



# City of Green

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

## Meeting Minutes

### City Council

*Barbara Babbitt - Ward 1*  
*Christopher J. Meager "CJ", President - Ward 2*  
*Rick Miller- Ward 3*  
*Jeff Noble, Vice President - Ward 4*  
*Justin Speight - At-Large*  
*Clark A. DeVitis - At-Large*  
*Gerard Neugebauer- At-Large*  
*Nichole Messner, CMC- Clerk of Council*

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Tuesday, September 24, 2024

7:00 PM

Council Chambers

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#### I. Call to Order

Council President Meager called the meeting to order at 7:00 p.m.

#### II. Pledge of Allegiance

#### III. Roll Call of Council Members

**Present:** 7 - Clark A. DeVitis, CJ Meager, Jeff Noble, Barbara Babbitt, Gerard Neugebauer, Justin Speight and Rick Miller

Also present:

Valerie Carr, Service Director

Steve Schmidt, Finance Director

Paul Pickett, City Engineer

Lisa Carey Dean, Law Director

Nichole Messner, Clerk of Council

Mayor Yeargin

Heather Russell, Economic Development Administrator

#### IV. Council Study Session

[TMP-4727](#) Approval of the September 10, 2024 Council Meeting Minutes

**Attachments:** [9-10-24 Draft Council Meeting Minutes.pdf](#)

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

[TMP-4735](#) Approval of the August 2024 Electronic Financial Report, Subject to Audit

**Attachments:** [August 2024 Electronic Financial Report.pdf](#)

**A motion was made by Council Member Noble, seconded by Council Member Neugebauer, to approve subject to audit the Financial Statement. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

#### V. Public Report

None.

#### VI. Public Hearings

None.

#### VII. Reading of Correspondence

Clerk of Council Messner read in the correspondence.

[TMP-4730](#) September 11, 2024 Civil Service Commission Agenda

**Attachments:** [Septmeber 11, 2024 CSC Agenda.pdf](#)

[TMP-4731](#) Letter from Rick & Audrey Dellinger RE: Pulte Home issues in Brier Creek Ph 2

**Attachments:** [Letter from Rick & Audrey Dellinger RE Pulte Home issues in Brier Creek Ph II.pdf](#)

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

The Clerk of Council read in the new legislation. Council President Meager referred each piece to the appropriate committee.

[2024-R60](#) **A RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE ADAPTIVE AND ADA COMPLIANT MULTI-SPORTS FIELD AT KLECKNER PARK, MAKING AN APPROPRIATION AND DECLARING AN EMERGENCY. -Referred to the Finance Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2024-R60 ADA Field Change Order Legislation.docx](#)  
[2024-R60 Exhibit A.pdf](#)  
[2024-R60 Request for Legislation.pdf](#)

Councilman Neugebauer reported that this was discussed in committees and both Committee and Council were in favor of first reading passage. A motion was made to adopt.

**A motion was made by Council Member Neugebauer, seconded by Council Member Meager, to bypass Committee deliberations the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

**A motion was made by Council Member Neugebauer, seconded by Council Member Meager, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

#### 2024-R61

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO DISPOSE OF UNNEEDED EQUIPMENT/PROPERTY BY SALE TO EMPLOYEES, PUBLIC AUCTION OR THROUGH AN ONLINE SERVICE, PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE AND RESOLUTION 2007-R22, AND DECLARING AN EMERGENCY.**

-Referred to the Intergovernmental and Utilities Committee

**Attachments:** [2024-R61 Citywide Auction Legislation.docx](#)

[2024-R61 Exhibit A.pdf](#)

[2024-R61 Request for Legislation.pdf](#)

#### 2024-R62

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO EXECUTE A UTILITY EASEMENT GRANTING SUMMIT COUNTY A 25 FOOT EASEMENT ON PROPERTY OWNED BY THE CITY OF GREEN AT 393 E. TURKEYFOOT LAKE ROAD, AND DECLARING AN EMERGENCY.**

-Referred to the Intergovernmental and Utilities Committee **\*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2024-R62 393 E Turkeyfoot Lake Rd Utility Easement](#)

[Legislation.docx](#)

[2024-R62 Exhibit A.pdf](#)

[2024-R62 Request for Legislation.pdf](#)

Councilwoman Babbitt reported that there was a first reading passage requested on this item and gave a brief summary. No additional comments or questions. Committee and council supported first reading passage. A motion was made to adopt.

**A motion was made by Council Member Babbitt, seconded by Council Member Miller, to bypass Committee deliberations the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

#### IX. Report of Council Committees

##### A. Finance (Neugebauer\*, Meager\*\*, DeVitis)

Councilman Neugebauer gave his committee report.

