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, October 3, 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, Dr. Williams and Mr. Wooldredge

Absent: 1 - Mr. Weinstein

Staff in Attendance: Ms. Howington, City Manager; Mr. Hunt, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Comeriato, Assistant City Manager; Mr. Hutchinson, Assistant Public Works Director; Mr. Knoblauch, Finance Director; Mr. Leiter, Production Assistant; Mr. Richardson, Community Development Director; Mr. Sheridan, Assistant City Manager - City Engineer; and Mr. Vazzana, Assistant City Attorney.

4. Approval of the Minutes

A. 17-0087 **MINUTES OF PREVIOUS COUNCIL MEETINGS.**

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

Attachments: September 19, 2017 Council Meeting Minutes - DRAFT

September 26, 2017 Workshop Minutes - DRAFT

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

5. Proclamation

A. 17-0088 **Special Recognition of Customer Service Week.**

Executive Summary: Mayor Basil will proclaim the week of October 2-6, 2017, as Customer Service Week in Hudson.

Attachments: Proclamation

Mr. Hutchinson accepted the Proclamation on behalf of City employees.

Mayor Basil read this Proclamation in its entirety, recognizing the week of October 2-6, 2017, as Customer Service Week in Hudson.

6. Public Comments

Mrs. Sarah Norman, 2212 Edgeview Drive, spoke regarding ongoing zoning enforcement issues on Edgeview Drive, and she looked forward to proactive action by the City within the month.

Mrs. Eileen Fitzgerald, 2651 Bridgeton Drive, spoke in support of Ordinance No. 17-99 to prohibit the growing, processing, and distribution or sale of medical marijuana in Hudson, and she wanted nothing relating to marijuana coming here.

Mr. Dan Burger, 247 West Streetsboro Street, spoke in support of Ordinance No. 17-99. He supported medical marijuana to assist patients in need and said that the state of Ohio has structure and parameters to protect communities, and stricter local laws are an option. He said that allowing the uses of growing, processing, and distribution or sale of medical marijuana would foster business and economic development, and he encouraged Council to vote against this Ordinance.

7. Correspondence and Council Comments

Mr. Wooldredge stated that science is still not clear on the effectiveness of medical marijuana as a drug therapy. He supported Ordinance No. 17-99 to prohibit the cultivation, processing, and distribution or sale of medical marijuana in Hudson.

Mr. Kelemen was pleased to report that over 600 students participated in the recent Bike/Walk to School event on September 29th. He thanked the police for their support.

Mr. DeSaussure thanked the Hudson Community Foundation and Lori McCleese for locally spearheading the recent public discussion concerning the opioid epidemic that confronts Hudson and all communities. He said that the event was successful in growing awareness of this crisis. Mayor Basil agreed.

8. Report of Manager

Mrs. Howington spoke regarding award of contracts for parking and traffic studies for Downtown Phase 2, Resolution Nos. 17-147 and 148 on the evening's agenda.

She announced that the residential leaf collection program is scheduled to begin the week of October 23, but the City may modify the schedule in response to needs. She encouraged residents to mulch their leaves and blow them into a wooded area. She noted that landscaping companies can collect leaves before or after the City's program if homeowners cannot comply with the City's schedule, and she said that the program may be shortened if necessary due to snow.

Finally, she asked City Council members to provide input concerning their priorities for scheduling pending workshop discussion items.

17-0090 **Land Development Code Re-Write**

Executive Summary: [text]

Attachments: LDC Rewrite Timeline Update 10-3-2017

LDC Rewrite Phase I Recap 10-3-2017

Mr. Vazzana provided an overview of the project to rewrite the Land Development Code, identifying and explaining the project phases: 1) research and information gathering; 2) drafting; and 3) review and presentation. He noted opportunities for public review and comment. Mr. Richardson said that the primary goal of this project is to simplify the Code, and he identified some of the areas needing changes and reviewed key topics to be addressed. Discussion followed. Mr. Kelemen asked for details regarding the public survey conducted and open house held. He also asked about opportunities for input from the Tree Commission and Environmental Awareness Committee, and he suggested scheduling a joint meeting with Council, Architectural & Historic Board of Review and Planning Commission. Council members Hanink and Bigham thanked staff for the update and looked forward to thoughtful consideration of Hudson's land use policies.

