



# City of Green

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

## Regular Meeting Agenda City Council

*Barbara Babbitt - Ward 1*  
*Bob Young - Ward 2 - Vice President*  
*Rocco Yeargin - Ward 3*  
*Matt Shaughnessy - Ward 4*  
*Stephen Dyer - At-Large*  
*Chris Humphrey - At-Large - President*  
*Justin Speight - At-Large*  
*Molly Kapeluck, MMC Clerk of Council*

---

Tuesday, February 13, 2018

7:00 PM

Council Chambers

---

I. Call to Order

II. Pledge of Allegiance

III. Roll Call of Council Members

IV. Council Study Session

[TMP-1891](#) APPROVAL OF THE JANUARY 9, 2018 REGULAR MEETING MINUTES

**Attachments:** [1-9-18 Minutes](#)

[TMP-1899](#) APPROVAL OF THE JANUARY 25, 2018 SPECIAL MEETING MINUTES.

**Attachments:** [1-25-18 State of the City Minutes](#)

[TMP-1906](#) APPROVAL OF THE JANUARY FINANCIAL STATEMENT SUBJECT TO AUDIT.

**Attachments:** [Jan 18 Planning Dept Financial Summary](#)

V. Public Report

PLEASE STEP TO THE MICROPHONE WHEN ADDRESSING COUNCIL AND GIVE NAME AND ADDRESS.

## VI. Public Hearings

[2017-29](#)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 4.207 ACRES OF LAND LOCATED ON ST. ANDREWS COURT (PRIVATE) FROM R-2 (MULTI-FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE CHENOWETH CROSSING PLANNED DEVELOPMENT. INTRODUCED 12/12/17 PUBLIC HEARING SCHEDULED FOR FEBRUARY 13, 2018

**Sponsors:**

Gerard Neugebauer

**Attachments:**

[2017-29 re Chenoweth Crossing Rezoning.docx](#)

[2017-29 re Exhibit A Map of Chenoweth.pdf](#)

[Chenoweth Crossings PD Plat](#)

[Chenoweth Crossing Aerial](#)

[17-57 Chenoweth Crossings Notif of Rec to City Council](#)

[17-57 Chenoweth Crossings PD PZC Staff Report](#)

[Chenoweth Crossing Contigs](#)

[2018-01](#)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.05 ACRES OF LAND FRONTING ON ROBIN'S TRACE, A PUBLIC ROADWAY, FROM R-2 (MULTI-FAMILY RESIDENTIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL). INTRODUCED JANUARY 9, 2018. PUBLIC HEARING SCHEDULED FOR FEBRUARY 13, 2018 @ OR ABOUT 7:05 P.M.

**Sponsors:**

Gerard Neugebauer

**Attachments:**

[2018-01 re Robins Trace public Roadway.docx](#)

[2018-01 re Exhibit A Robins Trace.pdf](#)

[17-69 Spencer Rezoning PZC Staff Report](#)

[Rezoning Aerial](#)

[Spencer Rezoning Contig Letter](#)

[Proposed Rezoning](#)

[18-01 Property Owners](#)

[18-01 Spencer Rezoning Contig Properties Map](#)

## Agricultural Districts

[TMP-1894](#)

AGRICULTURAL DISTRICT CODE AND BENEFITS

**Attachments:**

[Benefits of AG Dist](#)

[AG - ORC 929 \(002\)](#)

[TMP-1895](#)      **JOHN RAUMBERGER/APRIL ROLF**  
                 **LOCATED AT: 5055 S. ARLINGTON ROAD,**  
                 **CITY OF GREEN**  
**PARCEL #: 28-00109**  
**CONTAINING: 19.660**

**Attachments:**      [AG- Raumberger - Rolf](#)

[TMP-1896](#)      **GEORGE & JANET ESTERLE**  
                 **LOCATED AT: 798 E. CASTON ROAD**  
                 **CITY OF GREEN**  
**PARCEL #: 28-04950**  
**CONTAINING: 38.98 ACRES**

**Attachments:**      [AG-George & Janet Esterle](#)

[TMP-1897](#)      **DONNA PHILLIPPI (GALFORD)**  
                 **LOCATED AT: 1017 APPLE RIDGE ROAD**  
                 **CITY OF GREEN**  
**PARCEL #: 28-10670, 28-10669, 10668**  
**CONTAINING: 53.39 ACRES**

**Attachments:**      [AG- Dona Phillippi Galford](#)

[TMP-1898](#)      **LEE BEESE**  
**[LOCATED AT: 486 E. TURKEYFOOT LAKE ROAD**  
                 **CITY OF GREEN**  
**PARCEL #: 28-00433, 28-15867**  
**CONTAINING: 209 ACRES**

