



# 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, April 9, 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 7:58 p.m.

#### II. Pledge of Allegiance

Councilmember Young led the Pledge of Allegiance.

#### III. Roll Call of Council Members

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

#### IV. Council Study Session

[TMP-2533](#) Approval of the March 26, 2019 Regular Council Meeting Minutes

**Attachments:** [3-26-19 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, Humphrey, Shaughnessy, Speight, Yeargin and Young

**Abstain:** 1 - Dyer

#### V. Public Report

Des Werthierner, 130 E. Turkeyfoot Lake Road - He gave an update on Nexus restoration work process. The pipeline pressure will be exceeding 85%. He said if you have an issue in your right-a-way do not touch it. It is their responsibility and once you touch it, then it is your responsibility. .

Pat Carleski, 3878 Greenfield Road - She wanted to express her appreciation to the Chief and fire department for the fire dedication on Saturday.

Jane Weaver, 4013 April Drive - Mrs. Weaver talked about the great work that the Charter Review has done. She asked where are the people that pushed for Issue 14.

Greer Kabb-Langkamp, 465 Comet Lane - She asked why the outside legal opinion given to the Charter Review Commission regarding the Law Director was not made public.

#### VI. Public Hearings - No Hearings Scheduled

#### VII. Reading of Correspondence

[TMP-2519](#) Emails from Dennis Maneval RE: Speeding

**Attachments:** [3-24-19 Dennis Maneval](#)  
[3-27-19 Dennis Maneval](#)

[TMP-2536](#) Letter from Tracy Oliver RE: Dominion Energy Rates

**Attachments:** [4-4-19 Tracy Oliver](#)

All Correspondence read in and filed.

#### VIII. New Legislation - Items on First Reading

[2019-R29](#) **A RESOLUTION DONATING REAL ESTATE OWNED BY THE CITY OF GREEN TO SUMMIT COUNTY LAND REUTILIZATION CORPORATION FOR THE PURPOSE OF DEMOLITION OF THE STRUCTURES ON THE PROPERTY AND ACCEPTING THE LAND FROM THE SUMMIT COUNTY LAND REUTILIZATION CORPORATION TO THE CITY OF GREEN UPON COMPLETION OF THE DEMOLITION, AND DECLARING AN EMERGENCY. Referred to the Planning and Economic Development Committee \*\*\*FIRST READING PASSAGE REQUESTED\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R29 re 3789 Mayfair Rd Demo Land Reutilization](#)  
[2019-R29 re Exhibit A](#)  
[Wayne Wiethe 1st reading passage request](#)

Mr. Yeargin explained the need for the legislation and reason behind first reading passage.

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

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

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

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

A motion was made by Council Member Yeargin, 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

#### 2019-R30

A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF THE RAINTREE ESTATES PHASE I & II REPLAT #2, AND DECLARING AN EMERGENCY. (INTRODUCED 4-9-19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R30 re Raintree Estates Phase I & II](#)  
[19-17 Raintree Est Ph I & II Replat PZC Staff Report](#)  
[Moore Preliminary](#)  
[Raintree aerial](#)

#### 2019-R31

A RESOLUTION DONATING REAL ESTATE OWNED BY THE CITY OF GREEN TO SUMMIT COUNTY LAND REUTILIZATION CORPORATION FOR THE PURPOSE OF DEMOLITION OF THE STRUCTURES ON THE PROPERTY AND ACCEPTING THE LAND FROM THE SUMMIT COUNTY LAND REUTILIZATION CORPORATION TO THE CITY OF GREEN UPON COMPLETION OF THE DEMOLITION, AND DECLARING AN EMERGENCY. (INTRODUCED 4-9-19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R31 re Park open space land donation](#)  
[2019-R31 re Exhibit A](#)

#### 2019-R32

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO DISPOSE OF UNNEEDED EQUIPMENT/PROPERTY BY SALE TO EMPLOYEES, PUBLIC AUCTION OR ON EBAY, PURSUANT TO SECTION 721.15 OF THE REVISED CODE AND RESOLUTION 2007-R22, AND DECLARING AN EMERGENCY. Referred to the Intergovernmental and Utilities Committee \*\*\*FIRST READING PASSAGE REQUESTED\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R32 re Raintree Auction of equipment](#)

[2019-R32 Exhibit A](#)

[2019-R32 Contract](#)

[Valerie 1st reading passage request](#)

Mr. Dyer explained they will be auctioning the old equipment from Raintree through Kiko's Auctions.

