

Minutes of the Regular Meeting of Stow City Council held on Thursday, March 28, 2019, at 7:00 p.m.

Council Members Present: Riehl, Costello, Harrison, Lowdermilk & Rasor

Council Members Absent: Adaska & D'Antonio

City Officials Present: Mayor Pribonic, Director of Planning & Development Kurtz, Finance Director Baranek, Director of Budget & Management Earle, Deputy Director of Public Service Brooker, City Engineer McCleary, Police Chief Film, Fire Captain Hohenadel, 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. Rasor led the prayer and pledge of allegiance.

### **Approval of Minutes**

#### **MOTION:**

Mr. Costello moved and Mr. Lowdermilk seconded to approve the Minutes of the Regular Council Meeting of February 28, 2019 as circulated.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

### **City Officials' Reports**

Mayor Pribonic reported as follows:

1. Thought Ron Yaist's death was a very unfortunate loss.
2. The City also lost a great teacher at Stow High School. That was Steve Pierce. His son Riley is also a member of our Student Youth Commission. It was a great family.

He had worked with Steve when he was on the School Board. He was always a gentleman. He always had many talents. He asked for a short moment of silence for him.

Mr. Riehl stated he had had a resident reach out to him to commend the Service Department on cleaning-up litter and debris on Billy Goat Hill. He asked Mr. Brooker to pass along that gratitude. Mr. Brooker stated that he would.

City Engineer McCleary reported as follows:

1. Beginning this Sunday night, March 31<sup>st</sup>, at 8:00 p.m. thru 6:00 a.m. the next morning and for approximately two weeks, S.R. 8 will be down to one lane each night. Then it will go back to two lanes as soon as they get the medium barrier installed.

### New Business

Chief Film stated that earlier this month he received a letter from one of his senior officers who is retiring. It is a mandatory retirement with the pension. He initially told him it was going to be mid-July, however, he now says it most likely will be in June.

They have a current civil service test. They did do physical fitness testing. They were now doing background checks. They have authorization from City Council to hire one police officer. He asked for a second one for his replacement.

He was hoping to get the officer hired. With the schedule of three months training, that person would not be ready when this officer retires, but it would be close. Therefore, he was seeking authorization to hire another police officer.

#### MOTION:

Mr. Costello moved and Mr. Lowdermilk seconded to authorize the hiring of one additional police officer.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Mr. Brooker stated one of our Building Clerks tendered her resignation effective Monday of this coming week. Her family will be moving out-of-town. They had the position budgeted and were looking to fill it.

#### MOTION:

Mr. Costello moved and Mr. Lowdermilk seconded to authorize the hiring of one Building Clerk.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Mr. Brooker requested authorization to expend an amount not to exceed \$30,250.00 with Core & Main LP for the purchase of 550 MXU units, model 510 meter reading devices.

This is a continuation of the meter reading devices for the Water Department. They are automatic meters that go inside the homes. They have been trying to move them all indoors. This is to replenish their inventory. The old meters have gone thru their lives. They were just replenishing and replacing all the meters in the City.

Core & Main has agreed to extend the price of last year's meters. They had a significant increase for this year's units, but they were able to get them a better rate. They would like to take advantage of that at this time.

Mr. Riehl assigned No. 2019-58 to the sample legislation and asked Mr. Razor to introduce it this evening.

#### MOTION:

Mr. Lowdermilk moved and Mr. Costello seconded to make the following appointments:

Income Tax Review Board  
Rick Archer - Term to Expire 1/2/21 &  
Bruce McBrian - Term to Expire 1/2/21

Stow Arts Commission

Bill Flinta	-	Term to Expire 1/2/23
Rita Muckensturm	-	Term to Expire 1/2/23
Cherie Schrengauer	-	Term to Expire 1/2/22 &
Edward Davidian	-	Term to Expire 1/2/22.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

**MOTION:**

Mr. Costello moved and Mr. Lowdermilk seconded to excuse the absences of Councilman Adaska and Councilman D'Antonio.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

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. 2019-34 was held.

Mr. Razor introduced Ordinance No. 2019-37, entitled:

AN ANNUAL APPROPRIATION ORDINANCE PROVIDING FOR THE  
EXPENSES OF THE CITY OF STOW FOR THE YEAR 2019, AND  
DECLARING AN EMERGENCY.

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

Mr. Razor moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-37.

Mr. Lowdermilk stated he believed Council was going to pass this budget this evening, however, he did want to continue their discussions regarding the Road Program.

He thought over the years the City Administration and City Council have improved their unencumbered balances and their debt positions. He thought it was time that they started putting more money into the roads to get them into better shape.

Maybe there's never enough money for the roads, but they could certainly put more into them to make some improvements.

Mayor Pribonic agreed with Mr. Lowdermilk. He thought all of them sitting at this table had done an excellent job.

