



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, May 26, 2020

7:00 PM

Council Chambers

I. Call to Order

The Green City Council met in remote session through TEAMS. President Babbitt presided over the meeting which she called to order at 7:00 p.m.

II. Pledge of Allegiance

Council member 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

Mrs. Babbitt thanked Nichole Baldinger for covering for the Clerk.

[TMP-3058](#)

Approval of the March 12, 2020 Council/Committee Meeting

Attachments: [5-12-2020 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: 7 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Young

[TMP-3053](#)

Approval of the April Financial Report, Subject to Audit

Attachments: [APRIL 2020 ELECTRONIC FINANCIAL REPORT](#)

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

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

V. Public Report

No comments were received by the deadline.

VI. Public Hearings - No Public Hearings scheduled.

VII. Reading of Correspondence

[TMP-3054](#) March 11, 2020 Civil Service Commission Minutes

Attachments: [March 11 2020 CSC Minutes](#)

[TMP-3059](#) Email from Steve Kotler RE: East Liberty Park Trails

Attachments: [5-19-2020 Steve Kotler Email](#)

[5-19-2020 Steve Kotler Attachment](#)

[5-16-2020 Kotler Attachment East Liberty Park Trail Proposal](#)

[T5-15-20](#)

[TMP-3064](#) Email from Kathy Blanks RE: Turkeyfoot Golf Course

Attachments: [5-21-2020 Kathy Blanks](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

Mrs. Babbitt explained that both items for first reading have requests to be passed on first reading. They will be discussed and considered during the committee portion of the meeting.

[2020-R46](#) **A RESOLUTION TO EXTEND THE DEADLINE FOR THE
PRESENTATION OF THE ADMINISTRATION’S EMERGENCY
SERVICES STUDY AND PLAN UNTIL SEPTEMBER 8, 2020, DUE TO
THE COVID-19 CRISIS, AND DECLARING AN EMERGENCY.
(Introduced 5/26/2020) Referred to Public Safety Committee**

Sponsors: City Council

Attachments: [2020-R46 Postpone FS4 Study](#)

[2020-R46 re Emergency Plan and Study Fire for Fire Station 4](#)

2020-R47

A RESOLUTION AMENDING RESOLUTION 2020-R37, ADOPTED MARCH 22, 2020, AUTHORIZING THE MAYOR TO TEMPORARILY DEVIATE FROM, AS NECESSARY, SECTIONS OF CHAPTER 258 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED "EMPLOYEES GENERALLY" AND SECTIONS OF CHAPTER 260 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED "CIVIL SERVICE COMMISSION" BY EXECUTIVE ORDER AND EXTENDING THROUGH AUGUST 31, 2020, IN ORDER THAT THE MAYOR OF THE CITY OF GREEN SHALL HAVE THE NECESSARY FLEXIBILITY TO ADDRESS THE OPERATIONAL IMPACT OF THE PUBLIC HEALTH EMERGENCY CREATED BY THE COVID-19 CORONAVIRUS, FOR THE MAYOR'S ADMINISTRATION AND DEPARTMENTS AND FOR THE DEPARTMENT OF LAW IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 5/26/2020) ***FIRST READING PASSAGE REQUESTED*** Referred to Rules and Personnel Committee

Sponsors: Gerard Neugebauer

Attachments: [2020-R47 Covid 19](#)

[2020-R47 re Amended adopted Chapter 258 AND 260 Re Employees](#)

[Generally and Civil Service Commission](#)

[Mayor Neugebauer 1st Reading Passage Request](#)

[2020-R47 re Executive Order](#)

IX. Report of Council Committees

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

THIRD READING ITEMS

2020-R43 A

A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. (Introduced 4/28/2020) (Amended May 12, 2020) (AMENDED MAY 26, 2020)

Sponsors: Gerard Neugebauer

Attachments: [2020-R43 Modif Approp](#)
[2020-R43A re AMENDED Appropriations April 2020](#)
[2020-R43AA re Exhibit A](#)

Valerie Wax Carr memo re Parks Capital Budget

Mr. Yeargin explained that Exhibit A has been amended. The amendments for tonight are primarily under Parks Capital Projects and Reserve Fund and the Planning Fund. Mrs. Wax Carr summarized the changes. She explained the items were budgeted and this refines them. She then explained the additional funds asked for are for the Boettler Park Small Playground. It is budgeted but they wanted to add additional funds. They have worked with a group of parents with special needs children to make sure we are creating a playground that is diverse and allows for equality for our young children. She explained the changes.

