



# City of Green

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

## Agenda 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*

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Tuesday, March 10, 2020

7:00 PM

Council Chambers

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I. Call to Order

II. Pledge of Allegiance

III. Roll Call of Council Members

IV. Council Study Session

[TMP-2999](#) APPROVAL OF THE FEBRUARY 25, 2020 REGULAR COUNCIL MEETING MINUTES.

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

[TMP-3006](#) APPROVAL OF THE FEBRUARY 2020 FINANCIAL STATEMENT SUBJECT TO AUDIT

**Attachments:** [February 2020 Electronic Financial Report.pdf](#)

V. Public Report

*PLEASE STEP TO THE MICROPHONE WHEN ADDRESSING COUNCIL AND GIVE NAME AND ADDRESS.*

Kandy Fatheree

VI. Public Hearings

[TMP-2994](#) JERRY KUNER  
LOCATED AT: APPLERIDGE ROAD  
CITY OF GREEN  
PARCEL: 28-11513  
CONTAINING: 32.02 ACRES

**Attachments:**     [Jerry Kuner - Ag District Application.pdf](#)  
[AG District PH Notice.pdf](#)

**TMP-2995**            **RONALD KUNER**  
**LOCATED AT: 5424 ARLINGTON ROAD/APPLERIDGE ROAD**  
**CITY OF GREEN**  
**PARCELS: 28-11512, 28-13639**  
**CONTAINING: 21.29 ACRES**

**Attachments:**     [Ronald Kuner - Ag Dist Application.pdf](#)  
[AG District PH Notice.pdf](#)

#### VII. Reading of Correspondence

**TMP-2998**            **LETTER FROM ILENE SHAPIRO RE: 2020 CENSUS**

**Attachments:**     [3-3-20 2020 Census letter.pdf](#)

**TMP-3007**            **EMAIL FROM JOHN ROY RE: PUBLIC RECORDS REQUEST**

**Attachments:**     [2-26-2020 John Roy.docx](#)

#### VIII. New Legislation - Items on First Reading

**2020-R27**            **A RESOLUTION AMENDING RESOLUTION 2016-R10 TO**  
**AUTHORIZING THE ADMINISTRATION TO USE FUNDS RECEIVED**  
**FROM KIMBLE COMPANIES, OR OTHER CONTRACTED**  
**RECYCLING AGGREGATE PROVIDER, TO FUND GRANTS AND**  
**LIVING GREEN INITIATIVES IN THE CITY OF GREEN, AND**  
**DECLARING AN EMERGENCY. (INTRODUCED 3/10/2020)**  
**REFERRED TO THE INTERGOVERNMENTAL AND UTILITIES**  
**COMMITTEE**

**Sponsors:**           Gerard Neugebauer

**Attachments:**     [2020-R27 re Kimble Living Green Grant](#)

**2020-R28**            **A RESOLUTION ACCEPTING THE PLANNING & ZONING**  
**COMMISSION'S ("PZC") APPROVAL OF KIMMEL ALLOTMENT**  
**REPLAT NO. I, AND DECLARING AN EMERGENCY. (INTRODUCED**  
**3/10/2020) REFERRED TO THE PLANNING AND ECONOMIC**  
**DEVELOPMENT COMMITTEE**

**Sponsors:**           Gerard Neugebauer

**Attachments:**      [2020-R28 re Kimmel Allotment Replat No 1](#)  
[20-09 Kimmel Allot Replat No. 1 PZC Staff Report](#)  
[Kimmel Replat](#)  
[Kimmel Allotment Plat](#)  
[Kimmel Replat aerial](#)

**2020-R29**      A RESOLUTION AUTHORIZING THE CITY OF GREEN TO DISPOSE OF UNNEEDED EQUIPMENT/PROPERTY BY SALE VIA ONLINE AUCTION, PURSUANT TO SECTION 721.15 OF THE REVISED CODE, AND DECLARING AN EMERGENCY. (INTRODUCED 3/10/2020) REFERRED TO THE PUBLIC SAFETY COMMITTEE

**Sponsors:**      Gerard Neugebauer

**Attachments:**      [2020-R29 re Auction of equipment](#)  
[2020-R29 re Exhibit A](#)

**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 re Exhibit A](#)  
[Chief Jeff Funai Memo 1st Reading Passage](#)

**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) REFERRED TO THE TRANSPORTATION, CONNECTIVITY AND STORM WATER COMMITTEE

**Sponsors:**      Gerard Neugebauer

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

## IX. Report of Council Committees

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

*No Items*

**THIRD READING ITEMS**

[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 re Exhibit A 1715 E Turkeyfoot Lake Rd](#)

[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 re Exhibit A 4064 S Arlington Rd](#)

[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 re Exhibit A MCAG Agreement](#)

**SECOND READING ITEMS**

[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) REFERRED TO FINANCE COMMITTEE

**Sponsors:** Gerard Neugebauer

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

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

*No Items*

**THIRD READING ITEMS**

[2020-R06](#) 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 2/11/2020

**Sponsors:** Gerard Neugebauer

**Attachments:** [2020-R06 re Raintree Real Property tax exemption](#)

[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 A re AMENDED Exhibit A all documents](#)

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

*No Items*

**THIRD READING ITEMS**

[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 re Exhibit A Apparatus Green Contract \(FV\)](#)

[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 re Exhibit A](#)

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

*No Items*

**THIRD READING ITEMS**

[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 re Exhibit A Addendum No. 1](#)

[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 re Exhibit A](#)  
                          [19-65 Replat of Ak Can Corp Pk 8 & Final Plat of Ak Can Corp Ph 9- PZC Staff](#)  
                          [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](#)

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

*No Items*

**THIRD READING ITEMS**

[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](#)

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

*No Items*

**THIRD READING ITEMS**

[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](#)

[2020-R23](#)     **A RESOLUTION AWARING 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](#)

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

*No Items*

X. Mayor's Report

XI. Unfinished Business

XII. New Business

XIII. Adjournment

**All persons other than members of the Council, desiring to be heard by Council can sign in on the speaking roster before the public report of the agenda. Each person will be allowed a maximum of three (3) minutes to address the Council and a maximum of one half hour for all persons addressing the Council. No person shall be recognized more than once on any subject unless by unanimous consent of the Council.**

NOTE: An Executive Session may be called during the Meeting, anytime after the roll call and before adjournment by a majority vote of Council. All Executive Sessions will only be held pursuant to the Sunshine Laws provisions. Any decisions based on the Executive Sessions discussions will be made in the open meeting.

#### **SCHEDULE OF COMMITTEE MEETING**

**Committee meetings are held starting at 5:00 p.m. on the second and fourth Tuesdays at the Administration Building. A Committee Chair may schedule a meeting at any other time as necessary. For special meeting times call the Clerk's Office at 896-6604.**

**Molly Kapeluck - Clerk of Council - 896-6604  
Council@cityofgreen.org**

#### **ADMINISTRATION**

GERARD NEUGEBAUER, MAYOR - 896-6602  
LISA CAREY DEAN LAW DIR., - 896-6615  
WAYNE WIETHE, PLANNING DIR. - 896-6614  
STEVEN SCHMIDT, FINANCE DIR. - 896-6603  
VALERIE WOLFORD, COMM. MANAGER-896-6602

JEFF FUNAI, FIRE CHIEF - 896-6610  
VALERIE WAX CARR, SERVICE DIR. 896-4176  
PAUL PICKETT, CITY ENGINEER - 896-5510  
PAM SERINA, H.R. MANAGER – 896-2313