#### THIRD READING ITEMS

[2024-R56AA](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING AND DECLARING AN EMERGENCY.** -(Introduced on 8/27/2024)(*Amended September 10, 2024*)(Amended September 24, 2024)

**Attachments:** [2024-R56 Amended 3rd Quarter 2024 Supplemental Appropriations.docx](#)  
[2024-R56 Amended Exhibit A 9-24-2024.pdf](#)  
[2024-R56 Request for Legislation.pdf](#)

Councilman Neugebauer read in the legislation and gave a brief summary of the discussion that took place during committees. The legislation was amended on the floor to add the appropriation for the S. Main St resurfacing project of \$85,000.

No further comments or questions. A motion was made to adopt.

**A motion was made by Council Member Neugebauer, seconded by Council Member Meager, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

##### B. Environment & Parks (Speight\*, Neugebauer\*\*, Noble)

Did not meet.

##### C. Public Safety (DeVitis\*, Babbitt\*\*, Miller)

Councilman DeVitis gave his committee report.

#### LICENSE ITEMS

[TMP-4729](#) South Point LLC New Liquor License- D5  
DBA South Point Tavern  
3333 Massillon Rd, Suite 103  
Green, OH 44312

**Attachments:** [South Point LLC 3333 Massillon Rd New License- D5.pdf](#)

Councilman DeVitis read in the liquor license request. No questions or comments. A motion was made to not request a hearing.

**A motion was made by Council Member DeVitis, seconded by Council Member Babbitt, to not request a hearing the License. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

D. Planning, Community & Economic Development (Noble\*, Speight\*\*, Babbitt)

Councilman Noble gave his committee report.

### THIRD READING ITEMS

[2024-R55](#) **A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR STONEY CREEK ESTATES PHASE IV, AND DECLARING AN EMERGENCY.** -(Introduced on 8/27/2024)

**Attachments:** [2024-R55 Stoney Creek Estates Phase IV Legislation.docx](#)  
[2024-R55 Exhibit A.pdf](#)  
[2024-R55 Request for Legislation.pdf](#)

Councilman Noble read in the legislation and gave a brief summary of the discussion that took place during committees. No additional comments or questions. A motion was made to adopt.

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

E. Rules and Personnel (Miller\*, DeVitis\*\*, Meager)

Did not meet.

F. Transportation, Connectivity & Storm Water (Meager\*, Noble\*\*, Neugebauer)

Councilman Meager gave his committee report.

### SECOND READING ITEMS

[2024-R57](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH THE STATE OF OHIO, DIRECTOR OF TRANSPORTATION, FOR THE SIGN REPLACEMENT ON SR-241, AND DECLARING AN EMERGENCY.** -(Introduced on 9/10/2024)  
**\*\*SECOND READING PASSAGE REQUESTED\*\***

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**Attachments:** [2024-R57 ODOT Contract for Sign Replacement on SR241.docx](#)  
[2024-R57 Exhibit A.pdf](#)  
[2024-R57 Request for Legislation](#)

Councilman Meager read in the legislation and gave a brief summary of the discussion that took place during committees. Second reading passage was being requested. Committee and council ok with passage. A motion was made to adopt.

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

**A motion was made by Council Member Meager, seconded by Council Member Noble, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

G. Intergovernmental & Utilities (Babbitt\*, Miller\*\*, Speight)

Councilman Miller gave his committee report.

## SECOND READING ITEMS

[2024-R59](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY FOR THE INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING, AND DECLARING AN EMERGENCY. -(Introduced on 9/10/2024)**

**Attachments:** [2024-R59 SC Job Creation Retention.docx](#)  
[2024-R59 Exhibit A.pdf](#)  
[2024-R59 Request for Legislation](#)

Councilman Miller read in the legislation and gave a brief summary of the discussion that took place during committees. It was decided that second reading passage would be helpful to meet deadlines. Committee and council ok with passage. A motion was made to adopt.

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

X. Mayor's Report

Mayor Yeargin gave his report.

XI. Unfinished Business

None.

XII. New Business

Councilman Noble advised that the last meeting of the comprehensive plan is tomorrow night and they are currently in comment mode. It is accessible online. It will then go before PZC and Council.

XIII. Adjournment

**A motion was made by Council Member Meager, seconded by Council Member Noble, to adjourn the meeting at 7:32 p.m. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

ATTEST: \_\_\_\_\_  
NICHOLE MESSNER,CMC, CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
CHRISTOPER "CJ" MEAGER, 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.