**Attachments:**      [AG- Lee Beese](#)

[TMP-1900](#)      **JAMES ST. JOHN**  
                 **LOCATED AT: 1480 GREENSBURG ROAD**  
**CITY OF GREEN**  
**PARCEL #: 28-06323**  
**CONTAINING: 20.66 ACRES**

**Attachments:**      [AG - James St. John](#)

[TMP-1901](#)      **D&D HARTONG FARMS**  
                 **LOCATED AT: 705 KILLINGER, COMET ROAD & CHRISTMAN**  
**ROAD**  
                 **CITY OF GREEN**  
**PARCEL #: 28-09666, 28-08809, 28-06848**  
**CONTAINING: 114.72 ACRES**

**Attachments:**      [AG - D&D Hartong Farms](#)

## VII. Reading of Correspondence

[TMP-1877](#)      EMAIL FROM TONY ZIEHLER RE: EMAILS

**Attachments:**      [1-8-18 Tony Ziehler](#)

[TMP-1883](#)      CIVIL SERVICE COMMISSION NOVEMBER 21, 2017 MINUTES

**Attachments:**      [November 21 2017 CSC Meeting Minutes](#)

[TMP-1886](#)      EMAIL FROM DEBBY HYDE RE: SNOW REMOVAL

**Attachments:**      [1-16-18 Debby Hyde](#)

[TMP-1887](#)      PLANNING AND ZONING COMMISSION JANUARY 17, 2018 AGENDA

**Attachments:**      [1-17-18 PZC Agenda](#)

[TMP-1888](#)      EMAIL FROM SUSANNE BARHAM RE: MCDONALDS NEW  
PACKAGING & RECYCLING GOALS.

**Attachments:**      [1-16-18 Susanne Barham](#)

[TMP-1905](#)      JANUARY 2018 PLANNING DEPARTMENT FINANCIAL STATEMENT

**Attachments:**      [Jan 18 Planning Dept Financial Summary](#)

[TMP-1908](#)      EMAIL FROM TAMMY DALY RE: NEXUS PIPELINE CASE

**Attachments:**      [2-5-18 Tammy Daly](#)

[TMP-1909](#)      EMAIL FROM VICKI PIERSOL RE: NEXUS PIPELINE CASE

**Attachments:**      [2-5-18 Vicki Piersol](#)  
[2-5-18 Determining a pipe's blast zone](#)  
[2-5-18 Eminent Domain](#)

[TMP-1910](#)      DESIGN REVIEW BOARD FEBRUARY 7, 2018 AGENDA

**Attachments:**      [2-7-18 DRB Agenda](#)

[TMP-1911](#)      COPY OF COUNTY ORDINANCE 2017-542 RE: LICENSE TAX FROM  
JENNIFER NOVAKOVIC, CLERK OF COUNTY COUNCIL

**Attachments:**      [County Ordinance 2017-542](#)

[TMP-1913](#)      EMAIL FROM JUDY AND CARL MICKELSON RE: NEXUS  
SETTLEMENT

**Attachments:**      [2-7-18 Carl Mickelson](#)  
[2-7-18 Carl Mickelson 2](#)

[TMP-1914](#) EMAIL FROM JEFF NOBLE RE: NEXUS SETTLEMENT AGREEMENT

**Attachments:** [2-7-18 Jeff Noble](#)

[TMP-1915](#) EMAIL FROM DAVID MUCKLOW RE: NEXUS SETTLEMENT

**Attachments:** [2-7-18 Dave Mucklow](#)  
[2-8-18 Nexus Complaint Exhibit 9-Xylene Safety Set Back](#)

[TMP-1916](#) EMAIL FROM ANTHONY ZIEHLER RE: NEXUS SETTLEMENT

**Attachments:** [2-8-18 Tony Ziehler](#)

[TMP-1918](#) EMAIL FROM BARB HOLDREN RE: NEXUS SETTLEMENT

**Attachments:** [2-7-18 Barb Holdren](#)

[TMP-1920](#) EMAIL FROM JOHN PIERSOL RE: NEXUS SETTLEMENT

**Attachments:** [2-7-18 John Piersol](#)

#### VIII. New Legislation - Items on First Reading

[2018-R05](#) AN EMERGENCY RESOLUTION DECLARING THE NECESSITY AND INTENTION TO APPROPRIATE FOR STREET PURPOSES CERTAIN FEE SIMPLE INTERESTS, TEMPORARY AND PERMANENT EASEMENTS IN AND TO VARIOUS PREMISES ALONG STATE ROUTE 619, PICKLE ROAD, ALTOGETHER WITH THE NECESSARY APPURTENANCES THERETO FURTHER IDENTIFIED AS THE SR 619/PICKLE ROAD ROUNDABOUT PROJECT, AND DECLARING AN EMERGENCY. FIRST READING PASSAGE REQUESTED.

