



City of Hudson, Ohio

Meeting Minutes - Draft

City Council

David A. Basil, Mayor

Hamilton DeSaussure, Jr., President of Council (At-Large)

Dennis N. Hanink, Council Member (Ward 1)

Alex D. Kelemen, Council Member (Ward 3)

Keith W. Smith, Council Member (Ward 4)

Casey M. Weinstein, Council Member (Ward 2)

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

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

Jane Howington, City Manager

R. Todd Hunt, City Solicitor

Elizabeth A. Slagle, Clerk of Council

Tuesday, December 15, 2015

6:15 PM

Town Hall

1. Call to Order

Mayor Basil called to order the meeting of Hudson City Council at 6:21 p.m.

2. Roll Call

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

Absent: 3 - Mr. DeSaussure, Mr. Hanink and Mr. Smith

4. Executive Session

A motion was made by Mr. Wooldredge, seconded by Mr. Kelemen, that Council enter into executive session to interview applicants for the Planning Commission, pursuant to Ohio Revised Code Section 121.22 (G)(1). Mayor Basil recessed the meeting at 6:22 p.m. after the motion carried by unanimous voice vote.

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

Mr. Smith entered the meeting at 6:31 p.m., and Mr. DeSaussure entered at 7:23 p.m. Mayor Basil reconvened the meeting at 7:30 p.m.

4. Pledge of Allegiance to the Flag

Roll Call

Present: 6 - Mr. DeSaussure, Mr. Kelemen, Mr. Smith, Mr. Weinstein, Dr. Williams and Mr. Wooldredge

Absent: 1 - Mr. Hanink

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Comeriato, Assistant City Manager for Operations; Mr. Knoblauch, Finance Director; Mr. Leiter, Production Assistant; Mr. Powell, Public Works Superintendent - Utilities; Ms. Roberts, Communications Manager; and Mr. Varnes, Fire/EMS Chief.

5. Approval of the Minutes

- A. [15-0148](#) **MINUTES OF PREVIOUS COUNCIL MEETINGS.**
Executive Summary: Draft minutes of previous meetings are provided for City Council's review and approval.
Attachments: [December 1, 2015 Council Meeting Minutes - DRAFT](#)
[December 8, 2015 Council Workshop Minutes - DRAFT](#)

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

6. Public Comments

Mr. Michael Arbaugh, 1571 Hobart Avenue in Akron, said that he has researched local history, including a genealogical study of deceased local veterans. He expressed concern that graves of veterans and native Americans be respectfully and properly marked. Mayor Basil said that the City of Hudson values its history, and he asked staff to contact Mr. Arbaugh. Mr. DeSaussure said that the City's Veterans Way Park honors veterans, but he noted that there had been significant deliberation among Park Board members regarding naming the the park after a native American chieftain. He said that Hudson has a vibrant historical society that oversees matters of local historic importance.

7. Correspondence and Council Comments

None.

8. Report of Manager

None.

9. Appointments

A motion was made by Mr. DeSaussure, seconded by Dr. Williams, that Mr. Robert Kagler be re-appointed to the Planning Commission for a full term commencing in January 2016. The motion carried by the following vote:

Aye: 6 - Mr. Kelemen, Mr. Smith, Mr. Weinstein, Dr. Williams, Mr. Wooldredge and Mr. DeSaussure

10. Consent Agenda

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 to allow for passage of items on the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mr. Smith, Mr. Weinstein, Dr. Williams, Mr. Wooldredge, Mr. DeSaussure and Mr. Kelemen

Approval of the Consent Agenda

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

Aye: 6 - Mr. Weinstein, Dr. Williams, Mr. Wooldredge, Mr. DeSaussure, Mr. Kelemen and Mr. Smith

- A. [15-0149](#) **A MOTION TO ACKNOWLEDGE THE TIMELY RECEIPT OF THE NOVEMBER 2015 MONTHLY FINANCIAL REPORT.**
Executive Summary: Financial summaries are provided each month for Council's review.
Attachments: [Nov 2015 Financial Report](#)

This motion was approved on the Consent Agenda.

