

Minutes of the Regular Meeting of Stow City Council held on Thursday, September 27, 2018, at 7:00 p.m.

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

City Officials Present: Mayor Costello, Director of Planning and Development Kurtz, Finance Director Baranek, Director of Budget & Management Earle, Economic Development Coordinator Trenner, Deputy Service Director Brooker, Police Chief Film, Fire Chief Stone, City Engineer McCleary, Assistant Law Director Mackin, Parks & Recreation Director Nahrstedt, Law Director Zibritosky & Clerk of Council Emahiser

Press Representatives: Stow Sentry

Call to Order

Mr. Riehl called the meeting to order and Mr. Herchick 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 proclaiming the week of September 17th as "Constitutional Week". This Proclamation was read in its entirety. A copy of the Proclamation was presented to members of the Daughters of the American Revolution.

Mr. Rasor thanked Mayor Costello for bringing this to Council's attention. He thought the Constitution was one of the most under estimated parts of our Republic. They have this document that keeps their affairs in order and was really a blessing from God.

Mr. Riehl stated that Council should all be in receipt of a letter from the Munroe Falls Historical Society.

On Monday, October 8th, at 10:00 a.m., the Munroe Falls Historical Society is going to have a rededication ceremony of the Roger W. Moore gravesite at the Stow Cemetery.

Roger Moore was a remarkable human being. He was one of 24 children. He gave his life for his country during World War I on October 8, 1918.

The ceremony is going to last about an hour. It is going to include the replaying of instrumental music, a speaker, and the unveiling of a new exhibit. Once again that's on October 8th, at 10:00 a.m., at the Stow Cemetery.

He hoped people could be there.

Committee Reports

Mr. D'Antonio reported on the Finance Committee Meeting of September 27, 2018 as follows:

1. Several items would be introduced to Council this evening.

Mr. Pribonic reported on the Planning Committee Meeting of September 27, 2018 as follows:

1. The Planning Committee had four items on the Legislative Agenda this evening.

Mr. Razor reported on the Roads & Safety Committee Meeting of September 27, 2018 as follows:

1. They honored Officer Smith for his heroics in saving a man's life.
2. He would be introducing a Resolution in Opposition to State Issue 1 this evening.
3. He would be introducing legislation to amend the Fire Prevention Code this evening.

City Officials' Reports

Mayor Costello reported as follows:

1. It's been almost six weeks since his last Council Meeting and things have been relatively quiet at City Hall.
2. Since he wasn't at the last meeting, he wanted to again congratulate Ms. Nahrstedt and her staff on a very successful Sunset Blast. He was looking forward to next year's program.
3. He wanted to thank Mr. Riehl for standing in for him at the 911 Memorial Program while he was on his way to Disney World.
4. Mr. Trenner continues his excellent work in locating and bringing new businesses to Stow. He has another company wanting to relocate and was requesting an Income Tax Agreement this evening. He was looking forward to Council's favorable approval of that.
5. On Friday Council was sent the RFP information from OHM for the City Center. He respectfully asked that Council approve this evening the release of that RFP.
6. Council discussed a motion in the Finance Committee to hire another new replacement Dispatcher.

As mentioned, our current budget allows for 14 full-time Dispatchers and 8 part-timers. They currently have 11 full-time active Dispatchers with two more who are in the process of completing their 14 weeks of training. They only have three part-timers right now.

Earlier this week there was a news presentation that basically said that a number of other communities within the United States were having a difficult time getting and retaining Dispatchers. Therefore, Council's prompt approval of this motion would be greatly appreciated.

7. He bequeathed the rest of his time to Mr. Baranek so he could tell everyone about this weekend's Harvest Festival.

Finance Director Baranek reported as follows:

1. This weekend, on the 29th and 30th, the Stow Historical Society has its 40th Annual Harvest Festival at the Heritage Barn on Heritage Lake. All the historical houses that are located out there plus the one-room school

House, which was moved there over the last two years, will be open to the public.

Along with that there are other events, such as craft vendors and artisans selling their wares and entertainment. On Saturday they would have a Kent guitarist, soloist and vocalist and on Sunday they would have a full band.

