



City of Hudson, Ohio

Meeting Minutes - Draft

City Council

David A. Basil, Mayor

William D. Wooldredge, President of Council (At-Large)

Beth A. Bigham, Council Member (Ward 4)

Hamilton DeSaussure, Jr., Council Member (At-Large)

Dennis N. Hanink, Council Member (Ward 1)

Alex D. Kelemen, Council Member (Ward 3)

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

Vacant (Ward 2)

Jane Howington, City Manager

Matthew J. Vazzana, City Solicitor

R. Todd Hunt, Special Counsel

Elizabeth A. Slagle, Clerk of Council

Tuesday, February 19, 2019

7:30 PM

Town Hall

1. Call to Order

Mayor Basil called to order the meeting of Hudson City Council at 7:30 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 6 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Dr. Williams, and Mr. Wooldredge

Staff in Attendance: Ms. Howington, City Manager; Mr. Vazzana, City Solicitor; Mrs. Slagle, 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, Production Assistant; Mr. Powell, Assistant Public Works Director; Ms. Roberts, Communications Manager; Mr. Sheridan, Assistant City Manager - Professional Services; and Mr. Stifler, Economic Development Director

4. Approval of the Minutes

A. [19-0018](#)

Minutes of Previous Council Meetings

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

Attachments: [February 5, 2019 Council Meeting Minutes - DRAFT](#)
[February 11, 2019 Special Council Meeting Minutes - DRAFT](#)
[February 12, 2019 Council Workshop Minutes - DRAFT](#)

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

5. Honorary Resolution

- A. [19-16](#) **A RESOLUTION HONORING AND THANKING SHELDON S. SCHWEIKERT FOR HIS SERVICE TO THE HUDSON COMMUNITY.**
Brief Description: This Resolution recognizes Shel Schweikert for his dedicated service and many contributions to the community.

Attachments: [Resolution No. 19-16](#)

Mayor Basil read Resolution No. 19-16 in its entirety, recognizing and thanking Mr. Schweikert for his service to the community. Mr. Wooldredge recalled Mr. Schweikert's service as Manager for the Village and City; and he expressed appreciation, as did Dr. Williams. In addition, Mayor Basil thanked Mr. Schweikert for other community services, including his participation on the 2004 Comprehensive Plan Steering Committee and his involvement in Rotary, Hudson Heritage Association, and the "Wisdom Club". Mr. Schweikert thanked his family for their support, and he thanked elected officials for the recognition. He gratefully acknowledged how the community has grown through people working together.

A motion was made by Mr. Wooldredge, seconded by Dr. Williams, to pass Resolution No. 19-16. The motion carried by the following vote:

Aye: 6 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Dr. Williams, and Mr. Wooldredge

6. Public Hearing

- A. [18-194](#) **AN ORDINANCE AMENDING PART TWELVE OF THE CODIFIED ORDINANCES OF HUDSON TO AMEND THE OFFICIAL ZONING DISTRICT MAP TO REZONE SUMMIT COUNTY TAX PARCELS 3001071, 3001072, AND 3001155, LOCATED BETWEEN TEREX ROAD AND MARTIN DRIVE, FROM DISTRICT 6, WESTERN HUDSON GATEWAY ZONE TO DISTRICT 1, SUBURBAN RESIDENTIAL NEIGHBORHOOD ZONE.**
Brief Description: Applicant John Carse is seeking to rezone the subject parcels from D6 Western Hudson Gateway to D1 Suburban Residential Neighborhood to develop them for three single family residential homes.

Attachments: [PC 2018-5029 Staff Report January 14 2019 Meeting](#)
[Martin Drive - Current Zoning Map](#)
[Site Specific Development Plan](#)
[Martin Drive GIS view](#)
[Support statement from surrounding residents](#)
[PC Decision 2018-5029](#)
[Notice of Public Hearing \(published 1/20/2019\)](#)
[Ordinance No. 18-194 \(as revised 2-19-19\) Redline](#)

Mayor Basil opened the public hearing for Ordinance No. 18-194 at 7:40 p.m.

Mr. John Carse, of 7339 Darrow Road, the applicant, stated that he has owned the subject property for 29 years and has been unable to sell it as commercial property. Therefore, he asked Council to rezone the property to residential.

There being no other comments, Mayor Basil closed the public hearing for Ordinance No. 18-194 at 7:42 p.m.

A public hearing was held for Ordinance No. 18-194.

