

Minutes of the Regular Meeting of Stow City Council held on Thursday, September 28, 2017, at 7:36 p.m.

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

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

Press Representatives: Stow Sentry

Call to Order

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

Approval of Minutes

MOTION:

Mr. Riehl moved and Mr. Costello seconded to approve the Minutes of the Regular Council Meeting of September 14, 2017 as presented.

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

No Votes: None. The motion carried.

Comments from Other Persons Present

James Pulskamp
2561 Merria Road

Mr. Pulskamp stated he has lived in Stow pretty much his whole life. His parents came here. He didn't know if they knew the name. He used to own a business in Munroe Falls. He paid taxes his whole life. He paid a lot of taxes. He didn't have any children or dogs. He also didn't golf.

He wanted to ask a few questions. He didn't need answers to them. Things were just kind of running thru his mind.

Mr. Pulskamp stated that he recently called the City about an issue he had with his ditch. He asked that the sandbar in it be removed. He didn't know if people were familiar with his location, however, they get a lot of water down there. If it is going to flood, it happens twice a year.

He asked Council if they remembered the 100-year flood and what happened then? They all forgot that water runs downhill. The storm sewers fill up and the water runs downhill. That happens twice a year where he was at. No matter how big they dig the ditch, it is going to flood.

When he came home one day the City had come by and did their thing, which wasn't really what he had been looking for – not even close. He was actually flabbergasted.

Being kind of a confrontational person he couldn't even address the problem for a couple of weeks.

After addressing the problem he was told it was good. He didn't know. He stated he had a water bill with a fee on it for storm water improvements. He asked if the City needed this fee? He asked what it was for? He asked if they shouldn't have been doing it already? Wasn't that something they did?

After calling the City to address the issue he had, being that he was a customer of theirs, customer satisfaction was not there. He was addressed by a person who was very confrontational, very set in his ways and very kind of disturbed because he had made a couple of calls to somebody else. All of a sudden for two weeks nobody would talk to him because he had asked a couple questions.

He wasn't one to throw stones and he didn't feel like arguing. He knew that if you didn't know something, you could ask. He needed the problem addressed.

He thought City Council did an awesome job. He asked them to think about what they do. It was amazing – all the stuff that has been done. He had been in Stow for 50 years and what it was then and what it is now was amazing.

With today's society, technology and everybody wanting to cast stones and air their dirty laundry, and he wasn't perfect, they were all human, they all had skeletons in the closet...

Mr. Razor thanked Mr. Pulskamp for sharing his...

City Officials' Reports

Mayor Kline reported as follows:

1. During the Planning Committee Meeting, Mr. Trenner had invited all of them to Manufacturing Day, next Friday, October 6th. She echoed that invitation and encouraged Council Members to do two things.

One was to come out, engage with the students and see their excitement about learning about careers in modern manufacturing. Another was that it is very important to our employers and businesses that they see them supporting these things.

So if at all possible that Council Members are able to be there, she asked that they please get in touch with Mr. Trenner and schedule one of the tours. Unfortunately people can't just drop-in because they need to make safety precautions. However, it really is important that they support these sort of events.

If they hadn't been to a Manufacturing Day before, it is a lot of energy and excitement and is very interesting to see inside some of the businesses in Stow that they might drive by and wonder what it is they do in there? What they do is pretty awesome.

2. Wanted to give a wrap-up on the City's drive to collect diapers and wipes for the Texas Diaper Bank in the wake of Hurricane Harvey. They concluded that donation drive last Friday. They filled 1 ½ semis of diapers and wipes that went to Texas. They also raised \$940 in cash for them.

She wanted to thank the community of Stow and the surrounding communities of Munroe Falls, Hudson and Cuyahoga Falls that also participated. She also wanted to give a special thankyou to their shipping partner, TTR Shipping, in Stow. They sent all of that to Texas at no charge to the City.

They really owed TTR Shipping, who was a great Stow business, that decided to stay here after contemplating moving. They were so glad they stayed for many reasons. This was one of many. She thanked them for all that they did.

She stated there were other Americans who were in dire need of assistance after weather related catastrophes. They were planning on launching within the next several days a donation drive to aid the citizens that live in Puerto Rico.

Obviously given the geographic and logistical challenges of where it is, it is not going to be a tangible drive for goods like it was for the diaper bank. However, they were researching partnering with some organizations that were directly offering assistance. There were several that were reputable.

They would have more information to encourage community members if they were so inclined to donate towards that. She suggested people look on social media and other posts from the City of Stow if they wanted to participate in that.

3. The City would have their annual Trick-or-Treat, which was always one of the most requested pieces of information that they had every year.

