

Minutes of the Regular Meeting of Stow City Council held on Thursday, January 24, 2019, at 7:00 p.m.

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

Council Members Absent: Riehl

City Officials Present: Mayor Pribonic, Chief of Staff/Service Director Wren, City Engineer McCleary, Assistant Law Director Mackin, Director of Planning & Development Kurtz, Director of Budget & Management Earle, Police Chief Film, Fire Chief Stone, Parks & Recreation Director Nahrstedt, Manager of Information Systems Germano & Clerk of Council Emahiser

Press Representatives: Stow Sentry

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### **Call to Order**

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

### **Presentations**

Mayor Pribonic stated that in the audience this evening, we have a young celebrity. His name is Charlie Comi. He is four years old. He is actually a Junior Park Ranger. He has a true love for natural resources in the parks. He is out there picking-up trash. They are very proud of him. He thought he could teach a lot of adults how to act.

Mayor Pribonic presented Charlie with a Certificate of Appreciation, a t-shirt showing that he is one of the City's Junior Park Rangers and other goodies. He stated that they all appreciate what he has done.

Mrs. Comi thanked the City for recognizing Charlie's efforts. Charlie loves the parks. He was just really concerned when he heard on the news that the Rangers weren't able to go out and take care of the parks. He went out to do his part to help the animals.

She thought it was kind of funny that he was getting so much attention for picking things up because she picked things up all of the time. She thanked everyone for their recognition.

Mayor Pribonic stated that he had brought a person in under a false pretense. Everybody has probably read or seen on Facebook or in the papers about Pizza Palooza that is going to happen this weekend. It is at the high school. He asked Gary Aleman to come to the front of the room.

Mr. Aleman is with the Stow-Munroe Falls Community Foundation. There are Charter Members present this evening. Mr. D'Antonio is also a member. Mr. Aleman has spearheaded this fundraiser. It is their third year having it. He had told him that he was here to make a presentation on Pizza Palooza. However, what he was really here for this evening was to accept a Proclamation.

Mayor Pribonic read a Proclamation extending the City's sincere gratitude to Gary Aleman for his selfless dedication to the City of Stow in its entirety. A copy of the Proclamation was presented to Mr. Aleman.

Mr. Aleman thanked the City for the Proclamation. He stated it was completely unexpected. He did his best. Sometimes he wondered how he got things done. However, he had some great people that he worked with. Most of them were present this evening.

He thanked his wife for putting up with him. They were still married even though he did all of this stuff. He loved her very much.

Pizza Palooza was one of his passions. This was their third year. He had about 20 slides to show.

Everybody loves pizza. They came to that fruition. He has lived in Stow for about thirty years now. He really appreciated the opportunity to talk about Pizza Palooza.

The Stow-Munroe Falls Community Foundation discovered something three years ago. That is that most everybody loves pizza. He stated last year alone there were 3,000,000,000 pizzas sold in the United States. In fact, on an everyday basis we eat about 11 acres worth of pizza.

He had thought they should put something together to make some money and make it good for the community. They came up with Pizza Palooza.

This is the third year for this industrious event. It's going to be on January 27<sup>th</sup>. They have had about 2,000 people at each of their first two events. They found that the perfect time to do it is one week before the Super Bowl because there's no Super Bowl or playoffs on TV.

They had contacted 13 pizza restaurants around Stow. They will be bringing their best pies – a lot of different varieties. Some of them are even bringing gluten free pizza.

They would be voting on them. The top three pizza pies would be awarded pizza paddles made out of wood that the students from the woodworking class at the high school have made. This is the second year they have done that. They are very, very gracious in giving their time to the foundation.

There will be face painting, inflatables, coloring stations, two balloon artists and a lot of other things going on over a three-hour period.

The money they have raised over the last two years was over \$10,000/year. Half of it was earmarked to go to Stow teacher grants that they apply for.

Some of those grants have gone for free and discrete feminine hygiene products at the high school, a makers mark at Highland School, a 3d printer for Kimpton, funds to create a Kimpton Cares Program promoting acceptance and kindness to other students, flexible seating they have added for the kindergarten classes at Riverview, etc.

