

Minutes of the Regular Meeting of Stow City Council held on Thursday, May 26, 2022 at 7:00 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. 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: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison

Council Members Absent: Lowdermilk

City Officials Present: Mayor Pribonic, Chief of Staff/Service Director Wren, Finance Director Costello, Deputy Director of Planning & Development Leppo, Deputy Director of Planning Cowan, Police Chief Film, Law Director Syx, Deputy Clerk Mottram and Clerk of Council Villers.

Press Representatives: None

Call to Order

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

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

Approval of Minutes

Motion made by McIntire seconded by Fiocca for approval of Minutes of the Regular Council Meeting of May 12, 2022. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

Oral Synopsis by Committee Chairpersons of Committee of Council

- Planning Committee – Vice Chairman Harrison – Four legislative items.
- Public Improvements Committee – Chairman Lowdermilk – No meeting scheduled.
- Roads & Safety Committee – Chairman Feldman – No meeting scheduled.
- Finance Committee – Chairman Harrison – Several legislative items.
- Committee-of-the-Whole – Vice President of Council Harrison – Three Legislative items and one motion.

Public Comment Period (§123.14)

Doug Barnes, 3706 Vira Road, expressed his concerns and was not in support of T-295 the request by Anthony Pritchett the representative and applicant for Sunnyvale Family Care for a Conditional Zoning Certificate to operate a proposed Family Home for Persons with Disabilities located at 3698 Vira Road. He referenced Section 1163.02 pertaining to egress issues; however, did not have an issue with ADA requirements.

Reports, Advice or Recommendations of the Mayor

- Presented a Proclamation to Pastor Case
- Listed upcoming City events
- Noted the importance of the Memorial Day holiday

Report of the Finance Director

- No report.

Report of the Law Director

- No report.

Report of the Director of Public Service

- No report.
- Explained Kimball incorrectly billed some of the residents who would receive a credit.

Comments from other City Officials

Director of Budget & Management Earle:

- Not present.

City Engineer McCleary / Deputy City Engineer Jones:

- Gave updates regarding the SR8 Kenmore project punch list and the RT 91 project

Chief Film:

- No report.

Chief Stone:

- No report; not present

Parks & Recreation Director Nahrstedt

- No report; not present.

Old Business

None.

New Business

T-301 ORDINANCE NO. 2022-89 AN ORDINANCE CONFIRMING THE APPOINTMENT OF JAMIE TWIGG TO THE POSITION OF ACCOUNTING AND RECORDS SUPERVISOR IN THE FINANCE DEPARTMENT OF THE CITY OF STOW; ESTABLISHING COMPENSATION THEREFOR, AND DECLARING AN EMERGENCY

Clerk read by title as instructed.

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

Motion made by McIntire seconded by Harrison for the adoption of Ordinance No. 2022-89. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

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T-302 ORDINANCE NO. 2022-90 AN ORDINANCE CONFIRMING THE APPOINTMENT OF TRACEY HUMES TO THE POSITION OF SPECIALIST-PAYROLL IN THE FINANCE DEPARTMENT OF THE CITY OF STOW; ESTABLISHING COMPENSATION THEREFOR, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

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

Motion made by McIntire seconded by Riehl for the adoption of Ordinance No. 2022-90. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

Legislative Agenda

T-156 (V-2) ORDINANCE NO. 2022-XX AN ORDINANCE AMENDING CHAPTER 505, C.O.S., ENTITLED “ANIMALS AND FOWL,” PARTICULARLY AMENDING SECTION 505.01 THEREOF, ENTITLED, "DOGS AND OTHER ANIMALS RUNNING AT LARGE; NUISANCES," TO MODIFY SUBSECTIONS 505.01(c) AND 505.01(d) THEREOF.

Clerk was not instructed to read by title.

On March 24th, April 14th, April 28th, May 12th and May 26th T-156 remained in Committee of the Whole for further amendments.

