



City of Green

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

Meeting Minutes

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, March 27, 2018

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 Humphrey presided over the meeting which he called to order at 7:44 p.m.

II. Pledge of Allegiance

Councilmember Humphrey led the Pledge of Allegiance.

III. Roll Call of Council Members

Present: 6 - Barbara Babbitt, Chris Humphrey, Matt Shaughnessy, Justin Speight, Rocco Yeargin and Bob Young
Absent: 1 - Stephen Dyer

IV. Council Study Session

**Presentation by Dan Risko, Director of Public Affairs
RE: State Treasurer's Ohio Check Book**

Mr. Schmidt has completed the migration to a new financial package and now will work on the Ohio Check Book. Dan Risko gave the background of the Ohio Check Book. In 2014 Ohio was ranked 46 for transparency. He talked about how Ohio changed the process and how it works. The following year Ohio ranked number 1 in transparency for the country. He briefly showed how to look things up on Ohio Check Book.

Mr. Humphrey asked how many years of data it will compile. Mr. Risko said there is no limit. He asked if there would be a link on the website and Mr. Schmidt said there would be. It went live today.

Mr. Shaughnessy asked how it affects our City and what is the costs. Mr. Schmidt said there is no cost to the City and he will update once a month. Mr. Risko said they work with most accounting providers.

Mayor Neugebauer asked if they could get 2016 on the system. Mr. Risko said it can be done easily.

Mr. Speight asked who is responsible for the Ohio Check Book. Mr. Risko said it would be Finance Director Steve Schmidt but it has been locked. Mr. Schmidt said no employees personal information is included.

TMP-2004

Approval of the February 27, 2018 Regular meeting minutes.

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

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

Absent: 1 - Dyer

V. Public Report

Terry Rodgers, 5505 S. Arlington Road - She said, Nexus has different color flags up, what do they mean. She talked about the port-a-pot on S. Arlington. She also asked about the speed of one of the large trucks.

Mayor Neugebauer said they are flagging utilities and where they are crossing the roads. It is mandated five feet below the roads. The Mayor said Oops marks all of the utilities with flags. He said it is a very precise marking of the utilities. He said he will have the Sheriff's office look at the speeding truck over the weekend.

Mr. Wiethe said there is a staging area on Arlington and there are a lot of flags there.

Andrea Hurr, 4974 Stoney Creek Drive - She talked about corruption in our local government and the process that was taken. Perception is reality. She asked why the city can't hold a meeting to calm their fears. Mr. Humphrey asked Mrs. Calta if there are any other deals with Nexus other than the settlement agreement. Mrs. Calta said there was no other agreement. He asked her to explain the three day deadline. She explained what how the February 7 deadline came to be.

Sarah Richards, 5085 Sheaters Drive - She talked about the discussion regarding Spikerman Road. She is 700 feet away from the pipeline. She talked about the divided City and divided council because of the vote.

VI. Public Hearings - No Public Hearings

VII. Reading of Correspondence

<u>TMP-1990</u>	Email from Valerie Shea RE: Metro
<u>TMP-1993</u>	Civil Service Commission February 14, 2018 Minutes
<u>TMP-1994</u>	Planning Departments February Financial Summary
<u>TMP-1995</u>	Planning and Zoning Commissions March 21, 2018 Agenda
<u>TMP-1996</u>	Email from Matthew Weber RE: Municipal Broadband
<u>TMP-2007</u>	Metro Bus Route Meetings
<u>TMP-2008</u>	Coordinated Response Exercise Program

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2018-R29A](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. Introduced 3/27/18 Amended April 10, 2018

Referred to the Finance Committee

[2018-R30](#) A RESOLUTION APPROVING THE FINAL PLAT OF THE CHENOWETH CROSSING PLANNED DEVELOPMENT, AND DECLARING AN EMERGENCY. Referred to the Planning and Economic Development Committee

Mr. Young advised the Administration has asked for first reading passage and the Committee agreed to it. He briefly explained the Resolution.

Mayor Neugebauer advised it was Mr. Read that asked for first reading passage, not the Administration. Mr. Young explained it was a resident and why the resident requested the first reading passage.