There are so many other things. Those are all important and there are going to be even more things that people are going to be needing.

They also discovered that Stow is a philanthropic community. People like to give back here. People care about other people here. They want to be a part of making this a better community.

Cases in point are things like Bulldog Bags, the Korageous Keith Drive, the \$10,000 School Lunch Initiative, Athletic and Music Boosters, the Stow Community Farmer's Market, Community Showcase, the Fourth of July Parade, Pride Week, Summer Blast, PawFest, park and recreation activities and many other successful things that go on here 12 months out of every year.

All these things bring out the best in Stow and they all try to make our community a better place. That's important to them at the Stow-Munroe Falls Community Founda-

tion. In fact, that's their middle name "Community". They have even put it into their brand tag line "Building Community Providing Resources". He invited everyone to visit their new website at sandfcommunity.org. There's a lot to offer.

The Stow Community Foundation is made-up of all volunteer Trustees coming from all lots of life and skills. They do many charity events, but Pizza Palooza is their largest. People love coming-out. They have captured lighting in a bottle.

They wanted to keep this energy going. Who knows how long pizza is going to be loved in this community. He thought it was going to be for a long time.

All of their pizza participants have a secret sauce that they use on their pizzas. It makes them special. However, they have discovered something in the foundation - that their secret sauce is their people being able to serve other people in our community.

He thanked City Council for their time.

### **Approval of Minutes**

#### **MOTION:**

Mr. Costello moved and Mr. D'Antonio seconded to approve the Minutes of the Regular Council Meeting of December 28, 2018 as circulated.

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

No Votes: None. The motion carried.

#### **MOTION:**

Mr. Costello moved and Mr. D'Antonio seconded to approve the Minutes of the Organizational Meeting of January 2, 2019 as circulated.

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

No Votes: None. The motion carried.

#### **MOTION:**

Mr. Costello moved and Mr. D'Antonio seconded to approve the Minutes of the Regular Council Meeting of January 10, 2019 as circulated.

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

No Votes: None. The motion carried.

### **City Officials' Reports**

Mr. D'Antonio reported on the Finance Committee Meeting of January 24, 2019 as follows:

1. Several items would be introduced in motion and legislative form this evening.

Mr. Rasor reported on the Planning Committee Meeting of January 24, 2019 as follows:

1. One item would be introduced in legislative form.

Mr. Lowdermilk reported on the Public Improvements Committee Meeting of January 24, 2019 as follows:

1. One item was moved on to City Council.

Mr. Adaska reported on the Roads & Safety Committee Meeting of January 24, 2019 as follows:

1. One item would be introduced in legislative form.

### **Comments from Other Persons Present**

Jeff Hartmann  
Stow-Munroe Falls High  
School Principal  
3227 Graham Road  
Stow, OH 44224

Mr. Hartmann stated that he was asked to come here tonight to share a little bit about what's happening in their building when it comes to vaping. It was his understanding that there has been a conversation about Tobacco 21 as it relates to ordinances, etc.

He asked if Council Members were familiar with vaping, Juuls and any of those sorts of devices? If they weren't, Cyle Feldman, their Athletic Director, was here with a box of those that they had confiscated from kids. People could see just how small those things are and how discrete they are.

This was a major issue for them. If there was any way that they were able to work together to try to remedy or at least move in a positive direction, he knew that many of the teachers, administrator and parents would appreciate that backup.

Just to give them an idea, last year for the entire school year they had about 18 kids that they disciplined for tobacco related issues. They classify vapes as tobacco paraphernalia because the liquid material in it is typically some sort of tobacco-based substance. It is often marketed as an alternative to cigarettes. So they are often considered e-cigarettes. You can buy your own Juul for \$14.99 at Circle K.

In addition to the stuff that is put into the liquid, there are any number of flavorings that essentially are being marketed to teens, those are teens in middle school and high school, THC-based liquid as well which is the active ingredient in marijuana.

This year so far, and they were only in January, they have issued 34 different consequences to kids, including about 5 expulsions for students that have THC oil on them.

