



City of Hudson, Ohio

Meeting Minutes - Final

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)

Casey M. Weinstein, 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, July 17, 2018

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.

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, Special Counsel; Mrs. Raber, Clerk of Council of Pro Tempore; Mr. Griffith, Management/Budget Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; Mr. Leiter, Production Assistant; Mr. Powell, Assistant Public Works Director; Mr. Sheridan, Assistant City Manager - Professional Services; and Mr. Stifler, Economic Development Director.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 4 - Mr. Hanink, Mr. Kelemen, Mr. Weinstein and Dr. Williams

Absent: 3 - Mrs. Bigham, Mr. DeSaussure and Mr. Wooldredge

4. Appointment of Melissa Raber as Clerk of Council Pro Tempore

Pursuant to Charter Section 3.04, in the Clerk of Council's absence, a motion was made by Mr. Kelemen, seconded by Mr. Hanink, that Mrs. Raber be appointed as Clerk of Council Pro Tempore. The motion carried by the following vote:

Aye: 4 - Mr. Hanink, Mr. Kelemen, Mr. Weinstein and Dr. Williams

5. Approval of the Minutes

- A. [18-0063](#) **Minutes of Previous Council Meetings**
Executive Summary: Draft minutes of previous meetings are provided for City Council's review and approval.
Attachments: [June 19, 2018 Council Minutes - DRAFT](#)
[July 10, 2018 Special Meeting & Regular Workshop Minutes - DRAFT](#)

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

6. Honorary Resolution

- A. [18-96](#) **A RESOLUTION HONORING AND THANKING ALAN FASSINGER FOR HIS SERVICE TO THE HUDSON COMMUNITY.**
Executive Summary: This Resolution provides recognition and thanks to Alan Fassinger, Water Resources Facility Specialist, upon his retirement for his dedicated service as a City of Hudson employee.
Attachments: [Resolution No. 18-96](#)

Mayor Basil read Resolution No. 18-96 in its entirety, thanking Mr. Fassinger on behalf of citizens and council for his service. Mr. Fassinger thanked everyone for his time at the City.

A motion was made by Mr. Hanink, seconded by Dr. Williams, to pass Resolution No. 18-96.

The motion carried by the following vote:

Aye: 4 - Mr. Kelemen, Mr. Weinstein, Dr. Williams and Mr. Hanink

7. Public Comments

Ms. Cheryl Mathers, 114 Stratford Road, stated that on May 27, 2018, she hit a pothole in front of 55 Owen Brown Street and damaged her tire. She made a claim with the City, and the claim was denied. She felt the City should be responsible for paying the damage claim. (see documents attached to file copy of these minutes).

8. Correspondence and Council Comments

None.

9. Report of Manager

Ms. Howington requested an executive session be held to provide details regarding applications for Community Reinvestment Area Agreements that the City recently received.

10. Appointments

None.

11. Consent Agenda

Mayor Basil stated that due to only four Council members being present, all legislative items on the Consent Agenda would be given readings. He asked that a Special Council Meeting be scheduled for these items on July 24, 2018.

Items Removed from the Consent Agenda

- A. [18-0064](#) **A Motion to Acknowledge the Timely Receipt of the June 2018 Monthly Financial Report**
Executive Summary: Financial summaries are provided each month for Council's review.
Attachments: [June 2018 Financial Report](#)

A motion was made by Dr. Williams, seconded by Mr. Hanink, to acknowledge the timely receipt of the June 2018 monthly financial report. The motion carried by the following vote:

Aye: 4 - Mr. Weinstein, Dr. Williams, Mr. Hanink and Mr. Kelemen

- B. [18-84](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF STOW FOR COOPERATION AND COST SHARING FOR THE RESURFACING OF A PORTION OF NORTON ROAD; AND DECLARING AN EMERGENCY.**
Executive Summary: This project is for the resurfacing of Norton Road from the new bike trailhead (Easterly limit) to the Hudson Drive intersection (Westerly limit). The segment of roadway is approximately 2,700 feet.
Attachments: [Resolution No. 18-84](#)

Mayor Basil read the title of Resolution No. 18-84, which constituted its second reading.

- C. [18-85](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO A PROFESSIONAL SERVICES CONTRACT WITH MS CONSULTANTS FOR ADDITIONAL CONSULTING SERVICES FOR THE STATE ROUTE 91 NORTH TURN LANE IMPROVEMENTS PROJECT (PID 93822); AND DECLARING AN EMERGENCY.**
Executive Summary: This Resolution would authorize an increase of \$20,775 to the original \$399,458.85 contract with MS consultants, inc.
Attachments: [Resolution No. 18-85](#)

Mayor Basil read the title of Resolution No. 18-85, which constituted its second reading.

