



City of Hudson, Ohio

Meeting Minutes - Draft

City Council

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 A. Slagle, Clerk of Council

Wednesday, October 2, 2013

7:30 PM

Town Hall

1. Call to Order

Mayor Currin called to order the meeting of Hudson City Council at 7:30 p.m.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 6 - Mr. Basil, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams and Mr. Wooldredge

Absent: 1 - Mr. DeSaussure

Staff in Attendance: Mr. Bales, City Manager; Mr. Hunt, City Solicitor; Mr. Munn, Public Works Superintendent - Services; Mr. Sheridan, City Engineer; Mrs. Slagle, Clerk of Council.

4. Approval of the Minutes

A. 13-0138

MINUTES OF PREVIOUS COUNCIL MEETINGS.

Attachments: [Workshop Minutes 9-10-13 Proposed Clarification](#)
[Council Meeting Minutes 9-18-13 DRAFT](#)
[Workshop Minutes 9-24-13 DRAFT](#)

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

5. Public Comments

Mr. Jeffrey Sirak, 5890 Nicholson Drive, spoke on behalf of his neighbors who had signed a petition, many of whom were in attendance, regarding the need for a sidewalk along Nicholson

Drive from Barlow Road to West Streetsboro Street. He said that Nicholson Drive is routinely used as a cut-through street, and he expressed concerns regarding distracted driving. He asked that Council consider installation of a sidewalk on Nicholson Drive to protect the safety of pedestrians and cyclists, especially children.

Mr. Neal Peller, 5954 Nicholson Drive, spoke against installation of a sidewalk along Nicholson Drive, expressing concerns regarding the cost of such a project, as well as potential damage to mature trees. Instead, he proposed strict enforcement of the speed limit and stiff fines for offenders.

Mrs. Jennifer Klein, 5929 Nicholson Drive, said that she and her husband have considered relocating their family because of the safety issues on Nicholson Drive, and she spoke in favor of installing a sidewalk.

Mrs. Kim Peller, 5954 Nicholson Drive, said that a sidewalk is not needed on Nicholson Drive, would be too expensive, and would change the neighborhood.

6. Correspondence and Council Comments

Mayor Currin and Mr. Basil thanked Nicholson Drive residents for their comments and perspectives.

Mr. Basil stated that City Council members received information concerning a recent Court of Appeals decision on the Northeast Ohio Regional Sewer District stormwater fee issue, and he asked City staff to prepare a Resolution for Council's consideration, opposing any changes to State statutes that would define stormwater as wastewater.

Mr. Hanink provided information to Council members regarding the importance of the tree canopy and the benefits of planting trees and native plants. He also reported that attendance at a recent meeting of the Brandywine Creek Watershed Partnership included representatives from the communities of Hudson, Macedonia, Northfield Center, Boston Heights, and Twinsburg Township. He said the group is in the process of finalizing a revised Brandywine Creek Watershed Balanced Growth Plan, which will be presented to City Council upon completion later this fall.

Mr. Smith reported that the Ad Hoc Connectivity Committee had a productive first meeting on September 30, 2013, and he complemented City staff on preparation and leadership. He looked forward to Council's receipt of the Committee's recommendations by November 6, 2013.

Mr. Wooldredge reported that Mr. Richardson, he, and other representatives from the Hudson Heritage Association attended a recent Cleveland Restoration Society open house. He was impressed by the Home Heritage Program and said that a number of local residents have benefited by using this program to obtain technical assistance for restoration projects. He encouraged residents with homes that are fifty or more years old to take advantage of this program and free assistance.

Mr. Kelemen announced that October 9, 2013, is Walk and Bike to School Day. He encouraged local participation and asked that drivers be mindful of additional pedestrian and bicycle traffic. He noted that residents will receive a mailing regarding Safe Routes Hudson.

Mr. Kelemen also read a letter from Mrs. Michelle Conklin, 92 South Hayden Parkway, in which she asked that the City address the issue of noncompliance with removal of ice and snow from sidewalks. She expressed safety concerns for students walking to school and suggested that the current Ordinance be strictly enforced and that contractors be hired to remove snow if property owners fail in their responsibilities. (Letter attached to record copy of these minutes). Mr. Kelemen asked that Council discuss this topic at a future workshop.

Mayor Currin encouraged residents to attend Friday's Hudson High School football game in Stow.

