



City of Hudson, Ohio

Meeting Minutes - Final

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)

Casey M. Weinstein, Council Member (Ward 2)

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

Jane Howington, City Manager

R. Todd Hunt, City Solicitor

Elizabeth A. Slagle, Clerk of Council

Tuesday, May 1, 2018

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 - Operations; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; Mr. Leiter, Production Assistant; Ms. Roberts, Communications Manager; Mr. Sheridan, Assistant City Manager - Professional Services; and Mr. Stifler, Economic Development Director.

4. Approval of the Minutes

A. [18-0037](#)

Minutes of Previous Council Meetings.

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

Attachments: [April 17, 2018 Council Meeting Minutes - DRAFT](#)
[April 24, 2018 Council Workshop Minutes - DRAFT](#)

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

5. Proclamations

- A. [18-0039](#) **Special Recognition of “Poppy Days” during May 18 - 19, 2018**
Executive Summary: The American Legion Auxiliary will distribute memorial flowers in Hudson during Poppy Days, in recognition of the sacrifice made by men and women who served and died for their country during a time of war. Barbara Mansfield will accept this Proclamation on behalf of the American Legion Auxiliary, Lee Bishop Post 464.

Attachments: [Proclamation](#)

Mayor Basil presented the Proclamation to representatives of the American Legion Auxiliary, who thanked everyone for supporting Poppy Days and also invited everyone to enjoy the Memorial Day parade on May 28, 2018.

Mayor Basil read this Proclamation in its entirety, recognizing May 18-19, 2018, as Poppy Days.

- B. [18-0038](#) **Special Acknowledgement of “Public Service Recognition Week” during May 6 - 12, 2018**
Executive Summary: This Proclamation acknowledges the first full week of May as “Public Service Recognition Week” in Hudson, Ohio, in honor of public employees who serve at all levels of government.

Attachments: [Proclamation](#)

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

Mayor Basil read this Proclamation its entirety, acknowledging the week of May 6 - 12, 2018, as Public Service Recognition Week.

6. Public Comments

Members of the local iMatter Youth Group, including Ela Mody, 6254 Wessington Drive, Jenny Williams, 5893 Londonairy Boulevard, and Cece Bird, 7406 Hudson Park Drive, encouraged City Council to pass a Resolution to reduce emissions and become more environmentally friendly. They spoke of current and future effects of climate change, and they stressed the importance of small communities taking action in favor of future generations. (See comments attached to record copy of these minutes).

Mrs. Melissa Jones, 2233 Ravenna Street, spoke regarding the recent removal of yard signs from right-of-way areas of properties adjacent to the Sergi property, which has been the subject of a recent rezoning effort. She questioned a 90-day deadline, as well as the fair and equal treatment of signs posted in the ROW throughout the City. (See photographs of yard signs attached to record copy of these minutes).

Mr. Bob Medcalf, 6518 Chestwick Lane, expressed appreciation for the work of City officials, but he expressed concerns regarding the City's debt load and current property taxes. He was not supportive of the City expanding broadband to residential areas, and he questioned the recent survey conducted by the City. He also questioned previous climate change comments.

Mr. Ken Wood, 2707 Brunswick Lane, opposed the City's expansion of broadband to residents and referenced the unfavorable experiences of Utopia, Utah. He expressed concern for placing an issue on the ballot to tax all residents, regardless of their broadband use. He felt that there are sufficient Internet alternatives for residents.

Mr. Nick Zaklanovich, 5381 Brooklands Drive, resident and Chair of HCTV Advisory Committee, spoke in support of Ordinance No. 18-55, concerning rule-making authority governing public access. He also spoke in support of the City expanding broadband to residential areas. However, he noted that HCTV is currently funded almost exclusively by franchise fees from Spectrum, and if their market significantly declines, an alternate HCTV funding plan would need to be considered. He said that the franchise fees enable HCTV to record local government meetings, as part of the official record, as well as other website videos and training videos.

Mr. Scott Fisher, 5636 Londonairy Boulevard, spoke in support of the City's expansion of broadband to residential customers. He said that he operates his business from his home, and the current Internet service providers cannot compete with the service level that broadband offers.

7. Correspondence and Council Comments

Mr. Weinstein reported that he had contacted approximately 9,400 Hudson residents via Facebook, providing background information concerning the proposed residential broadband initiative and asking for their feedback. He received 156 comments, 152 of which were favorable. Respondents were unhappy with current service and wanted improved broadband technology. Mr. Weinstein voiced his support for Resolution No. 18-66 to submit an issue to voters on November 6, 2018.