The Festival runs from 11:00 a.m. until 4:00 p.m. on both days.

Especially for the children they will have demonstrations on blacksmithing, wood carvers and pumpkin painting. A Stow family will be making apple butter. The apple butter will be made on both days. The Saturday apple butter will be sold on Sunday, so there will be a homemade products at the Festival. They have additional apple butter that they would sell on Saturday.

On Saturday only the Stow-Munroe Falls Library will have their pop-up library there. That promotes joining the library, getting library cards and getting information on some of its programs. They will also have a small scavenger hunt for the kids.

If anybody would like to volunteer, he would be there on both days. People should see him and he would be more than happy to put them to work.

Mr. Riehl stated that Mr. Baranek, in addition to being Finance Director, is also a long-time member of the Stow Historical Society. He thought he had held various leadership positions on that. He thanked him for being involved in that.

Law Director Zibritosky reported as follows:

1. There were revisions to the Fire Prevention Code before Council this evening.
2. There was also a resolution before Council opposing State Issue 1. Given that she had taken-up quite a bit of time during the Committee Meetings, she would not read her statement. However, copies of it were on the table in the back of the room.

To summarize it very briefly, her office as a Prosecutor along with the Ohio Prosecuting Attorney's Association, the Ohio Bar Association and just about every Judge she had talked to irregardless of political party, were all pretty much collectively against Issue 1, which makes F 4 and F 5 drug abuse charges misdemeanors along with a whole host of other issues preventing them from ever sentencing anybody to jail from having consequences for probation violations and shifting the cost to local governments who are already stretched pretty thin in response to the opioid epidemic.

She asked for Council's favorable consideration of this Resolution in Opposition to Issue 1.

City Engineer McCleary reported as follows:

1. He had an update from ODOT concerning the S.R. 8 Project.
Yesterday they set-up the traffic zone northbound taking one lane all the way between Graham Road and almost the turnpike.

Starting Monday, a company called BOCA will start milling the berm and part of the right lane to prepare it for next year when they would be driving on it. When they complete that side, they will turn around and come southbound and do the same thing.

This process will take approximately one month. It will push it into November. During that time the speed limit will be reduced to 55 m.p.h.

2. Starting Monday, Thompson Electric will start on the much anticipated signalization of the Seasons Road Off-Ramps - one going southbound and one going northbound. That process will take 6-8 weeks.

So people will see a lot of activity starting this fall. In the wintertime, they do not have a lot planned. However, immediately, on Monday, a lot of activity will begin.

Mr. Lowdermilk asked for a time-frame for the S.R. 8 Project? Mr. McCleary stated he thought they had until the summer of 2022 to complete it. That was approximately 3 ½ to 4 years.

Mr. Lowdermilk stated so they were looking at many years of inconvenience. Mr. McCleary stated it was much needed. It was probably if not the worst road in the State of Ohio, it was one of the top five. Mr. Lowdermilk agreed.

Mr. Adaska asked about lighting along Seasons Road. He had received a few complaints about not being able to see onto Graham Road because it's so dark out there at night. He asked if there will be lighting there as well?

Mr. McCleary stated there wouldn't be additional lighting. The lighting will be at the intersection on the combination signal poles. It should have been designed that way.

Mr. Herchick asked concerning the berm project that starts on Monday, it says approximately one month for the orange barrels to be removed for the winter months and then reapplied in the spring. He was asking if they were looking at two-lanes?

Mr. McCleary stated he was told by ODOT that it will be three lanes during the winter months.

New Business

MOTION:

Mr. D'Antonio moved and Mr. Adaska seconded to authorize the hiring of one (1) replacement Communication Specialist.

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

No Votes: None. The motion carried.

MOTION:

Mr. Lowdermilk moved and Mr. D'Antonio seconded to reconsider Ordinance No. 2018-86.

Mr. Riehl stated this item was defeated at the last Council Meeting. Under Council's rules for reconsideration, someone on the prevailing side would have to bring the issue back-up. This was the duplex legislation.

Mr. Lowdermilk stated that the reason for the reconsideration was there were several amendments to the legislation at the time. He thought there was some confusion on the

part of several Council Members. So he thought it was rightly defeated at the time until they could sort it out. It has been sorted out, so he thought it was proper to reconsider it.

