



City of Hudson, Ohio

Council Meeting Minutes - Final City Council

William A. Currin, Mayor

David A. Basil, City Council President (Ward 2)

Hamilton DeSaussure, Jr., City Council Member (At-Large)

Dennis N. Hanink, City Council Member (Ward 1)

Alex D. Kelemen City Council Member (Ward 3)

Keith W. Smith, City Council Member (Ward 4)

J. Daniel Williams, City Council Member (At-Large)

William D. Wooldredge, City Council Member (At-Large)

Anthony J. Bales, City Manager

R. Todd Hunt, City Solicitor

Elizabeth A. Slagle, Clerk of Council

Wednesday, February 20, 2013

7:30 PM

Town Hall Meeting Room

1. Call to Order

In the absence of Mayor Currin, President of Council Basil called to order the meeting of Hudson City Council at 7:30 p.m.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 7 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams and Mr. Wooldredge

Staff in Attendance: Mr. Bales, City Manager; Mr. Hunt, City Solicitor; Mr. Schroyer, Assistant City Manager; Mr. Knoblauch, Finance Director; Mr. Richardson, Community Development Director; Ms. Roberts, Communications Manager; Mrs. Slagle, Clerk of Council; Mr. Wiedie, Economic Development Director.

4. Approval of the Minutes

Workshop Meetings on January 8 and 22, 2013

Regular Meeting on January 16, 2013

Special Meeting on February 4, 2013

There being no changes, the above minutes were approved as submitted.

5. Public Comments

Mr. William Robinson, 7936 Ravenna Road, urged that the City adopt a policy to promote energy efficiency by limiting the amount of time a City owned vehicle can idle when it is not being utilized, with the exception of safety vehicles and acknowledging the need for idling to warm engines in colder temperatures. He cited environmental and fiscal responsibility as reasons for adoption of an anti-idling policy.

Mr. John Gillespie, 7691 Ranett Avenue, thanked Mayor Currin, Mr. Bales, and City Council members for their service to the community, and he spoke regarding his experiences with door-to-door solicitors, giving examples of bothersome, rude, argumentative, and belligerent behavior from individuals who had ignored signs for no soliciting on his property. He urged that Council act to protect citizens' rights to safety, security, and privacy. (See comments attached to record copy of these minutes).

6. Correspondence and Council Comments

Mr. Basil announced a vacancy on the Architectural and Historic Board of Review to fulfill an unexpired term, expiring on June 20, 2015. He said the City will accept applications through the close of business on March 1, 2013. In addition, he said that the City still has a vacancy on the Tree Commission and will continue accepting applications through February 25, 2013. He urged interested residents to apply for these volunteer opportunities.

Mr. Wooldredge announced that Hudson is now participating in the Heritage Home Program through the Cleveland Restoration Society, and property owners of homes more than fifty years old may receive free restoration advice and are eligible for low-interest rate loans for home improvements.

Appointments

A motion was made by Mr. Wooldredge, seconded by Dr. Williams, that Mr. Nick Zaklanovich be re-appointed to serve on the Cable TV Advisory Committee for a term expiring on January 24, 2016; that Mrs. Joan Brandon and Mr. A.J. Stokes be re-appointed to serve on the Cemetery Board, each for terms expiring on December 31, 2016; that Mr. Ryan Beam be appointed to serve on the Economic Growth Board to fulfill an unexpired term, expiring on September 6, 2014; that Mr. Ed Resnick and Mr. Jeff Wells be re-appointed, and that Mr. Jess Ennis be appointed to serve on the Environmental Awareness Committee, each for terms expiring on December 31, 2016; and that Mr. Matthew Romano be appointed to serve on the Personnel Advisory and Appeals Board for a term expiring on March 20, 2018. The motion carried by the following vote:

Aye: 7 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams and Mr. Wooldredge

7. Report of Manager

Mr. Bales said that the City is in the process of consolidating departments and moving offices, with the physical move beginning this week and continuing next week. He said the City will make arrangements to accommodate residents and Council members during the next two weeks, and he thanked residents for their patience.

Mr. Bales said that there is no need for an executive session.