He walked into the locker room one morning and saw one kid filling another kid's Juul pod. It was a wide-spread epidemic. They could walk into the bathrooms every day and find a group of kids passing a vape around, haul them all up and issue consequences. Now they were becoming more discrete and going into the stalls actually.

Every once in a while he would get an email from a parent that would say that his/her son or daughter just saw a kid vape in class while the teachers back was turned because these devices are so discrete and they emit no vapor. They aerosolize so whenever you ingest and then exhale, there is no water vapor cloud that they might be familiar with with old school vapes. These new devices are incredibly small. They look like flash drives. Mr. Feldman would show them.

Students can buy THC or any of the other materials to make this stuff on-line and have it shipped - which they do. You have providers that create any sort of mixtures available, fill those pods up and then sell them as well. None of this is really FDA

regulated. They have no idea what's in it. There are many cancer causing carcinogens that are in these devices.

Probably the most scariest for him is that kids don't think they are doing anything wrong. They think they are acting responsibly. A number of kids that he tells they are expelling them because they have marijuana on them say they aren't doing marijuana. Technically it's THC oil. That's not marijuana. So there's very much a disconnect.

If there is any way to shift the age requirement from an 18 year old to a 21 year old commensurate with alcohol, he thought they would see that these social circles of middle school kids and their freshman kids would begin to shift as well.

If anybody knows anything about addiction, the earlier you begin to engage in that behavior, the more difficult it is to break later. So if there's any assistance they could do as a community, he thought it would really help them protect their kids and their futures.

Mr. Lowdermilk stated he would give Mr. Hartmann a little bit more time if he needed it. However, he thought he may like to come back to a committee meeting.

Mr. Hartmann stated he could talk for days, but he didn't think they would want to do that tonight. Mr. Lowdermilk stated he would give him a little extra time, but not that much. Mr. Hartmann stated he appreciated that.

Mr. Costello knew what a lot of the products looked like, but he would like to see the collection that Mr. Feldman had.

Mr. Feldman showed Council the products. He stated that Juul Suorin was another popular type that they find. It plugs in. It's an aerosol. A heating element heats a liquid and then it is digested.

They find a lot of Juuls because they are inconspicuous. The Suorin is a little bit different. The larger ones he had might still have THC oil in them. Mr. Hartmann pointed out dab pens. They were just another small thing that at a glance looked like a pen. So there were any number of stealth kind of ways for kids to engage in the behavior.

Mr. Lowdermilk asked for the age spread they were confiscating these from? Mr. Hartmann stated at the high school it could be Freshman (13-14 year olds). Kimpton Middle School has its own issues as well. They were 7<sup>th</sup>-8<sup>th</sup> grades so you would be talking about 11 year olds.

Mr. Costello asked in the school system what was the youngest to be expelled? Mr. Hartmann stated he could only speak for the high school. They have expelled Freshman.

He couldn't speak for the younger grades. He knew it was prevalent there. \$14.99 is nothing to a kid to go to a local Circle K and purchase these devices. If you know anything about kids, they kind of look older. They had Freshmen that looked like 20 year olds so they didn't often get carded or checked for ID when they did purchase.

Mrs. Harrison stated Mr. Hartmann had said they had 34 this past year. She asked if the majority of those were for vaping products? Mr. Hartmann stated almost all of them were. He thought there were probably one or two that weren't. They were traditional tobacco.

Mr. Razor asked if it was Mr. Hartmann's perception or understanding that these were coming-in from 18 year old Seniors to the schools? Mr. Hartmann stated he didn't know the conduit of where they are coming from.

They didn't typically ask that question. However, he thought that was a fascinating question to start asking. He wished he knew that question 24 hours ago when they

were just expelling another student for the same issue. He should have asked him that question.

Mr. Rasor stated the reason he asked was that he thought there was a very strong argument that if they were coming in thru 18 year olds then that should be the narrowly tailored solution – to keep 18 year olds from buying the vape products that they were being confronted with.

