



City of Hudson, Ohio

Meeting Minutes - Final

City Council

David A. Basil, Mayor

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

Beth A. Bigham, Council Member (Ward 4)

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)

Jane Howington, City Manager

R. Todd Hunt, City Solicitor

Elizabeth A. Slagle, Clerk of Council

Tuesday, February 21, 2017

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, Mr. Weinstein and Mr. Wooldredge

Absent: 1 - Dr. Williams

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Comeriato, Assistant City Manager for Operations; Mr. Gerbracht, HCTV Equipment Engineer; Mr. Hutchinson, Assistant Public Works Director; Mr. Leiter, Production Assistant; Mr. Powell, Public Works Superintendent - Utilities; Mr. Richardson, Community Development Director; Ms. Roberts, Communications Manager; Mr. Sheridan, Assistant City Manager for Professional Services/City Engineer; and Mrs. VanBlarcum, HCTV Programming Director.

4. Approval of the Minutes

A. [17-0015](#)

MINUTES OF PREVIOUS COUNCIL MEETINGS.

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

Attachments: [February 7, 2017 Council Meeting - DRAFT](#)

[February 14, 2017 Council Workshop Minutes - DRAFT](#)

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

5. Public Hearing

- A. [17-28](#) **A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A CURRENT AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR LOUIS AND DEBORAH ESTERGALL, 3074 RAVENNA STREET, HUDSON, OHIO.**

Executive Summary: Mr. and Mrs. Estergall have submitted the attached renewal Application for Placement of Farmland in an Agricultural District for approximately 32 acres of property located at 3074 Ravenna Street in Hudson.

Attachments: [2017 Application for Placement of Farmland in Agricultural District - Estergall](#)
[Code Enforcement Inspection Report - Estergall](#)
[Hyperlink - Summit County Fiscal Officer's website](#)
[Resolution No. 17-28](#)

Mayor Basil opened the public hearing for Ordinance No. 17-28 at 7:33 p.m. There being no comments, Mayor Basil closed said public hearing at 7:34 p.m.

A public hearing was held for Resolution No. 17-28.

6. Public Comments

Mr. Greg Janik, 36 Thirty Acres, expressed opposition to the City's Deer Hunting Ordinance, and he asked Council members to consider alternate solutions to address problems with the deer population, including those recommended by the Ad Hoc Deer Committee, of which he was a member. He encouraged respect for the environment, safe driving, no passing zones, and reduced speed limits. He also urged Council to consider making Hudson a sanctuary city.

7. Correspondence and Council Comments

Mr. DeSaussure addressed concerns expressed during public comments. He explained that the City's deer population continued to grow subsequent to the City's application of solutions recommended by the Ad Hoc Deer Committee. He said that Council gave much consideration before adopting the City's Deer Hunting Ordinance, which limits bow hunting to hunting season within specific areas of the City. He said that Council welcomes hearing from anyone with alternate solutions to this continuing problem. Mayor Basil agreed that Council spent a great deal of time considering this issue, and it was not something undertaken lightly. He expressed concerns regarding dangerous deer encounters with people, as well as the ecological and environmental impacts of deer overpopulation. Mr. Wooldredge also agreed with Mr. DeSaussure and said that bow hunting has proved to be a reasonably successful solution.

Mr. Kelemen reported that he attended a recent Northeast Ohio City Council Association meeting, and he found it to be informative and an opportunity to meet Council members from surrounding communities.

Mr. Kelemen reported that the Environmental Awareness Committee received a grant for a Keep America Beautiful campaign.

Mayor Basil shared information from a weekly Summit County update concerning drug addiction problems. He reported 46 overdoses in the last week, which evidences a continuing catastrophe in our area. He noted that this number is under-reported and does not capture all, but of those reported incidences, the median age is 33, which is evidence of a real problem. He encouraged all to utilize resources available to get assistance for anyone struggling with an addiction problem.

8. Report of Manager

Ms. Howington reminded everyone that while it feels like spring, it is still winter and more snow events are anticipated.

