



City of Hudson, Ohio

Meeting Minutes - Draft

City Council

David A. Basil, Mayor

William D. Wooldredge, President of Council (At-Large)

Beth A. Bigham, Council Member (Ward 4)

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

Dennis N. Hanink, Council Member (Ward 1)

Alex D. Kelemen, Council Member (Ward 3)

Lisa Radigan, Council Member (Ward 2)

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

Jane Howington, City Manager

Matthew J. Vazzana, City Solicitor

R. Todd Hunt, Special Counsel

Elizabeth A. Slagle, Clerk of Council

Tuesday, September 3, 2019

7:30 PM

Town Hall

1. Call to Order

Mayor Basil called to order the meeting of Hudson City Council at 7:30 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 7 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Ms. Radigan, Dr. Williams and Mr. Wooldredge

Staff in Attendance: Ms. Howington, City Manager; Mr. Vazzana, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Hannan, Community Development Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Leiter, Production Assistant; Ms. Roberts, Communications Manager; Mr. Sheridan, Assistant City Manager - Professional Services; Mr. Stifler, Economic Development Director; and Mr. Tabak, Police Chief.

4. Approval of the Minutes

A. [19-0077](#) Minutes of Previous Council Meetings

Brief Description: Draft minutes of previous meetings are provided for City Council's review and approval.

Attachments: [August 20, 2019 Council Meeting Minutes - DRAFT](#)

[August 27, 2019 Council Workshop Minutes - DRAFT](#)

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

5. Public Comments

Ms. Amber Zibritosky, Clerk of the Stow Municipal Court and Hudson High School Alumnus, having been recently appointed, introduced herself and reviewed the accomplishments and current initiatives underway at Stow Municipal Court, including instituting lean management techniques, internal auditing standards, collections improvements, and sustainable operations.

Ms. Tania Nemer, 6902 Walters Road, announced her candidacy for Judge of Stow Municipal Court. She expressed concern regarding the drug and opioid epidemic, and she promised to establish a Drug Court at Stow Municipal Court. She spoke of her qualifications, including her current position as Magistrate for Akron Municipal Court, as well as her former experience. She encouraged citizens to vote for her in November 2019.

Mr. Tom King, 12 Hudson Commons Drive, read a letter from Mr. Jim Cowan of 2292 Danbury Lane, urging Council action to move forward with Downtown Phase II Plan, Phase A, in accordance with Council's fiscal and fiduciary responsibility, in order to enhance the City's tax base and make Hudson a forward, progressive, and modern city (see letter attached to record copy of these minutes).

Mr. King also read a letter from Mr. Chris Strok of 151 Ravenna Street, in support of approving the Downtown Phase II Plan, Phase A, and moving forward so that the project can produce revenue for the City and help existing business owners and their employees. (see letter attached to record copy of these minutes).

Finally, Mr. King commented personally, thanking City Council members for their lengthy and careful consideration. He urged Council's approval to move forward with Downtown Phase II as quickly as possible, which he felt was essential to maintain Hudson's desirability as a place to live and to grow the local economy.

Mr. David Worhatch, 1595 Plantation Drive, questioned why the memorandum he submitted regarding his public comments on August 20, 2019, was not published with the draft minutes online for that Council meeting; and Mrs. Slagle explained that in accordance with standard procedures, prepared statements submitted for Council record during public comments are filed with the permanent paper record of the summary meeting minutes and are not published online.

Mr. Worhatch also expressed support for agenda item 10B, a motion extending the timeframe for Council action on Ordinance No. 18-93.

Additionally, Mr. Worhatch urged Council to postpone action on agenda item 10A, a motion accepting and approving the Final Plan application for Phase A of Downtown Phase II, commenting that this action should wait until after new Ward Council members take office. He opposed the small residential lot sizes in the Phase II Plan, and he questioned the exploitation of land within its boundaries, as well as development impacts on neighboring residents. He asked Council to curb wasteful public spending and focus on keeping our neighborhoods safe and investing in infrastructure needed to serve existing residents.