- D. [18-86](#) **AN ORDINANCE AMENDING THE CITY'S PAY RANGE STRUCTURE ADOPTED BY ORDINANCE NO. 17-185 TO INCLUDE HOURLY REIMBURSEMENTS FOR VOLUNTEER EMERGENCY FIREFIGHTING SERVICE; AND DECLARING AN EMERGENCY.**
Executive Summary: This Ordinance amends the 2018 Pay Range Structure to include Volunteer Firefighter Hourly Reimbursements. Volunteer Firefighter Hourly

Reimbursements were last increased with Ordinance No. 09-24. The following per hour increases will be effective July 2, 2018; Captains from \$13.00 to \$16.00, Lieutenants from \$12.00 to \$15.00, Firefighters from \$11.00 to \$13.00, Maintenance or Engineering Duty from \$12.00 to \$14.00.

Attachments: [2018 Pay Range Structure updated with Volunteer Fire Ordinance No. 18-86](#)

Mayor Basil read the title of Ordinance No. 18-86, which constituted its second reading.

- E. [18-87](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO SPEND ADDITIONAL FUNDS UNDER A PREVIOUSLY COMPETITIVELY BID CONTRACT WITH MOMENTUM TELECOM, INC. FOR WHOLESALE VOICE OVER INTERNET PROTOCOL SERVICES; AND DECLARING AN EMERGENCY. (As Revised 7/24/2018)**

Executive Summary: Council authorization is required to spend beyond the previously approved threshold for wholesale VoIP services.

Attachments: [Resolution No. 18-87 \(as revised 7-24-2018\)](#)

Mayor Basil read the title of Resolution No. 18-87, which constituted its second reading.

- F. [18-89](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE DEMOLITION AND REMEDIATION OF THE EXISTING FACILITIES AT 94 AND 100 OWEN BROWN STREET WITH THE LOWEST AND BEST BIDDER; AND DECLARING AN EMERGENCY.**

Executive Summary: As part of the preparations for the Downtown Phase II project, the former Windstream Buildings located at 94 & 100 Owen Brown Street will need to be demolished to allow for the redevelopment of the land following the acquisition of the buildings.

Attachments: [Resolution No. 18-89](#)

Mayor Basil read the title of Resolution No. 18-89, which constituted its second reading.

- G. [18-97](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GPD GROUP FOR PRELIMINARY ENGINEERING DESIGN AND STUDY SERVICES FOR THE STATE ROUTE 91 SOUTH SAFETY IMPROVEMENT PROJECT (PID 106445); AND DECLARING AN EMERGENCY.**

Executive Summary: The existing S. Main Street roadway has had multiple rear-end and left-turn crashes between Barlow and Veterans Way over the last 3 years. The City applied to the State of Ohio for Safety Funding and the City was awarded State of Ohio Safety Funds and also Congestive Mitigation Air Quality (CMAQ) funding funds through the Akron Metropolitan Area Transportation Study (AMATS) for the installation of center turn lane, drainage, pedestrian connectivity, improved crosswalks, traffic signals, road resurfacing and widening and other miscellaneous transportation components.

Attachments: [Proposed Lane](#)
[Uncurbed Section](#)
[Resolution No. 18-97](#)

Mayor Basil read the title of Resolution No. 18-97, which constituted its first reading.

- H. [18-98](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THOMPSON ELECTRIC, INC. FOR LABOR AND MATERIALS FOR THE CONSTRUCTION OF THE PROSPECT STREET SUBSTATION IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY.**
- Executive Summary:** Staff is seeking the award of the construction labor and materials contract for the Prospect Substation Project and additional appropriations to finish the project. The original contract/budget amount for the Prospect Street Substation Project totaled \$2 million dollars. During the design/build phases of the project unforeseen conditions such as soil conditions, additional site work and the need for additional equipment and design changes resulted in unanticipated cost increases. In addition and the most impactful effect on the project budget were significant market increases in the municipal electric and steel industries which accounts for a 17% increase. Therefore, in addition to the award of the construction contract staff is requesting authorization of additional funds to complete the project.

Attachments: [Bid Tabulation](#)
[HPP Prospect Financials 7-3-18](#)
[Prospect Substation Improvements Cost Analysis](#)
[Resolution No. 18-98](#)

Mayor Basil read the title of Resolution No. 18-98, which constituted its first reading.

