



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)

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

Vacant (Ward 2)

Jane Howington, City Manager

Matthew J. Vazzana, City Solicitor

R. Todd Hunt, Special Counsel

Elizabeth A. Slagle, Clerk of Council

Tuesday, February 5, 2019

6:30 PM

Town Hall

1. Call to Order

Mayor Basil called to order the meeting of Hudson City Council at 6:39 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

Present: 5 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, and Dr. Williams

Absent: 1 - Mr. Wooldredge

Mr. DeSaussure entered at 6:57 p.m.

Staff in Attendance: Mrs. Slagle, Clerk of Council.

2. Executive Session

By unanimous voice vote, the Council entered into executive session at 6:39 p.m. to interview applicants for various boards, commissions, and committees.

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

3. Pledge of Allegiance to the Flag

4. Roll Call

Present: 5 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, and Dr. Williams

Absent: 1 - Mr. Wooldredge

Staff in Attendance: Ms. Howington, City Manager; Mr. Vazzana, City Solicitor; Mrs. Slagle, Clerk of Council; Mr. Comeriato, Assistant City Manager - Operations; Mr. Hannan, Community Development Director; Mr. Hutchinson, Assistant Public Works Director; Mr. Knoblauch, Assistant City Manager - Financial/Special Projects; Mr. Kosco, City Engineer; Mr. Leiter, Production Assistant; Mr. Powell, Assistant Public Works Director; Ms. Roberts, Communications Manager; Mr. Sheridan, Assistant City Manager - Professional Services; and Mr. Varnes, Fire/EMS Chief.

5. Approval of the Minutes

A. [19-0008](#) **Minutes of Previous Council Meetings**

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

Attachments: [January 22, 2019 Council Meeting Minutes - DRAFT](#)
[January 29, 2019 Council Workshop Minutes - DRAFT](#)

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

6. Proclamation

A. [19-0009](#) **Special Recognition of Random Acts of Kindness Week**

Brief Description: This Proclamation encourages citizens to perform acts of kindness, especially during February 17 - 22, 2019, as we celebrate Random Acts of Kindness Week. Representatives from the Hudson League for Service and RAK Hudson Steering Committee will accept the Proclamation.

Attachments: [Calendar - RAK Hudson Week 2019](#)
[Ways to Help - RAK Hudson Week 2019](#)
[Hyperlink - Random Acts of Kindness Foundation](#)
[Proclamation](#)

Mrs. Barbara Bos accepted the Proclamation on behalf of the Hudson RAK Committee and Hudson League for Service, thanking Mayor Basil and Council members. She encouraged everyone to perform random acts of kindness and spoke of events planned during RAK week. She also announced that the annual Ice Cream Social is planned for Friday, June 14, 2019.

Mayor Basil read this Proclamation in its entirety, recognizing Random Acts of Kindness Week in Hudson.

7. Public Hearing

- A. [19-8](#) **A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A CURRENT AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR JOSEPH H. STRIBRNY, 5578 SHAWNEE TRAIL AND 896 TEREX ROAD, HUDSON, OHIO.**

Brief Description: Mr. Joseph Stribrny has submitted a renewal Application for Placement of Farmland in an Agricultural District for property located at 5578 Shawnee Trail and 896 Terex Road in Hudson.

Attachments: [Agricultural Use Dist Application - Stribrny](#)
[Code Enforcement Memo](#)
[Map of Affected Parcels](#)
[Public Hearing Notice - Stribrny Agricultural Use District](#)
[Resolution No. 19-8](#)

Mayor Basil opened the public hearing for Resolution No. 19-8 at 7:36 pm. Mr. Stribrny offered to answer any questions regarding his application. There being no questions or other comments, Mayor Basil closed the public hearing at 7:37 p.m.

A public hearing was held for Resolution No. 19-8.

8. Public Comments

None.

9. Correspondence and Council Comments

Mrs. Bigham announced that a Ward 4 Open Forum will be held at 7 p.m. on February 6 at the Town Hall, and she welcomed interested citizens to attend.