Mrs. Nicole Kowalski, 276 Atterbury Boulevard, spoke in support of the Downtown Phase II Plan in its current form. She stated that results of the May 2019 Advisory Election indicated that Ward 2 voters supported the Downtown Phase II Project. She urged Council to move forward with this project by approving the Final Plan for Phase IIA.

Ms. Ruth Oberholtzer, 77 Atterbury Drive and Destination Hudson volunteer, urged Council to move forward with the Downtown Phase II Project. She shared her experience from living and working in Bonita Springs, Florida, and spoke of the importance of a vibrant downtown.

Ms. Liz Murphy, 143 Ravenna Street, commented that most of the current elected officials have been in office since Downtown Phase II planning started, having listened to people and made dramatic changes to the Plan. She said that it is important that the vote not be delayed. She spoke on behalf of herself and her husband, Greg, and urged the current Council to approve the Downtown Phase II Plan and move forward with this

project.

Mrs. Anita Creehan, 7 Morning Song Lane, read a letter on behalf of her husband, Joe, commending Council for their action to gain public input after the recent advisory vote and to address many of those concerns by revising the Downtown Phase II Plan. In his letter, Mr. Creehan encouraged Council to move forward with Downtown Phase II to create a beautiful neighborhood that will invigorate the downtown and serve the community now and well into the future.

Mr. Todd Zedak, 7706 Oxgate Court, spoke in opposition to Council's approval of the revised Downtown Phase II Plan; however he contended that he and others who oppose it do want positive development of the subject property, with uniquely designed homes, in keeping with Hudson's existing beauty and character.

Mr. Chris Foster, 7303 Walters Road, stated that he believed the Downtown Phase II Project will move forward, but he encouraged Council to consider its fiscal impact to Hudson citizens. He asked for a written agreement between the City and the developer to ensure that the developer pay for land and infrastructure, he inquired regarding repayment of the City's \$10 million investment, and he urged Council to table approval of Phase IIA until such a written agreement with the developer is in place.

Ms. Celeste Bland, 131 Clairhaven Drive, said that the majority of Hudson voters spoke against Downtown Phase II in the May 7th Advisory Election, and she asked Council members to vote on the Plan for Phase A accordingly for the citizens they were elected to represent.

Mr. Ron Brubaker, 7593 Partridge Meadows Drive East, complimented and thanked City Council for their hard work, careful planning, soliciting public input, communicating the status of the project throughout the process, asking for an advisory vote, conducting public input sessions, and revising the plan to address significant suggestions and criticisms. He said that we have a better plan because of these efforts, and he encouraged Council to proceed with approval of the Downtown Phase IIA Plan.

Ms. Laura Jones, 1790 Old Tannery Circle, thanked Council for their years of hard work, and she encouraged support of the Downtown Phase IIA Plan.

6. Correspondence and Council Comments

Mayor Basil announced that the Mayor's Senior Advisory Committee has been meeting regularly, the Committee has completed the updating of the Senior Services Directory, available online at www.hudsonohseniors.org, a website dedicated to seniors and senior issues.

Mayor Basil announced that the next Mayor's Open Dialogue is scheduled at 7 p.m. on September 9, 2019, at the Barlow Community Center, and he invited interested citizens to attend.

Mayor Basil also suggested that budget discussions be scheduled in a series of special workshop sessions to be held prior to upcoming regular meetings. Mr. Wooldredge agreed with this proposal, and discussion followed. There was consensus among members that additional sessions were needed for budget deliberations, and they agreed to discuss a scheduling solution at the next workshop.

Mr. Wooldredge noted the considerable amount of work that the City's Planning Commission has done during the last year, particularly with the review of Downtown Phase II Plans. He thanked Planning Commission members for their thoughtful, good work and efforts.

