



City of Hudson, Ohio

Meeting Minutes - Draft 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, October 3, 2023

7:30 PM

Town Hall
27 East Main Street

1. Call to Order

Mayor Anzevino 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 - Mr. Banweg, Mr. Foster, Mrs. Heater, Mr. Ruffer, Ms. Schlademan and Mr. Sutton
Absent: 1 - Mrs. Kowalski

Staff in Attendance: Mr. Comeriato, Acting City Manager; Mr. Kolesar, City Solicitor; Mrs. Slagle, Acting Clerk of Council; Mrs. Behnke, Economic Development Manager; Mr. Hannan, Community Development Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; and Mr. Leiter, HCTV Production Assistant.

4. Approval of the Minutes

A. [23-0098](#)

Minutes of Previous Council Meetings

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

Attachments: [September 19, 2023 Meeting Minutes - Draft](#)
[September 26, 2023 Council Workshop Minutes - Draft](#)

A motion was made by Mr. Foster, seconded by Mr. Banweg, to approve the Minutes as submitted. The motion carried by the following vote:

Aye: 6 - Mr. Banweg, Mr. Foster, Mrs. Heater, Mr. Ruffer, Ms. Schlademan and Mr. Sutton

5. Proclamations

- A. [23-0099](#) Special Recognition of National Colonial Heritage Month**
Brief Description: Mayor Anzevino will proclaim the month of October, 2023, as “National Colonial Heritage Month” in Hudson. Laura Erwin will accept the Proclamation on behalf of the Ezekial Richardson Chapter of the National Society Colonial Dames XVII Century.
Attachments: [Proclamation](#)

Ms. Laura Erwin accepted the Proclamation on behalf of the local chapter of the National Society Colonial Dames XVII Century, and expressed appreciation for the recognition.

Mayor Anzevino read the Proclamation in its entirety, recognizing National Colonial Heritage Month.

6. Public Comments

Mr. David Firestein, 405 Rothrock Road, Akron, spoke on behalf of AJ Allison Enterprises, LLC, in favor of Council adopting Res. No. 23-111 to extend water to 6231 Chittenden Rd. He referenced passage of the following: Res. No. 23-75, revising water rates for service outside City limits; Res. No. 08-147, authorizing a Memorandum of Understanding between Hudson and Boston Heights for joint planning and economic development purposes along the Chittenden Rd. corridor; and Res. No. 14-21, extending water to 6217 Chittenden Rd. He noted that water line installation costs would be bourn by the developer, and the City would receive the tap-in fee and water revenues. He encouraged passage of Res. No. 23-111 for safety purposes on a "content neutral" basis.

Ms. Lisa Kamlowksy, Executive Director for Summit Developmental Disabilities Board, spoke as a volunteer for the Citizens' Levy Committee in support of Issue 17 on the November 7 Election Ballot, replacement of SummitDD's current operating levy. She said that the funds will maintain continuity of services currently provided, including residential, day, and employment supports; transportation and early intervention services; health and safety investigations; technical support; and oversight services. She thanked Hudson for its past support of SummitDD and encouraged support of Issue 17.

Mr. Steven Snyder, 7216 Hayward Road, spoke regarding the application for the Ohio Turnpike construction yard on Stow Road. He questioned Code authority of Section 1206.04 regarding the issuance of temporary use permits, currently approved administratively. He asked how the permit application satisfies this Code section in terms of site criteria, surrounding use, and not affecting public streets. He referenced correspondence to residents from the City Manager. He also noted a number of containers and trailers on the job site and questioned how the City is monitoring this, as well as the types of materials being stored on site. He said that construction activities have caused his home to shake and suggested the City monitor the site using a seismograph, as well as with noise equipment. He asked that the City revoke the permit and that Council fix the Code concerning permit authority.

7. Correspondence and Council Comments

Mr. Ruffer congratulated the Hudson High School Golf Team for winning sectionals and setting a school record. He announced that Mrs. Heater and he will conduct a meet & greet event at the Hudson Library on October 4th, and he encouraged those interested to attend.

