City of Hudson, Ohio

Meeting Minutes - Final

City Council

David A. Basil
City Council President (Ward 2)
Hamilton DeSaussure, Jr.
City Council Member (At-Large)
John W. Jeffers
City Council Member (Ward 4)
J. Daniel Williams
City Council Member (At-Large)

September 05, 2012

Town Hall, 7:30 PM

William A. Currin
Mayor
Dennis N. Hanink
City Council Member (Ward 1)
Alex D. Kelemen
City Council Member (Ward 3)
William D. Wooldredge
City Council Member (At-Large)

Anthony J. Bales, *City Manager* **R. Todd Hunt,** *City Solicitor* **Elizabeth Slagle,** *Clerk of Council*

1. Call to Order

Mayor Currin called to order the meeting of Hudson City Council at 7:30 p.m.

2. Pledge of Allegiance to the Flag

3. Roll Call

Present: 6 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Jeffers, Mr. Kelemen and Dr. Williams

Absent: 1 - Mr. Wooldredge

Staff in Attendance: Mr. Bales, City Manager; Mr. Hunt, City Solicitor; Mr. Schroyer, Assistant City Manager; Mr. Knoblauch, Finance Director; Mr. Richardson, Interim Community Development Director; Ms. Roberts, Communications Manager; Mr. Sheridan, City Engineer; Mrs. Slagle, Clerk of Council; Mr. Wiedie, Economic Development Director.

4. Public Comments

Mr. George Snider, retired business owner, former marketing director, Chairman of the Board of the Cuyahoga Valley Scenic Railroad, and Economic Growth Board member, urged City Council to act in favor of a contract with Atlas Advertising for the Economic Development Branding and Marketing Initiative, as recommended by the Economic Development Marketing Committee. He emphasized that City Council has been an active participant in discussions regarding the need to develop a focused and targeted marketing plan, and he said that Atlas Advertising is a firm with outstanding economic development credentials.

Mr. Keith Smith, resident of 2475 Old Farm Lane, local business owner, and Economic Growth Board member, said that a marketing program is a critical tool needed to attract new businesses and grow existing businesses. He shared his financial perspective, emphasizing

that economic growth will ease the residential tax burden. He urged Council's approval of the Atlas Advertising contract, noting the firm's national marketing expertise.

Mr. Lou Young, resident of 1616 Goshen Drive, commercial real estate broker, and director of the Hudson Economic Development Corporation, also spoke of the need to attract and grow businesses to ease the tax burden for Hudson residents. He urged Council to approve the Atlas Advertising contract, saying that the firm has expert experience, a unique marketing niche, industry knowledge and extensive contacts, and the company will be able to develop an effective marketing plan that will deliver the right message to the right businesses.

Mr. Steven Fritsch, 5380 Brooklands Drive, applauded the first three speakers and offered support for the Atlas Advertising contract.

Mr. William Hopkins, 5879 Laurawood Lane, retired Goodyear executive, member and current chair of the Economic Growth Board, thanked previous speakers for their support. He said that the key role of the Economic Growth Board is to support the City Manager and Economic Development Director in their efforts to strengthen Hudson's tax base by growing income and property taxes through business growth. He said that great efforts were made to determine a marketing approach, and he urged City Council's approval of the Atlas Advertising Contract. He noted that the current proposed contract is for one-year, as requested by City Council.

Regarding the proposed rezoning issue, Mr. Michael White, 1536 Winchell Drive, said that he was not opposed to a new business moving into the vacant lot formerly occupied by Clarke Ford, but he requested a buffer area between the dealership and the subdivision, expressing lighting and noise concerns.

Mrs. Kathleen Mowinski, 5816 Argyle Dr., said that she lives behind Drug Mart, where she enjoys a large 60-ft. wooded buffer between store and residential area. She said that a similar buffer should be considered for the proposed rezoning, so as to preserve property values, especially on Argyle Drive, Winchell Drive, and Gibson Court. She also expressed concerns regarding stormwater.

Mr. Mark Johnson, 5611 Sunset Dr., also expressed support for the economic development marketing plan and Atlas Advertising contract. Regarding the proposed rezoning, while he was pleased to have a new business considering the vacant property, he was opposed to the rezoning. He expressed concerns for protecting property values and said that a wooded buffer area is needed to delineate commercial from residential properties.