9. Appointments

Mr. DeSaussure reminded the community that Council is seeking applications for positions on the HCTV Advisory Committee and Environmental Awareness Committee. He and Mayor Basil encouraged interested citizens to apply by October 13th.

10. Suspension of the Rules for the Consent Agenda

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

Approval of the Consent Agenda

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

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

C. 17-149 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VIZMEG LANDSCAPE, INC. FOR CITY LANDSCAPING MAINTENANCE SERVICES ON CITY GREENS AND PUBLIC PROPERTIES.**

Executive Summary: The Public Works Department budgets annually for contract mowing and general landscape maintenance services for public properties and City greens. The Public Works Department seeks City Council approval to award this contract to Vizmeg Landscape.

Attachments: Resolution No. 16-190, passed 12-6-16
2018- 2019 Greens Landscaping Bid
Resolution No. 17-149

Resolution No. 17-149 was passed on the Consent Agenda.

D. 17-150 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VIZMEG LANDSCAPE, INC. FOR TREE PLANTING SERVICES.**

Executive Summary: The Public Works Department budgets annually for contract tree planting services along various streets within Hudson, on the public greens, and on public properties. The Public Works Department seeks City Council approval to enter into a contract with Vizmeg Landscape, Inc. for these services.

Attachments: Resolution No. 16-190, passed 12-6-2016
2018-2019 Bid Tab Tree Planting Program
Resolution No. 17-150

Resolution No. 17-150 was passed on the Consent Agenda.

E. 17-151 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GARDINER SERVICE COMPANY FOR THE CITY'S HVAC MAINTENANCE PROGRAM.**

Executive Summary: The Public Properties Division currently contracts for preventative maintenance services and repairs of HVAC equipment and associated control systems assets within public buildings. Public Works staff opened bids on 8/31/17 and the lowest bid was submitted by Gardiner Service Company for a total estimate of $46,900.00 annually. This is a three (3) year contract with an optional renewal of two (2) years. The current contract expires on December 31, 2017.

Attachments: Resolution No. 16-190, passed 12-6-2016
2018 Bid tab HVAC-1.1
Resolution No. 17-151

Resolution No. 17-151 was passed on the Consent Agenda.

F. 17-152 **A RESOLUTION AFFIRMING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER'S DESIGNEE TO AMERICAN MUNICIPAL POWER FOR A 2017 SUSTAINABILITY GRANT AND THE CITY'S ACCEPTANCE OF SAID GRANT.**

Executive Summary: As a participant in the EcoSmart Choice Program, the City applied for and was awarded a 2017 Sustainability Grant from American Municipal Power.

Attachments: Resolution No. 17-152

Dr. Williams noted that Resolution No. 17-152 is for a grant of $22 from American Municipal Power.

Resolution No. 17-152 was passed on the Consent Agenda.

G. 17-153 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE VALLEY VIEW ROAD CULVERT REPLACEMENT PROJECT WITH THE LOWEST AND BEST BIDDER; AND DECLARING AN EMERGENCY.**

Executive Summary: The Valley View Road Culvert Replacement Project will involve the removal and replacement an existing box culvert that is failing under the roadway and causing settlement of the pavement. The culvert is located within the right-of-way, near homes #7855 - #7873 Valley View Road, north of Middleton Road.

Attachments: Exhibit Map

Resolution No. 17-153

Resolution No. 17-153 was passed on the Consent Agenda.

I. 17-155 **A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT; AND DECLARING AN EMERGENCY.**

Executive Summary: City Council will take action pertaining to City Manager Jane Howington's Employment Agreement.

Attachments: Resolution No. 17-155

Resolution No. 17-155 was passed on the Consent Agenda.

Items Removed from the Consent Agenda

A. 17-147 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH WALKER PARKING CONSULTANTS FOR THE DOWNTOWN PHASE 2 PARKING STUDY; AND DECLARING AN EMERGENCY.**

Executive Summary: The proposed Parking Study will evaluate the existing and proposed parking needs and make recommendations for the future parking within the Hudson Central Downtown Business District.

Attachments: Resolution No. 17-147

Mr. Hanink requested that Resolution No. 17-147 be removed from the Consent Agenda.