T-240 RESOLUTION NO. 2022-XX A RESOLUTION AMENDING CHAPTER 123, C.O.S., ENTITLED, “COUNCIL,” AND DECLARING AN EMERGENCY.

Clerk was not instructed to read by title.

On February 10th, February 24th, March 10th, March 24th, April 14th, April 28th, May 12th and May 26th T-240 remained in Committee of the Whole for further discussion.

T-284 ORDINANCE NO. 2022-91 AN ORDINANCE GRANTING LARRY DEANGELIS OF DEANGELIS INSURANCE, INC., APPLICANT, A SIGN VARIANCE FROM C.O.S. 1183.05(b)(3), TO PERMIT AN IDENTIFICATION SIGN TO BE LOCATED ONE (1) FOOT FROM THE FISHCREEK ROAD RIGHT-OF-WAY, UNDER THE MINIMUM FOOTAGE REQUIRED, ON A PROPERTY LOCATED AT 5011 FISHCREEK ROAD.

Clerk read by title as instructed.

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

Motion made by Fiocca seconded by Harrison for the adoption of Ordinance No. 2022-91. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

T-291 ORDINANCE NO. 2022-92 AN ORDINANCE AUTHORIZING THE MAYOR TO RENEW A CONTRACT WITH ESO SOLUTIONS, INC., WITHOUT THE NECESSITY OF PUBLIC BIDS, AND AUTHORIZING EXPENDITURES FOR THE PURCHASE OF RECORDS MANAGEMENT

AND FIRE REPORTING SOFTWARE FOR USE BY THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

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

Motion made by Harrison seconded by Riehl for the adoption of Ordinance No. 2022-92. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

T-292 ORDINANCE NO. 2022-93 AN ORDINANCE AUTHORIZING EXPENDITURES FOR THE DEMOLITION, DISPOSAL AND INSTALLATION OF TILE IN THE FIRE DEPARTMENT (SECOND FLOOR MEN’S RESTROOM) AND INSTALLATION OF CARPET IN THE SAFETY BUILDING (COMMUNITY ROOM) FROM D & R CARPET SERVICE, INC., WITHOUT THE NECESSITY OF PUBLIC BIDS.

Clerk read by title as instructed.

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

Motion made by Harrison seconded by Riehl for the adoption of Ordinance No. 2022-93. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

T-293 ORDINANCE NO. 2022-94 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH MONTROSE FORD, AND AUTHORIZING EXPENDITURES FOR THE PURCHASE OF A 2022 FORD POLICE EXPLORER FOR USE BY THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

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

Motion made by Harrison seconded by Licate for the adoption of Ordinance No. 2022-94. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

T-294 ORDINANCE NO. 2022-95 AN ORDINANCE AUTHORIZING EXPENDITURES FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND SIGNAGE, FROM ELLET NEON SALES & SERVICE, INC. FOR SKIP PLAYGROUND, AND DECLARING AN EMERGENCY.

Clerk read by title as instructed.

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

Motion made by Harrison seconded by Fiocca for the adoption of Ordinance No. 2022-95. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

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T-295 ORDINANCE NO. 2022-96 AN ORDINANCE GRANTING A CONDITIONAL ZONING CERTIFICATE TO ANTHONY PRITCHETT, PROPERTY OWNER AND APPLICANT ON BEHALF OF HIMSELF AND SUNNYVALE FAMILY CARE, TO PERMIT THE OPERATION OF A FAMILY HOME FOR PERSONS WITH DISABILITIES, LOCATED AT 3698 VIRA 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: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

Motion made by Fiocca seconded by Harrison for the adoption of Ordinance No. 2022-96. Vote – Yeas: None. Nays: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Motion failed unanimously.

T-296 ORDINANCE NO. 2022-97 AN ORDINANCE GRANTING SITE PLAN APPROVAL TO EXPAND EXISTING PATIO AND A PARKING VARIANCE TO FRANK PAVLIGA OF EL CAMPESINO, APPLICANT, ON BEHALF OF REALTY INCOME CORPORATION, fka, R I C 23 LTD, PROPERTY OWNER, TO, LOCATED ON 4360 KENT ROAD, IN THE CITY OF STOW, OHIO.