9. Appointments

None.

10. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow for passage of legislation on the Consent Agenda. The motion carried by the following vote:

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

Approval of the Consent Agenda

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

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

- A. [17-0016](#) A MOTION TO ACKNOWLEDGE THE TIMELY RECEIPT OF THE JANUARY 2017 MONTHLY FINANCIAL REPORT.**
Executive Summary: Financial summaries are provided each month for Council's review.

Attachments: [January 2017 Financial Report](#)

This motion was approved on the Consent Agenda.

- B. [17-29](#) AN ORDINANCE AUTHORIZING A NEW POSITION OF ENGINEERING PROJECT DESIGNER AND AMENDING THE CITY'S PAY RANGE ASSIGNMENTS SCHEDULE THEREFOR; AND DECLARING AN EMERGENCY.**

Executive Summary: This Ordinance amends the City's Pay Range Assignments Schedule to include the position of Engineering Project Designer in Pay Range J.

Attachments: [2017 Pay Range Assignment - Proposed](#)
[Ordinance No. 17-29](#)

Ordinance No. 17-29 was passed on the Consent Agenda.

- C. [17-30](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH MURPHY TRACTOR AND EQUIPMENT COMPANY FOR A RUBBER TIRE BACKHOE FOR THE WATER DIVISION; AND DECLARING AN EMERGENCY.**

Executive Summary: The Hudson Water Department wishes to purchase a rubber

tire backhoe for the purpose of maintaining the water distribution system and grounds maintenance tasks. This new unit will replace the existing 20 year old unit that has reached the end of its usable life. Typically the industry standard for such pieces of equipment range from 12 to 15 years, but due to our maintenance program we were able to extend the replacement schedule.

Attachments: [Backhoe Quote](#)
[Resolution No. 17-30](#)

Resolution No. 17-30 was passed on the Consent Agenda.

- E. [17-32](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE PURCHASE OF FIVE FLEET VEHICLES FOR HUDSON COMMUNITY TELEVISION (HCTV), SERVICE DIVISION AND HUDSON PUBLIC POWER (HPP) OPERATIONS AND TO OUTFIT TWO OF SAID SERVICE DIVISION VEHICLES WITH EQUIPMENT; AND DECLARING AN EMERGENCY.**

Executive Summary: Per the approved 2017 fleet capital replacement budget the Public Works Department has obtained pricing for the purchase of five (5) replacement vehicles. These five vehicles include two (2) Ford Transit vans, one (1) Ford F250, one (1) Ford F550 with additional equipment, and one (1) Freightliner Cab and Chassis with additional brine spray system.

Attachments: [Resolution No. 16-190 adopted 12-6-2016](#)
[2017 Vehicle Replacement Costs](#)
[Resolution No. 17-32](#)

Resolution No. 17-32 was passed on the Consent Agenda.

- G. [17-34](#) **A RESOLUTION TO CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (“ODOT”) PERFORMANCE OF GUARDRAIL UPGRADES ON STATE ROUTE 91 AT MILE MARKER 13.10 (PID 103678) WITHIN THE CITY OF HUDSON LIMITS; AND DECLARING AN EMERGENCY.**

Executive Summary: The Ohio Department of Transportation requires local consent legislation allowing its maintenance department to perform guardrail upgrades within the corporate limits of any municipality that the identified state routes transect.

Attachments: [ODOT Consent Legislation](#)
[Resolution No. 17-34](#)

Resolution No. 17-34 was passed on the Consent Agenda.

- I. [17-36](#) **A RESOLUTION AFFIRMING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER’S DESIGNEE TO THE OHIO DEPARTMENT OF COMMERCE FOR A FIRE DEPARTMENT INDIVIDUAL EQUIPMENT GRANT ON BEHALF OF THE HUDSON FIRE DEPARTMENT.**

Executive Summary: The Ohio Department of Commerce provides funding through the Fire Department Individual Equipment Grant, up to \$15,000, for personal protective equipment, self-contained breathing apparatuses, communications equipment, and miscellaneous equipment to assist departments with meeting state

requirements for fire protection services.