Mr. Hanink read a letter from Mr. Rob Kagler, 65 Manor Drive, expressing concerns and questioning the reasoning for the closure of College Street between Chapel and Hudson Streets since the fall of 2017. Mr. Kagler asked the City to do one of the following: 1.) Council should formally propose, review, and act upon this street closure, pursuant to Charter requirements, or 2.) College Street should be re-opened and resume its legal status as a public roadway. (See letter attached to record copy of these minutes). Mr. Hanink said he has also witnessed drivers ignoring the street closure barricades and signage on College Street.

Mr. Kelemen asked for further discussion concerning the recent issue of sign removals from right-of-way areas, as well as Code enforcement procedures.

Mr. DeSaussure asked for discussion at a future workshop concerning the Herrick Park drainage issue raised at the April 3, 2018, Council meeting. Ms. Howington said that stormwater issues are scheduled for the May 22, 2018, workshop.

8. Report of Manager

At Ms. Howington's request, Mr. Knoblauch reviewed the more significant first quarter appropriations requests contained in Ordinance No. 18-63, including appropriations for the Road Program, street and sidewalk construction, the PASCO building acquisition and improvements, Barlow Road widening and trail, water main installation along Hudson Drive and Hudson Gate Drive, Prospect Street Substation rebuild, and Hines Hill Substation design. He noted that most are re-appropriations of 2017 funds.

Responding to Ms. Bigham's inquiry, Mr. Knoblauch reviewed General Fund appropriations. Discussion followed concerning advance appropriations for Council-directed studies.

9. Appointments

Mr. Wooldredge announced that the City is accepting applications through May 18th for positions on the Architectural & Historic Board of Review and the Tree Commission, and he encouraged interested residents to submit their applications. Mayor Basil said that volunteer service on a City board or commission is a meaningful contribution to the community and is a most rewarding and worthwhile experience.

10. 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 - 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. Weinstein, 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. [18-57](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BOWMAN APPRAISAL SERVICES, INC. FOR APPRAISAL REVIEW SERVICES FOR THE STATE ROUTE 91 NORTH TURN LANE IMPROVEMENTS PROJECT (PID 93822); AND DECLARING AN EMERGENCY.

Executive Summary: The SR 91 North Turn Lane Improvement project design includes the addition of left turn lanes at Valley View Road, Herrick Park Drive & Hines Hill Road, resurfacing of SR 91 from Brandywine Drive to Middleton Road, the installation of a sidewalk on one east side of the road, and bike lanes on both sides of the road from Brandywine Drive to Middleton Road.

Attachments: [Review Cost Breakdown](#)
[Resolution No. 18-57](#)

Resolution No. 18-57 was passed on the Consent Agenda.

B. [18-58](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH O.R. COLAN ASSOCIATES, INC. FOR RIGHT-OF-WAY ACQUISITION SERVICES FOR THE STATE ROUTE 91 NORTH TURN LANE IMPROVEMENTS PROJECT (PID 93822); AND DECLARING AN EMERGENCY.

Executive Summary: The SR 91 North Turn Lane Improvement project design includes the addition of left turn lanes at Valley View Road, Herrick Park Drive & Hines Hill Road, resurfacing of SR 91 from Brandywine Drive to Middleton Road, the installation of a sidewalk on one east side of the road, and bike lanes on both sides of the road from Brandywine Drive to Middleton Road.

Attachments: [Review Cost Breakdown](#)
[Resolution No. 18-58](#)

Resolution No. 18-58 was passed on the Consent Agenda.

- C. [18-59](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE CONTRACT WITH CATTS CONSTRUCTION, INC. FOR THE VALLEY VIEW ROAD CULVERT REPLACEMENT PROJECT; AND DECLARING AN EMERGENCY.**
Executive Summary: Due to the need to remediate unforeseen site conditions, City staff is requesting a change to the contract with Catts Construction, Inc. for the Valley View Road Culvert Replacement Project.
Attachments: [Resolution No. 18-59](#)

Resolution No. 18-59 was passed on the Consent Agenda.