Clerk read by title as instructed.

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

Motion made by Fiocca seconded by Licate for the adoption of Ordinance No. 2022-97. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

T-297 ORDINANCE NO. 2022-98 AN ORDINANCE AMENDING CHAPTER 1305 C.O.S, ENTITLED “BUILDING DEPARTMENT,” AND PARTICULARLY SECTION 1305.03 THEREOF, ENTITLED “DUTIES; DIRECTION OF CITY ENGINEER.”

Clerk read by title as instructed.

Motion made by McIntire seconded by Feldman for the suspension of rules. Vote – Yeas: McIntire, Fiocca, Feldman, Licate, Harrison. Nays: Riehl. Motion carried.

Motion made by McIntire seconded by Harrison for the adoption of Ordinance No. 2022-98. Vote – Yeas: Feldman, Licate, Harrison. Nays: McIntire, Riehl, Fiocca. Motion failed.

Point of Order was called for clarification of Ordinance No. 2022-98.

Motion made by Harrison seconded by McIntire to “reconsider” Ordinance No. 2022-98. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

Motion made by McIntire seconded by Harrison for the adoption of “reconsidered” Ordinance No. 2022-98. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

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T-298 ORDINANCE NO. 2022-99 AN ORDINANCE AMENDING CHAPTER 1317, C.O.S., ENTITLED "CONTRACTOR REGISTRATION," PARTICULARLY AMENDING SECTION 1317.04 THEREOF, ENTITLED, "REGISTRATION FEES."

Clerk read by title as instructed.

Motion made by McIntire seconded by Harrison for the suspension of rules. Vote – Yeas: McIntire, Fiocca, Feldman, Licate, Harrison. Nays: Riehl. Motion carried.

Motion made by McIntire seconded by Harrison for the adoption of Ordinance No. 2022-99. Vote – Yeas: Feldman, Harrison. Nays: McIntire, Fiocca, Riehl, Licate. Motion failed.

T-299 ORDINANCE NO. 2022-100 AN ORDINANCE AMENDING CHAPTER 1119 C.O.S, ENTITLED, "PLAN AND PLAT SPECIFICATIONS," PARTICULARLY SECTION 1119.03 THEREOF, ENTITLED, "IMPROVEMENT PLANS AND SPECIFICATIONS" AND SECTION 1119.04 THEREOF, ENTITLED, "FINAL PLATS."

Clerk read by title as instructed.

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

Motion made by McIntire seconded by Harrison for the adoption of Ordinance No. 2022-100. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

T-300 ORDINANCE NO. 2022-101 AN ORDINANCE AMENDING CHAPTER 965, C.O.S., ENTITLED "PERMIT FEES AND COSTS AND BONDING REQUIREMENTS," PARTICULARLY 965.01 THEREOF, ENTITLED "FEES" AT SUBSECTION III, ENTITLED, "ENGINEERING REVIEW & PERMIT FEES."

Clerk read by title as instructed.

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

Motion made by McIntire seconded by Harrison for the adoption of Ordinance No. 2022-101. Vote – Yeas: McIntire, Riehl, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

Disposition of Bills

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

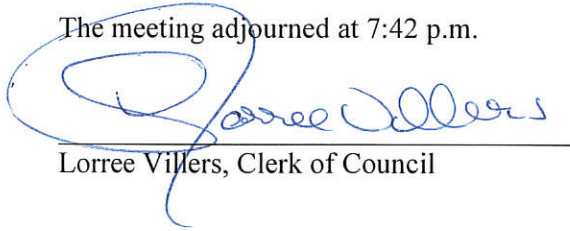
Committee Meetings Scheduled for Thursday, June 9, 2022

(Roads & Safety – Finance Committee – COW)

Adjournment

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

The meeting adjourned at 7:42 p.m.



Lorree Villers, Clerk of Council



Jeremy McIntire, President of Council