



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, September 8, 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 7:03 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

Presentation by the Green Inclusion Committee

Lisa Johnson came and talked about the Green Inclusion Committee and what it meant to her.

Pastor Kevin Rushing, 3720 Kenway Blvd. - He thanked the Mayor and Council for their support. The question is now how do we take action.

TMP-3162 Approval of the August 25, 2020 Regular Council-Committee Meeting Minutes

Attachments: [8-25-2020 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: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

V. Public Report

Steve Braswell, 1207 Peach Wood Way - Mr. Braswell said he hoped they would approve 2020-R61 and he explained why. He also talked about 2020-R59 and asked they focus on the outcome. The outcome matters and he explained why he thought that.

Public Report - 8-September 2020

Good Evening Members of Green City Council,

My Name is Tony Ziehler & my residence is at 3883 Golden Wood Way.

I would like answers to the following questions concerning the committee that will be formed with approval of Resolution 2020-R59.

How will the committee's work be transparent to residents?

Will the meetings be open to the public?

Will the meetings be streamed, or video recorded for viewing on the City's website?

Will the committee's reports to the Mayor be shared with the public?

How will the committee's meeting schedule be publicized?

Will contact information of the members of the committee be shared with residents who might want to communicate with them?

Sincerely, Tony Ziehler

VI. Public Hearings

2020-R55 **A RESOLUTION AMENDING THE CONCEPTUAL SITE PLAN OF BRIER CREEK, AN EXISTING PLANNED DEVELOPMENT DISTRICT LOCATED ON BOETTLER ROAD AT BRIER CREEK PARKWAY, AND DECLARING AN EMERGENCY. (Introduced 8/11/2020) ***Public Hearing was held September 8, 2020.*****

Sponsors: Gerard Neugebauer

Attachments: [2020-R55 Amending Briar Creek Planned Development](#)
[2020-R55 re Conceptual Site Briar Creek](#)
[51125A Concept Plan-Layout1](#)
[51125A Overall Plan 2020-Model](#)

Mr. DeVitis called the Public Hearing to order at 7:29 p.m.

John Warmus, 1531 Boettler Road - He came to ask for a change to the conceptual plan for the Briar Creek Senior Living Community. He advised everything in Phase 1 has been built out using the original plan, with the exception of Lot #2 and that is why he was before Council. Lot number 2 was originally planned for an office building and that deal never fell into place. He does not see a high demand now for office space but he does see demand for senior housing. He said they are asking to build 5 new duplexes which will take up the same space. He explained what he is suggesting.

Mr. Wiethe said Mr. Warmus covered it very well. The Planning and Zoning Commission supported this unanimously.

Mr. DeVitis closed the public hearing at 7:34 p.m.

VII. Reading of Correspondence

TMP-3150 Email from Stephanie Baker RE: Sports

Attachments: [8-22-2020 Stephanie Baker](#)

TMP-3151 Email from Bowling Green Council President Mark Hollenbaugh RE: Need for Rapid Testing

Attachments: [8-23-2020 Mark Hollenbaugh](#)
[8-23-2020 BG City Council Letter \(Word Document\)](#)
[8-23-2020 Rapid_Testing_Signed_Letter_Aug2020-1](#)

TMP-3154 Letter from Joel Helms RE: 2020-R57

Attachments: [08-26-2020 Joel Helms.pdf](#)

TMP-3161 Email from Shelly Keller RE: Green Cemeteries

Attachments: [8-31-2020 Shelly Keller](#)

TMP-3168 Letter from Ken Oostman, P.E. RE: Northeast Ohio Natural Gas Corp.

