



# City of Green

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

## Meeting Minutes

### Committee Meetings

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Tuesday, March 10, 2020

5:00 PM

Council Chambers

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#### I. Call to Order

President Babbitt called the committee meetings to order at 5:01 p.m.

#### II. Approval of Minutes

[TMP-2997](#) Approval of the February 25, 2020 Committee Meeting Minutes

**Attachments:** [2-25-2020 Committee Minutes.pdf](#)

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

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

**Absent:** 1 - Council Member DeVitis

#### III. Committees (\*Chair, \*\* Vice Chair)

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

##### THIRD READINGS

[2020-R07](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH VEER CHIRAG, LLC. FOR THE PROPERTY LOCATED AT 1715 E. TURKEYFOOT LAKE ROAD, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R07 re 1715 E. Turkeyfoot Lk Rd. Land Purchase](#)  
[2020-R07 1715 E. Turkeyfoot Lake Road - Veer Chirag, LLC.pdf](#)  
[2020-R07 re Exhibit A 1715 E Turkeyfoot Lake Rd](#)

Mr. Yeargin explained this property is currently known as Steve's Motel. He said many he talked to in the community appreciated this purchase. Mr. Wiethe advised the purchase price is \$190,000.00 plus 2.5%

commission. Closing will be set up as soon as possible, asbestos abatement and demolition. He said they would be coming back to Council for those approvals. During the regular Council meeting Mr. Yeargin will move to adopt.

**2020-R08**

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH ORCHARD REAL ESTATE INVESTMENT LLC. FOR THE PROPERTY LOCATED AT 4064 S. ARLINGTON ROAD (PARCEL 2807469), MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R08 re 4064 S. Arlington Rd. Land Purchase](#)  
[2020-R08 4064 S. Arlington Road Purchase.pdf](#)  
[2020-R08 re Exhibit A 4064 S Arlington Rd](#)

Mr. Yeargin explained this property is at the intersection of Boettler Road and Arlington Road. The purchase price is \$290,000.00. This is a strategic purchase that looks towards the future in the event land around this parcel is ever developed. He explained the benefits to the City. Mr. Wieth said this is proactive planning, if there is ever development east of this property. At the appropriate time Mr. Yeargin will move to adopt.

**2020-R10**

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH MCAG TO PROVIDE SPECIALIZED litigation FOR visa/mastercard settlement recovery services, AND DECLARING AN EMERGENCY. - INTRODUCED 2/11/2020**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R10 re MCAG Credit Card Class Action Legislation](#)  
[2020-R10 MCAG Visa-Mastercard Settlement.pdf](#)  
[2020-R10 re Exhibit A MCAG Agreement](#)

Mr. Yeargin advised the City of Green is a class action member and explained. Law Director Dean looked into MCAG. She checked with the firm that referred MCAG, Brennan Manna & Diamond. They do receive a referral fee for sending them to the City of Green. When Mrs. Dean reached out to Brennan Manna & Diamond she was able to negotiate a lower percentage. MCAG will now be charging 20% for recovery, instead of 25%. There is no out of pocket for the City. At the appropriate time of the regular meeting Mr. Yeargin will move to adopt.

## SECOND READINGS

[2020-R25](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH CLAYTON C. MCCUNE FOR THE PROPERTY LOCATED AT 1364 EAST TURKEYFOOT LAKE ROAD, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. (Introduce 2/25/2020)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R25 re Land Purchase 1364 East Turkeyfoot Lake Rd McCune](#)  
[2020-R25 McCune 1364 East Turkeyfoot Lake Road.pdf](#)  
[2020-R25 re Exhibit A Purchase Agreement all documents](#)

Mr. Yeargin explained Mr. McCune's property is the red house adjacent to the Pickle Road roundabout. Mr. McCune has decided he wants to sell all of his property to the City. Mayor Neugebauer said the county wanted a legal description, so that delayed the closing. The property owner is requesting additional compensation. The former Law Director negotiated \$5,000.00. The transfer of the facility is June 1. The closing is set for April 30. Mr. Yeargin asked if the house will be torn down and the Mayor said that is the intent, the city does not want to be landlords. Mr. Shaughnessy asked for clarification on the delay of closing. The Mayor explained the process with the County. Mr. Pickett explained the closing date will be April 1 and taking time is okay. The Committee agreed to time.

Committee Business

No Committee Business.

