CITY OF HUDSON
COUNCIL MINUTES
June 1, 2011

Mayor Currin called to order the regular meeting of the Council of the City of Hudson at 7:30 p.m. in the Meeting Room of the Town Hall.

Everyone joined in the pledge of allegiance.

Members Present: Mr. Basil, Mr. DeSaussure, Mr. Hasbrouck, Mr. Williams, Mr. Roth, Mr. Jeffers. Absent: Mr. Wooldredge.

Officials Present: Mrs. George, Clerk of Council; Mr. Bales, City Manager; Mr. Riehl, Acting City Solicitor; Mrs. Ryan, Assistant City Manager; Mr. Sheridan, City Engineer; Ms. Roberts, Communications Manager; Mr. King, Community Development Director; Mr. Wiedie, Economic Development Director; Mr. Hutchinson, Parks Superintendent.

Mayor Currin said this is graduation time. He said last Sunday approximately 87 students graduated from the Western Reserve Academy. He said tonight, 425 students of the Hudson City Schools will receive their diplomas. He said both groups have excelled in their education and most are off to college. He said the members of Council congratulate them and wish them the very best, and congratulate the schools and the parents.

The minutes of the regular meeting on May 18, 2011, and the workshop meeting on May 24, 2011, were approved as written.

Mr. Charles Uray, 51 Hudson Commons Drive, said he read that the developer of Hudson Station Phase 2 has requested Tax Increment Financing. He said he is against this type of financing. He said he is concerned that the residents of Hudson will end up paying for the development if it isn't completed. He said it is a private development and should be financed by the developer.

Mr. Robert Hills, 54 Hudson Commons Drive, asked, regarding Hudson Station Phase 2, who will be the lien holder and who will assume the liability if it is not completed. He said he does not want the City to be responsible for its completion. He said if it would be paid from tax dollars, the proposed project should be voted on by the residents.

Mr. Basil said there are openings on three boards. He said the Architectural and Historic Board of Review has two vacancies, the Environmental Awareness Committee has one vacancy, and the Tree Commission has a term expiring soon. He said anyone interested in applying for a board should complete an application and drop it off or mail it to the Town Hall by the end of June.

Mr. Williams introduced Philippe Brachtel, who works for Oberbugermeister Lehman in Landsberg, Germany. He said Philippe has been spending time with the different departments in the City to see how they operate. He said Philippe will be leaving soon to go to Miami for a six-weeks language course. Mr. Jeffers said he was with Philippe and he is a kind person and he was pleased to be with him and hear how the government functions in Landsberg. Mr. Bales said Philippe told him that they have 26 Council members in Landsberg.

Mr. Bales asked Council to meet in executive session at the end of the meeting to discuss collective bargaining and a personnel matter.

Mr. Jeffers moved that the Council of the City of Hudson commits to cooperating with the Summit County Port Authority and the owner-developer of the Hudson Station Phase 2 project, Reveille II LLC, to take all governmental actions necessary and appropriate to enable the Summit County Port Authority to issue a tax increment financing ("TIF") bond to facilitate the development of the Hudson Station Phase 2 project, provided that said actions are accomplished without any liability or expense to the City of Hudson for the issuance and/or repayment of the TIF bond. Mr. Roth seconded the motion. Mr. Jeffers said the TIF agreement would be with the Summit County Port Authority. He said there is no liability or expense for the City. He said the Architectural and Historic Board of Review and the Planning Commission have approved the proposed development. He said the Hudson City Schools are willing to accept the TIF. He said the School and the City will receive some additional income from the TIF. Mr. Hasbrouck said this has been discussed in the workshop meeting. He said it is a form of tax abatement and he is opposed to giving tax abatement without the residents voting on it. Mr. DeSaussure said this motion has nothing to do with the Architectural and Historic Board of Review or the Planning Commission approvals or standards. He said it has to do with Council being willing to cooperate to turn a private development property into a publicly-funded development property. He said it is improper without a public hearing on the motion. He said a TIF, according to the law, is for a slum area or a blighted area that requires some kind of help. He said if it was for a blighted area, we should have a public hearing before approving it. He said that is not what this is. He said there is no indication that property values are deteriorating in the area of the proposed development. He said health, safety and welfare are not involved. He said Section 1.08 (A) of the Ohio Revised Code states that "blighted area" and "slum" mean an area in which at least seventy percent of the parcels are blighted parcels and those blighted parcels substantially impair or arrest the sound growth of the state or a political subdivision of the state, retard the provision of housing accommodations, constitute an economic or social liability, or are a menace to the public health, safety, morals, or welfare in the present condition and use. He said to be considered an incentive district, infrastructure has to be insufficient to comply with a written economic development plan. He said he is not prepared to call the area a blighted area. He said it is an ill-considered