- D. [18-60](#) **A RESOLUTION AMENDING RESOLUTION NO. 17-178 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PARTIAL RENT REIMBURSEMENT AGREEMENT WITH PASCO, INC. RELATED TO THE PURCHASE OF REAL PROPERTY LOCATED AT 1140 TEREX ROAD (PERMANENT TAX PARCEL NO. 30-06939) IN THE CITY OF HUDSON; AND DECLARING AN EMERGENCY.**
Executive Summary: This Resolution authorizes a partial rent reimbursement agreement with PASCO for the company's new location on Hudson Industrial Parkway.
Attachments: [Resolution No. 18-60](#)

Resolution No. 18-60 was passed on the Consent Agenda.

- E. [18-61](#) **A RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH PASCO, INC. (fka "AUTOMATED TRACKING SYSTEMS, INC.") FOR THE PROPERTY LOCATED AT 1140 TEREX ROAD IN THE CITY OF HUDSON; AND DECLARING AN EMERGENCY.**
Executive Summary: This Resolution will enable PASCO, Inc. (fka "Automated Tracking Systems, Inc.") to lease the building located at 1140 Terex Road from the City for a period of 120 calendar days as part of the company's transition out of the building.
Attachments: [Resolution No. 18-61](#)

Resolution No. 18-61 was passed on the Consent Agenda.

- F. [18-62](#) **A RESOLUTION AFFIRMING THE APPLICATION SUBMITTED BY THE CITY MANAGER TO THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY (dba REWORKS) FOR A COMMUNITY RECYCLING ACCESS GRANT TO SUPPORT RECYCLING SERVICES AND THE ACCEPTANCE OF SAID GRANT.**
- Executive Summary:** ReWorks provides the Community Recycling Assistance Grant to Summit County communities. The intent of the grant is to assist ReWorks in meeting goals and objectives of the State of Ohio's Solid Waste Plan by financially supporting a community's residential recycling infrastructure and increasing residential recycling tonnage.

Attachments: [Resolution No. 18-62](#)

Resolution No. 18-62 was passed on the Consent Agenda.

- G. [18-63](#) **AN ORDINANCE AMENDING ORDINANCE NO. 17-184, MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HUDSON DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018 BY MAKING ADDITIONAL AND/OR AMENDED APPROPRIATIONS RELATED TO THE FIRST QUARTER OF 2018.**

Executive Summary: This Ordinance will amend the 2018 budget for additional and/or amended appropriations as listed in the attached Exhibit A.

Attachments: [Exhibit A - 1st Quarter Appropriations 2018](#)
 [Ordinance No. 18-63](#)

Ordinance No. 18-63 was passed on the Consent Agenda.

11. **Legislation**

- A. [18-55](#) **AN ORDINANCE AMENDING SECTION 280.01 OF THE CODIFIED ORDINANCES REGARDING THE PURPOSES AND AUTHORITY OF THE COMMUNITY TELEVISION ADVISORY COMMITTEE.**

Executive Summary: This ordinance grants the Hudson Community Television Advisory Committee the authority to approve updates to the Rules for the Public Access process and programming.

Attachments: [2018 HCTV Rules for Public Access - revisions with redlines](#)
 [Ordinance No. 18-55](#)

Mayor Basil read the title of Ordinance No. 18-55, which constituted its second reading.

Making a point of order, Mr. Kelemen questioned if the April 17, 2018, motion to suspend the rule to allow for passage of Ordinance No. 18-55 was still in effect. Mayor Basil confirmed that the rule suspension was effective, and that a motion to pass this Ordinance could be acted upon if Council so desired.

Mr. Kelemen said that he preferred to have Council discretion of changes to public access

rules. Mr. Hunt explained that City Council would still have the ability to review rules adopted by the Community Television Advisory Committee. Mr. Wooldredge agreed. Discussion followed. Mayor Basil said that it is incumbent upon the Council Liaison to bring any questions before City Council, should a concern ever arise regarding Committee actions. Mr. DeSaussure supported passage of Ordinance No. 18-55, saying that content is governed by Federal law. Mr. Hanink said that Council, the Committee, and staff need to be aware of the potential for content regulation and to ensure the platform respects and offers all sides. Ms. Bigham thanked Committee members for their service. She agreed that objectivity concerning public access is imperative, and she supported Council approval of rule changes.

A motion was made by Mr. Kelemen, seconded by Mr. Wooldredge, to pass Ordinance No. 18-55. The motion carried by the following vote:

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

B. [18-56](#)

A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A NEW AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR JOHN ROMAN, 7005 WALTERS ROAD, HUDSON, OHIO.

