

Minutes of the Committee-of-the-Whole of Stow City Council Meeting held on Thursday, July 14, 2022 at 5:50 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: Lowdermilk, McIntire, Fiocca, Feldman, Licate, Harrison

Council Members Absent: Riehl

City Officials Present: Mayor Pribonic, Chief of Staff/Service Director Wren, Finance Director Costello, Director of Budget & Management John Earle (left at 7:10 pm), Police Chief Film, Fire Chief Stone, City Engineer McCleary, Law Director Syx, Deputy Law Director Reilly, Planning Director Leppo, Deputy Clerk Mottram and Clerk of Council Villers.

Press Representatives: None

Call to Order

President McIntire called the meeting to order.

Approval of Minutes

Motion made by Fiocca seconded by Licate for approval of Minutes of the Committee of the Whole Meeting of June 23, 2022. Vote – Yeas: Lowdermilk, McIntire, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

[Agenda Items were taken out of order. The minutes were typed according to the agenda.]

New Business

T-317 Amend Chapter 21.08 Term Limits for Elected Officials – Petition

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO, AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AND AS AMENDED FROM TIME TO TIME, TO BE SUBMITTED TO THE ELECTORATE AT THE NEXT GENERAL ELECTION ON NOVEMBER 8, 2022 UNDER AUTHORITY OF SECTION 19.01 CHARTER, WHICH SHALL AMEND SECTION 21.08 THEREOF, ENTITLED “TERM LIMITS FOR ELECTED OFFICIALS,” TO PROVIDE CLARIFICATION TO SAID CHARTER LANGUAGE REGARDING THE FULFILLMENT OF UNEXPIRED TERMS AND HOW IT EFFECTS THE TERM

LIMITS FOR THE MAYOR, FINANCE DIRECTOR, AND LAW DIRECTOR, AND DIRECTING THE CLERK OF COUNCIL TO FORWARD THIS ORDINANCE TO THE SUMMIT COUNTY BOARD OF ELECTIONS NO LATER THAN SEPTEMBER 9, 2022, WHICH IS SIXTY DAYS PRIOR TO THE NOVEMBER 8, 2022 ELECTION, AND DECLARING AN EMERGENCY.

Mr. McIntire provided a summary of this Ordinance. Mrs. Syx provided information regarding the process for a citizen initiated petition for a ballot. Mr. Lowdermilk had questions regarding the effective date of this legislation.

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

T-318 Amend Chapter 21.08 Term Limits for Elected Officials – Council

AN ORDINANCE PROVIDING FOR A SEPARATE AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO, UNDER AUTHORITY OF SECTION 19.01 OF THE CHARTER, AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AS AMENDED, TO BE SUBMITTED TO THE ELECTORATE AT THE GENERAL ELECTION ON NOVEMBER 8, 2022, WHICH SHALL AMEND SECTION 21.08, “TERM LIMITS FOR ELECTED OFFICIALS”, TO ADDRESS PARTIAL TERMS, DIRECTING THE CLERK OF COUNCIL TO FORWARD THIS ORDINANCE TO THE SUMMIT COUNTY BOARD OF ELECTIONS; AND DECLARING AN EMERGENCY

Mrs. Harrison shared that she agreed that the citizens had a right to propose legislation for the ballot. She recommended similar legislation for the ballot because language on the citizen initiated legislation did not clarify the start date and there were other concerns regarding the language. She stated that the city has a policy issue. The City Charter does not clarify partial terms. As serving a partial term, she accepted that she may only serve three full terms. The only reason she proposed legislation was because of the citizen proposed policy and she wanted to clarify the language.

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

T-320 Establish Article XXII – Budgeting Procedures

AN ORDINANCE PROVIDING FOR A SEPARATE AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO, UNDER AUTHORITY OF SECTION 19.01, CHARTER, AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AS AMENDED, TO BE SUBMITTED TO THE ELECTORATE AT THE GENERAL ELECTION ON NOVEMBER 8, 2022, TO ESTABLISH ARTICLE XXII, ENTITLED “BUDGETING PROCEDURES”, OF THE CITY OF STOW’S CHARTER, DIRECTING THE CLERK OF COUNCIL TO FORWARD THIS ORDINANCE TO THE SUMMIT COUNTY BOARD OF ELECTIONS, AND DECLARING AN EMERGENCY.

Mr. McIntire explained the purpose of this legislation to develop a 5 year budget plan. He stated his concerns with the budgeting process. Mr. Licate agreed that there was a need for improvement. He had concerns how this proposed legislation would impact the current administration. Mr. Earle stated that at one time the City had provided a 5 year capital budget. The City did away with it during some hard financial years in the mid 2000’s. Mr. Lowdermilk and Mrs. Harrison shared their comments regarding this legislation.

