

Minutes of the Regular Council Meeting of Stow City Council held on Thursday, September 8, 2011 at 7:05 p.m.

Committee Members Present: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

Committee Members Absent: None

City Officials Present: Police Chief Dirker, Mayor Fritschel, Director of Budget and Management Earle, Assistant Director of Development Kurtz, Senior Engineer Kosco, Fire Chief Kalbaugh, Manager of Information Systems Germano, Law Director Reali, Assistant Director of Public Service Miller, Director of Parks and Recreation Wren, and Deputy Clerk of Council Preebe

Press Representatives: Stow Sentry and Stow Patch

Mrs. D'Antonio opened the meeting and Mr. Costello led the prayer and the pledge of allegiance.

APPROVAL OF MINUTES

MOTION:

Mr. Costello moved and Ms. Drew seconded to approve the minutes of the Regular Council Meeting of August 11, 2011 as presented.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

READING OF COMMUNICATIONS

Mrs. Preebe said all communications received have been assigned to the proper committee.

COMMITTEE REPORTS

Ms. Drew reported on the Planning Committee Meeting of September 6, 2011 as follows:

1. Discussed one item. Had 2 items on this evening. All were approved. All were in legislative form.

Mrs. D'Antonio asked if there were any questions that came out of that meeting or did they all get answered.

Ms. Drew said that when they came to that legislation for a vote, she was sure that Mr. Kurtz will weigh in since he was present.

Mr. Costello reported on the Finance Committee Meeting of September 6, 2011 as follows:

1. Discussed 4 business items. All were approved. All were in legislative form. They had an additional item left over from the last time.

COMMENTS FROM OTHER PERSONS PRESENT

Paul Zuravel
1577 Graham Road

Mr. Zuravel wanted to thank Mr. Miller and Mr. Kosco. He had a little issue with his house that they were able to take care of for him. It really worked out well. They did a good job. He really appreciated it. He thanked them for their effort.

He had heard some things that the city might be interested in this church here. He got on the internet and saw that it was up for a short sale. Because he knew that there had been interest in the past for it and he was wondering if there was any interest for it and where would the money come from for a purchase like that was attempted. He was just curious about it to see what was going on there if anything. He got on the internet and it was going up for short sale and they lowered the price quite a bit. The proximity to City Hall might be something that they would want to do. At the same time, they were kind of on a diet—monetarily. He was curious if there were any discussions going on about that or if there was anything being pursued.

Mrs. D'Antonio said that she could tell him that there was no offer that the city has made.

Mr. Zuravel asked if there were any discussions going on.

Mrs. D'Antonio said that there was always discussion about everything.

CITY OFFICIALS' REPORTS

Mayor Fritschel reported as follows:

1. Last Saturday, they had a very successful Summer Sunset Blast. People who went said that those were the best fireworks that they have ever seen. They were really terrific. If someone was not able to come, hopefully if they have it next year. She will not be there. If they did have it again, she invited everyone to see the fireworks. They had a great band and a lot of fun for the kids. It was their fifth year in a row. She has gotten emails from the residents and people stopped her along the way and expressed how ecstatic they were about the Summer Sunset Blast and what a good time they had. She just wanted to thank the committee that worked on this: Linda Nahrstedt, Rob Kurtz, John Pribonic, Lisa Paxton, Kyle Feldman, Nick Wren and Rich of ABC Rental. She also thanked all the volunteers out there who helped. They had many sponsors. They had many local sponsors. Their headline sponsor was Summa Western Reserve. Because they sponsored this event, they were able to get fireworks because the city did not pay for any of this. It was all through sponsorship. They really, really appreciated all of those people who helped them sponsor the Summer Sunset Blast. Not only local businesses but many of the organizations locally were there—Kiwanis, Rotary, Boosters Club, etc. There were just many, many fine people in their community and she just wanted to thank them for such a successful event.
2. This Sunday was their 911 Remembrance Ceremony. There were some fliers on the table if anyone was interested in attending. It was from 2:00 to 3:30. It was at the Stow Munroe Falls High School. They thought that it will be a very nice event. Obviously, the idea was to honor the memory of our nation's heroes and also to have a message of hope at this event for all of them. They were lucky to have a Stow Symphony Orchestra in the City of Stow. They will be playing a couple of different songs. They also had patriotic songs from some of their youth from Indian Trail and Woodland Elementary Schools. They had 3 speakers who will be speaking that day, one of which was their Law Director, Brian Reali, since he had served in Kosovo and Kuwait and knew quite a bit of what was going on in those areas. There was also a young girl who was in New York on 9/11 and how that affected her and her family. She thought that that will be a very interesting talk that she will give. Then Command Sergeant Major Albert Whatmough was also speaking. She got to know him while he was here at the armory in Stow and now he was in Columbus. He was also a very interesting person and knowledgeable about what was going on. She thought that he will have many insights for them all. She encouraged everyone to come this Sunday at 2 p.m. at the Stow High School. She also wanted to mention that their police and fire were also going to be involved because they were involved in 911 ten years ago. The Stow Police Honor Guard will present the colors and they

