



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, August 14, 2018

7:00 PM

Council Chambers

I. Call to Order

Council President Humphrey called the meeting to order at 7:00 pm.

II. Pledge of Allegiance

Present: 7 - Barbara Babbitt, Stephen Dyer, Chris Humphrey, Matt Shaughnessy, Justin Speight, Rocco Yeargin and Bob Young

III. Roll Call of Council Members

IV. Council Study Session

[TMP-2191](#) Approval of the July 10, 2018 Regular Meeting Minutes

Attachments: [7-10-18 Council Minutes](#)

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

[TMP-2186](#) Approval of the June 2018 Financial Statement, Subject to Audit

Attachments: [JUNE 2018 ELECTRONIC FINANCIAL REPORT](#)

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

[TMP-2208](#) Approval of the July 2018 Financial Statement, Subject to Audit

Attachments: [JULY 2018 ELECTRONIC FINANCIAL REPORT](#)

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

Speight, to approve the Report. The motion carried by the following vote:

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

V. Public Report

Andrea Hurr, 4974 Stoneycreek Drive, Green, OH-

Mrs. Hurr stated she felt compelled to mention that at the last meeting there was so much discord and its embarrassing. She feels that some members of council do not have any compassion. Integrity and compassion are everything. She mentioned that though she does not agree with how Mr. Yeargin voted on Nexus, he has at least shown some compassion, however Mr. Humphrey has not.

Pat Carleski, 3878 Greenfield Rd., Green, OH-

Mrs. Carleski wanted to thank the City for putting on the monarch butterfly seminar. She also enjoyed the senior summer luncheon and thanked the parks. She also thanked Mrs. Carr for putting up no thru street signs on her road to divert traffic from their neighborhood. She also mentioned that she agreed with Mrs. Hurr, that people need to have some compassion for those in the line of the pipeline.

Justin Leonti, 540 E .Nimisila Rd., Green, OH-

Mr. Leonti stated after he spoke at the last meeting he was insulted by Mr. Humphrey and that Mr. Humphrey tried to intimidate him, but he will not be intimidated and now he will stand up and speak out. He stated that our community is concerned, the elected officials should bring the community together not divide them. Mr. Leonti stated that they will stand together, and no matter how many times they insult them they will still rise.

Mr. Humphrey responded to Mr. Leonti stating that he was not trying to insult anyone and encouraged the public to go back and watch the previous meeting and they will see that.

Deputy Hipp , Summit Co. Sheriff's Dept.

Deputy Hipp wanted to remind everyone that on Sept 9, 2018 there would be a Charity Hockey Game Sheriff's Dept vs. local Fire Dept. at Center Ice in Jackson. There would also be many activities including Touch a Truck, etc.

Steve Braswell, 1207 Peachwood Way, Green, OH-

Mr. Braswell wanted to speak about the Echelon of Green Sr Living application and stated that Green is more in need of skilled nursing home vs assisted living facility. That this upcoming project is more geared toward wealthy individuals who can afford to live in upscale housing.

VI. Public Hearings

[2018-13](#)

**AN ORDINANCE AMENDING CHAPTERS 1224 AND 1229 OF THE
CODIFIED ORDINANCES OF THE CITY OF GREEN REGARDING**

MAJOR SUBDIVISIONS, AND DECLARING AN EMERGENCY.
-Introduced on 7/10/2018 *Public Hearing held on 8/14/18.

Sponsors: Gerard Neugebauer

Attachments: [2018-13 re Chapters 1224 and 1229 Major Subdivisions.docx](#)
[2018-13 re Exhibit A Chapter 1224 and 1229.pdf](#)
[2018-13 Maj Subdivisions](#)

Mr. Young opened the public hearing at 7:17pm.

Mr. Wiethe explained that these are minor changes to the land development code. These changes touched on who did inspections/involved in for the City, and signed off on the project. It changes the bond length from 1 year to 2 years so that the developer finishes their projects; Requiring an electronic version of the as-builts in addition to the mylar; Adding the cost of regulatory signs that will be billed to the developer; Adds individuals to the sign off on the executive order for the bond.

Mr. Young asked what change was on the sign off on bonds.

Mr. Wiethe stated that they added Planning Director and Service Director when it was originally City Engineer.

Mr. Dyer asked what it was a minimum of previously.

Mr. Wiethe stated it was a minimum of 1 year, now it will be minimum of 2. They like to try to get thru 2 winters.

No questions from audience.

Public hearing closed at 7:24pm

VII. Reading of Correspondence

[TMP-2175](#) Steve Schmidt RE: City of Green Auditor of State Award

Attachments: [Auditor of State Award](#)

[TMP-2179](#) Email from Dennis Maneval RE: Speed Enforcement at 619 & Pickle Road.

