

ORDINANCE NO.: 2020-01
SPONSOR: COUNCILMEN SHAUGHNESSY
INTRODUCED: MARCH 10, 2020 **ASSIGNED TO:** _____

AN ORDINANCE ESTABLISHING PRIOR COUNCIL APPROVAL FOR THE EXPENDITURE OF FUNDS FOR PROFESSIONAL SERVICES USED TO STUDY, PLAN, OR DESIGN TRAILS OR SIDEWALKS, EXCEPTING PARKS, IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY.

WHEREAS, since Green became a City in 1992, there has been a steady transformation from a rural landscape to a thriving City; and

WHEREAS, since 1992, various plans developed by the City have considered connectivity for bicycle and pedestrian transportation at various levels; and, in 2007 the Bike and Hike Committee created a plan to connect neighborhoods to the center of the City via 4 trail segments; and, in 2009 the Public Service and Transportation Strategic Committee developed recommendations for future sidewalks; and

WHEREAS, in 2014 the Living Green Task Force reviewed the previous trail and sidewalk plans and considered additional connection points which culminated in a Master Trail Plan included in the City Land Use Plan, 2014 update: and

WHEREAS, in 2017 the City endeavored to develop a new Master Trails Plan taking a holistic approach to connectivity to all destinations within the City and regional destinations as well. This new Master Trails Plan, when approved by Council, will replace the 2014 Master Trail Plan; and

WHEREAS, the Master Trails Plan is a conceptual plan used to guide the future development of connectivity trails, and portions thereof; and, at times and in appropriate locations, connectivity can and may be accomplished by installing traditional sidewalks; and

WHEREAS, some portions of the Master Trails Plan and or Trail Plans in general, may include traditional sidewalks for various reasons, which may cross private individually owned property; and

WHEREAS, many affected property owners object to the use of their land for connectivity trails or sidewalks for various reasons, including but not limited to, safety concerns, loss of value, loss of marketability, loss of wildlife habitat, and privacy concerns; and

WHEREAS, property owners affected by connectivity trail plans or sidewalks, have requested better notification of action taken with regard to trail plans in meetings of Council and Master Trail Plans public hearings; and

WHEREAS, the purpose of this legislation is to provide additional point of notice to residents that the City is seriously considering a specific plan by requiring Council approval before city funds can be spent on professional services related to the feasibility or design of a particular trail or sidewalk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN,
COUNTY OF SUMMIT AND STATE OF OHIO, THAT:**

SECTION ONE:

Without regard to amount, prior to hiring professional services to study, plan, or design a trail or sidewalk in the City of Green (excepting trail or sidewalk studies, plans, or designs in city parks), Council approval shall be required.

SECTION TWO:

This Ordinance shall be attached to the existing 2014 Master Trail Plan and to any subsequently City Council approved Master Trails Plan.

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Molly Kapeluck, Clerk of Council

Barbara Babbitt, Council President

APPROVED: _____, 2020

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2020

ON ROLL CALL: Babbitt Brandenburg DeVitis France
 Shaughnessy Yeargin Young

Page 3
Ordinance 2020-01

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk

03/05/2020 Approved as to form and content by Lisa Carey Dean, Director of Law _____