



# 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, August 13, 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 7:43 p.m.

#### II. Pledge of Allegiance

Councilmember Young led the 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

Swearing in of the Fire Personnel...

Firemedics  
Joe Dies  
Dan Edwards

Lieutenant  
Keith Geiger

This was moved to the Public Safety Committee meeting.

**TMP-2700**

Approval of the June Financial Statement Subject to Audit

**Attachments:** [JUNE 2019 ELECTRONIC FINANCIAL REPORT](#)

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

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

**TMP-2723**

Approval of the July Financial Statement Subject to Audit

**Attachments:** [JULY 2019 ELECTRONIC FINANCIAL REPORT](#)

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

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

## V. Public Report

No one wished to speak.

## VI. Public Hearings

**2019-15**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 13.6 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF MASSILLON ROAD AND WISE ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT); AND, APPROXIMATELY 5.1 ACRES OF LAND FROM B-1 (GENERAL BUSINESS) TO PD (PLANNED DEVELOPMENT); AND APPROXIMATELY 1.8 ACRES OF LAND FROM B-3 (NEIGHBORHOOD BUSINESS) TO PD (PLANNED DEVELOPMENT); AND, ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED NEW SEASONS PLANNED DEVELOPMENT. Introduced 7/9/19 \*\*\* Public Hearing Scheduled for August 13, 2019 @ or about 7:05 p.m.\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-15 New Seasons Deveopment](#)  
[2019-15 re New Seasons Planned Development](#)  
[2019-15 re Exhibit A](#)  
[FW The Courtyard at New Season's](#)  
[19-34 New Seasons PD PZC Staff Report](#)  
[New Seasons General Plan-Layout](#)  
[51049A General Phasing Plan](#)  
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[8-13-19 Brittany White](#)  
[8-13-19 Doreen Thorne](#)  
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[8-13-19 Heidi Sluss](#)  
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[8-13-19 Kimberly Ausel](#)  
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[8-26-19 Sandy Warner](#)

[8-27--10 Sam & Kathy Subity](#)

[8-27-19 Mark Herdlick](#)

[8-27-19 Phil & Mary Pickrell](#)

[8-27-19 Rick Rebadow](#)

[8-27-19 Carl Hopper](#)

[8-27-19 Justin Tizzano](#)

Mr. Yeargin called the public hearing to order at 7:45 p.m.

Mathew Schmahl - Courtyards at New Seasons - An Epcon Community - He explained the new community.

Glenna Wilson - Charis Homes Health She explained thier energy efficient home and right sizing. She also explained Epcon Communities. Mr. Schmahl explained the area and the planned layout.

Mr. Wiethe explained where it was located and the development. They are proposing 74 lots. This will be fee simple lots size of 5,000. The land is currently a variety of business districts and zonings.

Mr. Yeargin asked Mr. Wiethe to explain the planning because people might think it looks random. Mr. Wiethe explained in 2014 the Land Use Plan consintrated on Massillon Road. He explained they talked about mixing Massillon Road with residential as well as commercial development. Mr. Yeargin asked about the Long Range Plan and who was involved. Discussion took place regarding the Long Range Plan. They talked about empty nesters and young professionsals both targeted in this development. Mr. Yeargin asked for a ball park, what kind of tax increase would that create for our school system. Mr. Wiethe said they would be paying approximately \$5,500 a year in taxes per home so about \$250,000.00 a year would go to the school system. Mr. Yeargin encouraged people to read the Long Range Plan.

Mr. Dyer said these decisions are not made in a vacuum. He asked how far away this is from the 7th tee of Raintree. Mr. Dyer talked about the concern last year regarding development and that is why we bought Raintree to keep it from being developed. He talked about the concerns he has heard from the community and asked about the traffic pattern that would be affecting that.

Mr. Wiethe thinks it is a big difference and explained why. He said they looked at the traffic flow before this was looked at. He believes it is a five year build out plan. There was discussion regarding basements and families with kids. Mr. Wiethe said he felt they went into a win/win situation when they bought Raintree if Billy Casper didn't

work you always had a great piece of park land. He said the last phase of Kings Ridge is the only property left building out. There are no options right now for those that want to down size or right size. The price point is \$300,000 to \$350,000.

