



# 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**

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Tuesday, June 11, 2019

7:00 PM

Council Chambers

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#### I. Call to Order

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

#### II. Pledge of Allegiance

Councilmember Young led the Pledge of Allegiance.

#### III. Roll Call of Council Members

**Present:** 4 - Chris Humphrey, Matt Shaughnessy, Rocco Yeargin and Bob Young

**Absent:** 3 - Barbara Babbitt, Stephen Dyer and Justin Speight

#### IV. Council Study Session

##### **"Autism Friendly" Community Proclamation Presentation**

President Young explained they moved this presentation to the June 25, 2019 meeting.

[TMP-2622](#)

Approval of the May 28, 2019 Regular Meeting Minutes

**Attachments:** [5-28-19 Council Minutes](#)

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

**Aye:** 4 - Humphrey, Shaughnessy, Yeargin and Young

**Absent:** 3 - Babbitt, Dyer and Speight

[TMP-2625](#) Approval of the May Financial Report, Subject to Audit

**Attachments:** [MAY'19 ELECTRONIC FINANCIAL REPORT](#)

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to approve subject to audit the Financial Statement. The motion carried by the following vote:**

**Aye:** 4 - Humphrey, Shaughnessy, Yeargin and Young

**Absent:** 3 - Babbitt, Dyer and Speight

V. Public Report - No Public Report

VI. Public Hearings - No Public Hearing Scheduled

VII. Reading of Correspondence

[TMP-2610](#) May 29, 2019 Charter Review Commission Agenda

**Attachments:** [5-29-19 CRC Agenda](#)

[TMP-2624](#) Email from David Colston RE: Tobacco 21

**Attachments:** [6-5-19 David Colston](#)

[TMP-2626](#) Charter Review Commission 2019 Recommendations

**Attachments:** [Charter Review Commission Recommendations 6-5-19](#)  
[Email from Sharon Salem 6-6-19](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2019-R46](#) **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A**  
[AA](#) **CONTRACT WITH RODERICK LINTON BELFANCE, L.L.P. TO**  
**PROVIDE DIRECTOR OF LAW SERVICES TO THE CITY OF**  
**GREEN, AND DECLARING AN EMERGENCY. (Introduced 6/11/19)**  
**(AMENDED 6/25/2019)(AMENDED 7/9/2019)**

**Sponsors:** Stephen Dyer, Barbara Babbitt, Rocco Yeargin, Chris Humphrey, Bob Young, Justin Speight and Gerard Neugebauer

**Attachments:** [2019-R46 Law Director Contract](#)

[2019-R46 AA re AMENDED Amended Roderick Linton Belfance firm](#)  
[Law Director](#)

[2019-R46 AA re Exhibit A](#)

[Email Bill Chris 6-20-19](#)

Referred to the Rules and Personnel Committee

[2019-R47](#) A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY FOR THE ARLINGTON ROAD RECONSTRUCTION PROJECT (PROJECT), AND DECLARING AN EMERGENCY. (Introduced 6/11/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R47 Amats Arlington Rd](#)  
[2019-R47 re CMAQ 2019 Arlington Road Reconstruction Project](#)

Referred to the Transportation, Connectivity and Storm Water Committee

[2019-R48](#) A RESOLUTION RATIFYING A THREE-YEAR LABOR AGREEMENT BETWEEN THE CITY OF GREEN AND LOCAL 2714 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”) EMPLOYEE UNIT, AND DECLARING AN EMERGENCY. (Introduced 6/11/19) \*\*\*SECOND READING PASSAGE REQUESTED.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R48 Labor Agreement - Employee Unit](#)  
[2019-R48 re AFSCME Employee Labor Agreement](#)  
[Pam Serina 2nd Reading Passage Request -AFSCME CB Agreements](#)  
[Pam Serina Requesting Executive Session--2019 AFSCME Collective Bargaining Agreements](#)

Referred to the Rules and Personnel Committee

[2019-R49](#) A RESOLUTION RATIFYING A THREE-YEAR LABOR AGREEMENT BETWEEN THE CITY OF GREEN AND LOCAL 2714 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”) DISPATCH UNIT, AND DECLARING AN EMERGENCY. (Introduced 6/11/19) \*\*\*SECOND READING PASSAGE REQUESTED.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R49 Labor Agreement - Dispatch Unit](#)  
[2019-R49 re AFSCME Dispatch CB Agreement](#)  
[Pam Serina 2nd Reading Passage Request -AFSCME CB Agreements](#)  
[Pam Serina Requesting Executive Session--2019 AFSCME Collective Bargaining Agreements](#)

Referred to the Rules and Personnel Committee

[2019-R50](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. (Introduced 6/11/19) \*\*\*SECOND READING PASSAGE REQUESTED.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R50 Modifying Appropriations](#)  
[2019-R50 re Appropriations June 2019](#)  
[2019-R50-re Exhibits A](#)  
[Chief Funai 2nd Reading Passage Request](#)

