



City of Green

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

Meeting Minutes

City Council

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

Tuesday, February 12, 2019

7:00 PM

Council Chambers

I. Call to Order

Council President Young called the meeting to order at 7:00 p.m.

II. Pledge of Allegiance

III. Roll Call of Council Members

Present: 6 - Barbara Babbitt, Stephen Dyer, Chris Humphrey, Justin Speight, Rocco Yeargin
and Bob Young

Absent: 1 - Matt Shaughnessy

Also present:

Mayor Neugebauer

Bill Chris, Law Director, Interim

Valerie Wax Carr, Service Director

Paul Pickett, City Engineer

Wayne Wiethe, Director of Planning

Steve Schmidt, Finance Director

Nichole Baldinger, Clerk of Council, Interim

IV. Council Study Session

[TMP-2393](#)

Approval of the December 4, 2018 Special Meeting Minutes

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[TMP-2388](#)

Approval of the January 3, 2019 Council Organizational Meeting Minutes

A motion was made by Council Member Humphrey, seconded by Council

Member Dyer, to approve the Minutes. The motion carried by the following vote:

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[TMP-2397](#)

Approval of the January 8, 2019 Regular Meeting Minutes

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[TMP-2400](#)

Approval of the January 15, 2019 Special Meeting Minutes

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[TMP-2418](#)

Approval of the January 31, 2019 State of the City Meeting Minutes

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[TMP-2392](#)

Approval of the December 2018 Financial Statement Subject to Audit

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

V. Public Report

No report.

VI. Public Hearings - Agricultural Districts

7:03 p.m. President Bob Young opened up the Public Hearing for AG Districts.

Mr. Young read off each applicants name and information. He asked for any comments or questions.

No comments or questions.

7:04 p.m. President Young closed the public hearing.

[TMP-2411](#)

Brian E. Coy
Located at: 856 E. Caston Road
City of Green
Parcel #: 28-06871
Containing: 22.2065 Acres

[TMP-2412](#)

David Jacobs
Located at: 1265 Boettler Road & 2873 Wise Road
City of Green
Parcel #: 28-03279
28-03275

[TMP-2413](#)

RBI Properties LLC (Robert Boyd)
Located at: 4367 Cottage Grove Road
City of Green
Parcel #: 28-00706
Containing: 14.61 Acres

[TMP-2414](#)

Jerry & Mary Lou Williams
Located at: 500 Aqua Dale Drive
City of Green
Parcel #: 28-07233
28-07234
28-07235
Containing: 101.60 Acres

Mr. Young made the motion to accept all 4 applications.

A motion was made by Council Member Young, seconded by Council Member Humphrey, to approve the Report. The motion carried by the following vote:

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[TMP-2415](#)

What is an Agricultural District?

VII. Reading of Correspondence

All correspondence was read in and filed.

[TMP-2391](#)

Planning and Zoning Commission Agenda January 16, 2019

[TMP-2401](#)

Email from Dennis Maneval RE: Speed on Jarvis Road

[TMP-2416](#)

Memo from Steve Schmidt RE: Professional Services Contracts

- [TMP-2424](#) Email from Margaret Reiser RE: Summit Metro Parks
- [TMP-2425](#) January Planning Department's Financial Summary
- [TMP-2435](#) February 13, 2019 Charter Review Commission Agenda
- [TMP-2436](#) Email from James Ahlstrom RE: Parks Maintenance

VIII. New Legislation - Items on First Reading

[2019-R03](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY.** Referred to the Finance Committee ---
-First Reading Passage Requested.

Mr. Humphrey gave a brief overview on the legislation and reason for 1st reading passage.

Committee supported 1st reading passage.

A motion was made by Council Member Humphrey, seconded by Council Member Dyer, to bypass Committee deliberations the Resolution. The motion carried by the following vote:

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[2019-R05](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH WALTER HAVERFIELD, LLP, TO PROVIDE SPECIALIZED LEGAL SERVICES WITH RESPECT TO A CITIZEN-INITIATED AMENDMENT TO THE CITY CHARTER REQUIRING THE CITY OF GREEN'S LAW DIRECTOR BE AN ELECTED POSITION, AND DECLARING AN EMERGENCY.** Referred to the Charter Amendment Implementation Committee

[2019-R06](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER**

INTO AN AGREEMENT WITH VORYS, SATER, SEYMOUR AND PEASE, LLP, TO PROVIDE SPECIALIZED LEGAL SERVICES IN THE AREA OF LABOR AND EMPLOYMENT FOR THE PURPOSE OF CONTRACT NEGOTIATIONS, AND DECLARING AN EMERGENCY. Referred to the Rules and Personnel Committee

[2019-R07](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH ZASHIN & RICH CO., LPA, TO PROVIDE SPECIALIZED LEGAL SERVICES IN THE AREA OF LABOR AND EMPLOYMENT FOR THE PURPOSE OF CONTRACT NEGOTIATIONS, AND DECLARING AN EMERGENCY. Referred to the Rules and Personnel Committee

[2019-R08](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO DISPOSE OF UNNEEDED EQUIPMENT/PROPERTY BY SALE VIA ONLINE AUCTION, PURSUANT TO SECTION 721.15 OF THE REVISED CODE AND RESOLUTION 2007-R22, AND DECLARING AN EMERGENCY. Referred to the Finance Committee

Mr. Humphrey briefly explained the legislation and the reason for 1st reading passage request.

