



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, March 13, 2018

7:00 PM

Council Chambers

I. Call to Order

The Green City Council met in regular session at the Central Administration Building, 1755 Town Park Blvd., Green, OH. President Humphrey presided over the meeting which he called to order at 7:00 p.m.

II. Pledge of Allegiance

Councilmember Humphrey 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

Brandon Mantel, President Donamarc - Presentation regarding Wells and Well Maintenance

Valerie Wolford introduced Mr. Mantel and explained why he was asked to come to the meeting.

Mr. Humphrey asked Mr. Mantel to clarify dewatering. Mr. Mantel explained the process. He explained the testing is for those with wells. Mr. Humphrey asked about the best practice for homeowners with wells under any circumstance. Mr. Mantel explained the different kind of test available. Mr. Humphrey asked Mr. Mantel about current pipelines already going through Green. Mr. Mantel discussed all the versions as part of our environment. Mr. Mantel said residents play an active role that there are no problems with the pipeline.

Mr. Dyer talked about the concern with benzene and VOC testing. Mr. Mantel talked about testing for the benzene and issues with diesel fuel being used in Stark County.

Discussion took place regarding if Nexus would be doing VOC testing. The testing only 500 feet out was also a concern and was discussed. Mr. Speight and Mr. Yeargin asked several more questions and Mr Mantel answered in detail.

[TMP-1939](#) Approval of the February 6, 2018 Special Meeting Minutes.

Attachments: [2-6-18 Special Meeting Minutes](#)

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

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

[TMP-1969](#) Approval of the February 7, 2018 Special meeting minutes.

Attachments: [2-7-18 Special Meeting Minutes](#)

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

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

[TMP-1964](#) Approval of the February 13, 2018 Regular Meeting Minutes.

Attachments: [2-13-18 Minutes](#)

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

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

V. Public Report

Sarah Richards, 5085 Sheaters Drive - She spoke regarding the referendum that had approximately 1,509 signatures. (see attached comments)

Andrea Hurr, 4974 Stoney Creek Drive - She talked about the Nexus pipeline construction. She was told she lives 1040 feet from the line but it feels like it is closer.

Joel Helms, 4977 Massillon Road - Mr. Helms talked about Rule 3.8E and Rule 3.11 and Section 7. He talked about several ORC rules. He asked if Council was going to sanction that person. He asked if we would loose the \$7.5 million because the legislation was not done correctly. He questioned the process done to pass 2018-R09.

[TMP-1991](#) Sarah Richard's Comments

Attachments: [Sarah Richard's comments](#)

VI. Public Hearings

Mr. Humphrey opened the public hearing at 8:05 p.m.

A motion was made by Council Member Humphrey, seconded by Council Member Young, to approve the Agricultural Districts . The motion carried by the following vote:

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

[TMP-1966](#)

Larry J. Gabric

LOCATED AT: Apple Ridge Road

CITY OF GREEN

PARCEL #: 28-10569

CONTAINING: 40.18 ACRES

[TMP-1967](#)

Konrad & Sidonia Pilz

Located: 4391 cottage grove road

City of Green

Parcel #: 28-12350

Containing: 14.09

VII. Reading of Correspondence

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

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

[TMP-1956](#)

Civil Service Commission 2017 Annual Report

Attachments: [2017 Annual Report](#)

[TMP-1961](#)

Planning and Zoning Commissions December 20, 2017 and January 17, 2018 Minutes

Attachments: [12-20-17 Approved PZC Minutes](#)

[1-17-18 Approved PZC Minutes](#)

[TMP-1962](#)

Civil Service Commission January 10, 2018 Minutes

Attachments: [January 10 2018 CSC Meeting Minutes](#)

[TMP-1965](#)

Email from Tammy Daly RE: Water cantamination

Attachments: [2-28-18 Tammy Daly](#)

[3-1-18 Tammy Daly](#)

[3-5-18 Tammy Daly](#)

[TMP-1968](#) Email from Carl Mickelson RE: Map of Nexus Approved Route

Attachments: [3-5-18 Carl Mickelson](#)

[TMP-1970](#) Email from Connie & Pat Wasik RE: Nexus

Attachments: [3-6-18 Connie Wasik](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2018-R20](#) A RESOLUTION AWARDING 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](#)

Referred to the Transportation, Connectivity and Storm Water Committee

[2018-R21](#) A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH DENTAL SUPPORT SPECIALTIES, LLC, AND DECLARING AN EMERGENCY. Introduced 3/13/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R21 re Dental Support Specialties.docx](#)
[2018-R21 re Exhibit A DDS Municipal Grant.pdf](#)
[Email from Wayne Wiethe RE 2018-R21](#)

Referred to the Planning and Economic Development Committee

[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](#)

Referred to the Environmental and Parks Committee

[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](#)

Referred to the Finance Committee

[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](#)

Referred to the Transportation, Connectivity and Storm Water Committee

[2018-R25](#) **A RESOLUTION AWARDDING A CONTRACT TO Lockhart 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](#)

Referred to the Finance Committee

[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](#)

Referred to the Transportation, Connectivity and Storm Water Committee

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

Referred to the Rules and Personnel Committee

[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](#)

Referred to the Finance Committee

[2018-04](#) AN ORDINANCE TO AMEND SECTIONS 880.03; 880.062; 880.063; AND ENACT NEW SECTION 880.22 OF CHAPTER 880 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN REGARDING MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY.

