

Minutes of the Regular Meeting of Stow City Council held on Thursday, February 14, 2019, at 7:00 p.m.

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

Council Members Absent: Lowdermilk & Razor

City Officials Present: Mayor Pribonic, Law Director Zibritosky, Finance Director Baranek, Director of Budget & Management Earle, Chief of Staff/Service Director Wren, Deputy City Engineer Jones, Director of Planning & Development Kurtz, Police Chief Film, Fire Chief Stone, Parks & Recreation Director Nahrstedt & Clerk of Council Emahiser

Press Representatives: Stow Sentry

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### **Call to Order**

Mr. Riehl called the meeting to order and Mr. D'Antonio led the prayer and pledge of allegiance.

### **Approval of Minutes**

#### **MOTION:**

Mr. D'Antonio moved and Mr. Costello seconded to approve the Minutes of the Regular Council Meeting of January 24, 2019 as circulated.

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

No Votes: None. The motion carried.

### **Committee Reports**

Mr. Riehl stated that due to the lack of a quorum for the Planning and Finance Committees they discussed those items in the Committee-of-the-Whole Meeting.

Mr. Riehl reported on the Committee-of-the-Whole Meeting of February 14, 2019 as follows:

1. Numerous items would be introduced in legislative form.
2. A couple of items would be introduced in motion form.

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

Michael Wellendorf

Mr. Wellendorf stated he was here representing Akron Children's Hospital.

He wanted to speak tonight about the Tobacco 21 Ordinance that's before Council. He believed it was Ordinance No. 2019-25. It raises the age to purchase tobacco and vaping products from age 18 to 21.

Mr. Kendrick had distributed a packet from Summit County Public Health to Council, a copy of which is attached hereto. He referred to a letter in that packet signed by the

C.E.Os. of the hospitals of Akron Children's, SUMMA Health Systems and Cleveland Clinic/Akron General. They are very much in support of that ordinance.

He thanked Council for considering the ordinance. They thought it was a good one. They supported Tobacco 21 Ordinances in Akron, other places in Summit County, in Green, Barberton and other areas throughout Northeast Ohio.

The reason was that they considered tobacco use to be a cross-cutting factor. They could lay out a litany of chronic disease of conditions that cause early death. Woven into those is tobacco use with carcinogens and the addicted nature of nicotine.

That is really something that they would like to see limited. They have taken a lot of steps in terms of a lot of the strategies they have laid out to address chronic disease tobacco cessation. They thought this ordinance was a good extension of that.

The basic premise of this ordinance is simply this – that the more barriers we put up to access for these products (tobacco and vaping products), the better chance we have of prolonging the initiation of these products for young people (those who are under age 18 and those under age 21) and the better chance that we have of preventing chronic disease and early death that goes hand-in-hand with the use of these products.

So they were very much in support of this ordinance. They appreciated Council's consideration. They wanted to thank Summit County Public Health. They also wanted to thank the City's School District.

Stow-Munroe Falls City Schools came last month and talked about vaping and all the issues that they have in the school district with those products. It is as the F.D.A. and now the C.D.C. has identified it as an epidemic not only in Summit County in the State of Ohio but across the nation.

They wanted to ask Council to step up and consider passing this ordinance. They thought this discussion was really healthy. They were happy to have that discussion. They appreciated the opportunity to speak.

If at any time they could be a resource to them, they could provide any information. They would be happy to do that. However, they would like to see this ordinance moved forward. He appreciated Council's time this evening.

David Licate  
2946 Crown Point Drive  
Stow, OH 44224

Mr. Licate stated that he currently serves as Vice President of the Stow-Munroe Falls Board of Education. He wanted to be clear, however, that he wasn't speaking for the Board of Education this evening but as an individual.

He knew that Dr. Hartmann and Mr. Feldman had communicated to Council about the challenges that they are facing primarily at the high school with these cigarettes and tobacco related products. He wanted to join their voices in asking that Council assist our school district in reducing the opportunity for children and young adults to access tobacco related products by voting in favor of the Tobacco 21 legislation.

He thanked Council for taking the time to listen to the public safety, public health and educational professionals such as the one they had just heard from who presented evidence in support of this ordinance.

