

Minutes of the Regular Meeting of Stow City Council held on Thursday, January 13, 2022 at 8:32 p.m.

Any members of the public wishing to have a public comment read at a standing committee or Council meeting must provide their name, address, and comment in writing to the Clerk of Council no later than 3 P.M. the day of the meeting. Comments may be delivered in person, by mail or emailed to [clerkofcouncil@stow.oh.us](mailto:clerkofcouncil@stow.oh.us). Any written public comments will be read by the Clerk of Council or another appropriate meeting participant during the requested meeting.

Public comments must come directly from the person requesting the comment to be read and cannot be compiled or vetted by a third-party representative. Any public comments requested to be read shall provide their name and address for the record and shall be read in the same reasonable time permitted to those speaking in person. Any public comments submitted by persons other than the indicated (signed) party will not be read.

Council Members Present: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca

Council Members Absent: Ward 1 Vacant

City Officials Present: Mayor Pribonic, Chief of Staff/Service Director Wren, Finance Director Costello, Police Chief Film, Fire Chief Stone, City Engineer McCleary, Law Director Syx, Deputy Clerk of Council Mottram and Clerk of Council Villers.

Press Representatives: None

**Call to Order**

President McIntire called the meeting to order. Mr. McIntire led the prayer and Pledge of Allegiance.

**Approval of Minutes**

Motion made by Harrison seconded by Fiocca for approval of Minutes of the Regular Council Meeting of December 16, 2021. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously. Mrs. Harrison noted there were typing errors made prior to the meeting.

Motion made by Harrison seconded by Licate for approval of Minutes of the Organizational Meeting of January 3, 2022. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

**Oral Synopsis by Committee Chairpersons of Committee of Council**

- Planning Committee – Chairman Mario Fiocca – Several legislative items.
- Public Improvements Committee – Chairman Brian Lowdermilk – Cancelled 1/13/22.
- Roads & Safety Committee – Chairman Cyle Feldman – Discussion only.
- Finance Committee – Chairman Sindi Harrison – Several legislative items.
- Committee-of-the-Whole – President of Council Jeremy McIntire – COG discussion and two motions.

Minutes of the Regular Meeting of Stow City Council held on January 13, 2022

**Public Comment Period** (§123.14)

Ed Davidian, 1168 Inverness Lane, expressed his concerns regarding the recent actions brought to light regarding Judge Kim Hoover and suggested Council take legislative action against the Judge. He was not pleased with the unfair actions of the Judge.

John Impellizzer, 42 Luden Avenue, Munroe Falls, welcomed and extended an olive branch to Stow City Council to join Munroe Falls as neighbors and their various Parks & Recreation programs.

**Reports, Advice or Recommendations of the Mayor**

- No report.

**Report of the Finance Director**

- No report.
- Noted he was running his department understaffed by 50%-60% due to sicknesses.
- Reported there were five applicants for the Water Billing Clerk position.

**Report of the Law Director**

- No report.

**Report of the Director of Public Service**

- No report.
- Reported briefly the road salt reserves and the how the City could vary 20% below or above for 2023.

**Comments from other City Officials**

**Director of Budget & Management Earle:**

- Not present.

**City Engineer McCleary / Deputy City Engineer Jones:**

- No report.

**Chief Film:**

- No report.

**Chief Stone:**

- No report.

**Parks & Recreation Director Nahrstedt**

- Not present.

**Old Business**

None.

**New Business**

None.

**Legislative Agenda**

ORDINANCE NO. 2021-130 AN ORDINANCE AMENDING CHAPTER 123, C.O.S., ENTITLED “COUNCIL”, IN ORDER TO UPDATE SECTION 123.14 “REMONSTRANCE PERIOD” IN THE CITY OF STOW.

Clerk was not instructed to read by title.

Ordinance No. 2021-130 remained “tabled”.