A motion was made by Mr. Hanink, seconded by Mr. Wooldredge, to suspend the rule requiring three readings to allow passage of Resolution No. 17-147. The motion carried by the following vote:

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

Mr. Hanink said that he reviewed the specifications provided for Resolution Nos. 17-147 and 148. He asked if these studies will be predicated on the existence of a hotel in Downtown Phase 2. Mr. Sheridan explained that the specifications were predicated on the proposed concept plan. He said that as the plan is refined, the traffic and parking models can be analyzed and the studies will be updated. Discussion followed. Council members and Mayor Basil supported moving forward with the traffic and parking studies.

A motion was made by Mr. Hanink, seconded by Mr. Wooldredge, to pass Resolution No. 17-147. The motion carried by the following vote:

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

B. 17-148 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH TMS ENGINEERS, INC. FOR THE DOWNTOWN PHASE 2 TRAFFIC STUDY; AND DECLARING AN EMERGENCY.**

Executive Summary: The proposed Traffic Study will evaluate the existing and proposed traffic patterns within the Hudson Central Downtown Business District area for the proposed Downtown Phase 2 Project and potential impacts to adjacent neighborhoods and intersections in the area. The study will provide recommendations and cost estimates in the final report.

Attachments: Resolution No. 17-148

Mr. Hanink requested that Resolution No. 17-148 be removed from the Consent Agenda.

A motion was made by Mr. Hanink, seconded by Mr. DeSaussure, to suspend the rule requiring three readings to allow passage of Resolution No. 17-148. The motion carried by the following vote:

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

See comments noted above for Resolution No. 17-148.

A motion was made by Mr. Hanink, seconded by Mr. DeSaussure, to pass Resolution No. 17-148. The motion carried by the following vote:

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

H. 17-154 **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.**

Executive Summary: 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: Summit County Budget Commission Certification of Tax Levy

Resolution No. 17-154

Mr. Wooldredge requested that Resolution No. 17-154 be removed from the Consent Agenda.

A motion was made by Mr. Wooldredge, seconded by Mr. DeSaussure, to suspend the rule requiring three readings to allow passage of Resolution No. 17-154. The motion carried by the following vote:

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

Responding to Mr. Wooldredge's inquiry, Mr. Knoblauch provided an explanation regarding the property tax roll-back. He also reviewed the property tax levy schedule for 2018 collections, as provided by Summit County.

A motion was made by Mr. Wooldredge, seconded by Mr. DeSaussure, to pass Resolution No. 17-154. The motion carried by the following vote:

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

11. Legislation

A. 17-99 **AN ORDINANCE AMENDING SECTIONS 1206.01 AND 1213.02 OF THE PLANNING AND ZONING CODE CONCERNING THE PROHIBITION OF CULTIVATION, PROCESSING, AND DISPENSING OR SALE OF MEDICAL MARIJUANA.**

Executive Summary: This Ordinance will amend the Planning & Zoning Code (Land Development Code) to prohibit the cultivation, processing, dispensing, or sale of medical marijuana within the municipal limits of the City.

Attachments: PC Recommendation 8-14-2017

Public Hearing Notice - published 8-20-2017

Ordinance No. 17-99 as revised 10-3-2017

Mr. Kelemen spoke in support of Ordinance No. 17-99, making the distinction that there is no law Hudson can pass to prohibit a patient from obtaining medical marijuana. He said the State of Ohio regulates the number of dispensaries. All other Council members and Mayor Basil spoke in favor of the Ordinance, questioning predicted economic benefits, opposing promotion of marijuana under any circumstance, representing their constituents' views, citing lack of scientific evidence to support claims, expressing concerns regarding sending a mixed message to youth, and questioning unintended collateral consequences of allowing the cultivation, processing, and dispensing or sale of medical marijuana. All were in favor of prohibiting these uses in Hudson.

Mayor Basil read the title of Ordinance No. 17-99, which constituted its third reading.

A motion was made by Dr. Williams, seconded by Mr. Wooldredge, to pass Ordinance No.

17-99. The motion carried by the following vote:

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

12. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 8:57 p.m.

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David A. Basil, Mayor

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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.