As you know our neighbors in Hudson did not have the opportunity to be heard by their City Council. Hudson City Council voted against Tobacco 21 and, according to the Hub Times, their logic was based in part that there should be a state issue. The only member of their Council to vote in favor of the legislation was a doctor. He found that rather telling. So he thanked Council for taking the time to listen.

His father died at the age of 59 from an aortic aneurysm caused by a smoking addiction. He watched his father struggle with his addiction for years. He tried to stop many times, but he, like so many others, became addicted before we truly knew the harm of smoking. Now we know better.

The tobacco industry has targeted our children for decades with chewing gum, trading cards and cartoons. In the 1990s the industry admitted in court to their strategy of addicting young people to maintain a supply of regular customers. Luckily our public health community was able to push back against this agenda and we've seen the decline of tobacco use for the past few decades.

The tobacco industry isn't finished however under the guise of cessation devices. They have supplied our communities with e-cigarettes that are very attractive to our children and young adults. These "cessation devices" are oddly marketed in a variety of tasty flavors and with many attractive and fashionable accessories. Let there be no misunderstanding as to the motivation of the tobacco industry with these products.

It is time that we once again push back as a community and send both the symbolic and practical message that we are not going to tolerate this threat to the health of our children. We should not wait on action from the State that may never come before we act on behalf of the citizens of Stow.

As public health professionals have communicated to you, adolescent is the prime time for addiction. That was when his father began the addiction that would eventually take his life. He was given cigarettes by older friends and we know that young adults are providing these products to our children in our high school today.

No legislation would be a perfect fix for this problem, but we need to do the best we can in mitigating harm. As a criminal justice researcher he could tell them that research indicates that opportunity reduction efforts like the T-21 legislation are more effective in reducing unhealthy habits than punishing somebody after the fact particularly when they are dealing with addiction.

You have heard from public safety, public health and educational professionals who have for the most part spoken with one voice in support of this legislation. You have been presented with the evidence regarding the benefits of this legislation. Please support the professionals who are charged with protecting our children every day by voting yes on the Tobacco 21 legislation.

He had tried to honor his father's memory by speaking here today. He missed his wedding and his grandchildren. If this legislation could discourage a few adolescents from suffering the same fate, it will have been worth it.

Tom Stephan  
2272 Lynnwood Drive  
Stow, OH 44224

Mr. Stephan stated he was speaking today as a former educator. He was looking at many people right in front of him who were in school when he taught.

One of the things that he thought they all remembered was what his job really was. That was to impart whatever he was supposed to be teaching and looking out for the welfare of his students. It was those two things and he thought those two things he had done as well as he could.

One of the things that they as teachers always laughed about was they had a thing called potty duty. Potty duty was where teachers would sit right out in front of the restrooms and make sure kids weren't smoking. He did that for many, many years because not only was he told to do it, but he wanted to make sure that the kids weren't smoking.

Where did they get the cigarettes? He didn't know. He didn't care. However, any way that they can stop it from happening a little bit more is worth it.

Tobacco 21 is a wonderful thing. He thought the people of Akron, Mogadore, Twinsburg, Norton, Richfield, Green, Kent and six major states that have passed this know what they are talking about - make it more difficult for young people to smoke or vape.

Once he learned about the problems of vaping, he pictured himself in the classroom again with his back to the students as he was doing something and they are doing that. They have to stop this. He thought Tobacco 21 was the way to do it.

He knew how much he enjoyed what he did as a teacher. He didn't really enjoy potty duty by the way. However, if it was any bit of helping students to not smoke, it was worth it. This is worth it even more.

Janis Lorman  
2743 York Drive  
Stow, OH 44224

Mrs. Lorman stated she was going to come at this from a different angle. For over 20 years she served as the head of the Speech Department at SUMMA and she was now teaching at the University of Akron in the Speech Therapy Department.

She had seen adults and adolescents who have been addicted to tobacco and tobacco products come in with oral, lingual and ferential cancers who have had half a jaw removed, half a tongue removed or their larynx removed who can no longer eat, talk or enjoy the things that we take for granted.

The statistics have shown that kids who vape are seven times more likely to progress on to cigarettes and smokeless tobacco. We know that smokeless tobacco has been a real problem in athletics, especially in baseball. If you live in the southern states or have been in the southern states, it's like a right-of-passage to have a tin in your back pocket.

We haven't seen that as much in northeastern Ohio, but with vaping it just seems like anything that we can put in the way of this would help. If you could imagine going to a Thanksgiving dinner or out to dinner with your friends and not being able to eat or converse, you could see that any roadblocks we can put in the way will certainly be helpful.