Referred to the Finance Committee

[2019-R51](#) A resolution DECLARING THE NECESSITY TO MAKE IMPROVEMENTS TO THE STREET LIGHTING SYSTEM FOR MAYFAIR EAST SUBDIVISION PHASES ONE, TWO, AND THREE, ASSESSING THE COST OF THE IMPROVEMENTS TO THE PROPERTY OWNERS WITHIN THE SUBDIVISION, AND DECLARING AN EMERGENCY. (Introduced 6/11/19) \*\*\*Public Hearing held on June 25, 2019.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R51 Mayfair St. Light Assess](#)  
[2019-R51 re Mayfair East Street Lighting](#)  
[2019-R51 re Exhibit A](#)  
[2019-R51 re Exhibit B](#)  
[2019-R51 re Exhibit C](#)  
[Petitions 2019-R51](#)  
[Wayne's answer to Jerry & Theresa Moon](#)

Referred to the Intergovernmental and Utilities Committee

[2019-11](#) AN ORDINANCE REQUESTING ANY CONTRACT UNDER TEN THOUSAND DOLLARS BE REPORTED TO ALL OF GREEN CITY COUNCIL, AND DECLARING AN EMERGENCY. Referred to the Finance Committee

**Sponsors:** Matt Shaughnessy

**Attachments:** [2019-11 re Contract under \\$10,000.00](#)

WITHDRAWN prior to meeting.

[2019-12](#) AN ORDINANCE APPROVING A PETITION FOR SPECIAL

**ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND A PLAN FOR PUBLIC IMPROVEMENTS; APPROVING THE NECESSITY OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF GREEN IN COOPERATION WITH THE AKRON-SUMMIT COUNTY ENERGY SPECIAL IMPROVEMENT DISTRICT; DETERMINING TO PROCEED WITH SUCH PROJECT; AND DETERMINING TO LEVY SPECIAL ASSESSMENTS IN CONNECTION WITH SUCH PROJECT, AND DECLARING AN EMERGENCY.** (Introduced 6/11/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-12 Special Assessments](#)  
[2019-12 re Exhibit A](#)  
[2019-12 re Special Assessment ESID](#)  
[2019-12 Summit County Attachments](#)

Referred to the Intergovernmental and Utilities Committee

**2019-13**

**AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY CAM GREEN 2 LLC TO BE A PUBLIC PURPOSE, EXEMPTING ONE HUNDRED PERCENT (100%) OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION; requiring the owners of those parcels to make service payments in lieu of taxes equal to the real property tax; the depositing of those service payments in the appropriate fund; and providing for the payment of a portion of said service payments to the Green Local School District FOR THIRTY YEARS, AND DECLARING AN EMERGENCY.** (Introduced 6/11/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [ORD 2019-13 CAM TIF](#)  
[2019-13 re CAM Green 2 LLC \(Chipotle\) TIF](#)  
[2019-13 re Exhibits Chipotle](#)

**2019-14**

**AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY Freddy's Akron Ohio LLC TO BE A PUBLIC PURPOSE, EXEMPTING ONE HUNDRED PERCENT (100%) OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION; requiring the owners of those parcels to make service payments in lieu of taxes equal to the real property tax; the depositing of those service payments in the appropriate fund; and providing for the payment of a portion of said service payments to the Green Local School District FOR THIRTY YEARS, AND DECLARING AN**

**EMERGENCY.** (Introduced 6/11/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-14 Freddy's TIF](#)

[2019-14 re Freddys Custard TIF](#)

[2019-14 re Exhibits Freddy's](#)

## IX. Report of Council Committees

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

## THIRD READING ITEMS

2019-R37 A A RESOLUTION FOR PRIOR APPROVAL OF GREEN CITY COUNCIL TO THE FINANCE DEPARTMENT FOR THE TRANSFER OF PUBLIC FUNDS FROM OR BETWEEN BANKING INSTITUTIONS FOR MONIES HELD PURSUANT TO CITY OF GREEN CODIFIED ORDINANCE 232.05 AND TITLED "INVESTMENT POLICY", AND DECLARING AN EMERGENCY. (Introduced 5/14/19 Amended 6/11/19)

**Sponsors:** Chris Humphrey, Rocco Yeargin and Barbara Babbitt

**Attachments:** [2019-R37 Transfer between Banking Institutions](#)  
[2019-R37 re AMENDED Changes to COG Codified Ordinances](#)  
[2019-R37 re Changes to COG Codified Ordinances](#)

Mr. Humphrey explained this amendment to the legislation. He advised Mr. Speight recommended an amendment of prior approval of Council before funds are transferred.

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

**Aye:** 4 - Humphrey, Shaughnessy, Yeargin and Young

**Absent:** 3 - Babbitt, Dyer and Speight

Mr. Humphrey advised they talked about 2019-R50, which the administration has asked for second reading passage and he explained this will appropriate more money to dispatch because there was more sick leave needed than anticipated when the budget was done.

