



# City of Green

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

## Meeting Minutes

### City Council

**Barbara Babbitt - Ward 1 - President**  
**Rocco Yeargin - Ward 3 - Vice President**  
**Bob Young - Ward 2**  
**Matt Shaughnessy - Ward 4**  
**Richard Brandenburg - At-Large**  
**Clark A. DeVitis - At-Large**  
**Dave France - At-Large**  
**Molly Kapeluck, MMC Clerk of Council**

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Tuesday, November 26, 2019

7:00 PM

Council Chambers

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#### I. Call to Order

The Green City Council met in regular session at the Central Administration Building, 1755 Town Park Blvd., Green, OH. President Young presided over the meeting which he called to order at 7:23 p.m .

#### II. Pledge of Allegiance

Councilmember Young led the Pledge of Allegiance.

#### III. Roll Call of Council Members

**Present:** 3 - Barbara Babbitt, Rocco Yeargin and Bob Young

**Absent:** 1 - Matt Shaughnessy

#### IV. Council Study Session

[TMP-2862](#) Approval of the November 12, 2019 Regular Council Meeting Minutes

**Attachments:** [11-12-19 Council Minutes](#)

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

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

**Absent:** 1 - Shaughnessy

[TMP-2853](#) Approval of the October Financial Statement Subject to Audit

**Attachments:** [OCTOBER 2019 ELECTRONIC FINANCIAL REPORT](#)

**A motion was made by Council Member Humphrey, seconded by Council Member Speight, 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 one spoke during Public Report

VI. Public Hearings - No Public Hearing Held

VII. Reading of Correspondence

[TMP-2848](#) Email from Terry Miller RE: Sheriff's Facility

**Attachments:** [11-08-19 Terry Miller](#)  
[11-19-19 Terry Miller](#)

[TMP-2856](#) Civil Service Commission October 9, 2019 Minutes.

**Attachments:** [CSC October 9, 2019 Minutes](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2019-R104](#) A RESOLUTION DIRECTING THE CITY OF GREEN TO FILE TRADEMARK PROTECTION FOR ITS INTELLECTUAL PROPERTY, INCLUDING ALL PROTECTABLE CITY-GENERATED MARKS WITH THE UNITED STATES PATENT & TRADEMARK OFFICE WITHIN 6 MONTHS OF THE PASSAGE OF THIS LEGISLATION, AND DECLARING AN EMERGENCY. Introduced 11/26/19

**Sponsors:** Stephen Dyer

**Attachments:** [2019-R104 Trademark Protection - Withdrawn](#)  
[2019-R104 re Trademark Protection](#)  
[U.S. Code 1052 Trademark registrable on principal register](#)

Referred to the Rules and Personnel Committee

[2019-R105](#) A RESOLUTION CHANGING CITY COUNCIL RULES TO BETTER MAINTAIN COMITY AMONG MEMBERS, AND DECLARING AN EMERGENCY. Introduced 11/26/19

**Sponsors:** Stephen Dyer

**Attachments:** [2019-R105 Maintain Comity - Defeated](#)  
[2019-R105 re Comity Rule Change](#)

Referred to the Rules and Personnel Committee

[2019-R106](#)     **A RESOLUTION CLOSING GREENSBURG FIELD #4, REQUIRING ALL NEW FIELDS TO BE INSTALLED OUTSIDE THE POTENTIAL IMPACT RADIUS OF THE NEXUS PIPELINE, REQUIRING A SEARCH FOR ADDITIONAL FIELD LOCATIONS WITHIN THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** Introduced 11/26/19

**Sponsors:** Stephen Dyer

**Attachments:** [2019-R106 Closing Greensburg Field #4 - Withdrawn](#)  
[2019-R106 re Greensburg Field 4](#)

Referred to the Public Safety Committee

[2019-R107](#)     **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO DEVELOP AND ADOPT THE GREEN TAXPAYER REBATE PROGRAM FOR THE PURPOSE OF REBATING UNSPENT MUNICIPAL INCOME TAX REVENUE THAT REMAINS UNSPENT ABOVE A CERTAIN THRESHOLD, AND DECLARING AN EMERGENCY.** Introduced 11/26/19

**Sponsors:** Stephen Dyer

**Attachments:** [2019-R107 re Taxpayer rebate](#)

Referred to the Finance Committee

[2019-R108](#)     **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO CONTRACTS WITH VARIOUS ENGINEERING, CONSTRUCTION MANAGEMENT AND TESTING COMPANIES FOR PROFESSIONAL SERVICES, FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY. \*\*\*Second Reading Passage Requested.\*\*\*** Introduced 11/26/19

