



# 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**

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**Tuesday, August 28, 2018**

**7:00 PM**

**Council Chambers**

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#### I. Call to Order

#### II. 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

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-2211](#)

Approval of the August 14, 2018 Regular Meeting Minutes

**Attachments:** [8-14-18 Council Minutes](#)

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

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

#### V. Public Report

Mike Burch, 2563 Arbor Court, Green, OH-

Opposed to the referendum initiative. People are misinformed. The correct information needs to get out to the people so that they can make an informed decision.

Nathan Braswell, 1207 Peachwood Way, Green, OH-

Does not understand the cost of Raintree CC, does not approve of the purchase of the golf course.

Steve Braswell, 1207 Peachwood Way, Green, OH-

Does not agree with the purchase of Raintree CC. Questions if this is the best use of money.

Golf is statistically for rich people and the City does not need another golf course.

Pat Carleski, 3878 Greenfield Rd, Green, OH-

Does not agree with the purchase of Raintree CC. Follow the rules of council and forward the law director referendum to the ballot. Agrees with Mr. Speight vote and move it forward.

## VI. Public Hearings

### 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](#)

Public hearing began at 8:58pm.

Mr. Speight read the legislation in and gave a brief overview.

Mr. Wiethe advised that the developer installs and the residents are assessed.

No questions from council.

No questions from the audience.

Public hearing was adjourned at 9:00 pm.

## VII. Reading of Correspondence

[TMP-2217](#) July 2, 2018 Civil Service Commission Minutes

**Attachments:** [July 2, 2018 Civil Service Minutes](#)

[TMP-2218](#) July 18, 2018 Planning & Zoning Commission Minutes

**Attachments:** [7-18-18 Approved PZC Minutes](#)

[TMP-2220](#) Letter from Valerie Wax Carr RE: Sports Impact Committee Recommendations

**Attachments:** [Letter from V. Wax Carr RE Sports Impact Committee Recommendations](#)

All correspondence read in and filed.

## VIII. New Legislation - Items on First Reading

[2018-R66](#) **A RESOLUTION APPROVING FUNDING FOR THE RE-ESTABLISHING OF KLECKNER BASEBALL FIELDS PROJECT, AUTHORIZING AN APPROPRIATION FROM THE PIPELINE SETTLEMENT FUND, AND DECLARING AN EMERGENCY.-Referred to the Finance Committee \*\*FIRST READING PASSAGE REQUESTED**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R66 re Kleckner baseball fields.docx](#)  
[1st reading passage VWC.pdf](#)  
[Sports Impact Committee Recommendation Letter](#)  
[2018-R66 Kleckner BB Fields](#)

Mr. Humphrey explained that Administration had requested 1st reading passage on this item and the Committee was in support of that.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass Committee deliberations 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 Humphrey, seconded by Council Member Yeargin, 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 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

2018-21

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 8.65 ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF MASSILLON AND GRAYBILL ROADS FROM B-2 (PROFESSIONAL OFFICE) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED TWL INVESTMENTS PLANNED DEVELOPMENT. -Introduced on 8/28/18. \*\*Public Hearing was held on Tuesday, October 9, 2018\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-21 re TWL Investments property zoning.docx](#)  
[2018-21 re Exhibit A](#)  
[Echelon Sr. Living PD PZC Recommendation to CC](#)  
[18-45 Echelon Green Sr. Living PD PZC Staff Report](#)  
[20180808 Combined Planned Development Submission](#)  
[Echelon Green Aerial](#)  
[Echelon Green Contig Prop Owner Letters](#)  
[2018-21 TWL Rezoning](#)

2018-22

AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY Spring Hill Senior Living LLC 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 8/28/18 \*\*Second Reading Passage Requested\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-22 re Spring Hill Villages of St. Edward.docx](#)  
[2018-22 re Exhibit A.pdf](#)  
[2018-22 re Exhibit B.pdf](#)  
[2018-22 re Exhibit C.pdf](#)  
[2018-22 re Exhibit D.pdf](#)  
[New Supplemental Trust Indenture\(12906802\\_2\).pdf](#)  
[Signed TIF Spring Hill Cooperative Agreement.pdf](#)  
[2018-22 Second Reading Passage Request from Steve Schmidt.pdf](#)  
[2018-22 Spring Hill TIF](#)

## IX. Report of Council Committees

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

**THIRD 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 read in the legislation and gave a brief overview.

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

[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 stated that Mr. Fusco from Akron City Council gave a brief report on this legislation in Committee.

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

## SECOND READING ITEMS

[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](#)

Mr. Humphrey read the legislation and gave a brief overview.

Extensive discussion took place in Committee regarding this item. Townhall meeting to be held on Monday, September 17 at 6:30 pm at Raintree for public input.

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

[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](#)

Mr. Humphrey read the legislation and gave a brief overview.

2nd reading passage requested, Committee ok with passage.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, 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 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

#### 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](#)

Mr. Humphrey read in the legislation and gave a brief overview.

Discussed in Committee.

2nd reading, time requested and granted.

#### 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](#)

Mr. Humphrey read in the legislation and gave a brief overview.

2nd reading, time requested and granted.

**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](#)

Mr. Humphrey read in the legislation and gave a brief overview.

Discussed in Committee.

2nd reading, time requested and granted.

**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](#)

Mr. Humphrey read in the legislation and gave a brief overview.

2nd reading, time requested and granted.



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

All members present, no items of legislation.

Mentioned the Sports Impact Committee recommendations and encouraged residents to take a look at them and contact any member with questions.

C. Public Safety (Babbitt\*, Shaughnessy\*, Humphrey)**SECOND READING ITEMS**

[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](#)

Mrs. Babbitt read in the legislation and gave a brief overview.

Discussed in depth during Committee.

2nd reading, time requested and granted.

D. Planning, Community & Economic Development (Young\*, Speight\*\*, Yeargin)**THIRD 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 read in the legislation and gave a short overview.

Public hearing was held the previous meeting with no issues.

**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

## SECOND READING ITEMS

[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](#)

Mr. Young read in the legislation and gave a brief overview.

2nd reading, time requested and granted.

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

All members present, no items of legislation, did not meet.

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

All members present, no items of legislation, did not meet.

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

## SECOND READING ITEMS

[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](#)

Mr. Dyer read in the legislation and gave a brief overview.

Public hearing held tonight with no issues.

2nd reading, time requested and granted.

H. Committee of the Whole

## SECOND READING ITEMS

[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. Humphrey read in the legislation and gave a short overview.

2nd reading passage necessary for timing. Ok with Committee.

**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 Yeargin, to adopt the Ordinance. The motion carried by the following vote:**

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

X. Mayor's Report

Mayor Neugebauer gave a short report.

XI. Unfinished Business

None.

XII. New Business

Sept 18, 2018- 3rd Annual Get the Scoop w/ City Council at Central Park.

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.