



City of Hudson, Ohio

Meeting Minutes - Draft

City Council

David A. Basil, Mayor

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

Dennis N. Hanink, Council Member (Ward 1)

Alex D. Kelemen, Council Member (Ward 3)

Casey M. Weinstein, Council Member (Ward 2)

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

William D. Wooldredge, Council Member (At-Large)

Vacant, Council Member (Ward 4)

Jane Howington, City Manager

R. Todd Hunt, City Solicitor

Elizabeth A. Slagle, Clerk of Council

Tuesday, April 19, 2016

6:00 PM

Town Hall

1. Call to Order

Mayor Basil called to order the meeting of Hudson City Council at 6:01 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

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

2. Roll Call

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Comeriato, Assistant City Manager for Operations; Mr. Leiter, Production Assistant; Mr. Hannan, City Planner; Ms. Roberts, Communications Manager; and Mr. Sheridan, City Engineer.

3. Executive Session

A motion was made by Mr. DeSaussure, seconded by Mr. Hanink, to enter into executive session to interview applicants for the Ward 4 Council position. Mayor Basil recessed the meeting at 6:02 after the motion carried by the following vote:

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

Mayor Basil reconvened the meeting at 7:30 p.m.

4. Pledge of Allegiance to the Flag

5. Approval of the Minutes

- A. [16-0041](#) **MINUTES OF PREVIOUS COUNCIL MEETINGS.**
Executive Summary: Draft minutes of previous meetings are provided for City Council's review and approval.
Attachments: [April 5, 2016 Council Meeting Minutes - DRAFT](#)
[April 12, 2016 Council Workshop Minutes - DRAFT](#)

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

6. Notification of Public Hearings

- A. A public hearing regarding Ordinance No. 16-44, entitled "An Ordinance Amending Sections 1205.04(b), 1205.12(b) and (c), 1206.03(a), 1207.04(f), 1207.19(d) and 1213.02(a) of the Land Development Code and Section 618.14 of the Codified Ordinances Regarding Agricultural Use Regulations," has been scheduled for the Council meeting of Tuesday, May 17, 2016, notice for which has been published on the City's website and in the Hudson Hub-Times on April 17, 2016.

Mayor Basil announced the public hearing for Ordinance No. 16-44 and invited citizens to attend.

- B. A public hearing regarding Ordinance No. 16-54, entitled "An Ordinance Establishing an Incentive District and Declaring Improvements to Parcels of Property in the Incentive District to be a Public Purpose, Describing the Public Improvements to be Made to Benefit or Serve the Incentive District, Establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the Deposit of Service Payments, Approving the Compensation Agreement with Hudson City School District, and Related Authorizations Pursuant to Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43; and Declaring an Emergency," has been scheduled for the Council meeting of Tuesday, May 3, 2016, notice for which has been published on the City's website and will be published in the Hudson Hub-Times on April 24, 2016.

Mayor Basil announced the public hearing for Ordinance No. 16-54 and invited citizens to attend.

7. Presentation

- A. "Prescription Drug Take-Back Day" on April 30, 2016 - Akron Municipal Court Judge Joy Malek Oldfield and Court of Common Pleas Judge Thomas Teodosio will discuss this important program in connection with their work on the Summit County Opiate Task Force.

Judge Oldfield encouraged citizens to bring unused and unwanted prescription drugs to the Barlow Community Center on Saturday, April 30, 2016, and to refer to www.dea.gov for more information. Mayor Basil thanked her for sharing this information and for her efforts concerning opiate addiction and prevention.

Judge Oldfield presented information on the Prescription Drug Take-Back Day and spoke of ongoing local efforts to combat opiate addiction and prevention.

8. Public Comments

Mr. Greg Hannan spoke on behalf of Leadership Hudson and provided an update to Council regarding Peddle Hudson, the class project to obtain a "Bike Friendly America" Bronze Designation for Hudson. He provided a summary of class activities and efforts, including educational bicycle safety and preventive maintenance classes; bike user map; bike racks; complete streets policy statement; and sustaining bicycle and pedestrian activities (summary and supplemental information is attached to the record copy of these minutes).

