



# City of Hudson, Ohio

## Meeting Minutes - Final

### City Council

*Craig A. Shubert, Mayor*

*Christopher W. Foster, President of Council (Ward 2)*

*Christopher A. Banweg, Council Member (At-Large)*

*Beth A. Bigham, Council Member (Ward 4)*

*Karen E. Heater, Council Member (At-Large)*

*Nicole V. Kowalski, Council Member (At-Large)*

*Katherine R. Schlademan, Council Member (Ward 1)*

*Skylar J. Sutton, Council Member (Ward 3)*

*Jane Howington, City Manager*

*Matthew J. Vazzana, City Solicitor*

*R. Todd Hunt, Special Counsel*

*Elizabeth A. Slagle, Clerk of Council*

*Aparna Wheeler, Deputy Clerk of Council*

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Tuesday, December 7, 2021

7:30 PM

Town Hall  
27 East Main Street

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#### 1. Call to Order

**Mayor Shubert called to order the meeting of Hudson City Council at 7:32 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.**

*Mayor Shubert welcomed dignitaries: Ambassador John Ong, Ohio Senator Kristina Roegner, Ohio Representative Bill Roemer, and Summit County Councilwoman Gloria Rodgers.*

*At Mayor Shubert's request and in acknowledgement of the 80th anniversary of Pearl Harbor, everyone observed a moment of silence to honor the victims.*

#### 2. Pledge of Allegiance to the Flag

#### 3. Oath of Office: At-Large Council Members

*Mayor Shubert administered the Oath of Office to At-Large Council Members Banweg, Heater, and Kowalski for terms ending on December 2, 2025. At-Large Members commented with thanks to their supporters, and all looked forward to serving.*

#### 4. Roll Call

**Present:** 7 - Mr. Banweg, Mrs. Bigham, Mr. Foster, Mrs. Heater, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

Mrs. Slagle introduced Ms. Wheeler, and all welcomed her as Hudson's new Clerk of Council, pending Mrs. Slagle's retirement.

Staff in Attendance: Ms. Howington, City Manager; Mr. Vazzana, City Solicitor; Mrs. Slagle, Clerk of Council; Ms. Wheeler, Deputy Clerk of Council; Mr. Comeriato, Assistant City Manager - Operations; Ms. Fernandez, Data Management Analyst; Mr. Hannan, Community Development Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; Mr. Leiter, HCTV Production Assistant; Mr. Sheridan, Assistant City Manager - Professional Services; and Mr. Stifler, Economic Development Director.

## 5. Election of President of Council

Pursuant to Charter section 3.03, Mayor Shubert solicited nominations from the floor for President of Council. Mrs. Bigham nominated Mr. Foster.

**Mayor Shubert declared Mr. Foster as the new President of Council after the following vote:**

**Aye:** 5 - Mr. Banweg, Mrs. Bigham, Mr. Foster, Mrs. Heater and Mr. Sutton

**Nay:** 2 - Mrs. Kowalski and Ms. Schlademan

Mayor Shubert announced that Mrs. Bigham will be the new President of Council Pro Tempore, pursuant to Codified Ordinances Section 220.03, as of the remaining members, she is the longest serving.

## 6. Approval of the Minutes

### A. [21-0100](#) Minutes of Previous Council Meetings

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

**Attachments:** [November 9, 2021 Meeting and Workshop Minutes - DRAFT](#)

[November 16, 2021 Meeting Minutes - DRAFT](#)

[November 23, 2021 Council Workshop Minutes - DRAFT](#)

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

## 7. Public Hearing

### A. [21-141](#) AN ORDINANCE AMENDING CHAPTER 1205, "ZONING DISTRICTS - CITY OF HUDSON ZONING MAP," CHAPTER 1206, "USE REGULATIONS," AND CHAPTER 1213, "DEFINITIONS," OF THE LAND DEVELOPMENT CODE TO INCORPORATE REGULATIONS TO CONDITIONALLY PERMIT FIREWORKS STORAGE AND FIREWORKS RETAIL FACILITIES.