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

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

**Abstain:** 1 - Young

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

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

**Abstain:** 1 - Young

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

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

**Abstain:** 1 - Young

### **2019-R33**

**A RESOLUTION CONFIRMING ESTABLISHED PAY RANGES FOR THE SEASONAL POSITIONS OF SEASONAL LABORER I, SEASONAL LABORER II, AND SEASONAL RECREATION AIDE, AND REQUESTING FLEXIBILITY FOR DETERMINING SEASONAL PAY RATES WITHIN THESE RANGES BASED ON PREDETERMINED SKILLS, EXPERIENCE AND EDUCATION CRITERIA, AND DECLARING AN EMERGENCY. Referred to the Rules and Personnel Committee \*\*\*FIRST READING PASSAGE REQUESTED.\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R33 re Pay Ranges for Seasonal I Seasonal II](#)

[Pamela Serina 1st Reading Passage](#)

[4-8-19 First Reading 19-R33 Explanation](#)

Mr. Young briefly explained the reason for legislation and first reading passage.

**A motion was made by Council Member Young, seconded by Council Member Dyer, to bypass Committee deliberations. 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 Dyer, to bypass the three reading rule. 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 Dyer, to adopt the Resolution. The motion carried by the following vote:**

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

[2019-R34 A](#)    **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. (INTRODUCED 4-9-19) (AMENDED APRIL 23, 2019)**

**Sponsors:** Gerard Neugebauer

**Attachments:**    [2019-R34 re AMENDED Appropriations April 2019](#)  
                          [2019-R34 re Amended Exhibit A](#)

[2019-09](#)        **AN ORDINANCE VACATING A PORTION OF FORTUNA DRIVE, AND DECLARING AN EMERGENCY. Referred to the Planning and Economic Development Committee**

**Sponsors:** Gerard Neugebauer

**Attachments:**    [2019-09 re Fortuna Drive](#)  
                          [2019-09 re Exhibit A](#)  
                          [2019-09 re Exhibit B](#)

## IX. Report of Council Committees

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

**adopt**

## THIRD READING ITEMS

[2019-R20](#) A RESOLUTION AWARDED A CONTRACT TO MELWAY PAVING CO., INC. FOR THE 2019 PARKS PAVEMENT MAINTENANCE, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced on 3/12/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R20 re Parks Pavement Maintenance](#)  
[1st one ALL IN ONE 2019 Parks Pavement Maintenance](#)

Mr. Humphrey explained the appropriation was in the amount of \$26,000. The lowest bid was \$78,180.69 by Melway Paving. Part of this was already appropriated.

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

## SECOND READING ITEMS

[2019-06](#) AN ORDINANCE CREATING A BUDGET STABILIZATION FUND, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)

**Sponsors:** Stephen Dyer and Matt Shaughnessy

**Attachments:** [2019-06 re Budget Stabilization Fund](#)

Mr. Humphrey requested time and time was granted.

[2019-07](#) AN ORDINANCE ESTABLISHING THE CITY OF GREEN PIPELINE SETTLEMENT FUND ADVISORY COMMITTEE TO INFORM CITY COUNCIL ABOUT WAYS TO MOST EFFECTIVELY AND EFFICIENTLY SPEND PIPELINE SETTLEMENT FUNDS REMAINING IN THE PIPELINE SETTLEMENT FUND, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)

**Sponsors:** Stephen Dyer, Justin Speight and Matt Shaughnessy

**Attachments:** [2019-07 re Green Pipeline Settlement Advisory Committee](#)

Mr. Humphrey said there was amendments discussed and hopefully they will be ready for the next meeting.

Time requested and granted.

[2019-R24](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH CLAYTON C. MCCUNE FOR THE PROPERTY LOCATED AT 1364 EAST TURKEYFOOT LAKE ROAD, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R24 re Land Purchase 1364 East Turkeyfoot Lake Rd McCune](#)  
[2019-R24 re Exhibit A](#)

Mr. Humphrey advised the appropriation for this legislation is in the amount of \$106,840.00. This matter is currently in litigation, it is for property that was appropriated, secondary to the roundabout project at Pickle Road. The Committee agreed to pass on second reading.

