



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, February 26, 2019

7:00 PM

Council Chambers

I. Call to Order

President Young called the meeting to order at approximately 8:15 p.m.

II. 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

Also present:

Mayor Neugebauer

Bill Chris, Law Director, Interim

Valerie Wax Carr, Service Director

Paul Pickett, City Engineer

Wayne Wiethe, Director of Planning

Steve Schmidt, Finance Director

Nichole Baldinger, Clerk of Council, Interim

IV. Council Study Session

[TMP-2460](#) Approval of the February 12, 2019 Regular Meeting Minutes

Attachments: [2-12-19 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: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Abstain: 1 - Shaughnessy

[TMP-2448](#) Approval of the January 2019 Financial Report Subject to Audit

Attachments: [JANUARY 2019 ELECTRONIC FINANCIAL REPORT](#)

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

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

V. Public Report

Dez Wertheimer, 120 E. Turkeyfoot Lake Rd., Green, OH-
Mr. Wertheimer commented that the airport could be a possible location for a satellite station.

VI. Public Hearings

None.

VII. Reading of Correspondence

[TMP-2449](#) Civil Service Commission 2018 Report of Activities

Attachments: [Signed CSC Report of Activities_2018](#)

[TMP-2450](#) Email from Troy McFadden RE: Reimbursement for Insurance Deductible from Pothole Damage

Attachments: [Troy McFadden Pot Hole](#)

[TMP-2451](#) Letter from Valerie Wax Carr RE: Baseball/Softball Field Conditions

Attachments: [V. Carr Ballfield Conditions](#)

All correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2019-R11](#) A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF THE REPLAT OF LOT 1-R OF HERITAGE CROSSINGS OF GREEN PHASE I, AND DECLARING AN EMERGENCY. (Introduced on 2/26/19)

Sponsors: Gerard Neugebauer

Attachments: [2019-R11 re Heritage Crossings of Green Phase I](#)

[2019-R12A](#) A RESOLUTION AWARDING A CONTRACT TO NORTHSTAR ASPHALT, INC. for THE 2019 RESURFACING PROJECT, AND

DECLARING AN EMERGENCY. (Introduced on 2/26/19) (Amended March 12, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R12A re Amended 2019 Resurfacing Project](#)
[ALL IN ONE 2019 Resurfacing Project](#)

[2019-R13](#) **A RESOLUTION DONATING REAL ESTATE OWNED BY THE CITY OF GREEN TO SUMMIT COUNTY LAND REUTILIZATION CORPORATION FOR THE PURPOSE OF DEMOLITION OF THE STRUCTURES ON THE PROPERTY AND ACCEPTING THE LAND FROM THE SUMMIT COUNTY LAND REUTILIZATION CORPORATION TO THE CITY OF GREEN UPON COMPLETION OF THE DEMOLITION, AND DECLARING AN EMERGENCY. **Referred to the Planning and Economic Development Committee **FIRST READING PASSAGE REQUESTED****

Sponsors: Gerard Neugebauer

Attachments: [2019-R13 re SC Land Reutilization Corp Donation](#)
[2019-R13 re Exhibit A Summit County Land Bank Agreement](#)
[1st Reading Passage Resolution 2019-R13](#)

Mr. Yeargin briefly explained that first reading passage had been requested and that after discussion in committee, they were ok with passage.

A motion was made by Council Member Yeargin, seconded by Council Member Speight, to bypass Committee deliberations the Resolution. 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 Speight, to bypass the three reading rule the Resolution. 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 Speight, to adopt the Resolution. The motion carried by the following vote:

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

[2019-R14](#) **A RESOLUTION TO ENTER INTO A MEMORANDUM OF AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS (ACTIVE, INTERIM AND/OR INACTIVE DEPOSITS) WITH HUNTINGTON NATIONAL BANK, AND DECLARING AN EMERGENCY. (Introduced on 2/26/19)**

Sponsors: Gerard Neugebauer

Attachments: [2019-R14 re Huntington Deposit Active](#)
[2019-R14 re Exhibit A Huntington Deposit](#)

[2019-03](#) **AN ORDINANCE AMENDING RULES OF THE CIVIL SERVICE COMMISSION OF THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** (Introduced on 2/26/19)

Sponsors: Gerard Neugebauer

Attachments: [2019-03 Civil Service Rules Update](#)
[2019-03 re Civil Service Rule Change](#)
[Civil Service Rule changs draft](#)
[Rule Change Rationale 2019](#)

[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](#)

IX. Report of Council Committees

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

SECOND READING ITEMS

[2019-R10](#) **A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM**
[AA](#) **THE UNAPPROPRIATED BALANCE OF *GENERAL FUND* AND THE**
PIPELINE SETTLEMENT FUND TO THE FIRE STATION NO. 3
CONSTRUCTION ACCOUNT, *RECLASSIFY AN ADVANCE AS A*
***TRANSFER*, MAKING AN APPROPRIATIONS, AND DECLARING AN**
EMERGENCY.

Sponsors: Gerard Neugebauer

Attachments: [2019-R10 re Amended Amended Fire Station No. 3 Construction](#)
[2019-R10 re Amended Fire Station No. 3 Construction](#)

Mr. Humphrey read in the legislation and gave a brief overview.

