



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 12, 2020

7:00 PM

Remote

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

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

[TMP-3049](#) Approval of the April 28, 2020 Council/Committee Meeting Minutes

Attachments: [4-28-2020 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

V. Public Report

Mrs. Babbitt explained residents had until 4 pm today to submit comments and that there were no comments submitted.

VI. Public Hearings - No Public Hearings Scheduled

VII. Reading of Correspondence

No correspondence submitted.

VIII. New Legislation - Items on First Reading

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

Referred to the Transportation, Connectivity and Storm Water Committee

[2020-R45](#) A RESOLUTION AWARDING A CONTRACT TO cavanaugh building corporation for THE mOORE ROAD SIDEWALK PROJECT, AND DECLARING AN EMERGENCY. (INTRODUCED 5/12/2020) ***Second Reading Passage Requested.***

Sponsors: Gerard Neugebauer

Attachments: [2020-R45 re Moore Road Project](#)
[Paul Pickett 2nd reading request](#)

Referred to the Transportation, Connectivity and Storm Water Committee

IX. Report of Council Committees

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

SECOND 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)

Sponsors: Gerard Neugebauer

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

Mr. Yeargin summarized Mr. Schmidt's explanation of the first two items on Exhibit A from the last meeting. Mr. Schmidt explained the first item was the Income Tax Fund. The City received three large tax payer refunds totaling just under \$308,000.00. There is a need for an additional appropriation within the income tax fund of \$250,000.00 to be able to refund additional taxpayers when they file their returns.

He advised the second item, the GO Bond Retirement Fund (General Obligation Bond Retirement Fund) as a result of the City entering into a new bond agreement, the first payment will be due in December this year. The City is asking for an additional appropriation out of the Bond Retirement Fund for a total of \$380,328.00 of that amount \$175,000.00 represents principle and \$205,328.00 represents interest. The total request in the supplemental appropriation measure is \$847,288.00. Mr. Yeargin asked how often the bond principle of \$175,000.00 will payment be required to be paid. Mr. Schmidt explained the bond payments are made annually on December 1 and the interest payments are made semi annually on June 1 and December 1. Mr. Yeargin said he has received calls from a few residents, they are seeing in the news that certain state and local budgets are being cut because of Covid - 19 and they want to know why the City is going forward on the construction on Massillon Road North. He wanted to explain that one of the primary reasons is because of the approximate \$15 million approved by Council almost 1/3 of that is coming from Federal Grants that will expire July 1 of this year. Bonds are at historically low rates and getting these bonds out now, our rates will probably be lower than if we wait. He also advised the city has a strategic reserve available. Time was requested and granted.

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

No meeting or report.

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

No meeting or report.

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

No meeting or report.

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

No meeting or report.

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

Legislation Postponed until May 14, 2020

Mr. Young said they will look at the following two pieces at their next meeting. He talked to the two sponsors and they are both comfortable looking at it at the next meeting.

[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 3/10/10) ***Postponed until May 14, 2021***

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) ***Postponed until May 14, 2020***

Sponsors: Gerard Neugebauer and Rocco Yeargin

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

Committee Business

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

Mr. Pickett said they are near the end of the design process of this project. This amendment includes revisions that were needed as the scoop changed. It also includes items that Burgess & Niple will still be supporting the City during the construction and he explained. He said there are some deductions that weren't needed and a few additions and he reviewed those.