Attachments: [Dennis Maneval - Speed Pickle Rd.](#)

[TMP-2185](#) August 8, 2018 Parks & Recreation Board Meeting Agenda

Attachments: [PRB Agenda 8-8-18](#)

All correspondence was read in and filed.

VIII. New Legislation - Items on First Reading

[2018-R59](#) A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR KINGS RIDGE, PHASE VIII SUBDIVISION, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18 **Public Hearing was held on August 28, 2018.

Sponsors: Gerard Neugebauer

Attachments: [2018-R59 re Kings Ridge VIII.docx](#)
[ESIP Agreement- Kings Ridge VIII.pdf](#)
[Lighting Plan for Kings Ridge VIII.pdf](#)
[17-40 Kings Ridge Ph 8 PZC Staff Report.pdf](#)
[Kings Ridge Ph 8 plat.pdf](#)
[Kings Ridge Phase 8 aerial.pdf](#)

[2018-R60](#) A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF THE REPLAT NO. 2 OF FOX RIDGE ESTATES, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee *** FIRST READING PASSAGE REQUESTED

Sponsors: Gerard Neugebauer

Attachments: [2018-R60 re Replat No 2 Fox Ridge Estates.docx](#)
[18-44 Fox Ridge Estates Replat No. 2 PZC Staff Report](#)
[Wayne 1st reading passage request on behalf of the property owner Mr.pdf](#)
[Fox Ridge Replat No. 2](#)
[Fox Ridge Replat 2 aerial](#)
[Fox Ridge No. 2 Replat PZC Recommendation to CC](#)
[2018-R60 Replat Fox Ridge 2](#)

Mr. Young explained that the Administration had requested 1st reading passage on this item on behalf of the Property Owner who would like to get the process moving so he can build a new home.

Committee had no issue with 1st reading passage.

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

2018-R61

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN ASSET PURCHASE AGREEMENT WITH RAINTREE COUNTRY CLUB, INC. AND RAINTREE GOLF, LLC. FOR THE REAL PROPERTY LOCATED AT 4340 MAYFAIR ROAD, UNIONTOWN, OHIO 44685, AND ALL PERSONAL PROPERTY SITUATED THEREON AND/OR RELATED THERETO, MAKING AN APPROPRIATION, AUTHORIZING AN ADVANCE, APPROVING TERMS FOR REPAYMENT OF ADVANCE, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R61 Raintree Country Club purchase](#)
[2018-R61 re Raintree Purchase \(003\).docx](#)
[2018-R61 re Exhibit A Agreement of Asset Sale.pdf](#)
[2018-R61 Exhibit B Advance Repay Schedule.pdf](#)

2018-R62

A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR SPRING HILL BUSINESS PARK PHASE I, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R62 re Spring Hill Business Park Phase 1.doc](#)
[2018-R62 re Exhibit A Spring Hill PHase I.pdf](#)
[18-16 Spring Hill Business Park Ph I PZC Staff Report](#)
[Spring Hill Bus Park Ph I](#)
[2018-R62 Spring Hill Final Plat](#)

2018-R63 A

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO AMEND THE POLICING AGREEMENT WITH THE SUMMIT COUNTY SHERIFF'S OFFICE TO INCLUDE AN ADDITIONAL EXPENSE FOR PROVIDING BODY CAMERA'S AND TO ALLOW THE MAYOR, WITH APPROVAL AND DIRECTION OF THE SUMMIT COUNTY SHERIFF, TO ASSIGN DEPUTIES TO EDUCATIONAL AND COMMUNITY FACILITIES WITHIN THE CITY OF GREEN, AND DECLARING AN

EMERGENCY. -Introduced on 8/14/18 (Amended September 11, 2018)

Sponsors: Gerard Neugebauer

Attachments: [2018-R63 re AMENDED Policing Agreement Body cameras.docx](#)
[2018-R63 re Exhibit A Amended Policing Agreement Body Camera's.pdf](#)
[2018-R63A Policing Agreement](#)

2018-R64 A A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18 **SECOND READING PASSAGE REQUESTED Amended August 28, 2018

Sponsors: Gerard Neugebauer

Attachments: [2018-R64 re Amended Appropriations August 2018.docx](#)
[2018-R64 re Amended Exhibit A.xlsx](#)
[2018-R64 re Exhibit B Appropriations August 2018 .xlsx](#)
[Updated 2nd Reading Passage Request Steve Schmidt.pdf](#)
[2018-R64A Modif Approp](#)