Mr. Humphrey compared the 145 acres at Raintree and the 20.5 acres at this site. He also talked about misleading the public, especially through facebook. He said he is in this job to attract businesses and individuals into this community who are going to add to this community. He had Mr. Wiethe explain the process on how this development came forward to Council. Mr. Humphrey pointed out the Planning and Zoning Commission moved this project forward 5-0. He said there are legitimate concerns, traffic being one of them. He then talked about roundabouts and how much they alleviate traffic.

Mr. Shaughnessy said, "Mr. Humphrey, please don't suggest you know why particular members vote unless you actually do." Mr. Humphrey said he assumes when people vote yes they are in favor of the legislation and he did not mean to suggest anything other than that.

Mr. Speight explained his Facebook post. It's not for political purposes but to engage people in this process. He talked about the Forest Lake Subdivision. He said just a few months ago we approved that rezoning and there is 224 housing units on that 50.9 acres. Seventy-Seven are like this development. He does not think this is the right time and he explained. He also said this does not address the diversity in our community that everyone is talking about.

Mr. Humphrey publicly said he was not referring to Mr. Speight when he referred to facebook. He was talking about the comments from others.

Mr. Humphrey personal view is it is a mistake of what government does, when anyone in government says we are addressing this already. Government doesn't create anything. Their job is to keep a level playing field to protect our people and to stay as much out of peoples way as possible so they can experience the benefits of free people and enjoy the liberty that our constitution provides to them. For a government to say they are creating this, they are not, it is a developer.

Mr. Dyer said we drove here on roads built as a community, through our government. We express ourselves as a community through our government. Parks are built by taxpayers dollars through our government. Those developers are coming in because of government investment in infrastructure. If they weren't here there would be no development. Government is an expression of our collective will. He said they are there to represent people.

Mrs. Babbitt said we need to think about Green and what is right for us right now.

She talked about the comments on FB. She talked about the differences since she was 8 riding the bus to school. We can't stop other people from coming. She thinks everyone needs to think about our community, how we want it to grow and what the plans that the people we elected and employed have put together and see if it fits.

Frank Carson, 4419 Massillon Road - He said they are doing everything right. What is the burden? He has 33,000 square feet zoned B-1. Dead end road is going to hit the back of his lot. . He has no objections to them building there.

Mr. Speight talked about the property previously changed on Massillon Road.

It was announced there would be a special meeting regarding this rezoning at the central hall on August 20, 2019 at 6 p.m.

Ken Knodel, 2100 Livingston Drive - His wife asked him to come to this meeting. He was a 50 year resident of Green. His wife searched for 6 months when they were ready to downside. He said we need to explain the different types of living in Green.

Jane Weaver, 4013 April Drive - She welcomed the residential developments. She talked about those that moved here 20 years ago are looking for ranches.

Mr. Speight said he will not argue with them about downsizing. Forest Lake Subdivision will address this issue. He respects our heritage.

Tim Meeks, 1960 Wise Road - He will have houses on two sides of his property. He doesn't have problem with what is going on. He said these house are going to be built in mud. He wants to maintain his privacy. He talked about how wet the property is and he doesn't want the mud to push on his property.

Pat Carleski, 3878 Greenfield Road - She is in favor of having this time of housing for people like herself. She said she couldn't afford this house. She asked them to consider more housing for a lower income.

Mike Wino, Owner of this development. Raised his family in Green. He is in senior housing market. Owns the Gables of Green. He said they will not do anything to impact the neighborhood. They will help solve those problems. He plans to live in this community he is developing.

Steve Braswell, 1207 Peachwood Way - He is not against this development. He talked about using the toolbox. He thinks we should be focusing more on mixed use. He thinks it might be time to revisit the Long Range Plan.

Andrea Hurr, 4974 Stoney Creek Drive - She is glad she came to the meeting. She

likes this and thinks if more people saw this they could agree with it more. She works at Ponchos and it is hard to get out of there, it may need a turning lane.