On Friday, October 27th, in the late afternoon, starting at 2:30 p.m., they would have their annual indoor Trick-or-Treat Street at City Hall. Once again they would be collecting items for Bulldog Bags. She asked people to look for information on that.

Then the traditional Trick-or-Treat would be Saturday, October 28th, from 5:30 p.m. until 7:30 p.m. There would be lots of reminders on social media, but it was no exaggeration to say that every year the Mayor's office starts getting phone calls in February from people wanting to know when Trick-or-Treat is.

Finance Director Baranek reported as follows:

1. This Saturday and Sunday the Stow Historical Society would be holding their Harvest Festival, which was their only fundraising event at the Heritage Barn. All the historical houses would be open for the public to view, including the one-room school house.

They would have kids' entertainment, vendors and crafters. There would also be music on Saturday, from 12:00 p.m. until 3:00 p.m. That would be a Blue Grass Band. And on Sunday they would have an individual performing out there from 12:00 p.m. until 3:00 p.m.

Law Director Zibritosky reported as follows:

1. Requested Council's favorable consideration of the appointment of Mr. Schofield. He was in the audience tonight. He came out of his office and would be going back to it after this to work all night because he had a jury trial tomorrow. Mr. Rasor thanked Mr. Schofield for being here.

Service Director Wren reported as follows:

1. The Mayor, Mr. McCleary and him had met with representatives of Ohio Edison today. They would be starting a construction project on S.R. 91 starting at Louis Dirker Blvd. and heading north on October 9th.

It would last a couple of months. They would be replacing all of the poles down S.R. 91 all the way to Georgetown Road. They would keep Council updated on the project as it progressed.

Mr. Adaska asked when they could expect the City Hall parking lot to be repaved? Mr. Wren stated that all paving was scheduled to be completed by October 17th. Beginning

tomorrow they were hoping to keep them in town for the next few weeks. Once they get going if they could keep them in town, they should be done in a couple of weeks.

New Business

MOTION:

Mr. Riehl moved and Mr. D'Antonio seconded to authorize the hiring of a Supervisor of Communications.

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

No Votes: None. The motion carried.

Disposition of Ordinances & Resolutions

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

AN ORDINANCE REPEALING C.O.S. 737.031, ENTITLED "ICE CREAM VENDORS PROHIBITED", IN ITS ENTIRETY, AND ENACTING A 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 second time.

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

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

No Votes: None. The motion carried.

Mr. Lowdermilk moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-89.

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

No Votes: None. The motion carried.

Ordinance No. 2017-89 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Pribonic introduced Resolution No. 2017-99, entitled:

A RESOLUTION GRANTING APPROVAL TO MICHAEL GROSSI, APPLICANT, AND ROGER BOURGEOIS, PROPERTY OWNER, FOR THE EXTENSION OF A USE OF A NONCONFORMING STRUCTURE FOR THE PROPERTY LOCATED AT 4526 STOW ROAD, IN THE CITY OF STOW, TO UTILIZE THE SITE FOR OFFICE USE, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2017-99.

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

No Votes: None. The motion carried.

Resolution No. 2017-99 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Pribonic introduced Resolution No. 2017-100, entitled:

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE, SITE PLAN AND VARIANCE APPROVAL TO KEN KNUCKLES OF DEVELOPMENT MANAGEMENT GROUP, LLC, APPLICANT AND AUTHORIZED AGENT FOR THE PROPERTY OWNERS, TO PERMIT A MULTI-TENANT RETAIL DEVELOPMENT ON PROPERTIES KNOWN AS 4185/4193, 4209 AND 4217 KENT 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. Lowdermilk seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2017-100.

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

No Votes: Riehl & Adaska. The motion carried.

Resolution No. 2017-100 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. 2017-101, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE MAINTENANCE OF THE CITY OF STOW'S TELEPHONE SYSTEM AT CITY HALL/SAFETY CENTER FROM SOLE SOURCE PROVIDER AVAYA INC., FOR THE PERIOD SEPTEMBER 1, 2017 THRU AUGUST 31, 2018, 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. D'Antonio seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-101.

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

No Votes: None. The motion carried.

Ordinance No. 2017-101 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-102, entitled:

A RESOLUTION ACCEPTING AND APPROVING THE AMOUNTS AND RATES AS DETERMINED BY THE SUMMIT COUNTY BUDGET COMMISSION; AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER FOR 2018 COLLECTION; 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: Pribonic, Rasor, Riehl, Adaska,
Costello, D'Antonio & Lowdermilk.

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2017-102.

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

No Votes: None. The motion carried.