[Reading: 7/22/21 – Tabled: 7/22/21-8/12/21-9/9/21-9/23/21-10/14/21-10/28/21-11/11/21-12/1/21-12/16/21-1/13/22]

ORDINANCE NO. 2021-196 AN ORDINANCE ENACTED PURSUANT TO SECTION 1137.08, ENTITLED "AMENDMENTS", TO PROVIDE FOR THE AMENDMENT OF THE ZONING DISTRICTS MAP AND ZONING DISTRICTS BY RECLASSIFYING FROM “R-2 RESIDENCE DISTRICT TO O CONSERVATION” OF 2861 CALL ROAD PARCEL NOS. 56-13295 AND 56-13296; AUTHORIZING AMENDMENT TO THE ZONING DISTRICTS MAP BY THE CITY ENGINEER.

Clerk read by title as instructed.

On December 1, 2021, Ordinance No. 2021-196 was read for a second reading.

Motion made by Harrison seconded by Feldman for the adoption of Ordinance No. 2021-196. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

[The Public Hearing was scheduled for Thursday, January 13, 2022]

T-135 ORDINANCE NO. 2021-XXX AN ORDINANCE AMENDING CHAPTER 173, C.O.S., ENTITLED “BOARD OF CONTROL,” IN ORDER TO UPDATE SECTION 173.06 “AUTHORIZATION OF EXPENDITURES; BIDS REQUIRED” AND SECTION 173.10 “STATE BIDDING PURCHASE” THEREOF, GOVERNING PURCHASES FOR THE CITY OF STOW.

Clerk was not instructed to read by title.

T-135 remained in Finance Committee. [FC: 10/14/21-10/28/21-11/11/21-12/1/21-12/16/21-1/13/22]

T-177 ORDINANCE NO. 2022-1 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE AGREEMENT WITH THE CITY OF AKRON, THE CITY OF CUYAHOGA FALLS, THE CITY OF FAIRLAWN, THE CITY OF TALLMADGE, AND THE COUNTY OF SUMMIT WHEREBY THE COUNTY WILL ACQUIRE, DESIGN, CONSTRUCT, FURNISH, MAINTAIN AND FINANCE A JOINT PSAP BUILDING, AND AUTHORIZING THE MAYOR TO EXECUTE THOSE AGREEMENTS DEFINED IN THE COOPERATIVE AGREEMENT, INCLUDING BUT NOT LIMITED TO, AN INTERGOVERNMENTAL AGREEMENT FOR THE ESTABLISHMENT OF A COUNCIL OF GOVERNMENTS WITH THE CITY OF CUYAHOGA FALLS, THE CITY OF FAIRLAWN, THE CITY OF TALLMADGE, AND THE COUNTY OF SUMMIT, FOR PURPOSE OF OPERATING A CONSOLIDATED PRIMARY PSAP, GUARANTEE AGREEMENTS, LEASE AGREEMENTS, AND A JOINT USE AGREEMENT FOR THE USE AND OPERATION OF THE JOINT PSAP BUILDING LOCATED IN THE CITY OF TALLMADGE.

Clerk read by title as instructed.

Minutes of the Regular Meeting of Stow City Council held on January 13, 2022

Motion made by McIntire seconded by Harrison to place Ordinance No. 2022-1 on a first reading. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

On January 6, 2022, Mr. McIntire moved T-177 out of the Committee of the Whole for a first reading this evening, second reading January 20, 2022 and third reading January 27, 2022.

T-200 ORDINANCE NO. 2022-2 AN ORDINANCE AMENDING CHAPTER 1133, C.O.S., ENTITLED, “DEFINITIONS,” PARTICULARLY AMENDING SECTION 1133.01(b)(61) AND 1133.01(b)(82) THEREOF; AND AMENDING CHAPTER 1145, C.O.S., ENTITLED, “COMMERCIAL DISTRICTS,” PARTICULARLY AMENDING THE SCHEDULE FOUND IN SECTION 1145.02 THEREOF ; AND AMENDING CHAPTER 1147, C.O.S., ENTITLED, “INDUSTRIAL DISTRICTS,” PARTICULARLY AMENDING THE SCHEDULE FOUND IN SECTION 1147.02 THEREOF, SO AS TO PRODUCE IDENTICAL REPEATED TERMINOLOGY THROUGHOUT THE CODE.

