



# City of Green

Central Administration  
Building  
1755 Town Park Blvd.  
PO Box 278  
Green, OH 44232

## Meeting Minutes

### City Council

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Tuesday, December 11, 2018

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 Humphrey presided over the meeting which he called to order at 7:00 p.m.

#### II. Pledge of Allegiance

Councilmember Humphrey 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

[TMP-2347](#) Approval of the November 27, 2018 Regular Meeting Minutes

**Attachments:** [11-27-18 Council Minutes](#)

**A motion was made by Council Member Speight, seconded by Council Member Young, to approve the Minutes. The motion carried by a unanimous vote.**

[TMP-2360](#) Approval of the November 2018 Financial Statement Subject to Audit

**Attachments:** [NOVEMBER 2018 ELECTRONIC FINANCIAL REPORT](#)

**A motion was made by Council Member Speight, seconded by Council Member Young, 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

Tammy Daly, 1779 King Drive - She asked Council to reach out to the community before you spend the \$7 million left from the Nexus funds. She gave suggestions for a committee and a data base of residents affected by the pipeline. She said she is not in the blast zone but is worried about those that are. Can you create buffer zone, offer

grants or buy out? She talked about those that live on a dead end street. The over all feeling is residents want to be included in the discussion. She does not doubt the need for the fire station.

Des Wertheimer, 130 E. Turkeyfoot Lake Road - He thinks using the Nexus money for a fire station is a good use. He talked about the lines that are already here. There are 400 wells in the City of Green and have been here for over 20 years. The reality isn't bad. The number of accidents is not 25 percent. The idea of buying properties is not going to happen so lets concentrate on using the money to benefit all the residents.

#### VI. Public Hearings - No Public Hearings Scheduled

#### VII. Reading of Correspondence

[TMP-2342](#) Email from Brian Daniels RE: Tobacco retailers

**Attachments:** [11-27-18 Brian Daniels](#)

[TMP-2343](#) Civil Service Commission October Minutes

**Attachments:** [October 10 2018 CSC Meeting Minutes](#)

[TMP-2344](#) Email from Gary McKee RE: Community Internet Speed and Connectivity Survey

**Attachments:** [12-3-18 Gary McKee](#)

[TMP-2358](#) Email from Tammy Daly RE: Use of Nexus Funds

**Attachments:** [12-6-18 Tammy Daly](#)

All Correspondence read in and filed.

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

[2018-R93](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. Referred to the Finance Committee --- First Reading Passage Requested

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R93 Appropriations](#)  
[2018-R93 re Sufficient Approp December 2018 \(003\)](#)  
[2018-R93 Exhibit A Year End 2018 Exhibits A](#)  
[1st Reading Passage Request Steve Schmidt](#)

Mr. Humphrey advised the memorandum total is \$56,570. First is \$50,000 for the Raintree Golf Course. Essentially the City is setting up a line of credit for the operator

until they generate income. That money will then be paid back. The \$6,750 is for the Kleckner baseball field project. There was a change order so that the field could be operational in the Spring. They will be sodding the field and that is what led to the additional expense.

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass Committee deliberations. The motion carried by a unanimous vote.**

**A motion was made by Council Member Humphrey, seconded by Council Member Yeargin, to bypass the three reading rule. The motion carried by a unanimous vote.**

**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

**2018-R94**

**A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF GREEN AND THE LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC., AND DECLARING AN EMERGENCY. Referred to the Intergovernmental and Utilities Committee**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R94 Legal Defenders Office](#)  
[2018-R94 re approving agreement COG Legal Defenders Office Smtg](#)  
[2018-R94 re Exhibit A](#)

Mr. Dyer said he knows there is not a request for first reading passage on this but it is simply a renewal of the City's agreement with the Summit County's Public Defenders office and there are no change on the amount of money and the current one will run out at the end of this year. He asked his committee if they would object to first reading passage so it will be in place for the beginning of next year so that old agreements are extended beyond their term. Mr. Shaughnessy said he had no objection. Mr. Young said he had no objection but he wished that had discussed it in committee.

**A motion was made by Council Member Dyer, seconded by Council Member Shaughnessy, to bypass Committee deliberations. The motion carried by a unanimous vote.**

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

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

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

[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. Referred to the Transportation, Connectivity and Storm Water Committee

**Sponsors:** Gerard Neugebauer

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

[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. Referred to the Transportation, Connectivity and Storm Water Committee

**Sponsors:** Gerard Neugebauer

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

[2018-R97](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO CONTRACT WITH USIC LOCATING SERVICES, LLC. FOR PROFESSIONAL SERVICES FOR A ONE YEAR, ANNUALLY RECURRING TERM, COMMENCING FEBRUARY 13, 2019, AND DECLARING AN EMERGENCY. Referred to the Intergovernmental and Utilities Committee

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R97 re USIC 2019](#)  
[2018-R97 re Exhibit A Ports Petroleum](#)

## IX. Report of Council Committees

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

**2018-R86**      **A RESOLUTION APPROVING AND ADOPTING THE 2019 ANNUAL OPERATING APPROPRIATION FOR THE GENERAL FUND AND ALL OTHER FUNDS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** Introduced 11-13-18

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R86 2019 Operating Budget](#)  
[2018-R86 re 2019 operating annual appropriation.docx](#)  
[2018-R86 re Exhibit A.pdf](#)  
[2018-R86 re Exhibit B.pdf](#)

Mr. Humphrey advised Council had a special meeting to discuss this budget. He said he appreciated all that worked on this budget.