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

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

[2019-R25](#)

**A RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) 2020 5 TON KENWORTH T370 CAB AND CHASSIS FROM HISSONG KENWORTH OF RICHFIELD FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R25 re 5 Ton Vehicle Purchase](#)  
[2019-R25 re Exhibit A](#)

Mr. Humphrey the Chassis and cab will be purchased for the amount of \$86,287.00 This is for a large snow plow truck and later a bed will need to be purchased and fitted to it. There is a long lead time from when you order it and receive it. Second reading passage was agreed to.

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

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

**2019-R26 A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2019 F-550 CHASSIS XL 4X4 SD CREW CAB 1 TON DUMP TRUCKS FROM GANLEY FORD, INC., FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R26 re Purchase of Two 1 Ton Vehicles](#)

[2019-R26 re Exhibit A](#)

[2019-R26 re Exhibit B](#)

Mr. Humphrey advised the per vehicle price for the Chassis is \$39,573.36 and the total amount of the appropriation is \$79,146.72. There is the same issue regarding lead time for these vehicles so the committee agreed to second reading passage.

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

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

**2019-R28 A RESOLUTION AUTHORIZING THE PURCHASE OF THREE 2019 F-250 XL 4X4 SD SUPER CAB ¾ TON PICKUP TRUCKS FROM GANLEY FORD, INC., FOR USE BY THE CITY'S SERVICE DEPARTMENT PARKS DIVISION, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R28 re Parks Purchase 3 4s Ton Vehicles](#)

[2019-R28 re Exhibit A](#)

[2019-R28 re Exhibit B](#)



Mr. Humphrey advised this would replace one vehicle and add two more to the fleet. The per vehicle price is \$28,821.84 and the total of the appropriation is \$86,465.52. Lead time is also an issue with this purchase and the committee agreed to second reading passage.

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

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

#### 2019-08

**AN ORDINANCE TO IMPROVE THE EMERGENCY SERVICES IN THE SOUTHWEST QUADRANT OF THE CITY OF GREEN AND TO APPROPRIATE FROM THE PIPELINE SETTLEMENT FUND, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)**

**Sponsors:** Gerard Neugebauer and City Council

**Attachments:** [2019-08A re Emergency Services Response Time](#)  
[2019-08 re Emergency Services Response Time](#)

Mr. Humphrey read the amendment added to Section two.

He said it has been a good process as they have talked about Station 3 and the further utilization of pipeline safety funds in the future. The real need of a fire station in the southwest corner of the City was brought up. It was decided there would be a plan within a year so the City can move forward. He explained they want to be sensitive, that even though the City has the money, they want to make sure they are building a station for the next fifty years. This does not mean the City will build a station, there may be some other creative solution.

**A motion was made by Council Member Humphrey, seconded by Council Member Speight, to amend 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 motion carried by the following vote:**

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

Mr. Dyer said this is how the process is supposed to work. Working together on a topic. He appreciates everyone working together to get this right.

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

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

B. Environment & Parks (Speight\*, Babbitt\*\*, Shaughnessy)

No Meeting was held.

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

No meeting was held.

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

### THIRD READING ITEMS

[2019-01A](#)      **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) (AMENDED APRIL 9, 2019)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-01 re Amended Arlington Ridge Townhomes](#)  
[2019-01 re A B C D Amended C and D](#)  
[TIF Agreement City of Green and Arlington Ridge Redline](#)  
[2019-01 Exhibits A B C D Arlington Ridge](#)  
[2019-01 re Exhibits A B C D Arlington Ridge Townhomes](#)

Mr. Yeargin explained the amendments. The school and administration has come to an agreement and feel it is right to be adopted.

**A motion was made by Council Member Yeargin, seconded by Council Member Speight, to amend 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 Yeargin, seconded by Council Member Speight, to adopt as amended the Ordinance. The motion carried by the following vote:**

**Aye:** 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and 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 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 Noticifation](#)

Time requested and granted.

## SECOND READING ITEMS

[2019-05](#) AN ORDINANCE VACATING MT. PLEASANT ROAD, AND DECLARING AN EMERGENCY. (Introduced 3/26/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-05 re Mt. Pleasant Rd](#)  
[2019-05 re Exhibit A Mt Pleasant](#)

Mr. Yeargin advised this will allow the City to vacate a strip of land at the airport and allow Castle Aviation to build a hanger.