Attachments: [Resolution No. 17-36](#)

Resolution No. 17-36 was passed on the Consent Agenda.

- J. [17-37](#) **A RESOLUTION AFFIRMING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER TO THE SUMMIT COUNTY EMERGENCY MANAGEMENT AGENCY FOR A 2017 EMERGENCY MANAGEMENT SPECIAL PROJECTS GRANT ON BEHALF OF THE HUDSON POLICE DEPARTMENT TO BENEFIT THE SUMMIT METRO CRASH RESPONSE TEAM.**

Executive Summary: The Summit County Emergency Management Agency provides funding to benefit the general population of Summit County through the four primary functions of emergency management: mitigation, preparedness, response and/or recovery. Multi-jurisdictional teams receive greater consideration.

Attachments: [Resolution No. 17-37](#)

Resolution No. 17-37 was passed on the Consent Agenda.

- K. [17-38](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO SUBMIT AN APPLICATION TO THE SUMMIT COUNTY LAND REUTILIZATION CORPORATION FOR A COMMUNITY DEVELOPMENT MATCHING GRANT FOR THE REUTILIZATION OF THE FORMER KOBERNA PROPERTY FOR THE DEVELOPMENT OF THE HUDSON CITY SCHOOL DISTRICT'S NEW BUS GARAGE AND CITY OF HUDSON FACILITIES; AND DECLARING AN EMERGENCY.**

Executive Summary: The Summit County Land Reutilization Corporation will support neighborhood and community reinvestment and economic development efforts through the strategic acquisition, reclamation, rehabilitation and reutilization of property in Summit County to revitalize neighborhoods and communities, stabilize property values, reduce blight, return property to productive use, and improve the quality of life in our community. Staff seeks authorization to apply for a Community Development Matching Grant for development of the former Koberna site for the Hudson City Schools Bus Garage and the City of Hudson Facilities.

Attachments: [Resolution No. 17-38](#)

Resolution No. 17-38 was passed on the Consent Agenda.

- L. [17-39](#) **A RESOLUTION AUTHORIZING THE ASSISTANT CITY MANAGER TO REPRESENT THE CITY OF HUDSON OHIO AS A MEMBER OF COMMITTEES OF THE BOARD OF TRUSTEES OF AMERICAN MUNICIPAL POWER, INC.**

Executive Summary: As a matter of record American Municipal Power (AMP) is requesting City of Hudson Council legislation formally authorizing the Assistant City Manager to serve on AMP Board of Trustees sub-committees.

Attachments: [Sample Resolution from AMP](#)

[Resolution No. 17-39](#)

Resolution No. 17-39 was passed on the Consent Agenda.

- M. [17-40](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE BURTON D. MORGAN FOUNDATION ON BEHALF OF HUDSON COMMUNITY TELEVISION.**
Executive Summary: The City of Hudson was awarded \$27,000 in grant funding from the Burton D. Morgan Foundation on behalf of Hudson Community Television.
Attachments: [Grant Award Letter from Burton D. Morgan Foundation](#)
 [Resolution No. 17-40](#)

Mr. DeSaussure thanked the Burton D. Morgan Foundation for the many benefits it provides to our community, including this grant to HCTV, which will help to purchase an important piece of equipment that will improve the quality of recordings. Mayor Basil agreed.

Resolution No. 17-40 was passed on the Consent Agenda.

Items Removed from the Consent Agenda

- D. [17-31](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AGREEMENT WITH OHIO CAT FOR A MINI HYDRAULIC EXCAVATOR FOR THE STORM WATER DIVISION; AND DECLARING AN EMERGENCY.**
Executive Summary: Per the approved 2017 storm water budget, the Public Works Department has obtained pricing for the purchase of a mini hydraulic excavator for usage in Storm Water. This will eliminate the cost of annually renting this equipment.
Attachments: [Resolution No. 16-190 adopted 12-6-2016](#)
 [Resolution No. 17-31](#)

Ms. Bigham requested that Resolution No. 17-31 be removed from the Consent Agenda.