- B. [15-192](#) **A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL TO CONTINUE COMMUNITY REINVESTMENT AREA AGREEMENTS AND JOB CREATION GRANT PROGRAM AGREEMENTS WITH THE CITY OF HUDSON, COUNTY OF SUMMIT; AND DECLARING AN EMERGENCY.**
Executive Summary: The City has established a Tax Incentive Review Council (TIRC) which periodically reviews each CRA and Job Creation Grant agreement, to review each business's compliance with each agreement, and to make a recommendation to continue, modify or terminate said agreements. The duly appointed TIRC met on October 15, 2015, reviewed each CRA and Job Creation Grant agreement and made certain recommendations to City Council.
Attachments: [Resolution No. 15-192](#)

Resolution No. 15-192 was passed on the Consent Agenda.

- C. [15-193](#) **A RESOLUTION TERMINATING A JOB CREATION GRANT AGREEMENT WITH BEAUTY SYSTEMS, LLC.**
Executive Summary: Pursuant to Resolution No. 10-105, adopted on August 18, 2010, the City of Hudson entered into a Job Creation Grant agreement with Beauty Systems, LLC as an incentive for the business to invest in the community. Subsequently Council adopted Resolution No. 14-158 calling for a modification of said agreement, reducing the grant from 35% to 25% for the remainder of the 5-year term. Because the company has made the decision to close its Hudson office, the Tax Incentive Review Council (TIRC), at its October 15, 2015, meeting recommended termination of this agreement.

Attachments: [Resolution No. 15-193](#)

Resolution No. 15-193 was passed on the Consent Agenda.

- D. [15-194](#) **AN ORDINANCE AMENDING ORDINANCE NO. 14-139, MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HUDSON DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015 BY MAKING ADDITIONAL AND/OR AMENDED APPROPRIATIONS RELATED TO THE FOURTH QUARTER OF 2015.**

Executive Summary: This Ordinance will amend the 2015 budget for additional and/or amended appropriations as listed in the attached Exhibit A.

Attachments: [Exhibit A - 4th Q Approp 2015](#)
 [Ordinance No. 15-194](#)

Ordinance No. 15-194 was passed on the Consent Agenda.

- E. [15-195](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR PHASE II PROFESSIONAL SERVICES FOR ENVIRONMENTAL STUDIES FOR THE PROJECT TO RELOCATE HUDSON PUBLIC POWER, THE SCHOOL DISTRICT BUS GARAGE AND CITY SALT STORAGE STRUCTURES; AND DECLARING AN EMERGENCY.**

Executive Summary: As part of the continued preparations for Downtown Phase II, City Staff is now prepared to award a contract for Phase II professional services for environmental studies of the Hudson Public Power, salt dome and school bus garage sites.

Attachments: [Resolution No. 15-195](#)

Resolution No. 15-195 was passed on the Consent Agenda.

- F. [15-196](#) **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER, DURING THE YEAR 2016, TO ADVERTISE FOR BIDS OR TO UTILIZE THE VARIOUS GOVERNMENTAL COMPETITIVE PURCHASING PROGRAMS FOR CONSTRUCTION MATERIALS, SUPPLIES, SERVICES, EQUIPMENT, AND VEHICLES FOR THE SELECTION OF THE LOWEST AND BEST BIDDER TO BE DETERMINED BY COUNCIL; AND DECLARING AN EMERGENCY.**

Executive Summary: This annual Resolution allows the Public Works Department to advertise for bids, obtain competitive pricing, and recommend contract awards for those items, contracts and projects that will exceed \$25,000 based on the 2016 approved budget.

Attachments: [2016 Permission Contracts Projects Materials and Equipment Dec 8 Revised](#)
[Resolution No. 15-196](#)

Resolution No. 15-196 was passed on the Consent Agenda.

- G. [15-197](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE EQUIPMENT, MATERIALS AND SUPPLIES FOR THE CITY'S PUBLIC UTILITY OPERATIONS ON AN AS-NEEDED BASIS.**

Executive Summary: This resolution requests permission allowing the Public Works Department to make purchases of supplies, parts and materials in the operational area of the municipal utilities that will exceed \$25,000 based on the 2016 approved budget.