Mr. Lowdermilk asked if he had heard correctly that 11 year olds were involved? Mr. Hartmann stated at the middle school level yes. That's typically middle school age.

Mr. Lowdermilk thanked Mr. Hartmann for his comments.

Cyle Feldman  
1803 Higby Drive, Unit A  
Stow, OH 44224

Mr. Feldman stated in the athletic world they see of all of those disciplining consequences about 20% were kids on sports teams where they had really saw a tobacco issue.

The incidents on the Tobacco 21 sheet that he was sure most of them already had were pretty accurate. He would say 1 in 5; 1 in 20 in middle school.

He had a nephew that was a middle schooler. He has a bunch of kids over all the time. They were consistently talking to those young people about vaping. People should remember where all of them were at the ages where they were at the experimental stage.

The two biggest things that he thought would help if it works is they are so inconspicuous it is hard to detect. That's difficult. It's not like they have a cigarette in their hand and smoke bellowing out.

When you talk to kids, they tell you that they do get them for younger kids. Also in looking at all of the documentation that they saw from Tobacco 21 and Dr. Pompeii, if they can remove that social circle and push it up just a little bit, it would make a big, big difference.

Mr. Lowdermilk stated that it sounds like the bigger issue is more so the vaping than the traditional cigarettes at this point. He asked if that was a fair statement? Mr. Feldman stated that it was.

He thought with nicotine, cigarettes and things that have evolved, even marketing now, when you hear Juul they are marketing to help you quit smoking, there is a whole angle on the other side that gets them started. He wasn't so sure that the nicotine levels when you purchase it were accurate. He was sure that the kids weren't looking at that.

Dr. Roberta DePompei  
The City's Representative  
to The Summit County  
Board of Health

Dr. DePompei stated that she couldn't let them go without making a few more comments here. She knew they felt like they had probably heard enough about Tobacco 21, but she wanted to just follow-up with a few things.

Her professional background is a College Professor where she taught brain development and brain injury. She wanted to confirm what Mrs. Skoda had said. We know very commonly that the 1-5 year old is the one that is the most developing and that those five years are the most important years. So they put a lot of emphasis into

those kids, their health, what they eat and what goes into their bodies because they know what goes into your body affects your brain.

The next age group that has the most developmental changes in the brain is 12-17. Once again, we know that what goes into your body affects your brain. You've heard plenty of information tonight to tell you that vaping leads to cigarettes. Cigarettes are nicotine. Nicotine is addicting. She just wanted to confirm to them once again that that's a major concern for our middle school and high school. That's what they really have to worry about.

Also, they had heard about the military. She just wanted to say one more thing about that. Yes they know that the military is trying to get smoking cessation. They had heard Mrs. Skoda say that in Summit County between the ages of 18 and 21 there are 23-24 active military in that age range and 4 of them are from Stow.

A lot of people are concerned that if you are in the military and you are 18, you should be able to smoke. We have 4 in Stow who may or may not smoke who may or may not come home to Stow on their leave and who may or may not want to buy cigarettes.

You just heard from the high school. From the size of the high school and the junior high, 1,800 in the high school and she didn't know about the junior high (someone said around 900), we know statistically that tomorrow in the junior high and high school we may have 100-150 kids vaping and/or smoking.

When they see 4 who may or may not come home who may or may not smoke against 100-150 that we know tomorrow are going to be actively vaping, she thought it was a no brainer of what they should be concerned about.

They had a question about vendors. Yes there is a \$150 one-time licensing fee. She reminded them that the Public Health Department also vending licenses every restaurant in Stow and they pay an annual fee in order for people to go to those restaurants and be safe. She wasn't sure that a \$150 licensing fee was a big deal. That was her opinion.

Finally, Kent, Twinsburg, Richfield, Akron, Green and Mogadore have already passed legislation. Fifty-seven percent (57%) of the vendors in Summit County are no longer selling to 21 and under. Hudson, Cuyahoga Falls and Tallmadge have legislation pending. There is a circle around Stow. She was really hoping that Stow does not remain the city that is selling and providing tobacco products to our children.