[2020-R45](#) A RESOLUTION AWARDING A CONTRACT TO cavanaugh building corporation for THE mOORE ROAD SIDEWALK PROJECT, AND DECLARING AN EMERGENCY. (INTRODUCED 5/12/2020) ***Second Reading Passage Requested.***

Sponsors: Gerard Neugebauer

Attachments: [2020-R45 re Moore Road Project](#)
[Paul Pickett 2nd reading request](#)

Mr. Pickett announced a revision. He first explained that they opened the bids on Friday and they were anxious to get this on the agenda because this funding is for 2020, which for O.D.O.T. ends June 30. He explained they needed this awarded and paper work to them by the beginning of June. They would like it passed at the second meeting in May. He explained that after they opened bids, they got an email from O.D.O.T. that the low bidder Cavanaugh Building Corporation had a slight error because they did not directly submit information to O.D.O.T. before or at the time of bid. They did include with the bid but not to O.D.O.T. and the Ohio Department of Transportation said the City is not allowed to award to them, they are to consider the bid unresponsive. He said they will amend for second reading to recommend the award to Spano Brothers who did submit the D.B.E. (Disadvantaged Business Enterprise). He explained, with Federal funded projects, they set a percentage for each project based on the region the project is going to take place in of work that has to be performed by subcontracts that are disadvantaged businesses. Mr. Yeargin asked what percentage of this project will be paid for with federal funds. Mr. Pickett said 80%. Mr. Yeargin clarified that roughly \$500,000.00 project that \$400,000.00 will be coming through a grant. Mrs. Babbitt asked the difference amount in the bids. Mr. DeVitis advised it was around a \$600.00 difference. Mr. Shaughnessy asked they get a legal opinion with regards to whether or not they have to do what O.D.O.T. says. He does not want the City to get caught up in mess down the road if they didn't look at a legal opinion. Mr. Pickett said they could certainly do that, the email from O.D.O.T. made it very clear that the City would not be allowed, per the rules, to use the Federal funding if we awarded to the bidder who did not provide that documentation. However, they did recommend that our legal council verify that we were comfortable with that. He said he did talk to Lisa Carey Dean about that and they have time to look at it before the next meeting. Mr. France asked Mr. Pickett to describe where the sidewalks would be going. Mr. Pickett explained it will connect Arlington Road, down Moore Road to Charleston. He said some portions are on both sides and others only one and he explained. Discussion continued about putting the trail through to East Liberty Park. Mr. Brandenburg said, looking at the City's budget, the City's portion is \$181,000.00 and the Federal Grant funding of \$500,000.00. The bid is \$511,000.00 He asked if they could expect further legislation or did it come in significantly cheaper than the estimate. Mr. Pickett said it came in significantly cheaper and he explained and they would only get 80% of the bid amount. He also explained they will be managing in house. Mr. Brandenburg asked if a 10-15% cushion was built in for overages. Mr. Pickett explained when they encumber the money with the award of the contract it will be added in then. Mr. Shaughnessy asked if there were many areas where a restraining wall would need to be built. Mr. Pickett said there would be none and he explained how they were able to do that. The Mayor said it was their intention to not use retention walls unless they have to.

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

No meeting or report.

X. Mayor's Report

Mayor Neugebauer talked about the Covid-19 Small Business Emergency Relief Grant Program done by Summit County. They had \$1.55 million to grant and they awarded all that to 300 businesses and 18 were in Green. Green did help fund part of that. From the Federal CARES Act they have realized they can allocated another \$5 million to that program. They will be making those grants available to more businesses in Summit County. They will be \$5,000 to eligible small businesses and they have widened the eligibility and he reviewed. They will also have for single person business grants. He said the \$50,000.00 that the city donated will be returned to the City by the end of the year because of the CARES Act. He also talked about the Green Together Food Drive. They collected over 10,000 food items in the first week and have three more days this week. He said there have been over 2,900 mask collected and residents can request masks and explained how. The Mayor explained a video that will be released and virtual events that will be done since the regular Memorial Day activities will not be happening. He also announced a Mind Mixer that will be done virtually to share thoughts and opinions on the Green Parks Master Plan.

XI. Unfinished Business - No Unfinished Business**XII. New Business - No New Business****XIII. Adjournment**

A motion was made by Council Member Barbara Babbitt, seconded by Council Member Rocco Yeargin, to adjourn the meeting at 7:42 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.