Mr. Adaska stated that he voted against this amendment two weeks ago. He didn't think it was a good idea as well as the Planning Commission didn't think it was a good idea.

He would support the amendment tonight. However, normally he would like to see legislation no later than Wednesday so that he could review it in its full form. Tonight he received a page that was crossed off and written on. That was what he was voting on.

Usually he was opposed to doing something like that, but in the interests of saving time and not having to go back to the Planning Commission, he would support it.

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

No Votes: None. The motion carried.

Mr. Riehl stated the issue is now before Council for reconsideration. Under the rules for reconsideration something that was defeated would have to be brought back at no later than the following meeting. Therefore, this was within their guidelines.

Mr. Lowdermilk asked if they needed to read it by title again? Mr. Riehl stated that they should for the listening audience and the people in attendance. Mrs. Emahiser stated that they didn't have to, but they could.

Mr. Lowdermilk introduced Ordinance No 2018-86, entitled:

AN ORDINANCE AMENDING CHAPTER 1191, C.O.S., ENTITLED "NONCONFORMITIES", SPECIFICALLY SECTION 1191.06 THEREOF, ENTITLED "CONTINUED USE OF NONCONFORMING LOT OR STRUCTURE", TO ALLOW RECONSTRUCTION OF ONE OR TWO FAMILY DWELLINGS IF DESTROYED.

which was read by title by the Clerk.

MOTION:

Mr. Lowdermilk moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2018-86.

Mr. Lowdermilk stated part of the original amendments they were looking at actually prohibited the building of multi-family pretty much anywhere in the City. This version didn't prohibit it, but for places where it is non-conforming and there is an existing twinplex (multi-family) if it were to burn down or be destroyed in some manner, it would give that person the ability to rebuild it as a similar structure when today that wouldn't be the case. He just wanted to clarify what they were voting on. He thought that was the right thing to do.

Mr. Riehl stated a resident came and spoke out on this at the last meeting. He asked if he had been notified? Mrs. Emahiser stated no.

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

No Votes: None. The motion carried.

Ordinance No. 2018-86 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Razor thought everyone had received the RFP package for downtown Stow and should have had a chance to review it by now. It was probably just a formality that if they wanted to do something they needed to go out and advertise for it.

MOTION:

Mr. Razor moved and Mr. D'Antonio seconded to authorize the City Administration to go forward and advertise for that RFP.

Mr. Lowdermilk stated that on Tuesday it wasn't in the packet that was sent out. Having limited access to email, he obviously did not get a chance to review what that was. Therefore, he would be voting no to move on until he had a chance to review it.

Mr. Pribonic encouraged everyone to vote yes because this would not cost them any more money than what they had already set aside. They had already done the due diligence on this. It's almost like finishing the race.

He thought they should go ahead and see what it would produce. Then it would come back to City Council and the City Administration to decide if that is what they want to do. It is more of a finishing statement and the end of a book. He would truly support this.

Mr. Razor agreed with Mr. Pribonic. There would be time for a lot of thoughtful discussion when it comes to deciding if any of the proposals from the RFP they would like to select. This is the stage that is necessary for them to get to that stage.

They had had a 7-0 vote to go out to get a market study and hire an expert to guide them in this process. He thought they had had a 5-2 vote recently to progress to the preparation of the RFP state. The natural next step would be to advertise for bids. He thought it made sense to vote yes now.

Mr. Lowdermilk stated that it was his understanding, talking with some of the City Administration, that there were going to be two options potentially in the RFP that would come before them. Mr. Kurtz asked what options Mr. Lowdermilk was referring to? Mr. Lowdermilk stated regarding the City's land there were going to be a couple options that they were going to approve prior to going out to bid. He asked if that had changed?

Mr. Kurtz stated no. The RFP basically is a copulation of the work that had been done previously. The vision plan that was produced, the background information and the character image that was shown were all part of this RFP.

An additional part to the RFP was the selection process and the submission requirements – basically what the developer has to submit and what it looks like. There are also dates in there, however, they were movable.