**Brief Description:** Land Development Code text amendment request to permit Fireworks Storage and Fireworks Retail Facilities as a conditional use within District 1: Suburban Residential Neighborhood.

**Attachments:** [PC 21-689 Decision - Fireworks Text Amendment](#)  
[Staff Report for 10.11.21 PC Meeting](#)  
[Staff Report for 9.13.21 PC Meeting](#)  
[Staff report for 7.26.21 PC Meeting](#)  
[Public Hearing Notice \(12.7.2021\)](#)  
[Agreement Letter signed by Roberto Sorgi 12-6-2021](#)  
[Hudson's Supplemental Disaster Info](#)  
[Ordinance No. 21-141](#)

Mayor Shubert opened the public hearing for Ordinance No. 21-141 at 7:48 p.m.

Mr. James Stein, 1968 West Highgate Court, an abutting property owner, spoke in opposition to Ordinance No. 21-141 and expressed safety concerns.

Ms. Diane Coltheim, land development counsel for American Fireworks, explained that the company operates as a legal nonconforming use which predates the City's Code, and while the company is not currently regulated by the City, it is heavily regulated by the State. She explained further that Mr. Sorgi began the current review process with the Planning Commission, which included a separate public hearing, and the company has worked with neighbors during this process. She said that passage of Ordinance No. 21-141 would implement new requirements imposed by the City.

Mr. Roberto Sorgi, of American Fireworks, 7041 Darrow Road, said that the company has been at its current location since 1902. He explained the process the company has pursued thus far regarding the proposed Code amendment. He spoke of added requirements imposed with passage of the Ordinance, such as mounding, setbacks, landscaping buffers, and spacing requirements, as well as the need for the company to return to the Planning Commission for additional approval. He said that he wants what's best for the community.

Mrs. Maria Stine, 1968 West Highgate Court, spoke against expanding the American Fireworks operations in close proximity to residential properties in Hudson. She asked that Council act in representation of residents and in protection of their well being. She suggested that American Fireworks expand elsewhere.

Mrs. Sarah Norman, 2212 Edgeview Drive, said that the City's Land Development Code is generally problematic, and she urged Council to modernize the Code.

There being no additional comments, Mayor Shubert closed the public hearing for Ordinance No. 21-141 at 8:01 p.m.

**A public hearing was held for Ordinance No. 21-141.**

## **8. Public Comments**

Mrs. Marietta Marquart, 333 Simon Road, stated that while she was not against the development of Downtown Phase II, she expressed opposition to passage of Resolution No. 21-116, saying that it was not fiscally responsible and placed the community at risk financially. She said that the developer should be responsible for the costs they will incur in the approval process, and the onus for Council is to think of the City's and residents' best interests, and she urged the City to negotiate better terms with the developer.

Mr. Brad Piroli, of Pulte Homes, 387 Medina Road, asked for Council's passage of Resolution No. 21-142 for the dedication of the River Oaks Subdivision, Phases III and IV. He thanked the City for its support, commending City staff for working with the company.

Mr. Michael Juppe, 5734 Williamsburg Circle, agreed with Mrs. Marquart's comments and also spoke in

opposition to passage of Resolution No. 21-116. While he liked the proposed plan, he expressed disappointment in Council's recent decision to reimburse the developer.

Ms. Holly Harris, 5784 Bradford Way, also spoke against passage of Resolution No. 21-116, questioning the meaning of 'reasonable costs' for reimbursing the developer.

Mrs. Sarah Norman, 2212 Edgeview Drive, congratulated the Council members who were sworn in as At-Large Council members. She asked Council to consider the possibility of a Community Land Trust for development of Downtown Phase II. She explained the concept whereby a government owns land and enables affordable housing to residents, who purchase only the house and lease the land. She said that if the City moves forward with Fairmount Properties for Downtown Phase II, it will be an opportunity lost.