Attachments: [9-8-2020Ken Oostman, PE.pdf](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

2020-R65 A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ACCEPT A DONATION FROM TOTH BUICK GMC FOR THE GREEN FIRE COMMUNITY PARAMEDICINE PROGRAM FOR THE PURCHASE OF A 2020 GMC TERRAIN SUV FROM TOTH BUICK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced 9/8/2020) Referred to Finance Committee ***FIRST READING PASSAGE REQUESTED***

Sponsors: Gerard Neugebauer

Attachments: [2020-R65 GMC Terrain SUV - Fire.pdf](#)
[2020-R65 re Toth Buick Donation \\$26,000](#)
[Chief 1st Reading Passage Request](#)

2020-R66 A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS TELECOMMUNICATIONS EQUIPMENT AND LIVE STREAMING SERVICES,—MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced 9/8/2020) Referred to the Finance Committee

Sponsors: Gerard Neugebauer

Attachments: [2020-R66 re Telecommunications equipment](#)
[2020-R66 re Exhibit A](#)
[LivestreamFlowChart2](#)

2020-R67 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)

Sponsors: Lisa Carey Dean

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

Referred to the Rules and Personnel Committee

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 re Agreements between New Franklin and](#)
[2020-07 re Exhibit A](#)
[2020-07 re Exhibit B](#)
[Exhibit 1 - Cost Sharing Formula](#)

Referred to the Public Safety Committee

IX. Report of Council Committees

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

SECOND READING ITEMS

2020-R64 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 8-25-2020)

Attachments: [2020-R64 Salary Adjustments.pdf](#)
[2020-R64 re Mayor to Grant Salary Adjustments non union](#)

Mr. Yeargin explained the legislation. This allows for a 2.6% increase that was already budgeted in the annual budget. Mr. Schmidt advised the City of Green received a second round of CARES Act payments from Ohio State \$248,000.00 on Friday morning and are expecting a third round of funding in the amount of \$992,000.00. Total the City is expected to receive a little over \$2.4 million that can be used towards the Sheriff's contracts, as well as Fire and Paramedic salaries as a result of COVID.

Mr. Brandenburg said he had asked Mr. Schmidt if this was included in the budget previously. He asked for clarification if the 2.6% was not included in the \$66,000.00. Mr. Schmidt explained the 2.6% included within the operating budget, the \$66,000.00 is part of that. This legislation gives the Mayor flexibility to move raises in between departments higher or lower depending on his judgment.

There was discussion regarding the City budget being down 5%. This is referring to the revenues. The City is down from last year but still above budget.

Mr. France asked if this was a merit raise or across the board. The Mayor explained the City does not do across the board raises. Typically the bargaining units get across the board raises, this year there was some longevity pay that was thrown in. The percentages are hard to compare because you have to look at the total package. He explained a change in one of the engineers.

Discussion took place regarding passing on second reading. The committee agreed with 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: 8 - 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: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

Committee Business

2020-R65 A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ACCEPT A DONATION FROM TOTH BUICK GMC FOR THE GREEN FIRE COMMUNITY PARAMEDICINE PROGRAM FOR THE PURCHASE OF A 2020 GMC TERRAIN SUV FROM TOTH BUICK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced 9/8/2020) Referred to Finance Committee *FIRST READING PASSAGE REQUESTED*****

Sponsors: Gerard Neugebauer

Attachments: [2020-R65 GMC Terrain SUV - Fire.pdf](#)
[2020-R65 re Toth Buick Donation \\$26,000](#)
[Chief 1st Reading Passage Request](#)

Mr. Yeargin explained this is receiving \$26,000.00 in cash which will then be used to buy a GMC Terrain. He explained the paramedicine program and why the legislation is worded the way it is. Chief Funai showed what the vehicle would look like and how this donation came about. He also advised Toth is throwing in the vehicle wrap. With no objections the committee agreed to first reading passage.

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

Aye: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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: 8 - 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: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

2020-R66 A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS TELECOMMUNICATIONS EQUIPMENT AND LIVE STREAMING SERVICES,—MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduced 9/8/2020) Referred to the Finance Committee

Sponsors: Gerard Neugebauer

Attachments: [2020-R66 re Telecommunications equipment](#)
[2020-R66 re Exhibit A](#)
[LivestreamFlowChart2](#)

Mr. Yeargin explained this legislation goes back to legislation from 1995 when the Council had the foresight to set up a Telecommunications Fund to receive money from cable companies. He explained a board of control was created, consisting of a representative of the Administration, a representative of the Green School District and a representative of Council. This control board meets on how to spend these funds. He explained what the funds can be used for and how they will help with live streaming events and sporting events that now have a limit on how many can be in attendance. Mr. Schmidt advised the money being appropriated is to purchase the live streaming equipment. Mrs. Wolford added that the committee will be meeting tomorrow to make the final decision on the pieces they will be purchasing. There was discussion on where the equipment would be purchased from. Mrs. Babbitt asked for clarification from the Mayor that the committee was not committed to that company, it was just a list of the equipment that they are looking at in general. The Mayor stated this legislation does not commit to the company they purchase from or

necessarily every specific item on the list. It is just a representative list but will probably be what is purchased.

