



City of Green

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

Meeting Minutes

City Council

Barbara Babbitt - Ward 1 - President
Rocco Yeargin - Ward 3 - Vice President
Bob Young - Ward 2
Matt Shaughnessy - Ward 4
Richard Brandenburg - At-Large
Clark A. DeVitis - At-Large
Dave France - At-Large
Molly Kapeluck, MMC Clerk of Council

Tuesday, October 13, 2020

7:00 PM

Council Chambers/Virtual

I. Call to Order

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

II. Pledge of Allegiance

Councilmember Babbitt led the Pledge of Allegiance.

III. Roll Call of Council Members

Present: 7 - Barbara Babbitt, Richard Brandenburg, Clark A. DeVitis, Dave France, Matt Shaughnessy, Rocco Yeargin and Bob Young

IV. Council Study Session

[TMP-3210](#) Approval of the September 8, 2020 Regular Council/Committee Meeting Minutes

Attachments: [09-08-2020 Council - Committee Minutes \(002\)](#)

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

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

[TMP-3212](#) Approval of the September 15, 2020 Special Meeting Minutes

Attachments: [9-15-2020 Special Meeting Minutes](#)

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

Aye: 6 - Babbitt, Brandenburg, France, Shaughnessy, Yeargin and Young

Abstain: 1 - DeVitis

[TMP-3211](#) Approval of the September 22, 2020 Regular Council/Committee Meeting Minutes

Attachments: [9-22-2020 Council-Committee Minutes](#)

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

Aye: 6 - Babbitt, Brandenburg, France, Shaughnessy, Yeargin and Young

Abstain: 1 - DeVitis

Mayor Neugebauer presented a proclamation to Chrissy Lingenfelter proclaiming October 18-24, 2020 Storm Water Development Awareness Week.

[TMP-3234](#) Proclamation Stormwater Awareness Week

Attachments: [Proclamation Stormwater Awareness Week 2020](#)

V. Public Report - No Public Report - President Babbitt reminded the public how they can participate.

VI. Public Hearings - No Public Hearing

VII. Reading of Correspondence

[TMP-3198](#) Press Releases from Executive Shapiro RE: CARES Money for Local Businesses and Grants for Schools

Attachments: [9-22-2020 Executive ShapiroCounty Provides \\$7.3 Million to Public School Districts](#)
[9-22-2020 Executive Shapiro - Non-profit CARES Act](#)

[TMP-3203](#) Email from John Piersol RE: Station #4 Proposal

Attachments: [10-5-2020 John Piersol](#)

[TMP-3204](#) Planning Department's September Financial Summary

Attachments: [September 2020 Planning Department Financial Summary](#)

[TMP-3206](#) Email from Edwin Martell, Portsmouth Councilman RE: Resolution to address racism in High School Sports

Attachments: [10-7-2020 Edwin Martell](#)
[10-7-2020 RES - Racism opposition athletic events-1 \(002\)](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2020-R74](#) A RESOLUTION AUTHORIZING A GRANT AGREEMENT WITH THE AKRON-CANTON AIRPORT AUTHORITY TO ASSIST WITH ITS JOBSOHIO PROGRAM-COMMERCIAL AIR SERVICE RESTORATION PROGRAM TO RESTORE AIR SERVICE AT THE AIRPORT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced 10/13/2020) ***Second Reading Passage Requested***

Sponsors: Gerard Neugebauer

Attachments: [2020-R74 re CAK jobsOhio Support Grant](#)
[Wayne Wiethe 2nd Reading Passage 2020-R74](#)

Referred to the Finance Committee

Mayor Neugebauer advised they would like second reading passage and he has asked Ren Camacho from the airport to speak. Mr. Wiethe mentioned this will provide the funds to assist the airport and obtain additional funds through Jobs Ohio. This incentivizes the airlines to restore air service that may have been canceled during COVID-19. Green and eight others entities are providing the matching funding from the Jobs Ohio money to assist the airport. Ren Camacho, President and CEO of the Akron-Canton Airport explained in more detail. The Mayor explained how this developed and discussion took place regarding the airport and revenue compared to last year.

[2020-R75 A](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. (Introduced 10/13/2020) (AMENDED OCTOBER 27, 2020) **Second Reading Passage Requested**

Sponsors: Gerard Neugebauer

Attachments: [2020-R75 A re AMENDED Appropriations October 2020](#)
[2020-R75 re Exhibit B](#)
[2020-R75 re Exhibit A](#)
[2nd Reading Request Passage Steve Schmidt](#)
[2020-R75 re Exhibit A October Appropriation](#)

Referred to the Finance Committee

President Babbitt welcomed two students that are serving as Student Representatives on City Council. Council has four students and two alternate each meeting. She introduced Sophia Miller and Ben Stauffer. She welcomed their participation.