10. Report of Manager

Ms. Howington asked for Council's passage of Resolution No. 19-12. Chief Varnes provided information in response to questions raised at the January 29, 2019, Council workshop regarding a previously authorized ambulance purchase, including the useful life of an ambulance box and chassis, procedure for refurbishing a box, warranty, expected delivery date, and an overview of the EMS fleet. Discussion followed regarding Resolution No. 19-12, which would authorize an outright purchase of a remount ambulance vehicle instead of the previously approved lease purchase.

Ms. Howington acknowledged the Fire Department's recent mutual aid to Valley Fire for two major fire incidents in Peninsula. Chief Varnes spoke of the challenges encountered by the firefighters with heavy snow and extremely cold temperatures. He said that Hudson was one of a number of fire departments that provided mutual aid for these two incidents, but the losses were significant. On behalf of City Council, Mayor Basil asked Chief Varnes to convey sincere appreciation to the firefighters.

11. Appointments

Mayor Basil thanked all residents who had applied for positions on the City's various boards, commissions, and committees in recent months. He encouraged residents to refer to the City's website and consider opportunities to serve as a way to learn about and/or give back to the community.

A motion was made by Dr. Williams, seconded by Mr. DeSaussure, to appoint the following individuals: Mr. Roberto Sorgi to serve on the Cemetery Board for a full term, expiring 12/31/2022; Mrs. Nicole Kowalski, Mrs. Leanne Schumacher, and Mr. Michael Swab to serve on the Environmental Awareness Committee for full terms, expiring 12/31/2022; and Mr. David Lehman to serve on the Planning Commission for a full term, expiring 1/1/2023. The motion carried by the following vote:

Aye: 5 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, and Dr. Williams

12. Motion

- A. [19-0011](#) A motion to extend by 60 days the Planning Commission's deadline to make a recommendation to City Council concerning Ordinance No. 18-93. A review of the commercial and residential regulations within the Land Development Code will not be considered at this time and will only be brought back for consideration when specifically requested by Council. **Brief Description:** Ordinance No. 18-93 is currently under review by the Planning Commission. The original timeframe for Council was previously extended on October 16, 2018. This motion will extend the deadline under consideration by the Planning Commission for an additional 60 days, which includes primarily proposed administrative based changes to the Land Development Code.

Attachments: [18-0098 previous motion to extend deadline \(passed 10-16-18\)](#)

Ms. Howington said that the City Council and Planning Commission have decided to move forward primarily with proposed administrative changes to the Land Development Code and to not include any of the proposed commercial or residential changes at this time. She said that the Planning Commission seeks a 60-day extension in order to complete their review and provide a recommendation to City Council concerning Ordinance No. 18-93. Mr. Hannan provided a summary of the proposed Code amendments being considered by Planning Commission, including proposed administrative changes, as well as regulations for A-frame signs and wetland set-backs. Discussion followed.

A motion was made by DeSaussure, seconded by Williams, that Motion No. 19-0011 be approved. The motion carried by the following vote:

Aye: 5 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Dr. Williams, and Mrs. Bigham

13. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. DeSaussure, 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: 5 - Mr. Hanink, Mr. Kelemen, Dr. Williams, Mrs. Bigham, and Mr. DeSaussure

Approval of the Consent Agenda

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

Aye: 5 - Mr. Kelemen, Dr. Williams, Mrs. Bigham, Mr. DeSaussure, and Mr. Hanink

- A. [19-9](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE PURCHASE OF EIGHT FLEET VEHICLES FOR HUDSON PUBLIC POWER, WATER DISTRIBUTION, SERVICE/STREETS, WATER RESOURCES, PUBLIC PROPERTIES, AND ENGINEERING OPERATIONS AND TO OUTFIT ONE OF SAID VEHICLES WITH EQUIPMENT; AND DECLARING AN EMERGENCY.**
Brief Description: Per the approved 2019 fleet capital replacement budget the Public Works Department has obtained pricing for the purchase of eight (8) replacement vehicles. These eight vehicles include two (2) Chevrolet Silverado 1500s, two (2) Ford F250s, one (1) Ford Transit Van, one (1) Ford F150, one (1) Chevrolet Colorado and one (1) Freightliner Cab and Chassis with additional snow and ice equipment package.

Attachments: [2019 Permission to Bid](#)
 [2019 Fleet Replacement Plan 10-3-18](#)
 [Updated Fleet Replacements 1-15-19](#)
 [Resolution No. 19-9](#)

Resolution No. 19-9 was approved on the Consent Agenda.