Attachments: [2016 Permission Contracts Projects Utilities Final](#)
[Resolution No. 15-197](#)

Resolution No. 15-197 was passed on the Consent Agenda.

- H. [15-198](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SIEMENS INDUSTRY, INC. FOR THE PURCHASE OF PROTECTIVE RELAY AND BREAKER EQUIPMENT; AND DECLARING AN EMERGENCY.**

Executive Summary: Authorization for the City Manager to enter into a purchase agreement with Siemens Industry Inc. for the purchase of protective relay and breaker equipment necessary for the electrical distribution system.

Attachments: [Breaker Cost Tab](#)
[Resolution No. 15-198](#)

Resolution No. 15-198 was passed on the Consent Agenda.

- I. [15-199](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SUMMIT COUNTY PUBLIC DEFENDER'S COMMISSION FOR DEFENSE OF INDIGENT DEFENDANTS IN THE STOW MUNICIPAL COURT; AND DECLARING AN EMERGENCY.**

Executive Summary: The City enters into an Agreement with the Summit County Public Defender's Commission annually for the defense of indigent defendants.

Attachments: [Summit County Public Defender's Commission Agreement](#)
[Resolution No. 15-199](#)

Resolution No. 15-199 was passed on the Consent Agenda.

- J. [15-200](#) **A RESOLUTION AUTHORIZING ADVANCES OF LOCAL TAXES; AND DECLARING AN EMERGENCY.**

Executive Summary: Ohio Revised Code Section 321.34, requires all local authorities entitled to advancement of funds must submit a resolution authorizing advances of local taxes each year. This resolution entitles the City to receive tax advances from Summit County for 2016.

Attachments: [Resolution No. 15-200](#)

Resolution No. 15-200 was passed on the Consent Agenda.

- K. [15-201](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SUMMACARE FOR CERTAIN HEALTH BENEFIT PLAN SERVICES; AND DECLARING AN EMERGENCY.**

Executive Summary: The City of Hudson provides certain (medical and prescription drug coverage) health benefits to regular full-time city employees. The attached legislation seeks Council's authorization for the City Manager to enter into a contract with SummaCare for certain health benefit plan services for the period of January 1, 2016 thru December 31, 2016.

Attachments: [Resolution No. 15-201](#)

Resolution No. 15-201 was passed on the Consent Agenda.

- L. [15-202](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH QUALITE, LLC FOR ATHLETIC FIELD LIGHTING REPLACEMENT AT OAK GROVE PARK; AND DECLARING AN EMERGENCY.**

Executive Summary: Staff is seeking to purchase lighting structures to replace existing athletic field lighting at Oak Grove Park.

Attachments: [OG Light Quote](#)
[Resolution No. 15-202](#)

Resolution No. 15-202 was passed on the Consent Agenda.

- M. [15-203](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LIFE FORCE MANAGEMENT, INC. FOR THE PROVISION OF BILLING, COLLECTION AND RELATED SERVICES; AND DECLARING AN EMERGENCY.**

Executive Summary: This resolution allows the City of Hudson to contract with a new third party vendor that specializes in ambulance billing to manage its patient billing accounts. The practice of using a third party vendor has been in place in Hudson since ambulance user fees were first established in July of 2004.

Attachments: [Life Force Management Billing Services Agreement](#)
[Resolution No. 15-203](#)

Resolution No. 15-203 was passed on the Consent Agenda.

- N. [15-204](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEAD PUBLIC AGENCY (“LPA”) NON-FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE VALLEY VIEW STORM WATER POND PROJECT (PID# 101636); AND DECLARING AN EMERGENCY.**

Executive Summary: This project is for the construction of a storm water pond located on the north side of I-80, south of Valley View Road and west of SR 91. This detention pond will aid in intercepting runoff from the turnpike, and other upstream areas.

Attachments: [LPA Agreement \(101636\)](#)
[Location Map](#)
[Resolution No. 15-204](#)

Resolution No. 15-204 was passed on the Consent Agenda.

- O. [15-205](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR A LITTER MANAGEMENT GRANT.**

Executive Summary: The Ohio Environmental Protection Agency awards Litter Management Grants for the purpose of supporting community-based litter collection.