9. Correspondence and Council Comments

Mr. Kelemen congratulated Hudson City Schools as being recognized again by U.S. News & World Report as one of the leading schools in the country. On behalf of Safe Routes Hudson, he announced that Bike/Walk to School Day is planned for Wednesday, May 4, 2016, and he asked motorists to be cautious and watch out for walkers and cyclists. He reported that a Ward 3 Open Forum was held on March 28, 2016, which was televised on Hudson Cable TV.

10. Report of Manager

Ms. Howington indicated that she would like to comment regarding Ordinance No. 16-54 and Resolution No. 16-63 as these items are considered later in the meeting.

11. Appointments

Mr. DeSaussure announced that the City is currently accepting applications for the Architectural & Historic Board of Review, Park Board, and Tree Commission. The deadline for applications is May 20, 2016. He encouraged anyone interested to apply online. Mayor Basil encouraged citizens to consider volunteer service on a board or commission.

12. Proclamations

A. [16-0042](#) Proclamation: "Lemonade Day" Month

Executive Summary: Lemonade Day is a national initiative to educate youth on how to start, own and operate their own business, using a lemonade stand to teach fundamental lessons about life, success, and giving back to community. This Proclamation promotes community involvement to support the local Lemonade Day program during the month of May, 2016.

Attachments: [Proclamation](#)

Fifth grade students from Hudson City Schools and Seton Catholic School were present and spoke regarding the benefits of the Lemonade Day program. Mayor Basil thanked the students, teachers, and parents for attending and wished them success with their lemonade sales. Mr. Wooldredge commented that he was very impressed by the students involved with Lemonade Day.

Mayor Basil read this Proclamation in its entirety, recognizing May, 2016, as "Lemonade Day" Month in Hudson.

- B. [16-0043](#) **Proclamation: Public Service Recognition Week**
Executive Summary: This Proclamation acknowledges the week of May 1-7, 2016 as “Public Service Recognition Week” in Hudson, Ohio, in honor of public employees who serve at all levels of government.
Attachments: [Proclamation](#)

Mayor Basil presented this Proclamation to Ms. Howington.

Mayor Basil read this Proclamation in its entirety, recognizing May 1-7, 2016, as Public Service Recognition Week in Hudson.

13. Suspension of the Rules for the Consent Agenda

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 items on the Consent Agenda. The motion carried by the following vote:

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

Approval of the Consent Agenda

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

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

- A. [16-0044](#) **A MOTION TO ACKNOWLEDGE THE TIMELY RECEIPT OF THE MARCH 2016 MONTHLY FINANCIAL REPORT.**
Executive Summary: Financial summaries are provided each month for Council’s review.
Attachments: [March 2016 Financial Report](#)

This motion was passed on the Consent Agenda.

- B. [16-0045](#) **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 BAKER ENTERPRISES INC., DBA BRUBAKERS PUB, TO BRUBAKERS NORTH COAST LP, 5823 DARROW ROAD & PATIO, HUDSON.**
Executive Summary: The Clerk is in receipt of a Notice to Legislative Authority dated April 7, 2016, from the Ohio Division of Liquor Control concerning the opportunity to request a hearing regarding this permit transfer.
Attachments: [Division of Liquor Control Notice - Brubakers North Coast LP](#)
[Hyperlink - Division of Liquor Control](#)

This motion was passed on the Consent Agenda.

- C. [16-59](#) **A RESOLUTION TO CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (“ODOT”) PERFORMANCE OF ASPHALT OVERLAY TO STATE ROUTE 303 FROM 10.54 TO 10.57 (PID 84658) WITHIN THE CITY OF HUDSON LIMITS; AND DECLARING AN EMERGENCY.**

Executive Summary: The Ohio Department of Transportation requires local consent legislation allowing them to perform work within City corporation limits. The work would include fine graded polymer asphalt overlay to SR 303 (SUM-SR8/303-4.31/10.00) beginning in Fiscal Year 2016. This work is located between SR 8 and Terex Road, on SR 303.