Mr. Banweg thanked residents for feedback concerning water extensions and local policies concerning wells and City water.

Mr. Sutton provided an update on the Tree Commission, including: evaluation of the Moon Tree Program through NASA, update on storm clean-up, Scout Green maple tree replacement to be a hardier species, and the City Arborist now requiring a waiver for any structural evaluation on private property, due to liability issues.

Mayor Anzevino congratulated Economic Growth Board members on their new terms. He reported his activities, including EGB member swearing-in ceremony and speaking at Hudson Woman's Club meeting. He recognized Mental Illness Awareness Week and announced upcoming events: Candidate Round Table forum, voter registration deadline for the November Election, the last Hudson Farmers' Market of the season, annual Parade of Bands at Hudson High School, and a Safety Services Event at the Fire Station.

8. Report of Manager

Mr. Comeriato announced that a test of FEMA's warning system will occur at approximately 2:20 p.m. on October 4.

9. Appointments

Mr. Foster announced that there is an upcoming vacancy on the Planning Commission, and he encouraged interested residents to apply by the November 17 deadline.

10. Suspension of the Rules for the Consent Agenda

A motion was made by Mrs. Heater, 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: 6 - Mr. Foster, Mrs. Heater, Mr. Ruffer, Ms. Schlademan, Mr. Sutton and Mr. Banweg

Approval of the Consent Agenda

A motion was made by Mr. Foster, seconded by Mrs. Heater, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mrs. Heater, Mr. Ruffer, Ms. Schlademan, Mr. Sutton, Mr. Banweg and Mr. Foster

- A. [23-119](#) A RESOLUTION RETROACTIVELY AUTHORIZING AND RATIFYING THE CITY MANAGER'S DESIGNEE TO SUBMIT AN APPLICATION TO THE STATE OFFICE OF BUDGET MANAGEMENT FOR THE OHIO AMBULANCE TRANSPORTATION GRANT PROGRAM ON BEHALF OF HUDSON EMERGENCY MEDICAL SERVICES.**
- Brief Description:** The State Office of Budget Management awards the Ohio Ambulance Transportation grant funding for the purpose of providing premium pay, supporting workforce relief, or reimbursing COVID-19 related expenses as outlined in the program guidance. The City may receive up to \$20,000 in grant funding to support part-time Emergency Medical Services (EMS) personnel in the form of a one-time retention bonus who were not

previously eligible for a retention incentive. No grant match required.

Attachments: [Resolution No. 23-119](#)

Resolution No. 23-119 was passed on the Consent Agenda.

- B. [23-120](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH EUTHENICS INC. FOR THE DESIGN OF THE SR 303 SAFETY IMPROVEMENTS PROJECT (PID 117269).**

Brief Description: The purpose of this request for proposal (RFP) was to solicit proposals from ODOT, pre-qualified professional design, engineering and surveying consultants (Consultant) for the analysis, engineering, and design of the SR 303 Safety Improvement Project (PID 117269) and other miscellaneous design items as described in the formal Request for Proposals (RFP).

Attachments: [SR 303 Safety Improvements Exhibit](#)
[Resolution No. 23-120](#)

Resolution No. 23-120 was passed on the Consent Agenda.

- C. [23-121](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LOCAL PUBLIC AGENCY (“LPA”) FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SR 303 SAFETY IMPROVEMENTS PROJECT (SUM-SR 303, 12.63, PID#117269).**

Brief Description: This project is for the modification of lane configurations to improve pedestrian & bicycle safety along SR 303 from Boston Mills Road to SR 91.

Attachments: [SR 303 Safety Improvements Exhibit](#)
[Resolution No. 23-121](#)

Resolution No. 23-121 was passed on the Consent Agenda.