Resolution No. 2017-102 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-103, entitled:

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FINANCIAL ASSISTANCE WITH A PROJECT DESIGNATED AS THE GRAHAM ROAD RESURFACING PROJECT 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: Pribonic, Rasor, Riehl, Adaska,
Costello, D'Antonio & Lowdermilk.

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No 2017-103.

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

No Votes: None. The motion carried.

Resolution No. 2017-103 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-104, entitled:

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FINANCIAL ASSISTANCE WITH PROJECTS DESIGNATED AS THE NORTON ROAD RECONSTRUCTION, NORTON ROAD RESURFACING AND SEASONS ROAD RECONSTRUCTION PROJECTS 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: Pribonic, Rasor, Riehl, Adaska,
Costello, D'Antonio & Lowdermilk.

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2017-104.

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

No Votes: None. The motion carried.

Resolution No. 2017-104 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Resolution No. 2017-105, entitled:

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR FINANCIAL ASSISTANCE WITH PROJECTS DESIGNATED AS THE DARROW ROAD SIDEWALK, ARNDALE ROAD RESURFACING, FISHCREEK ROAD RESURFACING, STOW ROAD RESURFACING, HUDSON DRIVE RESURFACING AND GRAHAM ROAD CORRIDOR PROJECTS 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: Pribonic, Rasor, Riehl, Adaska,
Costello, D'Antonio & Lowdermilk.

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Resolution No. 2017-105.

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

No Votes: None. The motion carried.

Resolution No. 2017-105 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Ordinance No. 2017-106, entitled:

AN ORDINANCE APPROVING AN ADDENDUM TO THE CURRENT EMPLOYMENT CONTRACT BETWEEN THE CITY OF STOW AND JAMES D. MCCLEARY AS CITY ENGINEER FOR THE CITY OF STOW, ESTABLISHING COMPENSATION AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. Rasor moved and Mr. Costello seconded for the adoption of Ordinance No. 2017-106.

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

No Votes: None. The motion carried.

Ordinance No. 2017-106 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Ordinance No. 2017-107, entitled:

AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF RONALD CLUM TO THE POSITION OF YOUTH SPECIALIST WORKER IN THE YOUTH SERVICES DIVISION OF THE POLICE DEPARTMENT FOR THE CITY OF STOW; ESTABLISHING COMPENSATION FOR SAID APPOINTEE; AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mrs. Emahiser stated that an effective date needed to be put in the legislation. Mayor Kline believed the effective date would be September 30th. Chief Film stated that was correct. Mayor Kline apologized for the oversight on their part. Mr. Rasor stated that was not a problem.

Mr. Rasor moved and Mr. D'Antonio seconded to insert September 30th in all of the blanks in the legislation as the effective date.

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

No Votes: None. The motion carried.

Mr. Rasor moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2017-107 as amended.

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

No Votes: None. The motion carried.

Ordinance No. 2017-107 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Ordinance No. 2017-108, entitled:

AN ORDINANCE AMENDING THE LAW DIRECTOR'S APPOINTMENT OF RODNEY SCHOFIELD AS ASSISTANT LAW DIRECTOR OF THE CITY OF STOW TO A PERMANENT APPOINTMENT, ESTABLISHING COMPENSATION FOR SAID APPOINTEE, 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: Pribonic, Rasor, Riehl, Adaska,
Costello, D'Antonio & Lowdermilk.

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Costello seconded for the adoption of Ordinance No. 2017-108.

Mr. Lowdermilk stated he would support this this evening. However, he thought going forward with the court, this was just adding cost that doesn't necessarily show-up in the court's budget that the City is incurring to take care of the cases in the court. He thought from a budget standpoint that needed to be looked at closely going into the next budget.

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

No Votes: None. The motion carried.

Ordinance No. 2017-108 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor congratulated Mr. Schofield.

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

No Votes: None. The motion carried.

Committee Meetings Scheduled

Finance Committee
Thursday, October 12, 2017
at 6:00 p.m.

C.O.W.
Thursday, October 12, 2017
to Follow the Finance Committee

City Council
Thursday, October 12, 2017
at 7:00 p.m.

Mr. Costello and Mr. Pribonic stated they would not be present at the October 12th meeting. Mr. Rasor stated maybe if the agenda was light, they may cancel the meeting. He thanked the Council Members for letting him know.

Mayor Kline believed that the City Administration would have items on the October 12th agenda that they would not be able to postpone. Mr. Rasor stated that would not be a problem.

Adjournment

MOTION:

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

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

No Votes: None. The motion carried.

The meeting adjourned at 8:02 p.m.

Bonnie J. Emahiser
Clerk of Council

Mike Rasor
President of Council