- B. [19-10](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF STREETSBO RO FOR COOPERATION AND COST SHARING FOR THE RESURFACING OF STONE ROAD.**
Brief Description: This project is for the resurfacing of Stone Road from SR 303 to Hale Drive. The segment of roadway is approximately 5,038 feet.

Attachments: [Cost Share Agreement](#)
 [Resolution No. 19-10](#)

Resolution No. 19-10 was approved on the Consent Agenda.

- C. [19-11](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED AGREEMENT WITH THE CITY OF AKRON FOR COOPERATION AND COST SHARING FOR THE RESURFACING OF MIDDLETON ROAD; AND DECLARING AN EMERGENCY.**
Brief Description: The City entered into a cooperation and cost share agreement with the City of Akron for the resurfacing of Middleton Road. The cost provided was an estimated cost of \$353,185.00. The actual bid price came in at \$437,646.55 and therefore requires City Council approval to increase the amount.

Attachments: [Middleton Road Cost Detail](#)
[Resolution No. 19-11](#)

Resolution No. 19-11 was approved on the Consent Agenda.

- D. [19-12](#) **A RESOLUTION AMENDING RESOLUTION NO. 17-208 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EXCELLANCE, INC. FOR THE PURCHASE OF A REMOUNT AMBULANCE VEHICLE FOR USE BY THE EMERGENCY MEDICAL SERVICE; AND DECLARING AN EMERGENCY.**
Brief Description: This resolution authorizes the outright purchase of an ambulance instead of a lease-purchase as originally planned.
Attachments: [Staff Report for Resolution No. 17-208 \(passed 12-27-17\)](#)
[Resolution No. 19-12](#)

Resolution No. 19-12 was approved on the Consent Agenda.

- E. [19-13](#) **A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PURCHASES MADE; AND DECLARING AN EMERGENCY.**
Brief Description: Council authorization is required for payment of the invoices shown on this Resolution, each in excess of \$3,000, for which commitments were made before Purchase Orders were generated.
Attachments: [Resolution No. 19-13](#)

Resolution No. 19-13 was approved on the Consent Agenda.

14. Legislation

- A. [19-7](#) **AN ORDINANCE CREATING A FUND ENTITLED “BROADBAND SERVICE FUND (510).”**
Brief Description: This is to establish the Broadband Services Fund to account for the activity of Velocity Broadband. This will be classified as an Enterprise Fund.
Attachments: [Ordinance No. 19-7](#)

Mayor Basil read the title of Ordinance No. 19-7, which constituted its second reading.

- B. [19-8](#) **A RESOLUTION APPROVING THE APPLICATION FOR PLACEMENT OF LAND IN A CURRENT AGRICULTURAL USE DISTRICT FOR PURPOSES OF O.R.C. 929.02 FOR JOSEPH H. STRIBRNY, 5578 SHAWNEE TRAIL AND 896 TEREX ROAD, HUDSON, OHIO.**
Brief Description: Mr. Joseph Stribrny has submitted a renewal Application for Placement of Farmland in an Agricultural District for property located at 5578 Shawnee Trail and 896 Terex Road in Hudson.

Attachments: [Agricultural Use Dist Application - Stribrny](#)
[Code Enforcement Memo](#)
[Map of Affected Parcels](#)
[Public Hearing Notice - Stribrny Agricultural Use District](#)
[Resolution No. 19-8](#)

Mayor Basil read the title of Resolution No. 19-8, which constituted its first reading.

A motion was made by Mr. DeSaussure, seconded by Dr. Williams, to suspend the rule requiring three readings to allow for passage of Resolution No. 19-8. The motion carried by the following vote:

Aye: 5 - Dr. Williams, Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, and Mr. Kelemen

A motion was made by Mr. DeSaussure, seconded by Mrs. Bigham, to pass Resolution No. 19-8. The motion carried by the following vote:

Aye: 5 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, and Dr. Williams

C. [19-14](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NERONE & SONS, INC. FOR LABOR AND MATERIALS FOR THE CONSTRUCTION OF THE WATER PLANT BRINE WELL.

