



City of Hudson, Ohio

Meeting Minutes - Draft City Council

Jeffrey L. Anzevino, Mayor
Christopher W. Foster, President of Council (Ward 2)
Christopher A. Banweg, Council Member (At-Large)
Michael Bird, Council Member (Ward 4)
Patricia Goetz, Council Member (Ward 1)
Karen E. Heater, Council Member (At-Large)
Nicole V. Kowalski, Council Member (At-Large)
Skylar J. Sutton, Council Member (Ward 3)

Thomas J. Sheridan, City Manager
Marshal Pitchford, Special Counsel
Aparna Wheeler, Clerk of Council

Tuesday, December 19, 2023

6:30 PM

Town Hall
27 East Main Street

Special Meeting (Workshop) to begin at 6:30 p.m., Executive Session to begin at 6:45 p.m., followed by Regular Meeting at 7:30 p.m.

Special Workshop:

1. Call to Order

Mayor Anzevino 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., and he handed the workshop over to President of Council Foster, in accordance with Council Rules.

Present: 6 - Mr. Banweg, Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater and Mr. Sutton

Absent: 1 - Mrs. Kowalski

Staff in Attendance: Mr. Sheridan, City Manager; Mr. Comeriato, Assistant City Manager - Operations; and Mr. Leiter, HCTV Production Assistant.

2. Public Comment

None.

3. New Proposed Consent Agenda Item for December 19, 2023, Council Meeting

- A. [23-178](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC. FOR EMERGENCY ROAD REPAIRS ON WEST STREETSBORO STREET; AND DECLARING AN EMERGENCY.**
Brief Description: A water main break severely damaged four lanes of

asphalt on West Streetsboro Street at Lennox Road. Damaged asphalt and sub-base will be removed and replaced. Costs for the emergency roadway repairs will exceed the City Manager's limit of \$25,000 expenditure threshold and City Manager seeks authorization from Council on this emergency expenditures.

Attachments: [Fabrizi quote](#)
[Cardinal Asphalt quote](#)
[Rt. 303 water Main Break Road Damage Photos](#)
[Resolution No. 23-178](#)

Mr. Foster noted that the special workshop was added specifically for this item due to the potential damage of the road related to a water main break. In response to a question, Mr. Sheridan stated that anticipated timing of the repair would be this week due to higher temperatures.

Seeing no objections, Mr. Foster stated that Resolution No. 23-178 would be added to the December 19, 2023 Council meeting agenda at 7:30 p.m.

This matter was discussed.

4. Adjournment

There being no further business, Mr. Foster adjourned the special workshop at 6:24 p.m.

Regular Council Meeting:

5. Call to Order

Mayor Anzevino called to order the meeting of Hudson City Council at 6:45 p.m., in accordance with the Sunshine Laws of the State of Ohio, O.R.C. Section 121.22.

6. Executive Session

A motion was made by Mr. Foster, seconded by Mr. Sutton, to enter into executive session for the purpose of interviewing applicants to the Community Television Advisory Committee to include all members of Council, the Mayor, and applicants. The motion carried by the following roll call vote:

Aye: 7 - Mr. Banweg, Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski and Mr. Sutton

Mayor Anzevino recessed the meeting at 6:45 p.m. to enter into executive session. Executive session adjourned at 7:20 p.m. and Mayor Anzevino reconvened the regular meeting at 7:30 p.m.

7. Pledge of Allegiance to the Flag

8. Roll Call

Present: 7 - Mr. Banweg, Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski and Mr. Sutton

Staff in Attendance: Mr. Sheridan, City Manager; Mr. Pitchford, Special Counsel; Ms. Wheeler, Clerk of Council; Mr. Comeriato, Assistant City Manager - Operations; and Mr. Leiter, HCTV Production Assistant.

9. Approval of the Minutes

- A. [23-0129](#) **Minutes of Previous Council Meetings**
Brief Description: Draft minutes of previous meetings are provided for City Council's review and approval.
Attachments: [December 12, 2023 Combined Meeting & Workshop Minutes - Draft](#)

A motion was made by Mr. Foster, seconded by Mr. Banweg, to approve the minutes as submitted. The motion carried by the following vote:

Aye: 7 - Mr. Banweg, Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski and Mr. Sutton

10. Public Comments

Mr. Tom Mayor, 7153 Valley View Rd., and Mr. Will Santos, 7535 Valley View Rd., both spoke in favor of decreasing the speed limit on Valley View Road.

Dr. Mimi Becker Larsen, 47 Laurel Lake Dr., commended Council on considering Ordinance No. 23-171 and had questions on Resolution No. 23-176.