Clerk read by title as instructed.

Motion made by McIntire seconded by Feldman to place Ordinance No. 2022-2 on a first reading. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-201 ORDINANCE NO. 2022-3 AN ORDINANCE GRANTING A CONDITIONAL ZONING CERTIFICATE TO JIMMY BEERS, OF THE PRO FROM STOW, LLC, d.b.a. JIMMY BEERS GOLF, ON BEHALF OF GVI, LLC, PROPERTY OWNER, TO PERMIT THE OPERATION OF AN INDOOR SPORTS TRAINING FACILITY, LOCATED AT 752 MCCAULEY ROAD, Unit 102, IN THE CITY OF STOW, OHIO.

Clerk read by title as instructed.

Motion made by Fiocca seconded by McIntire for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by McIntire seconded by Harrison for the adoption of Ordinance No. 2022-3. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-202 RESOLUTION NO. 2022-4 A RESOLUTION GRANTING SITE PLAN APPROVAL TO ANTHONY SLABAUGH, APPLICANT, ON BEHALF OF NAVIO PRINCIPAL, LLC, PROPERTY OWNER, TO CONSTRUCT A NEW 50 FT. X 32 FT. GARAGE, LOCATED ON 4724 DARROW ROAD IN THE CITY OF STOW, OHIO.

Clerk read by title as instructed.

Motion made by Fiocca seconded by McIntire for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Fiocca seconded by McIntire for the adoption of Resolution No. 2022-4. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-203 RESOLUTION NO. 2022-5 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ASSIGNMENT OF AN EXISTING COMMUNITY REINVESTMENT AREA (CRA) TAX INCENTIVE AGREEMENT WITH P & E DEVELOPMENT CORPORATION, p/k/a J & E DEVELOPMENT CORPORATION a/k/a J & E DEVELOPMENT, INC., AND GLOBAL MAIL, INC. d/b/a DHL eCOMMERCE, ALONG WITH AN ASSIGNMENT OF THE SCHOOL DISTRICT COMPENSATION AGREEMENT RELATED THERETO.

Minutes of the Regular Meeting of Stow City Council held on January 13, 2022

Clerk read by title as instructed.

Motion made by Fiocca seconded by Harrison for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Fiocca seconded by McIntire for the adoption of Resolution No. 2022-5. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-204 ORDINANCE NO. XXX AN ORDINANCE AMENDING CHAPTER 965, C.O.S., ENTITLED “PERMIT FEES AND COSTS AND BONDING REQUIREMENTS,” SPECIFICALLY, SECTION 965.01 (II)(C) THEREOF, TO ADD A FEE FOR ZONING VERIFICATION LETTERS.

Clerk was not instructed to read by title.

T-204 remained in Planning Committee for further discussion.

T-205 ORDINANCE NO. 2022-6 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH FEDERAL EXPRESS CORPORATION a.k.a. FEDEX CORPORATION, WITHOUT THE NECESSITY OF PUBLIC BIDS, TO PURCHASE POSTAGE FOR STOW CLERK OF COURTS OFFICES FOR THE CALENDAR YEAR 2022, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Motion made by Harrison seconded by Fiocca for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by McIntire for the adoption of Ordinance No. 2022-6. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-206 ORDINANCE NO. 2022-7 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH DEERE AND COMPANY, PROCESSED BY REVELS TURF AND TRACTOR, LLC, A STATE OF OHIO BID LIST VENDOR, FOR THE PURCHASE OF A JOHN DEERE GATOR AND CARGO BOX NEEDED TO MAINTAIN FOX DEN GOLF COURSE, WITHOUT THE NECESSITY OF PUBLIC BID, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Motion made by Harrison seconded by Feldman for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by McIntire for the adoption of Ordinance No. 2022-7. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-207 ORDINANCE NO. 2022-8 AN ORDINANCE AUTHORIZING AN EXPENDITURE FOR THE PURCHASE OF FUEL FOR VARIOUS DEPARTMENTS IN THE CITY FROM C.U.E. VENDOR, PORTS PETROLEUM COMPANY, INC. AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Minutes of the Regular Meeting of Stow City Council held on January 13, 2022

