



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, August 27, 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-2729](#) Approval of the July 9, 2019 Regular meeting minutes.

Attachments: [7-9-19 Council Minutes](#)

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

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

[TMP-2743](#) Approval of the August 13, 2019 Regular Council Meeting Minutes

Attachments: [8-13-19 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

Michael McKinley, 2911 Eldon Drive, - Mr. McKinley said in October of last year \$20 million was invested with another investment firm. He asked who was involved with the switch, without the approval of Council. Mr. Young explained the finance director has the ability to do without Council approval. He said it was done legally and above board. Mr. McKinley asked how much Green has to invest. He asked if there was any research regarding other firms and how they could handle it. He asked if there were any payments made for them getting the \$20 million to invest. Mr. Schmidt agreed to meet with Mr. McKinley after the meeting.

Pat Carleski, 3878 Greenfield Road - See attached statement.

[TMP-2759](#)

Pat Carleski's Statement

Attachments: [8-27-19 Pat Carleski](#)

VI. Public Hearings - No Public Hearings Scheduled

VII. Reading of Correspondence

[TMP-2734](#)

Emails opposing Ordinance 2019-15 New Seasons Planned Development

Attachments: [8-13-17 Jessica Kaisk](#)
[8-13-19 Amy Preston](#)
[8-13-19 Anna Mills](#)
[8-13-19 Autumn Drews](#)
[8-13-19 Brett & Brooke Phillips](#)
[8-13-19 Britny Miller](#)
[8-13-19 Brittany White](#)
[8-13-19 Doreen Thorne](#)
[8-13-19 Ellyn Moser](#)
[8-13-19 Heidi Sluss](#)
[8-13-19 Julia Sisul](#)
[8-13-19 Kimberly Ausel](#)
[8-19-19 Donna Lane](#)

[TMP-2735](#)

Email from Tim Bates RE: 2019-15 New Seasons Planned Development

Attachments: [8-13-19 Tim Bates](#)

[TMP-2736](#) Email from Dennis Maneval RE: Aggressive Drivers

Attachments: [8-15-19 Dennis Maneval](#)

[TMP-2738](#) Civil Service Commission July 10, 2019 Minutes

Attachments: [July 10 2019 CSC Minutes](#)

[TMP-2741](#) Email from Karen Ditto RE: Speed

Attachments: [8-21-19 Karen Ditto](#)

[TMP-2742](#) Email from Joseph Blubaugh RE: Tree City USA

Attachments: [8-22-19 Joseph Blubaugh](#)

All Correspondence read in and filed.

VIII. New Legislation - Items on First Reading

[2019-R78](#) **A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR A FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (“STBG”) FUND PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (“AMATS”) FOR THE ARLINGTON ROAD RECONSTRUCTION PROJECT (PROJECT), AND DECLARING AN EMERGENCY. Referred to the Transportation, Connectivity and Storm Water Committee**

Sponsors: Gerard Neugebauer

Attachments: [2019-R78 Federal Surface Transportation Block Grant](#)
[2019-R78 re STBG Arlington Road Improvement Project](#)
[2019-R78 First reading passage request](#)

Mr. Shaughnessy advised the Administration has asked for first reading passage.

A motion was made by Council Member Shaughnessy, 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 Shaughnessy, 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 Shaughnessy, 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-R79](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY.** Introduced 8/27/19

Sponsors: Gerard Neugebauer

Attachments: [2019-R79 re Appropriations August 27 2019](#)
[2019-R79 re Exhibits A August 27](#)

Referred to the Finance Committee

IX. Report of Council Committees

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

No meeting held.

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

No meeting held.

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

Mr. Humphrey reported for Mrs. Babbitt. He advised they received the July reports from Fire and the Sheriff's office. He talked about the Fire Chief's report and highlighted points from the report.

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](#)

Time requested and granted.