Mrs. Bigham invited interested citizens to attend Ward 4 Open Forums at 1 p.m. on September 8 at the Hudson Springs Park Playground and at 1 p.m. on September 22 at the Middleton Park Pavilion.

Ms. Radigan invited interested citizens to attend a Ward 2 Open Forum at 2 p.m. on September 22 at the Cascade Park Playground.

7. Report of Manager

Ms. Howington said that rumble strips, as well as orange flags, have been installed at the intersection of Hines Hill and Valley View Roads to alert drivers of the new 4-way stop traffic pattern, and these measures seem to be helping. Mayor Basil thanked the City Manager for implementing his suggestion for rumble strips, and he was pleased with their reported effectiveness.

8. Discussion Items

None.

9. Appointments

Mr. Wooldredge said that the City is accepting applications through September 20, 2019, to fill a vacancy on the Tree Commission. He and Mayor Basil encouraged interested residents to apply.

10. Motions

- A. [19-0076](#) **Downtown Phase II Development - Planned Development Final Plan Phase A (PC 2019-673) - Motion to accept the decision of the Planning Commission and approve the Final Plan application for Phase A of Downtown Phase II Development pursuant to Planning Commission decision dated August 26, 2019.**

Brief Description: Planning Commission has approved the Downtown Phase II Planned Development Final Plan Phase A application for Phase A (Blocks D, E, F, G, and H including associated green/open space) (PC Case 2019-673), subject to the conditions listed in the Planning Commission decision of August 26, 2019.

Attachments: [Exhibit A - DTPH2 Final Plan Phase A - Council Motion 9-3-2019](#)
[2019-673 DTP2A Final PD Phase A - PC Decision 8-26-2019](#)
[DTPH2 Final Plan Phase A - PC Decision 8-26-2019](#)
[DTPH2 Final Plan Phase A August 26 PC Staff Report](#)
[DTPH2 Final Plan IIA Plat 8.23.19](#)
[DTPH2 Final Plan IIA Private Improvement Plans 8.23.19 File 1 of 2](#)
[DTPH2 Final Plan IIA Private Improvement Plans 8.23.19 File 2 of 2](#)
[DTPH2 Final Plan IIA Public Improvements 8.23.19 File 1 of 2](#)
[DTPH2 Final Plan IIA Public Improvements 8.23.19 File 2 of 2](#)

Mr. Hanink noted that this is a motion, not legislation. He inquired of the process to ensure that the stated limitations are placed on the development, noting his preference for deed restrictions. Mr. Vazanna explained that deed restrictions would prohibit further review by the City, and that the current motion provides that no changes can be made unless they gain Planning Commission approval, and such changes could be further subject to Council's final approval if so desired.

While stating support of a positive, progressive, and transparent process for Downtown Phase II, Mrs. Bigham expressed concern about the lack of a financial agreement with the developer before affirming the subject motion. She said she would not support passage of the motion without an understanding and agreement of specific, legally-binding details of each party's obligations.

Dr. Williams spoke in favor of moving forward with Downtown Phase II. He recounted the City's lengthy review process, which included many opportunities for community input, and he said that Council has responded by drastically reducing the density of the project, both in residential units and square footage devoted to commercial development. He said that these changes have addressed the major concerns voiced by the public. He supported Downtown Phase IIA and hoped that future development of the remaining area could be expedited.

Mr. DeSaussure spoke in support of the motion to approve the Final Plan for Downtown Phase IIA as a first step, which would then enable the City to work with the developer to negotiate a development agreement based upon that concept.

Ms. Radigan said that since joining Council in February, 2019, she has spent many hours with residents to gain input. She said that Ward 2 residents overwhelmingly supported the current Plan, and they are pleased with the current focus on residential development. She also supported the motion to approve the Final Plan for Downtown Phase IIA.

Mr. Kelemen spoke in opposition to this motion, stating his preference that the decision be made by a new Council. He suggested that the Ward Council seats on the November 2019 Election Ballot should be determined based upon candidates' positions on Downtown Phase II.

