

Minutes of the Regular Meeting of Stow City Council held on Thursday, June 14, 2018, at 7:03 p.m.

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

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

---

### **Call to Order**

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

### **Reading of Communications**

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

1. Proclamation by the Mayor declaring Friday, June 15<sup>th</sup>, 2018, as "Elder Abuse Awareness Day". This item was read in its entirety.

### **Committee Reports**

Mr. Riehl reported on the Committee-of-the-Whole Meeting of June 14, 2018 as follows:

1. Discussed the CAD Agreements with the City of Tallmadge and Village of Mogadore.

Mr. Pribonic reported on the Planning Committee Meeting of June 14, 2018 as follows:

1. One item would be introduced in legislative form.

Mr. Rasor reported on the Roads & Safety Committee Meeting of June 14, 2018 as follows:

1. Presented Service and Valor Awards to several Firefighters and Police Officers for rescuing a man after an attempted suicide.

Mr. Lowdermilk reported on the Public Improvements Committee Meeting of June 14, 2018 as follows:

1. One item would be introduced in motion form.

Mr. D'Antonio reported on the Finance Committee Meeting of June 14, 2018 as follows:

1. One item would be introduced in motion form.
2. One item would be introduced in legislative form.

### Comments from Other Persons Present

Tom McKinney  
4731 Hilary Circle  
Stow, OH 44224

Mr. McKinney stated he had the same concerns that Mr. Lowdermilk had about some of the nuisance things, grass in particular, but also vehicles that are parked in driveways for too long, vehicles on the streets and those kinds of things.

He knew it seemed like the only way anything moved forward was with a resident's complaint. It seemed like with the city vehicles, whether they be service out doing tree lawn work and those types of things, police and fire, they had lots of vehicles traveling around the city that would notice areas that needed work.

He knew they had had concerns about the Dollar General Store at the corner of Fish-creek and Stow for some length of time. That grass wasn't 8" or 2' high, it was about 4' as of about a week ago. It has been taken care of. He didn't know if it was the owner or who took care of it, but those kinds of things seem awfully obvious. It would seem like someone other than just a resident would know that.

They had one in their neighborhood. When he looked up the code, it was allowed. So he would like to maybe grandfather something in later, but it was a safety issue going down one of their streets in his neighborhood. There was a large recreation vehicle that's parked probably outside of the easement limit. However, you can't see past that vehicle driving up and down the street and there are lots of kids there. He would propose a change in that zoning.

He also thought they should do something other than having residents complain. That particular spot in their neighborhood, and if he was next door they would probably know that he wasn't happy because he griped a little bit, they would probably know that he was the one that reported it. He thought the City should be reporting things like that that are obvious violations, not the residents.

Regarding the lady who had the moral claim, it seemed like she got steered maybe in the wrong direction inadvertently. He thought maybe somewhere along the line that should be taken care of too.

It sounded like she was told one thing to do. She did what she was told to do. That didn't do her any good. She claimed that they had no report from the City. Obviously they had reported it. However, he thought that should at least be followed-up. He knew they were going to, but at least she would have proof that that was done immediately.

Mario Fiocca  
4058 Red Wing Trail  
Stow, OH 44224

Mr. Fiocca stated he had a question regarding the culvert repair on Arndale Road and when the expected ETA of completion would be?

Mr. McCleary stated they are working on the waterline going under the culvert now. Tomorrow was the sanitary sewer. Next week box culverts would start to be delivered. Their goal was to have the road open by the 4<sup>th</sup> of July weather dependent.

Terri Weaver  
1925 Maplewood Road  
Stow, OH 44224

Mrs. Weaver wondered when all of the sidewalks would be reopened on this corner? She also asked what was going-on with all of the digging up in the old SKiP Park and extra parking lot?

Mr. McCleary stated they were putting more sidewalks in tomorrow and Monday. The traffic signal poles are scheduled to be delivered sometime in mid-July as last they had heard. They can't finish the sidewalks because the existing traffic signal poles that service the intersection can't be taken-out until the new poles are set and activated. Therefore, the entire sidewalk will not be totally available until that happens.

So they were looking at the traffic signal poles being set sometime in July and the final piece of that sidewalk, maybe 1-2 blocks, will be out until after all the signals are operational – sometime early August. The goal is to have all of the signals operational, the street paved and the sidewalks back in before school starts.

As far as the parking lot, that is their staging area where they store materials and equipment to keep it off of the road. Mrs. Weaver stated so it wasn't being dug-up. Mr. McCleary stated it wasn't. It was just a staging area for now for this project.

Mrs. Weaver asked if it was available for parking? Mr. McCleary stated people could. However, they were going in and out. They were using quite a bit of the parking lot.