Mrs. Betsy MacLeod, 1603 Carriage Hill Drive, spoke regarding the proposed rezoning and said that the City's Zoning and Appeals Application asks, "Would the essential character of the neighborhood be essentially altered and would the adjoining properties be negatively impacted?"She said that residents of the former Township were assured that the subject property would remain residential, that it was purchased by the former car dealer as an investment and not for commercial development. She felt that rezoning the property would negatively impact area residents.

Mr. Joseph Coffey, 5652 Gibson Court, thanked elected officials for their service. He said his property abuts the car dealership property. He expressed his desire to preserve and protect the beautiful wooded area as a buffer between the commercial and residential areas. He felt that there is excessive pavement in the proposed plan, and he also expressed concerns regarding noise, lighting, and stormwater issues.

Mr. Stanley Murrey, 5653 Gibson Court, spoke in support of Mr. Coffey's concerns regarding potential noise and stormwater problems. He said that the wooded area currently

acts as an effective sound barrier and should be preserved. He was concerned that increasing the size of the parking lot would result in drainage problems for neighboring residential properties.

Mr. Helmut Hornis, 5643 Gibson Court, said that the reality of business is that companies sometimes go out of business. He was in favor of a new dealership occupying the current vacant business, but he was opposed to the proposed rezoning and expansion of the parking lot. He favored preserving the buffer area between the commercial and residential properties.

Regarding the proposed rezoning, Mrs. Karen Janezic, 1425 Carriage Hill Drive, said that she wants businesses to thrive and prosper, but the area in question should be developed responsibly, with citizens' safety in mind, especially children. She was concerned that zoning does not permit a tall fence in residential areas.

Richard Kelley, 1439 Winchell Drive, said that his property abuts the property that Collection Auto Group has requested be rezoned. While he fully supports the development, he opposed the proposed rezoning. His preference was for the company to pursue development of additional property along the State Route 91 corridor. He expressed concerns regarding property values being negatively impacted, and he said the subject property is a significant area, a natural buffer, and a wildlife habitat for deer and red fox. He asked that Council reject the proposed rezoning in its current form and favored dialog amongst residents, Collection Auto Group, and City officials to reach a more viable solution. He invited anyone interested to visit his property.

5. Correspondence and Council Comments

Regarding the proposed rezoning request, Mr. Basil said that the process for a zoning change is very prescriptive under the Land Development Code and the City's Charter. He explained the various steps involved, the roles of the Planning Commission and City Council, and the requirements for public hearings. He said that Council will ultimately take action to adopt, reject, or modify a proposed Ordinance, and that such action will not be effective for 30 days and will be subject to a referendum petition. Mr. Basil announced that a special Council meeting will be held at Town Hall on Monday, September 10, 2012, at 6 p.m. to initiate dialog and communication among interested parties. He said that Council is very interested in hearing from citizens, and he encouraged attendance, noting that officials will be present from Collection Auto Group and the City, including the City Engineer, Economic Development Director, and Interim Community Development Director.

Mayor Currin expressed thanks to residents for their civility and for engaging in an important issue. He encouraged residents to follow the rezoning matter and take advantage of further opportunities for public comments.

Dr. Williams expressed appreciation for calling a special meeting on September 10, 2012. He said he understands resident concerns and felt a need to keep dialog open. He said that the proposed rezoning will be a deliberate decision process, and Council members are open to public comments.

Mr. Kelemen announced that a special "Green on the Green" event will be held on the Park Lane Green on Saturday, September 8, 2012, an educational event similar to former Earth Day events, to provide information and tips regarding recycling and other programs.

Mr. Kelemen also stated that he is not comfortable with the proposed rezoning request, and he expressed hope that a compromise can be reached between Collection Auto Group and neighboring residents.

Mr. DeSaussure thanked residents for their constructive comments, acknowledging that this will be a difficult issue. He said that Council cannot arbitrarily stop the prescribed process, one which he hoped will bring clarity. He agreed that the subject property is beautiful attractive land, but he noted that current zoning provides for multi-family housing, and it is not in Council's purview to stop development. If the land is not rezoned, he asked residents to consider how they would feel about the land being developed into a housing area.

