



City of Green

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

Meeting Minutes

City Council

Bob Young - Ward 2 - President
Barbara Babbitt - Ward 1 - Vice President
Rocco Yeargin - Ward 3
Matt Shaughnessy - Ward 4
Stephen Dyer - At-Large
Chris Humphrey - At-Large
Justin Speight - At-Large
Molly Kapeluck, MMC Clerk of Council

Tuesday, October 8, 2019

7:00 PM

Council Chambers

I. Call to Order

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

II. Pledge of Allegiance

Councilmember Young led the Pledge of Allegiance.

III. Roll Call of Council Members

Present: 7 - Barbara Babbitt, Stephen Dyer, Chris Humphrey, Matt Shaughnessy, Justin Speight, Rocco Yeargin and Bob Young

IV. Council Study Session

[TMP-2805](#) Approval of the September 24, 2019 Regular Meeting Minutes

Attachments: [9-24-19 Council Minutes](#)

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

V. Public Report

Chrissy Gashash - Manager of Community Relations, Summit County ADM Board - She explained Issue 14. This is not a new tax and averages \$7 for a \$100,000 home. Mr. Dyer asked if she was seeking an official endorsement? She said yes, they would like that as a body or individually. Mr. Dyer asked if there was any thought about going for new money. She said they have looked at that and explained. She said they feel confident that with the renewal they can maintain services. Mr. Humphrey asked

the percentage of the time and budget is for mental illness, drugs and alcohol. The lions share goes to mental health treatment.

VI. Public Hearings - No Public Hearings Scheduled

VII. Reading of Correspondence

[TMP-2793](#)

Email from Eric Poston RE: Public Records Request/Pipeline Settlement Committee

Attachments: [9-20-19 Eric Poston](#)

[10-2-10 Eric Poston](#)

[TMP-2800](#)

Email: Green City Stormwater Division - Best of Canton Award in the cemetery category

Attachments: [9-30-19 Canton Business Recognition](#)

VIII. New Legislation - Items on First Reading

[2019-R90 A](#)

A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH Glassdoor, Inc., AND DECLARING AN EMERGENCY. Introduced October 8, 2019 (Amended October 22, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R90 A re Amended Glassdoor Municipal Economic Development Grant](#)
[2019-R90 A re Amended Exhibit A Municipal Economic Development Grant - Glassdoor](#)

[2019-R91](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH SPANO BROTHERS Construction Co., inc. for storm sewer repairs, WAIVING COMPETITIVE BIDDING, and declaring an emergency. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R91 re Spano Brothers catch basins](#)

[2019-R92](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH BRANDSTETTER CARROLL, INC. TO CREATE A COMPREHENSIVE PARKS AND RECREATION MASTER PLAN, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R92 re Parks and Recreation Master Plan Agreement-Green Parks Master Plan ver1](#)

2019-R93 A A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH Surgere, Inc., AND DECLARING AN EMERGENCY. Introduced October 8, 2019 (Amended October 22, 2019)

Sponsors: Gerard Neugebauer

Attachments: 2019-R93 A re Amended Surgere Municipal Economic Development Grant
2019-R93 A re Amended Exhibit A Municipal Economic Development Grant - Surgere

[2019-R94](#) A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL (“TIRC”) REGARDING THE COMMUNITY REINVESTMENTS AREA, AND TAX INCREMENT FINANCING AGREEMENTS WITHIN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R94 re TIRC Recommendations](#)

[2019-R95](#) A RESOLUTION AUTHORIZING THE FIRE DIVISION TO APPLY FOR A GRANT THROUGH THE SAFETY INTERVENTION GRANT PROGRAM ADMINISTERED BY THE OHIO BUREAU OF WORKERS’ COMPENSATION, AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R95 re BWC Safety Grant Legislation](#)

[2019-R96](#) A RESOLUTION CONSENTING AND COOPERATING WITH THE STATE OF OHIO, DIRECTOR OF TRANSPORTATION, FOR SIGN REPLACEMENT ON SR-619, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R96 re ODOT Consent Sign replace 619](#)
[ODOT 619 Sign replacement application](#)

2019-R97

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ACCEPT A GRANT UNDER THE FISCAL YEAR 2018 ASSISTANCE TO FIREFIGHTERS GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY, AND AUTHORIZING THE MATCHING FUNDS FROM THE CITY TO PURCHASE AND INSTALL A VEHICLE EXHAUST REMOVAL SYSTEM, AND DECLARING AN EMERGENCY.
FIRST READING PASSAGE REQUESTED.