After the middle of next week, while they were waiting on the poles, there will be a couple of weeks where there's isn't a lot of activity. So there is probably a parking space or two where there wouldn't be a piece of equipment so she could park there.

Mrs. Weaver asked if after everything is done if they would have their stuff in there? Mr. McCleary stated they would not.

Mr. Brooker stated tomorrow the Street Department, in conjunction with the Parks and Recreation Department, would be at the SKiP Playground working again clearing out the rest of the old bedding material that was underneath the playground and preparing it for seed and straw over the next couple of days.

Mrs. Weaver stated so it was just going to be planted over. Mr. Brooker stated it would be planted over with grass for now.

### **City Officials' Reports**

Mayor Costello reported as follows:

1. Wished everyone a Happy Flag Day.
2. The City continues to grow as they welcome new businesses.  
  
Innovated Fabricators has moved into the old Wrayco building on Seasons Road. Diamond Optical has reopened under new management on Kent Road. Stow Smiles today had their grand opening on Graham Road.
3. On Monday he would have the pleasure of swearing-in their two newest Fire-fighters.
4. Before Council this evening is the third reading of the Intergovernmental Agreement concerning the CAD upgrade for Safety Services. A lot of time and effort has been put forth into crafting this agreement by a number of people. He wanted to thank all of them for their efforts.

He also wanted to say that this is and will continue to be a very important tool for all of our Dispatchers and First Responders. He asked for Council's favorable consideration.

Tonight they also had the agreements with Tallmadge and Mogadore. They were very similar to their agreement with the County. He also asked for Council's favorable consideration of them.

5. The next big holiday coming-up is the 4<sup>th</sup> of July. Pride Week starts on Wednesday, June 28<sup>th</sup>. He invited everyone interested to attend the breakfast at the American Legion. Pride Week will end with the parade on Wednesday, July 4<sup>th</sup>.

Finance Director Baranek reported as follows:

1. Highlighted the following items from the Bill Listing:

Total: \$2,456,848.

Of that:

\$782,367 was for one payroll;  
\$499,751 was for employee benefits;  
\$398,751 was for capital improvements;  
\$163,102 was for bulk purchases  
(of that the City's bulk  
water purchase was \$151,559); and  
other various miscellaneous expenses.

Law Director Zibritosky reported as follows:

1. The CAD contracts were before Council this evening. There was a Version No. 2 of the CAD contract that should address Mr. Rasor's and Mr. Lowdermilk's concerns regarding renewal.

Many people worked very hard on this deal. She thought it was a great one. Their agreement with the City of Kent was a great deal at the time and had worked well for them. However, this was above and beyond better in terms of both monetary savings over the long-term and the equipment they were getting. She asked for Council's favorable consideration of it.

Assistant Service Director Brooker reported as follows:

1. Reminded everyone that hydrant flushing was still going on in the city. If people noticed any dirty water, they should just let it run until it cleared.
2. He came to Council every April asking for money to purchase new equipment and to upgrade equipment. He had tried for the last couple of years not to add anything other than just replacing things that had worn-out.

In front of Council tonight was a picture of a vehicle that Council had approved. He wanted to give them a picture of it to show them how much that meant to all the guys.

It was very unusual to buy a piece of equipment in any of their departments that everybody that worked there agreed on. You could go out and buy one new truck and have 30 opinions on how to set it up. This truck had definitely been a long-time coming.

As they work on S.R. 8, which is the most dangerous road in the City, guys have been putting cones out for years out of the back of a pick-up truck or off of a trailer towed by a truck or anyway they could figure out a way to get the amount of cones out there that were needed to make it safe.

With this vehicle, they had originally started off with an 18' bed. When he ordered the truck they had sold it the day before Council approved it. The vendor honored the price but gave them a 22' bed that was in stock. They thought that was going to be way too long. However, as you can see by the photo, he was glad they got a 22' bed.

That truck is sitting there right now loaded today for this coming weekend. There are 364 cones on that truck with bases. That will take their taper and put it from 3 ½ miles.

Starting Saturday evening they would be working on S.R. 8. They would be out there at 10:00. The taper starts in Cuyahoga Falls. There are two tapers. They are going to shut-down two lanes of the highway and do some work out there. This would give them a lot more safety and flexibility for the guys to work off of.

He thanked Council for this specific purchase.

Mr. Herchick asked if they would use this truck for anything else besides what they saw in the picture? Mr. Brooker stated that was the actual benefit of this truck. The way it was set-up all of these cones can be removed within a short amount of time and they can use it for other activities throughout the year.

It will be used for the 4<sup>th</sup> of July for carrying things. What's nice is that every panel you see on there is removable. There is a step on the side with a plate that covers it so it's a complete flatbed. So it will be used. It won't just be sitting around.

