



City of Hudson, Ohio

Meeting Minutes - Final City Council

Jeffrey L. Anzevino, Mayor
Christopher W. Foster, President of Council (Ward 2)
Christopher A. Banweg, Council Member (At-Large)
Karen E. Heater, Council Member (At-Large)
Nicole V. Kowalski, Council Member (At-Large)
Scott Ruffer, Council Member (Ward 4)
Katherine R. Schlademan, Council Member (Ward 1)
Skylar J. Sutton, Council Member (Ward 3)

Thomas J. Sheridan, City Manager
John Kolesar, City Solicitor
Aparna Wheeler, Clerk of Council
Elizabeth Slagle, Acting Clerk of Council

Tuesday, September 5, 2023

6:45 PM

Town Hall
27 East Main Street

Early start to Council meeting for interviews in executive session, with regular order of business to begin at 7:30 p.m.

1. Call to Order

Mayor Anzevino called to order the meeting of Hudson City Council at 6:39 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

2. Executive Session

A motion was made by Mr. Foster, seconded by Mr. Banweg, to enter into executive session to interview applicants for the Tree Commission, with those invited to the executive session including Council members, the Mayor, and the applicants. Council entered executive session at 6:40 p.m. after the motion carried by the following vote:

Aye: 5 - Mr. Banweg, Mr. Foster, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

Mayor Anzevino adjourned the executive session at 7:13 p.m. and reconvened the regular meeting at 7:30 p.m.

3. Pledge of Allegiance to the Flag

4. Roll Call

Present: 5 - Mr. Banweg, Mr. Foster, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

Absent: 2 - Mrs. Heater and Mr. Ruffer

Staff in Attendance: Mr. Sheridan, City Manager; Mr. Kolesar, City Solicitor; Mrs. Slagle, Acting Clerk of Council; Mr. Ersing, Assistant IT Director; Mr. Griffith, Assistant Public Works Superintendent; Mr. Hannan, Community Development Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; Mr. Leiter, HCTV Production Assistant; Mr. Powell, Assistant Public Works Director, and Mrs. Reich, Broadband Business Development Manager.

5. Approval of the Minutes

A. [23-0078](#) Minutes of Previous Council Meetings

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

Attachments: [August 15, 2023 Meeting & Workshop Minutes - Draft](#)

A motion was made by Mr. Banweg, seconded by Mr. Sutton, that the Minutes be approved as submitted. The motion carried by the following vote:

Aye: 5 - Mr. Foster, Mrs. Kowalski, Ms. Schlademan, Mr. Sutton and Mr. Banweg

6. Proclamations

A. [23-0079](#) Special Recognition of the Vincent William Baran Day of Service

Brief Description: This Proclamation recognizes the family's on-going community service in the memory of Vincent William Baran. Ben and Lindsay Baran will accept the Proclamation.

Attachments: [Proclamation](#)

Mr. Foster thanked the Baran family and friends for continuing this day of service in Vincent's honor. Vincent's family accepted the Proclamation. His father thanked the community and many volunteers for their ongoing support. He encouraged people to view mightyvincent.org for details of the events scheduled on September 23 and to find out how they can participate and support the effort.

Mayor Anzevino read this Proclamation in its entirety, recognizing Vincent William Baran Day of Service.

B. [23-0080](#) Special Recognition of Hudson Velocity Broadband

Brief Description: This Proclamation recognizes Velocity Broadband as the City celebrates its 500th customer and 8 years of all-fiber internet quality service to the business community. David Griffith, Assistant Public Works Superintendent for Hudson Public Power, will accept the Proclamation.

Attachments: [Proclamation](#)

Ms. Schlademan commented how much her business has benefited from Velocity Broadband. She said that the business community is truly fortunate to have this service and hoped that it could be extended to residents, as well. Velocity Broadband team representatives, Mr. Ersing, Mr. Griffith, and Mrs. Reich, accepted the Proclamation. On behalf of the entire Velocity team, Mrs. Reich expressed thanks to the City's leaders for their support.

Mayor Anzevino read this Proclamation in its entirety, recognizing Hudson Velocity Broadband.