THIRD READING ITEMS[2019-15](#)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 13.6 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF MASSILLON ROAD AND WISE ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT); AND, APPROXIMATELY 5.1 ACRES OF LAND FROM B-1 (GENERAL BUSINESS) TO PD (PLANNED DEVELOPMENT); AND APPROXIMATELY 1.8 ACRES OF LAND FROM B-3 (NEIGHBORHOOD BUSINESS) TO PD (PLANNED DEVELOPMENT); AND, ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED NEW SEASONS PLANNED DEVELOPMENT. Introduced 7/9/19 *** Public Hearing Scheduled for August 13, 2019 @ or about 7:05 p.m.***

Sponsors: Gerard Neugebauer

Attachments: [2019-15 New Seasons Deveopment](#)
[2019-15 re New Seasons Planned Development](#)
[2019-15 re Exhibit A](#)
[FW The Courtyard at New Season's](#)
[19-34 New Seasons PD PZC Staff Report](#)
[New Seasons General Plan-Layout](#)
[51049A General Phasing Plan](#)
[New Seasons Rezoning Map-](#)
[New Seasons aerial](#)
[New Seasons Bldg Concept Images](#)
[Concept Bldg Elevations-Floor Plans](#)
[Epcon Marvin Md Clubhouse Exercise Room 100 dpi Web](#)
[Epcon Marvin Md Clubhouse Main Room 2 100 dpi Web](#)
[Medium+CH+Floor+Plan](#)
[Epcon Marvin Md Clubhouse Main Room 4 100 dpi Web](#)
[Medium Clubhouse \(A\) 100 dpi Web](#)
[Land Use Plan doc](#)
[New Seasons Contig Prop Owner Letters](#)
[New Seasons PD PZC Recommendation to CC](#)
[8-13-17 Jessica Kaisk](#)
[8-13-19 Amy Preston](#)
[8-13-19 Anna Mills](#)
[8-13-19 Autumn Drews](#)
[8-13-19 Brett & Brooke Phillips](#)
[8-13-19 Britny Miller](#)
[8-13-19 Brittany White](#)
[8-13-19 Doreen Thorne](#)
[8-13-19 Elyn Moser](#)
[8-13-19 Heidi Sluss](#)
[8-13-19 Julia Sisul](#)
[8-13-19 Kimberly Ausel](#)
[8-13-19 Tim Bates](#)
[8-19-19 Donna Lane](#)
[8-23-19 Mark Herdlick](#)
[8-26-19 Allison Wojno](#)
[8-26-19 Eileen Cowgar](#)
[8-26-19 Fred Langguth](#)
[8-26-19 Ralph and Shirley Tucker](#)

[8-26-19 Sandy Warner](#)

[8-27--10 Sam & Kathy Subity](#)

[8-27-19 Mark Herdlick](#)

[8-27-19 Phil & Mary Pickrell](#)

[8-27-19 Rick Rebadow](#)

[8-27-19 Carl Hopper](#)

[8-27-19 Justin Tizzano](#)

Mr. Yeargin advised this was discussed thoroughly.

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

Aye: 4 - Babbitt, Humphrey, Yeargin and Young

Nay: 3 - Dyer, Shaughnessy and Speight

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

No meeting held.

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

Mr. Shaughnessy talked about 201R-78 that was adopted on first reading.

SECOND READING ITEMS

[2019-R73](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR BRIDGE INSPECTION PROGRAM SERVICES, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. Introduced 8/13/19

Sponsors: Gerard Neugebauer

Attachments: [2019-R73 Bridge Inspection](#)
[2019-R73 re ODOT Bridge Inspection](#)
[2019-R73 re Exhibit A VAR-STW-Municipal Br-Insp](#)

Mr. Shaughnessy explained the necessity for this legislation. We are now responsible for the inspections and ODOT has a program that will not cost the city anything.

A motion was made by Council Member Shaughnessy, 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 Shaughnessy, 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

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

No meeting held.