Mr. Razor asked what kind of time difference was there between the pick-up truck, the old school way and the way they would use this? Mr. Brooker stated they would find out on Saturday night. He thanked the Police Department for providing some backup for them. This should make it a lot easier for them.

City Engineer McCleary reported as follows:

1. They were paving Baker Lane in Baker's Glen today and tomorrow.

Police Chief Film reported as follows:

1. Asked for Council's support of the County's CAD System.
2. Reminded residents that with the weather really heating up, there's no reason to have an animal inside of a car for any period of time. He also asked people to check on their neighbors, residents and family members that were elderly.

Mr. Riehl asked if there wasn't a State Statute that allows for the breaking of windows for animals left in cars? Chief Film stated they had done that in the past. However, with their new lockout tools, it was just as quick to get into cars that way.

### **New Business**

#### **MOTION:**

Mr. D'Antonio moved and Mr. Pribonic seconded to authorize the hiring of one Police Officer.

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

No Votes: None. The motion carried.

#### **MOTION:**

Mr. Lowdermilk moved and Mr. Adaska seconded to confirm the Mayor's appointment of Randall Roberts to the Board of Zoning and Building Appeals for a term ending 1/2/19.

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

No Votes: None. The motion carried.

**Disposition of Ordinances & Resolutions**

Ordinance No. 2018-61 was held.

Mr. Lowdermilk stated that a Public Hearing on this ordinance was scheduled for Thursday, June 28, 2018, at 5:30 p.m.

Mr. Riehl introduced Ordinance No. 2018-66, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH AKRON, CUYAHOGA FALLS, FAIRLAWN, GREEN, AND SUMMIT COUNTY FOR THE ACQUISITION, INSTALLATION AND OPERATION OF A CONSOLIDATED COMPUTER AIDED DISPATCH SYSTEM, AND DECLARING AN EMERGENCY.

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

Mr. D'Antonio moved and Mr. Rasor seconded to amend Ordinance No. 2018-66 to Version No. 2.

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Lowdermilk seconded for the adoption of Ordinance No. 2018-66.

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

No Votes: None. The motion carried.

Ordinance No. 2018-66 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Pribonic introduced Resolution No. 2018-68, entitled:

A RESOLUTION GRANTING A LOT SPLIT, INCLUDING VARIANCES, TO FRED MOLAI OWNER OF THE STOW MUFFLER SHOP OF A PARCEL LOCATED AT 3265 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. D'Antonio seconded for the suspension of rules.

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

No Votes: None. The motion carried.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2018-68.

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

No Votes: None. The motion carried.

Resolution No. 2018-68 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2018-69, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE TO SAMAR COVEL AS AND FOR SETTLEMENT OF HER MORAL CLAIM AGAINST THE CITY FOR DAMAGE INCURRED TO HER VEHICLE AS THE RESULT OF A GUY WIRE STRIKING HER CAR AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Rasor seconded for the adoption of Ordinance No. 2018-69.

Yes Votes: None

No Votes: Rasor, Riehl, Adaska, D'Antonio,  
Herchick, Lowdermilk & Pribonic  
The motion failed.

Ordinance No. 2018-69 was declared to be defeated.

Mr. Riehl introduced Ordinance No. 2018-70, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH TALLMADGE FOR THE ACQUISITION, INSTALLATION AND OPERATION OF A CONSOLIDATED COMPUTER AIDED DISPATCH SYSTEM, 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: Rasor, Riehl, Adaska, D'Antonio,  
Herchick, Lowdermilk & Pribonic

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2018-70.

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

No Votes: None. The motion carried.

Ordinance No. 2018-70 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2018-71, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH MOGADORE FOR THE ACQUISITION, INSTALLATION AND OPERATION OF A CONSOLIDATED COMPUTER AIDED DISPATCH SYSTEM, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2018-71.

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

No Votes: None. The motion carried.

Ordinance No. 2018-71 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

### **Disposition of Bills**

#### **MOTION:**

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

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

No Votes: None. The motion carried.

### **Pending Committee Meetings**

Public Hearing  
Thursday, June 28, 2018  
at 5:30 p.m.

Planning Committee  
Thursday, June 28, 2018  
to Follow the Public Hearing

Finance Committee  
Thursday, June 28, 2018  
to Follow the Planning Committee

City Council  
Thursday, June 28, 2018  
at 7:00 p.m.

**Adjournment**

**MOTION:**

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

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

No Votes: None. The motion carried.

The meeting adjourned at 7:30 p.m.

---

Bonnie J. Emahiser  
Clerk of Council

---

Matt Riehl  
President of Council