Sponsors: Gerard Neugebauer

Attachments: [2018-04 Municipal Income Tax](#)
[2018-04 re Chapter 880 Sections Municipal Income Tax Code.docx](#)
[2018-04 re Exhibit A Sections 880.03, 880.062, 880.063, new Section 880.22.pdf](#)

Mr. Humphrey explained this will bring our ordinance in compliance with Ohio law.

A motion was made by Council Member Humphrey, 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 Humphrey, seconded by Council Member Dyer, 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

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

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

IX. Report of Council Committees

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

SECOND READING ITEMS

[2018-R16](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH BL COMPANIES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2017, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.** Introduced 2/27/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R16 re BL Companies.docx](#)
[BL Companies, Inc. Raber Road Agreement.pdf](#)

Mr. Humphrey advised the appropriation was for \$60,000.00 and what the project consisted of. AMATS funding is also included.

Time was requested and granted.

[2018-R17](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD AND CORPORATE WOODS CIRCLE ROUNDABOUT, AND DECLARING AN EMERGENCY.** Introduced 2/27/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R17 re Structurepoint Phase 2 Massillon Rd and Corporate Woods.docx](#)
[Structurepoint Corporate Woods Circle Roundabout.pdf](#)

Mr. Humphrey explained this will take care of the design for the Corporate Woods round-a-bout.

Time was requested and granted.

[2018-R18](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD AND BOETTLER ROAD ROUNDABOUT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.** Introduced 2/27/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R18 re Structurepoint Phase 2 Mass Boettler.docx](#)
[Structurepoint Massillon Road Boettler Road.pdf](#)

Mr. Humphrey advised the appropriation is for \$283,000.00. This is also for design of the round-a-bout.

Time was requested and granted.

[2018-03](#) **AN ORDINANCE ESTABLISHING THE CREATION OF A PIPELINE SETTLEMENT SPECIAL REVENUE FUND, AND DECLARING AN EMERGENCY.** Introduced 2/27/18

Sponsors: City Council

Attachments: [2018-03 re Creating the Pipeline Settlement Fund.docx](#)

Mr. Humphrey explained the reasoning for the Ordinance. The Law Director and Finance Director worked on this Ordinance together.

Time was requested and granted.

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

SECOND READING ITEMS

[2018-R15](#) A RESOLUTION DECLARING CERTAIN PARKS DIVISION EQUIPMENT SURPLUS PROPERTY, NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AUTHORIZING THE CITY OF GREEN TO DONATE THE SURPLUS PROPERTY TO THE SUMMIT COUNTY AGRICULTURAL SOCIETY, AND DECLARING AN EMERGENCY. Introduced 2/27/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R15 re Parks Division surplus property no longer needed .docx](#)
[Machine pictures.pdf](#)

Mr. Speight explained the items will be donated and the value is less than \$1,000 and are expected to be put on display at the Summit County Fairgrounds.

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

No Meeting held

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

THIRD READING ITEMS

[2018-02](#) AN ORDINANCE AMENDING CHAPTERS 1226 AND 1231 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN REGARDING ADULT FAMILY HOMES, AND DECLARING AN EMERGENCY. Introduced 2/13/18 Public Hearing was held February 27, 2018.

Sponsors: Gerard Neugebauer

Attachments: [2018-02 Adult Family Homes](#)
[2018-02 re Adult Home Chapters Amended 1226 & 1231.docx](#)
[2018-02 re Exhibit A Chapter 1226.pdf](#)
[17-58 Text Amendment- Adult Homes PZC Staff Report](#)
[1226 Use Regulations 12-20](#)
[1231 Definitions and Rules of Construction Adult Homes Changes 12-20](#)
[Table 1226 Allowed Uses- Adult Homes 12-20-17](#)

A motion was made by Council Member Young, 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 (Shaughnessy*, Humphrey**, Young)

No Meeting

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

No Meeting

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

[2018-R10](#) **A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR THE LAKES OF GREEN, PHASE III SUBDIVISION, AND DECLARING AN EMERGENCY. Introduced 2/13/18 Public Hearing held February 27, 2018.**

Sponsors: Gerard Neugebauer

Attachments: [2018-R10 SL Lakes of Green, Phase III](#)
[2018-R10 re Street Lighting The Lakes of Green Phase III.docx](#)
[Lakes of Green Phase III Street Lighting Request Information Agreement.pdf](#)
[LT - Lakes of Green Phase III Letter](#)
[LT-Lakes of Green Phase III](#)

Mr. Dyer advised there was a public hearing at the last meeting. There were no objections.

A motion was made by Council Member Dyer, 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

X. Mayor's Report

Mayor Neugebauer gave his mayor's report which included updates regarding Nexus.

XI. Unfinished Business

Mr. Yeargin reminded Ward 3 residents that the City has a weekly meeting with Nexus and over the past few weeks has been able to take questions he received and give to the committee and obtain answers so he could return back to the residents with a response. He said in addition to the hotline, if residents have questions he will personally lodge the concerns with the committee so they can be addressed in a timely matter.

Mr. Dyer asked if there was anyone taking minutes or notes of the meetings with

Nexus. Mayor Neugebauer said they do take notes and he could give an outline of the meeting.

XII. New Business

Mr. Humphrey asked if a member of Council was interested in being a liaison with the Historical Preservation Commission, Living Green Task Force and Drug Task Force and if so let him know by the next meeting. He said he would like to be on the Drug Task Force.

XIII. Adjournment

Mr. Dyer moved to adjourn at 8:46 p.m.

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

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.