Mario Fiocca  
4058 Redwing Trail  
Stow, OH 44224

Mr. Fiocca stated they were talking about social circles relative to the legislation regarding tobacco use. He asked if pushing up those social circles to 21 year olds would prevent parents from buying products for their 18 year olds and getting that filtering out thru the high school as well?

He appreciated the presentation today. He had never smoked in his entire life. He would never smoke. It's a bad habit. However, at the end of the day he just didn't see additional government legislation correcting the problem. He thought at the end of the day the kids were going to get it.

He had gone to Stow High School. He saw it. He was offered cigarettes and said no. He used his personal judgment. He knew it was bad. He was talked to. At the end of the day he didn't think it was going to solve the problem.

He did appreciate everybody's concerns tonight. It is definitely an important topic. Those were his thoughts.

Mr. Lowdermilk asked Mr. Mackin if it was legal to purchase the vaping equipment under the age of 18 today? Mr. Mackin stated that he didn't know off of the top of his head. He would have to look at other laws to be exactly sure. He could look at that.

Mr. Lowdermilk asked him to let them know for certain what the age limit is for that. He would appreciate it.

### **City Officials' Reports**

Director of Budget & Management Earle reported as follows:

1. Closed the books for 2018. Everybody should have received their group of reports by email. They would be on the agenda at the next meeting for approval.

The City did fairly well in 2018. It was a good year financially for the City. There were no big problems with the sole exception of the cost of health care for the year. It was quite high based on claims – their highest ever. However, they survived that. Hopefully next year would be a little bit better.

2. Wanted to schedule the first budget hearing for the February 28<sup>th</sup> meeting. That would give them time for three readings and two additional hearings if necessary by Council so they could approve it by the end of March. That is the intended schedule at this time.

Chief of Staff/Director of Public Service Wren reported as follows:

1. Thanked the City's crews for their work over the weekend. Without a doubt it wasn't a storm that they were built for, but our people did a great job. The Police and Fire Departments and Dispatch helped tremendously.

Mayor Pribonic had made him get on social media recently so he was forced to look at it. Ninety-five percent (95%) of the comments were positive.

Our guys worked very hard and took a lot of pride in what they did. Hopefully, people saw the results of that.

Mr. Lowdermilk asked how many inches of snow did they actually get on Saturday? Mr. Wren stated for Saturday alone it was 12.5 inches in Stow. He thought the end was like 16 inches by the time it was said and done. They weren't built for something like that so he was very happy with the results from their crews.

Mr. Costello echoed Mr. Wren's comments about the work that his snowplow drivers had done and accomplished. He had the pleasure of babysitting his grandkids over the snow weekend. They live in Bayside Lakes on a cul-de-sac. As they all knew, cul-de-sacs are the last places to get snowplowed.

The snow driver was there probably about 3:00 a.m. in the morning on Sunday morning. He did a very good job and came back later Sunday morning and waited for his wife to figure out how she was going to get out of the driveway to go home. They did an excellent job.

Mr. D'Antonio stated he did get a call on Monday. He wanted his snow moved differently. However, Monday was a holiday. He told him that the government was never going to get anything done anyway. No one was answering the phones. He believed it took about 20 minutes for somebody to go out and take care of it.



Mr. Razor asked Mr. Wren to pass along Council's thanks to his team. This was such an improvement since when he started on City Council for how a big snow gets handled. It wasn't perfect because they didn't have enough manpower, but it was very well done. Mr. Wren stated he would pass that along.

Mr. Lowdermilk echoed the same things. He also wanted to thank a couple of other groups because in a snowstorm they didn't get much thanks but they were dealing with the roads and the fallout when some of the service crews can't keep up with the snow. They were the Police and Fire Departments.

He had to go pickup somebody involved in an accident late Saturday night on snow covered roads. He wanted to make sure that they showed their appreciation for what those guys do in some really tough circumstances getting things taken care of too.

Mr. Wren stated those guys always get the praise. They just wanted to get it once in a while.

### **New Business**

#### **MOTION:**

Mr. Razor moved and Mr. D'Antonio seconded to excuse the absence of Councilman Riehl.