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

THIRD READING ITEMS

2019-R52 A A RESOLUTION TO AMEND THE APPROPRIATE ARTICLE(S) AND SECTION(S) OF THE CHARTER OF THE CITY OF GREEN RELATING TO THE NON-SUBSTANTIVE CHANGES THROUGHOUT THE CHARTER, PER CHARTER SECTION 12.10 CHARTER CORRECTIONS, AND DECLARING AN EMERGENCY. Introduced 6/25/19 (Amended August 13, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R52 Charter Non-Substantive](#)

[2019-R52 A re Amended Index of Non-Substantive Changes 2019 Charter](#)

[2019-R52 re Amended Exhibit A Index of Non Substantive City Charter](#)

Mr. Yeargin explained this is different than the rest and will not go on the ballot and why.

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

2019-R56 A A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 3.1 OF THE CHARTER OF THE CITY OF GREEN TO ~~LIMIT THE MAYOR, TO SERVE TWO (2) CONSECUTIVE FOUR (4) YEAR TERMS WITH PARTIAL TERMS LASTING PROVIDE THAT A PARTIAL TERM OF OFFICE TO FILL A VACANCY IN THE OFFICE OF MAYOR THAT LASTS MORE THAN TWO YEARS COUNTING SHALL COUNT AS A FULL~~ FOUR (4) YEAR TERM AGAINST THE TWO-TERM LIMIT APPLICABLE TO THE MAYOR, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R56 Charter Section 3.1 Mayor Term](#)
[2019-R56 re Amended Section 3.1 The Mayor Term](#)
[2019-R56 re Section 3.1 The Mayor Term Of Office](#)

Mr. Yeargin said the rest will go on the ballot assuming Council approves. He explained the process and the voting.

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

2019-R57 A A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 3.2 OF THE CHARTER OF THE CITY OF GREEN TO REQUIRE THAT THE MAYOR SHALL BE A RESIDENT OF THE CITY OF GREEN FOR AT LEAST TWO (2) CONTINUOUS YEARS IMMEDIATELY PRIOR TO THE MAYOR'S ELECTION OR APPOINTMENT, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R57 Charter Section 3.2 Mayor Requirements](#)
[2019-R57 re Amended Section 3.2 Qualifications](#)
[2019-R57 re Section 3.2 Qualifications of the Mayor](#)

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

2019-R58 A A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 3.3—~~D~~ (D) OF THE CHARTER OF THE CITY OF GREEN TO AUTHORIZE THE MAYOR TO MAKE SHORT-TERM INTERIM OR ACTING APPOINTMENTS OF DIRECTORS WHEN NECESSARY, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R58 Charter Section 2.2D Mayor Director Appt](#)
[2019-R58 re Amended Section 3.3 D Powers of the Mayor](#)
[2019-R58 re Section 3.3 D Powers of the Mayor](#)

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

2019-R59 A A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL TO AMEND SECTION 4.1 OF THE CHARTER OF THE CITY OF GREEN TO ~~LIMIT COUNCIL MEMBERS TO SERVING TWO (2) SUCCESSIVE~~ PROVIDE THAT A PARTIAL TERM OF OFFICE TO FILL A VACANCY IN THE OFFICE OF COUNCIL MEMBER THAT LASTS MORE THAN TWO YEARS SHALL COUNT AS A FULL FOUR (4) YEAR TERMS, WITH PARTIAL TERMS LASTING MORE THAN TWO (2) YEARS COUNTING AS A FOUR (4) YEAR TERM AGAINST THE TWO TERM LIMIT APPLICABLE TO COUNCIL MEMBERS, AND DECLARING AN EMERGENCY.* (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R59 Charter Section 4.1 Partial Council Term](#)
[2019-R59 re Amended Composition and Terms of Office](#)
[2019-R59 re Section 4.1 Council Composition & Terms of Office](#)

