



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, October 22, 2019

7:00 PM

Council Chambers

I. Call to Order

President Young called the meeting to order at 7:00 p.m.

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

IV. Council Study Session

[TMP-2829](#) Approval of the October 8, 2019 Regular Council Meeting Minutes

Attachments: [10-8-19 Council Minutes](#)

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

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

[TMP-2823](#) Approval of the September Financial Statement, Subject to Audit

Attachments: [SEPTEMBER 2019 ELECTRONIC FINANCIAL REPORT](#)

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

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

V. Public Report

Robert Talenda, Lakes of Green, HOA-2740 Compass Point Dr., Green OH-
Mr. Talenda spoke regarding items that still need finished by the Lakes of Green

developer. Ponds with scum and no fountain. Oil well issue. These items are on the punchlist that is required by the developer under their bond.

Bud Coutz, 320 E. Ralston Ave., Green OH-

Mr. Coutz spoke regarding Tim Drive and Schutte property access. Would like someone from the City to help Mr. Schutte.

Thomas Padgett, Imreck Dr.

Mr. Padgett spoke about the Schutte property. There is no access to their property for safety/fire/ems to get to them.

Joe Forgart,

Mr. Forgart spoke about the Schutte property. No access for fire/ems. The city has impaired his property by getting rid of Tim Drive. Mr. Schutte needs an easement to get onto his property. He has been adversely affected by this decision.

Bob Schutte, 1794 Berna DR., Green, OH-

Mr. Schutte explained the impact of the City's decision of vacating Tim Dr. has had on him and his family.

VI. Public Hearings

None.

VII. Reading of Correspondence

[TMP-2826](#)

Email from Chuck Osborne RE: Public Records Policy

Attachments: [10-11-19 Chuck Osborne](#)

Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2019-R98](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH CAVANAUGH BUILDING CORP. TO MAKE INTERIOR IMPROVEMENTS AND RENOVATIONS TO THE JOHN TOROK COMMUNITY & SENIOR CENTER, AND DECLARING AN EMERGENCY. Referred to the Environment and Parks Committee

Sponsors: Gerard Neugebauer

Attachments: [2019-R98 re Cavaugh Builders Torok Center](#)

IX. Report of Council Committees

All members present.

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

All members were present.

[TMP-2820](#) Income Tax 2019 Third Quarter Report

Attachments: [CNC3rd19 signed](#)

Mr. Humphrey briefly went over the Third Quarter income tax report.

THIRD READING ITEMS

[2019-R81](#) **A RESOLUTION TO ENTER INTO A DEPOSITORY AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS (ACTIVE DEPOSITS, INACTIVE AND/OR INTERIM DEPOSITS) WITH KEY BANK, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R81 Depository Agreement with Key Bank](#)
[2019-R81 re KEY Depository Agreement Active](#)

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

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

[2019-R82](#) **A RESOLUTION TO ENTER INTO A DEPOSITORY AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS (ACTIVE DEPOSITS, INACTIVE AND/OR INTERIM DEPOSITS) WITH PNC BANK, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R82 Depository Agreement PNC Bank](#)
[2019-R82 re PNC Depository Agreement Active](#)

Mr. Humphrey read in the legislation and briefly explained.

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

2019-R83 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY. Introduced September 24, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R83 Budget Commission](#)
[2019-R83 re Accept tax rates FY2019 CY2020](#)
[2019-R83 re Exhibit A](#)
[19TY20CY.ESTIMATE.POLITICALSUBS.CERTTAXLEVY](#)

Mr. Humphrey read in the legislation and briefly explained.

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

2019-R84 A RESOLUTION REQUIRING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE FUNDS TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced September 24, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R84 Advanced Funds](#)
[2019-R84 re Advance Property Tax 2020](#)

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

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

2019-16 AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF GREEN SECTIONS 880.03 AND 880.091; AND, TO ENACT A NEW SECTION 880.141 REGARDING MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY. Introduced September 24, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-16 Mun Income Tax Code Changes](#)
[2019-16 re Municipal IncomeTax language](#)

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

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

[2019-R98a](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH BRANDSTETTER CARROLL, INC. TO CREATE A COMPREHENSIVE PARKS AND RECREATION MASTER PLAN, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced October 8, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R92 re Parks and Recreation Master Plan Agreement-Green Parks Master Plan ver1](#)

Mr. Humphrey read in the legislation and briefly explained. 2nd reading passage was suggested and ok with the Committee.

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

[2019-R94](#) **A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL ("TIRC") REGARDING THE COMMUNITY REINVESTMENTS AREA, AND TAX INCREMENT FINANCING AGREEMENTS WITHIN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced October 8, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R94 re TIRC Recommendations](#)
[2019-R94 TIF summary](#)

Mr. Humphrey read in the legislation and briefly explained.