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

No Votes: None. The motion carried.

#### **MOTION:**

Mr. D'Antonio moved and Mr. Costello seconded to authorize the hiring of on replacement Police Officer.

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

No Votes: None. The motion carried.

#### **MOTION:**

Mr. D'Antonio moved and Mr. Costello seconded to authorize the hiring of one Support Staff II employee.

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

No Votes: None. The motion carried.

### **Disposition of Ordinances & Resolutions**

Ordinance No. 2018-83 remained on the table.

Ordinance No. 2018-90 remained on the table.

Ordinance No. 2018-153 remained on the table.

Mr. D'Antonio introduced Ordinance No. 2019-13, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE FLEET REPAIR/MAINTENANCE OF VEHICLES FOR THE POLICE DEPARTMENT, FROM PREFERRED SOURCE AND SOLE SOURCE VENDOR KLABEN FORD LINCOLN, INC., WITHOUT THE NECESSITY OF PUBLIC BIDS, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-13.

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

No Votes: None. The motion carried.

Ordinance No. 2019-13 was declared to be adopted and, upon approval by the Mayor, shall take effect immediately.

Mr. Rasor introduced Resolution No. 2019-17, entitled:

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE APPROVAL TO EMILY LIPOVAN OF BAUMANN'S FLORIST & GREENHOUSE, APPLICANT, TO PERMIT THE OPERATION OF A RETAIL FLORIST BUSINESS AT 3527 DARROW ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. Rasor moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2019-17.

Mr. D'Antonio knew everybody thanked them before. However, he wanted to thank them again for staying in Stow.

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

No Votes: None. The motion carried.

Resolution No. 2019-17 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2019-18, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH ACUSHNET COMPANY, A SOLE SOURCE PROVIDER, FOR RESALE MERCHANDISE FOR THE PRO SHOP AT FOX DEN FOR THE CALENDAR YEAR 2019 WITHOUT THE NECESSITY OF PUBLIC BIDS.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Adaska seconded for the adoption of Ordinance No. 2019-18.

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

No Votes: None. The motion carried.

Ordinance No. 2019-18 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. D'Antonio introduced Ordinance No. 2019-19, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH TAYLORMADE ADIDAS GOLF COMPANY, A SOLE SOURCE PROVIDER, FOR RESALE MERCHANDISE FOR THE PRO SHOP AT FOX DEN FOR THE CALENDAR YEAR 2019 WITHOUT THE NECESSITY OF PUBLIC BIDS.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-19.

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

No Votes: None. The motion carried.

Ordinance No. 2019-19 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. D'Antonio introduced Ordinance No. 2019-20, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF EQUIPMENT, PARTS AND SUPPLIES NEEDED TO MAINTAIN FOX DEN GOLF COURSE FROM STATE BID LIST VENDOR CENTURY EQUIPMENT INC.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Adaska seconded for the adoption of Ordinance No. 2019-20.

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

No Votes: None. The motion carried.

Ordinance No. 2019-20 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. D'Antonio introduced Ordinance No. 2019-21, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF RESALE CONCESSION AND MISCELLANEOUS SUPPLIES FOR FOX DEN GOLF COURSE, FROM US FOODS, INC., WITHOUT THE NECESSITY OF FORMAL PUBLIC BIDS.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-21.

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

No Votes: None. The motion carried.

Ordinance No. 2019-21 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. D'Antonio introduced Ordinance No. 2019-22, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF FUEL FOR VARIOUS DEPARTMENTS IN THE CITY FROM STATE BID LIST VENDOR PORT PETROLEUM COMPANY INC. AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None.

Abstentions: Razor. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-22.

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

No Votes: None.

Abstentions: Razor. The motion carried.

Ordinance No. 2019-22 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2019-23, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH M CAMPBELL CONTRACTING FOR EMERGENCY WATERLINE REPAIRS THROUGHOUT THE CITY, A REAL AND PRESENT EMERGENCY EXPENDITURE WITHOUT THE NECESSITY OF PUBLIC BIDS, AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-23.