Mr. Yeargin said the Raintree purchase was not about stopping development in Green, it was about preserving green space. There is a plan in place and this development fits. Mr. Braswell might be right that it needs to be revisited.

Mr. Young said this is a quality development. He likes the price point. He likes that it will attract the right kind of cliental that builds a quality neighborhood. He talked about change and concerns.

Mrs. Babbitt said she thinks the schools are wonderful now and she did get a great education in the 70's and 80's.

Mr. Yeargin closed the public hearing at 9:37 p.m.

## VII. Reading of Correspondence

[TMP-2691](#) Email from Vanessa Spinelli RE: Speed in Pleasant Hills

**Attachments:** [7-5-19 Vanessa Spinelli](#)

[TMP-2692](#) Email from Lisa Lowry RE: Speed in Pleasant Hills

**Attachments:** [7-5-19 Lisa Lowry](#)

[TMP-2693](#) Civil Service Commission June 12, 2019 Regular Meeting Minutes

**Attachments:** [June 12 2019 CSC Minutes](#)

[TMP-2696](#) Email from Greer Langkamp RE: Pipeline Settlement Committee

**Attachments:** [7-19-19 - Greer LangKamp](#)

[TMP-2697](#) Email from Kim Hone McMahan RE: Pipeline Settlement Committee

**Attachments:** [7-19-19 Kim Hone McMahan](#)

[TMP-2698](#) Email from Susanne Clapper RE: Trees being cut on Aultman

**Attachments:** [7-19-19 Susanne Clapper](#)

[TMP-2699](#) Email from Doug Oplinger RE: Hey Green! What's your future? Week 2

**Attachments:** [7-19-19 Doug Oplinger](#)

[TMP-2701](#) Press Release from Ilene Shapiro and Kristen Scalise RE: Amazon

**Attachments:** [7-22-19 Elene Shapiro & Kristen Scalise](#)

[TMP-2703](#) Email from Marc Cook RE: Minor League Basketball team in Louisville

**Attachments:** [7-11-19 Marc Cook](#)

[TMP-2705](#) 2018 Year End Auditor's Report

**Attachments:** [7-24-19 Auditors Report](#)

[TMP-2713](#) Email from Lauren Maurer RE: Pool

**Attachments:** [7-25-19 Lauren Maurer](#)

All Correspondence read in and filed.

#### VIII. New Legislation - Items on First Reading

[2019-R73](#) A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR BRIDGE INSPECTION PROGRAM SERVICES, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced 8/13/19

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R73 Bridge Inspection](#)  
[2019-R73 re ODOT Bridge Inspection](#)  
[2019-R73 re Exhibit A VAR-STW-Municipal Br-Insp](#)

[2019-R74](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. Referred to the Finance Committee

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R74 re Appropriations August 2019](#)  
[2019-R74 re Exhibit A](#)  
[Memo Requesting Executive Council Session on August 13 2019](#)

Mr. Humphrey had advised the Administration has requested first reading passage. The memorandum total is \$464,252.00. This is transferring between funds.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass Committee deliberations. 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 bypass the three reading rule. The motion carried by the following vote:**

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

**2019-R75**

**A RESOLUTION CREATING THE POSITION OF PARKS PLANNING & DEVELOPMENT ADMINISTRATOR, ESTABLISHING A RATE OF COMPENSATION, AND DECLARING AN EMERGENCY. Referred to the Rules and Personnel Committee \*\*\* FIRST READING PASSAGE REQUESTED. \*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R75 re Planning Development Administrator 2019](#)  
[2019-R75 re 1st reading passage memo Parks Planning](#)  
[JD-Class Spec Parks Planning Development Administrator 20190805](#)

Mr. Young advised the Administration has asked for first reading passage. The legislation creates a new position, the Parks Planning & Development Administrator position which will replace the Parks and Recreation Superintendent. The pay grade is set at a level 11. The Civil Service Commission approved this reclassification.