Mr. Brandenburg commented as a general note, that the first reading request came through at 11:40 today and he did not see until after 4 p.m. and he could not access the information on Granicus and he received it at 5:40 and he is not sure how many had a chance to look at it. He was inclined to object to first reading passage until he heard this was State Minimum Pricing. The Mayor apologized for the late first reading passage notification and explained.

Mrs. Babbitt asked the Mayor if it would be fair to say the committee would be coming back to Council for another appropriation from this fun for the labor to work the equipment. Mayor Neugbauer said there is about \$8,000.00 that is not accounted for of the \$50,000.00 that would allow that labor. He said that could last through the fall season. He proposed a higher number is put in the telecommunications fun next year to allow for the additional resources for streaming. Mrs. Babbitt said she thinks this is important and a good use of the funds. She also felt it was good to keep in mind that this is probably a fund that could at some point not be growing and they have to be judicious in how they use the funds. Having said that, she thinks this is as good use of the funds. There was a short discussion on funds to pay the staff to film.

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

Aye: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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: 8 - 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: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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

2020-R54 A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR PARTNERS IN WATERSHED MANAGEMENT PROJECT ASSISTANCE FUNDS PROGRAMMED BY MUSKINGUM WATERSHED CONSERVANCY DISTRICT FOR THE LICHTENWALTER RAIN GARDEN, AND DECLARING AN EMERGENCY. (Introduced 8/11/2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-R54 Lichtenwalter Rain Garden.pdf](#)
[2020-R54 re Muskingum Watershed application for funds](#)

Mr. Brandenburg said since the last meeting, Sarah Haring, Community Development Administrator provided him with a copy of the application. The request of the grant is \$14,025.00 to build a rain garden to replace one that was built in 2007 but fell into disrepair after the destruction of the Lichtenwalter Schoolhouse. This will be a rebuilding.

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

Aye: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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

Mr. France advised the committee met at 6:00 p.m. The purpose of that meeting was to have the Fire Chief to give a report on a piece of legislation that was passed in 2019, Ordinance 2019-08. Chief Funai gave that report and it will be online for the residents to review. Mr. France announced there will be another Public Safety Committee meeting at 6:00 p.m. on September 22 before the regular meeting for questions and answers from Council Members or the public and he explained how the public could get questions answered.

Chief Funai gave a presentation on the opening of Fire Station #3. He thanked Council for their support.

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

2020-R55 A RESOLUTION AMENDING THE CONCEPTUAL SITE PLAN OF BRIER CREEK, AN EXISTING PLANNED DEVELOPMENT DISTRICT LOCATED ON BOETTLER ROAD AT BRIER CREEK PARKWAY, AND DECLARING AN EMERGENCY. (Introduced 8/11/2020) ***Public Hearing was held September 8, 2020.***

Sponsors: Gerard Neugebauer

Attachments: [2020-R55 Amending Briar Creek Planned Development](#)
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[51125A Concept Plan-Layout1](#)
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Mr. DeVitis advised this was discussed in detail during the public hearing earlier. He briefly explained and advised it passed the Planning and Zoning Commission 5-0. Mr. DeVitis moved to adopt, but after discussion it was clarified that because of the public hearing they would have to wait until the next meeting to adopt. He requested time and it was granted.