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

No Votes: None. The motion carried.

Ordinance No. 2019-23 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2019-24, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF PARTS AND REPAIR OF EQUIPMENT FROM SOLE SOURCE PROVIDER FALLSWAY EQUIPMENT CO. INC. FOR THE CALENDAR YEAR 2019 AND DECLARING AN EMERGENCY.

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

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

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

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Adaska seconded for the adoption of Ordinance No. 2019-24.

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

No Votes: None. The motion carried.

Ordinance No. 2019-24 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Adaska introduced Ordinance No. 2019-25, entitled:

AN ORDINANCE REPEALING SECTION 537.16, C.O.S. THEREOF, ENTITLED "ILLEGAL DISTRIBUTION OF CIGARETTES, OTHER TOBACCO PRODUCTS OR ALTERNATE NICOTINE PRODUCTS", AND ENACTING THE CHAPTER 757 TO PROHIBIT THE SALE OF CIGARETTES, TOBACCO PRODUCTS, AND TOBACCO PRODUCT PARAPHERNALIA TO INDIVIDUALS UNDER THE AGE OF TWENTY-ONE; AND AUTHORIZING THE SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT TO ENFORCE SAID CHAPTER.

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

MOTION:

Mr. Costello moved and Mr. D'Antonio seconded to confirm the Mayor's reappointments to various boards and commissions as outlined in his letter of January 22, 2019.

Mr. Costello the reappointments would be:

Houston Morgan to the Parks & Recreation Board  
for a term ending 1/2/24;  
Rich Sprungle to the Planning Commission  
for a term ending 1/2/23;  
Randall Roberts to the Board of Zoning & Building Appeals  
for a term Ending 1/2/24;  
Gary Spring to the Metro Board for a term ending 1/2/22;  
Cornelius Robinson to the Senior Citizen's Commission  
for a term ending 1/2/22;  
Nancy Walker to the Senior Citizen's Commission  
for a term ending 1/2/22;  
Sue Figler to the Civil Service Commission  
for a term ending 1/2/25; &  
Kara Kelley to the Income Tax Board of Review  
for a term ending 1/2/21.

Mr. Lowdermilk stated that his thoughts were to get more people involved with the boards and commissions. There was nothing against the people who have served on the boards and commissions, but he thought mixing it up with Council which they are about to do would be a good thing for the boards and commissions too. It would give more people an opportunity to serve.

Yes Votes: D'Antonio, Harrison,  
Rasor, Adaska & Costello

No Votes: Lowdermilk. The motion carried.

Mayor Pribonic stated that he looked forward to working with all of the Council Members in filling the unfulfilled vacancies now. In the future they would be seeing them.

### **Disposition of Bills**

#### **MOTION:**

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

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

No Votes: None. The motion carried.

### **Committee Meetings Scheduled**

Planning Committee  
Thursday, February 14, 2019  
at 5:30 p.m.

Public Improvements Committee  
Thursday, February 14, 2019  
to Follow the Planning Committee

Finance Committee  
Thursday, February 14, 2019  
to Follow the Public Improvements Committee

Roads & Safety Committee  
Thursday, February 14, 2019  
to Follow the Finance Committee

C.O.W.  
Thursday, February 14, 2019  
to Follow the Roads & Safety Committee

City Council  
Thursday, February 14, 2019  
at 7:00 p.m.

Mr. D'Antonio stated that Mr. Earle had said they would have their first budget hearing on Thursday, February 28<sup>th</sup>. That puts their deadline for a third reading as the only possible meeting the last week of March. That was Spring Break. He would not be here.

He knew they had done that one other year. He would like to think that the budget was going to pass earlier. However, he would hate to see it come down to that night. Mr. Earle stated they would gauge it as it goes and see how it works out. Mr. D'Antonio stated that he understood.

### **Adjournment**

#### **MOTION:**

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

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

No Votes: None. The motion carried.

The meeting adjourned at 8:00 p.m.

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Bonnie J. Emahiser  
Clerk of Council

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Brian Lowdermilk  
Vice President of Council