Kari Suhadolnik  
4263 Meadowlark Trail  
Stow, OH 44224

Mrs. Suhadolnik stated she was coming at this from another angle. As a parent of a high school student and with two more that are going to be in high school the next two years, she saw what he goes thru all the time with Juuling, etc. She knew the high school was doing everything that they can to stop it. She asked City Council to join in the fight and help too.

She didn't like the idea of her kid being exposed to all of the people bringing it into the school district. Speaking from his knowledge, it is people that are 18 bringing it into the schools. If they could get that out of the school district, she thought it would be great.

Jeremy McIntire  
1904 Baker Lane  
Stow, OH 44224

Mr. McIntire stated he was going to come at it from even a different angle. He thought this legislation should not pass for the simple fact that,,He asked if anyone knew what an item that he held up was? He stated it was a Purple Heart.

He read: The United States of America to allow all shall see these presence greeting, this is to certify that the President of the United States of America has awarded the Purple Heart, established by General George Washington at Newburg, New York August 7, 1782, to Sergeant Jeremy C. McIntire, United States Army, for wounds received in action on 6 July 2007, in Iraq, given under my hand in the City of Washington this 7<sup>th</sup> day of October 2008.

He asked if Council knew what the youngest age was that this could be received? He stated with parental consent 17. And we are worried about adults. That's what they were talking about -18. Under the Ohio Revised Code that is considered an adult. He asked if that was correct?

In the legislation it looks like they are talking about a child. That is the definition that is in the legislation. They aren't talking about children. Children by definition are under the age of 18. So if they can be comfortable with 17 and 18 year olds going out to make the sacrifice to earn this award, they should give them the choice.

That's a choice that they have to make. They are young adults. Life is full of choices that they have to make and this is one of the first ones they are going to have to make. To sit here and take that away from them is ridiculous when they can go out and do this at 17.

Nancy Brown  
3134 Peterboro Drive  
Stow, OH 44224

Mrs. Brown stated because today is Valentine's Day, they are here supporting this because they love their kids. They urged Council's support of it.

Tom McKinney  
4731 Hillary Circle  
Stow, OH 44224

Mr. McKinney stated he didn't think anybody here was in favor of smoking. He never smoked. His dad died in 1957 and would be 120 this year. He died from what they called then pneumonia and chronic lung disease, which was probably lung cancer.

He was totally on the side of everybody who wants to eliminate smoking. However, he did think it was a difficult decision. He concurred 100% with Jeremy as far as an adult. The age of majority in Ohio is 18.

He was sure everybody knows other things that everybody talks about, such as voting and military service. Those were the two that came up. However, you can get a pilot's license at 16. You can buy a house at 18, assuming that you have credit or money. You can get a driver's license at 16. You can change your name at 18. You can get a passport at 18 and leave the country.

So it is a difficult thing when you are talking about who is an adult and who is not. Right now the definition of an adult in Ohio is 18. He was glad he wasn't on Council right this minute because it isn't an easy decision.

He thought nobody was in favor of smoking. He never smoked. He loved his kids. They have five kids, twelve grandkids and four greats – some of which are still in Stow. They don't smoke because their parents, him and a lot of people have been with them for a long time and discouraged that entirely.

Valerie Huddleston  
4131 Pardee Road  
Stow, OH 44224

Mrs. Huddleston stated that she serves as the Youth Director at St. Stephen Lutheran Church in Stow. She was not here in that capacity, but she was here as a concerned parent and a concerned adult.

Her nephew is actually going to be graduating from boot camp from the Marine Corp. next Friday. She loved him dearly. It bothers her that he can't walk into a bar, have a beer or buy a pack of cigarettes at 18. However, it bothers her more that she works with 12 and 13 year olds that are getting Juuls from high school seniors who are 18.

She didn't like it. It's frightening. We don't know what the ramifications of this are going to be in 30 years for these kids.

Also, she has dealt with it from a personal standpoint. Her daughter was Juuling in high school before she was 18 and got it from a senior.

It's hard. It's a hard road that we are dealing with. She agreed that if they can do something to help these younger kids, they need to do it.