**A motion was made by Council Member Young, seconded by Council Member Dyer, to bypass Committee deliberations. 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 bypass the three reading rule. 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 Resolution. The motion carried by the following vote:**

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

**2019-R76**

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ACCEPT THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS FOR AMERICAN WITH DISABILITIES ACT ("ADA") RENOVATIONS PHASE II AT THE JOHN TOROK COMMUNITY & SENIOR CENTER, AUTHORIZING THE MATCHING FUNDS FROM THE CITY, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Referred to the Finance Committee \*\*\* FIRST READING PASSAGE REQUEST\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R76 re Torok Center Phase II](#)  
[2019-R76 re Exhibit A TOROK COMM CTR ADA RENO PHASE II AGREEMENT](#)  
[1st reading passage request Valerie Wax Carr](#)

Mr. Humphrey advised the Administration has asked for first reading passage. The purpose of the legislation is to accept a grant in the amount of \$75,000.00. Greens share will be \$25,000. This is to make ADA improvements to this aging facility.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass Committee deliberations. 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 bypass the three reading rule. 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-R77

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A SERVICE AGREEMENT WITH ONSOLVE (“CODERED”) TO PROVIDE AN EMERGENCY MASS NOTIFICATION SYSTEM, AND DECLARING AN EMERGENCY. Referred to the Public Safety Committee \*\*\*FIRST READING PASSAGE REQUESTED\*\*\***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R77 re OnSolve Codered emergency alert system](#)  
[1st reading passage from Valerie Wolford OnSolve CODERED](#)  
[OnSolve Agreement](#)

Mrs. Babbitt advised the Administration has requested first reading passage on this resolution. The legislation is necessary to allow the City to end its agreement with Nixle and Everbridge and enter into this agreement with CodeRed to provide emergency alerts. Because the contract with Nixle is ending this week it is necessary to pass this on first reading to keep the emergency alerts.

**A motion was made by Council Member Babbitt, seconded by Council Member Humphrey, to bypass Committee deliberations. 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 bypass the three reading rule. 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 Dyer, to adopt the Resolution. The motion carried by the following vote:**

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

## IX. Report of Council Committees

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

## THIRD READING ITEMS

**2019-R53**      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD AND Boettler road ROUNDABOUT, MAKING AN APPROPRIATIONS, AND DECLARING AN EMERGENCY. Introduced 6/25/19**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R53 re Massillon Boettler Stage 2 3 Structurepoint](#)  
[StructurePoint Massillon Boettler Rd Proposal](#)

Mr. Humphrey advised the total amount of the appropriation is \$8,748.

**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-R54**      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD AND CORPORATE WOODS CIRCLE ROUNDABOUT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced 6/25/19**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R54 re Massillon Rd Corporate Woods 2 3 Structurepoint](#)  
[StructurePoint re Massillon Rd Corporate Woods](#)

Mr. Humphrey explained this legislation does two things. It puts into the proper account the appropriation and it unappropriates from a general account to better track the expenses. The total amount of the appropriation is \$348,300 and this unappropriates the sum of \$340,000 from the unappropriated balance of the Street Construction, Maintenance and Repair Fund.

**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-R55**

**A RESOLUTION APproving a final change order for the increase in the Lockhart Concrete co. contract for the 2018 Misc. concrete repairs PROJECT, and declaring AN EMERGENCY. Introduced 6/25/19**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R55 re re Additional Concrete Repairs Request 2018 #18-H-33](#)  
[Additional Request 2018 Misc. Concrete Repairs #18-H-33](#)

Mr. Humphrey explained there were cost over runs on this as a result of surface condition that they encounter during this project and also for a request for additional work. There was a 13% increase over the original contract amount. The initial appropriation approved \$100,936.48 and that needs raised to \$114,033.31.

**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

**TMP-2705**

2018 Year End Auditor's Report

**Attachments:** [7-24-19 Auditors Report](#)

Mr. Humphrey congratulated the Finance Department regarding the award they received for a clean audit.

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

Mr. Speight stated the committee received a report about the current state of Raintree Golf and Event Center.

