



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, April 10, 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-2037](#) APPROVAL OF THE MARCH 13, 2018 REGULAR MEETING MINUTES

Attachments: [3-13-18 Minutes](#)

[TMP-2030](#) APPROVAL OF THE FEBRUARY & MARCH FINANCIAL
STATEMENT SUBJECT TO AUDIT

Attachments: [FEBRUARY 2018 ELECTRONIC FINANCIAL REPORT](#)
[MARCH 2018 ELECTRONIC FINANCIAL REPORT](#)

V. Public Report

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

VI. Public Hearings - No Public Hearings

VII. Reading of Correspondence

[TMP-2009](#) EMAIL FROM KAREN LEITCH RE: ARLINGTON CIRCLE K

Attachments: [3-22-18 Karen Leitch](#)

[TMP-2011](#) PLANNING AND ZONING COMMISSIONS FEBRUARY 21, 2018
APPROVED MINUTES

[TMP-2012](#) PLANNING AND ZONING COMMISSIONS MARCH 21, 2018 SUMMARY

Attachments: [PZC Summary 3-21-18](#)

[TMP-2013](#) EMAIL FROM TAMMY DALY RE: WELL TESTING

Attachments: [3-23-18 Tammy Daly Attachment](#)
[3-23-18 Tammy Daly](#)

[TMP-2015](#) EMAIL FROM LUCY AND DAVID DOWNS RE: NEXUS DESTRUCTION

Attachments: [3-1-19 David Lucy Downs](#)

[TMP-2019](#) APRIL 4, 2018 DESIGN REVIEW BOARD AGENDA

Attachments: [4-4-18 DRB Agenda](#)

[TMP-2020](#) EMAIL FROM DENNIS WEIS RE: NOISE FROM NEXUS TRUCKS

Attachments: [4-2-18 Dennis Weis](#)

[TMP-2023](#) EMAIL FROM TAMMY DALY RE: PIR REPORT

Attachments: [4-3-18 Tammy Daly](#)

[TMP-2024](#) EMAIL FROM LOUIS BLANC RE: NEXUS CONCERNS

Attachments: [4-3-18 Louis Blanc](#)

[TMP-2025](#) LETTER FROM JULIE BARNES, SUMMIT COUNTY CHILDREN SERVICES RE: 9TH ANNUAL COMMUNITY APPRECIATION BREAKFAST.

Attachments: [04-4-18 Julie Barnes](#)

[TMP-2029](#) PLANNING DEPARTMENTS MARCH 2018 FINANCIAL SUMMARY

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

VIII. New Legislation - Items on First Reading

[2018-R33](#) A RESOLUTION AWARDED A CONTRACT TO CARPENTER ASPHALT SEALER CO., INC. FOR THE PARKS SPORT COURTS MAINTENANCE PROJECT, AND DECLARING AN EMERGENCY. REFERRED TO THE ENVIRONMENTAL AND PARKS COMMITTEE -- -FIRST READING PASSAGE REQUESTED.

Sponsors: Gerard Neugebauer

Attachments: [2018-R33 re Parks Sport Court Maintenance.docx](#)
[ALL IN ONE Parks Sport Court Maintenance #18-P-06 \(002\).pdf](#)
[Valerie Wax Carr 1st Reading for Parks Sports.pdf](#)

2018-R34 A RESOLUTION AUTHORIZING THE MAYOR TO ENGAGE PRIME AE GROUP, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES RELATED TO THE DESIGN OF FIRE STATION NO. 3, AND DECLARING AN EMERGENCY. REFERRED TO THE PUBLIC SAFETY COMMITTEE

Sponsors: Gerard Neugebauer

Attachments: [2018-R34 re Fire Station No 3 PRIME AE.docx](#)

2018-R35 A RESOLUTION APPROVING AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GREEN, DEHOFF DEVELOPMENT COMPANY AND GREEN LAND TRUST, LTD., AND DECLARING AN EMERGENCY. REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

Sponsors: Gerard Neugebauer

Attachments: [2018-R35 re DeHoff Development Agreement and Green Land Trust.doc](#)

2018-08 AN ORDINANCE AMENDING CHAPTER 618, SECTION 618.03 "CONTROL OF DOGS", AND DECLARING AN EMERGENCY. REFERRED TO THE ENVIRONMENTAL AND PARKS COMMITTEE

