



City of Hudson, Ohio

Meeting Minutes - Draft

City Council

Vacant, Mayor

Christopher W. Foster, President of Council & Acting Mayor (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

R. Todd Hunt, Interim City Solicitor

Aparna Wheeler, Clerk of Council

Tuesday, March 15, 2022

6:00 PM

Town Hall
27 East Main Street

Early start for interviews in executive session; regular order of business to begin at 7:30 PM.

1. Call to Order

President Pro Tempore Bigham called to order the meeting of Hudson City Council at 6:03 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

Present: 6 - Mr. Banweg, Mrs. Bigham, Mrs. Heater, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

Absent: 1 - Mr. Foster

Staff in Attendance: Ms. Wheeler, Clerk of Council

2. Executive Session

A motion was made by Mr. Sutton, seconded by Mrs. Heater, to enter into executive session to consider applicants for boards and commissions. President Pro Tempore Bigham recessed the meeting at 6:04 p.m. after the motion carried by the following vote:

Aye: 6 - Mr. Banweg, Mrs. Bigham, Mrs. Heater, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

Executive Session adjourned at 7:15 p.m. Mr. Foster entered the meeting at 7:20 p.m. and reconvened Council meeting at 7:30 p.m.

3. Pledge of Allegiance to the Flag

4. Roll Call

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

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, Interim City Solicitor; Ms. Wheeler, Clerk of Council; Mr. Comeriato, Assistant City Manager - Operations; Mr. Hannan, Community Development Director; Mr. Hutchinson, Assistant Public Works Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; Mr. Leiter, HCTV Production Assistant; and Mr. Sheridan, Assistant City Manager - Professional Services.

5. Approval of the Minutes

A. [22-0029](#) Minutes of Previous Council Meetings

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

Attachments: [February 26, 2022 Council Retreat Minutes - DRAFT](#)
[March 1, 2022 Council Meeting Minutes - DRAFT](#)
[March 8, 2022 Council Workshop Minutes - DRAFT](#)

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

6. Public Comments

None.

7. Correspondence and Council Comments

Mr. Sutton announced that he would be out next week due to surgery.

Mrs. Bigham received an e-mail from a resident in support of an off-leash dog park in Hudson.

Ms. Schlademan gave an update on the Architectural and Historic Board of Review. A bubble tea shop will be opening soon. She also saw an e-mail regarding an off-leash dog park and encouraged residents to comment on Let's Talk Hudson. She also thanked Ms. Howington for her time at the City.

Mr. Foster discussed the selection process for the position of Mayor, with each member choosing six applicants. Those applicants chosen by three or more members will be interviewed. Council will conduct a special meeting on April 12, 2022 to appoint the next Mayor.

8. Report of Manager

Ms. Howington announced that there would be a public meeting regarding downtown pedestrian safety in the lower level of City Hall at 6:00 p.m. on March 16, 2022.

9. Appointments

None.

10. Approval of the Consent Agenda

A motion was made by Mrs. Heater, seconded by Mrs. Bigham, that the Consent Agenda be approved. 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. [22-0017](#) **A Motion to Appoint Thomas J. Sheridan to ~~Acting~~ Interim City Manager Effective March 18, 2022 at 5:01 p.m., and Declaring an Emergency. (as amended)**

Brief Description: Section 5.04-~~5~~ of the City Charter authorizes this Council to appoint an Interim City Manager to exercise the powers and duties of the office of City Manager when that office is vacant and until a City Manager is appointed.

A motion was made by Mr. Sutton, seconded by Mrs. Heater, to amend the Motion to replace "Acting" with "Interim" and to correct the Section code reference from 5.04 to 5.05.

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

A motion was made by Mrs. Heater, seconded by Mrs. Bigham, that this Motion be approved as amended. The motion carried by the following vote:

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

- B. [22-0030](#) **A Motion to Acknowledge the Timely Receipt of the February 2022 Monthly Financial Report**

Brief Description: Financial summaries are provided each month for Council's review.

Attachments: [February 2022 Financial Report](#)

Motion No. 22-0030 passed on the Consent Agenda.