2018-R65 A RESOLUTION AWARDING A CONTRACT TO LOCKHART CONCRETE CO. FOR THE 2018 MISC. CONCRETE REPAIRS PROJECT, AUTHORIZING THE MAYOR TO APPROPRIATE FUNDS FROM THE STREET CONSTRUCTION AND PIPELINE SETTLEMENT FUNDS, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R65 re 2018 Misc Concrete Repairs #18-H-33.docx](#)
[2018-R65 Lockhart Misc Repairs](#)

2018-16 A ORDINANCE AMENDING SECTION 210.08(a), "CONTRACTS FOR PROFESSIONAL SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee

Sponsors: City Council

Attachments: [2018-16 re Professional Services 210.08.docx](#)
[1st request passage from Shaughnessy re Professional Services.pdf](#)
[2018-16 Contacts for Prof Serv.](#)

Mr. Humphrey explained the legislation briefly. He stated that he felt 1st reading passage was appropriate for this legislation.

Committee has no issue with 1st reading passage.

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

Mr. Dyer stated he appreciates the administration addressing this issue, because previously the Finance Committee was not notified of the Hennes contract. He feels this ordinance will address everyone being informed in a timely manor, and it will be a more open process.

Mr. Yeargin stated he agrees with Mr. Dyer, that this is an improvement from the original legislation and agrees this is a good thing. He mentioned that as a new Councilman he wanted to mention we should remember that you can talk to any of the members of administration, and that they need to start remembering to keep the lines of communication open. He stated that he has never had an issue getting in to see any of the Directors or member of the administration for meetings.

Mr. Humphrey stated that when this legislation was originally done, they were getting notified of contracts late. This was due to some reporting software in finance, but that has been fixed and will allow for everyone to be notified of these contracts within 15 days. Everyone wants transparency and they plan to continue it.

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: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

2018-17

AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY ALDI INC. (OHIO) 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 8/14/18

Sponsors: Gerard Neugebauer

Attachments: [2018-17 re Town Park Blvd TIF Aldi Inc \(Ohio\).docx](#)
[2018-17 re Exhibits A B C D Aldi Inc.pdf](#)
[2018-17 Aldi TIF](#)

2018-18 AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY JPMORGAN CHASE BANK 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 8/14/18

Sponsors: Gerard Neugebauer

Attachments: [2018-18 re Chase Bank Massillon Rd.docx](#)
[2018-18 re Exhibits A B C D Chase Bank.pdf](#)
[2018-18 Chase TIF](#)

2018-19 AN ORDINANCE AUTHORIZING THE REFUNDING OF CERTAIN MATURITIES OF THE CITY'S VARIOUS PURPOSE GENERAL OBLIGATION BONDS ISSUED IN 2015 WITH THE PROCEEDS OF BONDS ISSUED BY THE DEVELOPMENT FINANCE AUTHORITY OF SUMMIT COUNTY, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18

Sponsors: Gerard Neugebauer

Attachments: [2018-19 re Bond Defeasance Ordinance v 1 \(4828-2266-2510\).docx](#)
[2018-19 DFA Bonds](#)

2018-20 AN ORDINANCE AUTHORIZING AND DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO SUBMIT A PROPOSED CHARTER AMENDMENT TO THE ELECTORS OF THE CITY OF GREEN, TO MAKE THE CITY OF GREEN'S LAW DIRECTOR AN ELECTED POSITION WITH A REQUIREMENT OF RESIDENCY WITHIN THE CITY OF GREEN, TO BE VOTED UPON AT THE NOVEMBER 6, 2018 GENERAL ELECTION, AND DECLARING AN EMERGENCY. -Introduced on 8/14/18

Sponsors: Matt Shaughnessy, Stephen Dyer and Justin Speight

Attachments: [2018-20 re Law Director Proposed Charter Amendment.docx](#)
[2018-20 Elected Law Director](#)

Mr. Shaughnessy stated that the initiative committee asked him to ask for first reading passage. He stated it would be a timing thing, and that the petitions have been received.

Mr. Schmidt stated he did receive the petitions back and they had 1081 signatures and that is adequate.

Mr. Humphrey asked the Law Director if Council is able to have any digression on this decision. Which Mr. Chris was looking into. He asked what the deadline that council would need to pass this item to get it on the ballot, he stated 60 days out. The next meeting would still give enough time to get the item on the ballot. He stated he would like to see the legal research on this first before acting on it.

Mr. Shaughnessy stated he would still like to put it to a vote.

A motion was made by Council Member Shaughnessy, seconded by Council Member Dyer, to bypass Committee deliberations the Ordinance. The motion failed by the following vote:

Aye: 2 - Dyer and Shaughnessy

Nay: 5 - Babbitt, Humphrey, Speight, Yeargin and Young

IX. Report of Council Committees

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

Mr. Humphrey gave an update on the audit and the award that the Finance Department received for their great work.

