



# 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**

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**Tuesday, February 12, 2019**

**7:00 PM**

**Council Chambers**

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#### 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

**Attachments:** [Special 12-4-18](#)

**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

**Attachments:** [1-3-19 Organizational Meeting](#)

**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

**Attachments:** [1-8-19 Council 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

**Attachments:** [1-15-19 Council Special Meeting](#)

**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

**Attachments:** [1-31-19 State of the City](#)

**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

**Attachments:** [December 2018 Electronic Financial Report](#)

**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

**Attachments:** [AG- Brian Coy App](#)

### [TMP-2412](#)

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

**Attachments:** [AG - David Jacobs App](#)

### [TMP-2413](#)

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

**Attachments:** [AG - RBI Properties LLC \(Robert Boyd\) APP](#)

### [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

**Attachments:** [AG- Jerry & Mary Lou Williams App](#)

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?

**Attachments:** [Agricultural District Facts](#)

## VII. Reading of Correspondence

All correspondence was read in and filed.

[TMP-2391](#) Planning and Zoning Commission Agenda January 16, 2019

**Attachments:** [1-16-19 PZC Agenda](#)

[TMP-2401](#) Email from Dennis Maneval RE: Speed on Jarvis Road

**Attachments:** [1-28-19 Dennis Maneval](#)

[2-6-19 Dennis Maneval](#)

[TMP-2416](#) Memo from Steve Schmidt RE: Professional Services Contracts

**Attachments:** [Steve Schmidt 1-31-19](#)

[TMP-2424](#) Email from Margaret Reiser RE: Summit Metro Parks

**Attachments:** [2-4-19 Margaret Reiser](#)

[TMP-2425](#) January Planning Department's Financial Summary

**Attachments:** [jan 2019 financial summary](#)

[TMP-2435](#) February 13, 2019 Charter Review Commission Agenda

**Attachments:** [2-13-19 Charter Review Commission Meeting Agenda](#)

[TMP-2436](#) Email from James Ahlstrom RE: Parks Maintenance

**Attachments:** [2-6-19 James Ahlstrom](#)

## 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.**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R03 re Appropriations February 2019](#)  
[2019-R03 Exhibits A](#)  
[1st reading request Steven Schmidt](#)

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** A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH WALTER HAVERFIELD, LLP, TO PROVIDE SPECIALIZED LEGAL SERVICES AND GUIDANCE IN ASSISTING COUNCIL AND THE CHARTER REVIEW COMMISSION IN THEIR RECOMMENDATIONS FOR CHANGES TO THE CITY CHARTER AND TO IMPLEMENT THE ~~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. (Amended February 26, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R05 re AMENDED Walter Haverfield Agreement Law Director](#)  
[2019-R05 re Exhibit A](#)  
[2nd Reading Passage Request Feb 26 2019](#)

**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

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**CONTRACT NEGOTIATIONS, AND DECLARING AN EMERGENCY.**  
(Introduced on 2/12/19) \*\*Second Reading Passage Requested\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R06 re Vorys Dispatch](#)  
[2nd Reading Passage Request Feb 26 2019](#)

[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. (Introduced on 2/12/19) \*\*Second Reading Passage Requested\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R07 re Zashin and Rich Firemen](#)  
[2nd Reading Passage Request Feb 26 2019](#)

[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

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R08 re Auction of equipment](#)  
[2019-R08 re Exhibit A](#)  
[2019-R08 re Exhibit B GovDeals](#)  
[2nd Reading Passage Request Feb 26 2019](#)

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.**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R09 re Summit County Pavement Markings](#)

[2019-R09 re Exhibit A Paving Markings](#)

[Paul Pickett Requests for suspending three reading rule on 2019-R02 and 2019-R09](#)

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](#)  
[AA](#)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE UNAPPROPRIATED BALANCE OF *GENERAL FUND AND THE PIPELINE SETTLEMENT FUND* TO THE FIRE STATION NO. 3 CONSTRUCTION ACCOUNT, *RECLASSIFY AN ADVANCE AS A TRANSFER*, MAKING AN APPROPRIATIONS, AND DECLARING AN EMERGENCY.

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R10 re Amended Amended Fire Station No. 3 Construction](#)  
[2019-R10 re Amended Fire Station No. 3 Construction](#)

[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. (Introduced on 2/12/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-01 re Arlington Ridge Townhomes](#)  
[2019-01 re Exhibits A B C D Arlington Ridge Townhomes](#)

[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. (Introduced on 2/12/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-02 re Boettler Park Stream Restoration and Stabilization](#)

[2019-R04](#)

A RESOLUTION AWARDED 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

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R04 re Award FEMA Air Compressor Purchase](#)  
[2019-R04 re Exhibit A](#)



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*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R97 re AMENDED USIC 2019](#)  
[2018-R97 re Exhibit A USIC](#)

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 AWARDING 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. ---**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R02 re Ariss Park Dog Park](#)  
[ALL IN ONE Ariss Park Dog Park #18-P-25](#)  
[Paul Pickett Requests for suspending three reading rule on 2019-R02 and 2019-R09](#)

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

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R96 re 2019 Summit County Concrete Pavement](#)  
[2018-R96 re Exhibit A](#)

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.