- D. [23-122](#) **A RESOLUTION AMENDING RESOLUTION NO. 22-169 TO INCREASE THE PROJECT COST TO BID AND AWARD THE OWEN BROWN STREET SIDEWALK PROJECT TO THE AMOUNT OF \$713,647.69; AND DECLARING AN EMERGENCY.**

Brief Description: The project will include the installation of a new 5’ sidewalk along Owen Brown Street from Lennox Road to Morse Road. Project bids were received and were in excess of 10% of the Engineer’s Estimate. Staff is requesting an additional \$338,648.00 for a total project cost of \$713,647.69.

Attachments: [Resolution No. 23-122](#)

Resolution No. 23-122 was passed on the Consent Agenda.

- E. [23-123](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF POLICE RADIOS FROM MOTOROLA SOLUTIONS UNDER A STATE TERM SCHEDULE CONTRACT.**

Brief Description: This project involves the replacement of the current police handheld radios currently in the 2024 Budget.

Attachments: [Police Radio Memo 2023](#)
[HPD 9623 MR QUOTE-2285379-1 Current Pricing](#)
[HPD 81423 MR no discount QUOTE-2279193-1 Anticipated 2024 Pricing](#)
[Resolution No. 23-123](#)

Resolution No. 23-123 was passed on the Consent Agenda.

- F. [23-124](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPOINT AN ADA COORDINATOR AND ADOPT AN ADA POLICY.**

Brief Description: Title II of the Americans with Disabilities Act requires that Public Entities ensure that persons with disabilities have access to programs, activities and services offered by the public entity. Included in the mandatory requirements are the designation of an ADA Coordinator and adoption and public notice of a policy, including a grievance procedure.

Attachments: [ADA Memorandum](#)
[Draft ADA Policy](#)
[Resolution No. 23-124](#)

Resolution No. 23-124 was passed on the Consent Agenda.

- G. [23-125](#) **AN ORDINANCE CREATING A PUBLIC WORKS FACILITY FUND (455).**

Brief Description: The City purchased 5431 Hudson Drive and intends to build a new Public Works Facility on the site, which will house various divisions of the Public Works Department. In order to easily and accurately account for the construction and future bond proceeds and their use, the City is establishing a separate fund.

Attachments: [Ordinance No. 23-125](#)

Ordinance No. 23-125 was passed on the Consent Agenda.

- H. [23-126](#) **A RESOLUTION AMENDING RESOLUTION NO. 23-82 AUTHORIZING THE TOTAL COST FOR PROPERTY LOCATED AT 5431 HUDSON DRIVE, HUDSON, OHIO 44236 (PARCEL NOS. 30-01315 AND 30-01316) IN THE CITY OF HUDSON, TO BE INCREASED FROM \$1,900,000 TO \$1,903,688.85.**

Brief Description: Authorizing the increase in the total purchase price for the purchase of property for the site of the new Public Works Department Building, which will house the various divisions of the Public Works Department, to be increased from \$1,900,000.00 to \$1,903,688.85 to account

closing charges.

Attachments: [Resolution No. 23-126](#)

Resolution No. 23-126 was passed on the Consent Agenda.

11. Legislation

- A. [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](#)
 [23-102 as amended by S. Sutton.10.03.23](#)

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

Council members considered Mr. Sutton's proposed amendment (attached). Discussion followed concerning the need for a new permit if new drilling is due to a failed well on the same property, drilling variables and costs determining return on investment, and personal financial decisions for individual homeowners. Mr. Banweg and Mr. Foster opposed the proposed amendments. Mr. Foster said that resident opinions vary, with many opposing this legislation and having a preference for well water.

Further discussion was scheduled for the October 10, 2023 workshop.

A motion was made by Mr. Sutton, seconded by Mrs. Heater, to amend Ordinance No. 23-102 as provided for in Mr. Sutton's proposed amendment.