7. Public Comments

Ms. Kathy Olszewski, Stonebridge Court, spoke in opposition to the location of the Ohio Turnpike Construction Yard, which is next to her property. She complained that this location will impede traffic on heavily traveled roads, and the construction noise from the site is disturbing to area residents. She referenced the City's Codified Ordinances, Chapter 648.14(a)(4), regarding peace disturbances, in which any unnecessary, excessive or offensive noise or sounds above the prevailing background sound level are prohibited. She said the construction site denies area residents the peaceful use of their properties and detracts from their quality of life. She asked that Council find another site for the construction yard.

Mr. Jim Squyres, 157 Elm Street, thanked City officials and staff for how well the City is run. He spoke of the adverse affects of climate change, and he urged Council to undertake a greenhouse gas inventory. He also asked Council to endorse, encourage and support the Green Certificate Program. Finally, he asked that Council consider lighting the Green and obtain proposals for such.

Ms. Pam Takayoshi, 7232 Hayward Road, spoke in opposition to the location of the Ohio Turnpike Construction Yard. She said the noise begins at 7 a.m. and lasts all day, which is greatly disturbing. She also expressed traffic concerns. She urged Council to find another location for the construction yard, rather than in this congested, populated area.

Mr. Will Santos, 7535 Valley View Road, spoke in favor of Ordinance No. 23-92 for the installation of a No Turn on Red sign at the Middleton/Stow Roads intersection. He urged Council to pass this Ordinance to increase safety. As an alternative, he asked Council to consider a temporary measure, to be re-evaluated after a trial period.

Mr. Dhiral Patel, Huntington Drive, spoke in opposition to the location of the Ohio Turnpike Construction Yard, which is directly behind his home. He spoke of unpleasant noises emanating from the site throughout the day and the degradation of his property. He suggested that the City work to relocate the yard to the other side of the Turnpike.

Mr. Samuel Stevenot, 7533 Woodspring Lane, spoke in opposition of Ordinance No. 23-92. While he agreed that a crosswalk is needed, he did not support the proposed No Turn on Red signage at the Middleton /Stow Roads intersection.

Mr. Steve Snyder, 7216 Hayward Road, Zoning District 1, Suburban Residential Neighborhood, contested the issuance of a permit for the construction yard serving the Ohio Turnpike as a misinterpretation of the City's Code Section 1206.04(c), specifically relating to the term of the permit and site requirements. He said the construction yard adversely affects neighborhood property values and the area's peace and quiet. He urged Council to revoke the permit, allow for public review of such permit applications, and fix Code Section 1206.04, Temporary Uses.

8. Correspondence and Council Comments

Mr. Sutton reported the following: Council will discuss the Turnpike's temporary use site later during this meeting; Kimble is not abiding by the pick-up days for the City's quadrants, and this must be addressed and enforced; thanked safety services for getting warnings and tornado sirens activated; thanked City Manager and Hudson Public Power for restoring power and gathering information for First Energy to help facilitate restoration; and offered support for a mutual aid agreement with First Energy.

Mr. Banweg thanked Hudson Public Power and emergency services for their storm response efforts, thanked the Barans for their continued leadership and service in the community, and reported that he had met with some residents regarding flashing yellow light crosswalks and will forward suggestions for some potential options for

consideration.

Mrs. Kowalski thanked staff, emergency services, and public works employees; agreed that Kimble's collections have become a significant problem and needs to be addressed; announced that "moon tree" seedlings are available, in partnership with NASA; she expressed disappointment that the Greenhouse Gas Inventory Subcommittee decided not choose to make a recommendation to proceed with an inventory.

Mr. Foster reported that while the Greenhouse Gas Inventory Subcommittee did not agree to bring forward a recommendation for an inventory, the Environmental Awareness Committee is researching grant funding for this purpose. He announced an Open Forum on September 6th at the Library. He reported that the City Manager and he met with the GoRail organization, which allows emergency services to identify rail car contents if there is a derailment. He said that a mutual aid agreement with First Energy is a good opportunity to be more proactive in assisting local residents. He noted that City Council was not involved in the temporary permit issuance for the Turnpike construction site but will consider the issues raised by the public.

Mayor Anzevino thanked all who participated in the Boy Scout Cabin Renovation Project; welcomed Gotham Gym and Ray Recovery to Hudson; thanked those who attended the recent Mayor/City Manager Open Forum; he and Mrs. Kowalski attended a kick-off meeting of the Safe Routes to School Core Team; he will recognize Hudson's Velocity Broadband's 500th customer at upcoming celebration; will attend a playground dedication at Christ Community Chapel, which playground will be open to the public; announced the next Climate Round-Table discussion; congratulated Luke Palumbo on attaining Eagle Scout; and announced the Big Barn Bash to support the Hudson Community Foundation.