11. Correspondence and Council Comments

Mrs. Heater expressed her gratitude to Mr. Comeriato and Public Works staff for the City's snow removal response. She also thanked Mr. Foster and Mr. Sheridan for their prompt attention to the failed transformer in the Towbridge neighborhood. Mr. Sheridan then responded to a question about how to improve the reliability of First Energy service in that area.

Mrs. Kowalski stated that Congresswoman Emilia Sykes' district director facilitated a call with stakeholders regarding the Nicholson Dr. waterline and would try to secure more funding.

Mr. Banweg thanked Mr. Comeriato and staff for their snow removal efforts. He also asked Mr. Sheridan if customers directing their inquiries towards First Energy would help improve service.

Mr. Sutton wished his daughters a happy birthday and provided an update on the Comprehensive Plan Steering Committee.

Dr. Bird thanked the Mayor and staff for launching the senior snow plowing pilot program.

12. Report of Manager

Mr. Sheridan stated that City offices are closed December 25th, December 26th, Jan. 1st, and Jan. 2nd. He also announced that the annual Council retreat will be held on Saturday, January 27th at City Hall, and wished

everyone a happy holiday on behalf of City staff.

13. Appointments

Mr. Foster stated that most Councilmembers will retain their previous board or commission liaison role and appointed Dr. Goetz to the Architectural & Historic Board of Review and Cemetery Board. Mr. Foster appointed Dr. Bird to the Personnel Advisory & Appeals Board, the H.O.M.E. Committee, and the Tax Incentive Review Council.

Mr. Foster also announced vacancies on the Park Board and Military and Veterans' Commission.

14. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Foster, seconded by Mr. Banweg, to suspend the rule requiring three readings, except for Resolution No. 23-176. The motion carried by the following vote:

Aye: 7 - Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski, Mr. Sutton, Mr. Banweg and Dr. Bird

Approval of the Consent Agenda

A motion was made by Mr. Foster, seconded by Mr. Banweg, to approve the Consent Agenda, except for Resolution No. 23-176. The motion carried by the following vote:

Aye: 7 - Dr. Goetz, Mrs. Heater, Mrs. Kowalski, Mr. Sutton, Mr. Banweg, Dr. Bird and Mr. Foster

A. [23-0130](#) **A Motion to Acknowledge the Timely Receipt of the November 2023 Monthly Financial Report**

Brief Description: Financial summaries are provided each month for Council's review.

Attachments: [November 2023 Financial Report](#)

Motion No. 23-0130 was approved on the Consent Agenda.

B. [23-172](#) **AN ORDINANCE AMENDING ORDINANCE 23-138 AMENDING VARIOUS SECTIONS OF TITLE FOUR - TAXATION, CHAPTER 891 - EARNED INCOME TAX REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF HUDSON, AND DECLARING AN EMERGENCY.**

Brief Description: This Ordinance corrects a reference within the previously approved legislation that was passed by City Council on November 14, 2023. Ordinance 23-138 amended various sections of the City's income tax code to comply with State of Ohio House Bill 33.

Attachments: [Ord 23-138 Corrected pages only](#)
[Ord 23-138 Complete Document](#)
[Ordinance No. 23-172](#)

Ordinance No. 23-172 was approved on the Consent Agenda.

- C. [23-173](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO TWO STORM WATER ACCESS EASEMENT AGREEMENTS, AN ELECTRIC EASEMENT AGREEMENT AND A UTILITY EASEMENT AGREEMENT WITH THE BOARD OF EDUCATION OF THE HUDSON CITY SCHOOL DISTRICT FOR THE HUDSON MIDDLE SCHOOL PROPERTY AT 77 N. OVIATT STREET.**
Brief Description: This Resolution authorizes the City Manager to enter into two storm water Access Easement Agreements, an Electric Easement Agreement and a Utility Easement Agreement with the Board of Education of the Hudson City School District for 77 N. Oviatt Street.
Attachments: [Access Easement Agreement from Board to City \(East Campus Stormwater Management 3.7390 acres\)](#)
 [Access Easement Agreement from Board to City \(West Campus Stormwater Management 2.6036 acres\)](#)
 [Electrical Easement Agreement from Board to City \(0.04295 acres\)](#)
 [Utility Easement Agreement from Board to City \(1.1059 acres\)](#)
 [Board of Education Minutes - 9-28-2023](#)
 [Resolution No. 23-173](#)

Resolution No. 23-173 was approved on the Consent Agenda.