B. Environment and Parks Committee (Brandenburg\*, Shaughnessy\*\*, France)

## THIRD READINGS

[2020-R06 A](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO APPLY FOR REAL PROPERTY TAX EXEMPTION FOR RAINTREE GOLF AND EVENT CENTER, AUTHORIZING PAYMENTS TO GREEN LOCAL SCHOOLS ~~UNDER THE SCHOOL COMPENSATION AGREEMENT,~~ AND DECLARING AN EMERGENCY. Introduced 2/20/2020 (AMENDED MARCH 10, 2020)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R06 re Amended Raintree Real Property tax exemption](#)  
[2020-R06 Real Property Tax Exemption - Raintree Golf and Event Center.pdf](#)  
[2020-R06 re Raintree Real Property tax exemption](#)

Mr. Brandenburg advised there is an amendment to the title. It removes the language, "under the school compensation agreement". He summarized questions and answers he had with Mr. Schmidt. The tax paid on Raintree last year was \$51,317.00. If this legislation is adopted, \$20,000 will be paid to the School district. The City does not pay property taxes on other City owned parks property. The tax exemption for Raintree will be applied for under Ohio Revised Code 5709.10. Mrs. Dean shared that 5709.10 is silent on whether we can compensate the schools. There is no prohibition against it. It is within the city's home rule authority to provide such compensation to the schools. Mr. Brandenburg explained the title was changed because it is being done under home rule and not the compensation agreement. Mr. Brandenburg stated, the legislation is silent as to the reason for making the payment. He asked, Mr. Schmidt, if the school district approached the City and asked for compensation on this property. The Mayor said they did not, he initiated discussion with the school board and that was his recommendation. Mr. Brandenburg asked if there was an agreement drawn up. The Mayor clarified that there was no agreement. They discussed the desire to do something for the schools but there was no written agreement. Mr. Shaughnessy said his understanding, when the idea to purchase Raintree was brought to Council, was the schools would not be hurt by the purchase. The City would compensate them, either not go for tax exemption or compensate them for the taxes they would lose if we did. The Mayor said there was concern for the schools. At the time we were not aware of the legality of operating a City run golf course for profit as a City owned parcel. He said there is a court case that shows even golf courses for profit are exempt from property taxes. Mr. Shaughnessy pointed out that right now the taxes that go to the schools on a half year basis are \$15,733.82. That is an annual amount of \$31,467.64. We are proposing giving the Schools \$20,000.00. That is \$11,467.00 that we are not giving the schools. He suggested they take time and go back and look at tapes because he believes there was a promise made to the people that the schools would not be hurt. Mr. Schmidt said he looked at the tax card on what the City did pay last year based on the school compensation agreement. They would have received \$3,400.00 less utilizing the school compensation agreement, than what they did receive for 2019. Mayor Neugebauer said there is also a reduction factor. Discussion took place regarding what the school received when Raintree

worked as Raintree and what the schools would be receiving now. They also discussed the fact the schools were not objecting to this proposal. Mr. Shaughnessy asked them to take more time and look at this. Mr. France asked for clarification on who with the schools this agreement was made. Mayor Neugebauer said this change was discussed with the school board first, the school administration second and the school treasurer all by the City before the City put anything on the table. That was the communications that happened with our partners at the school. Mr. Brandenburg asked if this was a public discussion and on record. The Mayor said that was not in public form it was in their daily meetings. Mr. Shaughnessy said if Council wanted to move forward, they could move forward and he would look through the record and if he finds something he will bring a new piece of legislation. Mr. Brandenburg said as the appropriate time he will move to adopt.

[2020-R13 A](#) **A RESOLUTION approving a LEASE AGREEMENT WITH RACHEL BELLIS AND JUSTIN TURNER FOR THE HARTONG FARMSTEAD LOCATED AT 6521 MT. PLEASANT ROAD, GREEN, OHIO, and declaring an emergency. - INTRODUCED 2/10/2020 (AMENDED FEBRUARY 25, 2020)**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R13 re Amended Hartong Farmstead Lease Legislation](#)  
[2020-R13 Harton Farmstead Lease - Bellis & Turner.pdf](#)  
[2020-R13 A re AMENDED Exhibit A all documents](#)

Mr. Brandenburg explained the ten year lease agreement and advised at the last meeting Mrs. Bellis explained their plans. He said all responses he has heard were positive. Mrs. Babbitt commended the City for this process and finding this couple to use this property. The Mayor talked about having someone live in the house and how it will preserve the property. Mr. Yeargin said how we look at our Bright Future and this is now looking at our Proud Heritage from our City Seal. At the appropriate time Mr. Brandenburg will move to adopt.

Committee Business

No other Committee Business.

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

Mr. France advised that Mr. DeVitis was absent.

