

Minutes of the Roads & Safety Committee of Stow City Council Meeting held on Thursday, June 9, 2022 at 5:34 PM.

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: Feldman, Lowdermilk, McIntire and Riehl

Council Members Absent: None

Other Council Members Present: Harrison, Licate, Fiocca

City Officials Present: Mayor Pribonic, Chief of Staff/Service Director Wren, Finance Director Costello, Director of Budget & Management John Earle, Police Captain Snavelly, Assistant Fire Chief Lang, City Engineer McCleary, Law Director Syx, Parks & Recreation Director Nahrstedt, Deputy Clerk Mottram and Clerk of Council Villers.

Press Representatives: None.

**Call to Order**

Chairman Feldman called the meeting to order.

**Approval of Minutes**

Motion made by McIntire seconded by Feldman for approval of Minutes of the Roads & Safety Committee Meeting of April 14, 2022. Vote – Yeas: Feldman, Lowdermilk, McIntire, Riehl. Nays: None. Motion carried unanimously.

**Business Item(s)**

T-290 AN ORDINANCE OPTING OUT OF AMENDED SUBSTITUTE OHIO H.B. 172 AND REAFFIRMING THE RIGHT OF THE CITY OF STOW TO REGULATE AND PROHIBIT THE POSSESSION, DISCHARGE, IGNITION AND EXPLODING OF FIREWORKS AS SET FORTH IN C.O.S. 1519, AND DECLARING AN EMERGENCY.

Mrs. Syx explained per the ordinance the Governor recently signed into law Amended Substitute Ohio House Bill 172 (“H.B. 172”), amending Ohio Revised Code 3743.45, effective July 1, 2022, allowing any person authorized to possess consumer grade fireworks to discharge, ignite or explode fireworks on their property, or if permitted, on another person’s property on certain designated days of the year. Pursuant to House Bill 172 and amended Section 3743.45(d) of the Ohio Revised Code, the legislature expressly reserved to municipalities the authority to ban the discharge, ignition, or explosion of 1.4G Fireworks within the municipal limits of the municipality, except by licensed fireworks exhibitors, notwithstanding the amended state law. Notwithstanding the provisions contained in H. B. 172 and amended section 3743.4

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5(d) of the Ohio Revised Code that purport to reserve to municipalities the authority to prohibit the detonation or discharge of fireworks, the power to legislate fireworks restrictions is granted by Section 3 of Article XVIII of the Ohio Constitution regardless of legislative enactments that conflict with or purport to grant such authority. Council finds that continuing the ban on the discharge of consumer grade fireworks, as set forth in Chapter 1519 of the Stow Codified Ordinances, will best protect the public's right to safety and the quiet enjoyment of their premises. Council finds that the unsafe and illegal discharge of fireworks poses a significant danger to the public and may cause serious injuries as well as significant property damage, especially in densely populated residential and business areas. Both Fire Chief Stone and Police Chief Film strongly recommend that the Council of the City of Stow opt-out of H.B. 172 and reaffirm the existing ban on discharging, igniting or exploding fireworks set forth in Chapter 1519 of the Stow Codified Ordinances. Pursuant to the home rule authority granted to the City of Oberlin pursuant to Section 3 of Article XVIII of the Ohio Constitution, the City of Stow desires to continue to ban the discharge, ignition and explosion of fireworks otherwise permitted in H.B. 172, as set forth in existing Chapter 1519, and its subsections, of the Codified Ordinances of the City of Stow.

Discussion was held regarding Home Rule, very few citations, complaints, call volume, waste of man hours, dangers of explosives, reckless behavior while igniting fireworks and how accidents can happen. Mr. Lang explained the process and involvement of applying for a Commercial Permits, which was different from residential use.

Motion made by Feldman seconded by Riehl to forward to this evening's Regular Council Meeting. Vote – Yeas: Feldman, Riehl. Nays: Lowdermilk, McIntire. Motion failed.

*[T-290 failed in Committee and was not forwarded to Regular Council for Councilmatic action.]*

T-303 A RESOLUTION EXTENDING THE OFFICIAL GRATITUDE AND COMMENDATION OF THE CITIZENS OF THE CITY OF STOW, OHIO, IN RECOGNIZING THE LAW ENFORCEMENT CAREER AND CONTRIBUTIONS TO THE COMMUNITY OF STOW POLICE OFFICER TIMOTHY J. REIHELD ON THE OCCASION OF HIS RETIREMENT AND DECLARING AN EMERGENCY.

Mr. McIntire recognized Officer Reiheld and read into the record the following: "It is appropriate that this City Council should honor those citizens who have performed with uncommon devotion and enthusiasm throughout their careers in law enforcement. Timothy "Tim" Reiheld, retired Police Officer of the City of Stow served in law enforcement for the last 33 years and is well respected by fellow law enforcement officers and the community. His law enforcement career began in 1987 with the Munroe Falls Police Department and was hired by the Stow Police Department in 1989 where he spent the next 32 years and 8 months of benevolent service to the citizens of our great community. He has played an important role with the City of Stow, his assignments during his career have included bike patrol, union representative, patrolman, and field training officer for many years. He spent five (5) years of his career serving as a D.A.R.E. officer where he provided students with the knowledge and tools, they need to resist drugs, alcohol, and other high-risk behaviors. He was the first officer from Stow to graduate from Crisis Intervention Team (CIT) training and went on to complete Advanced CIT training which promotes the safety of an individual in crisis. he has written over 750 handicapped parking citations to violators of the City's Handicapped Parking Ordinances protecting the rights of people with disabilities living in, working in, and visiting the City of Stow. Throughout his estimable career, Police Officer Reiheld demonstrated the utmost professionalism, ability, and integrity, winning the unbridled respect and admiration of his colleagues, fellow officers, and a grateful public."

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Motion made by Lowdermilk seconded by Feldman to forward to this evening's Regular Council Meeting. Vote – Yeas: Feldman, Lowdermilk, McIntire, Riehl. Nays: None. Motion carried unanimously.

Update – 2021/2022 Road Program

Mr. Wren noted there was not much of an update this evening. Weather permitting the program continued and would be done September 2022.

Pedestrian Walkway – Driving Range

Mr. Wren explained how the solar signs had to be installed differently than other signs and the proper location installation. He noted nothings ever easy and this specific sign had to meet uniform traffic codes and would be placed in a creative island/planter.

Remonstrance Period

None.

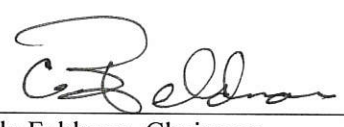
Adjournment

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

The meeting adjourned at 6:03 p.m.



Lorree Villers, Clerk of Council



Cyle Feldman, Chairman