They are looking at putting an additional \$500,000 into the Road Program. He knew there were some justifiable concerns raised at the last meeting, particularly Mr. Lowdermilk's concern regarding Graham Road.

He thought everyone was aware that in the next two weeks coming off of S.R. 8 at Graham Road would be kind of a mess because the railroad tracks are going to be taken out and they will pave until Elm Road.

The part Mr. Lowdermilk had talked about extended from Fishcreek to Darrow Road. He asked Mr. McCleary to tell them where they were at regarding funding for that piece of roadway?

Mr. McCleary stated they could apply for funding in October when AMATS opens up the funding issues. However, right now they were talking about the first time getting money for any projects proposed this year to be 2023-2024.

Mayor Pribonic stated Mr. McCleary was talking about 80%/20% funding. If they go in and totally repave that, they would lose that funding because they would come in, grade it and say it is fine.

So they were looking at replacing the entire lane if you are going west. That would cost about \$100,000. Then there are some other things they could do to step-up their program and address some of the needs this year instead of next year.

It is important to realize that the AMATS report came out and reported that the City of Stow had one of the highest rated roads. He asked Mr. McCleary to explain how our rating changed since all of the cities in the County are utilizing the same grading system now. It gives us kind of a more accurate view as far as how we are comparing to our neighboring cities. It isn't just us grading it, it's now AMATS grading it too.

The City of Stow was the highest rated compared to other cities. He thought Hudson was next in line if he wasn't mistaken. He gave kudos to City Council for putting money into it over the years because it is being recognized.

The City is very diligent as far as the Administration is concerned. It was one of the things that they have on the front burner and are willing to discuss further.

We know that we cannot go 4-5 years without doing anything to Graham Road, because there wouldn't be anything left of Graham Road if they did. However, again, they didn't want to jeopardize their funding. They were working on it. They were willing to work with Council on it.

Mr. Lowdermilk stated that they appreciated that. He knew they have worked to put more money into the Road Programs. He appreciated City Council, the City Administration and everyone in the Service Department working together to make an even bigger dent.

He asked Mr. McCleary to explain how that rating system for AMATS works? He didn't have to do that tonight. He just wanted him to give them an idea of how that works.

Also regarding Graham Road, over the years there has been talk about widening it. He asked if they saw that happening?

Mr. McCleary stated the Graham Road Widening Project is on what AMATS calls the long-range plan. So in the next 20 years there's a possibility, but it's based on the volume of traffic and competing with other communities. There isn't anything close or eminent on that.

Mr. Lowdermilk thought the section of Graham Road from S.R. 91 to Fishcreek Road was what they were talking about. Obviously, there was a two-lane road meeting four-lanes. So it would only make sense that eventually that was probably going to happen.

Mr. Earle wanted everyone to understand that if there is a consensus to increase the Road Program they would probably just borrow from the Water Fund some additional funds. That is what they had done in the past. There would be no adverse impact on the City and they would be able to accommodate it over a few years and then repay the funds with interest.

We understand in the budget that the Road Program is always a legitimate topic. It is legitimate to discuss at any point. He believed they would work out something between the City Administration and City Council to have a Road Program that's acceptable for this year that shows an increased commitment to the roads for 2019.

Mr. Riehl stated earlier this week Council Members Harrison, Rasor and him met with the City Administration concerning this. The roads have been a cause that they have been passionate about for a long time. Rather than throw out a number that would be willy-nilly for the budget tonight, they are going to work on having one in April.

Mr. Rasor echoed Mr. Riehl's comments. This is something that they have been talking about for a long time.

Now many of them are entering their last semester of City Council and they desperately want to fix it. They want to be able to look their residents in the eye and say that it took them awhile, but they found the money to give them good roads so no one has to live on one of the roads that they internally know is marked as poor quality.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

Ordinance No. 2019-37 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Ordinance No. 2019-41 was held.

Mr. Rasor introduced Resolution No. 2019-52, entitled:

A RESOLUTION GRANTING SITE PLAN AND VARIANCE APPROVAL TO GEORGE VIZMEG OF GVI, LLC, APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF AN INDUSTRIAL BUILDING ADDITION AT 752 MCCAULEY 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. Costello seconded for the suspension of rules.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

Mr. Rasor moved and Mr. Costello seconded for the adoption of Resolution No. 2019-52.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

Resolution No. 2019-52 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Rasor introduced Resolution No. 2019-53, entitled:

A RESOLUTION GRANTING SITE PLAN AND VARIANCE APPROVAL TO ROBERT READY OF CURTIS LAYER DESIGN GROUP, INC., APPLICANT, AND J & E DEVELOPMENT CORPORATION,

PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF AN INDUSTRIAL BUILDING ON A 21.8 ACRE PROPERTY LOCATED ON THE EAST SIDE OF ALLEN ROAD BETWEEN ALPHA PARKWAY AND MCCAULEY ROAD, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY.