- C. [22-36](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE BIDS AND ENTER INTO A CONTRACT OR CONTRACTS FOR THE 2022 SIDEWALK IMPROVEMENT PROJECTS.**

Brief Description: The projects include new sidewalk installations along the following roadways in Hudson as described in the 2022 Capital Budget: Middleton Road (SR 91 - Highpoint Park), and Stow Road (Pine Trails to Existing Sidewalk).

Attachments: [2022 Sidewalk Segments](#)
[Resolution No. 22-36](#)

Resolution No. 22-36 passed on the Consent Agenda.

- D. [22-37](#) **A RESOLUTION AFFIRMING THE APPLICATION SUBMITTED BY THE CITY MANAGER’S DESIGNEE TO THE OHIO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY MEDICAL SERVICES, FOR AN EMS PRIORITY ONE TRAINING AND EQUIPMENT GRANT ON BEHALF OF HUDSON EMERGENCY MEDICAL SERVICES.**
- Brief Description:** The Ohio Department of Public Safety, Division of Emergency Medical Services, provides a grant to assist EMS with purchase of approved training and equipment. Estimated funding is determined in June, based on the amount of funding available for the program. No matching funds are required.
- Attachments:** [Resolution No. 22-37](#)

Resolution No. 22-37 passed on the Consent Agenda.

- E. [22-38](#) **A RESOLUTION AMENDING RESOLUTION 21-155 THAT AUTHORIZED THE CITY MANAGER, DURING THE YEAR 2022, TO ADVERTISE FOR BIDS OR TO UTILIZE THE VARIOUS CHARTER AUTHORIZED GOVERNMENTAL COMPETITIVE PURCHASING AND ENTER INTO CONTRACTS FOR CONSTRUCTION MATERIALS, SUPPLIES, EQUIPMENT, AND VEHICLES IN ORDER TO PURCHASE A DIGGER DERRICK TRUCK; AND DECLARING AN EMERGENCY.**
- Brief Description:** Resolution 21-155 included the authorization of the City Manager in the year 2022 to replace a bucket truck used during operations by Hudson Public Power. Upon further evaluation it has been determined that the replacement of the bucket truck should be deferred at this time, and a digger derrick truck be replaced instead due to its current conditions.
- Attachments:** [2022 Permission to Bid Award Final](#)
 [Resolution No. 22-38](#)

Resolution No. 22-38 passed on the Consent Agenda.

- F. [22-39](#) **A RESOLUTION AMENDING RESOLUTION 21-155 AUTHORIZING THE CITY MANAGER, DURING THE YEAR 2022, TO ADVERTISE FOR BIDS OR TO UTILIZE THE VARIOUS CHARTER AUTHORIZED GOVERNMENTAL COMPETITIVE PURCHASING AND ENTER INTO CONTRACTS FOR CONSTRUCTION MATERIALS, SUPPLIES, EQUIPMENT, AND VEHICLES IN ORDER TO PURCHASE ROAD SALT; AND DECLARING AN EMERGENCY.**
- Brief Description:** Resolution 21-155 included the authorization of the City Manager to purchase road salt and salt piling services up to \$320,000. The Public Works Department is nearing this total dollar amount and staff wishes to purchase additional salt and piling services to refill the salt domes.

Attachments: [2022 Permission to Bid Award Final](#)
[Resolution No. 22-39](#)

Resolution No. 22-39 passed on the Consent Agenda.

- G. [22-40](#) **A RESOLUTION DECLARING THE CITY’S INTENT TO APPROPRIATE A TEMPORARY EASEMENT INTEREST IN REAL PROPERTY, KNOWN AS PERMANENT PARCEL NO. 30-10358, FOR THE MAKING OF ROADS OPEN TO THE PUBLIC WITHOUT CHARGE; AND DECLARING AN EMERGENCY.**

Brief Description: Acquisition of these parcels is necessary for the improvement of SR 91 South from Stoney Hill Drive to Barlow Road in association with the SR 91 South Widening (PID 106445). The City’s consultant, O.R. Colan Associates, has been diligently trying to acquire the temporary easements, but has been unsuccessful with the properties noted below. Consequently, staff is requesting an emergency clause to keep the project on schedule according to the timetable approved by the Ohio Department of Transportation (ODOT).

Attachments: [Parcel Plan](#)
[Exhibit A - Legal Description](#)
[Resolution No. 22-40](#)

Resolution No. 22-40 passed on the Consent Agenda.