Attachments: [ODOT Consent Legislation](#)
 [Resolution No. 16-59](#)

Resolution No. 16-59 was passed on the Consent Agenda.

- D. [16-60](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DURA MARK, INC. FOR THE 2016 ROAD LINE STRIPING AND PAINTING PROGRAM; AND DECLARING AN EMERGENCY.**

Executive Summary: The work consists of the application of reflectorized pavement markings and striping on city streets within the City of Hudson.

Attachments: [Bid Tabulation](#)
 [Resolution No. 16-60](#)

Resolution No. 16-60 was passed on the Consent Agenda.

- E. [16-61](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE ACQUISITION OF EASEMENTS FROM NORFOLK SOUTHERN RAILWAY COMPANY FOR THE DOWNTOWN RAILROAD CULVERT AND STORM WATER IMPROVEMENTS PROJECT; AND DECLARING AN EMERGENCY.**

Executive Summary: Easements are needed for the construction and maintenance of a new storm sewer culvert on Norfolk Southern Railroad property.

Attachments: [NS Easement Plat 2016](#)
 [NS Easement Legal Descriptions](#)
 [Resolution No. 16-61](#)

Resolution No. 16-61 was passed on the Consent Agenda.

- F. [16-62](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO SUBMIT A GRANT APPLICATION TO THE MARGARET CLARK MORGAN FOUNDATION ON BEHALF OF THE HUDSON FIRE DEPARTMENT.**
- Executive Summary:** The purpose of the grant is to provide funding for educational programs, and staff wishes to submit an application for grant funding of Fire Prevention Bureau training programs.
- Attachments:** [Hyperlink - Margaret Clark Morgan Foundation, Education Grants](#)
 [Resolution No. 16-62](#)

Resolution No. 16-62 was passed on the Consent Agenda.

14. **Legislation**

- A. [16-46](#) **AN ORDINANCE AMENDING CHAPTER 872, “TEMPORARY SPECIAL EVENTS,” OF THE BUSINESS REGULATION CODE AND REPEALING ORDINANCE NO. 08-158 AND CHAPTER 810, “CIRCUSES AND CARNIVALS,” OF THE BUSINESS REGULATIONS CODE; AND DECLARING AN EMERGENCY.**
- Executive Summary:** During 2015, City Council directed staff to cap the City’s out-of-pocket costs for special events at 2014 levels. After discussion with City Council, staff was directed to revise the current Special Event Policy to reflect that any new events or significantly expanded event would be charged back to the event sponsor.
- Attachments:** [2015 Special Event Cost Report](#)
 [Ordinance No. 16-46 - original version as introduced](#)
 [Proposed Amendment - as discussed at 3-22-16 Workshop](#)
 [Proposed Revisions - for consideration at 4-19-16 Meeting](#)
 [Comparison - showing 4-19-16 revisions to original version](#)

Mayor Basil read the title of Ordinance No. 16-46, which constituted its third reading.

A motion was made by Mr. Wooldredge, seconded by Dr. Williams, to pass Ordinance No. 16-46. The motion carried by the following vote:

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

- B. [16-52](#) **AN ORDINANCE REPEALING ORDINANCE NO. 94-164 AND AMENDING CHAPTER 1066 RELATED TO USE OF THE CITY'S TOWN HALL.**
Executive Summary: Currently City Ordinance No. 94-164 sets rules, regulations and payment rate for the use of the Council Chambers meeting room located on the second floor of the Town Hall facility at 27 East Main Street, Hudson, Ohio. Staff is requesting that this Ordinance be repealed and that discretionary authority be granted to the City Manager and/or his or her designee to determine appropriate use of the Town Hall facility.
Attachments: [Ordinance No. 94-167, adopting rules & regulations for use of Town Hall meeting room](#)
 [Ordinance No. 10-94, authorizing staff to create rules and regulations for Barlow Community Center and revising rates.](#)
 [Ordinance No. 16-52](#)

Mayor Basil read the title of Ordinance No. 16-52, which constituted its second reading.