Time requested and granted.

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

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

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

All members present.

SECOND READING ITEMS

[2019-R95](#)

A RESOLUTION AUTHORIZING THE FIRE DIVISION TO APPLY FOR A GRANT THROUGH THE SAFETY INTERVENTION GRANT PROGRAM ADMINISTERED BY THE OHIO BUREAU OF WORKERS' COMPENSATION, AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R95 BWC Grant](#)
[2019-R95 re BWC Safety Grant Legislation](#)

Mrs. Babbitt explained that there were 2 reports from the Fire Dept and the Sheriffs Dept. and encouraged citizens to go watch the video for some great information.

Mrs. Babbitt read in the legislation and briefly explained. 2nd reading passage was suggested in the interest of time. Committee ok with it.

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

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

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

All members present.

[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](#)

No action on this item.

SECOND READING ITEMS

[2019-R90 A](#) A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH Glassdoor, Inc., AND DECLARING AN EMERGENCY. Introduced October 8, 2019 (Amended October 22, 2019) *Second Reading Passage Requested.*****

Sponsors: Gerard Neugebauer

Attachments: [2019-R90 Glassdoor, Inc](#)

[2019-R90 A re Amended Glassdoor Municipal Economic Development Grant](#)

[2019-R90 A re Amended Exhibit A Glassdoor Green Municipal Economic Development Grant](#)

Mr. Yeargin read in the legislatoin and briefly explained this item. 2nd reading passage requested in the interest of time. Committee good with passage.

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

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

[2019-R93 A](#) A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH SURGERE, Inc., AND DECLARING AN EMERGENCY. Introduced October 8, 2019 (Amended October 22, 2019) *Second Reading Passage Requested.*****

Sponsors: Gerard Neugebauer

Attachments: [2019-R93 Surgere MEDG](#)

[2019-R93 A re Amended Surgere Municipal Economic Development Grant](#)

[2019-R93 A re Amended Exhibit A Municipal Economic Development Grant - Surgere](#)

Mr. Yeargin read in and briefly explained the legislation. 2nd reading passage requested by administration in the interest of time. Committee ok with it.

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

Speight, 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 Yeargin, seconded by Council Member Speight, to adopt the Resolution. The motion carried by the following vote:

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

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

All members present.

SECOND READING ITEMS

2019-18

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-18 Codified Updates](#)
[2019-18 re Codified Ordinance revision codes](#)
[2019-18 re Exhibit A](#)

Mr. Young read in the legislation and briefly explained. 2nd reading passage good with Committee.

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

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

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

All members present.

SECOND READING ITEMS

[2019-R91](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH SPANO BROTHERS Construction Co., inc. for storm sewer repairs, WAIVING COMPETITIVE BIDDING, and declaring an emergency. Introduced October 8, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R91 Storm Sewer Repairs - Spano Brothers](#)
[2019-R91 re Spano Brothers catch basins](#)

Mr. Shaughnessy read in the legislation and gave a brief description. 2nd reading passage good with Committee.

A motion was made by Council Member Shaughnessy, seconded by Council Member Dyer, 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 Shaughnessy, 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

[2019-R96](#) **A RESOLUTION CONSENTING AND COOPERATING WITH THE STATE OF OHIO, DIRECTOR OF TRANSPORTATION, FOR SIGN REPLACEMENT ON SR-619, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced October 8, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R96 re ODOT Consent Sign replace 619](#)
[ODOT 619 Sign replacement application](#)

Mr. Shaughnessy read in legislation and gave a brief explanation.

Time requested and granted.

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

All members present.

SECOND READING ITEMS

[2019-17](#) **An ordinance approving the Akron-Summit County Energy Special Improvement District Residential Program Plan; authorizing and approving**

the execution, delivery, and performance of a City Residential PACE Cooperative Agreement with respect to property assessed clean energy transactions in cooperation with the Akron-Summit County Energy Special Improvement District and the Toledo-Lucas County Port Authority; authorizing the Toledo-Lucas County Port Authority to approve petitions and plans for public improvements or public services submitted by the owners of real property within the City requesting that their property be added to the territory of the Akron-Summit County Energy Special Improvement District and assessed for the costs of such plans on behalf of the Council of the City, and declaring an emergency. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-17 re residential PACE](#)
[2019-17 re Exhibit A Residential PACE Plan](#)
[Local Cooperative Agreement](#)
[ESID Map 8. 27.19](#)
[R PACE August 2019](#)

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

A lengthy discussion took place. Chris Burnham from DFA gave a presentation regarding the PACE program.

Time requested and granted.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

None.

XII. New Business

XIII. Adjournment

Meeting was adjourned at approximately 7:48 p.m.

ATTEST: _____
NICHOLE BALDINGER, CLERK OF COUNCIL - INTERIM

APPROVED: _____
ROBERT 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.