



City of Hudson, Ohio

Meeting Minutes - Final City Council

William A. Currin, Mayor

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

David A. Basil, City Council Member (Ward 2)

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)

Jane Howington, City Manager

R. Todd Hunt, City Solicitor

Elizabeth A. Slagle, Clerk of Council

Wednesday, December 3, 2014

7:30 PM

Town Hall

1. Call to Order

In the absence of Mayor Currin, President of Council DeSaussure called to order the meeting of Hudson City Council at 7:31 p.m.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 7 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, and Mr. Wooldredge

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Knoblauch, Finance Director; Mr. Leiter, Production Assistant; Mr. Munn, Public Works Superintendent - Services; Ms. Roberts, Communications Manager; Mr. Sheridan, City Engineer; Mr. Wiedie, Economic Development Director.

4. Approval of the Minutes

A. [14-0089](#)

MINUTES OF PREVIOUS COUNCIL MEETINGS.

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

Attachments: [November 19, 2014 Council Meeting - Minutes DRAFT](#)

[November 25, 2014 Council Workshop - Minutes DRAFT](#)

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

5. Honorary Resolutions

A. [14-142](#) A RESOLUTION THANKING MR. THOMAS L. VINCE FOR HIS SERVICE TO THE HUDSON COMMUNITY.

Executive Summary: This Resolution provides recognition and thanks to Mr. Thomas Vince for his dedicated service as a member of the Cemetery Board and the Records Commission.

Attachments: [Resolution No 14-142](#)

Mr. DeSaussure read this Resolution in its entirety and thanked Mr. Vince for his dedication and contributions to the Hudson community. Council members Williams, Wooldredge, and Basil also expressed sincere appreciation. Mr. DeSaussure presented a copy of the Resolution to Mr. Vince, who thanked Council and said that it has been a pleasure serving.

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

Aye: 7 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, and Mr. Wooldredge

6. Public Comments

None.

7. Correspondence and Council Comments

Mr. Kelemen commented regarding recent surcharges billed to Akron Water customers in Hudson, saying that many Ward 3 residents have been affected. He looked forward to resolving issues with the City of Akron, and he expressed safety concerns relative to the state of fire hydrants maintained by Akron Water.

Mr. DeSaussure said that Akron Water's recent unilateral action was a move to gain leverage for economic advantage and not in the spirit of cooperation. He said that City Council is contemplating a response.

Dr. Williams congratulated the Hudson High School Football team for a fantastic year and requested an Honorary Resolution be prepared for the next City Council meeting.

8. Report of Manager

Ms. Howington reported on the following projects: State Route 91 road repairs, leaf collection, and the relocation of the ice rink from the First & Main Green to a park location. She also requested that City Council conduct an executive session at the end of the meeting to discuss confidential and privileged matters with the City Solicitor regarding legal disputes involving the public body which may become subject to pending or imminent court action.

9. Appointments

- A. [14-0090](#) **A MOTION TO APPOINT COUNCIL REPRESENTATIVES TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD FOR THE 2015 TERM.**

Executive Summary: On an annual basis, City Council must appoint two members to serve on the Volunteer Fire Fighters' Dependents Fund Board (VFFDFB).

A motion was made by Mr. DeSaussure, seconded by Mr. Wooldredge, to re-appoint Councilmen Hanink and Williams to serve as representatives to the Volunteer Fire Fighters' Dependents Fund Board for the 2015 term. The motion carried by the following vote:

Aye: 7 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, and Mr. Basil

- B. [14-0091](#) **A MOTION TO APPROVE THE APPOINTMENT OF LARRY NICHOLS TO SERVE AS THE CITY OF HUDSON'S REPRESENTATIVE TO THE SUMMIT COUNTY PUBLIC HEALTH DISTRICT'S BOARD OF HEALTH FOR THE CURRENT TERM, EXPIRING ON DECEMBER 31, 2014, AND FOR A NEW TERM COMMENCING ON JANUARY 1, 2015 AND EXPIRING ON DECEMBER 31, 2018.**

Executive Summary: Pursuant to Ohio Revised Code, Section 3709.07, City Council must approve the City Manager's appointment of a City of Hudson representative to serve on the Board of Health.