- C. [16-53](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH WINDSTREAM WESTERN RESERVE, LLC TO ACQUIRE APPROXIMATELY 4.0128 ACRES OF REAL PROPERTY LOCATED NEAR THE SOUTHWEST CORNER OF OWEN BROWN STREET AND MORSE ROAD IN THE CITY OF HUDSON FOR PUBLIC PURPOSES; AND DECLARING AN EMERGENCY.**
Executive Summary: As outlined in the 2015 Comprehensive Plan, acquisition of the Windstream Property will enable the City to proceed with the planned Downtown Redevelopment Phase II Project.
Attachments: [Windstream Property: Boundary Survey, Lot Split & Consolidation](#)
 [Resolution No. 16-53](#)

Mayor Basil read the title of Resolution No. 16-53, which constituted its second reading.

- D. [16-54](#) **AN ORDINANCE ESTABLISHING AN INCENTIVE DISTRICT AND DECLARING IMPROVEMENTS TO PARCELS OF PROPERTY IN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE INCENTIVE DISTRICT, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, APPROVING THE COMPENSATION AGREEMENT WITH HUDSON CITY SCHOOL DISTRICT, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY.**
Executive Summary: This Ordinance sets forth the provisions as approved by City Council at their meeting of February 2, 2016, and will enable the creation of Tax Increment Financing District.
Attachments: [City's Revised Agreement with Schools \(approved by Bd. of Education 4-25-16\)](#)
 [Ordinance No. 16-54](#)
 [Ordinance No. 16-54 \(as revised 5-3-2016\) - comparison](#)

Ms. Howington addressed Council regarding Ordinance No. 16-54. She reported that the Board of Education

considered amendments to the proposed Tax Increment Financing Agreement, as submitted by a School Committee. She provided a detailed summary and said that most changes were not substantive; however, the Schools proposed establishing a cap on the money that could be applied to the TIF District. Ms. Howington did not support this amendment, but she promised that TIF dollars will be used for proposed improvements with specific intent, which would be mutually agreed upon by the City and Schools. She recommended alternate language and noted the public hearing on this Ordinance, scheduled for the May 3, 2016, Council meeting. Discussion followed and City Council members expressed opposition to the substantive amendments proposed by the Schools. Mr. Kelemen was optimistic that the City and Schools could work things out. Mayor Basil agreed, saying that the City and Schools have a history of collaboration and a strong working relationship.

Mayor Basil read the title of Ordinance No. 16-54, which constituted its second reading.

E. [16-55](#) AN ORDINANCE ENACTING A NEW CHAPTER 874, “MOBILE FOOD VEHICLES,” OF THE BUSINESS REGULATION CODE; AND DECLARING AN EMERGENCY.

Executive Summary: This Ordinance would allow food trucks at special community and private events but would not allow them otherwise.

Attachments: [20151012 Food Trucks](#)
 [20160315 Community Comparison](#)
 [Ordinance No. 16-55 - original version as introduced](#)
 [Proposed Revisions - for consideration at 4-19-16 Meeting](#)
 [Comparison - showing 4-19-16 revisions to original version](#)

Mayor Basil commented that Ordinance No. 16-55 is a companion piece to Ordinance No. 16-46 regarding special events.

Mayor Basil read the title of Ordinance No. 16-55, which constituted its second reading.

A motion was made by Mr. Hanink, seconded by Dr. Williams, to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow for passage of Ordinance No. 16-55. The motion carried by the following vote:

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

A motion was made by Mr. Hanink, seconded by Mr. DeSaussure, to pass Ordinance No. 16-55. The motion carried by the following vote:

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

- F. [16-56](#) **AN ORDINANCE AMENDING SUBSECTION (b) OF SECTION 452.13 “PROHIBITED PARKING IN DESIGNATED PLACES,” AND SECTION 410.11 “SCHEDULE XI - PARKING PROHIBITED DURING CERTAIN HOURS IN DESIGNATED PLACES,” OF THE TRAFFIC CODE; AND DECLARING AN EMERGENCY.**

Executive Summary: This legislation will limit the hours vehicles may park in public parking facilities. Such facilities include all public parking areas owned and/or operated by the City of Hudson. There is currently no limit to the amount of time a vehicle can park in or on a public parking facility. Staff wishes Council to approve this legislation to allow for parking enforcement in designated public parking areas.