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

No Meeting Held

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

No Meeting Held



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

**SECOND READING ITEMS**

[2019-R42](#) A RESOLUTION TERMINATING THE COMMUNITY REINVESTMENT AREA AGREEMENT WITH POLYMER MACHINERY COMPANY, INC., AN OHIO CORPORATION, FOR PROPERTY LOCATED AT THE CAK INTERNATIONAL BUSINESS PARK, CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 5/28/19)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R42 - Polymer Machinery Co. Cancellation](#)  
[2019-R42 re Terminatin Legislation Polymer Machine](#)

Mr. Yeargin explained this is a result of the City and Polymer Machinery Company entering into a community reinvestment area agreement that involved tax incentives back in 2016 as part of Resolution 2016-R04. Polymer Machinery was not able to follow through with building, according to it's plans due to financial issues and therefore both the City and Polymer Machinery Company have agreed to terminate that agreement.

Time Requested and Granted.

[2019-R44](#) A RESOLUTION AMENDING THE CONCEPTUAL SITE PLAN OF THE BAYSIDE INVESTMENTS PLANNED DEVELOPMENT DISTRICT (NOW KNOWN AS FOREST LAKES SUBDIVISION PLANNED DEVELOPMENT) LOCATED BETWEEN THE NORTH END OF TABS DRIVE AND INTERSTATE 77, AND DECLARING AN EMERGENCY. (Introduced 5/28/19) \*\*\* Public Hearing held on June 25, 2019. \*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [RES 2019-R44 Bayside PD](#)  
[2019-R44 re Bayside Investments Forest Lake Subdivision](#)  
[19-21 Forest Lakes PD PZC Staff Report](#)  
[03-28-19 Green Lineup](#)  
[2017-222 Site01B Prelim-WES-SP-1 Hybrid Color](#)  
[2017-222 Site01B Prelim-WES-SP-1 Hybrid](#)  
[Forest Lakes Subdivision PD aerial](#)  
[Site Plan - Forest Lakes](#)

Mr. Yeargin advised there will be a public hearing at the June 25, 2019 meeting and he explained the basics of the legislation. This relates to the Bayside Investment Concept Plan that was originally reviewed and favorably recommended by the

Planning and Zoning Commission in June of 2017. Council also approved in August of 2017. A new plan is being brought forth that reduces the number of units that will be involved from 387 with a reduction of 163. There is a 40% reduction in the number of units.

Time Requested and Granted.

[2019-04](#)

**AN ORDINANCE ESTABLISHING PUBLIC NOTIFICATION REQUIREMENTS PRIOR TO CITY COUNCIL ACTION AUTHORIZING CITY FUNDS OR AUTHORIZING THE APPLICATION FOR GRANTS OR OTHER FUNDING METHODS TO BE USED FOR THE DESIGN OR CONSTRUCTION OF THE MASTER TRAIL PLAN OR SIMILAR LONG-RANGE CITY-DEVELOPED PLANNING, OR PORTIONS THEREOF, AND DECLARING AN EMERGENCY. (Introduced on 2/26/19)**

**Sponsors:** Matt Shaughnessy and Stephen Dyer

**Attachments:** [2019-04 re Master Trail Plan Noticifation](#)

Mr Yeargin explained this is an on going piece of legislation. He advised that because it is still under investigation and research they will ask for time.

Time requested and granted.

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

No Meeting.Held

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

## SECOND READING ITEMS

[2019-R45](#)

**A RESOLUTION AWARDDING A CONTRACT TO uNITED eARTHWORKS, LLC FOR THE GRAYBILL ROAD CULVERT AND DITCHING IMPROVEMENTS, AND DECLARING AN EMERGENCY. (Introduced 5/28/19)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R45 Graybill Road Culvert & Ditching](#)  
[2019-R45 re Graybill Rd Culvert and Ditching #18-s-26](#)  
[ALL IN ONE Graybill Culvert and Ditching Improvements](#)

Mr. Shaughnessy explained this is an award to United Earth Works for culvert and ditching imporvements on the eastern side of Graybill Road near Kreighbaum. United Earth Works was the lowest, responsible bidder. Time Requested and granted.

Additionally, Mr. Shaughnessy advised that Mr. Pickett addressed Council regarding a couple up coming meetings he will host regarding round abouts.

Mr. Pickett briefly talked about the up coming meetings regarding roundabouts for Massillon/Boettler and Massillon/Corporate Woods. The preliminary design stage has been completed. These projects are partially federally funded and part of that process is Engineering has public involment meetings to explain what was evaluated, goals of the project and why they the chose roundabouts. There will be a visual representation of how traffic moves around the roundabout. He advised they were having two meetings, on Thursday at 6:30 p.m. and one Friday at 7:00 a.m. to try to meet residents schedules.

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

No Meeting Held

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

Mr. Yeargin announced today was the last official meeting of the Charter Review Commission. The recommendations will be coming tomorrow. A public hearing will be held on July 9 to review the recommendations.

X. Mayor's Report

The Mayor gave his report.

XI. Unfinished Business - No Unfinished Business

XII. New Business - No New Business

XIII. Adjournment

7:22 p.m. Chris Humphrey

ATTEST: \_\_\_\_\_  
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
BOB YOUNG, 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.