Jill Oldham  
4219 Meadowlark  
Stow, OH 44224

Ms. Oldham stated she was here in support of the Tobacco 21 Ordinance. She moved to northeast Ohio nearly 20 years ago. Early in her career she was a health educator working with students in several high schools in Summit County to help them quit smoking. One of those high schools was Stow High School.

At the time she wasn't a resident of Stow, but she is now and she has been a resident for 15 years. So she had some perspective on what tobacco use looks like in the high school. However, for more important reasons she was present this evening because she had an eighth grader at Kimpton and a sixth grader at Lakeview.

We are doing our children a disservice if we're not continuing to protect them all the way thru high school. Of course we all know there are health consequences of tobacco use, but the productivity and the health care costs are things that we all take on. These are burdens for everyone.

If we're not preparing our children to go into the work force that in by-and-large is becoming a tobacco free work force, tobacco use for a lot of employers is becoming an issue that they are dealing with as an employee policy for health care and productivity reasons, she felt it was their job to be setting the stage for these kids to be successful in their journeys after high school.

Eighteen may be an adult age in some minds, and she completely respected that, but she sat in high school orientation last Thursday and listened to the high school Principal tell them that when their kids were coming in as Freshmen in that building, it's not the time to cut loose. It's time to stay with our kids and keep them on the course that they want them to be on thru the rest of their high school career.

She was totally in support of this and she was super proud to live in a community where this is being considered.

Pamela Wind  
4558 Chatwood Drive  
Stow, OH 44224

Mrs. Wind stated that she also had an eighth grader and a sixth grader. She strongly supported this.

To answer some of the concerns that have come up about what is an adult, our high school students are obviously not adults yet. They are still in high school. If we prevent them from doing this, we aren't doing anything different than what we did when we decided to make the drinking age 21. It is a public health issue and for that reason the age at which it is allowed is different.

Yes you can go into the military at 17 or 18. You can drive at 16. You can't rent a car in many places until you're 25. The ages at which we consider people adults and capable of making adult choices actually kind of vary.

She thought in this case they can't really expect kids who are still in high school to be making these adult choices. This is a public health issue. We need to protect our students' health.

Sarah Haren  
2631 L'Hermitage Place  
Stow, OH 44224

Mrs. Haren agreed with most of the people who had been up here. She had listened to Dr. Hartmann speak last week. That was extremely compelling. She was fully in support of this Tobacco 21 legislation.

She had a student who was entering Kimpton next year and that terrified her on many levels. One thing she didn't want to have to worry about was that she was going to be exposed to people smoking and people Juuling in the bathrooms. She had heard that that was a big problem.

She was in support of the legislation and asked Council to consider it.

Cory Kendrick  
Director of Population Health  
Summit County Public Health  
1867 West Market Street  
Akron, OH

Mr. Kendrick thanked Council for considering this. He also wanted to commend the citizens of Stow. This was the most engaged group of citizens that he had seen.

He had talked to over ten communities and been to all six municipalities that have passed this or not passed this. This was the most engaged he had seen.

So whether you are for or against this, he commended the citizens for coming out and engaging government. He thought that was to be commended and applauded.

He had handed out a packet to Council, a copy of which is attached to these minutes. Some of the information Council might already know. It's condensed to one page. However, there were a few things that he wanted to mention today.

There was a new CDC Report that came out on Monday that basically shows that vaping has erased all of the progress that they have made in the past 20 years in smoking.

With kids vaping, we're almost at 1 in 2 kids now nationally have tried an e-cigarette. Those are rates we have not seen since the early 90s in tobacco use. So this report is confirming our suspicions that the progress they had made in the last 20 years in tobacco has been completely erased by the epidemic.

We know it's harmful. New studies are coming out showing there's toxic chemicals. It's not a safe alternative. There are cancer causing chemicals. There are new reports coming out that the inflammation that it causes in the lungs is just as bad as traditional tobacco just in a different way.

We don't know the ramifications this is going to cause our kids in the next 20 years. It took decades to understand the negative impact of what tobacco was doing to the human body once they discovered that it wasn't good for them. We don't know what the e-cigarettes are going to do. Unfortunately the students now are going to be the ones finding out – the ones who are using it.

The CDC and any other medical journal reports there is one good way to prevent this right now. We can educate the kids. We can have cessation programs. However, once you are addicted, it is very hard to quit.