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

T-321 Outside Legal Council

A RESOLUTION AUTHORIZING STOW CITY COUNCIL TO ENGAGE ROETZEL & ANDRESS AS OUTSIDE LEGAL COUNSEL UNDER SECTION 9.06 OF THE STOW CITY CHARTER TO PROVIDE LEGAL ADVICE REGARDING AMENDMENTS TO SECTION 21.08 OF THE STOW CITY CHARTER AND DECLARING AN EMERGENCY.

Mr. McIntire explained this legislation would be paired with proposed Ordinance T-317 and T-318. Mrs. Harrison stated that as both legislation documents affect all elected officials, it was best to seek a third party for consultation. The City's current Law Director is an elected official. Mr. Lowdermilk, Mr. Feldman Mr. McIntire voiced their concerns and opinions regarding all three legislation items. Mrs. Harrison clarified that she believed both legislative items in T-317 and T-318 should be on the ballot for the voters to decide. An outside Legal council would advised if both legislation items pass with the voters. Mr. Licate and Mr. Fiocca added their opinions and concerns regarding proposed legislation.

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

MOTIONS:

Appoint Andrews Boateng – Urban Forestry Commission – Vacancy (1/2/2025)

Mayor Pribonic provided a synopsis of Mr. Boateng qualifications. The Urban Forestry Commission unanimously approved for Mr. Boateng's appointment.

Motion made by McIntire seconded by Harrison to approve Andrews Boateng for the Urban Forestry Commission. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Appoint Jeffrey Datkuliak – Parks & Recreation Board – Vacancy (1/2/2023)

Mayor Pribonic provided a synopsis of Mr. Datkuliak lives in the ward 4 and meets the qualifications for Parks & Recreation Board.

Motion made by McIntire seconded by Feldman to approve Jeffery Datkuliak for the Parks and Recreation Board. Vote – Yeas: Feldman, Licate, Harrison, Lowdermilk, McIntire, Fiocca. Nays: None. Motion carried unanimously.

Executive Session

City Council recessed into Executive Session at 6:56 p.m.

Motion made by McIntire seconded by Harrison to recess into Executive Session to discuss the Pending Court Action §121.22 (G)(3) and Compensation of Two Public Employee §121.22 (G)(1). Vote – Yeas: McIntire, Fiocca, Feldman, Licate, Harrison. Nays: None. Motion carried unanimously.

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City Council reconvened into Open Session at 7:27 p.m.

Mr. McIntire announced two items came out of Executive Session.

ORDINANCE NO. 2022-116 AN ORDINANCE CONFIRMING THE MAYOR'S APPOINTMENT OF DEBORAH BERKEY AS SUPERVISOR IN THE MAYOR'S OFFICE OF THE CITY OF STOW, ESTABLISHING COMPENSATION FOR SAID APPOINTEE, AND DECLARING AN EMERGENCY.

Clerk of Council read the title for the record.

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

ORDINANCE NO. 2022-117 AN ORDINANCE CONFIRMING THE DIRECTOR OF PLANNING AND DEVELOPMENT'S APPOINTMENT OF JAMI LORD-SMITH AS SUPERVISOR IN THE PLANNING AND DEVELOPMENT DEPARTMENT OF THE CITY OF STOW, ESTABLISHING COMPENSATION FOR SAID APPOINTEE, AND DECLARING AN EMERGENCY.

Clerk of Council read the title for the record.

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

Remonstrance Period

Brian Dillinger, 610 Acorn Park, addressed his concerns regarding a waterline project that would affect 33 homes including his home.

Bill Sepe, 2021 Stonebridge Crossing, provided an update regarding the First Energy line through the Right A-Way in the area of the new trailhead that he was spearheading.

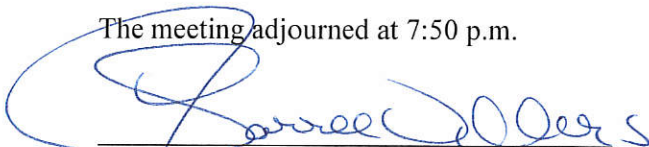
Bernie Czarkowski, 633 Acorn Park, had questions regarding tax assessment with the waterline project.


Barbara Johnson, 3526 Homewood Ave. had regarding the tap-in with the waterline project.

Adjournment

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

The meeting adjourned at 7:50 p.m.


Lorree Villers, Clerk of Council


Jeremy McIntire, President of Council

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Minutes prepared by:



Sonya Mottram, Deputy Clerk of Council