



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

Tuesday, January 8, 2019

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. Vice President Babbitt presided over the meeting which he called to order at 7:58 p.m.

II. Pledge of Allegiance

Councilmember Babbitt led the Pledge of Allegiance.

III. Roll Call of Council Members

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

IV. Council Study Session

[TMP-2373](#) Approval of the December 11, 2018 Regular Meeting Minutes

Attachments: [12-11-18 Minutes](#)

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

Aye: 6 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight and Yeargin
Absent: 1 - Young

V. Public Report

Caitlyn Manwaring, 5833 Spikerman Drive - See attachment that was read.

Pat Carleski, 3878 Greenfield Road - She advised she is a retired federal employee. She is concerned with federal furloughed employees that have worked for three weeks with no pay. She explained why.

Robert Talenda, 2740 Compass Point Drive - He talked about his concerns with Lakes of Green Subdivision. He wants to make sure things are completed before bonds are returned. He said Mr. Wiethe has done a very good job on this project.

[TMP-2396](#) Position of Nimisila Residents on a Proposed Bike or Hike Trail - Caitlyn Manwaring

Attachments: [Position of Nimisila Residents on a Proposed Bike or Hike Trail](#)

VI. Public Hearings - No Public Hearing

VII. Reading of Correspondence

[TMP-2361](#) Email from Christopher Marquart RE: Internship

Attachments: [12-10-18 Christopher Marquart](#)

[TMP-2364](#) Email from Bill Deem RE: Input to 2019 Capital Budget Process

Attachments: [12-11-18 Bill Deem](#)

[TMP-2365](#) Planning and Zoning Commissions December 19, 2018 Agenda

Attachments: [12-19-18 PZC Agenda](#)

[TMP-2367](#) Civil Service Commission November 14, 2018 Minutes

Attachments: [November 14 2018 CSC Minutes](#)

[TMP-2371](#) Planning Departments Financial Summaries for November and December 2018

Attachments: [November 2018 Planning Dept. Financial Summary](#)
[December 2018 Planning Dept. Financial Summary](#)

[TMP-2378](#) Email from Tony Ziehler RE: Council meetings on YouTube

Attachments: [1-3-19 Tony Ziehler](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2019-R01 A](#) A RESOLUTION ESTABLISHING THAT THE POSITION OF LAW DIRECTOR SHALL BE A PART-TIME POSITION AND THAT THE LAW DIRECTOR SHALL COMMIT NO LESS THAN *AN AVERAGE OF 20 HOURS PER WEEK* TO HIS OR HER DUTIES SET FORTH IN ARTICLE 6.4 OF THE CITY OF GREEN CHARTER; AND, SETTING THE SALARY OF THE LAW DIRECTOR BEGINNING JANUARY 1, 2020 AND FUTURE TERMS FOLLOWING, AND DECLARING AN EMERGENCY. Referred to the Charter Amendment Implementation Committee. (*Amended January 15, 2019*)

Sponsors: City Council

Attachments: [2019-R01 re AMENDED Law Director Position \(02765718-3x9EF3B\)](#)

Mrs. Babbitt explained originally first reading passage was requested. The committee will meet January 15 at 5:00 p.m. to consider the legislation.

[2019-R02](#) A RESOLUTION AWARDING A CONTRACT TO sANDER cONTRACTING, inc. for the ArISS PARK DOG PARK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 1/8/19 --- Second Reading Passage Requested. ---

Sponsors: Gerard Neugebauer

Attachments: [2019-R02 re Ariss Park Dog Park](#)
[ALL IN ONE Ariss Park Dog Park #18-P-25](#)
[Paul Pickett Requests for suspending three reading rule on 2019-R02 and 2019-R09](#)

Referred to the Finance Committee Mrs. Babbitt advised Second reading passage has been requested.

IX. Report of Council Committees

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

[2018-R87 A](#) A RESOLUTION APPROVING AND ADOPTING THE 2019 ANNUAL CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN, *MAKING TRANSFERS*, AND DECLARING AN EMERGENCY. Introduced 11/13/2018 Amended January 4, 2019

Sponsors: Gerard Neugebauer

Attachments: [2018-R87 A re AMENDED 2019 Capital Annual Appropriations](#)
[2018-R87 re Amended Exhibit A](#)

Mr. Humphrey reviewed the amendments. He explained Fire Station number 3 was taken out but that does not mean that we will not build. Council is looking at funding options.

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

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

Absent: 1 - Young

SECOND READING ITEMS

[2018-R97 A](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH USIC LOCATING SERVICES, LLC. FOR PROFESSIONAL UTILITY LOCATING SERVICES FOR A ONE YEAR TERM, WITH THE OPTION TO RENEW ANNUALLY, COMMENCING FEBRUARY 13, 2019, *MAKING AN APPROPRIATIONS*, AND DECLARING AN EMERGENCY. Introduced 12/11/2018 *Amended January 8, 2019*

Sponsors: Gerard Neugebauer

Attachments: [2018-R97 re AMENDED USIC 2019](#)
[2018-R97 re Exhibit A USIC](#)

Mr. Humphrey briefly explained the appropriation is \$30,000. Mr. Pickett reported why it was necessary at the committee meeting. Mr. Humphrey advised the committee would be taking time.

Mr. Humphrey advised the committee discussed 2019-R02 at the request of the administration that would like second reading passage. The lowest and best bid was submitted by Sander Contracting with a base bid of \$98,664. Clearing and grubbing was \$2,000 and the water supply was \$14,075. A majority of this will go for fencing at the dog park. The goal is to have it completed by Arbor Day.