Attachments: [Resolution No. 15-205](#)

Resolution No. 15-205 was passed on the Consent Agenda.

- P. [15-206](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE STATE FUNDED CLEAN OHIO TRAILS FUND GRANT.**

Executive Summary: The Clean Ohio Trails Fund provides up to 75 percent of funding for new recreational trail construction.

Attachments: [Resolution No. 15-206](#)

Resolution No. 15-206 was passed on the Consent Agenda.

- Q.** [15-207](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE FEDERALLY FUNDED RECREATIONAL TRAILS PROGRAM.**

Executive Summary: The Recreational Trails program provides up to 80 percent of funding for new recreational trail construction.

Attachments: [Resolution No. 15-207](#)

Resolution No. 15-207 was passed on the Consent Agenda.

- R.** [15-208](#) **A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF HUDSON IN 2016 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: Staff is requesting permission to use govdeals.com to dispose of unneeded, obsolete or unfit equipment. This is a required annual renewal of agreement for Govdeals online auction services.

Attachments: [Resolution No. 15-208](#)

Resolution No. 15-208 was passed on the Consent Agenda.

Items Removed from the Consent Agenda

- S.** [15-209](#) **AN ORDINANCE AMENDING ORDINANCE 15-79 BY ELIMINATING THE FUND ENTITLED “BROADBAND SERVICE FUND (510)” AND CREATING THE “BROADBAND CAPITAL FUND (402)”;** AND DECLARING AN EMERGENCY.

Executive Summary: This is to change the Broadband Services Fund from an Enterprise Fund to a Capital Projects Fund to account for the capital portion of the broadband project that is funded with debt proceeds. The operating revenue and expenses will be recorded in a separate cost center within the General Fund.

Attachments: [Ordinance No. 15-209](#)

Mr. Kelemen asked that Ordinance No. 15-209 be removed from the Consent Agenda for separate consideration. He expressed concern regarding changing the status of the Broadband Fund from an enterprise fund to a capital fund, because there may be potential misuse of funds by a future Council. Mr. Wooldredge sympathized but supported passage of the Ordinance, saying that it gives Council flexibility to utilize profits of the General Fund as needed and that broadband should be run as a business within the General Fund. Mr. DeSaussure agreed that flexibility is needed, and that broadband should not be a restricted fund. Mayor Basil observed that the other utilities offered by the City have defined service areas and cannot be expanded.

A motion was made by Mr. Kelemen, seconded by Mr. Wooldredge, to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow for passage of Resolution No. 15-209. The motion carried by the following vote:

Aye: 6 - Dr. Williams, Mr. Wooldredge, Mr. DeSaussure, Mr. Kelemen, Mr. Smith, and Mr. Weinstein

A motion was made by Mr. DeSaussure, seconded by Mr. Smith, to pass Ordinance No. 15-209. The motion carried by the following vote:

Aye: 5 - Mr. Wooldredge, Mr. DeSaussure, Mr. Smith, Mr. Weinstein and Dr. Williams
Nay: 1 - Mr. Kelemen

11. Legislation

- A. [15-190](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR THE ACQUISITION AND OPERATION OF SANITARY SEWER FACILITIES IN THE CITY OF HUDSON BY THE COUNTY OF SUMMIT, AND DECLARING AN EMERGENCY.**

Executive Summary: The City Manager is requesting legislation for the City of Hudson, Ohio ("City") to enter into an agreement with Summit County Department of Environmental Services ("County") for the transfer of ownership of the Hudson Sanitary Sewer System ("System") to the County.

Attachments: [Resolution No. 15-190](#)

Mayor Basil read the title of Resolution No. 15-190, which constituted its third reading.

A motion was made by Mr. DeSaussure, seconded by Dr. Williams, to pass Resolution No. 15-190. The motion carried by the following vote:

Aye: 6 - Mr. DeSaussure, Mr. Kelemen, Mr. Smith, Mr. Weinstein, Dr. Williams and Mr. Wooldredge

With passage of Resolution No. 15-190, Mr. Wooldredge commented that the City has made a very wise decision to sell the sanitary sewer system to Summit County. Mr. DeSaussure agreed, saying that this is a win/win situation for the City and County.