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, that this motion be approved. The motion carried by the following vote:

Aye: 7 - Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, and Mr. DeSaussure

- C. [14-0092](#) **A MOTION TO APPOINT LARRY NICHOLS TO SERVE AS ALTERNATE TO THE CITY MANAGER ON THE GENERAL HEALTH DISTRICT ADVISORY COUNCIL.**

Executive Summary: Ohio Revised Code, Section 3709.03(A), provides that Hudson's City Manager shall serve on the General Health District Advisory Council, and it further provides that City Council may appoint an alternate.

A motion was made by Mr. Basil, seconded by Mr. Wooldredge, that this motion be approved. The motion carried by the following vote:

Aye: 7 - Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, Mr. DeSaussure, and Mr. Hanink

D. Council Liaison Assignments: Tax Incentive Review Council

Pursuant to Ohio Revised Code Section 5709.85, Mr. DeSaussure appointed Mr. Wooldredge to serve as the Council representative to the Tax Incentive Review Council, and he appointed Mr. Smith to serve as the alternate.

10. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Basil, seconded by Mr. Wooldredge, 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: 7 - Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, Mr. DeSaussure, Mr. Hanink, and Mr. Kelemen

Approval of the Consent Agenda

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

Aye: 7 - Dr. Williams, Mr. Wooldredge, Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, and Mr. Smith

- A. [14-0093](#) **A MOTION DIRECTING 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 MALTED MEEPLE LLC, DBA THE MALTED MEEPLE, 5100 DARROW ROAD, HUDSON.**
Executive Summary: The Clerk is in receipt of a Notice to Legislative Authority dated November 18, 2014, from the Ohio Division of Liquor Control concerning the opportunity to request a hearing regarding this permit.
Attachments: [Notice to Legislative Authority - Malted Meeple Liquor Permit](#)
This motion was approved on the Consent Agenda.
- B. [14-143](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES WITH QUALITY CONTROL INSPECTIONS, INC.; AND DECLARING AN EMERGENCY.**
Executive Summary: The City of Hudson Engineering Department currently performs public inspections with our staff and the City also contracts with a private construction management service on the road programs. In addition to the road programs, the City may decide to utilize the construction management/inspection services on other miscellaneous capital improvement projects and for private developments as they arise within the City.
Attachments: [Resolution No 14-143](#)
This Resolution was approved on the Consent Agenda.
- C. [14-144](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEAD PUBLIC AGENCY (“LPA”) FEDERAL PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SUM-ELLSWORTH PATH PROJECT WITHIN THE SAFE ROUTES TO SCHOOL PROGRAM (PID# 96866); AND DECLARING AN EMERGENCY.**
Executive Summary: This sidewalk project (PID 96866) will include the installation of a concrete sidewalk on Parkside Drive from the intersection of Stow Road to Blue Heron Dr.

Attachments: [Exhibit](#)
[LPA Agreement - Ellsworth Hill SRTS](#)
[Resolution No 14-144](#)

This Resolution was approved on the Consent Agenda.

- D. [14-145](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER A LEAD PUBLIC AGENCY (“LPA”) FEDERAL PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE VETERANS TRAIL PROJECT (PID #97856); AND DECLARING AN EMERGENCY.**

Executive Summary: This trail project (ODOT 97856) will include the construction of a multipurpose path from Barlow Road at the NS Railroad Crossing to Veterans Way Bridge.

Attachments: [Exhibit](#)
[Detailed Aerial View](#)
[LPA Agreement - Veterans Trail SRTS](#)
[Resolution No 14-145](#)

This Resolution was approved on the Consent Agenda.

- E. [14-146](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH HD SUPPLY ITRON UTILITIES COMPANY FOR ELECTRONIC DATA COLLECTION EQUIPMENT FOR THE CITY’S ELECTRIC DISTRIBUTION SYSTEMS; AND DECLARING AN EMERGENCY.**

Executive Summary: The 2014 Hudson Public Power budget provides funding for the purchase of electronic data collectors and repeaters as components of the automatic meter reader system and the power outage management system. HPP Staff is now ready to begin implementing the auto collectors and wishes to place the orders for said equipment.

Attachments: [Itron Electric System Data Collection Equipment Quote](#)
[Resolution No 14-146](#)

This Resolution was approved on the Consent Agenda.

- F. [14-147](#) **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: [Legal Defenders Office Letter Requesting Agreement](#)
[2015 Agreement for Indigent Defense](#)
[Resolution No 14-147](#)

This Resolution was approved on the Consent Agenda.