IX. Report of Council Committees

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

SECOND READING ITEMS

[2020-R70](#) 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 9/22/2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-R70 Tax Levies.pdf](#)
[2020-R70 re Accept tax rates FY2020 CY2021](#)
[2020-R70 re Exhibit A](#)

Mr. Yeargin explained Exhibit A. Mr. Schmidt pointed out the Public Utility Personal Value in the amount of a little over \$68 million, there is an increase of last years evaluation of \$42.5 million. That is related directly to the Nexus Pipeline now being collected upon for public utility tax. The City is set to receive, next year \$99 thousand in additional revenue, from the Nexus Pipeline. It will be split up amongst those entities within the county that have mileage and receive funding from real estate taxes. Mr. Yeargin clarified that the public utility total for revenues expected to be received is \$163,325.00. He clarified without the Nexus Pipeline it would be approximately \$73,000.00 except for the new evaluation. Mr. Yeargin asked the committee if they had any objection to second reading passage and with no objections from committee and Council he will move it forward.

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

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

[2020-R71](#) A RESOLUTION REQUIRING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE FUNDS TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 9/22/2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-R71 Advance Funds.pdf](#)
[2020-R71 re Advanced Property Tax 2021](#)

Mr. Yeargin explained the County collects all the property taxes on behalf of the different government entities and then pays them in April and September. This directs the County to pay the amount of money due the City of Green on the tax levies as the money is collected instead of waiting until April or September. The committee agreed to second reading passage.

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

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

B. Environment & Parks (Brandenburg*, Shaughnessy**, France)

SECOND READING ITEMS

[2020-R69 A](#) A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR THE DIESEL MITIGATION TRUST FUND GRANT PROGRAMMED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR THE PROCUREMENT AND INSTALLATION OF TWO (2) L E V E L 2 ELECTRIC VEHICLE CHARGING STATIONS TO BE LOCATED AT THE CENTRAL ADMINISTRATION BUILDING, AND DECLARING AN EMERGENCY. (Introduced 9/22/2020) (*AMENDED OCTOBER 13, 2020*)

Sponsors: Gerard Neugebauer

Attachments: [2020-R69 re Amended EV Charging Station](#)
[2020-R69 re Exhibit A](#)

Mr. Brandenburg explained if this is approved it authorizes the Mayor to apply for a \$30,000.00 grant for the installation of two vehicle charging stations at the Central

Administration Building. If the grant is approved, the City is obligated to appropriate the balance of the funds to install the stations. The estimated portion is \$23,000.00. Mrs. Wax Carr explained this started out from investigating the use of electric vehicles within the City amongst or vehicles. In addition the living green task force has a variety of tenets that they would like to try to task in those things that work towards more environmental friendly solutions within the community. She thanked Sarah Haring for working on the grant. Mr. Brandenburg asked if we will start the project before or after the funds are awarded. Mayor Neugebauer said that they would not take the step without a grant. He said it has been his directive that they look at electric cars when replacing in the City but they have had no need to replace in his four years. He advised if they did not receive the grant they would probably wait until we actually purchased a car or two to sustain it. Mr. Brandenburg asked about pricing. Mayor Neugebauer said most of the fees we charge, Council approves the fee structure so he imagines at some point they will see it. His goal is that if we pay for electricity the consumers would pay for that electricity. We can even make a profit to help pay back the investment. He explained reasons to charge and payment structures. Mr. Yeargin asked if there was current demand from the public for this in our community or is this more of a, "If you build it, they will come." type of investment. Mrs. Wax Carr said she thinks there is more people have electrical vehicles than we realize. Time requested and Granted.

Mrs. Wax Carr presented a video showing renovations to the John Torok Community Center. Mr. Shaugnessy asked if there will be voting at the Torok Center. Mrs. Wax Carr said they will be remaining at the Queen of Heaven Church because of the Social Distancing. She also thanked Summit County for the CDB Grant. She also thanked Susan Alan, she was the architect, and she took the ideas and put it in the form that is the reality you see today.

Mrs. Wax Carr advised the large tree planting at Boettler Park will start tomorrow. Diebold and their partner Telemark Diversified Graphics, they are donating \$7500.00 or about 62 trees, which includes the planting material and hopefully eventually the educational signage. She explained the partnership with Diebold and Telemark is because they use so much, this is a way for them to give back to the Arbor Day Foundation and they qualified to get those funds and they wanted to help the local community.