Motion made by Harrison seconded by Licate for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by McIntire for the adoption of Ordinance No. 2022-8. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-208 ORDINANCE NO. 2022-9 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH RANDALL RICHARD & MOORE, LLC, SOLE SOURCE PROVIDE, FOR THE PURCHASE OF A REFURBISHED TORO 11-BLADE DPA CU 3150 APPROACH MOWER, NEEDED TO MOW AND MAINTAIN FOX DEN GOLF COURSE, WITHOUT THE NECESSITY OF PUBLIC BIDS, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Motion made by Harrison seconded by McIntire for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by McIntire for the adoption of Ordinance No. 2022-9. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-209 ORDINANCE NO. 2022-10 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PATTY'S BUSY BEES CLEANING SERVICE AND AUTHORIZING EXPENDITURES FOR THE PURCHASE OF CLEANING SERVICES FOR THE CITY OF STOW SERVICE BUILDING FOR THE CALENDAR YEAR 2022, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Motion made by Harrison seconded by Feldman for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by McIntire for the adoption of Ordinance No. 2022-10. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-210 ORDINANCE NO. 2022-11 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A 2022 CONTRACT WITH THE STATE OF OHIO, AUDITOR OF STATE, FOR PURPOSES OF PROVIDING AUDIT SERVICES FOR THE CALENDAR YEAR 2021, WITHOUT THE NECESSITY OF PUBLIC BIDS, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Motion made by Harrison seconded by Lowdermilk for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by McIntire for the adoption of Ordinance No. 2022-11. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-211 ORDINANCE NO. 2022-12 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH CELLCO PARTNERSHIP DBA VERIZON WIRELESS, FOR PURCHASE OF CELLULAR TELEPHONE AND WIRELESS DATA ACCESS SERVICES FOR THE CALENDAR YEAR 2022, AND DECLARING AN EMERGENCY.

Minutes of the Regular Meeting of Stow City Council held on January 13, 2022

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Motion made by Harrison seconded by Lowdermilk for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by Licate for the adoption of Ordinance No. 2022-12. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

T-212 RESOLUTION NO. 2022-13 A RESOLUTION AUTHORIZING AND REQUESTING THE ADVANCEMENT OF LOCAL TAXES FROM THE SUMMIT COUNTY FISCAL OFFICER FOR THE TAX YEAR 2021 PAYABLE IN 2022 IN ACCORDANCE WITH O.R.C. SECTION 321.34, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

Motion made by Harrison seconded by McIntire for the suspension of rules. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Motion made by Harrison seconded by Fiocca for the adoption of Resolution No. 2022-13. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

**Disposition of Bills**

Motion made by Harrison seconded by Feldman to approve the release of the checks for the current Bill Listing. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

**Committee Meetings Scheduled for Thursday, January 20, 2022**

(COW)

**Committee Meetings Scheduled for Thursday, January 27, 2022**

(Public Improvements – Roads & Safety Committee – Planning Committee – Finance Committee – COW)

**Adjournment**

Motion made by Harrison seconded by Fiocca to adjourn. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

The meeting adjourned at 9:02 p.m.

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Lorree Villers, Clerk of Council

  
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Jeremy McIntire, President of Council