motion. Mr. Roth said Council is to answer or respond to the motion. He said Council

has had discussion on this request. He said the question was asked if there is a risk or expense to the City. He said it, if approved, will put money into the income tax and to the Schools. He said the City will not be the holder of the TIF bond. He said the Summit County Port Authority will issue the bonds. He said the area is not blighted and he said he does not know if the statute applies. He said he did not think the City should turn down more tax money. Mr. Basil said he is not in favor of this. He said he felt no compulsion to bring it forward. He said it is a motion committing the City. He said it is ill timed and not appropriate because it is not a blighted area. He said a TIF is intended for public purposes and he will not support it. Mr. Williams said he will vote against it. Mr. Jeffers said this is not a blighted area and is not applicable. He said the City would be taking no risk in the TIF. Mr. DeSaussure said Council has never discussed if this is a blighted area, and he does not see how they can. Mr. Basil said this has nothing to do with the approvals of the Architectural and Historic Board of Review or the Planning Commission. He said Council is considering entirely different issues. Roll Call on motion to cooperate with the Summit County Port Authority as stated above: Aye: Mr. Jeffers, Mr. Roth. Nay: Mr. Basil, Mr. Hasbrouck, Mr. DeSaussure, Mr. Williams. Motion to pass did not carry.

Mayor Currin read the title of Ordinance No. 11-59, "AN ORDINANCE ESTABLISHING THE RESIDENTIAL DEVELOPMENT ALLOCATION FOR THE 2011-2012 ANNUAL ALLOCATION PERIOD UNDER SECTION 1211.07 OF THE CODIFIED ORDINANCES." He said this Ordinance was read on May 4, 2011, and on May 18, 2011, and this constitutes the third reading. Mr. Basil moved to pass Ordinance No. 11-59. Mr. Williams seconded the motion. Roll Call: Aye: Mr. Roth, Mr. Basil, Mr. Hasbrouck, Mr. DeSaussure, Mr. Jeffers, Mr. Williams. Nay: None. Motion carried. Ordinance No. 11-59 declared passed.

Mayor Currin read the title of Resolution No. 11-60, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2011 SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING." He said this Resolution was read on May 4, 2011, and on May 18, 2011, and this constitutes the third reading. Mr. Basil moved to pass Resolution No. 11-60. Mr. DeSaussure seconded the motion. Mr. Jeffers said he is troubled by this Resolution. He said he doesn't want to bring the City into this if claims can be brought against us. He said he is opposed to it. Mr. Roth said he agreed with Mr. Jeffers. He said he has a problem with it because there is no protection for anyone who wants to come here without tax incentives. He said we should not participate in this until there is about ninety percent participation with other communities. He said it is a one-year agreement and a lot of harm can come in a year. Mr. Bales said the contract is open ended with a 60-day notice to get out. (This was determined to be a 180-day notice.) Mr. Williams said he has serious reservations about this. He said he is willing to participate for a short time. He said the

City could end up paying when we have done nothing to bring a company here. He said he will vote for it. Mr. Hasbrouck said he has some concerns. He said he thinks it is important to have cooperation with the County and the State. He said because we can get

out of the Memorandum, he thinks we should cooperate and he is going to vote for it. Mr. Basil said it is not without risks. He said there is a risk in everything. He said the most serious flaw was corrected. He said he will support this Resolution. Mayor Currin encouraged Council members to support this legislation. Roll Call on motion to pass Resolution No. 11-60: Aye: Mr. DeSaussure, Mr. Hasbrouck, Mr. Williams, Mr. Basil. Nay: Mr. Roth, Mr. Jeffers. Motion carried. Resolution No. 11-60 declared passed.