## 9. Correspondence and Council Comments

Mrs. Kowalski explained why she voted against Mr. Foster's nomination as President of Council. Regardless, she was hopeful that this Council can work together and make meaningful compromises for the best interests of the City and its residents. She spoke of the duties of the President and the qualities of past Presidents, asking that Mr. Foster uphold the high standards. In response to her inquiry, Mr. Vazzana said that the President of Council is not a fixed position, rather it is defined as the longest serving member in attendance at each meeting who would assume the President of Council's duties in their absence.

Ms. Schlademan also explained her reason for opposing Mr. Foster's nomination. She said that the President shapes the direction of Council and needs to remain open-minded and impartial. She encouraged Council members to govern with reason and compromise. Furthermore, she provided an update regarding the December 6th Environmental Awareness Committee meeting and encouraged residents to apply for a current vacancy on the Committee.

Mr. Foster stated that he is open-minded but has distinct beliefs about what is best for the City. He said that he will work to find compromise, he noted that the key role of President is to set the tone for City staff, and he expressed his commitment to the community in his role as President. He also commented regarding recent passage of Resolution No. 21-116, saying that while the community has provided positive input and support for the proposed plan, he did not agree with the terms of the Resolution. He said that proposed Resolution No. 21-149 would remove the obligation of the City to reimburse the developer, while moving the project forward.

Mrs. Bigham expressed confidence in Mr. Foster as the new President of Council and thanked him for accepting the additional duties. She also thanked residents and staff for their role in helping to make Hudson such a beautiful community.

Mr. Foster agreed and thanked members of Council who supported his election as President, as well as the constituents of Ward 2. He spoke of his aspirations for more transparency and dialogue, as well as more discussion of topics during Council workshops.

Mr. Sutton congratulated the At-Large Council members, thanked everyone involved in downtown activities last weekend, and reminded everyone of Christkindlmarkt, to be held the coming weekend.

Mr. Foster and Mayor Shubert also congratulated the At-Large Council members.

## Recognition of At-Large Council Members

Senator Kristina Roegner agreed that Hudson is an amazing community with caring and committed residents. She wished Council well and congratulated At-Large Councilors Banweg, Heater, and Kowalski, presenting commendations to each of them.

## 10. Report of Manager

*Ms. Howington reported on the following items:*

- *welcomed new Council members and Ms. Wheeler as the new Clerk of Council, pending Mrs. Slagle's retirement.*
- *department performance measures will be presented at an upcoming workshop.*
- *a February Council retreat will be scheduled to consider goals.*
- *explained the development process, from pre-application to Planning Commission application to Council approval.*
- *staff signed note issuances this week; the City obtained a very favorable interest rate, thanks to its outstanding bond rating.*
- *fireworks last weekend were very successful and the event was beneficial for downtown merchants.*
- *announced that the City will be closed on Thursday and Friday during the last two weeks of December.*

## 11. Appointments

*Mr. Foster said that the City is accepting applications for the Environmental Awareness Committee until 4:30 pm on December 10, 2021, and encouraged interested residents to apply.*

*Mayor Shubert recessed the meeting at 8:43 p.m., and he reconvened the meeting at 8:53 p.m.*

## 12. Suspension of the Rules for the Consent Agenda

**A motion was made by Mr. Foster, seconded by Mrs. Bigham, 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:** 7 - Mrs. Bigham, Mr. Foster, Mrs. Heater, Mrs. Kowalski, Ms. Schlademan, Mr. Sutton and Mr. Banweg

### Approval of the Consent Agenda

**A motion was made by Mr. Foster, seconded by Mrs. Bigham, to approve the Consent Agenda. Mayor Shubert declared passage of the Consent Agenda after the motion carried by the following vote:**

**Aye:** 7 - Mr. Foster, Mrs. Heater, Mrs. Kowalski, Ms. Schlademan, Mr. Sutton, Mr. Banweg and Mrs. Bigham

- A. [21-0106](#) A Motion to appoint Councilmen Foster and Sutton to serve as Representatives to the Volunteer Fire Fighters' Dependents Fund Board for the 2022 Term.**  
**Brief Description:** On an annual basis, City Council must appoint two of its members to serve on the Volunteer Fire Fighters' Dependents Fund Board (VFFDFB), and Councilmen Foster and Sutton have expressed interest in serving.