Prevention, barriers and policy is the strongest evidence that they have right now to prevent this epidemic. It is the strongest tool that we have in our toolbox recommended by the CDC and other organizations throughout the nation, both locally and throughout the country.

It was mentioned in the newspaper that 19 may be a recommendation to maybe compromise as opposed to 21. He wanted Council to look at the second page of his handout. There has been a lot of research done on 21. Twenty-one wasn't a magic number that someone said just make it the same as alcohol. A lot of research has been done on tobacco initiation.

Research has been done on the ages of 19-25 to show the effectiveness. By raising it to only the age of 19 for under 15 year olds, it's 67% less effective. For 15-17 year olds, which was really what they were trying to target with this legislation, it's 60% less effective. So by making sure they keep this to age 21, it's 60% more effective for our 15-17 year olds and that's the biggest demographic we have right now vaping.

Karen Fritschel  
3471 Stillwood  
Stow, OH 44224

Mrs. Fritschel stated that she informally talked to a lot of people in the community about this. She had talked to people in clubs, social gatherings, the gym, Silver Lake Country Club, hairdressers, etc. She had talked to a lot of people.

Only two people had any reservations about passing this Tobacco 21 ordinance. A lot of them asked her to get back to them to let them know what City Council did. They think it's a no-brainer.

One person, our former Law Director, at the gym today said a lot of times common sense is not all that common. She would like it to be common in Stow that we really have passed this so we can protect our kids.

Her husband had been in the army. They smoked. Today military leaders are supportive of this Tobacco 21 because they think it has an impact on the military's readiness. The Department of Defense and each of the arms services (every one of them) has stated the goal of a tobacco free military.

She thought they were getting an awakening on what vaping is doing to our kids and tobacco in general. She hoped Council Members would vote yes on this legislation.

### **City Officials' Reports**

Law Director Zibritosky reported as follows:

1. The small cell legislation is up for a second reading this evening. She had passed out some information to Council regarding some questions they had had. Since she wasn't able to be present at the last meeting, she urged Council Members to ask her any questions that they might have.

Deputy City Engineer Jones reported as follows:

1. Karvo will continue work on the 2018 Miscellaneous Storm Sewer Project weather dependent.
2. 1127 Excavating will continue to work on the Graham/Lakeview Waterline Replacement Project.
3. The Graham Road Resurfacing Project will begin as soon as the weather breaks.

### **New Business**

#### **MOTION:**

Mr. Costello moved and Mr. Adaska seconded to excuse the absence of Councilmen Lowdermilk and Razor.

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

No Votes: None. The motion carried.

#### **MOTION:**

Mr. Riehl moved and Mr. D'Antonio seconded to authorize the hiring of a Utility Billing Clerk II employee.

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

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.

#### **MOTION:**

Mr. Costello moved and Mr. Adaska seconded to remove Ordinance No. 2018-153 from the table.

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

No Votes: None. The motion carried.

Mr. Costello stated that the legislation has already had a second reading. He believed Mrs. Zibritosky had made a number of changes that were requested by Mr. Lowdermilk. He asked if Council had the updated version?

Mrs. Zibritosky stated that she didn't know if they actually had the updated version. She thought there had been some confusion at that point.

She was fine with all of Mr. Lowdermilk's revisions save the one that mentioned limiting it to the arterial roadways just because it was legally not permitted in that fashion. Whatever version that was.

Mr. Riehl asked which version was before them? Mr. Costello believed it was the original version. However, he believed Mr. Lowdermilk wanted it amended.

Mrs. Zibritosky stated just to be clear, the original version encompasses everything. They went thru it many times. From what we understand, there's fiber optic lighting from Spectrum that is already going into the right-of-way, so these things are coming sooner than later.

From our perspective, it would be wise to pass it and if you have further questions, you can always adjust it after-the-fact. However, if they have nothing, then they have no ability to regulate anything.

Mrs. Emahiser stated Version 1 is before Council. Version 2 is the amended one. She just needed to know which one they were talking about.

Mr. Adaska stated he would like to hold the legislation until Mr. Lowdermilk gets back just to be clear what his intentions were for Version No. 2.

MOTION:

Mr. Adaska moved and Mr. Riehl seconded to hold the legislation until Mr. Lowdermilk gets back to be clear what his intentions were for Version No. 2.

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

No Votes: None. The motion carried.

Ordinance No. 2018-153 was held.

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 second time.