A motion was made by Mr. Foster, seconded by Mr. Banweg, to postpone action on Ordinance No. 23-102 to the meeting on October 17, 2023. The motion carried by the following vote:

Aye: 5 - Ms. Schlademan, Mr. Banweg, Mr. Foster, Mrs. Heater and Mr. Ruffer

Nay: 1 - Mr. Sutton

- B. [23-111](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF CLEVELAND FOR AN EXTENSION OF A WATER LINE ALONG CHITTENDEN ROAD IN THE VILLAGE OF BOSTON HEIGHTS.**

Brief Description: The City of Hudson and the City of Cleveland wish to enter into an agreement in order for the City of Hudson to supply a specified portion of Chittenden Road with Hudson water as shown on the attached map. 6231 Chittenden Road will become the City of Hudson's customer and the

City of Hudson will read, bill, and maintain the waterline along this specified portion of Chittenden Road.

Attachments: [Exhibit A - Chittenden Waterline Map](#)
[Boston Heights Approval](#)
[Cleveland Water Approval](#)
[Resolution No. 23-111](#)

Mayor Anzevino read the title of Resolution No. 23-111 which constituted its second reading.

- C. [23-112](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$740,000 OF TAXABLE ECONOMIC DEVELOPMENT NONTAX REVENUE BOND ANTICIPATION NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING APPROXIMATELY 4.0 ACRES OF REAL PROPERTY LOCATED NEAR THE SOUTHWEST CORNER OF OWEN BROWN STREET AND MORSE ROAD.**

Brief Description: This ordinance allows for the refinancing of existing financial obligations of the City. It allows for the rollover of note proceeds used to pay for the former Windstream property at 100 Owen Brown Street, purchased as part of the Downtown Phase II Project.

Attachments: [Ordinance No. 23-112](#)

Mayor Anzevino read the title of Ordinance No. 23-112 which constituted its second reading.

- D. [23-113](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$925,000 OF TAXABLE ECONOMIC DEVELOPMENT NONTAX REVENUE BOND ANTICIPATION NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING APPROXIMATELY 1.0 ACRE OF REAL PROPERTY LOCATED AT 94 OWEN BROWN STREET.**

Brief Description: This ordinance allows for the financing of the former Windstream property at 94 Owen Brown Street, purchased as part of the Downtown Phase II Project.

Attachments: [Ordinance No. 23-113](#)

Mayor Anzevino read the title of Ordinance No. 23-113 which constituted its second reading.

- E. [23-114](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,400,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING, FURNISHING AND EQUIPPING A NEW CLUBHOUSE AT THE CITY'S ELLSWORTH MEADOWS GOLF CLUB AND CLEARING, IMPROVING AND EQUIPPING ITS SITE.**

Brief Description: This ordinance allows for the financing a portion of the new clubhouse at Ellsworth Meadows Golf Club. The total cost is estimated at \$2 million. The balance of the project cost will be paid from the golf course

fund balance.

Attachments: [Fiscal Officer's Certificate](#)
 [Ordinance No. 23-114](#)

Mayor Anzevino read the title of Ordinance No. 23-114 which constituted its second reading.

- F. [23-115](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$7,500,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING CITY-OWNED PROPERTY LOCATED AT 5810 HUDSON DRIVE BY CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING (i) A NEW SALT STORAGE FACILITY AND (ii) A NEW BUS MAINTENANCE AND STORAGE FACILITY AND CLEARING, IMPROVING AND EQUIPPING THE SITE.**

Brief Description: This ordinance allows for the refinancing of existing financial obligations of the City. It allows for the sale of notes to finance the cost of the new bus garage and salt storage facility.

Attachments: [Fiscal Officer's Certificate](#)
 [Ordinance No. 23-115](#)

Mayor Anzevino read the title of Ordinance No. 23-115 which constituted its second reading.

- G. [23-116](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,900,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF ACQUIRING REAL PROPERTY IDENTIFIED BY THE SUMMIT COUNTY FISCAL OFFICER AS PERMANENT PARCEL NOS. 30-01315 AND 30-01316 AND CONSISTING OF APPROXIMATELY 31 ACRES KNOWN AS 5431 HUDSON DRIVE IN THE CITY FOR THE PURPOSE OF PROVIDING A FACILITY HOUSING FUNCTIONS OF THE CITY'S DEPARTMENT OF PUBLIC WORKS.**

Brief Description: This ordinance allows for the financing of the purchase of the Hudson Drive property that will be used for the new Public Works facility.