8. Suspension of the Rules for the Consent Agenda

A motion was made by Dr. Williams, seconded by Mr. Wooldredge, to suspend the rules as provided in Section 220.03 of the Codified Ordinances. The motion carried by the following vote:

Aye: 7 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge and Mr. Basil

Approval of the Consent Agenda

A motion was made by Mr. Hanink , seconded by Mr. Wooldredge, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil and Mr. DeSaussure

- A.** [Finance 2013-01](#) **MOTION TO ACKNOWLEDGE THE TIMELY RECEIPT OF THE JANUARY 2013 MONTHLY FINANCIAL REPORT.**
Executive Summary: Financial summaries are provided each month for Council's review.
Attachments: [January 2013 Financial Report](#)

This Motion was approved.
- B.** [13-15](#) **A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PURCHASES; AND DECLARING AN EMERGENCY.**
Executive Summary: Council authorization is required for payment of the invoice(s) shown on this Resolution in excess of \$3,000 for which a commitment was made before a Purchase Order was generated.

Sponsors: Mayor Currin
Attachments: [Res. No. 13-15](#)

This Resolution was adopted by suspending the Rules.
- C.** [13-16](#) **A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF HUDSON IN 2013 TO SELL BY INTERNET AUCTION PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES AND OTHER PROPERTY REFERENCED IN REVISED CODE §721.15 WHICH ARE NO LONGER NEEDED FOR PUBLIC USE OR ARE OBSOLETE OR UNFIT FOR THE USE FOR WHICH THEY WERE ACQUIRED; AND DECLARING AN EMERGENCY.**
Executive Summary: Requesting permission, as required annually to use govdeals.com to dispose of unneeded, obsolete or unfit equipment.

Sponsors: Mayor Currin
Attachments: [Res. No. 13-16](#)
 [Notice for Internet Auctions](#)

This Resolution was adopted by suspending the Rules.
- D.** [13-17](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF STOW FOR COOPERATION AND COST SHARING FOR THE NORTON ROAD RESURFACING PROJECT; AND DECLARING AN EMERGENCY.**
Executive Summary: The City of Hudson has received 80% federal funding for the purpose of resurfacing Norton Road from SR 91 to Stow Road. The local 20% share will be split 50/50 between the City of Stow and the City of Hudson.

Sponsors: Mayor Currin

Attachments: [Cost Share Agreement - Norton Road Resurfacing](#)
[Res. No. 13-17](#)

This Resolution was adopted by suspending the Rules.

E. [13-18](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND, IF SELECTED, TO ENTER INTO AN AGREEMENT FOR FUNDS FOR THE SAFE ROUTES TO SCHOOL PROJECTS, AND DECLARING AN EMERGENCY.

Executive Summary: The School Travel Plan has been approved by ODOT making Hudson eligible to apply for both infrastructure projects and non-infrastructure programs listed within the School Travel Plan.

Sponsors: Mayor Currin

Attachments: [Action Plan Infrastructure SRTS](#)
[Res. No. 13-18](#)

This Resolution was adopted by suspending the Rules.

F. [13-19](#)

AN ORDINANCE AMENDING ORDINANCE NO. 12-169 MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HUDSON DURING THE FISCAL YEAR ENDING DECEMBER 31, 2013 BY MAKING APPROPRIATIONS RELATED TO THE STATE OF OHIO ROAD DEVELOPMENT 629 GRANT.

Executive Summary: The City applied for a Road Development 629 Grant through the Ohio Development Services Agency (formerly Ohio Department of Development (ODOD)) to cover a portion of the cost of construction of a new road that will service the new Seasons Road Commerce Center. The City needs to pay the cost of construction to the vendor (Geis Construction, Inc) and will be reimbursed by ODSA.

Sponsors: Mayor Currin

Attachments: [Ord. No. 13-19](#)

This Ordinance was adopted by suspending the Rules.

Items Removed from the Consent Agenda

G. [13-20](#)

AN ORDINANCE AMENDING SECTION 840.02(b) OF CHAPTER 840, "PEDDLERS AND SOLICITORS", OF THE CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

Executive Summary: Ohio Citizen Action has threatened to bring a federal court action under the First Amendment against the City if it does not permit door-to-door solicitation until 9 p.m. Standard Time. Therefore, an amendment of the City's door-to-door noncommercial solicitation ordinance (Section 840.02 (b)) to restore the 9:00 p.m. curfew for Mondays through Saturdays during Standard Time is suggested.