A motion was made by Mrs. Bigham, 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. 17-31. The motion carried by the following vote:

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

Responding to Mrs. Bigham's questions, Mr. Comeriato explained the necessity for purchasing this equipment for the Storm Water Division and the framework for the decision to purchase versus continue to rent. Mrs. Bigham asked for details, including an analysis of insurance, maintenance and storage costs. Mr. Hanink asked that future budget discussions include such information.

A motion was made by Mr. Wooldredge, seconded by Mr. Weinstein, to pass Resolution No. 17-31. The motion carried by the following vote:

Aye: 5 - Mr. Kelemen, Mr. Weinstein, Mr. Wooldredge, Mr. DeSaussure and Mr. Hanink

Nay: 1 - Mrs. Bigham

F. [17-33](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE PURCHASE OF THREE VEHICLES FOR THE POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

Executive Summary: As discussed during the budget meetings last year, the Police Department would like to purchase three vehicles: a replacement patrol supervisor's cruiser which is four-wheel drive capable, a replacement patrol cruiser, and a replacement unmarked vehicle. These will replace a 2013 Chevrolet Tahoe, a 2014 Ford NGPI-Utility, and a 2004 Dodge Stratus.

Attachments: [2017 Police vehicle support documents](#)
 [Resolution No. 17-33](#)

Ms. Bigham requested that Resolution No. 17-33 be removed from the Consent Agenda.

A motion was made by Mrs. Bigham, 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. 17-33. The motion carried by the following vote:

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

Responding to Mrs. Bigham's questions regarding the need to replace later model year police vehicles, Mr. Comeriato referred to the replacement schedule, and Ms. Howington explained that patrol vehicles are highly used; and in order to maintain dependability, they require regular replacement due to high mileage and intense use. Mayor Basil noted that this matter was considered during Council's budget workshops. Mr. Wooldredge asked for staff to provide mileage on replacement vehicles. Mr. Weinstein agreed that more information would be helpful, and he questioned fuel efficiency considerations, hybrid vehicles, and selection of cars versus SUVs. Mr. Kelemen asked that larger capital items be brought forward sooner. Discussion followed regarding the budget review process and use of an emergency clause in Resolution No. 17-33.

A motion was made by Mr. Wooldredge, seconded by Mr. Kelemen, to pass Resolution No. 17-33. The motion carried by the following vote:

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

H. [17-35](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CDM SMITH FOR THE BRANDYWINE CREEK WATERSHED STUDY; AND DECLARING AN EMERGENCY.

Executive Summary: The Brandywine Creek Watershed Study will be a collaboration with the North East Ohio Regional Sewer District (NEORS) and will evaluate storm water infrastructure located on the main branches of Brandywine Creek and the Brandywine Creek Tributary and various other local critical storm water system issues.

Attachments: [Study Area](#)
 [Resolution No. 17-35](#)

Mr. Hanink requested that Resolution No. 17-35 be removed from the Consent Agenda.

A motion was made by Mr. Hanink, seconded by Mr. DeSaussure, to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow for passage of Resolution No. 17-35. The motion carried by the following vote:

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

Responding to Mr. Hanink's inquiry, Mr. Sheridan explained that the City's study will be done in conjunction with the NEORS study but will encompass a larger geographical area and will provide much more detail, particularly for problem areas not included in the NEORS study.

**A motion was made by Mr. Hanink, seconded by Mrs. Bigham, to pass Resolution No. 17-35.
The motion carried by the following vote:**

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

11. Legislation

A. [16-148](#) AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LAND DEVELOPMENT CODE TO EXPEDITE THE DEVELOPMENT APPROVAL PROCESS. (as revised 2/7/2017)

Executive Summary: The amendments consolidate non-Charter related amendments from Ordinance 16-57 with original Ordinance 16-148. The amendments expedite the development approval process.

