



# 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 "C.J." - Ward 2*  
*Rocco Yeargin - Ward 3*  
*Jeff Noble - Ward 4*  
*Richard Brandenburg - At-Large*  
*Clark A. DeVitis, Vice President - At-Large*  
*Dave France, President - At-Large*  
*Nichole Messner, Clerk of Council*

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**Tuesday, February 22, 2022**

**7:00 PM**

**Council Chambers**

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#### I. Call to Order

Council President France called the meeting to order at 7:00 pm.

#### II. Pledge of Allegiance

#### III. Roll Call of Council Members

**Present:** 7 - Richard Brandenburg, Clark A. DeVitis, Dave France, Rocco Yeargin, CJ Meager, Jeff Noble and Barbara Babbitt

Also present:

Nichole Messner, Clerk of Council  
Wayne Wiethe, Planning Director  
Steve Schmidt, Finance Director  
Paul Pickett, City Engineer  
Lisa Dean, Law Director  
Valerie Carr, Service Director  
Valerie Wolford, Communications Manager

Shareen Awadallah, Student Representative  
Delanie Hallock, Student Representative  
Rachel Pritchard, Student Representative

#### IV. Council Study Session

[TMP-3760](#)

Approval of the January 27, 2022 Special Meeting Minutes-State of the City

**Attachments:** [1-27-22 Special Meeting Minutes-State of the City](#)

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

**Aye:** 5 - Brandenburg, France, Yeargin, Meager and Noble

**Abstain:** 2 - DeVitis and Babbitt

**TMP-3775** Approval of the February 8, 2022 Council Meeting Minutes

**Attachments:** [2-8-22 Council Meeting Minutes](#)

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

**TMP-3770** Approval of the January 2022 Electronic Financial Statement, Subject to Audit

**Attachments:** [CITY OF GREEN JANUARY 2022 ELECTRONIC FINANCIAL REPORT](#)

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

## V. Public Report

None.

## VI. Public Hearings

**2022-02** **AN ORDINANCE AMENDING CHAPTER 1226, SECTION 1226.01 TABLE OF ALLOWED USES, TABLE 1226-1 ALLOWED USES, SECTION 1226.02(3) USE SPECIFIC REGULATIONS, CHAPTER 1229, SECTION 1229.05 TABLE 1229-1 REQUIRED NUMBER OF PARKING SPACES AND TABLE 1229-2 STACKING SPACE REQUIREMENTS, SECTION 1229.12 OUTDOOR SALES, DISPLAY AND STORAGE AND CHAPTER 1231, SECTION 1231.02 DEFINITIONS OF THE CODIFIED ORDINANCE OF THE CITY OF GREEN. - (Introduced on 1/11/2022) \*\*A PUBLIC HEARING WAS HELD ON TUESDAY, FEBRUARY 22, 2022\*\***

**Attachments:** [2022-02 re Chapter 1226 section 1226.01 Table of Allowed Uses](#)  
[2022-02 re Exhibits A B C D](#)

Councilwoman Babbitt opened the public hearing for Ordinance 2022-02 at 7:03 pm.

Planning Director Wiethe went over the proposed changes to the codified ordinances. Definitions have been upgraded and clarifications have been added.

Councilwoman Babbitt stated she felt the changes were clear and accomplished what they were trying to clarify.

No additional questions or concerns. No residents wished to speak.

Councilwoman Babbit closed the public hearing at 7:05 pm.

## VII. Reading of Correspondence

Council Clerk Messner read in and filed the correspondence.

[TMP-3771](#) February 16, 2022 Planning & Zoning Commission Meeting Agenda

**Attachments:** [2-16-22 PZC Agenda with attachments](#)

[TMP-3772](#) February 16, 2022 Civil Service Commission Agenda

**Attachments:** [February 16, 2022 CSC Agenda](#)

## VIII. New Legislation - Items on First Reading

Council Clerk Nichole Messner read in the new legislation.