9. Report of Manager

Mr. Sheridan provided an update on the following:

- with the start of the new school year, he asked drivers to be careful for students walking, especially in school zones.
- new television monitors were installed at Town Hall, which are more efficient and easier to view.

A. [23-0081](#) City Manager Update on August 25th Storm Event

Brief Description: The City Manager will provide City Council and the Mayor with a brief update on the storm cleanup from the August 25, 2023, storm event in Hudson.

Attachments: [First Energy Mutual Aid Agreement - 2008](#)

Mr. Sheridan reported on the severe weather that struck Hudson on August 25th, providing details of storm damage, emergency calls for assistance, power outages, and restoration/clean up efforts. He encouraged residents to sign up for Code Red Alerts and commended staff for their efforts.

Related topics:

- Staff is working on a mutual aid agreement with First Energy for future Council consideration.
- Mr. Banweg asked that a discussion item be added to a future agenda concerning First Right of Refusal for Extension of Hudson Public Power.

This matter was discussed.

10. Discussion Items

A. [23-0082](#) Ohio Turnpike Construction Yard

Brief Description: Review of the Ohio Turnpike construction yard at Stow Road and applicable temporary use regulations.

Attachments: [Council Memo - Turnpike Construction Yard 8.22.23](#)

Staff provided details about the Ohio Turnpike construction yard at Stow Road and the City's temporary use regulations, explaining that Council cannot revoke or repeal the permit issued, and the only method to revoke the permit is through the court system. Staff explained that the City can deny renewal of the permit after one year. Based on the discussion that followed, staff will work with the contractor to resolve the issues raised by residents, and Council will consider possible amendments to the Code pertaining to temporary uses at a future workshop.

This matter was discussed.

- B. [23-0083](#) Discussion Regarding the City's compliance with the ADA including website compliance, Adopting an ADA Complaint Procedure, Designation of an ADA Coordinator and Options Regarding an ADA Self-Assessment**
Brief Description: Title II of the Americans with Disabilities Act, as amended requires that all state and local government services be accessible to individuals with disabilities. The City must meet certain requirements including designation of an ADA Coordinator, adopting and posting a policy to address ADA issues and performing a self-assessment.

Attachments: [Hudson OH AudioEye](#)
[Draft ADA Policy](#)
[ADA Memorandum](#)

Mr. Kolesar explained that the Americans with Disabilities Act requires all state and local government services to be accessible to individuals with disabilities, and the City is not currently in compliance. The City must meet certain requirements including designating an ADA Coordinator, adopting and posting a policy to address ADA issues, and performing a self-assessment. There was Council consensus to move forward with the appointment of an ADA Coordinator and the adoption of a policy. Council will consider any additional needs and costs for the website and other compliance issues during upcoming budget deliberations.

This matter was discussed.

- C. Request for Transfer of a Permit to Sell Alcoholic Beverages from E&M Partners, LLC (DBA Peachtree Southern Kitchen) to LG Square, Inc. (DBA Revival), 200 North Main Street, Hudson.**

Staff sought Council's direction regarding a preferred action date for item 12A on the Consent Agenda and the possible need for a filing extension. Council discussed the need for this item to go to workshop first, but there was consensus to proceed with action on this agenda.

This matter was discussed.

- D. [23-92](#) AN ORDINANCE PERMITTING THE INSTALLATION AND ENFORCEMENT OF NO TURN ON RED SIGNS AT THE INTERSECTION OF MIDDLETON ROAD AND STOW ROAD PER CHAPTER 414.03(C)4 OF THE CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.**

Brief Description: Per Chapter 414.03(c).4, this Ordinance would allow for the installation and enforcement of NO RIGHT TURN ON RED signs at the intersection of Middleton Road and Stow Road.