- D. [23-174](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR COMPETITIVE BIDS AND TO ENTER INTO A CONTRACT FOR THE ADAPTIVE TRAFFIC SIGNAL PROJECT (PID 116924).**
Brief Description: The Adaptive Traffic Signal Project includes upgrading fifteen (15) signalized intersections along SR 91 and SR 303 and upgrades to signal's emergency preemption system at a total of 28 signals throughout the City. The project also includes the installation of a new traffic signal at the Owen Brown Street railroad overpass and the installation of additional fiber network and upgrades to the traffic signal at 303 & Hayden Parkway for inclusion into the new adaptive signal system.
Attachments: [Adaptive Signal Map](#)
 [Resolution No. 23-174](#)

Resolution No. 23-174 was approved on the Consent Agenda.

- E. [23-175](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE SUMMIT COUNTY PUBLIC DEFENDER'S COMMISSION FOR DEFENSE OF INDIGENT DEFENDANTS IN THE STOW MUNICIPAL COURT; AND DECLARING AN EMERGENCY.**
Brief Description: The City enters into an annual agreement with the Summit County Public Defender's Commission for the defense of indigent

defendants. This Resolution authorizes such an agreement during the year 2024.

Attachments: [Letter to Hudson for 2024 contract](#)
[Exhibit A: Hudson contract for 2024](#)
[Resolution No. 23-175](#)

Resolution No. 23-175 was approved on the Consent Agenda.

- G. [23-178](#) **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING COMPANY, INC. FOR EMERGENCY ROAD REPAIRS ON WEST STREETSBORO STREET; AND DECLARING AN EMERGENCY.**

Brief Description: A water main break severely damaged four lanes of asphalt on West Streetsboro Street at Lennox Road. Damaged asphalt and sub-base will be removed and replaced. Costs for the emergency roadway repairs will exceed the City Manager's limit of \$25,000 expenditure threshold and City Manager seeks authorization from Council on this emergency expenditures.

Attachments: [Fabrizi quote](#)
[Cardinal Asphalt quote](#)
[Rt. 303 water Main Break Road Damage Photos](#)
[Resolution No. 23-178](#)

Resolution No. 23-178 was approved on the Consent Agenda.

Removed from the Consent Agenda

- F. [23-176](#) **A RESOLUTION TO PROVIDE LEGAL SERVICES FOR THE CITY OF HUDSON AND APPOINTING MARSHAL M. PITCHFORD AS THE ACTING CITY SOLICITOR AND SPECIAL COUNSEL; AND DECLARING AN EMERGENCY.**

Brief Description: This legislation seeks approval of the terms and conditions of the Agreement for Legal Services as Acting Solicitor and/or Special Counsel regarding Marshal M. Pitchford and DiCaudo, Pitchford & Yoder, LLC.

Attachments: [Exhibit A: DPY Agreement for Interim City Solicitor \(Dec 19 2023\)](#)
[Resolution No. 23-176](#)

A motion was made by Mr. Foster, seconded by Mr. Banweg, to suspend the rule requiring three readings for Resolution No. 23-176. The motion carried by the following vote:

Aye: 7 - Mrs. Heater, Mrs. Kowalski, Mr. Sutton, Mr. Banweg, Dr. Bird, Mr. Foster and Dr. Goetz

Mrs. Kowalski requested an explanation on the rationale for a retroactive agreement date of April. Discussion followed on Mr. Pitchford's roles, that his prior actions on behalf of the city are approved and ratified since the date of his April 2023 contract, and the language in the legislation. Dr. Goetz requested an independent outside

attorney to determine if Mr. Pitchford has a conflict of interest.

A motion was made by Mr. Foster, seconded by Mr. Banweg, that Resolution No. 23-176 be adopted. The motion carried by the following vote:

Aye: 5 - Mr. Sutton, Mr. Banweg, Dr. Bird, Mr. Foster and Mrs. Heater

Nay: 2 - Mrs. Kowalski and Dr. Goetz

15. Legislation

A. [23-156](#) **A RESOLUTION AUTHORIZING THE EXECUTION OF THE 2023 MEMBER POWER POOL SCHEDULE WITH AMERICAN MUNICIPAL POWER INC (“AMP”).**

Brief Description: The Northern Power Pool (“NPP”) is an AMP resource that is utilized to purchase and sell power for each participating AMP member community based on short-term need. AMP has updated the pool agreement to align with the Pennsylvania-New Jersey-Maryland (PJM) regional transmission organization (RTO) rules and requirements. AMP is asking that all participating member communities pass Resolution for updates and continued program participation.