- I. [18-99](#) **A RESOLUTION AFFIRMING THE APPLICATION SUBMITTED BY THE CITY MANAGER TO THE HUDSON ROTARY FOUNDATION FOR A GRANT TO PROVIDE FUNDING TO HUDSON COMMUNITY TELEVISION AND THE ACCEPTANCE OF SAID GRANT.**

Executive Summary: The Hudson Rotary Foundation awards grants for charitable, scientific, and educational purposes, and to meet the humanitarian and cultural needs of the community.

Attachments: [Resolution No. 18-99](#)

Mayor Basil read the title of Resolution No. 18-99, which constituted its first reading.

- J. [18-100](#) **A RESOLUTION AFFIRMING THE CITY MANAGER'S ACCEPTANCE OF A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT THROUGH THE SUMMIT COUNTY DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR AMERICANS WITH DISABILITIES ACT RENOVATIONS AT THE NEW ADMINISTRATION BUILDING.**

Executive Summary: The County of Summit is an entitlement community which receives funds from the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program.

Attachments: [Resolution No. 18-100](#)

Mayor Basil read the title of Resolution No. 18-100, which constituted its first reading.

- K. [18-101](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AN EMS PRIORITY ONE TRAINING AND EQUIPMENT GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES.**

Executive Summary: The Ohio Department of Public Safety, Division of Emergency Medical Services, provides a grant to assist EMS organizations with purchase of approved training and equipment. Funding is determined based on the amount of seatbelt funding available.

Attachments: [Resolution No. 18-101](#)

Mayor Basil read the title of Resolution No. 18-101, which constituted its first reading.

- L. [18-102](#) **A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE FOR A PURCHASE MADE; AND DECLARING AN EMERGENCY.**

Executive Summary: Council authorization is required for payment of the invoice shown on this Resolution in excess of \$3,000, for which a commitment was made before a Purchase Order was generated.

Attachments: [Resolution No. 18-102](#)

Mayor Basil read the title of Resolution No. 18-102, which constituted its first reading.

- M. [18-103](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED FINANCIAL SERVICES AGREEMENT WITH H.J. UMBROUGH & ASSOCIATES FOR THE HUDSON DOWNTOWN REDEVELOPMENT PROJECT, PHASE II; AND DECLARING AN EMERGENCY.**

Executive Summary: The City entered into an agreement with Umbaugh (Brian Cooper's firm) for financial consulting services related to Phase 2 of the Downtown Project. The cost of the services will exceed \$25,000 and therefore requires City Council approval to increase the amount authorized to \$50,000.

Attachments: [Financial Advisory Svcs. Agmt. with Brian Cooper, HJ Umbaugh & Assoc.](#)
[Resolution No. 18-103](#)

Mayor Basil read the title of Resolution No. 18-103, which constituted its first reading.

12. Legislation

- A. [18-81](#) **AN ORDINANCE AMENDING PART TEN, “STREETS, UTILITIES AND PUBLIC SERVICES CODE” OF THE CODIFIED ORDINANCES, TO ADD NEW CHAPTER 1020 TO REGULATE SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES IN PUBLIC WAYS; AND DECLARING AN EMERGENCY. (As Revised 7/17/2018)**
Executive Summary: This Ordinance will amend Title Two of Part Ten, the Streets, Utilities and Public Services Code of the Codified Ordinances, to add a new Chapter 1020 to respond to the State of Ohio’s recent passage of Substitute House Bill 478 (“HB 478”) concerning small cell facilities in public ways of municipalities
Attachments: [Ordinance No. 18-81 \(As Introduced 6/5/2018\)](#)
[Ordinance No. 18-81 \(As Revised 7/17/2018\)](#)
- Mayor Basil stated that due to lack of five members being present, passage of this emergency legislation was not possible. He asked that Ordinance No. 18-81 be included on the Special Meeting agenda for July 24, 2018.*
- Mr. Hunt provided a brief background and commented on the importance of Ordinance Nos. 18-81 and 18-82, noting that the related state legislation goes into effect on July 31, 2018.*
- Mayor Basil read the title of Ordinance No. 18-81, which constituted its third reading.**
- B. [18-82](#) **AN ORDINANCE AMENDING PART TEN, “STREETS, UTILITIES AND PUBLIC SERVICES” CODE OF THE CODIFIED ORDINANCES, TO ADD NEW CHAPTER 1022 ADOPTING DESIGN GUIDELINES FOR SMALL CELL FACILITIES AND THEIR SUPPORT STRUCTURES IN PUBLIC WAYS; AND DECLARING AN EMERGENCY.**
Executive Summary: This Ordinance will amend Title Two of Part Ten, the Streets, Utilities and Public Services Code of the Codified Ordinances, to add a new Chapter 1022 to respond to the State of Ohio’s recent passage of Substitute House Bill 478 (“HB 478”) concerning small cell facilities in public ways of municipalities.
Attachments: [Ordinance No. 18-82](#)
- Mayor Basil stated that due to lack of five members being present, passage of this emergency legislation was not possible. He asked that Ordinance No. 18-82 be included on the Special Meeting agenda for July 24, 2018.*
- Mayor Basil read the title of Ordinance No. 18-82, which constituted its third reading.**
- C. [18-91](#) **AN ORDINANCE ENACTING NEW CHAPTER 1421, “EROSION AND SEDIMENT CONTROL CODE,” OF THE BUILDING CODE AND AMENDING SECTION 1, “PLAN SUBMISSION AND GENERAL NOTES,” OF CHAPTER 1419, “ENGINEERING STANDARDS FOR INFRASTRUCTURE CONSTRUCTION” OF THE BUILDING CODE.**
Executive Summary: The City of Hudson’s Storm Water Management Plan (SWMP) was developed to address the Environmental Protection Agencies (EPA) National Pollutant Discharge Elimination System (NPDES) requirements for storm water quality regulations. In order to comply with the EPA’s requirements, the City