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R108 Engineering Contracts 1-1-20 to 12-31-22](#)  
[2019-R108 re 3 Year Legislation](#)  
[Paul Pickett 2nd reading request.msg](#)

Referred to the Transportation, Connectivity and Storm Water Committee

[2019-R109](#)     **A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF GREEN AND THE LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC., AND DECLARING AN EMERGENCY.** Introduced 11/26/19

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R109 Legal Defenders Office](#)  
[2019-R109 re Agreement COG Legal Defenders Summit Cty](#)  
[2019-R109 re Exhibit A Agreement Legal Defenders Office](#)

Referred to the Intergovernmental and Utilities Committee

[2019-R110](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH GARDINER SERVICE COMPANY, LLC FOR EMERGENCY INSTALLATION OF A NEW BOILER SYSTEM AT THE CENTRAL ADMINISTRATION BUILDING, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. \*\*\*First Reading Passage Requested.\*\*\* Referred to the Finance Committee

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R110 Boiler System - Gardiner Service Co](#)  
[2019-R110 re CAB Boiler System Improvment](#)  
[2019-R110 re Exhibit A Gardiner boiler Nov 2019](#)

Mr. Humphrey advised the committee discussed the need for this resolution and the Administration had asked for first reading passage. He advised the cost to replace the boilers is \$112,895.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass Committee deliberations. 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 bypass the three reading rule. 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

[2019-R111 A](#) A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ENGAGEMENT AGREEMENT WITH RODERICK LINTON BELFANCE, L.L.P., FOR THE CONTINUATION OF LEGAL SERVICES

**ALREADY PROVIDED BY RODERICK LINTON BELFANCE, LLC,  
UNTIL THE LITIGATION MATTERS ARE RESOLVED FOR THE CITY  
OF GREEN, AND DECLARING AN EMERGENCY. Introduced 11/26/19  
(Amended January 14, 2020) \*\*\*THIRD READING PASSAGE  
REQUESTED\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R111 A re Amended Roderick Linton Belfance firm Law Director  
signed 3rd reading passage request Mayor  
2019-R111 re Exhibit A](#)

Referred to the Finance Committee

[2019-20](#) **AN ORDINANCE CREATING CAMPAIGN FINANCE CONTRIBUTION  
LIMITS FOR INDIVIDUALS AND ENTITIES DOING BUSINESS WITH  
THE CITY, DEFINING THOSE LIMITS, AND DECLARING AN  
EMERGENCY. Introduced 11/26/19**

**Sponsors:** Stephen Dyer

**Attachments:** [2019-20 re Campaign Contribution Limits  
2019-20 re Exhibit A \(003\)](#)

Referred to the Rules and Personnel Committee

#### IX. Report of Council Committees

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

#### SECOND READING ITEMS

[2019-R99](#) **A RESOLUTION AWARDED A CONTRACT TO SIGNAL SERVICE  
COMPANY FOR THE MAYFAIR EAST STREET LIGHT  
REPLACEMENT PROJECT ("PROJECT"), MAKING AN  
APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced  
11/12/19 \*\*\*Second Reading Passage Requested.\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R99 Mayfair E Light Replacement  
2019-R99 re Mayfair East Street Light Replacement Project .docx  
Paul Pickett 2nd reading passage request](#)

Mr. Humphrey advised he recused himself from the Committee discussion. Time requested and granted.

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[2019-R100](#) A RESOLUTION APPROVING AND ADOPTING THE 2020 ANNUAL CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN, MAKING A TRANSFER, AND DECLARING AN EMERGENCY. Introduced 11/12/19

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R100 re 2020 Capital Annual Appropriations](#)  
[2019-R100 re Exhibit A](#)

Mr. Schmidt walked Council through the Capital Appropriation Budget during Committee. He explained the reason to hold this legislation until January 2020. Time requested and granted.

[2019-R101 A](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. Introduced 11/12/19 (*AMENDED NOVEMBER 26, 2019*) \*\*\*Second Reading Passage Requested.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R101 Modifying Appropriations](#)  
[2019-R101 A re Amended 2019 Final Appropriations](#)  
[2019-R101 re Amended Exhibit A 2nd reading](#)  
[2019-R101 re Exhibit B](#)

Mr. Humphrey explained the need for this legislation. He advised this results in a net give back to the general fund of \$1,265,050. It is a result of a give back of federal funds that was not awarded for a heavy rescue truck and only one building exhaust system being awarded via a grant for the fire department. One was awarded for Fire Station #2. The City hoped to get a grant for a second exhaust system but that did not happen. He explained the other big number was for the staffing of Fire Station #3, that is still under construction, so that part will be part of next years operating budget. The committee also discussed other changes resulting from this legislation.