Mr. Hanink said that he looked forward to the special meeting and hoped that residents can have some influence in the process and that a compromise can be reached.

Mr. Basil appreciated Mr. DeSaussure's comments regarding legality, and he expressed hopes that the special meeting and further dialog will be productive.

Mr. Basil announced an opening on the Personnel Advisory & Appeals Board, noting that applications are available online or at Clerk's office and are due by September 14, 2012, and interviews will follow.

Mr. Basil announced the 100th birthday of the Hudson Clocktower, noting a celebration of this historic landmark is planned for Sunday, September 16, 2012.

Regarding the proposed rezoning, Mayor Currin suggested a conservation easement may be a mitigating possibility to preserve the land in perpetuity.

6. Report of Manager

Mr. Bales requested two executive sessions, the first to be held prior to the Consent Agenda for Council to consider trade secrets related to Res. No. 12-124, and the second session to allow Council to discuss personnel matters pertaining to the employment of a public official.

A. TMP-0180 Youth Development Center (YDC) Bond / Note Issue

Mr. Bales asked Council to consider options for financing the former Youth Development Center (YDC) property, noting that action will be needed at a special meeting on Tuesday, September 11, 2012. Mr. Jeffers expressed concern regarding the City's rights to obtain Federal grant funding to complete the purchase of the property if bonds are issued. Mr. Bales said that bond issuance would not affect the City's rights to Federal grant funding. He said that Summit County holds title to the property, and the City can issue bonds, just as it has issued notes in the past. Mr. Jeffers asked the City Solicitor to prepare a legal opinion regarding the matter.

Mr. Knoblauch explained that the City issued $6.9 million in notes to acquire the YDC property. In September of 2011, the City paid down the note by $2,250,000, leaving a balance of $4,650,000 that will mature September 28, 2012. Council members contemplated a decision to issue bonds to permanently finance the remaining balance or roll the notes forward, in anticipation of receiving additional federal funding. Furthermore, Council considered financing the cost of demolition of the YDC buildings. Mr. Knoblauch said that $820,000 has been budgeted for the demolition of all buildings except the high school and administrative buildings, but if Council decides to raise all buildings, the cost could increase to $1.2 million.

Discussion followed regarding financing options and demolition costs, including the status of the request for Federal grant funding, the status of a Request for Proposals for the demolition project, environmental considerations including asbestos removal, utility shut-off in all buildings, an early call provision for the bonds, restrictions on property use, and the

possibility for use of the former high school building.

Council members agreed to exclude issuance of short-term debt for demotion costs, with members opting to delay note financing until the scope of the demolition project is determined and the exact cost is known.

Mr. Hanink moved to authorize demolition of all former Youth Development Center buildings, except for the Eastman High School building. The motion failed for lack of a second.

A motion was made by Mr. Jeffers, seconded by Dr. Williams, to authorize demolition of all former Youth Development Center buildings. The motion failed by the following vote:

Aye: 3 - Mr. Jeffers, Mr. Kelemen and Dr. Williams

Nay: 3 - Mr. DeSaussure, Mr. Hanink and Mr. Basil

There was consensus among Council members to proceed with a bond issuance of $4,650,000, including an early call provision. Legislation forwarded to Special Meeting of City Council on September 11, 2012.

7. Executive Session

Mr. Jeffers questioned the executive session in terms of trade secrets. Mr. Hunt said that the subject matter concerns trade secrets, for which an executive session is permitted in accordance with the Ohio Revised Code.

Mayor Currin recessed the regular meeting at 9:16 p.m.

A motion was made by Mr. Basil, seconded by Mr. Kelemen, to go into Executive Session to discuss matters to be kept confidential related to Res. No. 12-124 concerning trade secrets. The motion carried by the following vote:

Aye: 6 - Mr. Hanink, Mr. Jeffers, Mr. Kelemen, Dr. Williams, Mr. Basil and Mr. DeSaussure

Mayor Currin reconvened the regular meeting at 9:32 p.m.