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R05 re 619 Pickle Roundabouts.docx](#)

[2018-R06](#) A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR A PAVEMENT MAINTENANCE PROJECT, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. FIRST READING PASSAGE REQUESTED.

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R06 re 2018 Summit County Pavement Maintenance.docx](#)  
[2018-R06 re Exhibit A Estimate of Pavement Project.pdf](#)  
[Memo from Valerie Wax Carr re Pavement Marking Project .pdf](#)

[2018-R07](#) A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2018 GRADALL XL3100 V 4X2 FROM SOUTHEASTERN EQUIPMENT COMPANY, FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY. REFERRED TO THE TRANSPORTATION, CONNECTIVITY AND STORM WATER COMMITTEE

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R07 re Gradall Purchase.docx](#)  
[2018-R07 re Exhibit A Purchase Agreement for gradall machine.pdf](#)  
[Valerie Wax Carr memo re Purchase Agreement for gradall machine.pdf](#)

[2018-R08](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO CONTRACTS WITH VARIOUS PLANNING, ARCHITECTURE, AND LANDSCAPE ARCHITECTURE FIRMS FOR PROFESSIONAL SERVICES FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2018, AND DECLARING AN EMERGENCY. REFERRED TO THE TRANSPORTATION, CONNECTIVITY AND STORM WATER COMMITTEE

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R08 re various planning contracts beginning Jan 1 2018.docx](#)

[2018-R10](#) A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR THE LAKES OF GREEN, PHASE III SUBDIVISION, AND DECLARING AN EMERGENCY. REFERRED TO THE INTERGOVERNMENTAL AND UTILITIES COMMITTEE

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R10 re Street Lighting The Lakes of Green Phase III.docx](#)  
[Lakes of Green Phase III Street Lighting Request Information Agreement.pdf](#)

[2018-R11](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY.

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R11 re Appropriations Feb 2018.docx](#)  
[2018-R11 re Exhibit A Appropriations.pdf](#)

[2018-R12](#) A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TANKER PUMPER FROM FINLEY FIRE EQUIPMENT COMPANY FOR USE BY THE CITY'S FIRE DEPARTMENT, AND DECLARING AN EMERGENCY. REFERRED TO THE TRANSPORTATION, CONNECTIVITY AND STORM WATER COMMITTEE

**Sponsors:** Gerard Neugebauer

**Attachments:**      [2018-R12 re New Fire Vehicle State bid .docx](#)  
[2018-R12 re Exhibit A Finley Fire Equipment Agreement Tanker Pumper.pdf](#)

**2018-02**      **AN ORDINANCE AMENDING CHAPTERS 1226 AND 1231 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN REGARDING ADULT FAMILY HOMES, AND DECLARING AN EMERGENCY. REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE**

**Sponsors:**      Gerard Neugebauer

**Attachments:**      [2018-02 re Adult Home Chapters Amended 1226 & 1231.docx](#)  
[2018-02 re Exhibit A Chapter 1226.pdf](#)  
[17-58 Text Amendment- Adult Homes PZC Staff Report](#)  
[1226 Use Regulations 12-20](#)  
[1231 Definitions and Rules of Construction Adult Homes Changes 12-20](#)  
[Table 1226 Allowed Uses- Adult Homes 12-20-17](#)

## IX. Report of Council Committees

### A. Finance (Humphrey \*, Yeargin\*\*, Babbitt)

**TMP-1881**      **INCOME TAX 2017 FOURTH QUARTER REPORT**

**Attachments:**      [CNC4th17.signed](#)

## SECOND READING ITEMS

**2018-R03**      **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY ON BEHALF OF ITS DEPARTMENT OF SANITARY SEWER SERVICES FOR THE DESIGN AND CONSTRUCTION OF THE ROUTE 619 SANITARY SEWER EXTENSION PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. INTRODUCED JANUARY 9, 2018.**

**Sponsors:**      Gerard Neugebauer

**Attachments:**      [2018-R03 re Agreement with County 619 Sanitary Sewer Extension.docx](#)  
[2018-R03 re Exhibit A Sanitary Sewer Agreement w County.pdf](#)

### B. Environment & Parks (Speight\*, Babbitt\*\*, Dyer)

*No Items*

### C. Public Safety (Babbitt\*, Shaughnessy\*, Humphrey)

*No Items*

D. Planning, Community & Economic Development (Young\*, Speight\*\*, Yeargin)**THIRD READING ITEMS**

[2017-29](#) AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 4.207 ACRES OF LAND LOCATED ON ST. ANDREWS COURT (PRIVATE) FROM R-2 (MULTI-FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE CHENOWETH CROSSING PLANNED DEVELOPMENT. INTRODUCED 12/12/17 PUBLIC HEARING SCHEDULED FOR FEBRUARY 13, 2018