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

2019-R60 A A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN PROPOSALS TO AMEND SECTION 4.3 OF THE CHARTER OF THE CITY OF GREEN TO REQUIRE EACH COUNCIL MEMBER BE A RESIDENT OF THE CITY OF GREEN AT LEAST TWO (2) CONTINUOUS YEARS IMMEDIATELY PRIOR TO EACH COUNCIL MEMBER'S ELECTION OR APPOINTMENT, AND DECLARING AN EMERGENCY.* (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R60 Charter Section 4.3 Council Requirements](#)
[2019-R60 re Amended Section 4.3 Qualifications](#)
[2019-R60 re Section 4.3 Qualifications Council Composition & Terms of Office](#)

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

[2019-R61 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 4.6 OF THE CHARTER OF THE CITY OF GREEN TO ~~PROVIDE~~ *ADJUST THE TIMING* FOR COUNCIL TO FILL VACANCIES *ON COUNCIL* THAT OCCUR BETWEEN A NOVEMBER GENERAL ELECTION AND THE END OF DECEMBER OF THAT SAME YEAR, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R61 Charter Section 4.6 Council Vacancies](#)

[2019-R61 re Amended Section 4.6 Vacancies](#)

[2019-R61 re Section 4.6 Vacancies](#)

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

[2019-R62 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 5.4 OF THE CHARTER OF THE CITY OF GREEN TO ~~SET~~ *MEMORIALIZE EXISTING* REQUIREMENTS FOR NOMINATING PETITIONS FOR THE OFFICE OF THE DIRECTOR OF LAW, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R62 Charter Section 5.4 Director of Law Petitions](#)

[2019-R62 re Amended Section 5.4 Nominations and Petitions Law
Director](#)

[2019-R62 re Section 5.4 Nominations and Elections](#)

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

[2019-R63 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 6.2 OF THE CHARTER OF THE CITY OF GREEN TO ~~BE CONSISTENT WITH SECTION 3.3(D)~~ *WHICH REQUIRES REQUIRE* PERSONS APPOINTED BY THE

MAYOR AS DIRECTORS OF CITY DEPARTMENTS TO BE CONFIRMED BY A MAJORITY VOTE OF THE MEMBERS OF COUNCIL, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R63 Charter Section 6.2 Mayor Appt. Council Approval](#)
[2019-R63 re Amended Article 6.2 City Departments](#)
[2019-R63 re Article 6.2 City Departments Directors](#)

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

[2019-R64 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN PROPOSALS* TO AMEND SECTIONS 6.4 A (A), 6.4(B) AND 6.4 C (C) OF THE CHARTER OF THE CITY OF GREEN TO ESTABLISH THE ~~CURRENT REQUIREMENTS OF~~ QUALIFICATIONS *REQUIRED* FOR THE POSITION OF DIRECTOR OF LAW *FOR A PERSON FIRST ELECTED TO SUCH OFFICE AFTER JANUARY 1, 2020, AND TO CLARIFY THAT A PARTIAL TERM OF OFFICE RESULTING FROM AN APPOINTMENT TO FILL A VACANCY SHALL NOT COUNT AGAINST THE TWO-TERM LIMIT FOR AN ELECTED DIRECTOR OF LAW, AND TO DEFINE THE PHRASE "EMPLOYMENT OR PUBLIC PRACTICE EXPERIENCE IN MUNICIPAL AND/OR OTHER GOVERNMENTAL LAW" AS USED IN SECTION 6.4 OF THE CHARTER OF THE CITY OF GREEN,* AND DECLARING AN EMERGENCY.