will also have a chime that will sound 403 times by one of the firefighters and that was in honor of the 343 fire, 23 police and 37 port authority men and women who lost their lives in the line of duty on September 11, 2001. She thought that it was really going to be a ceremony that everyone who could really should attend if at all possible.

3. As many of them knew, in 2009, she went to India for a trade mission. As an outgrowth of that mission to India—she went under the auspices of the Summit County Mayors Association—on next Wednesday and Thursday, the Summit County Mayors Association in conjunction with Nortec, which was an organization that encouraged a lot of technical and a lot of companies in the technology area to locate in northeast Ohio. They were having an advanced energy business to business show. It was more than a show. It was a conference and expo. There were 87 booths and they have all been sold. They were very pleased about that. There were many sponsors—for example, First Energy, Dominion, Forest City, KSU, University of Akron, many law firms, etc. They were sponsoring this event for them. They raised about \$80,000 for the event. There were people attending from India, Ireland, Great Britain, Canada, Finland, Israel, New Zealand, Ghana and other countries. What started as a small thing where they were concentrating on people just from India has really grown quite a bit. It was about advanced energy. They had many very well known speakers. They were not as well known to her as people in the industry but they were very good speakers that were coming. She just wanted people to be aware of what they were able to do because of their trip to India. Some of the people who were in India that they met were coming over here. It was all very worthwhile.

Law Director Reali reported as follows:

1. He wanted to remind everyone and give them an update. They did request a piece of steel from the World Trade Center site and that request was approved. At the beginning of the week, the Port Authority informed him that they might have it before September 11th. Hopefully they will get that soon. In the event that they did not, the Pace family who the Mayor mentioned was going to be kind enough to lend the city their steel piece in memory of the event. When it got here, they will find an appropriate place for it and appropriate a plaque to thank the Port Authority for their generous donation.

Assistant Director of Public Service Miller reported as follows:

1. They were in the process of getting their vehicles and their leaf machines ready for the leaf season. With the change in the temperature, they figured it was right around the corner.

Senior Engineer reported as follows:

1. The status of the Arndale/Ritchie Road detention basin's project was in full swing. Earth moving was near complete. Restoration should begin the middle of next week, weather permitting. They were hoping for a completion date of September 22nd.

Police Chief Dirker reported as follows:

1. Did not know if anyone knew that officers who lost their lives in the line of duty in the vicinity of the court jurisdiction, the court had a special area set aside for them. There was a plaque there commemorating them. On Monday, September 12th at noon, Officer Jonathan Bastock, who suffered a line of duty death from their department, will be added to that plaque unfortunately. There will be a photograph and short biography will be added in the room where the officers congregated prior to some court hearings.