Items Removed from the Consent Agenda

- H. [22-41](#) **A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE FOR A PURCHASE MADE; AND DECLARING AN EMERGENCY.**
Brief Description: 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. 22-41](#)

A motion was made by Mrs. Bigham, seconded by Mr. Sutton, to pass Resolution No. 22-41.

The motion carried by the following vote:

Aye: 6 - Mrs. Kowalski, Ms. Schlademan, Mr. Sutton, Mr. Banweg, Mrs. Bigham and Mr. Foster

Abstain: 1 - Mrs. Heater

Council passed the Consent Agenda without the requisite motion to suspend the rules requiring three readings. Therefore, a special meeting was held on March 22, 2022 to correct the procedural error and pass legislation placed on the March 15, 2022 Consent Agenda.

11. Legislation

- A. [21-160](#) **AN ORDINANCE AMENDING PART TWELVE OF THE CODIFIED ORDINANCES OF HUDSON TO AMEND SECTION 1205.02, THE OFFICIAL ZONING DISTRICT MAP, OF THE LAND DEVELOPMENT CODE WITH RESPECT TO THE "HISTORIC DISTRICT" TO AMEND THE BOUNDARIES OF SAID DISTRICT TO INCLUDE ELM STREET AND ROSLYN AVENUE.**

Brief Description: The expansion of the locally designated Historic District to include Elm Street and Roslyn Avenue requires an amendment to the City of Hudson Zoning Map. The National Register District expansion is near completion allowing for the local designation district expansion to proceed at this time.

Attachments: [City of Hudson Zoning District Map - Current](#)
[PC Decision - HD Expansion](#)
[Historic District Expansion Graphic](#)
[Exhibit A - Boundary description](#)
[Elm and Roslyn Historic Significance](#)
[Public Hearing Notice \(3.1.2022\)](#)
[Memo - 1927 School Building](#)
[Ordinance No. 21-160](#)

A motion was made by Mr. Banweg, seconded by Ms. Schlademan, that Ordinance No. 21-160 be adopted on third reading. The motion carried by the following vote:

Aye: 6 - Mrs. Kowalski, Ms. Schlademan, Mr. Sutton, Mr. Banweg, Mrs. Bigham and Mr. Foster

Abstain: 1 - Mrs. Heater

- B. [22-24](#) **AN ORDINANCE ENACTED PURSUANT TO SECTION 3.01 OF THE CITY CHARTER AMENDING THE WARD BOUNDARIES OF THE CITY IN RESPONSE TO RECEIPT OF THE UNITED STATES CENSUS DATA IN 2020.**

Brief Description: The city administration proposes new ward boundaries to equalize the population among the four (4) ward boundaries as required in Section 3.01 of the City Charter, based on the new 2020 U.S. Census data and the population changes to the City Council Wards.

Attachments: [Ward Map at Merger effective 1-1-94](#)
[Council Wards 2000 Census](#)
[Council Wards 2010 Census](#)
[Council Wards 2020 Census](#)
[Proposed Council Wards 2020 Census \(Exhibit A\)](#)
[Proposed Council Wards 2020 OPTION B 3-8-2022](#)
[Census Blocks 2020](#)
[Public Hearing Notice \(3.1.22\)](#)
[Resolution No. 22-24](#)

Council and city staff discussed new maps and the timing of a public hearing.

A motion was made by Mr. Sutton to postpone action on Ordinance No. 22-24 to the April 19, 2022 meeting. He later withdrew the motion.

A motion was made by Mr. Sutton, seconded by Mrs. Heater, to postpone action on Ordinance No. 22-24 to the Council meeting on May 17, 2022. The motion carried by the following vote:

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

C. [22-25](#)

**AN ORDINANCE AMENDING ORDINANCE NO. 14-153
ESTABLISHING THE INTERCONNECTION POLICY FOR
CONNECTION OF RESIDENTIAL AND/OR COMMERCIAL
SOLAR POWER GENERATION SYSTEMS TO THE CITY OF
HUDSON'S POWER GRID THROUGH AUTHORIZATION OF A
MODEL INTERCONNECTION AGREEMENT AND FEE AND
RATE SCHEDULES THEREFOR.**

Brief Description: The City's current interconnection policy provides for residents and/or businesses to interconnect privately owned solar power generation systems to the Hudson Public Power grid. Staff has been collaborating with electrical engineers to amend the current policy to better align it with advancing technologies within the industry. Staff is asking for an Ordinance approving the amendments and implementing the policy.