Mrs. Emahiser stated this is the version before City Council. Version No. 3 took out the repealing section. Mrs. Zibritosky stated that was correct.

This legislation was drafted months ago when they were first approached by the Summit County Health District about it. Initially the thought was that some of the different terms in the other code sections were confusing and they didn't want to be confusing. Since it was already covered by State Law, they thought they should just get rid of them.

She thought that actually caused more confusing. So they recommended to not put that as a first section. So this would just be to add it on. She would recommend Version No. 3.

Ordinance No. 2019-25 was declared to be read for the second time.

Mr. Riehl introduced Resolution No. 2019-26, entitled:

A RESOLUTION GRANTING SITE PLAN APPROVAL TO ADAM FROMAN OF GREEN OASIS LAWNCARE, APPLICANT, TO PERMIT THE CONSTRUCTION OF A 1,200 SQUARE FOOT BUILDING IN ORDER TO OPERATE A LAWN CARE SERVICE ALONG SEASONS ROAD IN THE CITY OF STOW.

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

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

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

No Votes: None. The motion carried.

Mr. Adaska moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2019-26.

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

No Votes: None. The motion carried.

Resolution No. 2019-26 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Adaska introduced Resolution No. 2019-27, entitled:

A RESOLUTION GRANTING CONDITIONAL ZONING CERTIFICATE AND VARIANCE APPROVAL TO ADAM FROMAN OF GREEN OASIS LAWNCARE, APPLICANT, TO PERMIT AN OUTSIDE SELF-STORAGE AREA SOUTHWEST OF THE PROPOSED BUILDING APPROVED IN RESOLUTION NO. 2019-26.

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

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

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

No Votes: None. The motion carried.

Mr. Adaska moved and Mr. D'Antonio seconded for the adoption of Resolution No. 2019-27.

Mr. Costello asked if they had enough members to vote on this? Mr. Riehl stated yes. He needed five affirmative votes. There were no debates, discussions or negative comments at the Committee Meeting.

Yes Votes: Riehl & Adaska

No Votes: Harrison, Costello & D'Antonio.  
The motion failed.

Resolution No. 2019-27 was declared to be defeated.

Mr. D'Antonio introduced Ordinance No. 2019-28, entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 2012-36 AND ALL AMENDMENTS THERETO, PARTICULARLY SECTION 1 THEREOF, ENTITLED "ESTABLISHMENT, COMPOSITION AND TERM", AND

SECTION 3 THEREOF, ENTITLED "MEETINGS AND QUORUM", TO INCREASE THE NUMBER OF COMMISSION MEMBERS ON THE STOW COMMISSION ON INCLUSION AND INCREASE THE QUORUM FOR SAID COMMISSION 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: Harrison, Riehl, Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-28.

Mr. Costello moved and Mr. D'Antonio seconded to amend Ordinance No. 2019-28 to say up to five members.

Mrs. Harrison thought if they were to do that, they would also need to say a majority vote is required for a quorum instead of having a specific number.

Mr. Costello moved and Mr. D'Antonio seconded to amend his motion to amend to include that a majority vote be required for a quorum.

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

No Votes: None. The motion to amend the motion to amend carried.

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

No Votes: None. The motion to amend carried.

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

No Votes: None. The motion to adopt carried.

Ordinance No. 2019-28 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2019-29, entitled:

AN ORDINANCE AMENDING CHAPTER 175, C.O.S., ENTITLED "SENIOR CITIZENS COMMISSION", PARTICULARLY SECTION 175.01 THEREOF, ENTITLED "ESTABLISHMENT, COMPOSITION AND TERM", AND SECTION 175.03 THEREOF, ENTITLED "MEETINGS AND QUORUM", TO INCREASE THE NUMBER OF COMMISSION MEMBERS ON THE SENIOR CITIZENS COMMISSION AND INCREASE THE QUORUM FOR SAID COMMISSION 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: Harrison, Riehl, Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-29.

Mr. Costello moved and Mr. D'Antonio seconded to amend Ordinance No. 2019-29 to say up to seven members and that a majority vote be required for a quorum.

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

No Votes: None. The motion to amend carried.

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

No Votes: None. The motion carried.