NEW BUSINESS

Mrs. D'Antonio wanted to mention this because it was a sore point with her. This was an election period. Everyone was all geared up to do whatever. She was not running so she

did not care. It was not her problem unless her name was used on campaign literature for things that were not true. That happened. Just to set the record straight, she has never had a problem in 16 years with any of her opponents. She has never treated them with anything but respect. She has tried not to play politics anymore than anyone else and probably less than most.

She said that Mr. Razor seemed to think that there was some plan out there that Mr. Pribonic and she had, some scheme to do something about rentals. Not only was that not true, if Mr. Razor or anyone else cared to say anything about anything like that that was not true but so what. Okay. She was probably not going to sue over it. She asked them to please use her full name. That was playing politics. That looked like the D'Antonio that was running for City Council was the one who voted and of course, they knew that that was not the case. She wanted to make that clear that that was not the case. There was never a vote on that.

Mr. Razor wanted to respond to that. It was all over the City Council minutes. He will produce the minutes where she said that she supported inspections on rental properties and even residential non-rental properties. He will show it to anyone who wanted to see them.

Mrs. D'Antonio said that he could do that. On top of that—that goes for Mr. Pribonic too—if that were the case, he could use her full name in the future.

DISPOSITION OF ORDINANCES AND RESOLUTIONS

Resolution No. 2010-110 was held.

Ms. Drew introduced Ordinance No. 2011-91, entitled:

"AN ORDINANCE AMENDING ORDINANCE 2009-41, TO INCREASE THE AUTHORIZATION TO EXPEND FUNDS FOR SERVICES OF ARCADIS U.S., INC. FOR ENGINEERING SERVICES DUE TO INCREASED REQUIRED PROJECT DOCUMENTATION; AND DECLARING AN EMERGENCY."

which was read by title by the Deputy Clerk for the second time.

Mr. Costello moved and Ms. Drew seconded for the suspension of rules.

Yes votes: D'Antonio, Drew, Riehl, Costello, Pribonic and Razor

No votes: Hickin. The motion carried.

Mr. Costello moved and Ms. Drew seconded for the adoption of Ordinance No. 2011-91.

Mr. Hickin wanted to state again that he was against this project. He did not think that this was something that the City of Stow should be doing. He was hoping to have some more support against this.

Yes votes: D'Antonio, Drew, Riehl, Costello and Pribonic

No votes: Hickin and Razor. The motion carried.

Ordinance No. 2011-91 was declared to be adopted by Council, and upon its signature by the Mayor, shall take effect immediately.

Ms. Drew introduced Resolution No. 2011-94, entitled:

"A RESOLUTION GRANTING A CONDITIONAL ZONING CERTIFICATE AND SITE PLAN APPROVAL TO ROGER PUZZITIELLO, PRESIDENT OF PARKVIEW CUSTOM HOMES, LLC, APPLICANT AND PROPERTY OWNER, TO PERMIT THE PLACEMENT OF A MOBILE MARKETING VEHICLE IN LOT 6 OF STONEBRIDGE CROSSING, IN THE CITY OF STOW, AND DECLARING AN EMERGENCY."

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

Ms. Drew moved and Mr. Pribonic seconded for the suspension of rules.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Ms. Drew moved and Mr. Costello seconded for the adoption of Resolution 2011-94.

Ms. Drew asked Mr. Kurtz if there were any outstanding issues that they asked him to research.

Mr. Kurtz was not aware of any.

Mr. Rasor said that they were told on Tuesday that the support for this was unanimous among the homeowners. He asked the question twice to make it clear. The gentleman who was the President of the homeowners association told them twice, yes that it was unanimous support. He took his own initiative and went out and surveyed the neighborhood and found 18-1 against having this RV parked there for 6 months. He felt that they were misled. When they start out with that kind of bad faith under oath, he did not know how any of them could trust this developer or anyone affiliated with what they were told to operate in good faith going forward. He will not vote for this.

