and the S.R. 91/Norton Road Project has been completed. There were some minor punch list items that would take place over the next couple of weeks. However, it was basically completed on time and under budget.
2. The next project was the S.R. 91/Graham Road Project. It was currently out-to-bid. It would be opened on September 28th.
3. ODOT reported today that west bound Graham Road to the south bound S.R. 8 on-ramp, the one closest to Panera's, would be closed tonight for grinding and tomorrow night it would be paved. That was weather dependent, but it should be a two-night process.
4. They would also be working on the S.R. 8 Expressway. That should be finished over the next 2-3 weeks.

Mr. Rasor congratulated Mr. McCleary on the S.R. 91/Fishcreek Road and S.R. 91/Norton Road Project. He knew he personally was hands on. It turned out great. He had heard a lot of compliments.

Disposition of Ordinances & Resolutions

Mr. Riehl introduced Resolution No. 2017-84, entitled:

A RESOLUTION AMENDING RESOLUTION 2015-48, WHICH AUTHORIZED THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH SEASONS BUSINESS CENTER, LLC, TO ACCOUNT FOR RETAINED EMPLOYMENT IN SEASONS BUSINESS CENTER 1 AND TO REFLECT A CHANGE IN THE LATEST ALLOWABLE COMMENCEMENT DATE AND THE LATEST ALLOWABLE

TERMINATION DATE OF THE EXEMPTION; AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded to amend Resolution No. 2017-84 to Version No. 2.

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

No Votes: None. The motion to amend carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Resolution No. 2017-84 as amended.

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

No Votes: None. The motion carried.

Resolution No. 2017-84 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Razor introduced Ordinance No. 2017-89, entitled:

AN ORDINANCE REPEALING C.O.S. 737.031, ENTITLED "ICE CREAM VENDORS PROHIBITED", IN ITS ENTIRETY, AND ENACTING NEW CHAPTER 739, ENTITLED "MOBILE ICE CREAM VENDORS", IN ORDER TO PERMIT, LICENSE AND REGULATE MOBILE ICE CREAM VENDORS IN THE CITY OF STOW.

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

Mr. Razor introduced Ordinance No. 2017-92, entitled:

AN ORDINANCE BANNING THE PURCHASE, INSTALLATION AND USE OF TRAFFIC LAW PHOTO-MONITORING DEVICES TO ENFORCE TRAFFIC LAWS AT INTERSECTIONS CONTROLLED BY LIGHTED TRAFFIC CONTROL SIGNALS OR TO ISSUE TICKETS OR FINES FOR SPEED VIOLATIONS.

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

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

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

No Votes: None. The motion carried.

Mr. Razor moved and Mr. Lowdermilk seconded for the adoption of Ordinance No. 2017-92.

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

No Votes: None. The motion carried.

Ordinance No. 2017-92 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. 2017-93, entitled:

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO
THE STOW CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. Adaska moved and Mr. Lowdermilk seconded for the adoption of Ordinance No. 2017-93.

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

No Votes: None. The motion carried.

Ordinance No. 2017-93 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-94, entitled:

A RESOLUTION DESIGNATING THE HUNTINGTON NATIONAL BANK OF
CLEVELAND (KENT), OHIO, AS AN AUTHORIZED DEPOSITORY OF THE
ACTIVE DEPOSITS OF THE CITY OF STOW, OHIO, AND DECLARING AN
EMERGENCY.

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

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

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

No Votes: None

Abstentions: Rasor. The motion carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Resolution No. 2017-94.

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

No Votes: None

Abstentions: Rasor. The motion carried.

Resolution No. 2017-94 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-95, entitled:

A RESOLUTION DESIGNATING THE TRISTATE CAPITAL BANK AS AN
AUTHORIZED DEPOSITORY OF THE ACTIVE DEPOSITS OF THE CITY
OF STOW, OHIO, 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: Lowdermilk, Pribonic, Rasor, Riehl,
Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2017-95.

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

No Votes: None. The motion carried.

Resolution No. 2017-95 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2017-96, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER
INTO A THREE-YEAR CONTRACT WITH AT&T CORPORATION, WITH-
OUT THE NECESSITY OF PUBLIC BIDS, TO PROVIDE INTERNET AND
IP FLEX BV0IP SERVICES 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: Lowdermilk, Pribonic, Rasor, Riehl,
Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-96.

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

No Votes: None. The motion carried.

Ordinance No. 2017-96 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-97, entitled:

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE CITY
OF STOW TAX INCENTIVE REVIEW COUNCIL REGARDING COMMUNI-
TY REINVESTMENT AREA AGREEMENTS WITHIN THE CITY OF STOW
COMMUNITY REINVESTMENT AREA I 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: Lowdermilk, Rasor, Riehl,
Adaska, Costello & D'Antonio

No Votes: None

Abstentions: Pribonic. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2017-97.

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

No Votes: None

Abstentions: Pribonic. The motion carried.

Resolution No. 2017-97 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-98, entitled:

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE CITY
OF STOW TAX INCENTIVE REVIEW COUNCIL REGARDING COMMUNI-
TY REINVESTMENT AREA AGREEMENTS WITHIN THE CITY OF STOW
COMMUNITY REINVESTMENT AREA II AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None

Abstentions: Pribonic. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2017-98.

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

No Votes: None

Abstentions: Pribonic. The motion carried.

Resolution No. 2017-98 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Disposition of Bills

MOTION:

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

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

No Votes: None. The motion carried.

Committee Meetings Scheduled

Planning Committee
Thursday, September 28, 2017
at 5:30 p.m.

Public Improvements Committee
Thursday, September 28, 2017
to Follow the Planning Committee

Finance Committee
Thursday, September 28, 2017
to Follow the Public Improvements Committee

C.O.W.
Thursday, September 28, 2017
to Follow the Finance Committee

City Council
Thursday, September 28, 2017
at 7:00 p.m.

Mayor Kline requested an Executive Session at the Committee-of-the-Whole Meeting scheduled for Thursday, September 28, 2017 to discuss appointment and compensation of public employees and tentatively labor negotiations.

Adjournment

MOTION:

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

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

No Votes: None. The motion carried.

The meeting adjourned at 7:31 p.m.

Bonnie J. Emahiser
Clerk of Council

Mike Rasor
President of Council