Attachments: [Exhibit 1 - Update 10.4.2023](#)
[Resolution No. 23-156](#)

A motion was made by Mrs. Heater, seconded by Mr. Banweg, that Resolution No. 23-156 be adopted on third reading. The motion carried by the following vote:

Aye: 7 - Mr. Sutton, Mr. Banweg, Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater and Mrs. Kowalski

B. [23-157](#) **AN ORDINANCE AMENDING THE JOB CREATION GRANT PROGRAM.**

Brief Description: The proposed amendments to the Job Creation Grant Program will align the program guidelines with the way we deploy the program in practice post-pandemic. The proposal also includes an increased year of eligibility for including certain defined, environmentally sustainable components to their projects to align with the goals outlined by the Environmental Awareness Committee.

Attachments: [Job Creation Grant Proposal Staff Report 10.24.2023](#)
[Job Creation Grant Proposal Staff Report 11.14.2023](#)
[Exhibit A: Hudson Job Creation Grant Program Guidelines - Redlined](#)
[Exhibit A: Hudson Job Creation Grant Program Guidelines - Clean Copy](#)
[13-122 Ordinance Amending Job Creation Grant Program](#)
[05-39 Ordinance Adopting a Job Creation Grant Program](#)
[JCG - Eligible Sustainable Projects Project Cost Estimates](#)
[Ordinance No. 23-157](#)

A motion was made by Mr. Sutton, seconded by Mr. Banweg, that Ordinance No. 23-157 be

adopted on third reading. The motion carried by the following vote:

Aye: 7 - Mr. Banweg, Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski and Mr. Sutton

C. [23-171](#) **AN ORDINANCE AMENDING THE CODIFIED ORDINANCES SECTION 222.01, PUBLICATION, REGARDING PUBLIC NOTICE OF PASSED LEGISLATION.**

Brief Description: With recent changes to the Ohio Revised Code concerning publication requirements for passed legislation, Council will consider similar changes to the Codified Ordinances, Section 222.01. Newspaper publications have been problematic, and staff desires a more reliable, timely, and less costly method to provide public notices.

Attachments: [Ordinance No. 58-27, passed 4-1-58](#)
[Ordinance No. 23-171](#)

Mayor Anzevino read the title of Ordinance No. 23-171, which constituted its second reading.

D. [23-177](#) **A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT; AND DECLARING AN EMERGENCY.**

Brief Description: City Council will take action pertaining to City Manager Thomas Sheridan's Employment Agreement.

Attachments: [Resolution No. 23-177](#)

A motion was made by Mr. Foster, seconded by Mr. Banweg, to suspend the rule requiring three readings. The motion carried by the following vote:

Aye: 6 - Dr. Bird, Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski and Mr. Banweg

Nay: 1 - Mr. Sutton

A motion was made by Mr. Foster, seconded by Mrs. Heater to pass Resolution No. 23-177.

A motion was made by Mr. Foster, seconded by Mr. Banweg, that Resolution No. 23-177 be postponed to a date certain of February 6, 2024. The motion carried by the following vote:

Aye: 7 - Mr. Foster, Dr. Goetz, Mrs. Heater, Mrs. Kowalski, Mr. Sutton, Mr. Banweg and Dr. Bird

16. Executive Session

A motion was made by Mr. Foster, seconded by Mrs. Heater, to enter into executive session for the purpose of discussing pending court action to include all members of Council, the Mayor, the City Manager, and legal counsel. The motion carried by the following roll call vote:

Aye: 7 - Mrs. Heater, Mrs. Kowalski, Mr. Sutton, Mr. Banweg, Dr. Bird, Mr. Foster and Dr. Goetz

Mayor Anzevino recessed the meeting at 8:11 p.m. to enter into executive session. Mayor Anzevino reconvened the meeting at 9:10 p.m.

17. Motion to Appoint Thomas Sheridan as Clerk of Council Pro Tempore

A motion was made by Mr. Foster, seconded by Mr. Banweg, to appoint Mr. Sheridan as Clerk of Council Pro Tempore. The motion carried unanimously.

18. Motion to Appoint Marshal Pitchford as Acting City Solicitor

Mr. Banweg explained that Council was voting on this motion so that the City would have an acting Solicitor for the next 30 days until Mr. Pitchford's agreement went into effect.

A motion was made by Mr. Foster, seconded by Mr. Banweg, to appoint Marshal Pitchford to Acting City Solicitor. The motion carried by the following roll call vote:

Aye: 5 - Mr. Banweg, Dr. Bird, Mr. Foster, Mrs. Heater and Mr. Sutton

Nay: 2 - Dr. Goetz and Mrs. Kowalski

19. Adjournment

There being no further business, Mayor Anzevino adjourned the meeting at 9:14 p.m.

Jeffrey L. Anzevino, Mayor

Aparna Wheeler, Clerk of Council

Christopher W. Foster, President of Council

Thomas J. Sheridan, City Manager, Clerk of Council Pro Tempore

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.