Committee ok with 1st reading passage.

A motion was made by Council Member Humphrey, seconded by Council Member Dyer, to bypass Committee deliberations the Resolution. The motion carried by the following vote:

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[2019-R09](#)

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. Referred to the Transportation,

Connectivity and Storm Water Committee ---- First Reading passage requested.

Mr. Young briefly explained the legislation and reason for 1st reading passage request.

Committee ok with 1st reading passage.

A motion was made by Council Member Young, seconded by Council Member Yeargin, to bypass Committee deliberations the Resolution. The motion carried by the following vote:

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

[2019-R10](#)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE UNAPPROPRIATED BALANCE OF THE PIPELINE SETTLEMENT FUND TO THE FIRE STATION NO. 3 CONSTRUCTION ACCOUNT, MAKING AN APPROPRIATIONS, AND DECLARING AN EMERGENCY. Referred to the Finance Committee

[2019-01](#)

AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY Arlington Ridge Townhomes LP, TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY. Referred to the Planning and Economic Development Committee

[2019-02](#)

AN ORDINANCE AUTHORIZING THE SELECTION OF ENVIROSCIENCE, INC. AS THE FIRM TO PROVIDE DESIGN-BUILD SERVICES TO THE CITY FOR THE DESIGN AND CONSTRUCTION OF THE CITY'S BOETTLER PARK STREAM RESTORATION AND STABILIZATION, AND DECLARING

AN EMERGENCY. Referred to the Environmental and Parks Committee

[2019-R04](#)

A RESOLUTION AWARDING A CONTRACT TO FINLEY FIRE EQUIPMENT for THE PURCHASE OF a SELF-CONTAINED BREATHING APPARATUS (scba) AIR COMPRESSOR, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Referred to the Finance Committee

Mr. Humphrey briefly went over the legislation and reason for the 1st reading passage request.

Committee ok with 1st reading passage.

A motion was made by Council Member Humphrey, seconded by Council Member Dyer, to bypass Committee deliberations the Resolution. The motion carried by the following vote:

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

IX. Report of Council Committees

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

THIRD READING ITEMS

[2018-R97 A](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH USIC LOCATING SERVICES, LLC. FOR PROFESSIONAL UTILITY LOCATING SERVICES FOR A ONE YEAR TERM, WITH THE OPTION TO RENEW ANNUALLY, COMMENCING FEBRUARY 13, 2019, MAKING AN APPROPRIATIONS, AND DECLARING AN EMERGENCY. Introduced 12/11/2018 *Amended January 8, 2019*

Mr. Humphrey read in the legislation and gave a brief overview.

Brief discussion during committee meeting.

3rd reading, committee good with passage.

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

SECOND READING ITEMS

2019-R02

A RESOLUTION AWARDDING A CONTRACT TO sANDER cONTRACTING, inc. for the ArISS PARK DOG PARK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 1/8/19 --- Second Reading Passage Requested. ---

Mr. Humphrey read in the legislation and gave a brief overview.
Discussion took place on this at the last meeting.

2nd reading passage requested. Committee ok with passage.

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

B. Environment & Parks (Speight*, Babbitt**, Shaughnessy)

Did not have a quorum, so the Committee did not meet.

C. Public Safety (Babbitt*, Humphrey*, Dyer)

No items of legislation. Did not meet.

D. Planning, Community & Economic Development (Yeargin*, Speight**, Young)

No items of legislation. All present. Did not meet.

E. Rules and Personnel (Young*, Dyer**, Humphrey)

No items of legislation, did not meet.

F. Transportation, Connectivity & Storm Water (Shaughnessy*, Young**, Yeargin)**THIRD READING ITEMS**[2018-R96](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR CONCRETE ROAD REPAIRS, INCLUDING MISCELLANEOUS CONCRETE WORK, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced 12/11/18

Mr. Young read in the legislation and gave a brief overview.

Item on 3rd reading; Committee good with passage.

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

Aye: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Absent: 1 - Shaughnessy

G. Intergovernmental & Utilities (Dyer *, Shaughnessy**, Speight)

No items of legislation, did not meet.

H. Charter Amendment Implementation Committee (Yeargin*, Babbitt**, Shaughnessy)

Did not have a quorum, therefore they did not meet.

X. Mayor's Report

Mayor presented a proclamation to Mr. Pickett for Engineers week.

Mayor continued with a brief report.

XI. Unfinished Business

None.

XII. New Business

Mr. Young went over a couple announcements.

XIII. Adjournment

Meeting was adjourned at 7:34 pm.

ATTEST: _____
NICHOLE BALDINGER, CLERK OF COUNCIL, INTERIM

APPROVED: _____
BOB YOUNG, 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.