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

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

**A motion was made by Council Member Yeargin, seconded by Council Member Speight, to adopt the Ordinance. The motion carried by the following vote:**

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

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

Mr. Young advised they discussed 2019-R33 that was passed on first reading.

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

[2019-R19A](#) AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE TRANSFER OF BRIDGE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR BRIDGES LOCATED IN THE CITY OF GREEN FROM SUMMIT COUNTY TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced on 3/12/19) (AMENDED APRIL 9, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R19 re Amended Summit County Bridge Ownership Transfer](#)

[2019-R19 re Exhibit A](#)

[2019-R19 re Exhibit B](#)

[2019-R19 re Exhibit C](#)

Mr. Shaughnessy explained the legislation requires the city to take ownership of eight culverts. The county used to take care of these culverts when Green was township roads but now that they are city road the County wants the City to take them over.

**A motion was made by Council Member Shaughnessy, seconded by Council Member Dyer, to adopt as amended the Resolution. The motion carried by the following vote:**

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

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

Mr. Dyer advised they talked about Resolution 2019-R32 which was passed on first reading.

H. Charter Amendment Implementation Committee ( Yeargin\*, Babbitt\*\*, Shaughnessy)

No meeting was held. He reminded the Charter Review Commission will meet Wednesday.

**X. Mayor's Report**

Mayor Neugebauer gave his report.

**XI. Unfinished Business**

Mr. Shaughnessy said he would like to address Mrs. Langkamp question regarding the legal opinion on Issue 14. He asked why the legal opinion was not released regarding Issue 14. He said it was his understanding that there was a petition to reverse Issue 14 so he thinks the City should release the opinion because it could very

well dispell some of the issues raised in opposition to Issue 14, especially with regards to conflicts of interest.

So the public can make an informed decision before signing the new petition, he moved to wave attorney client privilege and release the Walter Haversfileld opinion. Seconded by Mr. Dyer.

Mr. Speight asked why it has not been released.

Mr. Chris said you do not normally give away the privilege. He recommend against giving how you would defend against litigate against the City. He said he asked Attorney Hanna what he thought. Mr. Chris said it was in the best interest of the City not to do that both now and in the future.

Mr. Humphrey said this was coordinated. He said this is only about a campaign issue and it is being done to say, I know you can't do this, I know it is not spart to wave attorney client privledge but I'll propose you wave it, knowing good lawyers could never agree to it. Then I'll have a campaign issue to campaign on so I can say I am going to be a mayor for the people. I want to give out everything, all this is, is about a campaign issue.

Mr. Shaughnessy said when he asked questions he is political. He said Mrs. Langkamp came up and raised an issue, multiple people have asked for this privilege and the City has not given it. They readily give opinions that work in their favor. He said he will continue to ask questions. He said he is running for mayor and he will be a mayor for the people. This is not the place for political stuff. Mr. Humphrey started it. Mr. Shaughnessy said he was addressing Mrs. Langkamp's concern.

Mr. Dyer said the City had the Brennan, Manna and Diamond opinion come out on the referendum and that went straight to the website. He said there has lot of opinions shared and he thinks it is fair to release the opinion so people that may be signing a petition to over turn Issue 14 know what an unbiased legal counsel had to say about the implementation of Issue 14. He told Mr. Humphrey it wasn't lost on him that when his pieces of legislation came up, Mr. Humphrey saw fit to call on others before calling on the sponsor but when others were before him, Mr. Humphrey would call on them first. He said there was no discussion regarding waving attorney client privilege on the Brennan, Manna and Diamond opinion.

Mr. Humphrey called the question. Mr. Speight said he had one more question. Mr. Humphrey pointed out it was not debatable.

**A motion was made by Council Member Shaughnessy, seconded by Council Member Dyer, to wave attorney client privilege on the legal opinion regarding Issue 14 from Walter and Haverfiled. . The motion failed by the following vote:**

**Aye:** 2 - Dyer and Shaughnessy

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

XII. New Business - No New Business

XIII. Adjournment

Mr. Humphrey moved to adjourn the meeting at 8:54 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.