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

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

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

Mrs. Valerie Wolford shared a memorial day video and activities that happened over the weekend. She also announced things that will be opening at the parks. Mr. Yeargin said the City of Green has not made these decisions in a vacuum and he explained the rules they are following.

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

[2020-R46](#) **A RESOLUTION TO EXTEND THE DEADLINE FOR THE PRESENTATION OF THE ADMINISTRATION'S EMERGENCY SERVICES STUDY AND PLAN UNTIL SEPTEMBER 8, 2020, DUE TO THE COVID-19 CRISIS, AND DECLARING AN EMERGENCY. (Introduced 5/26/2020) Referred to Public Safety Committee**

Sponsors: City Council

Attachments: [2020-R46 Postpone FS4 Study](#)
[2020-R46 re Emergency Plan and Study Fire for Fire Station 4](#)

Mr. France started by pointing out this legislation was sponsored by Council as a Whole. Mr. France advised that last year in April there was an Ordinance 2019-08. In Section Two of this Ordinance it authorized the Mayor of the City of Green to utilize a portion of the funds to complete an emergency services study in order to create the Emergency Services Plan to be presented to City Council within one year of the effective date which was April 9, 2019. The current piece

of legislation states the reason the deadline was not met wasn't because it was ignored. The reason was staffing had to be reassigned during the Covid-19 crisis. Chief Funai said he has a lot of the material but they still need to put the numbers together, mapping and other information to share with the public. Mr. France said, for himself, the reason to extend this is so that they can be back in Council Chambers and really want the community to enter into this discussion. Mrs. Babbitt said she supported moving the date back so everyone has the time to put together the information so Council is presented with the most thorough plan. Mr. Yeargin pointed out that Fire Station #3 was delayed because of Covid-19 and it makes sense to be through with that project before you begin to tackle the next. Chief Funai said that he appreciated the time and he thinks the public comment is going to be very important to the whole process. He apologized for not meeting the deadline.

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

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

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

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

Chief Funai gave an update on Station 3. Mr. Young said he drove past the station today and he asked if there were any concerns about the bi-fold doors that they were putting in since there were issues with those type doors at central park. His question was somewhat garbled and he said he would send the Chief an email. There were no other comments.

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

No meeting or report.

E. Rules and Personnel (Babbitt*, Young**, Yeargin)2020-R47

A RESOLUTION AMENDING RESOLUTION 2020-R37, ADOPTED MARCH 22, 2020, AUTHORIZING THE MAYOR TO TEMPORARILY DEVIATE FROM, AS NECESSARY, SECTIONS OF CHAPTER 258 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED "EMPLOYEES GENERALLY" AND SECTIONS OF CHAPTER 260 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED "CIVIL SERVICE COMMISSION" BY EXECUTIVE ORDER AND EXTENDING THROUGH AUGUST 31, 2020, IN ORDER THAT THE MAYOR OF THE CITY OF GREEN SHALL HAVE THE NECESSARY FLEXIBILITY TO ADDRESS THE OPERATIONAL IMPACT OF THE PUBLIC HEALTH EMERGENCY CREATED BY THE COVID-19 CORONAVIRUS, FOR THE MAYOR'S ADMINISTRATION AND DEPARTMENTS AND FOR THE DEPARTMENT OF LAW IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 5/26/2020) ***FIRST READING PASSAGE REQUESTED*** Referred to Rules and Personnel Committee

Sponsors: Gerard Neugebauer

Attachments: [2020-R47 Covid 19](#)

[2020-R47 re Amended adopted Chapter 258 AND 260 Re Employees Generally and Civil Service Commission](#)
[Mayor Neugebauer 1st Reading Passage Request](#)
[2020-R47 re Executive Order](#)

Mrs. Babbitt reminded everyone that Council passed 2020-R37 in March, authorizing the Mayor to move duties around with staffing to use employees in the best way possible to get the City through the Coronavirus. The Mayor has asked Council to extend the time. Mayor Neugebauer said he thinks the moves were really important and explained why. He said he doesn't know what the future will hold and he thinks this flexibility will allow them to be flexible with shifting positions. Mrs. Babbitt said she has been impressed with what the employees have done. Mr. Yeargin said as Coronavirus hit we all thought initially, once we would get over the hump things would get back to normal quickly but we learned that was not going to happen. The turning back on, of society, is going to be gradual. Mr. Brandenburg thanked the Mayor and employees for continuing their diligence services and being able to roll with it as things have changed almost daily. Mr. France asked if those people that have been working from home have

started to come back to work in the CAB. The Mayor said some have come back that could not do work from home and those that are staggered are now working together. He said there is good spacing between those employees and are up about a half dozen employees from what was at CAB at the minimum. Business is done by appointment. He said as long as employees are affective they will be continuing that model. He does not have an exact schedule to change that. He said they will continue to bring people back in a safe fashion. He said many are doing a great job from home. Mr. France said he appreciates the work they are doing from home and we are keeping them in a safe environment. He also asked about employees in the service department and the need for seasonals. The Mayor explained they process of bringing seasonals on. He said they are trying to keep to a minimum of people added this summer to keep the cost down. It is a balance between service and cost right now. Mr. France thanked the Mayor and said we need to keep moving forward with our paving.