Mrs. D'Antonio made her decision on this before she talked to anyone. She looked at the trailer. She did it from the minutes of the Planning Commission. She did not think that it was the job of the City of Stow to have to promote those houses. That was owned by an individual who had never indicated from the beginning that there would ever be anything but a model home there. A model home was what the people who bought these units signed up for. She did not think that they should be subjected to something that when they bought there and these homes were fairly expensive but it would not make any difference. Also, a number of them have heard from the people across the street at Call Farm. Many of those people believed that the trailer would be offensive. She thought that the comment was that if would put it at the back of the lot and it was something smaller and any number of things that should happen, it might be acceptable. That was asked she believed of the applicant. They chose not to do that anyway. It was nice because she never said that she never changed her mind because she did. Everyone should be open to changing their minds. If they were proved wrong, this was kind of nice because she wasn't. Her instincts from the beginning said that this was not a good idea for the people that she talked to. She had talked to some before this came up that did not want this trailer. Were there some people who thought that this was a good idea? Obviously there were. She had to not only look at the majority; she also had to look at what was promised in the beginning. It was to be a model home. It was never anything. She was here when that happened. She could tell them that. She will not support this.

Ms. Drew wanted to mention that she appreciated the time and effort that was put into this issue by Planning Commission. They spent at least 2 meetings on this issue. She did appreciate, as always, the members of Planning Commission. They were not paid and they volunteered their time for this community and they certainly did put in a lot of research. With apologies to the Planning Commission, she also was going to go against the recommendation and vote against this piece of legislation along with Mrs. D'Antonio and Mr. Rasor. She also spoke to a number of residents who lived in Stonebridge Crossing who informed her that although their Board of Trustees supported this issue, they, as residents, did not and felt quite strongly. Mrs. D'Antonio was correct, both in Planning Commission and Planning Committee, it was suggested to the developer a compromise solution could be reached with putting this in the back of the lot. She thought that they were all sensitive to the fact that it would be in everyone's best interest that these lots be sold in that development and be built out. This just did not seem to be a compelling argument for what this developer wanted to do to achieve that goal. She will also be voting against this.

Yes votes: None.

No votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor. The motion failed.

Resolution No. 2011-94 was declared to be defeated.

Mr. Costello introduced Ordinance No. 2011-95, entitled:

"AN ORDINANCE DIRECTING THE CLERK OF COUNCIL TO CAUSE A SPECIAL ASSESSMENT TO BE PLACED ON THE PROPERTY TAX LIST WITH THE SUMMIT COUNTY FISCAL OFFICER FOR REAL PROPERTY LOCATED AT 3730 GILBERT ROAD BECAUSE THE CITY OF STOW, AT ITS EXPENSE, RAZED A DANGEROUS BUILDING ON THAT PROPERTY, AND DECLARING AN EMERGENCY."

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

Mr. Costello moved and Ms. Drew seconded for the suspension of rules.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Mr. Costello moved and Ms. Drew seconded for the adoption of Ordinance 2011-95.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Ordinance No. 2011-95 was declared to be adopted by Council, and upon its signature by the Mayor, shall take effect immediately.

Mr. Costello introduced Ordinance No. 2011-96, entitled:

"AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO A CONTRACT WITH J.D. WILLIAMSON, WITHOUT THE NECESSITY OF PUBLIC BIDS, FOR THE SERVICE OF REPAIRING THE STATE ROUTE 8 BRIDGE DECK OVER HUDSON DRIVE, AND DECLARING AN EMERGENCY."

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

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

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Mr. Costello moved and Mr. Pribonic seconded for the adoption of Ordinance 2011-96.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Ordinance No. 2011-96 was declared to be adopted by Council, and upon its signature by the Mayor, shall take effect immediately.

Mr. Costello introduced Ordinance No. 2011-97, entitled:

"AN ORDINANCE APPROPRIATING FUNDS FOR THE CONTINUATION OF THE SNOWPLOW ASSISTANCE PROGRAM (FORMERLY KNOWN AS THE SENIOR/DISABLED RESIDENTIAL DRIVEWAY SNOWPLOW PROGRAM)."

