



City of Green

Central Administration
Building
1755 Town Park Blvd.
PO Box 278
Green, OH 44232

Meeting Minutes

City Council

Barbara Babbitt - Ward 1
Vacant- Ward 2
Rocco Yeargin, President - Ward 3
Matt Shaughnessy - Ward 4
Richard Brandenburg - At-Large
Clark A. DeVitis- At-Large
Dave France, Vice President- At-Large
Nichole Baldinger, Clerk of Council

Tuesday, December 8, 2020

7:00 PM

Council Chambers

I. Call to Order

The Green City Council met in regular session at the Central Administration Building, 1755 Town Park Blvd., Green, OH. President Babbitt presided over the meeting which she called to order at 7:01 p.m.

II. Pledge of Allegiance

Councilmember Babbitt led the Pledge of Allegiance.

III. Roll Call of Council Members

Present: 5 - Barbara Babbitt, Richard Brandenburg, Clark A. DeVitis, Dave France and Rocco Yeargin

Excused: 1 - Matt Shaughnessy

IV. Council Study Session

[TMP-3268](#) Approval of the October 27, 2020 Council-Committee Meeting Minutes

Attachments: [10-27-20 Draft Council-Committee Minutes](#)

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to approve the Minutes. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

[TMP-3275](#) Approval of the November Financial Statement Subject to Audit

Attachments: [NOVEMBER 2020 ELECTRONIC FINANCIAL REPORT](#)

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to approve the Financial Statement. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

V. Public Report

[TMP-3289](#) Email from Tony Ziehler RE: Operating and Capital Budget

Attachments: [12-7-2020 Tony Ziehler](#)

[TMP-3290](#) Email from Pat Carleski RE: Willowdale Trail and Woodland Reserve

Attachments: [12-7-2020 Pat Carleski](#)

VI. Public Hearings - No Public Hearing

VII. Reading of Correspondence - No Correspondence

VIII. New Legislation - Items on First Reading

[2020-R89 A](#) A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR THE CERTIFIED LOCAL GOVERNMENT GRANT PROGRAM BY THE OHIO STATE HISTORIC PRESERVATION OFFICE FOR THE REHABILITATION OF THE LEVI J HARTONG HOUSE/SOUTHGATE FARM PUBLIC RESTROOM, AND DECLARING AN EMERGENCY. Introduced 12/8/2020 (AMENDED JANUARY 12, 2021)

Sponsors: Gerard Neugebauer

Attachments: [2020-R89 re Amended Southgate Farm Restroom CLG Grant](#)

Referred to the Environment and Parks Committee

[2020-R90](#) A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF HOMEWOOD FARM NO. 4 ALLOTMENT REPLAT, AND DECLARING AN EMERGENCY. Introduced 12/8/2020

Sponsors: Gerard Neugebauer

- Attachments:** [2020-R90 re Homewood Farm No 4](#)
[2020-R90 re Exhibit A](#)
[20-49 Homewood Farm No. 4 Allot Replat PZC Staff Report.pdf](#)
[Homewood Farms Replat.pdf](#)
[239 Luzon Cir aerial](#)

Referred to the Planning and Economic Development Committee

[2020-11](#)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 9.78 ACRES OF LAND LOCATED AT 4137 S. ARLINGTON ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED WOODLAND RESERVE PLANNED DEVELOPMENT. (Introduced 12/8/2020) Public Hearing Scheduled for January 12, 2021

Sponsors: Gerard Neugebauer

- Attachments:** [2020-11 re Woodland Reserve District](#)
[2020-11 re Exhibit A](#)
[20-29 Woodland Reserve PZC Staff Report](#)
[2020-11-12 Woodland Reserve Arlington-Concept PLaN](#)
[2020-10-09 Woodland Reserve Floor plans and elevation](#)
[Woodland Reserve aerial](#)
[RZ Woodland Reserve Contig Prop Owners](#)