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

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

**Absent:** 1 - Shaughnessy

**2019-R102** A RESOLUTION APPROVING AND ADOPTING THE 2020 ANNUAL OPERATING APPROPRIATION FOR THE GENERAL FUND AND ALL OTHER FUNDS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced 11/12/19

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R102 2020 Annual Operating Budget](#)  
[2019-R102A AMENDED 2020 operating annual appropriation](#)  
[2019-R102 Amended Exhibit A](#)  
[2019-R102 re Exhibit B](#)  
[2019-R102 AMENDED 2020 Electronic Budget Presentation](#)

Mr. Humphrey encouraged those that have questions to ask between this meeting and the next meeting. He talked about the changes in the budget that were discussed during committee. Time requested and granted.

**2019-R103** A RESOLUTION AWARDING A CONTRACT TO CAVANAUGH FOR THE East Liberty Park Sanitary Pump Station, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 11/12/1 \*\*\*Second reading passage requested.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R103 East Liberty Park Sanitary Pump Station - Cavanaugh](#)  
[2019-R103 re #15-P-15 East Liberty Park Sanitary Pump Station](#)  
[Paul Pickett 2nd reading passage request](#)

Mr. Humphrey briefly explained the need for the legislation and second reading passage. Mr. Humphrey advised that Cavanaugh building corporation had the lowest and best bid of \$90,550.00, the appropriation is for \$19,605.00. Through this appropriation it will allow the City to hook up with the sanitary sewer line along 619.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass the three reading rule. 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



2019-19

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$9,950,000, FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE OUTSTANDING MATURITIES OF GENERAL OBLIGATION TAX INCREMENT BONDS ISSUED IN 2010, 2011, 2012, AND 2014, AND DECLARING AN EMERGENCY. \*\*\*Second Reading Passage Requested.\*\*\* Introduced 11/12/19

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-19 Issuance of Bonds](#)

[2019-19 re Refunding Bond Series 2019 v 1](#)

[2019-19 re Exhibit A Green Savings and Summary of Bonds Refunded](#)

[Steve Schmidt 2nd reading passage request](#)

Mr. Humphrey explained this Ordinance allows the City to refinance the debt for these bonds that were previously issues. As a result in the decrease in interest rates, Mr. Schmidt advised the Mayor last year to wait on refinancing these and the interest rate has gone even lower.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to by pass the three reading rule. The motion carried unanimously.**

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to adopt the Ordinance. 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)

No meeting held.

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

Mrs. Babbitt advised the committee received a report from the Summit County Sheriff's Office and an update from Chief Funai regarding Fire Station #3.

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

2019-04

AN ORDINANCE ESTABLISHING PUBLIC NOTIFICATION REQUIREMENTS PRIOR TO CITY COUNCIL ACTION AUTHORIZING CITY FUNDS OR AUTHORIZING THE APPLICATION FOR GRANTS OR OTHER FUNDING METHODS TO BE USED FOR THE DESIGN OR CONSTRUCTION OF THE

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**MASTER TRAIL PLAN OR SIMILAR LONG-RANGE  
CITY-DEVELOPED PLANNING, OR PORTIONS THEREOF, AND  
DECLARING AN EMERGENCY. (Introduced on 2/26/19)**

**Sponsors:** Matt Shaughnessy and Stephen Dyer

**Attachments:** [2019-04 re Master Trail Plan Notification](#)

Mr. Yeargin said he gave a summary of how the legislation has involved over time, during Committee and he is working with the Planning Department to make it more a public engagement process.

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

No meeting held.

F. Transportation, Connectivity & Storm Water (Shaughnessy\*, Young\*\*, Yeargin)

Mr. Young advised the committee discussed 2019-R108 because second reading passage was requested for the next meeting.

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

No meeting held.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business - No Unfinished Business

XII. New Business - No New Business

XIII. Adjournment

Mr. Dyer moved to adjourn at 7:51 p.m.

ATTEST: \_\_\_\_\_  
MOLLY KAPELUCK, CLERK OF COUNCIL

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.