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

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

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Mr. Costello moved and Mr. Riehl seconded for the adoption of Ordinance 2011-97.

Mr. Hickin said one of the things that were brought up in committee the other night was that it was extremely to do due diligence for collection of financial information to make sure that people verified that they belonged in this program.

One of the things that he was glad about was that they had brought the cost down on this but they were in an area here where they were subjecting their senior citizens that were having some financial difficulties and can't afford to plow their driveways. Mr. Koehler did mention that if they wanted to lie about this they could. There was nothing that the city could. They could cheat if they wanted. One thing that he thought would be good to do here that would save the city some time, money and management and save the senior citizen who was applying for this preventing financial humiliation was to put an amendment on here that the applicant would not be subject to the City of Stow for financial due diligence. They could just apply. If they applied and met the criteria, then that would be it. They did not need to go back through and interrogate them and have them bring in their bank statements and financial records to prove this. It was either yes, they qualified for this program or they did not. That was the amendment that he would like to see put on this.

MOTION:

Mr. Hickin moved and Mr. Rasor seconded to amend Section 1 to add: "the applicant will not be subject to the City of Stow for financial due diligence."

Mrs. D'Antonio said that she was a little confused.

Mr. Hickin said that they would not have to prove their finances. They will take them at their word.

Mrs. D'Antonio said that they could just come forward and they would take them at their word.

Mr. Hickin said yes because Mr. Koehler stated that it was just between 65-75, if they were over 75, it was waived anyway. It was stated that if someone wanted to cheat on this, they could. If they did, then shame on them. But Mr. Koehler also stated that it was a big headache to do all of this. If someone came in that was 68 years old and they wanted to get one over, then they did. It was okay. He just did not see a reason if someone who was honest to subject them to bring in financial papers. He wanted it simplified. The city did not have to check it. They probably spent \$10,000 in managing this program.

Mrs. D'Antonio asked if he meant in kind.

Mr. Hickin said yes, in kind service.

Ms. Drew thanked Mr. Hickin. It was not often that he and she think alike on things but she would like to say that this was a very decent and very generous gesture on his part. She will be happy to support this amendment.

Mr. Razor said that he was going to propose the same thing with a caveat that they just have a notarized statement so that there was some officiality to the ascertain that the income was at a certain level.

Like Mr. Hickin, he felt that typical government would do something good but they would add a huge layer of bureaucracy to make it bad. On the whole, it would cost more than it needed to. And it would cost seniors humiliation because they found out that it might be public record. He was happy to support Mr. Hickin's current amendment and if it passed, he will amend it further to add a notarized statement.

Mrs. D'Antonio said that he could amend it now if he wished.

MOTION:

Mr. Razor moved and Mr. Hickin seconded that he would like to add at the end of Mr. Hickin's sentence the clause "subject to a notarized statement affirming such income level."

Mrs. D'Antonio said that they would have to vote on their first amendment. She asked if Mr. Hickin and Mr. Razor would like to rescind their original motion.

Mr. Hickin rescinded his original motion.

Mr. Razor rescinded his original second.

Mr. Costello asked Mrs. Preebe to read what the amendment was actually going to say.

Mrs. Preebe stated that it will read as follows: "the applicant will not be subject to the City of Stow for financial due diligence subject to a notarized statement affirming such income level."

Mrs. D'Antonio said that she will support that. She was a little concerned the other night. Her biggest concern was really that this was all public record. She had not really thought about that until that time. When that came up, she thought that she would not want, if it were her, people to know that she had been asking for that assistance or certainly what her income was. Because of that, she will support this. She will tell them that she has worked with people who did affidavits when she was at juvenile court. Unfortunately, and she hated to say this, they lied a lot. They found that out afterwards. That will happen. They knew that that will happen, but she thought that it was the lesser of the 2 evils.

