



City of Hudson, Ohio

Council Meeting Minutes - Draft

City Council Workshop

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 Slagle, Clerk of Council

Tuesday, February 12, 2013

7:30 PM

Town Hall

1. Call to Order

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

Present 6 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, and Mr. Wooldredge

Absent 1 - Dr. Williams

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

2. Correspondence and Council Comments

Mr. Basil asked the City Manager to provided an update on the City's move to the Municipal Services Center at 115 Executive Parkway. Mr. Bales provided a progress report on readying the facility for the move, noting that minor renovations are being performed, and carpeting is being cleaned/repared. He said that a mover has been contracted, and Information Systems staff will work to get the network functional on February 23, 2013. He said that staff offices will be moved to the new facility in phases thereafter, with completion on March 6 and the Municipal Services Center fully operational on March 7, 2013.

Mr. Hanink asked that a brief update on the Hines Hill Road Project be added to the agenda.

Mr. Basil thanked Mr. Schroyer, Chief Robbins, Chief Carter, and EMS Director Graham for their participation in the Keep Hudson Safe Initiative open forum at Hudson High School on February 7, 2013.

Mr. Basil announced that the City will accept applications for a vacancy on the Tree Commission, with the deadline for applications being at close of business on February 25, 2013.

3. Proposed Consent Agenda Items

- A. 13-16 **A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF HUDSON 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](#)

Staff recommended that Council adopt the proposed Resolution for calendar year 2013 to allow for sale of unneeded, obsolete or unfit (surplus) equipment through Internet auctions.

Council members supported staff's recommendation, and legislation will appear on the February 20, 2013 meeting agenda.

- B. 13-21 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT FOR A FENCE IN PUBLIC RIGHT-OF-WAY AT 188 HUDSON STREET.**

Executive Summary: Kate Harmon and Jeffrey Etters, 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](#)

Staff recommended that Council approve a Resolution authorizing the City Manager to execute the proposed License Agreement.

Mr. Wooldredge inquired of the process for alerting the neighbors of the matter. Mr. Richardson said that there is no Architectural and Historic Board of Review requirement to notify the neighbors. Given the sensitivity of residents in the Historic District, Mr. Wooldredge suggested providing a courtesy letter to the neighbors. Mr. DeSaussure suggested that the context of the letter should express that the matter is before Council and that neighbors have an opportunity to provide public comments prior to Council action. Discussion followed regarding the criteria for Council's approval, the specifics of this request, and the uniqueness of the property.

Staff will send notification letters to neighboring property owners regarding the proposed License Agreement, and a proposed Resolution will be presented to Council at the February 20, 2013, meeting for a first reading.

- C. 13-17 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATION AND COST SHARING AGREEMENT WITH THE CITY OF**

STOW 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](#)

Staff recommended that City Council approve this Resolution.

Council members supported staff's recommendation, and legislation will appear on the February 20, 2013 meeting agenda.

D. 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](#)

Staff recommended this Resolution be approved by Council and an emergency clause be added in order to meet the March 1, 2013 deadline for applications to the Ohio Department of Transportation and for the public safety.

Mr. Kelemen introduced Ms. Brenda Divine, Safe Routes Hudson Coordinator, noting that she has been instrumental in notifying the City of grant funding opportunities for sidewalks. Council members thanked Ms. Divine for her efforts with Safe Routes Hudson. Discussion followed regarding specific project options and priorities for the application. Mr. Sheridan provided information regarding current and future federal, state, and local funding levels for the Safe Routes To Schools Projects.

Council members supported staff's recommendation, and legislation will appear on the February 20, 2013 meeting agenda.

E. 13-19**AN ORDINANCE AMENDING ORDINANCE 12-169 MAKING \$710,000 APPROPRIATIONS FOR THE EXPENDITURES 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](#)

Staff recommended Council approve \$710,000 in appropriations to allow the City to pay for a portion of the construction of the new road. Mr. DeSaussure inquired of the process for reimbursement, and Mr. Bales explained that the City will be reimbursed by the Ohio Development Services Agency within 30 days of submittal of the receipts.

Council members supported staff's recommendation, and legislation will appear on the February 20, 2013 meeting agenda.

4. Legislation and Other Discussion Items

A. 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](#)

Staff recommended that City Council refer the suggested amendments to the Planning Commission for consideration and referral back to City Council. Mr. Richardson said that Council discussion of this matter was also held in the fall of 2012. Council members generally favored a connectivity plan. Concerns and comments expressed included the following topics: the terms for developer contributions in relation to prevailing wage; a developer's incentive to contribute funds when a sidewalk is not necessarily beneficial, applicability and Planning Commission's waiver ability in Districts 6 and 8; economic development impacts; connectivity priorities; plans to incorporate sidewalks with multi-purpose trails; coordination of plans for Hines Hill Road Project with the MetroParks Serving Summit County and the Village of Boston Heights; and bicycle rules regarding sidewalks and the need for review and update of Codified Ordinances (a topic for another discussion).

A proposed Ordinance will be presented to Council at the February 20, 2013, meeting for a first reading and referral to the Planning Commission.

B. TMP-0304 **Discussion: Request to light the Clock Tower with red lights during the month of February for the American Heart Association's Go Red Campaign. Additionally, staff looks to Council for their input on any future requests for lighting the Clock Tower for various causes.**

Executive Summary:

Hudson Merchants Association submitted a Special Event Application requesting to light the Gazebo and Clock Tower red for the month of February in honor of the American Heart Association's Go Red for Women Campaign. They also requested placing red bows on poles and trees in the downtown as part of the campaign.

Staff looked to Council for input on this and any future requests for lighting of the Clock Tower for various causes.

Mr. Bales noted that other organizations have made similar requests for lighting the gazebo. Mr. Basil commented that while he is fully supportive of various causes, he did not support lighting of

the Clock Tower, as it is an iconic, historically sensitive structure. Others agreed. Mr. Smith was also opposed, cautioning that the City may incur extra expenses, such as costs for installation and electricity. Mr. DeSaussure commented on the number of awareness colors, referring to a host of issues and causes, some political in nature. He suggested the City needs to develop a policy for the gazebo lighting. Ms. Roberts said that the City Solicitor has advised that the City cannot exclude any cause, having given permission to another.

There was consensus among Council members to not allow lighting of the Clock Tower. In addition, Council members agreed that lighting of the gazebo may continue during 2013 for planned events but will be discontinued in 2014.

C. 13-20

AN ORDINANCE AMENDING SECTION 840.02 OF THE CODIFIED ORDINANCES TO MODIFY THE TIME FOR NONCOMMERCIAL SOLICITATION IN THE CITY OF HUDSON; 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](#)

Staff recommended that Council approve this Ordinance. There was consensus among Council members that not approving the proposed change would risk litigation costs and spending citizens' money to fund a third party. Mr. DeSaussure noted that Ohio Citizens' Action has threatened a lawsuit if the City retains the current 7:00 p.m. curfew during the above stated period. He suggested that Council consider an Ordinance for a Do Not Knock Registry, as it has been successful in other communities; and other Council members were in favor of considering this. Staff will prepare a proposed Ordinance for Council's consideration of a Do Not Knock Registry at a future workshop.

Council members supported staff's recommendation, and legislation will appear on the February 20, 2013 meeting agenda.

5. Other Items Added to Agenda

None.

6. Adjournment

There being no further discussion, Mr. Basil adjourned the Council workshop meeting at 9:15 p.m.

David A. Basil, President of Council

Elizabeth Slagle, Clerk of Council