Mr. Hanink said that he has invested a substantial amount of time on the Downtown Phase II matter, and he spoke in favor of moving forward. He agreed that a financial agreement is needed soon, and he noted that there is still much to do, including detailed plan review by the Architectural & Historic Board of Review (AHBR).

Mayor Basil thanked citizens and Council members who have been engaged in this process since 1995. He agreed that the financial agreement is the next step, and that AHBR's review will be critical to ensure that this area is consistent with Hudson's current downtown. He asked that Council consider Hudson's long-term interests.

A motion was made by Mr. Wooldredge, seconded by Dr. Williams, to accept the decision of the Planning Commission and approve the Final Plan application for Phase A of Downtown Phase II Development pursuant to Planning Commission decision dated August 26, 2019, with the following condition: Phase A of the Downtown Phase II Project shall be approved as depicted in the site plan attached as Exhibit "A". The number of, location, and/or configuration of the planned units and/or lots as approved shall not be modified, amended, consolidated, and/or subdivided unless first approved by the Planning Commission in accordance with the procedure for approval of a final planned development plan (including those modifications, amendments, consolidations, and/or subdivisions that would otherwise be eligible for administrative approval pursuant to the "Minor Modifications" section in the Land Development Code). The motion carried by the following vote:

Aye: 5 - Mr. DeSaussure, Mr. Hanink, Ms. Radigan, Dr. Williams and Mr. Wooldredge

Nay: 2 - Mrs. Bigham and Mr. Kelemen

- B. [19-0078](#)** **A motion to extend the timeframe required for action by City Council on Ordinance No. 18-93 to November 6, 2019, pursuant to Land Development Code Sections 1203.01(D), 1203.02(e)(3) and 1203.03(c)(1)(C).**
Brief Description: In order to allow additional time for deliberations by City Council, staff requests passage of a motion to extend the timeframe, in accordance with Land Development Code (LDC) provisions, for action to adopt Ordinance No. 18-93, consisting of administrative amendments to the LDC.

A motion was made by Mr. Wooldredge, seconded by Mr. DeSaussure, to extend the timeframe required for action by City Council on Ordinance No. 18-93 to November 6, 2019, pursuant to Land Development Code Sections 1203.01(D), 1203.02(e)(3) and 1203.03(c)(1)(C). The motion carried by the following vote:

Aye: 7 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Ms. Radigan, Dr. Williams, Mr. Wooldredge and Mrs. Bigham

11. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to suspend the rule requiring three readings to allow for passage of legislation on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mr. Hanink, Ms. Radigan, Dr. Williams, Mr. Wooldredge, Mrs. Bigham and Mr. DeSaussure

Nay: 1 - Mr. Kelemen

Approval of the Consent Agenda

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

Aye: 6 - Ms. Radigan, Dr. Williams, Mr. Wooldredge, Mrs. Bigham, Mr. DeSaussure and Mr. Hanink

Nay: 1 - Mr. Kelemen

- B. [19-125](#)** **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A JOB CREATION GRANT AGREEMENT WITH BASE HOLDINGS LLC AND OPEN PRACTICE SOLUTIONS; AND DECLARING AN EMERGENCY.**

Brief Description: Base Holdings LLC and Open Practice Solutions is requesting a 50% income tax credit for 9 years with a benchmark of \$7.1M in payroll.

Attachments: [Memo - Request for Job Creation Grant 8-28-19](#)

[Resolution No. 19-125](#)

Resolution No. 19-125 was approved on the Consent Agenda.

Items Removed from the Consent Agenda

- A. [19-124](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PANZICA COMPANY FOR THE DOWNTOWN PHASE II PROJECT OWNER'S REPRESENTATIVE SERVICES; AND DECLARING AN EMERGENCY.**
- Brief Description:** The City advertised for an Owner's Representative for the Downtown Phase II project in July 2019. After receiving five (5) Request for Qualifications, City staff reviewed all five (5) firms qualification statements. The top three (3) firms were interviewed by City staff and Panzica was chosen as the best consultant.
- Attachments:** [Exhibit A - Construction Owner's Representative - RFQ Final](#)
[Exhibit B - Hourly Rates](#)
[Downtown Phase 2 Organizational Chart](#)
[Resolution No. 19-124](#)

Mr. Wooldredge asked that Resolution No. 19-124 be removed from the Consent Agenda.