Referred to the Planning and Economic Development Committee

IX. Report of Council Committees

A. Finance (Yeargin*, Babbitt**, Brandenburg)

THIRD READING ITEMS

[2020-R81 A](#) **A RESOLUTION APPROVING AND ADOPTING THE 2021 ANNUAL OPERATING APPROPRIATION FOR THE GENERAL FUND AND ALL OTHER FUNDS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 11-10-2020) (AMENDED NOVEMBER 24, 2020)**

Sponsors: Gerard Neugebauer

Attachments: [2020-R81 A re AMENDED 2021 Operating Annual Budget appropriation](#)
[2020-R81 re Amended Exhibit A](#)
[2020-R81 re Exhibit B](#)

Mr. Yeargin explained this budget is based on a 5% estimate in reduced income for next year. As a result reflects a budget that is 8.44% less than the 2020 budget with all amendments to date.

A motion was made by Council Member Yeargin, seconded by Council Member Babbitt, to adopt as amended the Resolution. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

[2020-R82 A](#) A RESOLUTION APPROVING AND ADOPTING THE 2021 ANNUAL
[A](#) CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN, AND
DECLARING AN EMERGENCY. (Introduced 11-10-2020) (AMENDED
NOVEMBER 24, 2020) (AMENDED JANUARY 12, 2021)

Sponsors: Gerard Neugebauer

Attachments: [2020-R82 re AMENDED AMENDED 2021 Capital Annual Appropriations](#)
[2021 CAPITAL BUDGET 2020-R82 EXHIBIT AMENDED](#)

Mr. Yeargin said there were two items of discussion at the last meeting both regarding the Pipeline Settlement Fund. One item was the aerial truck and the Fire Chief has provided information for Council to review. He encouraged Council to digest and contact the Chief if they had any questions. The second was the allocation of \$540,000 for the Willowdale trail. They are looking for additional input from the Parks Board. The Administration has based this proposed Capital Project on the recommendation of the Pipeline Settlement Committee. He suggested they wait until January to this discuss further. Mrs. Babbitt encouraged all the Councilmen to take a look at all they hear from other residents and take under advisement. Time Requested and Granted.

SECOND READING ITEMS

[2020-R83](#) A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE
TAX INCENTIVE REVIEW COUNCIL REGARDING THE COMMUNITY
REINVESTMENTS AREA, AND TAX INCREMENT FINANCING
AGREEMENTS WITHIN THE CITY OF GREEN, AND DECLARING AN
EMERGENCY. (Introduced 11/24/2020) ***Second Reading Passage

Requested*****Sponsors:** Gerard Neugebauer**Attachments:** [2020-R83 re TIRC Recommendations](#)
[Wayne Wiethe 2nd Reading Passage 2020-R83](#)

Mr. Yeargin advised at the last meeting Mr. Wiethe requested second reading passage and it was discussed at the last meeting. He explained the Resolution. He is encouraged with the list. Mr. Wiethe explained this does have to be submitted to the County and he would like to get it there before the end of 2020. The Committee agreed to second reading passage.

A motion was made by Council Member Yeargin, seconded by Council Member Babbitt, to bypass the three reading rule. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young**Excused:** 1 - Shaughnessy

A motion was made by Council Member Yeargin, seconded by Council Member Babbitt, to adopt the Resolution. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young**Excused:** 1 - Shaughnessy**2020-10**

AN ORDINANCE AUTHORIZING A LEASE PURCHASE-FINANCING TRANSACTION BETWEEN HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE CITY OF GREEN FOR THE FINANCING OF IMPROVEMENTS TO VARIOUS LOCATIONS IN THE CITY, AND DECLARING AN EMERGENCY. Introduced 11/24/2020

Sponsors: Gerard Neugebauer**Attachments:** [2020-10 re Green Lease-Purchase Financing Ordinance \(2020\) v 1](#)

Mr. Yeargin said this was a companion legislation to 2020-R86 that is in Intergovernmental and Utilities. He thought it made sense to wait to talk about it in the Intergovernmental and Utilities Committee. Time Requested and Granted.