[TMP-2176](#) 2nd Quarter 2018 Income Tax Collections Report

Attachments: [CNC2nd18 signed](#)

Mr. Humphrey went over the income tax collections report. The report stated we are ahead in collections.

SECOND READING ITEMS

[2018-12](#) AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY BOETTLER FARM LIMITED 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 7/10/2018

Sponsors: Gerard Neugebauer

Attachments: [2018-12 re The Ranches Boettler Farms Limited.docx](#)
[2018-12 re Exhbits A B C D E.pdf](#)
[2018-12 Boettler Farm TIF](#)

Mr. Humphrey briefly went over the legislation. Some discussion took place in Committee.

This was a 2nd reading item, time was requested and granted.

[2018-15 A](#) **AN ORDINANCE AUTHORIZING AND DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO SUBMIT A PROPOSED CHARTER AMENDMENT TO THE ELECTORS OF THE CITY OF GREEN, TO ESTABLISH A MAY PRIMARY ELECTION DATE FOR MUNICIPAL ELECTIONS IN THE CITY OF GREEN, IN ORDER TO REDUCE THE COST OF THE PRIMARY ELECTION FOR THE GREEN TAXPAYERS AND UPHOLD THE VOTING RIGHTS OF *ALL CITIZENS OF THE CITY OF GREEN, INCLUDING OVERSEAS MILITARY SERVICE MEMBERS*, TO BE VOTED UPON AT THE NOVEMBER 6, 2018 GENERAL ELECTION, AND DECLARING AN EMERGENCY. (amended August 14, 2018)**

Sponsors: Gerard Neugebauer

Attachments: [2018-15 re AMENDED Proposed Charter Amendment.docx](#)
[2018-15 re Proposed Charter Amendment.docx](#)
[2018-15A May Primary](#)

Mr. Humphrey briefly went over the legislation. Some discussion took place in Committee, it was decided that it would be best to wait to act on this until they see what the other communities are doing, especially Akron.

This was a 2nd reading item, time was requested and granted.

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

All members present; no items of legislation so they did not meet.

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

Mrs. Babbitt stated all members were present. They received the Sheriff Dept.

Report and Nexus Report.

LICENSE ITEMS

[TMP-2190](#) Division of Liquor Control Renewals

Attachments: [Liquor License Renewals](#)

No issues found on any of the licenses. All in favor of declining a hearing.

A motion was made by Council Member Babbitt, seconded by Council Member Young, to not request a hearing for the license. The motion carried by the following vote:

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

Abstain: 1 - Speight

[TMP-2177](#) New C1 C2 Liquor License for Aldi Inc Ohio DBA Aldi 24 located at 4055 Massillon Road, Green, OH 44685.

Attachments: [Aldi Liquor License](#)

New license, no issues with Sheriffs Dept.

A motion was made by Council Member Babbitt, seconded by Council Member Young, to not request a hearing for the License. The motion carried by the following vote:

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

Abstain: 1 - Speight

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

SECOND READING ITEMS

[2018-13](#) AN ORDINANCE AMENDING CHAPTERS 1224 AND 1229 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN REGARDING MAJOR SUBDIVISIONS, AND DECLARING AN EMERGENCY.
-Introduced on 7/10/2018 *Public Hearing held on 8/14/18.

Sponsors: Gerard Neugebauer

Attachments: [2018-13 re Chapters 1224 and 1229 Major Subdivisions.docx](#)
[2018-13 re Exhibit A Chapter 1224 and 1229.pdf](#)
[2018-13 Maj Subdivisions](#)

Mr. Young briefly explained the legislation. He stated that a public hearing was held this evening and discussion took place. No issues arose.

This is a 2nd reading item, time requested and granted.

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

All members present; no items of legislation so they did not meet.

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

All members present; no items of legislation so they did not meet.

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

All members present; no items of legislation so they did not meet.

X. Mayor's Report

Mayor Neugebauer gave his report;
Broadband service meeting held and being discussed.
Green Community leadership starting this summer
Charity Hockey game
Summer Concert Series
Art a Palooza beginning this Sat.
Bike N Brainstorm will be held Sat will be headed up by Paul Cicocca
Sun 8/19 Go Team will be presenting to E. Liberty Church
First day of school Aug 22

Sept. 8 Green Task force ambassador meeting
Aug 30 Senior Expo

XI. Unfinished Business

None.

XII. New Business

None.

XIII. Adjournment

ATTEST: _____

NICHOLE BALDINGER, CLERK OF COUNCIL, INTERIM

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.