Sponsors: Mayor Currin

Attachments: [Ord. No. 13-20](#)

Expressing his support for his Ordinance and noting that he also has been bothered by door-to-door solicitors, Mr. Wooldredge said that the situation is very unfortunate. He said that based upon case history, the City would not win a lawsuit and would be forced to pay legal expenses. He hoped that the City will pursue ways to make it easier for homeowners to avoid solicitors, especially after dark. Mr. Kelemen suggested the Ordinance be given three readings to provide additional opportunities for public comments. Mr. Bales said that three readings are possible, noting that the City is currently not enforcing the 7 p.m. curfew during Standard Time, but he looked to the City Solicitor for advice. Mr. Hunt said that the courts have been very clear regarding First Amendment rights, and he could not guarantee the City would not be challenged in a lawsuit if this Ordinance was not passed immediately. There was consensus among Council members to take immediate action on this Ordinance.

Dr. Williams said that he was against changing the curfew, but he was not willing to spend tax payers' dollars to support Ohio Citizen Action by paying their court costs. Mr. DeSaussure concurred with Mr. Wooldredge, and he encouraged citizens to report bad experiences to the Police to create a data base, evidencing problems. Mr. Hanink agreed, as did Mr. Smith, who expressed a need for citizen education on how to react when confronted by solicitors. Mr. Basil endorsed this suggestion, and he agreed with other Council members. He said that in 2008 Council changed the non-commercial soliciting hours include a 7 p.m. curfew during Standard Time. He said that Ohio Citizen Action has sued and prevailed in another community with a similar Code, stating that he does not support risking local tax dollars to support retaining the 7 p.m. curfew, and he was confident that citizens would agree. He encouraged citizens to report disturbing incidents to the police. Mr. Smith thanked Mr. Gillespie for his comments on this matter.

A motion was made by Mr. Wooldredge, seconded by Dr. Williams, to suspend the rules as provided in Section 220.03 of the Codified Ordinances for passage of this Ordinance. The motion carried by the following vote:

Aye: 7 - Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, Mr. DeSaussure and Mr. Hanink

A motion was made by Mr. Wooldredge, seconded by Dr. Williams, that this Ordinance be approved. The motion carried by the following vote:

Aye: 7 - Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, Mr. DeSaussure and Mr. Hanink

9. Legislation

A. [13-21](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT FOR A FENCE AT 188 HUDSON STREET.

Executive Summary: Kate Harmon and Jeffrey Eters, property owners of 188 Hudson Street, would like to place a fence in front of their home. Due to the location of their home a fence in front of it would have to be in the right-of-way. The License Agreement would allow the fence and set forth terms specifying its location and other matters.

Sponsors: Mayor Currin

Attachments: [Site Plan](#)
 [License Agreement](#)
 [Res. No. 13-21](#)

This Resolution received a first reading.

B. [13-22](#)

AN ORDINANCE AMENDING CHAPTER 1205, “ZONING DISTRICTS” AND CHAPTER 1207, “ZONING DEVELOPMENT AND SITE PLAN STANDARDS,” OF THE LAND DEVELOPMENT CODE TO PROVIDE FOR FUNDS-IN-LIEU OF THE CONSTRUCTION OF PUBLIC SIDEWALKS AND OTHER PEDESTRIAN AND NON-VEHICULAR CIRCULATION SYSTEMS.

Executive Summary: This legislation would create a Pedestrian Linkages Fund as recommended by the Connect Hudson Plan that came out of the Safe Routes Hudson initiative.

Sponsors: Mr. Kelemen

Attachments: [Ord. No. 13-22](#)
 [Staff Report for March 11 Planning Commission Mtg.](#)
 [Planning Commission Decision 3-11-2013](#)

This Ordinance received a first reading and was referred to the Planning Commission.

10. Executive Session

None.

11. Adjournment

There being no further business, Mr. Basil adjourned the Council meeting at 8:11 p.m.

William A. Currin, Mayor

Elizabeth Slagle, Clerk of Council