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

Mrs. Babbitt advised the Committee heard the June activity reports for the Summit County Sheriff's Office and the Green Fire Department. The committee also had the privilege of witnessing the swearing in of two new fire medics and a new Lieutenant.

**LICENSE ITEMS**[TMP-2704](#)

DIVISION OF LIQUOR CONTROL RENEWALS FOR 2019

**Attachments:** [Letter from Cassandra Hicks](#)  
[Renewal of Permit Holders](#)

Mrs. Babbitt advised the Summit County Sheriff's Office was consulted and had no reason why these liquor license should not be renewed.

**A motion was made by Council Member Babbitt, seconded by Council Member Humphrey, to not request a hearing the License. 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)[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 Notification](#)

Mr. Yeargin explained this is an ordinance establishing public notification requirements relating to the Master Trail Plan. Language is being developed.that will be passed on to Council for consideration. Time Requested and Granted.

**SECOND READING ITEMS**[2019-15](#)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 13.6 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF MASSILLON ROAD

AND WISE ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT); AND, APPROXIMATELY 5.1 ACRES OF LAND FROM B-1 (GENERAL BUSINESS) TO PD (PLANNED DEVELOPMENT); AND APPROXIMATELY 1.8 ACRES OF LAND FROM B-3 (NEIGHBORHOOD BUSINESS) TO PD (PLANNED DEVELOPMENT); AND, ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED NEW SEASONS PLANNED DEVELOPMENT. Introduced 7/9/19 \*\*\* Public Hearing Scheduled for August 13, 2019 @ or about 7:05 p.m.\*\*\*

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-15 New Seasons Deveopment](#)  
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[8-27-19 Rick Rebadow](#)

[8-27-19 Carl Hopper](#)

[8-27-19 Justin Tizzano](#)

Mr. Yeargin advised that because of the public hearing they cannot consider at this time. Time Requested and Granted

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

## SECOND READING ITEMS

Mr. Young advised that second reading passage has been requested on both of the Resolutions in his committee.

[2019-R70 A](#) A RESOLUTION AUTHORIZING THE FUNDS TO ENABLE THE MAYOR TO GRANT SALARY ADJUSTMENTS TO CITY OF GREEN NON-BARGAINING EMPLOYEES, AND DECLARING AN EMERGENCY. Introduced July 9, 2019 (Amended August 13, 2019)  
\*\*\*SECOND READING PASSAGE REQUESTED.\*\*\*

Sponsors: Gerard Neugebauer

Attachments: [2019-R70 A re Amended Salary Adjustments Non Bargaining](#)  
[2019-R70 re 2nd Reading Passage Request Memo](#)

Mr. Young advised this grants the Mayor the authority to grant pay raises to the non-bargaining employees. The average raise is 2.6%.

**A motion was made by Council Member Young, seconded by Council Member Dyer, to bypass the three reading rule 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 as amended the Resolution. The motion carried by the following vote:**

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

[2019-R71 A](#) A RESOLUTION AMENDING THE CITY OF GREEN COMPENSATION SYSTEM BY UPDATING THE SALARY RANGE SCHEDULE FOR NON-BARGAINING UNIT EMPLOYEES, AND DECLARING AN EMERGENCY. Introduced 7/9/19 (Amended August 13, 2019)  
\*\*\*SECOND READING PASSAGE REQUESTED.\*\*\*



**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R71 A re Amended NonBargaining Salary Range Schedule](#)  
[2019-R71 re Amended Exhibit A 2019 Pay Grades Council Review.xlsx](#)  
[2019-R71 re 2nd Reading Passage Request Memo](#)

Mr. Young explained this grants the HR Manager to make adjustments to the salary ranges to non bargaining employees.

**A motion was made by Council Member Young, seconded by Council Member Dyer, to bypass the three reading rule. 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 as amended the Resolution. The motion carried by the following vote:**

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

## APPOINTMENTS

## PLANNING AND ZONING COMMISSION

## Council Approval Needed

Cristy Ludrosky to fill vacant seat. Term expires December 31, 2020 Mr. Young moved to appoint Christy Ludrosky, seconded by Mr. Humphrey. Motion approved unanimously.