Attachments: [Overview of Recent Amendments](#)
[Outline of Subject Amendments](#)
[Minor, Basic, Major Development](#)
[Council and PC Meetings](#)
[Original Proposed Ordinance No. 16-148, as introduced 9-20-2016](#)
[Ordinance No. 16-148, as revised 2-7-2017](#)

Mayor Basil read the title of Ordinance No. 16-148, which constituted its third reading.

A motion was made by Mr. DeSaussure, seconded by Mr. Wooldredge, to pass Ordinance No. 16-148. The motion carried by the following vote:

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

B. [17-13](#) AN ORDINANCE AMENDING SECTIONS 874.02 AND 874.04 OF CHAPTER 874, "MOBILE FOOD VEHICLES," OF THE BUSINESS REGULATION CODE REGARDING ICE CREAM SALES TRUCKS.

Executive Summary: The ordinance would repeal the exemption for ice cream sales trucks included in the original legislation.

Attachments: [Ordinance No. 17-13](#)

Mayor Basil read the title of Ordinance No. 17-13, which constituted its third reading.

**A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to pass Ordinance No. 17-13.
The motion carried by the following vote:**

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

- C. [17-14](#) **A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A CURRENT AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR HASBROUCK FAMILY FARM, 6403 STOW ROAD, HUDSON, OHIO.**

Executive Summary: Mr. Douglas Hasbrouck has submitted the attached renewal Application for Placement of Farmland in an Agricultural District for 122.53 acres of property located at 6403 Stow Road in Hudson.

Attachments: [2017 Application for Placement of Farmland in Agricultural District - Hasbrouck](#)
 [Code Enforcement Inspection Report - Hasbrouck Family Farm](#)
 [Hyperlink - Summit County Fiscal Officer's website](#)
 [Resolution No. 17-14](#)

Mayor Basil read the title of Resolution No. 17-14, which constituted its second reading.

- D. [17-15](#) **A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A CURRENT AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR JANE CANIGLIA PROPERTIES, LLC, 5230 DARROW ROAD, HUDSON, OHIO.**

Executive Summary: Ms. Alice Caniglia has submitted the attached renewal Application for Placement of Farmland in an Agricultural District for 37.08 acres of property located at 5230 Darrow Road in Hudson.

Attachments: [2017 Application for Placement of Farmland in Agricultural District - Caniglia](#)
 [Code Enforcement Inspection Report - Caniglia](#)
 [Hyperlink - Summit County Fiscal Officer's website](#)
 [Resolution No. 17-15](#)

Mayor Basil read the title of Resolution No. 17-15, which constituted its second reading.

- E. [17-28](#) **A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A CURRENT AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR LOUIS AND DEBORAH ESTERGALL, 3074 RAVENNA STREET, HUDSON, OHIO.**

Executive Summary: Mr. and Mrs. Estergall have submitted the attached renewal Application for Placement of Farmland in an Agricultural District for approximately 32 acres of property located at 3074 Ravenna Street in Hudson.

Attachments: [2017 Application for Placement of Farmland in Agricultural District - Estergall](#)
 [Code Enforcement Inspection Report - Estergall](#)
 [Hyperlink - Summit County Fiscal Officer's website](#)
 [Resolution No. 17-28](#)

Mayor Basil read the title of Resolution No. 17-28, which constituted its first reading.

- F. [17-41](#) **AN ORDINANCE AMENDING CHAPTER 280 OF THE CODIFIED ORDINANCES REGARDING THE COMMUNITY TELEVISION ADVISORY COMMITTEE. (as revised 3-7-2017)**
Executive Summary: This Ordinance reflects changes to the Committee's name, terms, term limits, and other general updates.
Attachments: [Ordinance No. 17-41, as introduced 2-21-2017](#)
 [Ordinance No. 17-41, as revised 3-7-2017](#)

Mayor Basil read the title of Ordinance No. 17-41, which constituted its first reading.

12. Adjournment

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