**Sponsors:** Gerard Neugebauer

**Attachments:** [2017-29 re Chenoweth Crossing Rezoning.docx](#)  
[2017-29 re Exhibit A Map of Chenoweth.pdf](#)  
[Chenoweth Crossings PD Plat](#)  
[Chenoweth Crossing Aerial](#)  
[17-57 Chenoweth Crossings Notif of Rec to City Council](#)  
[17-57 Chenoweth Crossings PD PZC Staff Report](#)  
[Chenoweth Crossing Contigs](#)

**SECOND READING ITEMS**

[2018-R01](#) A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR KINGS RIDGE PHASE 8, AND DECLARING AN EMERGENCY. INTRODUCED JANUARY 9, 2018.

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R01 re Final Plat Kings Ridge Phase 8.doc](#)  
[2018-R01 re Exhibit A Kings Ridge Phase 8.pdf](#)  
[17-40 Kings Ridge Ph 8 PZC Staff Report.pdf](#)  
[Kings Ridge Ph 8 plat.pdf](#)  
[Kings Ridge Phase 8 aerial.pdf](#)

[2018-R02](#) A RESOLUTION APPROVING THE REPLAT OF THE CAK INTERNATIONAL BUSINESS PARK, AND DECLARING AN EMERGENCY. INTRODUCED JANUARY 9, 2018.

**Sponsors:** Gerard Neugebauer



**Attachments:**      [2018-R02 re CAK Internation Business Park.doc](#)  
[2018-R02 re Exhibit A CAK International Business Park.pdf](#)  
[17-71 Replat of CAK Intl Bus Park PZC Staff Report](#)  
[2017-12-13 KW AKR Replat](#)  
[Replat of CAK Intl Bus Park Aerial](#)

[2018-01](#)      AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.05 ACRES OF LAND FRONTING ON ROBIN'S TRACE, A PUBLIC ROADWAY, FROM R-2 (MULTI-FAMILY RESIDENTIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL). INTRODUCED JANUARY 9, 2018. PUBLIC HEARING SCHEDULED FOR FEBRUARY 13, 2018 @ OR ABOUT 7:05 P.M.

**Sponsors:**      Gerard Neugebauer

**Attachments:**      [2018-01 re Robins Trace public Roadway.docx](#)  
[2018-01 re Exhibit A Robins Trace.pdf](#)  
[17-69 Spencer Rezoning PZC Staff Report](#)  
[Rezoning Aerial](#)  
[Spencer Rezoning Contig Letter](#)  
[Proposed Rezoning](#)  
[18-01 Property Owners](#)  
[18-01 Spencer Rezoning Contig Properties Map](#)

E. Rules and Personnel (Shaughnessy\*, Humphrey\*\*, Young)

*No Items*

F. Transportation, Connectivity & Storm Water (Yeargin\*, Dyer\*\*, Speight)

*No Items*

G. Intergovernmental & Utilities (Dyer \*, Young\*\*, Shaughnessy)

*No Items*

X. Mayor's Report

XI. Unfinished Business

XII. New Business

XIII. Adjournment

All persons other than members of the Council, desiring to be heard by Council can sign in on the speaking roster before the public report of the agenda. Each person will be allowed a maximum of three (3) minutes to address the Council and a maximum of one half hour for all persons addressing the Council. No person shall be recognized more than once on any subject unless by unanimous consent of the Council.

NOTE: An Executive Session may be called during the Meeting, anytime after the roll call and before adjournment by a majority vote of Council. All Executive Sessions will only be held pursuant to the Sunshine Laws provisions. Any decisions based on the Executive Sessions discussions will be made in the open meeting.

### **SCHEDULE OF COMMITTEE MEETING**

Committee meetings are held starting at 5:00 p.m. on the second and fourth Tuesdays at the Administration Building. A Committee Chair may schedule a meeting at any other time as necessary. For special meeting times call the Clerk's Office at 896-6604.

**Molly Kapeluck - Clerk of Council - 896-6604**  
**Council@cityofgreen.org**

### **ADMINISTRATION**

GERARD NEUGEBAUER, MAYOR - 896-6602  
DIANE CALTA, LAW DIR. - 896-6615  
WAYNE WIETHE, PLANNING DIR. - 896-6614  
STEVEN SCHMIDT, FINANCE DIR. - 896-6603

JEFF FUNAI, FIRE CHIEF - 896-6610  
VALERIE WAX CARR, SERVICE DIR. 896-4176  
PAUL PICKETT, CITY ENGINEER - 896-5510  
PAM SERINA, H.R. MANAGER - 896-2313