Mayor Currin offered and read the title of Resolution No. 11-67, "A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE SR 303/TEREX ROAD CULVERT IMPROVEMENT PROJECT IN THE CITY OF HUDSON, OHIO, WITH THE LOWEST AND BEST BIDDER; AND DECLARING AN EMERGENCY." Mr. Roth moved to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow passage of Resolution No. 11-67. Mr. Basil seconded the motion. Roll Call: Aye: Mr. Jeffers, Mr. Williams, Mr. Basil, Mr. Roth, Mr. DeSaussure, Mr. Hasbrouck. Nay: None. Motion carried. Mr. Basil moved to pass Resolution No. 11-67. Mr. Williams seconded the motion. Roll Call: Aye: Mr. Williams, Mr. Hasbrouck, Mr. DeSaussure, Mr. Jeffers, Mr. Roth, Mr. Basil. Nay: None. Motion carried. Resolution No. 11-67 declared passed.

Mayor Currin offered and read the title of Resolution No. 11-68, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH QCI GROUP-QUALITY CONTROL INSPECTION, INC. FOR PROJECT REPRESENTATION; AND DECLARING AN EMERGENCY." Mr. Roth moved to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow passage of Resolution No. 11-68. Mr. Basil seconded the motion. Roll Call: Aye: Mr. Jeffers, Mr. Williams, Mr. Basil, Mr. Roth, Mr. DeSaussure, Mr. Hasbrouck. Nay: None. Motion carried. Mr. Basil moved to pass Resolution No. 11-68. Mr. Williams seconded the motion. Roll Call: Aye: Mr. Williams, Mr. Hasbrouck, Mr. DeSaussure, Mr. Jeffers, Mr. Roth, Mr. Basil. Nay: None. Motion carried. Resolution No. 11-68 declared passed.

Mayor Currin offered and read the title of Resolution No. 11-69, "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR BUILDING INSPECTION SERVICES." Mr. Roth moved to suspend the rules as provided in Section 220.03 of the Codified Ordinances to allow passage of Resolution No. 11-69. Mr. Basil seconded the motion. Roll Call: Aye: Mr. Jeffers, Mr. Williams, Mr. Basil, Mr. Roth, Mr. DeSaussure, Mr. Hasbrouck. Nay: None. Motion carried. Mr. Basil moved to pass Resolution No. 11-69. Mr. Williams seconded the motion. Roll Call: Aye: Mr. Williams, Mr. Hasbrouck, Mr. DeSaussure,

Mr. Jeffers, Mr. Roth, Mr. Basil. Nay: None. Motion carried. Resolution No. 11-69 declared passed.

Mayor Currin offered and read the title of Ordinance No. 11-70, "AN ORDINANCE TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF A POWER SALES

CONTRACT WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING PARTICIPATION IN THE AMP FREMOINT ENERGY CENTER, AND DECLARING AN EMERGENCY." Mr. Roth moved to suspend the rules as provided in Section 220.03 of the Codified Ordi-nances to allow passage of Ordinance No. 11-70. Mr. Basil seconded the motion. Roll Call: Aye: Mr. Jeffers, Mr. Williams, Mr. Basil, Mr. Roth, Mr. DeSaussure, Mr. Hasbrouck. Nay: None. Motion carried. Mr. Basil moved to pass Ordinance No. 11-70. Mr. Williams seconded the motion. Roll Call: Aye: Mr. Williams, Mr. Hasbrouck, Mr. DeSaussure, Mr. Jeffers, Mr. Roth, Mr. Basil. Nay: None. Motion carried. Ordinance No. 11-70 declared passed.

Mayor Currin read Ordinance No. 11-71, offered by Mr. Wooldredge, entitled "AN ORDINANCE AMENDING SECTION 410.05 OF THE TRAFFIC CODE TO ADD A THREE-WAY STOP INTERSECTION AT MORSE ROAD AND WEST PROSPECT STREET IN THE CITY OF HUDSON." He said this constitutes the first reading of Ordinance No. 11-71.

Mr. Basil moved to go into executive session to discuss collective bargaining and the employment of a public official. Mr. Hasbrouck seconded the motion. Roll Call: Aye: Mr. Basil, Mr. DeSaussure, Mr. Hasbrouck, Mr. Williams, Mr. Jeffers, Mr. Roth. Nay: None. Motion carried.

Mr. Basil moved to go out of executive session and into the regular meeting. Mr. Hasbrouck seconded the motion. Roll Call: Aye: Mr. DeSaussure, Mr. Hasbrouck, Mr. Roth, Mr. Basil, Mr. Jeffers, Mr. Williams. Nay: None. Motion carried.

There being no further business, Mayor Currin adjourned the meeting at 9:15 p.m.

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William A. Currin, Mayor

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Mary Ann George, Clerk of Council