Executive Summary: Mr. John Roman has submitted the attached Application for Placement of Farmland in an Agricultural District for property located at 7005 Walters Road in Hudson.

Attachments: [Application for Placement of Farmland in Agricultural Dist - 7005 Walters Rd](#)
[Letter to Council from Applicant - J. Roman](#)
[Anticipated Farm Income - 7005 Walters Rd](#)
[Map](#)
[Code Enforcement Inspection Report - 7005 Walters Rd 4-4-18](#)
[Public Hearing Notice 4-8-18](#)
[Resolution No. 18-56 \(As Introduced 4/17/2018\)](#)
[Resolution No. 18-56 \(As Revised 5/15/2018\)](#)

Mayor Basil read the title of Resolution No. 18-56, which constituted its second reading.

C. [18-64](#)

AN ORDINANCE ENACTING SECTION 1048.15, "DESIGNATION AND CONTROL OF MUNICIPAL ELECTRIC UTILITY FACILITIES" OF THE STREETS, UTILITIES, AND PUBLIC SERVICES CODE; AND DECLARING AN EMERGENCY.

Executive Summary: This Ordinance will clarify designation of those poles and structures in the public right-of-ways in the City that are within the custody and control of Hudson Public Power which is necessitated by the deployment of small cell technology and facilities by the industry.

Attachments: [Ordinance No. 18-64](#)

Mayor Basil asked for the City Solicitor's advice concerning the urgency of action by Council. Mr. Hunt said that the current law is still in effect, and the new House Bill 478 has not been signed by the Governor and will be effective 90 days after it is signed. He said that under both laws, the facilities of municipal electric

companies are not subject to mandatory acceptance of private industry or small cell facilities, protecting the City's electric assets that are under the custody and maintenance of Hudson Public Power. He said that the exemption for Hudson Public Power is in the current law, and it would be helpful to have Ordinance No. 18-64 in place when the new law becomes effective. Discussion followed regarding the City's lease options and pole sharing agreements.

Mayor Basil read the title of Ordinance No. 18-64, which constituted its first reading.

A motion was made by Mr. Hanink, seconded by Mr. Wooldredge, to suspend the rule requiring three readings to allow for passage of Ordinance No. 18-64. The motion carried by the following vote:

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

Nay: 1 - Mrs. Bigham

A motion was made by Mr. Wooldredge, seconded by Mr. Hanink, to pass Ordinance No. 18-64. The motion carried by the following vote:

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

- D. [18-65](#) A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF A 2.7 MILL PROPERTY TAX LEVY TO SUPPORT THE ISSUANCE OF CITY IMPROVEMENT BONDS FOR THE PURPOSE OF CONSTRUCTING A COMMUNITY-WIDE FIBER NETWORK.**
- Executive Summary:** This Resolution is a State Code-required precursor to legislation placing a voted bond issue/property tax levy on the ballot. A copy of this Resolution will be sent to the Summit County Fiscal Officer to certify the estimated annual property taxes from the levy.

Attachments: [Resolution No. 18-65 \(As Introduced 5/1/2018\)](#)

[Resolution No. 18-65 \(As Revised 5/15/2018\)](#)

Mayor Basil read the title of Resolution No. 18-65, which constituted its first reading.

- E. [18-66](#) A RESOLUTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF A 2.7 MILL PROPERTY TAX LEVY TO PROVIDE FUNDING FOR THE CONSTRUCTION OF A COMMUNITY-WIDE BROADBAND NETWORK THROUGH THE ISSUANCE OF BONDS TO BE REPAYED ANNUALLY OVER A MAXIMUM PERIOD OF TEN YEARS.**
- Executive Summary:** This Resolution is to allow Hudson voters to determine whether or not they support funding the capital buildout of a community-wide fiber network through a property tax levy.

Attachments: [Resolution No. 18-66 \(As Introduced 5/1/2018\)](#)

[Resolution No. 18-66 \(As Revised 5/15/2018\)](#)

Mr. Hanink commented that the City needs to endeavor to make certain that voters understand the issue between now and November 6th. He said that there appears to be some confusion about the proposed property tax, in addition to fee for services. Mrs. Bigham attempted to comment, as well, but Mayor Basil requested that other such comments be made during the Council comments portion of meetings. Mr. Wooldredge suggested that discussion could be scheduled for a workshop.

Mayor Basil read the title of Resolution No. 18-66, which constituted its first reading.

12. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 9:07 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.