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

2020-R59 A A RESOLUTION CREATING A COMMITTEE TO REVIEW POLICIES AND PROCEDURES, THROUGH A RACIAL AS WELL AS A GENERAL DIVERSITY AND INCLUSION LENS, RELATING TO THE HIRING OF AND WORKPLACE PROCEDURES FOR EMPLOYEES *OF BY* THE CITY OF GREEN AND THE APPOINTMENT OF INDIVIDUALS TO BOARDS AND COMMISSIONS; TO MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL; ~~AND, TO AUTHORIZE THE APPROPRIATION OF \$20,000.00 TO ENGAGE A CONSULTANT, AND~~ DECLARING AN EMERGENCY. (Introduced 08/11/2020) (AMENDED 09/08/2020)

Sponsors: Rocco Yeargin, Barbara Babbitt, Clark A. DeVitis and Matt Shaughnessy

Attachments: [2020-R59 Committee to review policies and procedures.pdf](#)
[2020-R59 re Amended Consultant Firm for Policies and](#)
[September 08 2020 List of Reading Requests](#)

Mrs. Babbitt said they had extensive discussion at the last meeting and she thinks those discussions have lead to really positive changes to the legislation. She said this was one of the most productive experiences she has had since she has been on Council.

Mr. Yeargin explained the three changes. First it streamlines the "Whereas clauses" and focuses on things that relate to the City of Green. Acknowledging, the Summit County position that our County Council took to acknowledge racism as a public health crisis. It also removes the \$20,000.00 appropriation that Mr. Young had raised concerns about last week. He explained if the committee determines the need to work with a consultant they can come back to Council an address whether to award money for a consultant. It also makes the final committee selections subject to Council approval, which was a concern Mr. Brandenburg previously raised. It also invites a Civil Service Commission member to serve on the committee. He reminded everyone this really just creates a committee to look at possible blind spots that the City may have. It is something that can only make the City better and the result of the committee will just be to make recommendations to Council and the Mayor. There is no harm if Council and the Mayor ultimately do not agree.

Mrs. Babbitt asked if everyone got a chance to review the legislation as amended. Mrs. Carey Dean asked that the title be read in as amended and Mrs. Babbitt read it in as part of her motion.

A motion was made by Council Member Babbitt, seconded by Council Member Yeargin, to adopt as amended. Mrs. Babbitt moved to adopt 2020-R59 - A RESOLUTION CREATING A COMMITTEE TO REVIEW POLICIES AND PROCEDURES, THROUGH A RACIAL AS WELL AS A GENERAL DIVERSITY AND INCLUSION LENS, RELATING TO THE HIRING OF AND WORKPLACE PROCEDURES FOR EMPLOYEES OF THE CITY OF GREEN AND THE APPOINTMENT OF INDIVIDUALS TO BOARDS AND COMMISSIONS; TO MAKE RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL; AND DECLARING AN EMERGENCY. The motion carried by the following vote:

7 -

Aye: Babbitt, DeVitis, France, Shaughnessy, Yeargin and Young

Nay: 1 - Brandenburg

2020-R61 A RESOLUTION CREATING THE POSITION OF COMMUNICATIONS COORDINATOR, ESTABLISHING A RATE OF COMPENSATION, AND DECLARING AN EMERGENCY. (Introduced 8/11/2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-R61 Communications Coordinator.pdf](#)
[2020-R61 re Communications Coordinator I Position](#)
[2020-R61 re Exhibit A](#)

Mrs. Babbitt explained this creates a junior communications person. It will probably result in a younger fresh prospective coming in to the communications department of the City. Mr. Yeargin said that he and Mrs. Babbitt have had more than normal exposure to the Administration over the last several months because of COVID because of that he has come to appreciate the communications department is really the one area in the City that is involved in all other departments of the City. He explained why he was in favor of this Resolution.

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

Aye: 8 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

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

No Meeting

G. Intergovernmental & Utilities (Shaughnessy*, Brandenburg**, Young)

No Meeting

X. Mayor’s Report

Mayor Neugebauer started by thanking Council for all their hard work at the meeting. He then gave his report.

XI. Unfinished Business

Mrs. Babbitt reminded everyone there will be a public safety meeting on September 22, 2020 at 6 p.m. She asked them to stay tuned for more

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 8:40 p.m.. The motion carried by the following vote:

Aye: 8 - 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.