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

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

Absent: 1 - Dyer

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

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

Absent: 1 - Dyer

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

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

Absent: 1 - Dyer

[2018-R31](#)

A RESOLUTION AWARDING A CONTRACT TO SUPERIOR PAVING & MATERIALS, inc. for THE CITY'S 2018 Resurfacing project, AND DECLARING AN EMERGENCY. Introduced 3/27/18

Referred to the Transportation, Connectivity and Storm Water Committee

[2018-R32](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH HENNES COMMUNICATIONS, LLC A CRISIS COMMUNICATIONS AND PUBLIC RELATIONS FIRM FOR SERVICES FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2018, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 3/27/18

Referred to the Finance Committee

[2018-06](#)

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATERIAL IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY. Introduced 3/27/18

Referred to the Rules and Personnel Committee

[2018-05](#) AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OF THE OHIO REVISED CODE, WITH FIRSTENERGY SOLUTIONS CORP. FOR THE PURPOSE OF CONTINUING THE EXISTING ELECTRICITY AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY. Introduced 3/27/18

Referred to the Intergovernmental and Utilities Committee

IX. Report of Council Committees

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

THIRD READING ITEMS

[2018-R16](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH BL COMPANIES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2017, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 2/27/18

Mr. Humphrey briefly explained.

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

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

Absent: 1 - Dyer

[2018-R17](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD AND CORPORATE WOODS CIRCLE ROUNDABOUT, AND DECLARING AN EMERGENCY. Introduced 2/27/18**

This project had a previous appropriation of money.

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

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

Absent: 1 - Dyer

[2018-R18](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD AND BOETTLER ROAD ROUNDABOUT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 2/27/18**

Mr. Humphrey briefly explained.

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

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

Absent: 1 - Dyer

2018-03**AN ORDINANCE ESTABLISHING THE CREATION OF A PIPELINE SETTLEMENT SPECIAL REVENUE FUND, AND DECLARING AN EMERGENCY. Introduced 2/27/18**

Mr. Humphrey explained why the legislation was brought forward. He advised the City is waiting to hear back if the State will approve the fund.

Mr. Speight moved to amend 2018-03 as discussed in Committee, seconded by Mr. Shaughnessy. Mr. Humphrey said it could not be done without a written copy.

Mrs. Calta said she does have a draft of the amendment.

Council took a brief break to get a copy of the change in writing.

Meeting reconvened

Speight - aye, Shaughnessy - aye, Yaergin - nay Young - nay, Babbitt - nay, Dyer - absent, Humphrey - nay.

Motion to amend failed 4-2.

Mr. Speight advised he will support this without the amendment and why he would.

Mr. Shaughnessy said he agrees with Mr. Speight.

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

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

Absent: 1 - Dyer

SECOND READING ITEMS2018-R23**A RESOLUTION APPROPRIATING TWENTY THOUSAND DOLLARS (\$20,000.00) FOR THE NIMISILA EMBANKMENT WALKING TRAIL PHASE II PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 3/13/18**

Mr. Humphrey briefly explained and requested time.

[2018-R25](#) **A RESOLUTION AWARDING A CONTRACT TO LOCKHARD CONCRETE CO. FOR THE SALT DOME CONCRETE REPAIR PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.** Introduced 3/13/18

Mr. Humphrey briefly explained and took time.

[2018-R28](#) **A RESOLUTION TO PROHIBIT THE EXPENDITURE OF CITY FUNDS IN OPPOSITION TO ANY VALIDLY FILED REFERENDUM FILED PURSUANT TO CITY OF GREEN CHARTER §10.2, AND DECLARING AN EMERGENCY.** Introduced 3/13/18

Mr. Humphrey briefly explained and took time.

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

THIRD READING ITEMS

[2018-R15](#) **A RESOLUTION DECLARING CERTAIN PARKS DIVISION EQUIPMENT SURPLUS PROPERTY, NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AUTHORIZING THE CITY OF GREEN TO DONATE THE SURPLUS PROPERTY TO THE SUMMIT COUNTY AGRICULTURAL SOCIETY, AND DECLARING AN EMERGENCY.** Introduced 2/27/18

Mr. Speight explained briefly.

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

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

Absent: 1 - Dyer

SECOND READING ITEMS

[2018-R22](#) **A RESOLUTION AWARDING A CONTRACT TO B&B Sealing, LLc, DBA Dura seal, for THE 2018 Parks Pavement Maintenance project, AND DECLARING AN EMERGENCY.** Introduced 3/13/18

Mr. Speight explained the Resolution. This will cover six parks parking lots. Time was requested and granted.

Mr. Speight advised the Parks and Recreation Department is working hard to get the parks to get them up and running. They are currently on two shifts.

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

Mrs. Babbitt announced the Green Schools are having CRASE training classes (Civilian Response to Active Shooter Events) The training is open to all adults, April 3 at 6:30 and April 7 at 10 am at the auditorium.

She advised the committee heard a report from the Nexus Pipeline Settlement Enforcement Safety Committee. Mr. Yeargin gave the report regarding the Nexus pipeline. This will become a regular part of the public safety committee.