Sponsors: Gerard Neugebauer

Attachments: [2019-R97 Firefighters Grant - Vehicle Exhaust Removal](#)
[2019-R97 re Fire Grant Accept Exhaust System](#)
[Exhaust Award Letter](#)
[Chief Funai 1st reading request 2019-R97](#)

Mr. Humphrey advised the Administration has asked for first reading passage. He advised that Chief Funai explained the grant to the committee and he briefly reviewed. Mr. Humphrey advised the cost of the system is \$46,813.63. The City's portion of this grant is 10% or \$4,681.31. Because it is time sensitive and it represents safety for our fire fighters the City has requested and the Finance Committee agreed to first reading passage.

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

2019-17

An ordinance approving the Akron-Summit County Energy Special Improvement District Residential Program Plan; authorizing and approving the execution, delivery, and performance of a City Residential PACE Cooperative Agreement with respect to property assessed clean energy transactions in cooperation with the Akron-Summit County Energy Special Improvement District and the Toledo-Lucas County Port Authority;

authorizing the Toledo-Lucas County Port Authority to approve petitions and plans for public improvements or public services submitted by the owners of real property within the City requesting that their property be added to the territory of the Akron-Summit County Energy Special Improvement District and assessed for the costs of such plans on behalf of the Council of the City, and declaring an emergency. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-17 re residential PACE](#)
[2019-17 re Exhibit A Residential PACE Plan](#)
[Local Cooperative Agreement](#)
[ESID Map 8.27.19](#)
[R PACE August 2019](#)

[2019-18](#) AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY. Introduced October 8, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-18 re Codified Ordinance revision codes](#)
[2019-18 re Exhibit A](#)

IX. Report of Council Committees

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

SECOND READING ITEMS

[2019-R81](#) A RESOLUTION TO ENTER INTO A DEPOSITORY AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS (ACTIVE DEPOSITS, INACTIVE AND/OR INTERIM DEPOSITS) WITH KEY BANK, AND DECLARING AN EMERGENCY. Introduced September 24, 2019

Sponsors: Gerard Neugebauer

Attachments: [2019-R81 re KEY Depository Agreement Active](#)

Mr. Humphrey briefly explained this is necessary every three years. He requested time and it was granted.

[2019-R82](#) **A RESOLUTION TO ENTER INTO A DEPOSITORY AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS (ACTIVE DEPOSITS, INACTIVE AND/OR INTERIM DEPOSITS) WITH PNC BANK, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R82 re PNC Depository Agreement Active](#)

Mr. Humphrey briefly explained, requested time and it was granted.

[2019-R83](#) **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 September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R83 re Accept tax rates FY2019 CY2020](#)

[2019-R83 re Exhibit A](#)
[19TY20CY.ESTIMATE.POLITICALSUBS.CERTTAXLEVY](#)

Mr. Humphrey explained we have to certify the millage to the County every year and then requested time, which was granted.

[2019-R84](#) **A RESOLUTION REQUIRING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE FUNDS TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R84 re Advance Property Tax 2020](#)

Mr. Humphrey briefly explained this is done every year and the process. He requested time and it was granted.

[2019-R86 A](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. Introduced 9/24/19 (Amended October 08, 2019) ***Second Reading Passage Requested.*****

Sponsors: Gerard Neugebauer

Attachments: [2019-R86 Modifying Appropriations](#)
[2019-R86 A re Amended Appropriations September 24 2019](#)
[2019-R86 A re Amended Exhibits A September 24](#)
[Steve Schmidt 1st reading passage request 2019-R86](#)

Mr. Humphrey explained the process and need for legislation. He advised that Mr. Schmidt explained to the committee the need for modifying the appropriations.

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

[2019-16](#) **AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF GREEN SECTIONS 880.03 AND 880.091; AND, TO ENACT A NEW SECTION 880.141 REGARDING MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-16 re Municipal IncomeTax language](#)

Mr. Humphrey advised this brings us into compliance with state law changes regarding municipal income tax. Time requested and granted.

B. Environment & Parks (Speight*, Babbitt**, Shaughnessy)

THIRD READING ITEMS

[2019-R80](#) **A RESOLUTION AWARDING A CONTRACT TO SENTRY FENCE, INC. FOR THE GREENSBURG PARK FENCE IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY. Introduced September 10, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R80 Sentry Fence - Greensburg Park](#)
[2019-R80 re #18-P-28 Greensburg Park Fence Improvement](#)
[ALL IN ONE Greensburg Park Fence Improvements](#)

Mr. Speight talked about discussion during the committee meeting and explained the amended legislation.