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

Mr. Razor moved and Mr. Costello seconded for the suspension of rules.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Mr. Razor moved and Mr. Costello seconded for the adoption of Resolution No. 2019-53.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Resolution No. 2019-53 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

Mr. Razor introduced Resolution No. 2019-54, entitled:

A RESOLUTION GRANTING SITE PLAN AND VARIANCE APPROVAL TO FRED MOLAI OF THE STOW MUFFLER SHOP, APPLICANT AND PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF A BUILDING ADDITION TO THE EXISTING STOW MUFFLER SHOP LOCATED AT 3265 KENT ROAD, IN THE CITY OF STOW.

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

Mr. Razor moved and Mr. Costello seconded for the suspension of rules.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Mr. Razor moved and Mr. Costello seconded for the adoption of Resolution No. 2019-54.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Resolution No. 2019-54 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect in thirty (30) days.

Mr. Razor introduced Ordinance No. 2019-55, entitled:

AN ORDINANCE AMENDING PART ELEVEN, C.O.S., ENTITLED "PLANNING AND ZONING CODE", PARTICULARLY TITLE SEVEN THEREOF, ENTITLED " ZONING DISTRICTS AND REGULATIONS", TO ESTABLISH CHAPTER 1158 THEREOF, ENTITLED "SEASONS ROAD OVERLAY DISTRICT", TO ALLOW LIMITED RETAIL SERVICES ON

THE FRONTAGE OF SEASONS ROAD WEST OF THE S.R. 8 INTERCHANGE; AMENDING TITLE FIVE THEREOF, ENTITLED "ZONING ADMINISTRATION", PARTICULARLY CHAPTER 1133 THEREOF, ENTITLED "DEFINITIONS", SPECIFICALLY SECTION 1133.01 THEREOF, ENTITLED "DEFINITIONS", TO AMEND THE DEFINITIONS OF A "GASOLINE STATION" AND A "VEHICULAR SERVICE STATION"; AND AUTHORIZING SUCH AMENDMENT TO THE ZONING DISTRICTS MAPS BY THE CITY ENGINEER.

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

Mr. Razor introduced Ordinance No. 2019-56, 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 C-5 HIGHWAY SERVICES DISTRICT TO I-1 LIMITED INDUSTRIAL DISTRICT APPROXIMATELY SIX (6) ACRES OF PROPERTY LOCATED IN LOT #4 IN THE SEASONS BUSINESS PARK; AUTHORIZING AMENDMENT TO THE ZONING DISTRICTS MAP BY THE CITY ENGINEER.

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

Mr. Razor introduced Resolution No. 2019-57, entitled:

A RESOLUTION GRANTING SITE PLAN AND VARIANCE APPROVAL TO MICHAEL J. NOVACHEK OF RAY FOGG BUILDING METHODS, INC., APPLICANT, AND JOSEPH WEBER OF BH OHIO LEASING, LLC, PROPERTY OWNER, TO PERMIT THE CONSTRUCTION OF AN INDUSTRIAL BUILDING IN THE SEASONS BUSINESS PARK LOCATED ON SEASONS ROAD EAST OF S.R. 8 IN THE CITY OF STOW.

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

Mr. Razor introduced Ordinance No. 2019-58, entitled:

AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF 550 MXU UNITS, MODEL 510, METER READING DEVICES FROM SOLE SOURCE PROVIDER CORE & MAIN LP AND DECLARING AN EMERGENCY.

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

Mr. Razor moved and Mr. Costello seconded for the suspension of rules.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Mr. Razor moved and Mr. Costello seconded for the adoption of Ordinance No. 2019-58.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Razor

No Votes: None. The motion carried.

Ordinance No. 2019-58 was declared to be adopted by Council and, upon its signature by the Mayor, shall take effect immediately.

**Disposition of Bills**

**MOTION:**

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

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

**Committee Meetings Scheduled**

Public Hearing  
Thursday, April 11, 2019  
at 5:30 p.m.

Finance Committee  
Thursday, April 11, 2019  
to Follow the Public Hearing

Public Improvements Committee  
Thursday, April 11, 2019  
to Follow the Finance Committee

C.O.W.  
Thursday, April 11, 2019  
to Follow the Public Improvements Committee

City Council  
Thursday, April 11, 2019  
at 7:00 p.m.

**MOTION:**

Mr. Riehl moved and Mr. Costello seconded to cancel the Committee and Council Meetings scheduled for Friday, March 29, 2019.

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

**Adjournment**

**MOTION:**

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

Yes Votes: Riehl, Costello, Harrison,  
Lowdermilk & Rasor

No Votes: None. The motion carried.

The meeting adjourned at 7:25 p.m.