Jeananne Chadsey to fill alternate vacancy. Term expires December 31, 2020 Mr. Young moved to appoint Jeananne, seconded by Mr. Humphrey. Motion approved unanimously. He thanked Mrs. Chadsey for coming to the meeting.

## INCOME TAX REVIEW BOARD

## PRE HB5

## Council Consent Needed

Roberta Ravagnani - Term Expires 8/31/23

Laurel Young - Term Expires 8/31/23

Mr. Young moved to consent to the appointment of Roberta Ravagnani and Laurel Young, seconded by Mr. Humphrey. Motion approved unanimously.

## Council Appointments

## POST HB5

Roberta Ravagnani - Term Expires 8/31/21

Laurel Young - Term Expires 8/31/21

Mr. Young moved to appointment Roberta Ravagnani and Laurel Young, seconded by Mr. Humphrey. Motion approved unanimously.

Mr. Young announced the Mayor's appointment of Jeffery Mills.

Mayoral appointee (no Council approval required)

POST HB5 Only

Jeffery Mills - Term Expires 8/31/21

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

No Meeting Held

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

No Meeting Held.

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

Mr. Yeargin advised updates have been prepared to tweak the language and the titles to each piece of legislation and the ballot language. They did not alter the underlying material submissions by the Charter Review Commission. He advised the Committee briefly discussed 2019-R64A, R67 and R68. They will vote at the next meeting so they can be on the ballot.

Mr. Chris said it would be fine if they read them into the record at next meeting and not necessary to read in to the record this evening.

[2019-R52 A](#) **A RESOLUTION TO AMEND THE APPROPRIATE ARTICLE(S) AND SECTION(S) OF THE CHARTER OF THE CITY OF GREEN RELATING TO THE NON-SUBSTANTIVE CHANGES THROUGHOUT THE CHARTER, PER CHARTER SECTION 12.10 CHARTER CORRECTIONS, AND DECLARING AN EMERGENCY. Introduced 6/25/19 (Amended August 13, 2019)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R52 Charter Non-Substantive](#)

[2019-R52 A re Amended Index of Non-Substantive Changes 2019 Charter](#)  
[2019-R52 re Amended Exhibit A Index of Non Substantive City Charter](#)

[2019-R56 A](#) **A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 3.1 OF THE CHARTER OF THE CITY OF GREEN TO ~~LIMIT THE MAYOR, TO SERVE TWO (2) CONSECUTIVE FOUR (4) YEAR TERMS WITH PARTIAL TERMS LASTING~~ *PROVIDE THAT A PARTIAL TERM OF OFFICE TO FILL A VACANCY IN THE OFFICE OF MAYOR THAT LASTS MORE THAN TWO YEARS COUNTING SHALL COUNT AS A FULL FOUR (4) YEAR TERM* AGAINST THE TWO-TERM LIMIT APPLICABLE TO THE MAYOR, AND DECLARING AN EMERGENCY.**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R56 Charter Section 3.1 Mayor Term](#)

[2019-R56 re Amended Section 3.1 The Mayor Term](#)  
[2019-R56 re Section 3.1 The Mayor Term Of Office](#)

[2019-R57 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 3.2 OF THE CHARTER OF THE CITY OF GREEN TO REQUIRE THAT THE MAYOR SHALL BE A RESIDENT OF THE CITY OF GREEN FOR AT LEAST TWO (2) CONTINUOUS YEARS IMMEDIATELY PRIOR TO THE MAYOR'S ELECTION OR APPOINTMENT, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R57 Charter Section 3.2 Mayor Requirements](#)  
[2019-R57 re Amended Section 3.2 Qualifications](#)  
[2019-R57 re Section 3.2 Qualifications of the Mayor](#)