A motion was made by Council Member Speight, seconded by Council Member

Shaughnessy, to amend the Resolution. The motion failed by the following vote:

Aye: 3 - Dyer, Shaughnessy and Speight

Nay: 4 - Babbitt, Humphrey, Yeargin and Young

Mr. Dyer explained his concern. He talked about the Parks Master Plan and how many will be able to weigh in on the fate of field 4. He talked about the other issues. He explained why he will support and asked the Administration to hold off on field 4. Mr. Humphrey talked about the process that was already done and it did ask the community and those that were using the fields. He thinks it is a mistake to put out that because we have a pipeline proximity to this field, it is unsafe to use. Mr. Dyer explained the difference between driving over and having a baseball game. He talked about the votes from the Sports impact Committee. He just asked they wait until we go through the Park Master Plan.

Mr. Shaunessy called the question.

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

C. Public Safety (Babbitt*, Humphrey*, Dyer)

Mrs. Babbitt advised the Committee met and received a report regarding the progress of Fire Station #3 with pictures.

D. Planning, Community & Economic Development (Yeargin*, Speight**, Young)

2019-04

AN ORDINANCE ESTABLISHING PUBLIC NOTIFICATION REQUIREMENTS PRIOR TO CITY COUNCIL ACTION AUTHORIZING CITY FUNDS OR AUTHORIZING THE APPLICATION FOR GRANTS OR OTHER FUNDING METHODS TO BE USED FOR THE DESIGN OR CONSTRUCTION OF THE MASTER TRAIL PLAN OR SIMILAR LONG-RANGE CITY-DEVELOPED PLANNING, OR PORTIONS THEREOF, AND DECLARING AN EMERGENCY. (Introduced on 2/26/19)

Sponsors: Matt Shaughnessy and Stephen Dyer

Attachments: [2019-04 re Master Trail Plan Noticifation](#)

Mr. Yeargin said this continues to be in research mode.

SECOND READING ITEMS

[2019-R88](#) **A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF HERON WATCH SUBDIVISION REPLAT #5, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R88 Heron Watch Replat #5](#)
[2019-R88 re Heron Watch Subdivision Replat #5](#)
[19-51 Heron Watch Replat PZC Staff Report](#)
[Heron Watch Replat](#)
[Heron Watch Replat No 5 aerial](#)

Mr. Yeargin advised that Mr. Wiethe explained in committee. He briefly explained this is two residents that want to make four lots into two larger lots.

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

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

Aye: 7 - Babbitt, Dyer, Humphrey, Shaughnessy, Speight, Yeargin and Young

Mr. Yeargin advised the committee also discussed 2019-R90 and R93 on first reading. He explained the importance of these grants.

E. Rules and Personnel (Young*, Dyer**, Humphrey)

SECOND READING ITEMS

[2019-R85](#) **A RESOLUTION AUTHORIZING THE CONFIRMATION OF THE APPOINTMENT OF DR. ALEXSANDRA MAMONIS AS THE CITY OF GREEN REPRESENTATIVE TO SERVE ON THE SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT BOARD OF HEALTH FOR A FOUR (4) YEAR TERM BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY. Introduced September 24, 2019**

Sponsors: Gerard Neugebauer

Attachments: [2019-R85 Dr. Mamonis Confirmation](#)
[2019-R85 re Unite City of Green Health District](#)

Mr. Young advised the committee discussed. Mr. Dyer said he had a conflict and stepped out of the room.

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

Aye: 6 - Babbitt, Humphrey, Shaughnessy, Speight, Yeargin and Young

Recused: 1 - Dyer

Mr. Dyer rejoined the meeting.

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

Aye: 6 - Babbitt, Humphrey, Shaughnessy, Speight, Yeargin and Young

Recused: 1 - Dyer

F. Transportation, Connectivity & Storm Water (Shaughnessy*, Young**, Yeargin)

Mr. Shaughnessy advised the committee discussed 2019-R91 and explained the reason for the legislation. Second reading passage is requested.

G. Intergovernmental & Utilities (Dyer *, Shaughnessy**, Speight)

No Meeting Held.

H. Charter Amendment Implementation Committee (Yeargin*, Babbitt**, Shaughnessy)

Discussion took place to remove this committee from the agenda. Mr. Young said that it could be removed from the agenda.

X. Mayor's Report

Mayor Neugebauer gave his report. He was also presented a check from The Town Tavern by Sam Dankoff for the Ariss Dog Park for \$880.00. He said they will use that money, probably to put benches in the parks.

XI. Unfinished Business

No Unfinished Business

XII. New Business

No New Business

XIII. Adjournment

Mr. Humphrey moved to adjourn at 7:48 p.m.

ATTEST: _____
MOLLY KAPELUCK, CLERK OF COUNCIL

APPROVED: _____
BOB YOUNG, 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.