- G.** [14-148](#) **A RESOLUTION TERMINATING AN AGREEMENT WITH INDUSTRIAL LAND PARTNERS, LLC UNDER THE COMMUNITY REINVESTMENT ACT PROVISIONS; REPEALING RESOLUTION NO. 12-124; AND DECLARING AN EMERGENCY.**
- Executive Summary:*** Resolution No. 12-124 was approved by Hudson City Council on September 5, 2012, to provide a tax abatement under a Community Reinvestment Area Agreement to Industrial Land Partners, LLC for the construction of a 220,000 square foot commercial/industrial building in the Hudson Crossing Business Park.
- Attachments:*** [Resolution No 12-124](#)
 [Resolution No 14-148](#)
- This Resolution was approved on the Consent Agenda.**
- H.** [14-149](#) **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, 2015 thru December 31, 2015.
- Attachments:*** [Resolution No 14-149](#)
- This Resolution was approved on the Consent Agenda.**
- I.** [14-150](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL UNION NO. 436 FOR THE YEARS 2015 THROUGH 2017; AND DECLARING AN EMERGENCY.**
- Executive Summary:*** This legislation seeks approval of the terms and conditions of the collective bargaining agreement that was negotiated by the City Manager with the Teamsters Local Union No. 436 and authorization for the City Manager to enter into said agreement.
- Attachments:*** [Resolution No 14-150](#)
- This Resolution was approved on the Consent Agenda.**
- J.** [14-151](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION FOR PATROL OFFICERS, FOR THE YEARS 2015 THROUGH 2017; AND DECLARING AN EMERGENCY.**
- Executive Summary:*** This legislation seeks approval of the terms and conditions of the collective bargaining agreement that was negotiated by the City Manager with the Ohio Patrolman's Benevolent Association and authorization for the City Manager to enter into said agreement.

Attachments: [Resolution No 14-151](#)

This Resolution was approved on the Consent Agenda.

- K. [14-152](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RAY BERTOLINI TRUCKING CO., INC. FOR HAZARDOUS MATERIALS REMOVAL, DEMOLITION AND OTHER SERVICES AT CITY PROPERTY AT 240 RAVENNA STREET; AND DECLARING AN EMERGENCY.**

Executive Summary: Vacant structures (house and garage) at city-owned parcel 240 Ravenna Street are to be razed and the property returned to green space.

Attachments: [Council Authorization to Bid \(Res. No. 13-157\)](#)
 [240 Ravenna St Demolition Bid 2014](#)
 [Resolution No 14-152](#)

This Resolution was approved on the Consent Agenda.

11. **Legislation**

- A. [14-118](#) **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE “FIRST AMENDMENT TO AGREEMENT OF COOPERATION COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM” WITH THE COUNTY OF SUMMIT; AND DECLARING AN EMERGENCY.**

Executive Summary: Summit County and the Department of Housing and Urban Development are requiring communities that participate in the CDBG and HOME programs to execute amendments to their agreements with the county.

Attachments: [20140904 CDBG Renewal Request](#)
 [CDBG Program Information Presented at 11-5-2014 Council Meeting](#)
 [Resolution No 14-118](#)

Councilmen Williams, DeSaussure, and Basil expressed their intentions to vote against this Resolution. Mr. DeSaussure and Mr. Basil noted that the proposed amendment would obligate the City to Federal Housing and Urban Development statutes that would be detrimental.

Mr. DeSaussure read the title of this Resolution, which constituted its second reading.

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 Resolution No. 14-118. The motion carried by the following vote:

Aye: 7 - Mr. Wooldredge, Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, and Dr. Williams