**Motion No. 21-0106 was passed on the Consent Agenda.**

- B. [21-142](#) AN ORDINANCE ACCEPTING DEDICATION OF THE PUBLIC STREETS, EASEMENTS, AND PUBLIC IMPROVEMENTS WITHIN THE RESERVE AT RIVER OAKS PHASES III AND IV**

**SUBDIVISIONS; AND DECLARING AN EMERGENCY.**

***Brief Description:*** Subdivision improvements have been installed and public right-of-way has been dedicated at Reserve at River Oaks Subdivision Phases III and IV. The applicant is requesting that City Council accept the dedication of these improvements and right-of-way.

***Attachments:*** [River Oaks Phasing Plan](#)  
[Engineers Acceptance](#)  
[Ordinance No. 21-142](#)

**Ordinance No. 21-142 was passed on the Consent Agenda.**

- C. [21-143](#) **AN ORDINANCE ACCEPTING DEDICATION OF THE PUBLIC STREETS, EASEMENTS, AND PUBLIC IMPROVEMENTS WITHIN THE LAKE CHRISTINE SUBDIVISION; AND DECLARING AN EMERGENCY.**

***Brief Description:*** Subdivision improvements have been installed for the Lake Christine Subdivision. The applicant is requesting that City Council to accept the dedication of these improvements and right-of-way.

***Attachments:*** [Lake Christine Subdivision Plan](#)  
[Engineers Acceptance](#)  
[Ordinance No. 21-143](#)

**Ordinance No. 21-143 was passed on the Consent Agenda.**

- D. [21-144](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE ASSIGNMENT OF A COMMUNITY REINVESTMENT ACT AGREEMENT FROM HUDSON 21, LLC TO AURORA 725 STREETSBORO, LLC.**

***Brief Description:*** This Resolution will authorize the assignment of a CRA Agreement from Hudson 21, LLC, to Aurora 725 Streetsboro, LLC. The assignment will allow Aurora 725 Streetsboro, LLC, to receive the benefits prescribed in the original agreement.

***Attachments:*** [Resolution No. 21-144](#)

**Resolution No. 21-144 was passed on the Consent Agenda.**

- E. [21-145](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE ASSIGNMENT OF A COMMUNITY REINVESTMENT ACT AGREEMENT FROM HUDSON 42, LLC TO AURORA 6288 HUDSON, LLC.**

***Brief Description:*** This Resolution will authorize the assignment of a CRA Agreements from Hudson 42, LLC, to Aurora 6288 Hudson, LLC. The assignment will allow Aurora 6288 Hudson, LLC, to receive the benefits prescribed in the original agreement.

Attachments:      [Resolution No. 21-145](#)

Resolution No. 21-145 was passed on the Consent Agenda.

- F.      [21-146](#)      **A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE ASSIGNMENT OF A COMMUNITY REINVESTMENT ACT AGREEMENT FROM HUDSON 125, LLC TO AURORA 6279 HUDSON, LLC.**  
***Brief Description:*** This Resolution will authorize the assignment of a CRA Agreement from Hudson 125, LLC, to Aurora 6279 Hudson, LLC. The assignment will allow Aurora 6279 Hudson, LLC, to receive the benefits prescribed in the original agreement.  
Attachments:      [Exhibit A - Pilot Agreement with City/Premier/Schools](#)  
                                 [Resolution No. 21-146](#)

Resolution No. 21-146 was passed on the Consent Agenda.