A motion was made by Mr. Basil, seconded by Mr. Hanink, to go out of Executive Session and into the regular meeting. The motion carried by the following vote:

Aye: 6 - Mr. Jeffers, Mr. Kelemen, Dr. Williams, Mr. Basil, Mr. DeSaussure and Mr. Hanink

8. Suspension of the Rules for the Consent Agenda

A motion was made by Mr. Hanink, seconded by Dr. Williams, to suspend the rules as provided in Section 220.03 of the Codified Ordinances. The motion carried by the following vote:

Aye: 6 - Mr. Kelemen, Dr. Williams, Mr. Basil, Mr. DeSaussure, Mr. Hanink and Mr. Jeffers

Approval of the Consent Agenda

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

Aye: 6 - Dr. Williams, Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Jeffers and Mr. Kelemen

A. **12-119** **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GEOTECH SERVICES, INC. FOR THE BRANDYWINE CREEK 2012 STREAMBANK STABILIZATION PROJECT; AND DECLARING AN EMERGENCY**

Sponsors: Mayor Currin

Attachments: Res. No. 12-119

Bid Tab_2012 Brandywine Streambank Stabilization_w Estimate

Brandywine Creek 2012 Streambank Stabilization Project Area Map.pdf

This Resolution was Adopted by Suspending the Rules

B. **12-120** **Ordinance No. 12-120 entitled "AN ORDINANCE ACCEPTING DEDICATION OF THE PUBLIC STREETS AND PUBLIC IMPROVEMENTS WITHIN THE FOSSALTO ACRES SUBDIVISION"**

Sponsors: Mayor Currin

Attachments: Ord. No. 12-120

Staff Report

Map of Fassalto Acres

This Ordinance was Adopted by Suspending the Rules.

C. **12-121** **Ordinance No. 12-121 entitled "AN ORDINANCE ACCEPTING DEDICATION OF THE PUBLIC STREETS AND PUBLIC IMPROVEMENTS WITHIN THE STONE CREEK RESERVE SUBDIVISION"**

Sponsors: Mayor Currin

Attachments: Ord. No. 12-121

Staff Report

Map of Stone Creek Reserve

This Ordinance was Adopted by Suspending the Rules.

D. **12-122** **Ordinance No. 12-122 entitled "AN ORDINANCE ACCEPTING THE ROADWAY DEDICATION WITHIN THE TRAILS OF HUDSON RESIDENTIAL DEVELOPMENT"**

Sponsors: Mayor Currin

Attachments: Ord. No. 12-122
Staff Report
Map of Trails of Hudson

This Ordinance was Adopted by Suspending the Rules.

E. 12-123 **Ordinance No. 12-123 entitled "AN ORDINANCE ACCEPTING THE ROADWAY DEDICATION WITHIN THE GABLES OF HUDSON DEVELOPMENT"**

Sponsors: Mayor Currin

Attachments: Ord. No. 12-123
Staff Report
Map of Gables of Hudson

This Ordinance was Adopted by Suspending the Rules.

F. 12-124 **Resolution No. 12-124 entitled "A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COMMUNITY REINVESTMENT ACT AREA AGREEMENT WITH INDUSTRIAL LAND PARTNERS, LLC, AN OHIO LIMITED LIABILITY COMPANY; AND DECLARING AN EMERGENCY"**

Sponsors: Mayor Currin

Attachments: Res. No. 12-124
CRA Application Universal Screen Art

This Resolution was Adopted by Suspending the Rules.

H. 12-126 **Resolution No. 12-126 entitled "A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PURCHASES; AND DECLARING AN EMERGENCY"**

Sponsors: Mayor Currin

Attachments: Res. No. 12-126

This Resolution was Adopted by Suspending the Rules.

G. 12-125 **Resolution No. 12-125 entitled "A RESOLUTION AMENDING THE CITY OF HUDSON STRATEGIC PLAN DATED AUGUST 5, 1998, AND AMENDED APRIL 7, 1999, APRIL 5, 2000, JUNE 12, 2001, JUNE 5, 2002, JUNE 4, 2003, OCTOBER 20, 2004, AND OCTOBER 19, 2005"**

Attachments: Res. No. 12-125
2012 Strategic Plan Final Report 10-3-12
2012 Strategic Plan Draft

First Reading

Mr. Hanink asked that this item be removed from the Consent Agenda. A motion was made by Mr. Hanink, seconded by Dr. Williams to suspend the rules, as provided in Section 220.03 of the Codified Ordinances, and pass this item.