B. Environment & Parks (Brandenburg*, Shaughnessy, France)**

No Report

C. Public Safety (France*, DeVitis, Babbitt)****LICENSE ITEMS**

[TMP-3265](#) Liquor License for Grille 91 at 4195 Massillon Road

Attachments: [Grille 91](#)

Mr. France advised this is a new license and it is just D5J. There Sheriff's Department has not problems. He recommended not to request a hearing.

A motion was made by Council Member France, seconded by Council Member Young, to not request a hearing. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

Committee Business

[TMP-3264](#) Summit County Sheriff's October 2020 Report

Attachments: [October Reports](#)
[Overdose Monthly Report](#)

Mr. France noted they received the reports from the Sheriff's office.

D. Planning, Community & Economic Development (DeVitis*, Yeargin**, Shaughnessy)

No Report

E. Rules and Personnel (Babbitt*, Young**, Yeargin)

[TMP-3267](#) Appointment of Jeff Noble to the Design Review Board

Attachments: [Jeff Noble -DRB Re-Appointment](#)

Mrs. Babbitt explained that Mr. Noble has served as a Council appointment to the DRB and has submitted his request to be reappointed. Mrs. Babbitt thanked Mr. Noble for his service and his interest in continuing his service.

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to approve the reappointment of Jeff Noble to the Design Review Board. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

[TMP-3273](#) Mayor's Appointments to Boards and Commissions

Attachments: [Memo to Council 2021 appointments](#)

Mrs. Babbitt explained they would now move to the Mayor's appointments.

Board of Zoning Appeals Robert Incorvati - Mrs. Babbitt moved to accept the appointment of Robert of Incorvoti for another 5 years, seconded by Mr. Young. Babbitt - Aye, Young - Aye, Brandenburg - Aye, DeVitis - Aye, France - Aye, Shaughnessy - Excused, Yeargin - Aye Motion approved 6-0 Mrs. Babbitt thanked Mr. Incorvati for his service and agreeing to another term.

Planning and Zoning Commission Christy Ludrosky and Jeananne Chadsey (alternate) Mrs. Babbitt moved to accept the reappointment of Christy Ludrosky and Jeananne Chasey to the PZC, seconded by Mr. Young. Babbitt - Aye, Young - Aye, Brandenburg - Aye, DeVitis - Aye, France - Aye, Shaughnessy - Excused, Yeargin - Aye Motion approved 6-0 Mrs. Babbitt thanked Chrisy and Jeananne for their service and agreeing to another term.

Design Review Board Chris McMahan - Mrs. Babbitt advised this appointment does not need Council approval. She did thank Mr. McMahan for his service and agreeing to another term.

Historic Preservation Commission Mary Tanner - Mrs. Babbitt moved to accept the appointment of Mary Tanner for another term, seconded by Mr. Young. Babbitt - Aye, Young - Aye, Brandenburg - Aye, DeVitis - Aye, France - Aye, Shaughnessy - Excused, Yeargin - Aye Motion approved 6-0 Mrs. Babbitt thanked Mrs. Tanner for agreeing to serve again on the Historic Preservation Commission.

Organizational Meeting - January 5, 2021

Mrs. Babbitt announced the Mayor has scheduled the Organizational meeting for Tuesday, January 5, 2021 at 5 p.m. She explained the procedure for that meeting.

F. Transportation, Connectivity & Storm Water (Young*, France**, DeVitis)

No Report

G. Intergovernmental & Utilities (Shaughnessy*, Brandenburg**, Young)

President Babbitt explained this committee is usually chaired by Mr. Shaughnessy, in his absence Mr. Brandenburg will chair.