[2019-R58 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 3.3—~~D~~ (D) OF THE CHARTER OF THE CITY OF GREEN TO AUTHORIZE THE MAYOR TO MAKE SHORT-TERM INTERIM OR ACTING APPOINTMENTS OF DIRECTORS WHEN NECESSARY, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R58 Charter Section 2.2D Mayor Director Appt](#)  
[2019-R58 re Amended Section 3.3 D Powers of the Mayor](#)  
[2019-R58 re Section 3.3 D Powers of the Mayor](#)

[2019-R59 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 4.1 OF THE CHARTER OF THE CITY OF GREEN TO ~~LIMIT COUNCIL MEMBERS TO SERVING TWO (2) SUCCESSIVE~~ *PROVIDE THAT A PARTIAL TERM OF OFFICE TO FILL A VACANCY IN THE OFFICE OF COUNCIL MEMBER THAT LASTS MORE THAN TWO YEARS SHALL COUNT AS A FULL* FOUR (4) ~~YEAR TERMS, WITH PARTIAL TERMS LASTING MORE THAN TWO (2) YEARS COUNTING AS A FOUR (4) YEAR TERM AGAINST THE TWO TERM LIMIT APPLICABLE TO COUNCIL MEMBERS,~~ AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R59 Charter Section 4.1 Partial Council Term](#)  
[2019-R59 re Amended Composition and Terms of Office](#)  
[2019-R59 re Section 4.1 Council Composition & Terms of Office](#)

[2019-R60 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN PROPOSALS* TO AMEND SECTION 4.3 OF THE CHARTER OF THE CITY OF GREEN TO REQUIRE EACH COUNCIL MEMBER BE A RESIDENT OF THE CITY OF GREEN AT LEAST TWO (2) CONTINUOUS YEARS IMMEDIATELY PRIOR TO EACH COUNCIL MEMBER'S ELECTION OR APPOINTMENT, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R60 Charter Section 4.3 Council Requirements](#)  
[2019-R60 re Amended Section 4.3 Qualifications](#)  
[2019-R60 re Section 4.3 Qualifications Council Composition & Terms of Office](#)

[2019-R61 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 4.6 OF THE CHARTER OF THE CITY OF GREEN TO ~~PROVIDE~~ *ADJUST THE TIMING* FOR COUNCIL TO FILL VACANCIES *ON COUNCIL* THAT OCCUR BETWEEN A NOVEMBER GENERAL ELECTION AND THE END OF DECEMBER OF THAT SAME YEAR, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R61 Charter Section 4.6 Council Vacancies](#)  
[2019-R61 re Amended Section 4.6 Vacancies](#)  
[2019-R61 re Section 4.6 Vacancies](#)

[2019-R63 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 6.2 OF THE CHARTER OF THE CITY OF GREEN TO ~~BE CONSISTENT WITH SECTION 3.3(D) WHICH REQUIRES~~ *REQUIRE* PERSONS APPOINTED BY THE MAYOR AS DIRECTORS OF CITY DEPARTMENTS TO BE CONFIRMED BY A MAJORITY VOTE OF THE MEMBERS OF COUNCIL, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R63 Charter Section 6.2 Mayor Appt. Council Approval](#)  
[2019-R63 re Amended Article 6.2 City Departments](#)  
[2019-R63 re Article 6.2 City Departments Directors](#)

[2019-R64 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN PROPOSALS* TO AMEND SECTIONS 6.4 A (A), 6.4(B) AND 6.4 C (C) OF THE CHARTER OF THE CITY OF GREEN TO ESTABLISH THE ~~CURRENT REQUIREMENTS OF~~ QUALIFICATIONS *REQUIRED* FOR THE POSITION OF DIRECTOR OF LAW *FOR A PERSON FIRST ELECTED TO SUCH OFFICE AFTER JANUARY 1, 2020, AND TO CLARIFY THAT A PARTIAL TERM OF OFFICE RESULTING FROM AN APPOINTMENT TO FILL A VACANCY SHALL NOT COUNT AGAINST THE TWO-TERM LIMIT FOR AN ELECTED DIRECTOR OF LAW, AND TO DEFINE THE PHRASE “EMPLOYMENT OR PUBLIC PRACTICE EXPERIENCE IN MUNICIPAL AND/OR OTHER GOVERNMENTAL LAW” AS USED IN SECTION 6.4 OF THE CHARTER OF THE CITY OF GREEN,* AND DECLARING AN EMERGENCY.

