



# 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, September 11, 2018

7:00 PM

Council Chambers

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#### I. Call to Order

#### II. Pledge of Allegiance

Boy Scout Nate West from Troop 334 Led the Pledge of Allegiance and a moment of silence in remembrance of 9/11.

#### III. Roll Call of Council Members

**Present:** 6 - Barbara Babbitt, Stephen Dyer, Chris Humphrey, Matt Shaughnessy, Rocco Yeargin and Bob Young  
**Absent:** 1 - Justin Speight

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

Ayda Qureshi, Student Representative

#### IV. Council Study Session

##### [TMP-2235](#)

Approval of the August 28, 2018 Regular Meeting Minutes

**Attachments:** [8-28-18 Council Minutes](#)

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

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

**Absent:** 1 - Speight

## V. Public Report

Carl Mickelson, 5741 Rick Dr, Green, OH-

Mr. Mickelson is opposed to the charter amendment to make the City of Green Law Director an elected position and he urged the residents to vote no on issue 14. A full set of Mr. Mickelsons comments are attached to the minutes.

Dan Croghan, 3606 Glenshire Cir, Green, OH-

Opposed to Issue 14 - Law Director Initiative. Ill timed, ill conceived, ill prepared. A full set of Mr. Croghans comments are attached to the minutes.

Steve Braswell, 1207 Peachwood Way, Green, OH-

Opposed to Law Director Issue. Unsure about Raintree acquisition. Is this a core piece of our mission, is it a good idea to spend the money. Additional green space is good, but as a park, not as a golf course. Land could be used for summer sports, biking, walking trail, skate park, CC trail, sledding hills etc. Urged Council not to consider keeping it as a golf course.

Robert Talenda, 2740 Compass Point Dr., Green, OH-

Suggested Council looks at Glen Eagles golf course in Twinsburg before they make this decision. Otherwise if they dont put that kind of money into it, it will not work. Lakes of Green, speeding on Superior Drive needs to be addressed. Would like the City to put a stop sign on Superior/Compass Point or speeding will only get worse.

Mr. Chris gave an update on the two amendments before the Board of Elections.

BOE had issue with the way the Law Director ballot language has been drafted.

Stated that the City of Stow is changing their requirements to 8 consecutive years or 2 terms.

## VI. Public Hearings

None.

## VII. Reading of Correspondence

[TMP-2232](#)

Letter from Autumn Groen RE: Maintaining Parks & Minimizing Impacts during Nexus Construction

**Attachments:** [Autumn Groen letter](#)

[TMP-2233](#)

Letter from Robert Talenda RE: Serious Health Concerns & Hazards at Lakes of Green

**Attachments:** [Robert Talenda Letter](#)

All correspondence read in and filed.

## VIII. New Legislation - Items on First Reading

[2018-R67 A](#) 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.-Introduced on 9/11/18 (**Amended September 25, 2018**) \*SECOND READING PASSAGE REQUESTED\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R67 re AMENDED Auction of equipment.docx](#)  
[2018-R67 re AMENDED Exhibit A Auction item list.xlsx](#)  
[Auction 2nd Request Council Memo.pdf](#)  
[2018-R67 Equip Disposal](#)

[2018-R68](#) A RESOLUTION AUTHORIZING THE MAYOR TO ENGAGE PRIME AE GROUP, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES RELATED TO THE DESIGN OF FIRE STATION NO. 3, AND DECLARING AN EMERGENCY.- Introduced on 9/11/18 \*SECOND READING PASSAGE REQUESTED\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R68 re Fire Station No 3 PRIME AE.docx](#)  
[2018-R68 re Exhibit A Prime AE AIA Form.pdf](#)  
[2nd Reading Passage Wayne Wiethe.pdf](#)  
[2018-R68 Prime AE Prof Serv](#)

## IX. Report of Council Committees

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

## THIRD 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 in the legislation and gave a brief overview.

Townhall meeting next week Sept 17, 2018.

No action will be taken on this legislation until after the meeting.

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 briefly explained legislation.

Much discussion took place during Committee meeting about TIF's.

3rd reading item, Committee good with passage.

**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, Shaughnessy, Yeargin and Young

**Absent:** 1 - Speight

#### 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**

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**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 briefly explained the legislation.

3rd reading item, Committee ok with passage.

**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, Shaughnessy, Yeargin and Young

**Absent:** 1 - Speight

[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 briefly explained the legislation.

3rd reading item, Committee ok with passage.

**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, Shaughnessy, Yeargin and Young

**Absent:** 1 - Speight

[2018-R65](#)

**A RESOLUTION AWARDDING 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 briefly explained the legislation.

3rd reading item, Committee ok with passage.

**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, Shaughnessy, Yeargin and Young

**Absent:** 1 - Speight

**SECOND READING ITEMS**

[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](#)

Mr. Humphrey briefly explained the legislation.

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 Ordinance. The motion**

carried by the following vote:

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

**Absent:** 1 - Speight

**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, Shaughnessy, Yeargin and Young

**Absent:** 1 - Speight

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

2 members present, no items of legislation. Did not meet.

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

**THIRD 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 briefly explained the legislation.

3rd reading, committee good with passage.

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

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

**Absent:** 1 - Speight

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

**THIRD 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 briefly explained the legislation.

3rd reading, committee good with passage.

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

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

**Absent:** 1 - Speight

**SECOND READING ITEMS**

[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](#)

Mr. Young briefly explained the legislation.

Public Hearing to be held on October 9, 2018.

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)

2 members present, no items of legislation. Did not meet.

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

### THIRD 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 briefly explained the legislation.

3rd reading, committee good with passage.

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

**Absent:** 1 - Speight

X. Mayor's Report

Mayor Neugebauer gave his report.

Recognized Josh Compton and Jason Wells from the Fire Department for being deployed for Hurricane Florence on Task Force 1.

XI. Unfinished Business

XII. New Business

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.