Mr. Kelemen requested additional discussion of the Strategic Plan in a workshop meeting, and there was a consensus among other members supporting this.

A motion was made by Mr. Kelemen, seconded by Dr. Williams, that this Resolution be tabled until the October 3, 2012, Council meeting. The motion carried by the following vote:

Aye: 6 - Mr. Jeffers, Mr. Kelemen, Dr. Williams, Mr. Basil, Mr. DeSaussure and Mr. Hanink

9. Legislation

A. 12-112 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ATLAS ADVERTISING, LLC FOR PROFESSIONAL SERVICES FOR THE BRANDING AND MARKETING INITIATIVE FOR ECONOMIC DEVELOPMENT IN THE CITY

Sponsors: Mr. Jeffers

Attachments: Res. No. 12-112

Res. No. 12-112 Exhibit A

Econ. Dev. Branding & Mktg. Memo

While Dr. Williams supported tabling, he said he intends to vote against the Resolution; however he felt it was fair to give Mr. Wooldredge, who was absent, a chance to weigh in on this.

Mr. DeSaussure was in favor of the Resolution, but he said it was a matter of expediency to table it. Although he was not in favor of maneuvering a voting date based upon Council member attendance, he felt it made sense in this matter, given the practical reality that voting this evening would likely delay the inevitable; because if it does not pass, it would return as future legislation. Mr. Jeffers and Dr. Williams agreed, as did Mr. Basil, who noted the objective for tabling is to secure the presence of all members, not to avoid the presence of any member(s).

Mr. Hanink felt that Council should vote and was against tabling.

Mayor Currin suggested that Council abide by the tabling of the issue for the purpose of expediency. He noted that in his experience, there was only one other situation of deadlock, where the issue failed but returned, and the process was lengthy.

A motion was made by Mr. Basil, seconded by Dr. Williams, that this Resolution be tabled until October 3, 2012. The motion carried by the following vote:

Aye: 4 - Dr. Williams, Mr. Basil, Mr. DeSaussure and Mr. Jeffers

Nay: 2 - Mr. Hanink and Mr. Kelemen

B. 12-113 A RESOLUTION AUTHORIZING A GRANT DONATION TO THE HUDSON VETERANS MEMORIAL STADIUM PROJECT

Sponsors: Mayor Currin, Mr. Basil, Mr. Jeffers and Mr. Williams

Attachments: Res. No. 12-113

Memorial Stadium Contribution Memo

A motion was made by Dr. Williams, seconded by Mr. DeSaussure, that this Resolution be Adopted on Third Reading. The motion carried by the following vote:

Aye: 6 - Mr. Basil, Mr. DeSaussure, Mr. Hanink, Mr. Jeffers, Mr. Kelemen and Dr. Williams

C. 12-127 **Ordinance No. 12-127 entitled "AN ORDINANCE AMENDING PART TWELVE OF THE ORDINANCES OF HUDSON TO AMEND THE OFFICIAL ZONING DISTRICT MAP TO REZONE PART OF 5715, 5735 AND TWO OF THREE PARCELS OF 5751 DARROW ROAD FROM DISTRICT 3, OUTER VILLAGE RESIDENTIAL NEIGHBORHOOD ZONE, TO DISTRICT 7, OUTER VILLAGE COMMERCIAL CORRIDOR"**

Attachments: Existing and Proposed Zoning

Current Site Plan

PC Referral to City Council 8-13-12

PC Recommendation 9-10-12

PC Decision 10-8-12

Ord. No. 12-127

Ord. No. 12-127 (as amended 10/17/2012)

First Reading & Referral to Planning Commission.

Executive Session

Given the late hour, Mr. Basil cancelled plans to hold an additional executive session, postponing the discussion until September 11, 2012, following the special meeting.

11. Adjournment

There being no further business, Mayor Currin adjourned the Council meeting at 9:52 p.m.

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William A. Currin, Mayor

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Elizabeth Slagle, Clerk of Council