Attachments: [TMS Follow Up Report 8-31-23](#)
[Middleton Rd & Stow Rd Pedestrian Count Data](#)
[HPD Summary Middleton & Stow Rd Observations 8-24-23](#)
[Middleton Rd & Stow Rd ADT Map 2023.09.01](#)
[Middleton Rd & Stow Rd Pedestrian Count Data 2023.09.01](#)
[7 Yr Crash Data Summary - Middleton-Stow Intersection](#)
[Middleton Stow Crash Map](#)
[Stow Middleton Crash Reports 2021-2023](#)
[Stow Middleton NTOR Memo 072723](#)
[Ordinance No. 23-92](#)

Mr. Kosco discussed results from a study conducted by the Police Department, which showed very few pedestrians crossing during peak hours. He said that the intersection appears to be working safely and effectively, and the traffic consultant did not recommend that a No Turn on Red sign to be installed at this time. Council considered leaving the intersection as is, continuing to monitor the intersection, and re-evaluating it in the future if new data warrants.

This matter was discussed.

11. Appointments

Mr. Foster noted that both applicants interviewed by Council were excellent candidates.

A motion was made by Mr. Sutton, seconded by Mr. Banweg, that Mr. Scott Welch be appointed to serve on the Tree Commission for a full term expiring on July 5, 2027. The motion carried by the following vote:

Aye: 5 - Mr. Banweg, Mr. Foster, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

12. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Foster, seconded by Mr. Banweg, 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: 5 - Ms. Schlademan, Mr. Sutton, Mr. Banweg, Mr. Foster and Mrs. Kowalski

Approval of the Consent Agenda

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

Aye: 5 - Mr. Banweg, Mr. Foster, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

- A. [23-0084](#) **A Motion Directing the Clerk to Send Notice to the Ohio Division of Liquor Control Indicating No Request for a Hearing Regarding the Transfer of a Permit to Sell Alcoholic Beverages from E&M Partners, LLC (DBA Peachtree Southern Kitchen) to LG Square, Inc. (DBA**

Revival), 200 North Main Street, Hudson.

Brief Description: The Clerk is in receipt of the attached Notice to Legislative Authority dated August 21, 2023, from the Ohio Division of Liquor Control concerning the opportunity to request a hearing regarding this permit. The City must either respond to this Notice or request a one-time, 30-day extension no later than September 18, 2023.

Attachments: [Liquor Permit Transfer from Peach Tree to Revival](#)
[Hyperlink - Permit Classes for Restaurant/Bar](#)

Motion No. 23-0084 was passed on the Consent Agenda.

- B. [23-97](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE WILLOW LAKE DRAINAGE IMPROVEMENT PROJECT WITH THE LOWEST AND BEST BIDDER; AND DECLARING AND EMERGENCY.**
- Brief Description:** This project involves a short-term solution that involves the removal of tall vegetation, regrading of the existing ditch from Eastham Way towards the Norfolk Southern Railroad tracks to alleviate or eliminate flooding within the drainage ditch at a cost of \$100,000, which includes a 10% contingency.
- Attachments:** [Resolution No. 23-97](#)

Resolution No. 23-97 was passed on the Consent Agenda.

- C. [23-98](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE BIDS AND TO ENTER INTO CONTRACT FOR THE W. STREETSBORO STREET SIDEWALK INSTALLATION PROJECT; AND DECLARING AN EMERGENCY.**
- Brief Description:** The project includes the installation of a new sidewalk along W. Streetsboro Street (SR 303) from Nicholson Drive to W. Case Drive.
- Attachments:** [W Streetsboro Rd Sidewalk Nicholon to W Case Exhibit](#)
[Resolution No. 23-98](#)

Resolution No. 23-98 was passed on the Consent Agenda.

- D. [23-99](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF THE OLD TRANSFORMER RELATING TO EASTSIDE SUBSTATION TRANSFORMER REPLACEMENT PROJECT; AND DECLARING AN EMERGENCY.**
- Brief Description:** This project involves the sale and disposal of an existing General Electric Distribution Transformer currently located at the Eastside Substation.
- Attachments:** [Hudson Offer 2](#)
[Resolution No. 23-99](#)

Resolution No. 23-99 was passed on the Consent Agenda.

- E. [23-100](#) **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACT FOR THE PURCHASE OF ONE VEHICLE FOR THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.**
Brief Description: The purchase of one (1) Ford Explorer at Montrose Ford in Fairlawn that is for the Fire/EMS Department. This is part of the 2023 budgeted vehicles for Fire/EMS. This vehicle is being purchased under the State Bid List items.
Attachments: [HFD new Car 5 quote from Montrose Ford](#)
[Ordinance No. 23-100](#)

Ordinance No. 23-100 was passed on the Consent Agenda.