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

Mr. Speight advised the Parks and Recreation Board will be meeting at 6 pm and they will be discussing the Master Trail Plan.

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

Mrs. Babbitt advised the committee heard the Nexus Safety report from Mr. Yeargin.

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

No Meeting

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

Mr. Dyer chaired in Mr. Youngs absence.

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

Aye: 5 - Babbitt, Dyer, Humphrey, Speight and Yeargin

Nay: 1 - Shaughnessy

Absent: 1 - Young

Charter Review Commission Appointments

Mayor Neugebauer discussed the role of the Charter Review Commission.

He proposed Ted Mallo, who was on the original Charter Commission and was on the last review. Has served as an attorney for the University of Akron for over 55 years.

Susan Allen a local architect. She served on the last two Charter Commissions which she also chaired the 2012 Commission.

The next three are new faces.

Vivian Dufferin is an attorney and she will be one of three attorneys that are being appointed to the commission. She currently is the assistant law director of the City of Canton.

C.J. Meager, who is also local attorney. He works for Brennan, Manna and Diamond.

Sherry Neubert, works for Goodyear Global as the CIO for the last 16 years.

He said they were all willing to work for what the will of the community is. He said he did not think they had an agenda, nor did he have an agenda for this review.

He asked for Council to approve this group.

Mr. Shaughnessy pointed out that three of these members vocally opposed Issue 14 at Council Meetings. His concern is the appearance of bias. Two were committee

members that opposed Issue 14. He said he could not approve just by the appearance.

Mr. Yeargin said he noted that he was a vocal member opposed to Issue 14 and he does not think you can judge a book by its cover.

Mr. Humphrey said he thinks they all have impressive resumes. He said if you wanted someone that wasn't bias they had to be someone that didn't vote. He said this will be done in public and play out in the public. City Council will approve the measures and then the citizens will get a chance to vote on it. He is comfortable with the professionalism of the appointments.

Mr. Speight said he understands Mr. Shaughnessy's concerns but he trust that they will keep our community in the for front of their decisions. He respects the candidates.

The Mayor said it was limited to five and that was a hard task. The Charter review meetings will probably have some of those that applied come to their meetings. He would like to see Council able to appoint.

Mr. Dyer said he is concerned about the optics. He pointed out there were 5,638 residents of Green that voted for Issue 14 and he is not sure if any of those are represented on this commission. He is encouraged that they committed to fulfill the wishes of the people. He appreciates the Mayor trying to reach out. He wished there were people that publicly supported it. He said he was okay with the appointments.

A motion was made by Council Member Dyer, seconded by Council Member Humphrey, to approve the Mayor's appointments to the Charter Review Commission . The motion carried by the following vote:

Aye: 5 - Babbitt, Dyer, Humphrey, Speight and Yeargin

Nay: 1 - Shaughnessy

Absent: 1 - Young

Mr. Dyer called a point of order and asked the clerk if it required 3/4 or a simple majority. The Clerk advised it was just a majority.

F. Transportation, Connectivity & Storm Water (Shaughnessy*, Young**, Yeargin)

[TMP-2366](#)

Master Trail Plan presentation by Environmental Design Group

Attachments: [Master Trail Plan 1-2-2019](#)

Mr. Wiethe advised this plan will be presented at the Parks and Recreation Board, Planning and Zoning Commission and AMATS will be having a meeting at the Community Hall and they will present this also. Mr. Shaughnessy advised the final plan will come before Council for adoption.

SECOND READING ITEMS

[2018-R95](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO CONTRACT WITH EMH&T, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR A THREE-YEAR TERM COMMENCING DECEMBER 1, 2018, AND DECLARING AN EMERGENCY.** Introduced 12/11/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R95 re EMHT 2017-2019](#)
[2018-R95 re Exhibit A](#)

Mr. Shaughnessy explained the legislation designed to approve a contract to design a round-a-bout for Arlington and Greensburg Road. The Administration asked for second reading passage.

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

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

Absent: 1 - Young

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

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

Absent: 1 - Young

[2018-R96](#) **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR CONCRETE ROAD REPAIRS, INCLUDING MISCELLANEOUS CONCRETE WORK, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** Introduced 12/11/18

Sponsors: Gerard Neugebauer

Attachments: [2018-R96 re 2019 Summit County Concrete Pavement](#)
[2018-R96 re Exhibit A](#)

Mr. Shaughnessy explained the Resolution and how it saves the City money and still allows the City to manage the project. Time was taken.

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

No Meeting

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

Mr. Yeargin said there was a lengthy and healthy discussion regarding 2019-R01. There was a balanced discussion regarding candidates time and the public's time. Also, to give time to get feedback from Legal Counsel. There will be a special meeting January 15 at 5 p.m. It will be amended to a pay of \$55,000. with benefits and an increase equal to that of the Mayor each year. It was agreed to part-time.

Mr. Speight asked if Mr. Yeargin planned on having the amendment to that reflecting the \$55,000. Mr. Yeargin said he planned on having the amended version at the meeting.

Mr. Dyer asked him to briefly review what was in the language for the Law Director position.

Mr. Yeargin encouraged residents to watch the Committee meeting. He summarized that the Law Director Position will be a part-time position, the pay was agreed to be around \$55,000 with benefits and a salary increase, similar to the mayor's which is 3% each year.

X. Mayor's Report

The Mayor gave his report. He announced the State of The City will be held January 31, 2019.

XI. Unfinished Business - No unfinished business

XII. New Business - No new business

XIII. Adjournment

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

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: _____
BARBARA BABBITT, VICE 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.