7. Report of Manager

Mr. Bales reported upcoming events and City services, including the Fall Hydrant Flushing during October 14-25, 2013, and the Leaf Collection Program during October 28 - December 2, 2013. He said that additional information is available on the City's website. He also noted that Residential Trick or Treat is scheduled on October 31, 2013, and Merchants Trick or Treat on October 24, 2013.

Mr. Bales said that there is no need for Council to hold an executive session this evening.

8. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Wooldredge, seconded by Mr. Basil, to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow for passage of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mr. Basil, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams and Mr. Wooldredge

Approval of the Consent Agenda

A motion was made by Mr. Basil, seconded by Dr. Williams, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge and Mr. Basil

A. 13-0137

A MOTION TO DIRECT THE CLERK TO SEND NOTICE TO THE OHIO DIVISION OF LIQUOR CONTROL, INDICATING NO REQUEST FOR A HEARING REGARDING A NEW PERMIT TO SELL ALCOHOLIC BEVERAGES FOR E & M PARTNERS LLC DBA PEACHTREE SOUTHERN KITCHEN & COCKTAILS, 200 N. MAIN STREET, HUDSON.

Executive Summary: The City is in receipt of a notice dated September 12, 2013, from the Ohio Division of Liquor Control concerning Council's opportunity to request a hearing regarding this permit application.

Attachments: [Liquor Permit for Peachtree Southern Kitchen](#)

This Motion was approved.

B. 13-114

AN ORDINANCE AMENDING SECTIONS 220.03(d) AND 220.031(a) OF CHAPTER 220, "COUNCIL," OF THE CODIFIED ORDINANCES.

Executive Summary: In light of recent enhancements to the City's website and the public availability of meeting recordings, City Council will consider amending the City's Codified Ordinances governing the minutes of City Council meetings to accommodate both a written record and an audio/video recording record to serve as the minutes of Council meetings.

Attachments: [Ordinance No 13-114](#)
[Ordinance No 13-114 \(as amended\)](#)

This Ordinance was adopted on third reading.

- C. 13-119 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH M.A.T. CLEANING SERVICE FOR HOUSEKEEPING / CLEANING SERVICES.

Executive Summary: The Public Works Department wishes to contract with M.A.T. Cleaning Service for general cleaning services for City offices and public buildings.

Attachments: [2014 Cleaning Services Bid Tab](#)
[Resolution No 13-119 \(as amended\)](#)

This Resolution was adopted by suspending the rules.

- D. 13-122 AN ORDINANCE AMENDING THE JOB CREATION GRANT PROGRAM.
Executive Summary: This amendment will add another level for a business to participate in the Job Creation Grant Program. Currently the beginning level is 50 new jobs or \$1 million in new payroll which allows for a 5 year agreement. This amendment will allow a business that commits to 20 new jobs or \$250,000 of new payroll, to receive a grant with a term of 4 years. There are no other proposed changes to the original ordinance.

Attachments: [Ordinance No 05-39 - Existing Job Creation Grant Program](#)
[Hudson Job Creation Grant Program Guidelines - Proposed Changes](#)
[Ordinance No 13-122](#)

This Ordinance was adopted by suspending the rules.

- E. 13-123 AN ORDINANCE AMENDING SECTION 410.04 OF THE TRAFFIC CODE TO ADD A FOUR-WAY STOP INTERSECTION AT DONGAN DRIVE AND WINSLOW DRIVE IN THE CITY OF HUDSON; AND DECLARING AN EMERGENCY.

Executive Summary: A petition was submitted by a Hudson resident to evaluate the intersection of Dongan Drive and Winslow Drive for a four-way stop, speeding, sight distance and accidents. An engineering study was undertaken by TMS Engineer's Inc.

Attachments: [Stop Sign Diagram](#)
[Ordinance No 13-123](#)

This Ordinance was adopted by suspending the rules.

- G. 13-125 A RESOLUTION AMENDING RESOLUTION NO. 13-106 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FIRST CHOICE TREE WORK, LLC FOR TREE PLANTING SERVICES.

Executive Summary: Previous Resolution 13-106 passed on August 21, 2013, stated the contract was a three year contract. This was an error; the contract is a two year contract. This resolution corrects the contract term error.

Attachments: [Resolution No 13-106](#)
[Resolution No 13-125](#)

This Resolution was adopted by suspending the rules.

- H. 13-126 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PERK COMPANY, INC. FOR THE STATE ROUTE 8 CONCRETE ROAD PANEL REPLACEMENT PROJECT; AND DECLARING AN EMERGENCY.**

Executive Summary: This project consists of maintenance of traffic plan; removal of designated road concrete panels and replacement of the panels. The project will have lane closures along SR 8 during construction.