C. Public Safety (France*, DeVitis**, Babbitt)

THIRD READING ITEMS

[2020-07](#)

AN ORDINANCE AUTHORIZING THE CITY OF GREEN TO ENTER INTO AGREEMENTS WITH THE CITY OF NEW FRANKLIN TO CREATE A REGIONAL COUNCIL OF GOVERNMENTS FOR THE PURPOSE OF SHARING SERVICES AND TO CREATE A SHARED PUBLIC SAFETY DISPATCH CENTER, AND DECLARING AN EMERGENCY. (Introduced 9/8/2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-07 Dispatch.pdf](#)
[2020-07 re Agreements between New Franklin and Green-KAC COG](#)
[2020-07 re Exhibit A](#)
[2020-07 re Exhibit B](#)
[Exhibit 1 - Cost Sharing Formula](#)

Mr. France briefly explained the legislation. Chief Funai said we covered it pretty good at the last meeting but he was there if anyone had questions. Mr. France said the City has talks with New Franklin and other communities about joint dispatching in the past and it comes and goes. Now we are to the point where it may become a reality. Chief Funai said that is correct. Mayor Neugebauer said the Mayor of New Franklin, Paul Adamson has been much more aggressive to get this done than he has seen from prior administrations. Mrs. Babbitt asked dispatchers present their point of view about this change and how it will affect them and how they will do their job. Leslie Hayman, dispatch supervisor, she said she is very excited about it. The fact that they can see the writing on the wall is pretty exciting. Doing police is another opportunity and she is excited about that along with the potential to see it grow. Mr. Shaughnessy asked how the dispatchers work when there is an ongoing police issue. Does our dispatch control that or does the Sheriff's Department take over. Mr. France explained that Green does not currently dispatch police, Summit County Sheriff is our policing authority and they have their own dispatch and they handle the police calls. Our dispatch currently does fire and EMS. This will be new to our dispatch. New Franklin does have their own police and do that dispatch. Mr. France explained as this evolves and our dispatchers start learning to deal with police. For the City of Green we will continue to work with the Sheriff's Department and they dispatch their people. New for us, our dispatchers will be working with New Franklin Police. Mr. Shaughnessy said he wants to make sure that if we have a police incident going on in New Franklin that we are also properly serving our residents here in Green and other places with the staffing we have. Chief Funai explained how the staffing will change from two on duty 24 hours a day to three people on duty all the time. He explained they have always maintained the ability to call in someone if needed and there will be four work stations in the dispatcher center. Chief Funai stated that the New Franklin Chief of police has given his support and New Franklin has already passed a similar Resolution. Mr. France said he will need to abstain because he has a family member that is a dispatcher.

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

Aye: 6 - Babbitt, Brandenburg, DeVitis, Shaughnessy, Yeargin and Young

Abstain: 1 - France

LICENSE ITEMS

[TMP-3213](#) Objections to Renewal of Liquor Permits

Attachments: [Renewal Letter.pdf](#)
[Green Liquor Permit Holders.pdf](#)
[How to Object...](#)

Mr. France explained that all the City Liquor Permits come up for renewal on December 1 this year. This gives the City the opportunity to review any liquor permit establishments within the City and the City can request a hearing if there is an issue with any permit holder. The clerk has contacted the Summit County Sheriff and they are doing a review of all the permits in the City. At this point they have no red flags but he is going to recommend time to give more time for research. Time Requested and Granted.

Committee Business

[TMP-3202](#) Committee approval of the September 22, 2020 Public Safety Committee Meeting Minutes.

Attachments: [9-16-2020 Telecommunications Program BOC](#)

A motion was made by Council Member France, seconded by Council Member Babbitt, to approve the Minutes. The motion carried by the following vote:

Aye: 2 - Babbitt and France

Excused: 4 - Brandenburg, Shaughnessy, Yeargin and Young

Abstain: 1 - DeVitis

D. Planning, Community & Economic Development (DeVitis*, Yeargin**, Shaughnessy)

SECOND READING ITEMS

[2020-08](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY JLR DEVELOPMENT LLC TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY. (Introduced 9/22/2020**

Sponsors: Gerard Neugebauer

Attachments: [2020-08 re JLR Development LLC TIF](#)
[2020-08 re Exhibits TIF Agreement and Exhibit A B C D E](#)

Mr. DeVitis explained there is a plan for public improvements including but not limited to intersection upgrades, sewer systems etc. This is a 30 year exemption as it is a public purpose. Mr. Wiethe explained the Ohio Revised Code refers to exemption; however, it is a redirection of the taxes. This is the Kempthorne Jaguar Landrover Dealership. They will pay taxes in a form of P.I.L.O.T.'s for whatever the assessed value is of their structure. The County will collect the funds, take out their collection fees and then forward those funds to the City of Green. Green will give the local schools funds per our agreement under the TIF program. Then the City will utilize those funds for public improvements that are related to that Arlington Road Corridor. Some could be past debts that made it a better place or new roadway construction in that area. Mr. Wiethe explained they hope to be open this year with collection year being 2022 for tax year 2021. Time requested and granted.