(Amended July 9, 2019) (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R64 Charter Section 6.4 A, B, C Director of Law](#)
[2019-R64 re Amended Amended Section 6.4 A and C City Department](#)
[2019-R64 A re AMENDED Article 6.4 A and C City Departments Directors](#)
[2019-R64 re Article 6.4 A and C City Departments Directors](#)

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: 6 - Babbitt, Dyer, Humphrey, Speight, Yeargin and Young

Nay: 1 - Shaughnessy

[2019-R65 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 6.4 ~~D~~ (D) OF THE CHARTER OF THE CITY OF GREEN TO ~~PROVIDE~~ *SPECIFY THE PROCEDURE* FOR FILLING A VACANCY IN THE OFFICE OF THE DIRECTOR OF LAW, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R65 Charter Section 6.4 D Vacancy in Director of Law](#)
[2019-R65 re Amended Article 6.3 D Vacancy in Office Law Director](#)
[2019-R65 re Article 6.4 D Vacancy in Office](#)

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

[2019-R66 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 8.3 OF THE CHARTER OF THE CITY OF GREEN TO INCLUDE A CREDIT FOR INCOME TAX PAID TO MULTIPLE MUNICIPALITIES AND/OR ~~TO A~~ JOINT ECONOMIC DEVELOPMENT DISTRICTS, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R66 Charter Section 8.3 Income Tax](#)
[2019-R66 re Amended Section 8.3 Finance and Taxation](#)
[2019-R66 re Section 8.3 Finance and Taxation Llimitation on Total Muni Income Tax](#)

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

[2019-R67 A](#) A RESOLUTION *SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL* TO AMEND SECTION 9.1 OF THE CHARTER OF THE CITY OF GREEN TO EXPRESSLY RESERVE TO THE CITY THE RIGHT TO DICTATE BALLOT LANGUAGE FOR ALL PROPOSED CHARTER AMENDMENTS, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)

Sponsors: Gerard Neugebauer

Attachments: [2019-R67 Charter Section 9.1 Dictate Ballot Language Charter Amendments](#)
[2019-R67 re Amended Section 9.1 Charter Amendment](#)
[2019-R67 re Section 9.1 Charter Amendment](#)

Mr. Yeargin explained why he feels 2019-R67 and 2019-R68 are not necessary.

A motion was made by Council Member Yeargin, seconded by Council Member Babbitt, to adopt as amended the Resolution. The motion failed by the following vote:

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

2019-R68 A *A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL TO AMEND SECTION 10.1 OF THE CHARTER OF THE CITY OF GREEN TO PROVIDE THAT THE CITY EXPRESSLY RESERVES THE RIGHT TO DICTATE BALLOT LANGUAGE FOR ALL PROPOSED INITIATIVE ISSUES, AND DECLARING AN EMERGENCY. (Amended August 27, 2019)*

Sponsors: Gerard Neugebauer

Attachments: [2019-R68 Charter Section 10.1 Dictate Ballot Language for Initiative Issues](#)
[2019-R68 re Amended Section 10.1 Initiative](#)
[2019-R68 re Section 10.1 Initiative Referendum Recall](#)

A motion was made by Council Member Yeargin, seconded by Council Member Babbitt, to adopt as amended the Resolution. The motion failed by the following vote:

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

2019-R69 A

Sponsors: Gerard Neugebauer

Attachments: [2019-R69 Charter Section 12.8 Removal of Elected Director of Law](#)
[2019-R69 re Amended Section 12.8 Removal of Office Law Director](#)
[2019-R69 re Section 12.8 Removal of Officials](#)

Mr. Dyer gave a shout out to Mr. Yeargin for all the work he has done on these Charter amendments. He felt the definition of Director of Law but he thinks by taking it out and making it separate ballot language, they will have the spirit of Issue 14. He wanted to amend the language but Mr. Yeargin made a good point, that Council should remain faithful to the language that was put forward by the Charter Review Commission, even though he disagrees with it because he feels it is too

restrictive. The thing the public spoke out the most about was the Council dictating language for the ballot issues. He commended Mr. Yeargin for all his hard work to bring Council around on that and showing good leadership.

Mr. Yeargin added he was impressed with the work of the Charter Review Commission who met 13 times and spent 22 hours going over every single word of the Charter. He talked about how they came up with their proposals.

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 mayor's report.

XI. Unfinished Business - No unfinished business

XII. New Business - No new business

XIII. Adjournment

Mr. Speight 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.