Attachments: [Bid Tabulation-SR 8 Concrete Panels](#)
[Resolution No 13-126](#)

This Resolution was adopted by suspending the rules.

- I. 13-127 A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTRACT FOR THE PURCHASE OF ROAD SALT THROUGH THE COMMUNITY UNIVERSITY EDUCATION PURCHASING ASSOCIATION (C.U.E.) PROGRAM FOR THE 2013-2014 WINTER SEASON; AND DECLARING AN EMERGENCY.**

Executive Summary: The Public Works Department budgets annually for the purchase of road salt for de-icing city streets for winter traffic safety. The Public Works Department seeks City Council approval to purchase road salt from the vendor Cargill Incorporated participating in the CUE (Community, University and Education Purchasing Association).

Attachments: [Resolution No 12-164](#)
[CUE Road Salt Bid Tab 2013-2014](#)
[Resolution No 13-127](#)

This Resolution was adopted by suspending the rules.

- J. 13-128 A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE ROAD SALT CONVEYANCE SERVICES FOR THE 2013-2014 WINTER SEASON; AND DECLARING AN EMERGENCY.**

Executive Summary: Each year the Public Works Department solicits prices for the conveying of delivered road salt into the City salt dome. Staff wishes to award the salt conveying contract for the 2013-2014 winter season to Kolenz Transport, Inc.

Attachments: [Resolution No 12-164](#)
[CUE Road Salt Bid Tab](#)
[Resolution No 13-128](#)

This Resolution was adopted by suspending the rules.

- K. 13-129 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, FOR THE PERIOD OF OCTOBER 3, 2013 THROUGH DECEMBER 31, 2014; AND DECLARING AN EMERGENCY.**

Executive Summary: The proposed legislation seeks approval of the terms and conditions of the collective bargaining agreement that was negotiated between the City Manager's office and representatives of the Ohio Patrolmen's Benevolent Association

on behalf of those bargaining unit members (sergeants) in the City's Police Department, for the period of October 3, 2013 through December 31, 2014. The collective bargaining agreement is on file with the Clerk of Council.

Attachments: [Resolution No 13-129](#)

This Resolution was adopted by suspending the rules.

Legislation

13-124

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE CONTRACT WITH BAUMANN ENTERPRISES FOR THE FORMER YOUTH DEVELOPMENT CENTER HAZARDOUS MATERIALS REMOVAL AND DEMOLITION PROJECT; AND DECLARING AN EMERGENCY.

Executive Summary: The Engineering Staff will be present at the meeting to discuss and obtain councils approval for a change order to the contract for Baumann Enterprises above the 10% contingency previously approved.

Attachments: [YDC Building Location Map](#)

[Resolution No 13-124](#)

Mr. Hanink asked that this Resolution be removed from the Consent Agenda for separate consideration. He explained that he will vote against its passage, because even with removal of the specified slabs containing hazardous materials, the land will still require substantial potential clean-up before future development can occur. He said that the \$100,000 cost could be better spent on more immediate needs elsewhere in the City, such as sidewalks, and he expressed dismay with earlier engineering studies in that such findings were not thoroughly assessed initially. Mr. Wooldredge and Mr. Smith also voiced opposition to passage of this Resolution.

Mr. Basil said that the City will not necessarily incur the cost for removal of all utilities, depending on future development plans. He supported passage of the Resolution, because he believed that costs for removal of hazardous materials will greatly increase in the future, and delaying this action would be deferring to another Council or a property developer, ultimately affecting the land value. Dr. Williams agreed and offered his support, noting also that mobilization costs would be saved if removal is performed now; however, he concurred with Mr. Hanink in expressing frustration that these hazardous materials were not previously identified.

A motion was made by Mr. Hanink, seconded by Mr. Wooldredge, to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow for passage of this Resolution. The motion carried by the following vote:

Aye: 5 - Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge and Mr. Hanink

Nay: 1 - Mr. Basil

A motion was made by Dr. Williams, seconded by Mr. Basil that this Resolution be adopted. The motion failed by the following vote:

Aye: 3 - Dr. Williams, Mr. Basil and Mr. Kelemen

Nay: 3 - Mr. Smith, Mr. Wooldredge and Mr. Hanink

9. Executive Session

None.

10. Adjournment

There being no further business, Mayor Currin adjourned the Council meeting at 8:19 p.m.

William A. Currin, Mayor

Elizabeth Slagle, Clerk of Council