Attachments: [Solar Interconnection Packet_rev_5 01172022 -Marked up](#)
[Solar Interconnection Packet_rev_5 01172022](#)
[Ordinance No. 22-25](#)

A motion was made by Mrs. Heater, seconded by Mrs. Bigham, that Ordinance No. 22-25 be adopted on third reading. The motion carried by the following vote:

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

D. [22-26](#)

AN ORDINANCE REPEALING IN ITS ENTIRETY CURRENT

**CHAPTER 226, "CAMPAIGN FINANCE REFORM", OF THE
CODIFIED ORDINANCES AND ENACTING NEW CHAPTER 226,
"CAMPAIGN CONTRIBUTION LIMITS".**

Brief Description: Councilwoman Kowalski has requested Council members consider the need for amendments to Chapter 226 of the City's Codified Ordinances.

Attachments: [Ordinance No. 22-26](#)

Mr. Banweg asked whether entering executive session was appropriate to discuss Mrs. Kowalski's motion. Mr. Hunt responded that Council has the authority to waive attorney-client privilege.

Council entered executive session at 7:54 p.m. and reconvened the regular meeting at 8:06 p.m.

Mrs. Kowalski noted that Council's options regarding the current campaign finance ordinance is to do nothing, repeal it or replace it with different legislation. She thanked Ms. Schlademan and Mr. Banweg for their work on the issue.

Mrs. Heater thanked the other members for their work on the legislation. She stated that she did not receive any residential feedback either way. She believes that the legislation is more complex in nature and is uncomfortable adding penalties to the current ordinance.

Mr. Sutton echoed Mrs. Heater's comments. He also received feedback to keep limits low and solve the political action committee problem but noted that was a federal level decision. He noted that he was not supportive of the new legislation because it was hard to read and does not want to create unforeseen loopholes.

Mr. Banweg received some comments from residents both in support of the new legislation and against. He stated that it was not imperative to pass this legislation but it is still a topic to tackle.

Mrs. Kowalski clarified that the new language did take the burden off of staff.

Mr. Foster commented that the new legislation is difficult to read and while the language was removed, there is still an implied burden on staff.

A motion was made by Mrs. Kowalski, seconded by Ms. Schlademan, to pass Ordinance No. 22-26 and to include discussion of the City Solicitor's recent opinion on campaign contributions. The motion was later withdrawn by Mrs. Kowalski.

A motion was made by Mr. Banweg, seconded by Mrs. Heater, to enter into executive session to obtain advice from the City Solicitor. The motion carried by the following vote:

Aye: 6 - Mrs. Bigham, Mr. Foster, Mrs. Heater, Mrs. Kowalski, Ms. Schlademan and Mr. Banweg

Nay: 1 - Mr. Sutton

A motion was made by Mrs. Bigham, seconded by Mrs. Heater, that Ordinance No. 22-26 be adopted on third reading. The motion failed by the following vote:

Aye: 2 - Mrs. Kowalski and Ms. Schlademan

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

INTO A PURCHASE AND SALE AGREEMENT WITH THE HUDSON COMMUNITY LIVING COMPANY FOR THE SALE OF A PORTION OF THE CITY-OWNED REAL PROPERTY LOCATED ON SOUTH OVIATT STREET (PERMANENT TAX PARCEL NUMBER 3201843); AND DECLARING AN EMERGENCY.

Brief Description: In late 2021, City Council had provided direction to staff regarding the sale and lot split of an existing City owned parcel located on South Oviatt Street (Permanent tax parcel Number 3201843). Hudson Community Living Company (the purchaser) has presented the City with a purchase offer, meeting the City Council directed requirements. Staff requests permission to proceed with the sale and lot split of said parcel (see attached map).