Attachments: [Fiscal Officer's Certificate](#)
 [Ordinance No. 23-116](#)

Mayor Anzevino read the title of Ordinance No. 23-116 which constituted its second reading.

- H. [23-117](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,750,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S RECREATIONAL FACILITIES BY INSTALLING AND IMPROVING A MULTIPURPOSE TRAIL ALONG BOSTON MILLS ROAD BETWEEN TIMBERLINE TRAIL AND LAKE FOREST DRIVE.**

Brief Description: This ordinance allows for the financing of the trail along

Boston Mills Road from Timberline Trail (Reserve at River Oaks) to Lake Forest Drive as part of the connectivity plan.

Attachments: [Fiscal Officer's Certificate](#)
[Ordinance No. 23-117](#)

Mayor Anzevino read the title of Ordinance No. 23-117 which constituted its second reading.

- I. [23-118](#) **AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,000,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY'S RECREATIONAL FACILITIES BY INSTALLING AND IMPROVING A MULTIPURPOSE TRAIL ALONG VALLEY VIEW ROAD BETWEEN STATE ROUTE 91 AND HUNTING HOLLOW DRIVE AND CONTINUING ON HUNTING HOLLOW DRIVE TO PROSPECT ROAD.**
- Brief Description:** This ordinance allows for the financing of the trail along Valley View Road between SR 91 and Hunting Hollow Drive and on Hunting Hollow Drive to Prospect Road as part of the connectivity plan.
- Attachments:** [Fiscal Officer's Certificate](#)
[Ordinance No. 23-118](#)

Mayor Anzevino read the title of Ordinance No. 23-118 which constituted its second reading.

- J. [23-127](#) **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ARLINGTON VALLEY FARMS, LLC, OR ITS ASSIGNEE, FOR THE LLC'S LEASE-PURCHASE OF THE REAL PROPERTY LOCATED AT 5369 HUDSON DRIVE, HUDSON, OHIO.**
- Brief Description:** A Second Amendment to the Land Installment Contract has been requested by the Buyer to change the Closing Date from February 1, 2024 to July 1, 2024 to align with the anticipated closing of a USDA loan financing the purchase. Additionally, monthly installment payments of ten thousand and 00/100 dollars (\$10,000.00) would be continued from February 1, 2024 to June 30, 2024.
- Attachments:** [Land Installment Contract - 5369 Hudson Drive - Execution Version \(FINAL\)](#)
[Arlington Valley Farms First Amendment to Land Installment Contract executed 01.2020](#)
[City of Hudson Building Purchase Extension Request Sept 2023](#)
[Second Amendment to Land Installment Contract \(Arlington Valley Farms\) amend 09152023](#)
[Ordinance No. 23-127](#)

Mayor Anzevino read the title of Ordinance No. 23-127 which constituted its first reading.

12. Executive Session

A motion was made by Mr. Foster, seconded by Mr. Banweg, 1.) to enter into executive session 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 whose personal, private interest is adverse to the general public interest; and 2.) to enter into executive session pursuant to Ohio Revised Code section 121.22(G)(3) to hold a conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, with no Counsel business to transpire thereafter. Invited to the executive session are all members of Council, the Mayor, the Solicitor, the Acting City Manager, and those designated by the Acting City Manager as necessary. Mayor Anzevino recessed the regular meeting at 8:25 p.m. after the motion carried by the following vote:

Aye: 6 - Mr. Sutton, Mr. Banweg, Mr. Foster, Mrs. Heater, Mr. Ruffer and Ms. Schlademan

Mayor Anzevino adjourned the first executive session at 8:34 p.m., whereupon all staff members except the City Solicitor left the room prior to Council entering into the second executive session. Mayor Anzevino reconvened the regular meeting at 8:40 p.m.

13. Adjournment

There being no further business, Mayor Anzevino adjourned the Council meeting at 8:40 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.