- G.      [21-147](#)      **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIGNAL SERVICE COMPANY FOR FLASHING SCHOOL ZONE SPEED LIMIT SIGNS AT THE WESTERN RESERVE ACADEMY SCHOOL.**  
***Brief Description:*** The project will include the installation of flashing school zone signs at various locations within the school zone on streets near Western Reserve Academy.  
Attachments:      [Location Map](#)  
                                 [Flashing School Zone Sign Example Photo](#)  
                                 [Resolution No. 21-147](#)

Resolution No. 21-147 was passed on the Consent Agenda.

- H.      [21-148](#)      **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE MATERIAL TERMS OF THE ONEOHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONEOHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT AND TO SIGN THE ONEOHIO SUBDIVISION PARTICIPATION FORM ALL RELATIVE TO THE JANSSEN SETTLEMENT; AND DECLARING AN EMERGENCY.**  
***Brief Description:*** In 2019, the State of Ohio negotiated OneOhio, a state-local government allocation agreement concerning any future opioid settlements. Through OneOhio, a negotiating committee and a mechanism for allocation and distribution of funds was established. Recently, through the OneOhio agreement, Ohio AG Yost and attorneys for Ohio political

subdivisions negotiated a proposed settlement with Janssen opioid distributors (Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.). For local governments like Hudson to participate in the proposed settlement, City Council must pass legislation authorizing Hudson to sign the OneOhio Participation Form and agree to the material terms of the proposed settlement.

Attachments: [Resolution No. 21-148](#)

Resolution No. 21-148 was passed on the Consent Agenda.

### 13. Legislation

- A. [21-141](#) **AN ORDINANCE AMENDING CHAPTER 1205, “ZONING DISTRICTS - CITY OF HUDSON ZONING MAP,” CHAPTER 1206, “USE REGULATIONS,” AND CHAPTER 1213, “DEFINITIONS,” OF THE LAND DEVELOPMENT CODE TO INCORPORATE REGULATIONS TO CONDITIONALLY PERMIT FIREWORKS STORAGE AND FIREWORKS RETAIL FACILITIES.**

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[Hudson's Supplemental Disaster Info](#)  
[Ordinance No. 21-141](#)

Mayor Shubert read the title of Ordinance No. 21-141, which constituted its second reading.

- B. [21-149](#) **A RESOLUTION REPEALING RESOLUTION NO. 21-116 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH FAIRMOUNT PROPERTIES, LLC FOR THE SALE OF THE REAL PROPERTY LOCATED IN THE DOWNTOWN AREA ADJACENT TO THE FIRST & MAIN DEVELOPMENT IN THE CITY OF HUDSON, OHIO; AND DECLARING AN EMERGENCY.**

**Brief Description:** This Resolution, proposed by Councilman Foster, is intended to repeal Resolution No. 21-116 while simultaneously authorizing the sale of



property in the downtown area to Fairmount Properties for development of Downtown Phase 2 pursuant to terms that are different than those terms authorized by Resolution No. 21-116.

Attachments:     [Resolution No. 21-149 \(as introduced 12-7-21\)](#)  
                          [Resolution No. 21-149 \(as revised 12-14-21\)](#)

*Responding to Mrs. Kowalski's question, Mr. Foster explained that emergency language has been included to avoid further delay after three readings.*

**Mayor Shubert read the title of Resolution No. 21-149, which constituted its first reading.**

#### **14. Executive Session**

**A motion was made by Mr. Foster, seconded by Mr. Banweg, to enter into executive session to consider the appointment of a public employee. Mayor Shubert recessed the meeting at 9:02 p.m. after the motion carried by the following vote:**

**Aye:** 7 - Mrs. Heater, Mrs. Kowalski, Ms. Schlademan, Mr. Sutton, Mr. Banweg, Mrs. Bigham and Mr. Foster

*Mayor Shubert reconvened the meeting at 9:26 p.m.*

#### **15. Adjournment**

**There being no further business, Mayor Shubert adjourned the Council meeting at 9:26 p.m.**

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**Craig A. Shubert, Mayor**

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**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.*