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

Nay: 7 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, and Mr. Wooldredge

- B.** [14-138](#) **A RESOLUTION ADOPTING IN CONCEPT THE CITY OF HUDSON FIVE YEAR PLAN 2015-2019**
Executive Summary: This resolution adopts the City’s Five Year Plan for 2015-2019.
Attachments: [Five Year Plan 2015 - 2019](#)
 [Resolution No 14-138](#)
- Mr. DeSaussure read the title of this Resolution, which constituted its second reading.
- C.** [14-139](#) **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, 2015 AND ENDING DECEMBER 31, 2015.**
Executive Summary: This Ordinance establishes the City’s budget for 2015.
Attachments: [Ordinance No 14-139](#)
 [Ordinance No. 14-139 \(As amended 12-17-14\)](#)
- Mr. DeSaussure read the title of this Ordinance, which constituted its second reading.
- D.** [14-140](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE IMPACT GROUP FOR CONTINUING THE MARKETING INITIATIVE FOR ECONOMIC DEVELOPMENT IN THE CITY; AND DECLARING AN EMERGENCY.**
Executive Summary: This project involves the award of a contract for marketing services to continue the implementation of the Economic Development Marketing Plan as approved by Council.
Attachments: [City of Hudson Proposal](#)
 [Resolution No 14-140](#)
- Mr. DeSaussure read the title of this Resolution, which constituted its second reading.
- E.** [14-141](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2014-2015 “SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING.”**
Executive Summary: Approval of this resolution would allow for Hudson’s participation in the Summit County Intergovernmental Memorandum of Understanding for Job Creation and Retention and Tax Sharing Agreement for the period from October 1, 2014 to June 30, 2015.
Attachments: [2014-2015 Version - Jobs Preservation MOU - Tracked Changes](#)
 [Resolution No 14-141](#)
- Mr. DeSaussure read the title of this Resolution, which constituted its second reading.

F. [14-153](#) **AN ORDINANCE ESTABLISHING AN INTERCONNECTION POLICY FOR THE 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 FEES THEREFOR.**

Executive Summary: The Hudson Public Power staff has been working in cooperation with electrical design Engineers and the City's legal department to establish a formal interconnection policy and agreement to allow residents and/or businesses to interconnect privately owned solar power generation systems to the Hudson Public Power grid thereby allowing the customer to return unused solar generated electricity back to the power grid and realizing an account credit for the metered return amount (kWh). Public Works staff wishes for City Council to adopt the proposed policy for implementation.

Attachments:

[Interconnection Application](#)

[HPP Interconnection Policy Fees](#)

[HPP Solar Pannel Interconnection Agreement](#)

[Ordinance No 14-153](#)

[Net Metering Rate Schedule for Solar Power Interconnection](#)

[Ordinance No 14-153 \(As amended 12-17-14\)](#)

Mr. DeSaussure read the title of this Ordinance, which constituted its first reading.

G. [14-154](#) **A RESOLUTION NOTIFYING THE COUNTY OF SUMMIT OF THE CITY OF HUDSON'S TERMINATION OF THE AGREEMENT OF COOPERATION COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Executive Summary: Mr. Wooldredge has offered this Resolution to terminate the City's participation in Summit County's CDBG Program.

Attachments:

[Resolution No 14-154](#)

Mr. Wooldredge said that he offered this Resolution because of concerns with HUD (Housing and Urban Development) or another governmental agency imposing standards that the City would be opposed to. Mr. DeSaussure said that the City has been a signatory to the CDBG (Community Development Block Grant) Program with Summit County since 1993, but there are indications nationwide of a more aggressive posture with respect to HUD regulations that tend to overlook local zoning through this type of agreement. Mr. Hanink noted that, along with the failure of Resolution No. 14-118, passage of this Resolution will assure Summit County of City Council's intention to no longer participate in the CDBG Program. Mr. Kelemen said that their concerns and disappointment are not with the County or their administration of the program but with the HUD program terms that the City would have to abide by. Mr. DeSaussure agreed, noting that this is not a reflection on Summit County. Furthermore, he said that it is unfortunate that the County will be impacted by this decision, but the City of Hudson has not received funding in past years, and individual Hudson citizens will still be eligible to apply for CDBG funding, regardless of this decision.

Mr. DeSaussure read the title of this Resolution, which constituted its first reading.

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 Resolution No. 14-154. The motion carried by the following vote:

Aye: 7 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, and Mr. Basil

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

Aye: 7 - Mr. Hanink, Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, and Mr. DeSaussure

12. Executive Session

A motion was made by Mr. Basil, seconded by Mr. Wooldredge, that Council enter into executive session to discuss with the City Solicitor confidential and privileged matters involving disputes involving the public body that may be giving rise to imminent litigation. Mr. DeSaussure recessed the meeting at 8:06 p.m. after the motion carried by the following vote:

Aye: 7 - Mr. Kelemen, Mr. Smith, Dr. Williams, Mr. Wooldredge, Mr. Basil, Mr. DeSaussure, and Mr. Hanink

Mr. DeSaussure reconvened the regular meeting at 9:14 p.m.

13. Adjournment

There being no further business, Mr. DeSaussure adjourned the Council meeting at 9:15 p.m.

Hamilton DeSaussure, Jr., President of Council

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.