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

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

A motion was made by Council Member Babbitt, seconded by Council Member Young, 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 Babbitt, seconded by Council Member Yeargin to adopt. 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 explained that 2020-01 and 2020-R36 had been postponed. He talked to both the sponsors and they are comfortable with continuing to postpone again.

[2020-01](#)

AN ORDINANCE ESTABLISHING PRIOR COUNCIL APPROVAL FOR THE EXPENDITURE OF FUNDS FOR PROFESSIONAL SERVICES USED TO STUDY, PLAN, OR DESIGN TRAILS OR SIDEWALKS, EXCEPTING PARKS, IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 3/10/20)

Sponsors: Matt Shaughnessy

Attachments: [2020-01 re Establish prior approval for professional services trails sidewalks parks](#)

2020-R36 **A RESOLUTION ESTABLISHING A PROCESS FOR PUBLIC ENGAGEMENT FOR THE DEVELOPMENT OF TRAILS WITHIN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. (Introduced 3/24/2020)**

Sponsors: Gerard Neugebauer and Rocco Yeargin

Attachments: [2020-R36 re Trail Plan](#)

SECOND READING ITEMS

2020-R44 **A RESOLUTION aUTHORIZING THE CITY OF GREEN TO ENTER INTO AN ADDITIONAL CONTRACT WITH BURGESS & NIPLE, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD NORTH IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. (INTRODUCED 5/12/2020)**

Sponsors: Gerard Neugebauer

Attachments: [2020-R44 Burgess Niple](#)
[2020-R44 re Burgess Niple Agreement Mod. 4](#)
[2020-R44 re Exhibit A](#)

Mr. Pickett explained this is the fourth amendment to the Burgess and Niple contract. The original contract was approved in 2013 and we have had three amendments prior to this one. This one is a minor one, about half of this increase is for construction phase services if we have to consider change orders to the contract, they will review shop drawings and site visits. They also provide services during the bidding stage and includes some minor design changes. The net increase is \$32,000.00 It added \$96,000.00 in work to the contract but reduced \$63,000.00 for elements that were not needed. When you look at the attachments there is a fixed fee and he explained that process. Mr. Young thanked him for explaining. Mr. Young asked the committee if they were okay with second reading passage. Mr. France said as long as Mr. Pickett feels this is the final version then he is okay with second reading passage. Mr. Pickett said there would be no more amendments.

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

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

[2020-R45 A](#) **A RESOLUTION AWARDING A CONTRACT TO *SPANO BROTHERS CONSTRUCTION CO.*, ~~eavanaugh—building—corporation~~ for THE mOORE ROAD SIDEWALK PROJECT, AND DECLARING AN EMERGENCY. (INTRODUCED 5/12/2020) ***Second Reading Passage Requested.*** (AMENDED MAY 26, 2020)**

Sponsors: Gerard Neugebauer

Attachments: [2020-R45 Spano](#)
[2020-R45 A re Amended Moore Road Project](#)

Paul Pickett 2nd reading request

Mr. Pickett briefly explained the project.

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

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

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

No meeting or report.

X. Mayor's Report

Mayor Neugebauer talked about other Covid responses that were coordinated by staff like the food drive which collected more than 15,500 items. He then talked about the mask making efforts that collected more than 3,560 mask that were distributed throughout the community. There are 36 volunteers making masks. There was also the senior calls and he talked about those calls. There are 108 seniors that are called twice a week. He also talked about the Class of 2020 and how they will be having a drive up graduation. He commended the school administration for the work they have one over the last few months. They have had to make some tough decisions over the last few months. He thanked everyone for their work and being careful and respecting social distancing and we will get through this together. Mrs. Babbitt echoed his comments about the schools. She thinks they have done an amazing job of not only educating the children of our community during this strange

time and meeting the needs of the families during the pandemic. It has been impressive to see how they have responded and taken care of our children.

XI. Unfinished Business - No unfinished business

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 8:45 p.m. The motion carried by the following vote:

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

ATTEST: _____
NICHOLE BALDINGER, ACTING 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.