7. Discussion Items

A. 19-0019 Sign Code

Ms. Howington apologized to the local business community and to business owners who recently received Zoning Code enforcement violation notices concerning window signs. She also thanked business owners for offering to help elected officials and staff work through issues with the City's current Land Development Code (LDC), which is in the process of undergoing needed revisions. She said that Council directed staff to prepare a comprehensive review of the LDC in 2016. She explained that the City is currently considering proposed administrative amendments and will subsequently consider proposed commercial and residential Code amendments. She identified current and past issues that businesses have encountered concerning window signs, and she explained the Zoning Code enforcement process. She suggested that City Council enact a narrow non-neon moratorium on the Sign Code through the end of the year, while the City works collaboratively with the business community on improvements to the Sign Code. She asked that Council provide direction for staff to prepare legislation for such a moratorium to be introduced at the Council meeting of March 5, 2019.

Discussion followed. There was consensus among Council members to consider legislation for the proposed moratorium at the next Council meeting. Ms. Howington clarified that the proposed moratorium would not affect regulations for A-frame signs, which are addressed in proposed Ordinance No. 18-93, currently before the Planning Commission. Elected officials expressed appreciation to the local business community and apologized for recent confusion concerning the Sign Code and the enforcement process.

This matter was discussed.

A motion was made by Mr. Wooldredge, seconded by Mrs. Bigham, to direct staff to prepare legislation for the implementation of a moratorium on non-neon window signage until the end of the current year. The motion carried by the following vote:

Aye: 6 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Dr. Williams, Mr. Wooldredge, and Mrs. Bigham

8. Public Comments

Mrs. Lisa Carson, resident of 2359 Exline Drive and local business owner, thanked elected officials and staff for helping business owners to understand the City's regulations concerning window signs. She expressed appreciation for the proposed moratorium and offered to assist with formulating legislation. She commented that A-frame signs are utilized by businesses in the downtown area, as well as elsewhere in the City. She asked for the City's support and advocacy of local businesses, and she looked forward to working with City officials.

Mrs. Sarah Norman, 2212 Edgeview Drive, asked why the Land Development Code has not been updated more often. She expressed support for the proposed moratorium on enforcement of the Sign Code, as well as the overall review of the Land Development Code, and she looked forward to improvements.

9. Correspondence and Council Comments

None.

10. Report of Manager

Referring to item 12C on the Consent Agenda, concerning a charitable donation, Ms. Howington noted that representatives from University Hospitals could not be here this evening, and therefore, she asked that Resolution 19-17 be given a first reading and that further action be postponed until the March 5, 2019, meeting.

11. Appointment

A. Appointment of Ward 2 Council Member

Mayor Basil and Mr. Wooldredge thanked all applicants for their willingness to serve on City Council.

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to appoint Ms. Lisa Radigan, 84 Stratford Road, to the Ward 2 Council position for completion of the term ending December 3, 2019. Mayor Basil congratulated Ms. Radigan and welcomed her as a member of Council after the motion carried by the following vote:

Aye: 6 - Mr. Hanink, Mr. Kelemen, Dr. Williams, Mr. Wooldredge, Mrs. Bigham, and Mr. DeSaussure

12. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Wooldredge, seconded by Mr. Kelemen, 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: 6 - Mr. Kelemen, Dr. Williams, Mr. Wooldredge, Mrs. Bigham, Mr. DeSaussure, and Mr. Hanink

Approval of the Consent Agenda

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

Aye: 6 - Dr. Williams, Mr. Wooldredge, Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, and Mr. Kelemen

- A. [19-0013](#) **A Motion to Acknowledge the Timely Receipt of the January 2019 Monthly Financial Report**
Brief Description: Financial summaries are provided each month for Council's review.
Attachments: [January 2019 Financial Report](#)

This motion was approved on the Consent Agenda.

- B. [19-0014](#) **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 Viva Bene, LLC, DBA Viva Bene, 219 N. Main Street, Suite A, Hudson.**
Brief Description: The Clerk is in receipt of a Notice to Legislative Authority dated January 30, 2019, from the Ohio Division of Liquor Control concerning the opportunity to request a hearing regarding this permit.
Attachments: [Hyperlink - Viva Bene Gourmet](#)
[Hyperlink - Ohio Division of Liquor Control Permit Classes](#)
[Notice - Liquor Permit for Viva Bene LLC](#)

This motion was approved on the Consent Agenda.

- D. [19-18](#) **A RESOLUTION RENEWING THE DESIGNATION OF REPUBLIC SERVICES AS THE CITY'S PREFERRED TRASH AND RECYCLING VENDOR AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SERVICE CONTRACT WITH REPUBLIC SERVICES.**
Brief Description: This contract involves a preferred pricing for trash and recycling services. City Council approved a preferred hauler contract in 2016. This is a three-year extension of the services from the previous contract with a 3.5% rate increase included for improved and additional recycling education programming.
Attachments: [RFP Bid Comparison 2019-2022 Pricing Republic Ext.](#)
[Res. No. 16-9 Preferred Hauler Republic \(passed 1-19-16\)](#)
[Resolution No. 19-18](#)

Resolution No. 19-18 was approved on the Consent Agenda.