E. Rules and Personnel (Babbitt*, Young**, Yeargin)

THIRD READING ITEMS

[2020-R67 A](#) **A RESOLUTION AMENDING THE CITY OF GREEN CHARTER TO CORRECT TYPOGRAPHICAL ERRORS; REARRANGE SECTIONS; REMOVE INCONSISTENT LANGUAGE; AND, CORRECT LANGUAGE THAT VIOLATES OHIO LAW, AND DECLARING AN EMERGENCY. (Introduced 9/8/2020) (AMENDED OCTOBER 13, 2020)**

Sponsors: Lisa Carey Dean

Attachments: [2020-R67 Charter Typographical Errors.pdf](#)
[2020-R67 re Amended COG Charter Change Amendments Typo's](#)
[2020-R67 re Amended Exhibit A](#)

Mrs. Babbitt explained this was a house keeping matter with regards to the Charter to make sure that everything in the Charter is consistent and reads properly. The Law Director reviewed the Charter this summer and was able to produce these types of changes that need to be made to the Charter. Mrs. Dean explained since the last time she noticed under 4.2 Clerk of Council the sentence structure was not appropriate. She also corrected that first sentence and that is the only change since the last meeting.

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

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

Appointment of Nichole Baldinger to Interim Clerk of Council

President Babbitt explained the Clerk will be taking a short leave of absence and in her absence Ms. Baldinger has agreed to serve as the interim clerk.

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to appoint the Nichole Baldinger, Interim Clerk of Council. The motion carried by the following vote:

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

TMP-3205

Approval of the Mayor's appointment of Samer Awadallah to the Board of Zoning Appeals to fill the unexpired term of Joel Read. Term ends December 31, 2021.

Attachments: [Memo to council for BZA Reappointment 10.2020](#)
[Awadallah Sam Board of Zoning Appeals](#)

Mayor Neugebauer gave a brief bio for Semar Awadallah and said he would be filling Joel Reeds term on the Board of Zoning Appeals. He also thanked Joel Reed for his years of service.

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to approve the appointment of Samer Awadallah to the Board of Zoning Appeals. The motion carried by the following vote:

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

F. Transportation, Connectivity & Storm Water (Young*, France, DeVitis)**

Mr. Young advised that Valerie Wolford wanted to give an update on the Massillon Road North project. A video of the project was shared. The Mayor talked about the lanes and how they are tight but explained how they can be used. Mrs. Wolford said they are two months ahead of schedule she talked about the work yet to do.

G. Intergovernmental & Utilities (Shaughnessy*, Brandenburg, Young)****SECOND READING ITEMS****2020-R68**

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT CONCERNING THE CHRISTMAN ROAD BRIDGE REPLACEMENT, AND DECLARING AN EMERGENCY. (Introduced 9/22/2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-R68 re Christman Road Bridge Replacement](#)
[2020-R68 re Exhibit A Christman Road Cooperative Agreement with City of Green \(009\)](#)

Mayor Neugebauer explained the project and how it will also benefit the fishermen. Mr. Shaughnessy asked for a diagram of the project before the next meeting. The Mayor said he could sketch something for him. Mr. Yeargin said he has heard from a number of people in his ward asking for a dock there for the fishermen and this sounds like a great opportunity because we have the County committed to sharing the cost for this safety issue. The Mayor stated there is not only extra space but a concrete wall will be put up as a barrier. Mr. Shaughnessy said he thinks this is a good project. Mr. France pointed out this is a project that will not be done this year. The Mayor said it would probably be in 2023, this is early in the planning process.

X. Mayor’s Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

Mrs. Babbitt reminded everyone everyone that there will be a Sunshine Law training virtually Wednesday at 2 p.m.

XII. New Business - No New Business

XIII. Adjournment

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to adjourn the meeting at the 8:46 p.m. The motion carried by the following vote:

Aye: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: _____
BARBARA BABBITT, 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.