Mr. Costello said that the only think that he would reiterate and he said this on Monday. If you believe that you qualify, you believe you need it and must have it, they should apply early because it was first come, first serve. When the allocation was expended, then they will have to cut it off.

Mrs. D'Antonio said that they had a motion before them.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Razor

No votes: None. The motion carried.

MOTION:

Mr. Costello moved and seconded for the adoption of Ordinance 2011-97 as amended.

Ms. Drew said that her original comment was going to be that she has always been happy to support this. She thought that many, many years ago before Mr. Riehl had the position, she was the Chairperson of the Roads and Safety Committee when they first took up this issue. She believed it was on her first year on Council, maybe the second. It has been a program that she thought has been well received. It has been worthwhile. It has been something that she was sorry that due to current financial constraints they have had to change the program over the years. She thought that in its current form, they were certainly able to serve the people in our community who needed it the most.

She was very glad that they were doing it again and she appreciated her colleagues support for this program once again.

Mrs. D'Antonio said that she had a little bit different experience with this program, to be absolutely honest. She brought it forward to the Mayor. Because she got a call asking her if they could have it. She had a lot of people that she was sure were very happy to have to have it done. Those were the people that she should go with. But she also had people who called and were not happy with the service. She thought that they have made some very positive changes in there. Any time they did anything the first time, it was a problem. She thought that it has been much less of a problem. She hoped that they continued with the same people—the second ones that they used because the first ones did not do a wonderful job. She was assuming that it will be the same people that did it the last time.

She asked to have the vote called.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Ordinance No. 2011-97 was declared to be adopted by Council, and upon its signature by the Mayor, shall take effect in thirty days.

Mr. Costello introduced Ordinance No. 2011-98, entitled:

"AN ORDINANCE ALLOCATING ORIGINAL AND SUPPLEMENTAL OVERTIME FUNDS FROM THE CITY OF STOW BUDGET FOR OVERTIME EXPENDITURES FOR THE POLICE DEPARTMENT IN 2011; AND DECLARING AN EMERGENCY."

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

Mr. Costello moved and Ms. Drew seconded for the suspension of rules.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Mr. Costello moved and Ms. Drew seconded for the adoption of Ordinance No. 2011-98.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

Ordinance No. 2011-98 was declared to be adopted by Council, and upon its signature by the Mayor, shall take effect immediately.

Mrs. D'Antonio introduced Ordinance No. 2011-99, entitled:

"AN ORDINANCE PROVIDING FOR A SEPARATE AMENDMENT TO THE CHARTER OF THE CITY OF STOW, OHIO AS ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 4, 1958, AS AMENDED, AS SUBMITTED TO THIS COUNCIL BY CHARTER AMENDMENT PETITION, AND TO BE SUBMITTED TO THE ELECTORATE AT THE NEXT GENERAL ELECTION ON NOVEMBER 8, 2011, WHICH AMENDMENT SHALL PROVIDE FOR A MODIFICATION IN THE COMPENSATION OF COUNCIL, MEMBERS OF BOARDS AND COMISSIONS, THE MAYOR, FINANCE DIRECTOR, AND LAW DIRECTOR, DIRECTING THE CLERK OF COUNCIL TO FORWARD THIS ORDINANCE TO THE SUMMIT COUNTY BOARD OF ELECTIONS, AND DECLARYING AN EMERGENCY."

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

Mrs. D'Antonio said that they did not any suspension of the rules on this.

Mrs. D'Antonio moved and Ms. Drew seconded for the adoption of Ordinance 2011-99.