The submission requirements were that the developer would prepare a concept plan based on what was in the RFP. They didn't know what those options would be, but they have to be consistent with what is in the vision plan. There were going to be variations of course between developers.

Mr. Lowdermilk thought some of the options may have been around the City property portion – whether there would be some type of donation or sale or the City maintains it. Mr. Kurtz stated those options were still open. It wasn't restricted in terms of how the land would be leased or sold or whatever. Those options were open to negotiation.

Mr. Lowdermilk stated so it would be up to the developer to request or recommend what he would like to see them do as part of his proposal versus the City having a proposal with the purchase versus perhaps the donation or the giving of the land. He asked if that was correct? Mr. Kurtz stated the developer certainly could offer that, but most likely it would be negotiated. Obviously it would be up to the City's approval.

Mr. Lowdermilk stated so that would come back to them for any final approval. Mr. Kurtz stated that it would.

Mr. Adaska stated he was going to vote no on this this evening. You could vote yes if you believed in the project. However, personally to give up all of that open space it is almost impossible.

He knew of communities that would steal to get the amount of open space that they had downtown. To fill it up with things that they had all over the City, such as businesses like hair salons or whatever, they already had all of that. He just couldn't see giving up that open space.

He still had a problem with traffic. This was his ward. He had received a lot of complaints from people about this potential project. They already can't turn left out of their streets (Elm, Oak and Valley Forge). He represented those people. Until he had someone come forward in his district saying that he wants this, he was going to continue not to support it.

Mr. Pribonic thought they should make it clear to everyone that this was totally a visionary plan. Nothing could transpire from this until it comes before City Council and is discussed.

They might not like what they see. They might like what they see. They might have to amend what they see. However, it is one of those things that they are not saying that the developer has full reign and he can do what he wants to do.

Again, it's finishing the book. It's not costing them anything. If they stop right now, they will never know what could have happened and it didn't cost them any more to find out what the end of the book would be.

Mr. D'Antonio urged everyone to vote yes on this. They were asking for proposals. There were no options. They were asking somebody to give them options.

He couldn't believe that they would even think about not sending this out with the amount of money and time that would be wasted. Nobody is giving away land yet. Nobody is fixing any traffic problems. Hopefully part of the proposal will include some traffic engineering.

This isn't building anything. For all they knew, they may not even get a proposal back. They may tell us that we should keep our open land. He didn't know.

They voted to do this and pay for it. They were basically voting to put a stamp on it and send it out. He wasn't sure why they were having all this discussion. He would certainly be supporting it.

Mr. Adaska stated that means that you voted for going out, doing all this, preparing the plans, etc. He wanted to say that he had nothing to do with that. As a matter of fact, he hadn't even seen a plan until mostly the rest of Council had seen it and talked about it. Many months later a couple of them on Council got to see the final site plan. He reiterated that he wasn't part of the discussion.

Mr. Lowdermilk stated that he certainly understood Mr. Adaska's point of view on open space. He had certainly expressed his lack of approval of a large scale rental portion to that – a lot of extra rental units in a downtown area.

He would like to see the proposal. They had hired a consultant. They all had different views. He certainly had not heard any positive things on a large rental component to a downtown area, but he was willing to take a look at it and see what, if anything, that they get as a proposal.

He had no doubt that they would get proposals. There were a lot of people who thought they wouldn't get a proposal on the golf course, but they absolutely did. He was willing to look at it. However, he thought it was going to be a real hard sell with a large rental component.

Mr. Razor stated Mr. Adaska brought up the great point that we have terrific greenspace centrally located. However, he would submit to him that it is underutilized. He didn't see people walking around and enjoying picnics back there.

What they would like to see is a greenspace that can be utilized for festivals, events and all kinds of things. If they didn't get anything that's to the public's liking, they wouldn't do anything. It was that simple. However, they would have fulfilled what the public wanted them to do. That was to explore it.

Mr. Riehl stated this has been a very open process from the beginning. When this overview first came before them, they had two months' worth of public meetings at least where people came in, a lot of them at the very beginning, and they heard everybody out, all the way to the last meeting when he thought they had nobody show up.