## THIRD READINGS

[2020-R18](#) A RESOLUTION AUTHORIZING THE MAYOR TO RE-APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2019 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF APPARATUS, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF A HEAVY RESCUE VEHICLE, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R18 re 2019 AFG Heavy Rescue Apparatus](#)  
[2020-R18 Heavy Rescue Grant.pdf](#)  
[2020-R18 re Exhibit A Apparatus Green Contract \(FV\)](#)

Mr. France explained the vehicle and the process. The capital budget has \$80,000.00 set aside for this purchase. The grant would be 90% - 10% from the City. At the Council Meeting he will move to adopt.

[2020-R19](#) A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2019 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF REGIONAL PROJECTS, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF A REGIONAL FIREFIGHTER ACCOUNTABILITY SYSTEM, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R19 re 2019 AFG Regional Projects](#)  
[2020-R19 Regional Firefighter Accountability System.pdf](#)  
[2020-R19 re Exhibit A](#)

Mr. France said this an accountability system and explains how it works during a structure fire. This is regional with six other local communities. It is also 90%-10% grant. At the appropriate time he will move to adopt.

## Committee Business

[2020-R30](#)

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE 2020 ENBRIDGE SAFE COMMUNITY PROGRAM, FOR THE PURCHASE OF THE MSA GALAXY® GX2 AUTOMATED TEST SYSTEM AND NEEDED ACCESSORIES, AND DECLARING AN EMERGENCY. (Introduced 3/10/2020) \*\*\*FIRST READING PASSAGE REQUESTED\*\*\* Referred to Public Safety Committee

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R30 re Enbridge Safe Community Grant](#)  
[2020-R30 MSA Galaxy GX2 Automated Test System.pdf](#)  
[2020-R30 re Exhibit A](#)  
[Chief Jeff Funai Memo 1st Reading Passage](#)

Assistant Chief Slaghbaugh explained this piece of equipment and the improvements it is to what they have now. This grant is 100% coverage by the grant. Mr. France advised the grant was for \$7,500.00 and there are no matching funds. The current equipment no longer meets the manufacturers recommendations for testing purposes. The deadline to apply for the grant is March 31. With everyone on board he will ask for first reading passage at the appropriate time.

D. Planning, Community and Economic Development Committee (DeVitis\*, Yeargin\*\*, Shaughnessy)

President Babbitt announced Mr. Yeargin would fill in for Mr. DeVitis.

## THIRD READINGS

[2020-R09](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO Amendment NO. 1 TO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH FedEx Freight, Inc, aND kw akr, llc FOR THE CONSTRUCTION OF A NEW 63,000 SQUARE FOOT BUILDING ON gLOBAL GATEWAY, AND DECLARING AN EMERGENCY. - iNTRoDUCED 2/11/2020

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R09 re FedEx Freight](#)  
[2020-R09 Fedex Freight Inc & KW AKR, LLC.pdf](#)  
[2020-R09 re Exhibit A Addendum No. 1](#)

Mr. Yeargin explained this is part of a community reinvestment area agreement. It is an economic development tool that cities use to provide real property exemptions for property owners that renovate or build new buildings. Mr. Wiethe explained this is an amendment to the original agreement. Their first collection year will be 2020 and their first tax year will be 2021. This amends the five year period and gives them their full five years. The Mayor asked Mr. Wiethe how the school was compensated with this agreement. Mr. Wiethe said it is through the standard reinvestment agreement, he believes it is 75%. The Mayor corrected him and said it was 100%. He pointed out the minimum is 65%. There was discussion regarding school funding. At the appropriate time he will move to adopt.

**2020-R22**

**A RESOLUTION APPROVING THE FINAL PLATS AND PERFORMANCE BOND FOR FOREST LAKES SUBDIVISION PHASE I, THE REPLAT OF BLOCK A IN THE AKRON CANTON CORPORATE PARK PHASE 7 AND THE DEDICATION PLAT FOR THE EXTENSION OF TABS DRIVE, AND THE REPLAT OF THE AKRON CANTON CORPORATE PARK PHASE 8 AND PLATTING OF AKRON CANTON CORPORATE PARK PHASE 9, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R22 re Forest Lakes Subdivision](#)  
[2020-R22 Forest Lakes Subdivision Phase !.pdf](#)  
[2020-R22 re Exhibit A](#)  
[19-65 Replat of Ak Can Corp Pk 8 & Final Plat of Ak Can Corp Ph 9-](#)  
[PZC Staff Report](#)  
[9430 Forest Lake Extension Plat](#)  
[Forest Lakes Aeral View](#)  
[Forest Lakes Final Plat](#)  
[Planning & Zoning Commission Dec 18 2019 Minutes](#)  
[EGC letter re Forest Lakes Subdivision](#)

Mr. Wiethe explained the replating and what was involved. He said roads will be cutting lots in half. This will be a 44 unit townhomes single family attached and 11 unit cluster subdivision. This is a \$2 million bond.