SECOND READING ITEMS

[2020-R84](#) **A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF GREEN AND THE LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC., AND DECLARING AN EMERGENCY. (Introduced 11/24/2020)**

Sponsors: Gerard Neugebauer

Attachments: [2020-R84 re Agreement COG Legal Defenders Summit Cty](#)
[2020-R84 re Exhibit A](#)

Mr. Brandenburg explained this is an annual renewal that provides for representatives for those that cannot afford. The Mayor said the City has never spent more than \$5,000 on this in a year. Mr. France recommended they pass on second reading. Mrs. Babbitt and Mr. Young agreed.

A motion was made by Council Member Brandenburg, seconded by Council Member Young, to bypass the three reading rule. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

A motion was made by Council Member Brandenburg, seconded by Council Member Young, to adopt. The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

[2020-R86](#) **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE A CONTRACT FOR AN ENERGY SERVICES PERFORMANCE CONTRACT WITH GARDINER SERVICE COMPANY, LLC., FOR THE LEASE-PURCHASE OF VARIOUS ENERGY EFFICIENCY IMPROVEMENTS, AND DECLARING AN EMERGENCY. (Introduced 11/24/2020)**

Sponsors: Gerard Neugebauer

Attachments: [2020-R86 re Energy Gardiner](#)
[2020-R86 re Amended Exhibit A Gardiner Agreement](#)
[2020-R86 re Amended Exhibit A Spreadsheet Gardiner](#)
[2020-R86 Exhibit B](#)
[Valerie Council Energy memo - Sourcing Alliance info](#)

Mr. Brandenburg asked Mrs. Wax Carr to explain and introduced those present from Gardiner. Mrs. Wax Carr reviewed some documents that talk about the elements of the project. Mrs. Wax Carr introduced Mark from Gardiner. He thanked the City Staff for their help and thanked Council for the opportunity to present. He then explained the proposal. This is an energy based performance solution and is a budget natural approach. He introduced others from Gardiner that came to speak and help answer questions. Company President, Todd Barnhart who graduate from Green in 1990, Mark Ludrosky and Mark Havens (himself) and he explained what they did for Gardiner. They then proceeded to talk about their background, relationship with Green and this proposal. They then answered questions from Council. Time Requested and Granted.

Mr. Yeargin asked if Mr. Schmidt give a thumb nail of the finances of this proposal. He explained that 2020-10 allows the City, if they so choose, to finance this project over its payback period of 11 years. This allows the City to borrow up to \$1.2 million, as far as a lease agreement goes with Huntington Bank. The energy savings will allow for pay back of the annual payment. Mrs. Babbitt said she thought they needed to get to a better comfort level of the contract itself before they talked about the financing.

X. Mayor's Report

The Mayor thanked Council for their support this year and gave his report.

XI. Unfinished Business - No Unfinished Business

XII. New Business

Mrs. Babbitt presented Councilman Bob Young with a service plaque as leaves Council to move on to the State House. She thanked him for his service and his family for sharing him. Mr. Young said he learned more with your mouth closed and your ears opened. He said he is sad to leave Green City Council. He talked about his time on Council and said he looked forward to going to the State House.

Mrs. Babbitt talked about the strange and challenging year this has been and has provided a few new challenges for the President of Council. She said they would not have gone as smoothly if they did not have the support of the Clerk Molly, incoming Clerk Nichole and Vicki from the Administration. She thanked them and Roger and Chuck who helped them make sure they could live stream the meetings. She also

thanked the Mayor and the Fire Chief for leading the community through this pandemic. She thanked her fellow Councilmen that were flexible. She said it was a privilege working with them. She wished the community a safe and healthy and happy holiday season. She announced the organizational meeting will be January 5 and the first meeting to conduct business will be January 12.

XIII. Adjournment

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to adjourn the meeting at 8:45 pm . The motion carried by the following vote:

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Young

Excused: 1 - Shaughnessy

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: _____
BARBARA BABBITT, PRESIDENT

Upon approval by City Council, this official written summary of the meeting minutes shall become a permanent record and the official minutes shall consist of a permanent video recording, in accordance with Green City Council Ordinance 2014-12, adopted on November 25, 2014.