He was getting criticism from other sides for being too open on it. That's what they were here for. They were here to listen to the opinions of the residents. This has been an open public process. This was just the next step of it.

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

No Votes: Adaska. The motion carried.

Disposition of Ordinances & Resolutions

Ordinance No. 2018-83 remained on the table.

Ordinance No. 2018-90 remained on the tabled.

Mr. Pribonic introduced Ordinance No. 2018-98, 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 C-3 COMMUNITY RETAIL APPROXIMATELY 1.4 ACRES OF PROPERTY LOCATED ADJACENT TO THE EXISTING CIRCLE K GAS STATION LOCATED AT 4936 FISHCREEK ROAD; AUTHORIZING AMENDMENT TO THE ZONING DISTRICTS MAP BY THE CITY ENGINEER.

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

Mr. Riehl stated that a Public Hearing was held this evening regarding this matter.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2018-98.

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

No Votes: None. The motion carried.

Ordinance No. 2018-98 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. 2018-113, entitled:

A RESOLUTION GRANTING SITE PLAN/RESIDENTIAL BUILDING CONVERSION APPROVAL TO CHAU L. NGUYEN OF C-NAILS & SPA LLC, PROPERTY OWNER, IN ORDER TO UTILIZE THE EXISTING GARAGE AS A NAIL SALON AND SPA AT 3616 DARROW 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: Pribonic, Rasor, Riehl, Adaska, D'Antonio,
Herchick & Lowdermilk

No Votes: None. The motion carried.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2018-113.

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

No Votes: None. The motion carried.

Resolution No. 2018-113 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Pribonic introduced Resolution No. 2018-114, entitled:

A RESOLUTION GRANTING A LOT SPLIT, INCLUDING VARIANCES, TO ANN VOROS, PROPERTY OWNER, IN ORDER TO SUBDIVIDE AND RECOMBINE THE LOTS ASSOCIATED WITH 1926 AND 1932 LIBERTY 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: Pribonic, Rasor, Riehl, Adaska, D'Antonio,
Herchick & Lowdermilk

No Votes: None. The motion carried.

Mr. Pribonic moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2018-114.

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

No Votes: None. The motion carried.

Resolution No. 2018-114 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Pribonic introduced Resolution No. 2018-115, entitled:

A RESOLUTION AUTHORIZING THE SUMMIT PENTECOSTAL CHURCH TO SELL CHRISTMAS TREES IN THEIR PARKING LOT AT 1221 GRAHAM ROAD FROM NOVEMBER 26TH, 2018 THROUGH

DECEMBER 24TH, 2018 AS A FUNDRAISER FOR ITS PROGRAMS 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: Pribonic, Rasor, Riehl, Adaska, D'Antonio,
Herchick & Lowdermilk

No Votes: None. The motion carried.

Mr. Pribonic moved and Mr. Rasor seconded for the adoption of Resolution No. 2018-115.

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

No Votes: None. The motion carried.

Resolution No. 2018-115 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Resolution No. 2018-116, 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 2019 COLLECTION; AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Lowdermilk seconded for the adoption of Resolution No. 2018-116.

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

No Votes: None. The motion carried.

Resolution No. 2018-116 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2018-117, entitled:

AN ORDINANCE AUTHORIZING THE REIMBURSEMENT FOR EXPENSES INCURRED BY EMPLOYEES AS A RESULT OF OBTAINING A FLU SHOT, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Rasor seconded for the adoption of Ordinance No. 2018-117.

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

No Votes: None. The motion carried.

Ordinance No. 2018-117 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2018-118, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF THREE (3) VARIABLE FREQUENCY DRIVES FOR THE RIVER ROAD PUMP STATION MOTORS FROM STATE OF OHIO VENDOR GARDINER AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2018-118.

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

No Votes: None. The motion carried.

Ordinance No. 2018-118 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2018-119, entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 2018-91, WHICH AUTHORIZED THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH PATH MASTERS, INC., AN INTER-GOVERNMENTAL PROVIDER, FOR THE PURCHASE OF AN AUTOSCOPE VISION VIDEO DETECTION SYSTEM FOR THE INTERSECTION OF DARROW ROAD AND COMMERCE DRIVE, WITHOUT THE NECESSITY OF PUBLIC BIDS, BY INCREASING THE AMOUNT OF COMPENSATION TO BE PAID FOR SAID EQUIPMENT AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2018-119.