**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

**2018-R87**      **A RESOLUTION APPROVING AND ADOPTING THE 2019 ANNUAL CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** Introduced 11/13/18

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R87 re 2019 Capital Annual Appropriations.docx](#)  
[2018-R87 re Exhibit A.pdf](#)

Mr. Humphrey advised the Administration has asked for time and why they did so.

Time Requested and Granted.

Mr. Humphrey also advised the committee discussed 2018-R93.

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

No Meeting

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

Mrs. Babbitt advised the committee received the October activity reports for the Summit County Sheriff and Green Fire Departments. They also heard the Nexus report from Mr. Yeargin.

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

2018-R90      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY FOR THE INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING, AND DECLARING AN EMERGENCY.** Introduced 11/13/18

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R90 Job Creation and Retention and Tax Revenue Sharing](#)  
[2018-R90 re Jobs Preservation.docx](#)  
[2018-R90 re Exhibit A.pdf](#)

Mr. Young advised this was discussed earlier.

**A motion was made by Council Member Young, 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 (Shaughnessy\*, Humphrey\*\*, Young)

## Council Appointments

Mr. Shaughnessy announced Council will appoint Jeff Noble to the Design Review Board and to the Civil Service Commission Clark "Chip" Westfall. He said Council was grateful for their interest and willingness to serve. He also thanked all those that applied.

**A motion was made by Council Member Shaughnessy, seconded by Council Member Humphrey, to approve the appointment of Mr. Noble to the DRB and Mr. Westfall to the CSC.. The motion carried by a unanimous vote.**

## Mayor's Appointments needing Council Approval

The Mayor shared the appointments that required Council confirmation were James Mercer to the Board of Zoning Appeals for a five-year Term. For the Planning and Zoning Commission he was reappointing Robert

Chordar for a five-year term and non the Historic Preservation Commission he is reappointing James Schweikert.

**A motion was made by Council Member Shaughnessy, seconded by Council Member Humphrey, to approve the Mayor's appointments to the BZA, PZC and HPC. The motion carried by the following vote:**

F. Transportation, Connectivity & Storm Water (Yeargin\*, Dyer\*\*, Speight)

## SECOND READING ITEMS

**2018-R92 A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH PORTS PETROLEUM CO. INC., TO SUPPLY FUEL TO THE CITY WITHOUT COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY. INTRODUCED 11/27/18**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R92 Ports Petroleum](#)  
[2018-R92 Exhibit A](#)  
[2018-R92 re Ports Petroleum Contract](#)  
[2018-R92 re Exhibit A](#)

Mr. Yeargin said Mrs. Wax Carr explained the need for this Resolution and the request for second reading passage. He advised it is a supplier to provide fuel to storage tanks at Fire Station #1, the south annex and the parks garage. They have proven themselves to be desirable supplier.

**A motion was made by Council Member Yeargin, seconded by Council Member Speight, to bypass the three reading rule. The motion carried by a unanimous vote.**

**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

Mr. Yeargin advised the committee heard from Mr. Pickett regarding the Corporate Woods roundabout. Mrs. Wax Carr advised the City has plenty of salt for the winter. They purchased it strategically in the summer.

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

## THIRD READING ITEMS

**2018-R91 A A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT with AQUA OHIO, INC., AND DECLARING AN EMERGENCY. Introduced 11/13/18--- Public Hearing was held November 27, 2018. (AMENDED DECEMBER 11, 2018)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2018-R91 Aqua Ohio](#)  
[2018-R91 re Amended Aqua Ohio Agreement](#)  
[2018-R91 re Exhibit A.pdf](#)

Mr. Dyer advised there was a public hearing two weeks ago and explained it will reduce the amount that Aqua Ohio charges Green residents for water. At the end of the five year rate period, rates will be 6.7% less than originally negotiated. It will be a total savings of about \$95 for the average user.

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

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

Mr. Humphrey referred to Rule 3.2 in the Council Rules and said he was forming a Charter Amendment Implementation Committee. He talked about the Charter amendment that was passed by the citizens of Green by 26 votes. As a result, Council needs to begin implementation of the peoples will. Petitions must be in by February 6. He has asked Mr. Yeargin to chair, Mrs. Babbitt to co-chair and Mr. Shaughnessy to also serve on the committee. He talked about the requirement for signatures and he thinks that will need to be hammered out in court. Mr. Chris said he hoped to have some answers for Council by Monday.

#### X. Mayor's Report

Mayor Neugebauer gave his report.

#### XI. Unfinished Business - No Unfinished Business

XII. New Business - Mr. Humphrey announced the next meeting will be the organizational meeting January 3 at 5 p.m. and the first regular meeting will be January 8.

#### XIII. Adjournment

Mr. Dyer moved to adjourn at 7:39 pm

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

APPROVED: \_\_\_\_\_  
CHRIS HUMPHREY, 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.



