

Minutes of the Organizational Meeting of Stow City Council held on Wednesday, January 2, 2019, at 8:00 p.m.

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

City Officials Present: Mayor Pribonic, Law Director Zibritosky & Clerk of Council Emahiser

Press Representatives: Stow Sentry

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### **Call to Order**

Mayor Pribonic called the meeting to order and led the prayer and pledge of allegiance to the flag.

### **Filling of Council Vacancies**

Mrs. Zibritosky stated that unfortunately she was unable to attend last Friday's meeting. It was brought to her attention that there were some procedural defects in the votes for filling the vacancies.

Section 4.16 of the City's Charter addresses the vacancies. It specifies that whenever there is a vacancy for any reason, the vacancy shall be filled by a majority vote of all of the remaining members of Council.

The vote to move Mr. Costello, who is currently the Ward II Councilman, to At-Large only had three votes as opposed to the four that were needed because there are six remaining Council Members. So procedurally it hasn't been filled.

If Council wishes to do that, they could make a motion to fill that vacancy and revote. There needs to be a majority of Council to do that.

Mr. Lowdermilk guessed with there being six of them left, Mr. Costello would have to at least abstain. Mrs. Zibritosky stated that Mr. Costello didn't technically have to abstain. She thought that was a choice that he made. He could discuss why. However, there is no ethical rule or law that requires it. That is a personal decision for him.

Mr. Lowdermilk stated so Mr. Costello has to vote in some fashion. Mrs. Zibritosky stated that was up to him. If you recreate the vote, he doesn't vote and everybody votes the same, that is still not sufficient. You need four votes to fill it.

Another procedural issue is that you can't fill a vacancy until one is officially created. How you choose to fill this At-Large vacancy, assuming you get four votes, you would swear him in and then revote to fill the vacancy because there wasn't a vacancy in the Ward II seat.

Mr. Lowdermilk stated so each vote was basically null and void. Mrs. Zibritosky stated basically.

Mr. Costello stated he was told by Mrs. Zibritosky that he could fully participate in the interview process, in the discussion and in the vote. He felt as a candidate that he shouldn't do that. He was now being told that he has to vote. He has also been told that it gains nothing from voting – he is just changing positions. Therefore, he would vote this evening.

MOTION:

Mr. Costello moved and Mr. D'Antonio seconded to fill the vacancy in the Councilman At-Large position with James M. Costello.

Mr. Lowdermilk asked procedurally if they were allowed to appoint Mr. Costello if he has not resigned? You can't hold two seats at one time. Mrs. Zibritosky stated yes because she thought he had submitted a letter that basically makes his resignation from Ward II effective upon getting sworn-in as Councilman At-Large. It was similar to what they had done when Mr. Pribonic resigned to become Mayor - as of his swearing-in. The Clerk showed Mr. Lowdermilk a copy of the letter of resignation.

MOTION:

Mr. Adaska moved and Mr. Lowdermilk seconded to take a short recess.

Yes Votes: Adaska & Lowdermilk

No Votes: Costello, D'Antonio, Rasor & Riehl.  
The motion to take a recess failed.

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

No Votes: Adaska & Lowdermilk.  
The motion to appoint carried.

Mr. Costello was sworn-in as Councilman At-Large by Mayor Pribonic.

Mrs. Zibritosky stated that the Ward II Council position was now vacant.

MOTION:

Mr. Rasor moved and Mr. D'Antonio seconded to appoint Sindi Harrison to the vacant Ward II Council seat ratifying Council's decision from last week.

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

No Votes: None. The motion carried.

Mrs. Harrison was sworn-in as Ward II Councilwoman by Mayor Pribonic.

Mrs. Harrison thanked everyone for this procedure and process. She thought Mr. Riehl had done a good job of asking people to come forward and coming-up with the process.

She understood his fear of how it had happened in the past. She thought he had thought thru what he wanted to do and how it worked.

Obviously there were a few minor bumps in the road. However, she was glad to be here and was looking forward to working with each of them this year and serving the City of Stow.

Mayor Pribonic asked Mrs. Harrison to introduce her family. Mrs. Harrison introduced her husband, Michael, and her daughter, Lauren, who is an Echo Hills student.

Mayor Pribonic welcomed Mrs. Harrison.

**Election of President of Council**

Mayor Pribonic asked if there were any nominations for President of Council?

Mr. Razor nominated Matthew Todd Riehl for President of Council.

Mr. D'Antonio seconded the nomination.

**MOTION:**

Mr. Razor moved and Mr. D'Antonio seconded to close the nominations.

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

No Votes: None. The motion carried.

**MOTION:**

Mr. Razor moved and Mr. D'Antonio seconded to cast a unanimous ballot to elect Matthew Todd Riehl as President of Council.

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

No Votes: None. The motion carried.

Mayor Pribonic congratulated Mr. Riehl on being elected President of Council. He turned the meeting over to him.

Mr. Riehl thanked everyone. He looked forward to leading this body into most of their final years on City Council since several of them would be leaving.

**Election of Vice President of Council**

Mr. Riehl asked if there were any nominations for Vice President of Council?

Mr. Adaska nominated Brian Lowdermilk for Vice President of Council.

Mr. Razor seconded the nomination.

**MOTION:**

Mr. D'Antonio moved and Mr. Adaska seconded to close the nominations.

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

No Votes: None. The motion carried.

**MOTION:**

Mr. Adaska moved and Mr. D'Antonio seconded to cast a unanimous ballot to elect Brian Lowdermilk as Vice President of Council.

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

No Votes: None. The motion carried.

Mr. Riehl congratulated Mr. Lowdermilk on being elected Vice President of Council.

**Election of President Pro Tem**

Mr. Riehl asked if there were any nominations for President Pro Tem?

Mr. Razor nominated Brian Steven D'Antonio for President Pro Tem.

Mr. Costello seconded the nomination.

**MOTION:**

Mr. Costello moved and Mr. Lowdermilk seconded to close the nominations.

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

No Votes: None. The motion carried.

**MOTION:**

Mr. Razor moved and Mr. Costello seconded to cast a unanimous ballot to elect Brian Steven D'Antonio as President Pro Tem.

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

No Votes: None. The motion carried.

Mr. Riehl congratulated Mr. D'Antonio for being elected President Pro Tem.

**Committee Appointments**

Mr. Riehl stated he would make the committee assignments over the next couple of days. If people were interested in serving on a specific committee, they should let him know. He was interested in shaking things up a bit, but he would do what he could to accommodate requests.

**Adjournment**

**MOTION:**

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

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

No Votes: None. The motion carried.

The meeting adjourned at 8:15 p.m.

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Bonnie J. Emahiser  
Clerk of Council

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Matt Riehl  
President of Council