- F. [23-101](#) **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER; AND DECLARING AN EMERGENCY.**
Brief Description: Each year the City is required to pass a resolution accepting the property tax amounts and rates as determined by the County Budget Commission.
Attachments: [Exhibit "A" Certification of Tax Levy Estimate 23TY24CY](#)
[Resolution No. 23-101](#)

Resolution No. 23-101 was passed on the Consent Agenda.

13. Legislation

- A. [23-91](#) **AN ORDINANCE AMENDING CHAPTER 1421, “EROSION AND SEDIMENT CONTROL,” OF THE BUILDING CODE.**
Brief Description: The City of Hudson’s Storm Water Management Plan (SWMP) was developed to address the Environmental Protection Agencies (EPA) National Pollutant Discharge Elimination System (NPDES) requirements for storm water quality regulations. In 2018, the City adopted Codified Ordinance Chapter 1421, “Erosion and Sediment Control”, in order to comply with the EPA’s requirements. As the Ohio EPA has updated its NDPEs requirements, the City must amend its Chapter 1421 to meet the latest EPA’s standards.
Attachments: [Exhibit A Chapter 1421 - Erosion and Sediment Control - Redlined 6-29-2023](#)
[Ordinance No. 23-91](#)

A motion was made by Mr. Foster, seconded by Mr. Banweg, to pass Ordinance No. 23-91 on third reading. The motion carried by the following vote:

Aye: 5 - Mr. Banweg, Mr. Foster, Mrs. Kowalski, Ms. Schlademan and Mr. Sutton

B. [23-92](#)

AN ORDINANCE PERMITTING THE INSTALLATION AND ENFORCEMENT OF NO TURN ON RED SIGNS AT THE INTERSECTION OF MIDDLETON ROAD AND STOW ROAD PER CHAPTER 414.03(C)4 OF THE CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

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 [Middleton Stow Crash Map](#)
 [Stow Middleton Crash Reports 2021-2023](#)
 [Stow Middleton NTOR Memo 072723](#)
 [Ordinance No. 23-92](#)

A motion was made by Mr. Sutton, seconded by Mr. Foster, to pass Ordinance No. 23-92 on third reading. The motion failed by the following vote:

Aye: 1 - Ms. Schlademan

Nay: 4 - Mr. Banweg, Mr. Foster, Mrs. Kowalski and Mr. Sutton

C. [23-102](#)

AN ORDINANCE AMENDING TITLE FOUR - UTILITIES, CHAPTER 1040 - WATER, SECTION 1040.06 OF THE CODIFIED ORDINANCES ENTITLED “WATER WELLS PROHIBITED WHERE MUNICIPAL WATER SERVICE AVAILABLE; EXCEPTIONS”

Brief Description: This amendment will clarify that where City of Hudson water is or becomes available property owner will be required to use City water exclusively for potable water supply, unless a well is already in use. Exceptions for other (non-potable uses) will be permitted with conditions.

Attachments: [1040.06.markup - Exhibit "A"](#)
 [1040.06.original](#)
 [1040.06.proposed](#)
 [Ordinance No. 23-102](#)

Mayor Anzevino read the title of Ordinance No. 23-102, which constituted its first reading.

14. Executive Session

A motion was made by Mr. Foster, seconded by Mr. Banweg, to enter into executive session pursuant to Ohio Revised Code 121.22(G)(4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment and pursuant to Ohio Revised Code section 121.22(G)(2) to consider the purchase of property for public purposes, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person who's personal, private interest is adverse to the general public interest with no Council business to transpire thereafter. Invited to the meeting are all Council members, the Mayor, City Solicitor, City Manager, and those designated by the City Manager as necessary. Council entered executive session at 9:18 p.m. after the motion carried by the following vote:

Aye: 5 - Mrs. Kowalski, Ms. Schlademan, Mr. Sutton, Mr. Banweg and Mr. Foster

Mayor Anzevino reconvened the meeting at 9:43 p.m.

15. Adjournment

There being no further business, Mayor Anzevino adjourned the Council meeting at 9:43 p.m.

Jeffrey L. Anzevino, Mayor

Elizabeth Slagle, Acting 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.