- E. [19-19](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE BIDS AND TO ENTER INTO A CONTRACT FOR VETERANS TRAIL PHASE 3 PROJECT (PID 97856); AND DECLARING AN EMERGENCY.**

Brief Description: The project will include the installation of a multi-use path between Veterans Way Park and Barlow Road.

Attachments: [Project Location Map](#)
 [Resolution No. 19-19](#)

Resolution No. 19-19 was approved on the Consent Agenda.

- F. [19-20](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO PURCHASE AGREEMENTS FOR AN AERIAL TRUCK CAB AND CHASSIS AND FOR NECESSARY ASSOCIATED AERIAL LIFT SYSTEM EQUIPMENT FOR HUDSON PUBLIC POWER OPERATIONS; AND DECLARING AN EMERGENCY.**

Brief Description: The 2019 fleet budget provides for the replacement purchase of one 60-foot aerial bucket truck for Hudson Public Power and the purchase and installation of associated aerial lift equipment. Staff wishes to proceed with the purchase of the cab and chassis and associated equipment.

Attachments: [Quote for HPP Aerial Truck Cab & Chasis](#)
 [Quote for Aerial Lift System Equipment](#)
 [Resolution No. 19-20](#)

Resolution No. 19-20 was approved on the Consent Agenda.

- G. [19-21](#) **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 organizations 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. 19-21](#)

Resolution No. 19-21 was approved on the Consent Agenda.

H. [19-22](#) **A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PURCHASES MADE; AND DECLARING AN EMERGENCY.**

Brief Description: Council authorization is required for payment of the invoices shown on this Resolution, each in excess of \$3,000, for which commitments were made before Purchase Orders were generated.

Attachments: [Resolution No. 19-22](#)

Resolution No. 19-22 was approved on the Consent Agenda.

I. [19-23](#) **AN ORDINANCE ACCEPTING DEDICATION OF THE PUBLIC STREET, EASEMENTS AND PUBLIC IMPROVEMENTS WITHIN THE SAPPHIRE DRIVE ESTATES SUBDIVISION.**

Brief Description: Subdivision improvements have been installed and public right-of-way and easements have been established at the Sapphire Drive Estates Subdivision. The applicant is requesting that City Council accept the dedication of these improvements, easements and right-of-way.

Attachments: [Sapphire Drive Estates Acceptance Letter](#)

[Sapphire Drive Estates Overview Plan](#)

[Ordinance No. 19-23](#)

Ordinance No. 19-23 was approved on the Consent Agenda.

J. [19-24](#) **AN ORDINANCE AUTHORIZING THE SALE OF A HUDSON EMERGENCY MEDICAL SERVICE VEHICLE NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND DECLARING AN EMERGENCY.**

Brief Description: This Ordinance authorizes the sale of an EMS vehicle to Valley Fire District.

Attachments: [Memo Recommending Sale of EMS Vehicle](#)

[Ordinance No. 19-24](#)

Ordinance No. 19-24 was approved on the Consent Agenda.

K. [19-25](#) **AN ORDINANCE AMENDING PART TEN, "STREETS, UTILITIES AND PUBLIC SERVICES CODE" OF THE CODIFIED ORDINANCES, TO AMEND CHAPTER 1020 TO REGULATE SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES IN PUBLIC WAYS; AND DECLARING AN EMERGENCY.**

Brief Description: This Ordinance will amend the City's Codified Ordinances relating to regulations applying to small cell facilities, new wireless support structures, and the persons and entities who desire to construct, operate, and maintain such facilities in the City's public right-of-way, found in Chapter 1020, "Use Of Public Ways For Small Cell Wireless Facilities And Wireless Support Structures," of the Streets, Utilities, and Public Services Code of the Codified Ordinances of the City of Hudson. The Ordinance updates Hudson's regulations relative to small cell facilities in the right-of-way in a manner that is consistent with both the Ohio Revised Code Chapter 4939 and the FCC's recent Small Cell Order.

Attachments: [Ordinance No. 19-25](#)

Ordinance No. 19-25 was approved on the Consent Agenda.

- L. [19-26](#) **AN ORDINANCE AMENDING PART TEN, “STREETS, UTILITIES AND PUBLIC SERVICES CODE” OF THE CODIFIED ORDINANCES, TO AMEND CHAPTER 1022, “SMALL CELL DESIGN GUIDELINES”; AND DECLARING AN EMERGENCY.**
Brief Description: This Ordinance will amend the City’s Codified Ordinances relating to design guidelines applying to small cell facilities, including wireless support structures, found in Chapter 1022 of the Codified Ordinances of the City, “Small Cell Design Guidelines.” This Ordinance updates Hudson’s regulations relative to the design guidelines for small cell facilities in the right-of-way in a manner that is consistent with both the Ohio Revised Code Chapter 4939 and the FCC’s recent Small Cell Order.

