

RESOLUTION NO.: 2020-R36
SPONSOR: MAYOR NEUGEBAUER AND COUNCILMAN YEARGIN
INTRODUCED: MARCH 17, 2020 **ASSIGNED TO:** _____

A RESOLUTION ESTABLISHING A PROCESS FOR PUBLIC ENGAGEMENT FOR THE DEVELOPMENT OF TRAILS WITHIN THE CITY OF GREEN, AND DECLARING AN EMERGENCY.

WHEREAS , the City of Green has completed a Master Trail Study through a grant received from AMATS; and

WHEREAS, this study identifies local destinations such as parks, schools, shopping districts, and neighborhoods that could be better connected by multi-purpose Trails; and

WHEREAS, the City has identified these proposed destinations as a result of multiple public input and engagement workshops for Green residents; and

WHEREAS, the Master Trail Study does not contain any fixed or final Trail alignments and further study, preliminary design work, and public engagement is needed prior to finalizing any Trail Segment; and

WHEREAS, establishing a process for receiving input from Affected Property Owners is an important part of public engagement and is necessary to the development of any Trail Segment.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, STATE OF OHIO, THAT:

SECTION ONE:

No proposed Trail Segment shall be approved until both of the following have occurred: (1) the Planning Department, after conducting preliminary study and design work, shall hold at least one informal neighborhood/community meeting for the benefit of all affected property owners to discuss the proposed Trail Segment; and, (2) subsequent to the neighborhood/community meeting(s), the Planning and Zoning Commission shall review the proposed Trail Segment at a regular PZC meeting. The PZC shall take action to approve, amend or deny the Trail Segment proposal.

SECTION TWO:

The Planning Department shall notify all Affected Property Owners of the Trail Segment under review at least ten (10) days prior to any neighborhood/community meeting described in Section One. Residents of the City shall have at least fourteen (14) calendar days after any neighborhood/community meeting on a given Trail Segment to provide comments to the Planning Department either by email or in person. Once the mandatory public comment period has ended, the Trail Segment may be placed on the next scheduled Planning & Zoning Commission agenda for review. The Planning Department shall notify Affected Property Owners of a scheduled PZC meeting at least ten (10) days prior to any such meeting. The Planning Department shall make available to the PZC all written public comments received by the Planning Department concerning any proposed Trail Segment. Nothing herein prevents the Planning Department from holding multiple neighborhood/community meetings for a given Trail Segment; but in all cases, at least

one such meeting must be held prior to consideration of that Trail Segment by the PZC.

SECTION THREE:

This Resolution shall be made a part of the Master Trail Study.

SECTION FOUR:

Nothing herein shall prevent the City from applying for a grant to fund any part of a proposed Trail. However, if a grant application requires that the City commit funds to the construction of any Trail Segment, then property owners shall be notified, and meetings shall be scheduled as required by Sections One and Two prior to applying for the grant.

SECTION FIVE:

The Planning Department shall work with the Green Historic Preservation Commission to identify historically significant properties and to place historic markers where appropriate along any proposed Trail Segment. However, no historic marker shall be placed on private property without the express written consent of the private property owner upon whose property the marker may be placed.

SECTION SIX:

Definitions:

"Affected Property Owners" shall mean property owners who may be requested to provide an easement or public right of way for trail purposes, property owners along both sides of the road right-of-way where a trail is proposed, and property owners contiguous to public property where a trail is proposed.

"Notify" or "Notice to Affected Property Owners" shall mean written notice sent by Regular United States Mail by the Planning Department to Affected Property Owners at least ten (10) days prior to the scheduled meeting.

"Trail" shall mean all forms of newly established multipurpose pathways, including but not limited to, sidewalks, paths, and trails used for walking, jogging, bicycling, and similar purposes.

"Trail Segment" shall mean any new section of a Trail that would be considered for finalization at any given time.

SECTION SEVEN:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and any deliberations of this Council and any of its committees that resulted in those formal action were in meetings open to the public, in compliance with all legal requirements.

Page 3
Resolution 2020-R36

SECTION EIGHT:

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and so that the Project may proceed immediately and forthwith. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Molly Kapeluck, Clerk of Council

Barbara Babbitt, Council President

APPROVED: _____, 2020

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2020

ON ROLL CALL: Babbitt Brandenburg DeVitis France
 Shaughnessy Yeargin Young

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk of Council