A motion was made by Mr. Wooldredge, seconded by Mrs. Bigham, to suspend the rule requiring three readings to allow for passage of Resolution No. 19-124. The motion carried by the following vote:

Aye: 7 - Ms. Radigan, Dr. Williams, Mr. Wooldredge, Mrs. Bigham, Mr. DeSaussure, Mr. Hanink and Mr. Kelemen

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to pass Resolution No. 19-124.

Council members discussed a proposed amendment offered by Mr. DeSaussure and considered input from Mr. Sheridan. There was consensus to not amend Resolution No. 19-124, in favor of passing it in its original form, which would allow staff to define the scope of services and direct the duties of the owner's representative accordingly.

A subsidiary motion was made by Mr. DeSaussure, seconded by Dr. Williams, to amend Resolution No. 19-124 to limit the role of the Construction Manager to items 3, 4, 5, and 7 that are listed in "Exhibit A" as the following core duties for working with City Council: to provide real estate expertise and assistance to the City; to provide developer experience to the City; to advise the City and review the public/private development agreement with the developer; and to provide regular reports to the City Council and/or the administration on the project as requested; and not in connection with items 1, 2, 6 and 8. The motion failed by the following vote:

Aye: 3 - Dr. Williams, Mr. Wooldredge and Mr. DeSaussure

Nay: 4 - Mrs. Bigham, Mr. Hanink, Mr. Kelemen and Ms. Radigan

The main motion to pass Resolution No. 19-124 was carried by the following vote:

Aye: 7 - Mr. Wooldredge, Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Ms. Radigan and Dr. Williams

12. Legislation

- A. [19-126](#) AN ORDINANCE AMENDING SECTION 432.30, “STOPPING FOR SCHOOL BUS; ACTUATING VISUAL SIGNALS; DISCHARGING CHILDREN” OF THE TRAFFIC CODE; AND DECLARING AN EMERGENCY.

Brief Description: This legislation, as permitted under Hudson’s Home Rule authority, increases penalties for violation of the statutes prohibiting the passing of school busses with lights flashing and stop sign extended for the boarding and unboarding of students.

Attachments: [Ordinance No. 19-126 \(as introduced 9-3-2019\)](#)

Mayor Basil asked that Council suspend the rule requiring three readings, to allow passage of Ordinance No. 19-126.

Mayor Basil read the title of Ordinance No. 19-126, which constituted its first reading.

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to suspend the rule requiring three readings to allow for passage of Ordinance No. 19-126. For lack of six affirmative votes, the motion failed by the following vote:

Aye: 5 - Mr. DeSaussure, Mr. Hanink, Ms. Radigan, Dr. Williams and Mr. Wooldredge

Nay: 2 - Mrs. Bigham and Mr. Kelemen

13. Executive Session

A motion was made by Mr. Wooldredge, seconded by Mr. DeSaussure, to enter into executive session to consider a personnel matter concerning the employment of a public employee. Mayor Basil recessed the regular meeting at 9:12 p.m. after the motion carried by the following vote:

Aye: 7 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Ms. Radigan, Dr. Williams, Mr. Wooldredge and Mrs. Bigham

Mayor Basil reconvened the regular meeting at 10:10 p.m.

14. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 10:10 p.m.

David A. Basil, Mayor

Elizabeth Slagle, Clerk of Council

Upon approval by City Council, this official written summary of the meeting minutes shall become a permanent record, and the official minutes shall also consist of a permanent audio and video recording, excluding executive sessions, in accordance with Codified Ordinances, Section 220.03(d), Rules.