Ordinance No. 2019-29 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2019-30, entitled:

AN ORDINANCE AMENDING CHAPTER 171, C.O.S., ENTITLED "URBAN FORESTRY COMMISSION", PARTICULARLY SECTION 171.02 THEREOF, ENTITLED "ESTABLISHMENT AND MEMBERSHIP OF COMMISSION", TO INCREASE THE NUMBER OF COMMISSION MEMBERS ON THE URBAN FORESTRY COMMISSION 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: Harrison, Riehl, Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-30.

Mr. Costello moved and Mr. D'Antonio seconded to amend Ordinance No. 2019-30 to say up to seven members.

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

No Votes: None. The motion to amend carried.

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

No Votes: None. The motion to adopt carried.

Ordinance No. 2019-30 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Riehl introduced Ordinance No. 2019-31, entitled:

AN ORDINANCE AMENDING CHAPTER 123, C.O.S., ENTITLED "COUNCIL", PARTICULARLY SECTION 123.03 THEREOF, ENTITLED "ELECTION OF OFFICERS", TO PROVIDE FOR A PUBLIC VOTE, AND SECTION 123.12 THEREOF, ENTITLED "ROLL CALL", TO PROVIDE FOR NOTIFICATION OF ABSENCE TO BE MADE TO THE CLERK OF COUNCIL OR PRESIDENT OF COUNCIL.

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: Harrison, Riehl, Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded to amend Ordinance No. 2019-31, specifically in Section 123.03, Election of Officers, to delete any reference to a secret ballot.

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

No Votes: None. The motion carried.

Mr. Riehl moved and Mr. D'Antonio seconded for the adoption of Ordinance No. 2019-31.

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

No Votes: None. The motion carried.

Ordinance No. 2019-31 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. 2019-32, entitled:

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A 2019 CONTRACT WITH THE STATE OF OHIO, AUDITOR OF STATE, FOR PURPOSES OF PROVIDING AUDIT SERVICES FOR THE CALENDAR YEAR 2018, 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: Harrison, Riehl, Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-32.

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

No Votes: None. The motion carried.

Ordinance No. 2019-32 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. D'Antonio introduced Ordinance No. 2019-33, entitled:

AN ORDINANCE AUTHORIZING AND DIRECTING THE CHIEF OF STAFF/DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND SOLICIT BIDS, ON BEHALF OF THE CITY OF STOW, FOR THE KENT ROAD WATERLINE REPLACEMENT (SW TRUNK WATERLINE) PROJECT; AUTHORIZING AND ADOPTING PLANS AND SPECIFICATIONS PREPARED BY THE CITY OF STOW THEREFOR; AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO CONTRACTS FOR SAID SERVICES SO LONG AS PROPER

AUTHORIZATION IS FIRST OBTAINED IN ACCORDANCE WITH  
SECTION 173.05, C.O.S.

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: Harrison, Riehl, Adaska, Costello & D'Antonio

No Votes: None. The motion carried.

Mr. D'Antonio moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-33.

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

No Votes: None. The motion carried.

Ordinance No. 2019-33 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

**New Business**

**MOTION:**

Mr. D'Antonio moved and Mr. Costello seconded to confirm the Mayor's appointments to the Boards and Commissions as follows:

Arts Commission:  
Jeff Datkuliak;  
Ginger Bakos;  
Sarah Haren;  
Denise Tonelli;  
Michelle Marazzi;  
Kari Suhadolnik;  
Kimmy Henderson; &  
Kristin Casale

and

Parks & Recreation Board:  
Christine Sheets – For a Term Ending 1/2/22.

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

No Votes: None. The motion carried.

**Disposition of Bills**

**MOTION:**

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

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

No Votes: None. The motion carried.

**Pending Committee Meetings**

Planning Committee  
Thursday, February 28, 2019  
at 5:30 p.m.

Finance Committee  
Thursday, February 28, 2019  
to Follow the Planning Committee

Roads & Safety  
Thursday, February 28, 2019  
to Follow the Finance Committee

C.O.W.  
Thursday, February 28, 2019  
to Follow the Roads & Safety Committee

City Council  
Thursday, February 28, 2019  
at 7:00 p.m.

Mr. Costello wished all the wives, girlfriends, etc. a Happy Valentine's Day.

**Adjournment**

**MOTION:**

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

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

No Votes: None. The motion carried.

The meeting adjourned at 7:55 p.m.

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Bonnie J. Emahiser  
Clerk of Council

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Matt Riehl  
President of Council