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

SECOND READING ITEMS

[2018-R21](#) **A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH DENTAL SUPPORT SPECIALTIES, LLC, AND DECLARING AN EMERGENCY.**
Introduced 3/13/18

Mr. Young explained the Resolution. He advised the Administration has asked for second reading passage and he explained why.

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

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

Absent: 1 - Dyer

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

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

Absent: 1 - Dyer

Mr. Young advised during committee he gave a report on the PZC meeting.

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

SECOND READING ITEMS

[2018-07](#)

AN ORDINANCE TO AMEND CITY OF GREEN CODIFIED ORDINANCE 220.02, SECTION 6, RULE 6.8 TO INCLUDE A PROVISION WHICH SHALL REQUIRE THE TITLE OF ALL PROPOSED ORDINANCES OR RESOLUTIONS RELATING TO A MATTER PENDING IN LITIGATION TO IDENTIFY WITH SPECIFICITY THE MATTER IN LITIGATION AND THE PARTIES TO THE LITIGATION, AND DECLARING AN EMERGENCY. INTRODUCED 3/13/18 ---Changed for next meeting to 2018-07.

Time Requested and Granted.

F. Transportation, Connectivity & Storm Water (Yeargin*, Dyer**, Speight)**SECOND READING ITEMS**

[2018-R20](#) **A RESOLUTION AWARDDING A CONTRACT TO SPano Brothers Construction company for THE 2018 Concrete Rehabilitation project, AND DECLARING AN EMERGENCY. Introduced 3/13/18**

Mr. Yeargin advised Mrs. Carr explained the need for the Resolution. He requested time and it was granted.

[2018-R24](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH GLAUS, PYLE, SCHOMER, BURNS AND DEHAVEN, INC., DBA GPD GROUP, FOR PROFESSIONAL ENGINEERING SERVICES FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2017, AND DECLARING AN EMERGENCY. Introduced 3/13/18**

Mr. Yeargin said it was discussed in committee and requested time, which was granted.

[2018-R26](#) **A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR SUMMIT COUNTY TRAIL & GREENWAY COMMUNITY GRANT FUNDS PROGRAMMED BY THE OHIO & ERIE CANALWAY COALITION FOR NIMISILA/MAIN STREET WALKING TRAIL, AND DECLARING AN EMERGENCY. Introduced 3/13/18**

Mr. Yeargin said there was discussion about this during committee. He advised Mr. Wiethe explained without the ability to pass on second reading it would not be annulity. During committee they decided it was not appropriate to pass on second reading. He asked Mrs. Calta the proper procedure.

Mrs. Calta explained there were a couple options. The simpilist being, having a motion to withdraw.

Mr. Humphrey clarified with Mrs. Calta, if it was withdrawn it would go off the agenda, if it would be offered again in some different form it would come up at a different time. Mrs. Calta said that was correct.

Mr. Yearigin made a motion to withdraw, seconded by Mr. Speight.

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

Absent: 1 - Dyer

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

No Meeting held.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

Mr. Humphrey appointed the following:

Historical Preservation - Barbara Babbitt
Drug Task Force - Chris Humphrey -
Living Green Task Force - Justin Speight

Mr. Shaughnessy wanted to talk about the tree cutting deadline for Nexus because of the rare migratory bats. He feels misled by the City and outside Counsel. He quoted Mr. Humphrey in a ABJ article regarding the bats and the Nexus settlement. He said it looks like the City did everything to help Nexus get to the trees.

Mr. Humphrey responded. He said that he is embarrassed for Mr. Shaughnessy not knowing about the migrating bats. He said Mr. Shaughnessy had to stop playing the victim. If he didn't know, that was his responsibility.

Mrs. Babbitt asked when he read the quote in the paper did he contact the Mayor or the Law Director before he went to social media. Mr. Shaughnessy said no, he was upset. She asked if the people that negotiated on our behalf know that information.

Mr. Young said he knew about the bats because he has set on the Planning and Zoning Committee for three years. He is disappointed at how council uses this platform by saying false truths.

Mr. Shaughnessy said those are not his words. It is a quote in the paper.

Mayor Neugebauer said the other attributed the statement to you but it was not a quote. He talked about Mr. Shaughnessy's access to the Administration. He also talked about the timing of the referendum. He talked about how this is tearing the community apart. Mr. Shaughnessy and Mayor Neugebauer bantered back and fourth.

Mrs. Babbitt gave a statement regarding her vote and social media. She asked everyone involved in this process employ civility. She said it is possible to disagree without being disagreeable.

Mr. Yeargin said his recollection that the bats were not discussed. He talked about the conversation with outside counsel. He talked about Oberlin who did not vote for the settlement.

XII. New Business - No New Business

XIII. Adjournment

Bob Young moved to adjourn at 9:34 p.m.

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: _____
CHRIS HUMPHREY, 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.