Attachments: [Ordinance No. 16-56](#)

Mayor Basil read the title of Ordinance No. 16-56, which constituted its second reading.

- G. [16-58](#) **A RESOLUTION DECLARING THE INTENT TO INTRODUCE AN ORDINANCE ON JUNE 23, 2016, AUTHORIZING THE PLACEMENT OF A NOVEMBER 2016 BALLOT ISSUE TO HUDSON VOTERS FOR THE PURPOSE OF FUNDING INFRASTRUCTURE AND CONNECTIVITY THROUGH THE REDUCTION OF THE CURRENT INCOME TAX CREDIT BY TWENTY FIVE PERCENT (25%) AND SEEKING PUBLIC INPUT ON THIS ISSUE.**

Executive Summary: This Resolution is being introduced at Council’s request.

Attachments: [Tax Credit Reduction Presentation 4-26-2016](#)

[Resolution No. 16-58](#)

Mr. DeSaussure announced that Council is seeking public input regarding Resolution No. 16-58, and a public forum will be held at the April 26, 2016, Council workshop. Mayor Basil encourage citizens to attend.

Mayor Basil read the title of Resolution No. 16-58, which constituted its second reading.

- H. [16-63](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MR. EXCAVATOR, INC. FOR THE NORTH MAIN STREET - DOWNTOWN CORRIDOR IMPROVEMENT PROJECT SUM-91-14.67 (PID 93820); AND DECLARING AN EMERGENCY.**

Executive Summary: This project consists of the reconstruction of the N. Main Street (SR 91) from Streetsboro Street (SR 303) to Owen Brown Street. The project also includes the replacement of the waterline, pervious pavers, colored concrete walks, lighting, retaining wall, a new traffic signal at N. Main Street and Clinton/Aurora Streets, street trees, storm sewer work and other streetscape improvements.

Attachments: [Bid Summary](#)

[Bid Tabulation](#)

[Sandstone Retaining Wall vs. Modular Wall](#)

[Silva Cells](#)

[Resolution No. 16-63](#)

Mr. Sheridan recommended an award of contract to Mr. Excavator, and he reviewed alternates and in-lieu work items for the North Main Street - Downtown Corridor Improvement Project. Discussion followed regarding

supplemental appropriation, contingency needs, project timing, and communications.

Ms. Howington said that some N. Main St. businesses have requested sidewalk cafes, and she asked that Council permit staff to hold any such requests in abeyance until this project is complete. There was consensus from Council in this regard.

Mayor Basil read the title of Resolution No. 16-63, which constituted its first reading.

A motion was made by Dr. Williams, 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. 16-63. The motion carried by the following vote:

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

A motion was made by Dr. Williams, seconded by Mr. Wooldredge, to pass Resolution No. 16-63. The motion carried by the following vote:

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

I. [16-64](#) AN ORDINANCE AMENDING SECTION 1207.17, "SIGNS," AND CHAPTER 1213, "DEFINITIONS," OF THE LAND DEVELOPMENT CODE CONCERNING THE APPLICABILITY OF SIGN REGULATIONS AND INTERNAL ILLUMINATION OF SIGNS.

Executive Summary: These private party initiated amendments would remove restrictions on signage including those that prohibit internal illumination of signs.

Attachments: [20160314 PC SR](#)
[20160324 PC Comments](#)
[Ordinance No. 16-64](#)

Mayor Basil read the title of Ordinance No. 16-64, which constituted its first reading, and he referred it to the Planning Commission for consideration and recommendation.

15. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 9:20 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.