Attachments: [Oviatt Parcel Sale 2022](#)
[Purchase Agreement](#)
[Resolution No. 22-27](#)

A motion was made by Mrs. Heater, seconded by Mrs. Bigham, that Resolution No. 22-27 be adopted on third reading. The motion carried by the following vote:

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

- F. [22-33](#) **AN ORDINANCE AMENDING SECTION 1480.04 OF THE CODIFIED ORDINANCES TITLED “ADDITIONAL PROVISIONS; PUBLIC NUISANCES; WEEDS OR TALL GRASS” TO MODIFY THE DEFINITION OF “PUBLIC NUISANCE” AND ADOPT NEW PROVISIONS RELATED TO THE ABATEMENT THEREOF.**

Brief Description: Proposed amendment to Section 1480.04 to modify the definition of Public Nuisance to address exterior property maintenance concerns.

Attachments: [Ordinance No. 22-33](#)

Mr. Foster read the title of Ordinance No. 22-33, which constituted its second reading.

- G. [22-34](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH JO-ANN STORES SUPPORT CENTER, INC., TO ACQUIRE REAL PROPERTY LOCATED IN HUDSON, OHIO (PERMANENT TAX PARCEL NUMBER 3009204) FOR A PUBLIC PURPOSE; AND DECLARING AN EMERGENCY.**

Brief Description: In December of 2021, City Council authorized City staff to pursue a purchase agreement for property located in Hudson to site a proposed future Public Works Facility. This resolution affirms the City Manager’s action of entering into the agreement and authorizes the purchase of property located in the City of Hudson (Permanent Tax Parcel Number 3009204) for future public

purposes. (See map attached.)

Attachments: [Joann's Parcel Map](#)
 [Purchase and Sale Agreement](#)
 [Resolution No. 22-34](#)

Mr. Foster read the title of Resolution No. 22-34, which constituted its second reading.

- H. [22-35](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT WITH UYS PROPERTIES, LLC, AND ANCHOR SEASONS ROAD OWNER, L.L.C., FOR A MEDICAL OFFICE BUILDING AT 231 SEASONS ROAD (PERMANENT TAX PARCEL NO. 3000016).**

Brief Description: This is a CRA agreement for a 50% property tax exemption for 15 years for the proposed development of a medical office building near the intersection of State Rt 8 and Seasons Rd.

Attachments: [Resolution No. 22-35](#)

Mr. Foster read the title of Resolution No. 22-35, which constituted its second reading.

- I. [22-42](#) **AN ORDINANCE AMENDING PART TWELVE OF THE CODIFIED ORDINANCES OF HUDSON TO AMEND SECTION 1205.02 “OFFICIAL ZONING MAP”, TO REZONE CERTAIN LANDS ON SOUTH OVIATT STREET (SUMMIT COUNTY TAX PARCELS 3200331, 3200328, AND APPROXIMATELY 0.3 ACRES OF PARCEL #3201843) FROM DISTRICT 4 - HISTORIC RESIDENTIAL NEIGHBORHOOD AND DISTRICT 5 - VILLAGE CORE TO DISTRICT 3 - OUTER VILLAGE RESIDENTIAL NEIGHBORHOOD.**

Brief Description: Land Development Code text amendment request to rezone parcel 320031 (presently D5 Village Core) and parcel 3200328 (presenting D4 Historic Residential Neighborhood) and a portion of 3201843 (presenting D4 Historic Residential Neighborhood) to District 3 - Outer Village Residential Neighborhood.

Attachments: [Planning Commission Recommendation](#)
 [Planning Commission Staff Report](#)
 [Applicant Submittal](#)
 [Subject Property](#)
 [Resolution No. 22-42](#)

Mr. Foster read the title of Ordinance No. 22-42, which constituted its first reading.

- J. [22-43](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE SEASONS ROAD WATERLINE PROJECT.**

Brief Description: This work includes the installation of a 12” diameter waterline along the north side of Seasons Road from the existing end of the waterline at 695 Seasons Road to the westerly corporation line with Boston Township.

Attachments: [Project Location Map](#)
[Resolution No. 22-43](#)

Mr. Foster read the title of Resolution No. 22-43, which constituted its first reading.

12. Adjournment

There being no further business, Mr. Foster adjourned the Council meeting at 8:18 p.m.

Christopher W. Foster, President of Council & Acting Mayor

Aparna Wheeler, 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.