Brief Description: This project involves the drilling of a brine well including the construction of associated infrastructure at the City's water plant for use in the water treatment process. Brine can also be used as a snow and ice melting agent for the City's snow and ice control program.

Attachments: [Bid Tab Report - Brine Well Construction 12-21-2018](#)
[Salt Expense Summary](#)
[ROI Calculations - Brine Well Plant Only 20%](#)
[ROI Calculations - Brine Well Plant Only 12%](#)
[Brine Well Project Summary \(1-29-2019\)](#)
[Resolution No. 19-14](#)

Mayor Basil read the title of Resolution No. 19-14, which constituted its first reading.

A motion was made by Mr. Hanink, seconded by Dr. Williams, to suspend the rule requiring three readings to allow for passage of Resolution No. 19-14. The motion carried by the following vote:

Aye: 5 - Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, Dr. Williams, and Mrs. Bigham

Mr. Hanink spoke in favor of passing Resolution No. 19-14 on first reading in order to move forward with construction of a brine well, and Dr. Williams agreed. Discussion followed. Mr. DeSaussure did not support the Brine Well Project, expressing concerns about return on investment. Mr. Kelemen and Mrs. Bigham preferred three readings of the Resolution to allow for public input.

A motion was made by Mr. Hanink, seconded by Dr. Williams, to pass Resolution No. 19-14.

A subsidiary motion was made by Mr. DeSaussure, seconded by Mrs. Bigham, to postpone Resolution No. 19-14 to the Council meeting of February 19, 2019. The motion passed by the following vote.

Aye: 5 - Mr. Hanink, Mr. Kelemen, Dr. Williams, Mrs. Bigham, and Mr. DeSaussure

D. [19-15](#)

A RESOLUTION SUPPORTING THE TOBACCO 21 (T21) INITIATIVE OF THE SUMMIT COUNTY PUBLIC HEALTH DEPARTMENT TO RAISE THE MINIMUM AGE OF TOBACCO SALES IN THE CITY OF HUDSON TO 21.

Brief Description: Tobacco 21 (T21) is an initiative by the Summit County Public Health Department (SCPH) to raise the minimum age of tobacco sales to 21.

Attachments: [T21 Handouts](#)
 [T21 Process Map for Implementation](#)
 [Tobacco Use Data Brief](#)
 [Resolution No. 19-15](#)

Mayor Basil read the title of Resolution No. 19-15, which constituted its first reading.

A motion was made by Mr. DeSaussure, seconded by Mr. Hanink, to suspend the rule requiring three readings to allow for passage of Resolution No. 19-15. The motion carried by the following vote:

Aye: 5 - Mr. Kelemen, Dr. Williams, Mrs. Bigham, Mr. DeSaussure, and Mr. Hanink

Mr. DeSaussure spoke against Resolution No. 19-15, which he felt was an effort to effect a statewide change by using individual municipal home-rule power. He felt the State Legislature should make this determination. Mayor Basil said there are other issues to consider, and he asked for this item to be postponed, noting that community representatives wish to speak on this topic at the next Council meeting. Dr. Williams expressed support for passage of Resolution No. 19-15. He also requested that Council allow time for citizen input.

A motion was made by Mr. DeSaussure, seconded by Mr. Hanink, to pass Resolution No. 19-15.

A subsidiary motion was made by Dr. Williams to postpone further action on Resolution No. 19-15 to the meeting of February 19, 2019. The motion failed for lack of a second.

The main motion to pass Resolution No. 19-15 failed by the following vote:

Aye: 1 - Dr. Williams

Nay: 4 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, and Mr. Kelemen

15. Executive Session

A motion was made by Dr. Williams, seconded by Mr. Kelemen, to enter into executive session to consider confidential information related to negotiations with another political subdivision respecting a request for economic development assistance whereby the information is related to public infrastructure improvements or the extension of utility services that are directly related to an economic development project; and, for the further reason, that it is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project. Mayor Basil recessed the meeting at 8:24 p.m. after the motion passed by the following vote:

Aye: 5 - Mrs. Bigham, Mr. DeSaussure, Mr. Hanink, Mr. Kelemen, and Dr. Williams

16. Adjournment

There being no further business, Mayor Basil adjourned the Council meeting at 9:00 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.