There was an extensive discussion in Committee about this legislation.

Mr. Humphrey briefly explained the discussion that took place.

This is on 2nd reading, time was requested and granted.

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

All members present.

SECOND READING ITEMS

[2019-02](#) **AN ORDINANCE AUTHORIZING THE SELECTION OF ENVIROSCIENCE, INC. AS THE FIRM TO PROVIDE DESIGN-BUILD SERVICES TO THE CITY FOR THE DESIGN AND CONSTRUCTION OF THE CITY'S BOETTLER PARK STREAM RESTORATION AND STABILIZATION, AND DECLARING AN EMERGENCY.** (Introduced on 2/12/19)

Sponsors: Gerard Neugebauer

Attachments: [2019-02 re Boettler Park Stream Restoration and Stabilization](#)

Mr. Speight read in the legislation and gave a brief overview.

Mr. Pickett gave a presentation in Committee describing the project and what would be part of the scope.

2nd reading, time will be taken.

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

All members present. Heard SC Sheriffs Report and GFD Summary of Activities.

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

All members present.

SECOND READING ITEMS

[2019-01](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY Arlington Ridge Townhomes LP, TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF**

**THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY
TAXATION FOR THIRTY YEARS, AND DECLARING AN
EMERGENCY. (Introduced on 2/12/19)**

Sponsors: Gerard Neugebauer

Attachments: [2019-01 re Arlington Ridge Townhomes](#)
[2019-01 re Exhibits A B C D Arlington Ridge Townhomes](#)

Mr. Yeargin read in the legislation and gave a brief overview.

A short discussion took place. TIF funds to pay back debts on Arlington Rd & 619.

2nd reading, time will be taken.

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

All members present.

SECOND READING ITEMS

2019-R06 **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER
INTO AN AGREEMENT WITH VORYS, SATER, SEYMOUR AND
PEASE, LLP, TO PROVIDE SPECIALIZED LEGAL SERVICES IN THE
AREA OF LABOR AND EMPLOYMENT FOR THE PURPOSE OF
CONTRACT NEGOTIATIONS, AND DECLARING AN EMERGENCY.
(Introduced on 2/12/19) **Second Reading Passage Requested****

Sponsors: Gerard Neugebauer

Attachments: [2019-R06 re Vorys Dispatch](#)
[2nd Reading Passage Request Feb 26 2019](#)

Mr. Young read in the legislation and gave a brief overview.

2nd reading passage requested due to timing for contract negotiations.

Committee ok with passage.

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

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

**A motion was made by Council Member Young, 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

2019-R07 **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER**

INTO AN AGREEMENT WITH ZASHIN & RICH CO., LPA, TO PROVIDE SPECIALIZED LEGAL SERVICES IN THE AREA OF LABOR AND EMPLOYMENT FOR THE PURPOSE OF CONTRACT NEGOTIATIONS, AND DECLARING AN EMERGENCY. (Introduced on 2/12/19) **Second Reading Passage Requested**

Sponsors: Gerard Neugebauer

Attachments: [2019-R07 re Zashin and Rich Firemen](#)
[2nd Reading Passage Request Feb 26 2019](#)

Mr. Young read in the legislation and gave a brief overview.

2nd reading passage requested for contract negotiations as well.

Committee ok with passage.

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

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

A motion was made by Council Member Young, 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

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

All members present, no items of legislation, did not meet.

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

All members present, no items of legislation, did not meet.

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

All members present.

SECOND READING ITEMS

[2019-R05 A](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH WALTER HAVERFIELD, LLP, TO PROVIDE SPECIALIZED LEGAL SERVICES AND GUIDANCE IN ASSISTING COUNCIL AND THE CHARTER REVIEW COMMISSION IN THEIR RECOMMENDATIONS FOR CHANGES TO THE CITY CHARTER AND TO IMPLEMENT ~~THE—WITH—RESPECT—TO—A~~ CITIZEN-INITIATED AMENDMENT TO THE CITY CHARTER REQUIRING THE CITY OF GREEN'S LAW DIRECTOR BE AN ELECTED POSITION, AND

DECLARING AN EMERGENCY. (Amended February 26, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R05 re AMENDED Walter Haverfield Agreement Law Director](#)
[2019-R05 re Exhibit A](#)
[2nd Reading Passage Request Feb 26 2019](#)

Mr. Yeargin read in the legislation and gave a brief overview.

Discussion took place during Committee. The legislation was amended to reflect the requests during committee.

2nd reading passage requested in the interest of time for Charter Review Commission.

Committee ok with passage.

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

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

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

Mr. Dyer commented that he felt that everyone worked well together on the Walter Haverfield legislation.

Mr. Speight commented on the Celebration of Education this past weekend. Thanked everyone for their hard work.

Mrs. Babbitt stated that she would like to commend the city on keeping everyone informed about road closures & power outages during the recent wind storm.

Mr. Chris congratulated the mock trial team.

XII. New Business

XIII. Adjournment

The meeting was adjourned at 8:41 p.m.

ATTEST: _____
NICHOLE BALDINGER, CLERK OF COUNCIL, INTERIM

APPROVED: _____
ROBERT 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.