(Amended July 9, 2019) (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R64 Charter Section 6.4 A, B, C Director of Law](#)  
[2019-R64 re Amended Amended Section 6.4 A and C City Department](#)  
[2019-R64 A re AMENDED Article 6.4 A and C City Departments Directors](#)  
[2019-R64 re Article 6.4 A and C City Departments Directors](#)

[2019-R65 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 6.4 D (D) OF THE CHARTER OF THE CITY OF GREEN TO ~~PROVIDE~~ *SPECIFY THE PROCEDURE* FOR FILLING A VACANCY IN THE OFFICE OF THE DIRECTOR OF LAW, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R65 Charter Section 6.4 D Vacancy in Director of Law](#)  
[2019-R65 re Amended Article 6.3 D Vacancy in Office Law Director](#)  
[2019-R65 re Article 6.4 D Vacancy in Office](#)

[2019-R66 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 8.3 OF THE CHARTER

OF THE CITY OF GREEN TO INCLUDE A CREDIT FOR INCOME TAX PAID TO MULTIPLE MUNICIPALITIES AND/OR TO—A JOINT ECONOMIC DEVELOPMENT DISTRICTS, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R66 Charter Section 8.3 Income Tax](#)  
[2019-R66 re Amended Section 8.3 Finance and Taxation](#)  
[2019-R66 re Section 8.3 Finance and Taxation Llimitation on Total Muni Income Tax](#)

[2019-R67 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 9.1 OF THE CHARTER OF THE CITY OF GREEN TO EXPRESSLY RESERVE TO THE CITY THE RIGHT TO DICTATE BALLOT LANGUAGE FOR ALL PROPOSED CHARTER AMENDMENTS, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R67 Charter Section 9.1 Dictate Ballot Language Charter Amendments](#)  
[2019-R67 re Amended Section 9.1 Charter Amendment](#)  
[2019-R67 re Section 9.1 Charter Amendment](#)

[2019-R68 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 10.1 OF THE CHARTER OF THE CITY OF GREEN TO PROVIDE THAT THE CITY EXPRESSLY RESERVES THE RIGHT TO DICTATE BALLOT LANGUAGE FOR ALL PROPOSED INITIATIVE ISSUES, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R68 Charter Section 10.1 Dictate Ballot Language for Initiative Issues](#)  
[2019-R68 re Amended Section 10.1 Initiative](#)  
[2019-R68 re Section 10.1 Initiative Referendum Recall](#)

[2019-R69 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 12.8 OF THE CHARTER OF THE CITY OF GREEN TO PROVIDE FOR THE REMOVAL OF THE *ELECTED* DIRECTOR OF LAW *IN THE SAME FASHION AS OTHER ELECTED CITY OFFICIALS*, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R69 Charter Section 12.8 Removal of Elected Director of Law](#)  
[2019-R69 re Amended Section 12.8 Removal of Office Law Director](#)  
[2019-R69 re Section 12.8 Removal of Officials](#)

[2019-R62 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF*



***GREEN A PROPOSAL TO AMEND SECTION 5.4 OF THE CHARTER OF THE CITY OF GREEN TO ~~SET~~ MEMORIALIZE EXISTING REQUIREMENTS FOR NOMINATING PETITIONS FOR THE OFFICE OF THE DIRECTOR OF LAW, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)***

**Sponsors:** Gerard Neugebauer

**Attachments:** [2019-R62 Charter Section 5.4 Director of Law Petitions](#)  
[2019-R62 re Amended Section 5.4 Nominations and Petitions Law](#)  
[Director](#)  
[2019-R62 re Section 5.4 Nominations and Elections](#)

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business - No Unfinished Business

XII. New Business - No New Business

XIII. Adjournment

Mr. Dyer moved to adjourn at 10:08 p.m.

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.