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

No Votes: None. The motion carried.

Ordinance No. 2018-119 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Resolution No. 2018-120, entitled:

A RESOLUTION OF STOW CITY COUNCIL OPPOSING STATE ISSUE 1
ON THE NOVEMBER 6, 2018 GENERAL ELECTION BALLOT, AND
URGING ALL OHIO RESIDENTS OPPOSE THE SAME, 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, D'Antonio,
Herchick & Lowdermilk

No Votes: None. The motion carried.

Mr. Rasor moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2018-120.

Mr. Lowdermilk stated he didn't think they could reiterate enough what a disaster Issue 1 would be for our cities, states and counties. This was just a horrible concept. Somebody who had enough Fentanyl/Carfentanil or drugs of any kind which could kill thousands of people would have the equivalent of a ticket.

It's misguided. Whoever proposed it either didn't think thru it very well or didn't consider the consequences when it comes to not only people who are addicted to drugs, but law enforcement and the courts. He encouraged all of the City's residents to read it and join them in opposing Issue 1.

Mr. Pribonic stated that he didn't make any statements during the Committee Meetings. However, he appreciated the Council Members that brought this forward and Mrs. Zibritosky for going over such a detailed presentation.

We as a state, not only a city, are in terrible, terrible shape as far as drugs are concerned. He hoped that this message reaches many of the Stow voters and the voters in the surrounding areas about voting no on this. This is very dangerous not only to our fellow residents, but also to people seeking help that are addicted to drugs and our local law enforcement.

He didn't think it could be stated enough. He appreciated it being brought forward this evening.

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

No Votes: None. The motion carried.

Resolution No. 2018-120 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2018-121, entitled:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INCOME TAX SHARING GRANT AGREEMENT WITH BINARY DEFENSE SYSTEMS, LLC, TO PROVIDE ASSISTANCE WITH THE RELOCATION OF A PORTION OF THEIR BUSINESS OPERATIONS TO 600 ALPHA PARKWAY IN STOW, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None

Abstentions: Rasor. The motion carried.

Mr. D'Antonio moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2018-121.

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

No Votes: None

Abstentions: Rasor. The motion carried.

Ordinance No. 2018-121 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Ordinance No. 2018-122, entitled:

AN ORDINANCE AMENDING CHAPTER 1509, C.O.S., ENTITLED "GENERAL REGULATIONS", AND CHAPTER 1511, C.O.S. ENTITLED "OPEN BURNING", PARTICULARLY SECTIONS 1509.03, 1511.01, 1511.03, 1511.04, 1511.05, AND 1511.99, THEREOF, ENTITLED "ARRESTS AT FIRES", "DEFINITIONS", "OPEN BURNING IN RESTRICTED AREA", "PERMISSION TO INDIVIDUALS AND NOTIFICATION TO THE OHIO EPA", "OPEN BURNING; RECREATIONAL FIRES; PORTABLE OUTDOOR FIREPLACES", AND "PENALTY", 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, D'Antonio,
Herchick & Lowdermilk

No Votes: None. The motion carried.

Mr. Razor moved and Mr. Pribonic seconded for the adoption of Ordinance No. 2018-122.

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

No Votes: None. The motion carried.

Ordinance No. 2018-122 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. Lowdermilk seconded to approve the release of the checks for the current Bill Listing.

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

No Votes: None. The motion carried.

Pending Committee Meetings

Planning Committee
Thursday, October 11, 2018
at 6:00 p.m.

Finance Committee
Thursday, October 11, 2018
to Follow the Planning Committee

C.O.W.
Thursday, October 11, 2018
to Follow the Finance Committee

City Council
Thursday, October 11, 2018
at 7:00 p.m.

Adjournment

MOTION:

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

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

No Votes: None. The motion carried.

The meeting adjourned at 7:47 p.m.

Bonnie J. Emahiser
Clerk of Council

Matt Riehl
President of Council