- B. [15-72](#) **AN ORDINANCE AMENDING SECTIONS 1042.03 AND 1042.04 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE REVISING SEWER RATES FOR THE MUNICIPALITY.**

Executive Summary: This ordinance will amend the City's sewer rates.

Attachments: [Ordinance No. 15-72](#)

Mayor Basil read the title of Ordinance No. 15-72, which constituted its third reading.

Mr. Wooldredge questioned the intention of Council to increase sewer rates, and Mr. DeSaussure explained that Ordinance No. 15-72 will not be necessary once a final agreement with Summit County is executed, as authorized by Resolution No. 15-190; and that sewer rates are not anticipated to be raised by Summit County.

A motion was made by Mr. DeSaussure, seconded by Mr. Smith, to table Ordinance No. 15-72 until the City Council meeting of January 19, 2016. The motion carried by the following vote:

Aye: 6 - Mr. Kelemen, Mr. Smith, Mr. Weinstein, Dr. Williams, Mr. Wooldredge and Mr. DeSaussure

C. [15-124](#) **AN ORDINANCE ADOPTING THE 2015 COMPREHENSIVE PLAN.**

Executive Summary: The ordinance would adopt the City's update to the Comprehensive Plan.

Attachments: [20150914 PC Staff Report with attachments](#)
[20151012 PC Decision](#)
[Hyperlink to Draft Plan](#)
[20151112 Comp Plan Draft Goals](#)
[20151201 Council Comments on Draft Comp Plan](#)
[Ordinance No. 15-124](#)

Mayor Basil read the title of Ordinance No. 15-124, which constituted its third reading.

Mayor Basil said that Council is scheduled to discuss Ordinance No. 15-124 at the January 12, 2016, workshop.

D. [15-188](#) **A RESOLUTION ADOPTING IN CONCEPT THE CITY OF HUDSON FIVE-YEAR PLAN 2016-2020.**

Executive Summary: This resolution adopts in concept the City's Five-Year Plan.

Attachments: [2016-2020 Draft Five-Year Plan 11.13.2015](#)
[2016-2020 Amended General Fund Five-Year Plan 12.15.2015](#)
[Resolution No. 15-188](#)

Mayor Basil read the title of Resolution No. 15-188, which constituted its third reading.

A motion was made by Dr. Williams, seconded by Mr. DeSaussure, to pass Resolution No. 15-188. The motion carried by the following vote:

Aye: 6 - Mr. Smith, Mr. Weinstein, Dr. Williams, Mr. Wooldredge, Mr. DeSaussure and Mr. Kelemen

E. [15-189](#) **AN ORDINANCE TO MAKE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HUDSON, COUNTY OF SUMMIT, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016.**

Executive Summary: This Ordinance establishes the City's budget for 2016.

Attachments: [Ordinance No. 15-189](#)
[Ordinance No. 15-189 \(AS AMENDED 12-15-2015\)](#)

Mayor Basil read the title of Ordinance No. 15-189, which constituted its third reading.

A motion was made by Mr. Wooldredge, seconded by Mr. DeSaussure, to pass Ordinance No. 15-189. The motion carried by the following vote:

Aye: 6 - Mr. Weinstein, Dr. Williams, Mr. Wooldredge, Mr. DeSaussure, Mr. Kelemen and Mr. Smith

12. Executive Session

A motion was made by Mr. DeSaussure, seconded by Mr. Wooldredge, that Council enter into executive session to consider the following matters, pursuant to Ohio Revised Code Section 121.22(G): a personnel matter concerning the employment of a public employee, the sale or purchase of property for public purposes, and a matter concerning utility customer billing. Mayor Basil recessed the meeting at 7:59 p.m. after the motion carried by the following vote:

Aye: 6 - Dr. Williams, Mr. Wooldredge, Mr. DeSaussure, Mr. Kelemen, Mr. Smith and Mr. Weinstein

Mayor Basil reconvened the meeting at 10:00 p.m.

13. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 10:00 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.