## Committee Business

Des Wertheimer, 130 E. Turkeyfoot Lake Road - Mr. Wertheimer said there is a PZC and BZA meeting regarding the former Figley property on the corner of 619/Cottage Grove Road. It appears that the neighbors have not been notified of the March 18th meeting but they have been notified of the March 19th meeting. He asked the City to send out letters quickly as Camping World goes forward. He just wanted to make sure residents new and he would be at both meetings to speak.

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

## THIRD READINGS

[2020-R11](#)     **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH TRIAD TO PROVIDE SPECIALIZED Marketing SERVICES FOR THE Green Auto Mile, AND DECLARING AN EMERGENCY. - INTRODUCED 2/11/2020**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R11 re Green Auto Mile](#)  
[2020-R11 re Exhibit B Fee Structure Contract](#)  
[2020-R11 re Exhibit A Triad Agreement](#)

Mr. Babbitt explained this contract and the City is facilitating it to coordinate the marketing. Mr. Schmidt explained the governmental accounting standard board has come out with new guidance regarding this kind of activity. He explained they will need to appropriate money and make a specific special revenue fund. He said they will be asking for first reading passage on the specific special revenue fund legislation. Mrs. Babbitt will request time.

## Committee Business

Mayor Neugebauer explained the chairs being moved in Council Chamber because of the coronavirus. He was in contact with the medical director today and she advised they move chairs for social distancing.

F. Transportation, Connectivity and Storm Water Committee (Young\*, France\*\*, DeVitis)

## THIRD READINGS

[2020-R12 A](#) A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR SUMMIT COUNTY TRAIL & GREENWAY COMMUNITY GRANT FUNDS PROGRAMMED BY THE OHIO & ERIE CANALWAY COALITION FOR THE WILLADALE TRAIL PROJECT, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020 (AMENDED MARCH 10, 2020)

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R12 A re Amended Willadale Trail Project](#)  
[Willadale Proposed Alignment Map](#)

Mr. Young explained this will allow the Mayor to apply for a grant for a trail in the area of Koons and Thursby Road. He talked about a public meeting held so people could talk about the trail. The grant is \$35,000 for the project. Council is not obligated to move forward if awarded the grant.

Mr. France said at the public meeting he did not hear a lot against the idea. His biggest concern is, what would eventually be cost and using the Nexus Pipeline Settlement money. He said they are not to that point yet. Ask for the grant and then see where it goes.

Mr. Yeargin said this is a grant to extend the trail that is currently on Boettler and Southgate park property. It is an enhancement to the parks.

Mrs. Babbitt said she does understand this trail is completely in the park. She said when you look at the map it comes out at Thursby and Koons. She has received a lot of questions and comments since the proposal came forward on what does that mean for the extension of the trail system. If you compare where the trail comes out at the roads it does fit in with the proposed Master Trail Plan that came before Council last spring. This gives residents wondering where the trail will go next. She supports seeking the grant to construct the grant but she does not think they can ignore the fact that it raises questions on where the trail will go next. She is concerned about using the Nexus money for using the trail but she has since then learned how this could be used for safety. She said she appreciated the Administration holding the special meeting and she heard concerns about the trail during the public meeting. She will vote to go

forward with the grant but she asked the Administration to consider looking at parks fund to finish.

Mr. France clarified he did hear concerns and explained. He said this legislation is a request for a grant. When this gets to the planning and engineering stage he will have questions.

Mr. Shaughnessy said there has been engineering paid. Mayor Neugebauer said there has been engineering to see where the trail can go to see what is possible to get a cost estimate. Mr. Shaughnessy asked how we check our properties to make sure people do not walk on the property. The Mayor explained there is not someone present at all times. There are videos and the Sheriff's office does patrol. Parks are closed at dusk.

Kim Hon McMahon, 5357 Thursby Road - She is 100% in favor of the trail and explained she is the closest on Thursby to the trail. She explained why she was in favor of the trail.

[2020-R23](#)

**A RESOLUTION AWARDING A CONTRACT TO Karvo Companies INC for THE 2020 RESURFACING PROJECT, AND DECLARING AN EMERGENCY. - Introduced 2/11/2020**

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R23 re Resurfacing Project](#)  
[2020-R23 2020 Resurfacing Project.pdf](#)

Mr. Young explained this is \$1,885,648.00 for resurfacing our roads this year. At the regular meeting Mr. Young will move to adopt.

Committee Business

No other committee business.

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

No meeting held.

Committee Business

IV. Adjournment

Mr.s Babbitt adjourned at 6:09 p.m.

ATTEST: \_\_\_\_\_ DATE: \_\_\_\_\_  
Molly Kapeluck, MMC, Clerk of Council

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
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.