Attachments: [Ordinance No. 19-26](#)

Ordinance No. 19-26 was approved on the Consent Agenda.

Items Removed from the Consent Agenda

- C. [19-17](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CHARITABLE DONATION AGREEMENT ACCEPTING THE DONATION OF AN AUTOMATED CPR DEVICE FROM UNIVERSITY HOSPITALS HEALTH SYSTEM, INC., EXPRESSING APPRECIATION THEREFOR; AND DECLARING AN EMERGENCY.**
Brief Description: This resolution authorizes the acceptance of the donation of a LUCAS Automated CPR device for Hudson EMS from University Hospitals Health System Inc.

Attachments: [Charitable Donation Agreement](#)
 [Resolution No. 19-17](#)

Mayor Basil read the title of Resolution No. 19-17, which constituted its first reading.

A motion was made by Mr. Wooldredge, seconded by Dr, Williams, to postpone Resolution No. 19-17 to the City Council meeting of March 5, 2019. The motion carried by the following vote:

Aye: 6 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Dr. Williams, and Mr. Wooldredge

13. Legislation

- A. [18-194](#) **AN ORDINANCE AMENDING PART TWELVE OF THE CODIFIED ORDINANCES OF HUDSON TO AMEND THE OFFICIAL ZONING DISTRICT MAP TO REZONE SUMMIT COUNTY TAX PARCELS 3001071, 3001072, AND 3001155, LOCATED BETWEEN TEREX ROAD AND MARTIN DRIVE, FROM DISTRICT 6, WESTERN HUDSON GATEWAY ZONE TO DISTRICT 1, SUBURBAN RESIDENTIAL NEIGHBORHOOD ZONE.**

Brief Description: Applicant John Carse is seeking to rezone the subject parcels from D6 Western Hudson Gateway to D1 Suburban Residential Neighborhood to develop them for three single family residential homes.

Attachments: [PC 2018-5029 Staff Report January 14 2019 Meeting](#)
[Martin Drive - Current Zoning Map](#)
[Site Specific Development Plan](#)
[Martin Drive GIS view](#)
[Support statement from surrounding residents](#)
[PC Decision 2018-5029](#)
[Notice of Public Hearing \(published 1/20/2019\)](#)
[Ordinance No. 18-194 \(as revised 2-19-19\) Redline](#)

Mayor Basil read the title of Ordinance No. 18-194, which constituted its second reading.

- B. [19-7](#) **AN ORDINANCE CREATING A FUND ENTITLED “BROADBAND SERVICE FUND (510)”.**
Brief Description: This is to establish the Broadband Services Fund to account for the activity of Velocity Broadband. This will be classified as an Enterprise Fund.

Attachments: [Ordinance No. 19-7 \(as introduced 1-22-19\)](#)

Mayor Basil read the title of Ordinance No. 19-7, which constituted its third reading.

Mr. Wooldredge said that he had understood Council had agreed to discuss Ordinance No. 19-7 at the February 26, 2019, workshop. Discussion followed.

A motion was made by Mr. Kelemen, seconded by Mrs. Bigham, to pass Ordinance No. 19-7.

A subsidiary motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to postpone Ordinance No. 19-7 to the March 5, 2019, City Council meeting. Mayor Basil noted that this item will also be discussed at the February 26, 2019, workshop. The motion carried by the following vote:

Aye: 4 - Mr. DeSaussure, Mr. Hanink, Dr. Williams, and Mr. Wooldredge

Nay: 2 - Mrs. Bigham, and Mr. Kelemen

C. [19-14](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NERONE & SONS, INC. FOR LABOR AND MATERIALS FOR THE CONSTRUCTION OF THE WATER PLANT BRINE WELL.**

Brief Description: This project involves the drilling of a brine well including the construction of associated infrastructure at the City's water plant for use in the water treatment process. Brine can also be used as a snow and ice melting agent for the City's snow and ice control program.

Attachments: [Bid Tab Report - Brine Well Construction 12-21-2018](#)
[Salt Expense Summary](#)
[ROI Calculations - Brine Well Plant Only 20%](#)
[ROI Calculations - Brine Well Plant Only 12%](#)
[Brine Well Project Summary \(1-29-2019\)](#)

Mayor Basil read the title of Resolution No. 19-14, which constituted its second reading.

Discussion was held concerning inclusion of Resolution No. 19-14 on the workshop agenda of February 26, 2019.

A motion was made by Mr. Kelemen, seconded by Mr. Hanink, to suspend the rule requiring three readings to allow for passage of Resolution No. 19-14. The motion failed by the following vote:

Aye: 2 - Mr. Hanink, and Mr. Kelemen

Nay: 4 - Mr. DeSaussure, Dr. Williams, Mr. Wooldredge, and Mrs. Bigham

14. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 8:35 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.