Sponsors: Gerard Neugebauer

Attachments: [2018-08 re Changing Chapter 618 Control of dogs.docx](#)
[2018-08 re Exhibit A Chapter 618 Control of Dogs.pdf](#)

IX. Report of Council Committees

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

THIRD READING ITEMS

2018-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

Sponsors: Gerard Neugebauer

Attachments: [2018-R23 re Phase II Nimisila Walking Trail.docx](#)
[Grant Application Nimisila Reservoir Embankment Trail Phase II.pdf](#)

[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

Sponsors: Gerard Neugebauer

Attachments: [2018-R25 re Salt Dome Concrete Repair.doc](#)
[Salt Dome Concrete Repair All In One.pdf](#)

[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

Sponsors: Matt Shaughnessy

Attachments: [2018-R28 re Prohibit Expenditure of Funds to oppose Referendum FINAL.docx](#)

SECOND READING ITEMS

[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

Sponsors: Gerard Neugebauer

Attachments: [2018-R29 re Amended Appropriations March 2018.docx](#)
[2018-R29 re Amended Exhibits A Appropriations.pdf](#)

[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

Sponsors: Gerard Neugebauer

Attachments: [2018-R32 re Crisis.docx](#)
[Hennes and COG Proposal for Council March 2018.pdf](#)

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

THIRD 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

Sponsors: Gerard Neugebauer

Attachments: [2018-R22 re 2018 Parks Pavement Maintenance.docx](#)
 [All In One Pavement Maintenance.pdf](#)

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

LICENSE ITEMS

[TMP-2014](#) LIQUOR LICENSE TRANSFER FROM MTK PROMOTIONS LLC,
LEGENDS SPORTS PUB & PATIOS TO 1840 TOWN PARK BLVD. LLC
DBA LEGENDS SPORTS PUB & PATIOS AT 1840 TOWN PARK BLVD.
UNIT G - PERMIT CLASSES D1, D2, D3, D3A AND D6.

Attachments: [Legends Sports Pub & Patios](#)

[TMP-2033](#) NEW C1 LIQUOR LICENSE FOR DRAKE RA ENTERPRISES LLC DBA
DOLLAR BEER CLUB LOCATED AT 5153 STONEHAM ROAD.

Attachments: [Drake Ray Enterprises](#)

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

No Items

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

THIRD 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.

Sponsors: Matt Shaughnessy

Attachments: [2018-07 re Codified Ordinance 220.02 Specificity Final Submitted Version.docx](#)
 [2018-R27 re Codified Ordinance 220.02 Specificity Final Submitted Version.doc](#)
 [3-18-19 Diane Calta](#)
 [2018-R27 Ordinance 220.02 - Title of Legislation](#)

SECOND READING ITEMS

[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

Sponsors: Gerard Neugebauer

Attachments: [2018-06 re Codified Ordinance revision codes.docx](#)
[2018-06 re Exhibit A Code Changes.pdf](#)

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

THIRD READING ITEMS

[2018-R20](#) A RESOLUTION AWARDED A CONTRACT TO SPANO BROTHERS CONSTRUCTION COMPANY FOR THE 2018 CONCRETE REHABILITATION PROJECT, AND DECLARING AN EMERGENCY. INTRODUCED 3/13/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R20 re Concrete Rehab.docx](#)
[ALL IN ONE 2018 Concrete Rehab #18-H-02.pdf](#)

[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

Sponsors: Gerard Neugebauer

Attachments: [2018-R24 re GPD Group .docx](#)
[GPD professional service consultant agrment 2018.pdf](#)

[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

Sponsors: Gerard Neugebauer

Attachments: [2018-R26 re Main Street Walking Trail Ohio Erie Canalway Coalition.docx](#)
 [Nimisila Main Street Wallking Trail Map.pdf](#)
 [Email from Wayne Wiethe RE 2018-R26](#)

SECOND READING ITEMS

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

Sponsors: Gerard Neugebauer

Attachments: [2018-R31 re 2018 Resurfacing #18-H-01.docx](#)
 [ALL IN ONE 2018 Resurfacing \(002\).pdf](#)

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

No Items

SECOND READING ITEMS

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

Sponsors: Gerard Neugebauer

Attachments: [2018-05 re Electricity Aggregation Program.docx](#)
 [2018-05 re Exhibit A Master Service Agreement.pdf](#)

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