must amend its Codified Ordinances to adopt regulations for erosion and sediment control which address stormwater management practices during construction and post-construction.

Attachments: [Ordinance No. 18-91](#)

Mayor Basil read the title of Ordinance No. 18-91, which constituted its second reading.

- D. [18-92](#) **AN ORDINANCE AMENDING SECTION 1480.01 AND 1480.99 OF THE BUILDING AND HOUSING CODE TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, TO AMEND THE PENALTY SECTION OF CHAPTER 1480; AND DECLARING AN EMERGENCY.**
Executive Summary: The legislation would replace the 2015 version specified in the Codified Ordinances with the most recent edition of the International Property Maintenance Code and amend the penalties.

Attachments: [Ordinance No. 18-92](#)

Mayor Basil read the title of Ordinance No. 18-92, which constituted its second reading.

- E. [18-104](#) **AN ORDINANCE AMENDING SECTION 4, “STORM COLLECTION,” AND SECTION 5, “STORM WATER MANAGEMENT,” OF CHAPTER 1419, “ENGINEERING STANDARDS FOR INFRASTRUCTURE CONSTRUCTION” OF THE BUILDING AND HOUSING CODE.**
Executive Summary: Section 4 - Storm Collection of the City of Hudson Engineering Standards for Infrastructure Construction was last updated in 2002. Section 5 - Storm Water Management was last updated in 2007. Staff would like to update these sections to reflect various changes due to industry standards that have changed since the last updates.

Attachments: [Section 4 - Storm Collection Redline 7-3-2018](#)

[Section 5 - Storm Water Management Redline 7-3-2018](#)

[Ordinance No. 18-104](#)

Mayor Basil read the title of Ordinance No. 18-104, which constituted its first reading.

- F. [18-105](#) **A RESOLUTION AMENDING RESOLUTION NO. 18-42 TO AUTHORIZE THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE BIDS FOR THE HUDSON DRIVE WATERLINE EXTENSION PROJECT; AND DECLARING AN EMERGENCY.**
Executive Summary: This project will involve the installation of a new 12” watermain to provide drinking water and fire suppression to properties along Hudson Drive near the Hudson Gate Drive intersection.

Attachments: [Exhibit A](#)

[Resolution No. 18-105](#)

Passage of Resolution No. 18-105 was not possible with only four Council members present. Mayor Basil confirmed the need for emergency language, and he asked that this Resolution be included on the Special Meeting agenda for July 24, 2018.

Mayor Basil read the title of Resolution No. 18-105, which constituted its first reading.

13. Executive Session

A motion was made by Dr. Williams, seconded by Mr. Hanink, to enter into executive session to consider confidential information related to the specific business strategy, trade secrets, and personal financial statements of applicants for economic development assistance whereby the information is directly related to a request for economic development assistance that is to be provided under Sections 3735.67 to 3735.70 of the Ohio Revised Code – And, for the further reason, that it is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. Mayor Basil recessed the meeting at 7:57 p.m. after the motion carried by the following vote:

Aye: 4 - Dr. Williams, Mr. Hanink, Mr. Kelemen and Mr. Weinstein

Mayor Basil reconvened the meeting at 9:28 p.m.

14. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 9:28 p.m.

David A. Basil, Mayor

Melissa Raber, Clerk of Council Pro Tempore

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.