Mr. Razor said one thing—he thought Mr. Reali's opinion was good and he agreed with everything in it for the record—but the Supreme Court said that we may review for sufficiency. It did not say that we must. The people who were opposing this on Council, his guess was that they were the same people who opposed his proposal to cut Council pay—the precious Council pay that he thought needed to go down quite a bit. He has been clear about that. They did not know if there was a grace period. They might have as many as 11 more days to fix this. If they did, he thought that they should let them. If they did not get enough signatures, then the Board of Elections will take care of that. That was his stance on the substance of the petition that they "may" not "must" judge it. The amount of signatures was going to take care of itself—the Board of Elections will take care of that.

Ms. Drew wanted to make one comment that she has certainly made before and she was happy to make again was that she would encourage any current or future Council member who wished to reduce their pay to do so voluntarily. They did not need legislation. She voluntarily reduced her Council pay and has this entire term by 10 percent after taxes. To her knowledge, no other Council member was doing that. They did not need a piece of legislation. They did not need a Charter amendment. It was a separate issue but she would like to point out that anyone who was currently on Council or anyone who was a future Council member could reduce their Council pay by 100 percent if they chose to. There was nothing against that. There was nothing holding anyone back from doing that. Certainly, if there were people who felt that that was important to do could do so at any time.

Mr. Hickin said from looking at this, he thought that the biggest issue on this who legislation was that it put Council's pay in the hands of the people and not in the hands of themselves. He thought that that was an important issue. He agreed with Mr. Razor that he thought that they should allow—they put in a lot of hard work here and there could be a grace period. He thought that they should allow that and have the Board of Elections to do their job. He was going to support this for that.

Mrs. D'Antonio said that the Board of Elections has done their job. They had one thing to do. They had to check to see if there were sufficient signatures. There were not. There were 6 invalid that were lined out. There were 62 not qualified and were not even electors of the city. There were 3 that did not even live in the area. There were 38 who the signer had signed before—duplicates. There were 54 where the signature did not match the person—the signature at the board. There were 7 that the address did not agree. There were 23 with a missing line. If those signatures had been checked over well, they would have found those things. At least, they would have found some of them. She thought that this was a poor, poor piece of legislation because it was not done correctly. They had a long time to do this. This was all political. If it could have been filed, if it was filed 2 months ago, they would not be up against it now. But it was not.

The grace period that they were talking about would be for signatures and not for something wrong on the face.

It was also, according to the Law Director, incorrect in the face. That did not address that issue. She was frankly surprised that this was as bad as it was. She honestly thought that it would probably come a little bit closer. The fact was that it missed it by a lot. The number of signatures that Mr. Reali has now given us tonight was 967. The Board came up with 724. That was not in the ballpark. That was not correct.

This was basically done by 2 people. She did not have any problem with anyone ever trying to anything on the ballot. She never had. Because the people who circulated this petition have constantly told all of them up here on city Council how much better a job that they could do if they were elected to city Council. Well, if this was an example of their expertise, then they just... they had wrong information, failure to follow through in

checking, failure to get the correct number of signatures, the correct number of signatures was not even right.

(There were comments made in the audience.)

Mrs. D'Antonio said that they had a motion and a second before them.

Yes votes: Riehl, Hickin and Rasor

No votes: D'Antonio, Drew, Costello and Pribonic. The motion failed.

Ordinance No. 2011-99 was declared to be defeated

BILLS

MOTION:

Mr. Costello moved and Ms. Drew seconded to approve the Bills.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

COMMITTEE MEETINGS SCHEDULED

Planning Committee – Monday, September 19, 2011 @ 5:30 p.m.

Finance Committee – Monday, September 19, 2011 to follow Planning Committee
Wednesday, September 21, 2011 has been cancelled.

City Council – Thursday, September 22, 2011 @ 7:00 p.m.

ADJOURNMENT:

MOTION:

Mr. Costello moved and Mr. Rasor seconded to adjourn the meeting.

Yes votes: D'Antonio, Drew, Riehl, Costello, Hickin, Pribonic and Rasor

No votes: None. The motion carried.

The meeting adjourned at 7:55 p.m.

Helen Preebe
Deputy Clerk of Council

Janet D'Antonio
President of Council