[2022-R09 A](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22) (Amended March 08, 2022)**

**Attachments:** [2022-R09 A re AMENDED Appropriations February 2022](#)  
[2022-R09 A re Amended Exhibits A](#)

[2022-R10](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH RAIN-DROP FOR THE CONSTRUCTION AND INSTALLATION OF THE CENTRAL PARK SPLASH PAD SAFETY SURFACE AND A NEW WATER SPRAY FEATURE, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22)**

**Attachments:** [2022-R10 re Splash Pad Resurface](#)  
[2022-R10 re Exhibit A](#)  
[2022-R10 re Exhibit B](#)  
[V. Carr Memo RE: Splash Pad Resurface Legislation](#)

[2022-R11](#) **A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S APPROVAL OF THE REPLAT OF MOUNT PLEASANT ESTATES, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22)**

**Attachments:** [2022-R11 re Mt Pleasant Estates Replat final](#)  
[2022-R11 re Exhibit A](#)  
[Map of Replat of Mount Pleasant Estates](#)  
[Mount Pleasant Aerial Map](#)  
[PZC Mount Pleasant Estates Replat](#)

## 2022-R12

**A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S APPROVAL OF THE REPLAT OF NEW SEASONS PHASE 2, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2022-R12 re New Seasons Phase 2 replat final](#)  
[2022-R12 re Exhibit A](#)  
[Wayne Wiethe 1st Reading Passage Request](#)  
[Letter from applicant to replat lots](#)  
[22-10 Replat of New Seasons Phase II PZC Staff Report](#)  
[22-10 New Seasons Replat](#)  
[22-10 New Seasons Replat Aerial Map](#)

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

## 2022-R13

**A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S APPROVAL OF LIBERTY GREEN SUBDIVISION REPLAT #3, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22)**

**Attachments:** [2022-R13 re Liberty Green Subdivision Replat #3 final](#)  
[2022-R13 re Exhibit A](#)  
[22-02 Liberty Green Dr. Subdiv Replat #3 PZC Staff Report](#)  
[22-02 Liberty Green Subdivision Replat No 3](#)

[2022-03](#)      **AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 7.9 ACRES OF LAND LOCATED AT 6083 AND 6095 S. MAIN STREET AND INCLUDING THREE VACANT PARCELS OF LAND DIRECTLY NORTH OF 6083 S. MAIN STREET FROM B-1 (GENERAL BUSINESS) TO R-R (RURAL RESIDENTIAL).** -(Introduced on 2/22/22) \*\*A PUBLIC HEARING HAS BEEN SCHEDULED FOR TUESDAY, MARCH 22, 2022 AT 7:00 PM IN COUNCIL CHAMBERS\*\*

**Attachments:**   [2022-03 re 6083 S Main Street Rezoning](#)  
[2022-03 re Exhibit A](#)  
[22-13 S Main Rezoning PZC Staff Report](#)  
[22-13 S.Main Rezone Aerial Map](#)

#### IX. Report of Council Committees

##### A. Finance (Yeargin\*, Meager\*\*, Brandenburg)

Councilman Yeargin gave his committee report.

#### SECOND READING ITEMS

[2022-R06](#)      **A RESOLUTION RENEWING THE AGREEMENT WITH THE CITY OF BARBERTON FOR PROSECUTORIAL SERVICES, AND DECLARING AN EMERGENCY.** -(Introduced on 2/8/22)

**Attachments:**   [2022-R06 re Agreement with City of Barberton](#)  
[2022-R06 re Exhibit A](#)  
[Lisa Miller Jan 2022 Prosecutor Agreement Letter](#)

Councilman Yeargin read in the legislation and gave a brief summary.

Time was requested and granted.

##### B. Environment & Parks (Brandenburg\*, Yeargin\*\*, Babbitt)

Councilman Brandenburg gave his committee report.

#### THIRD READING ITEMS

[2022-R02](#)      **A RESOLUTION AWARDING A CONTRACT TO ABBOTT ELECTRIC, INC. FOR THE TOROK CENTER WALKING PATH LIGHTING PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.** -(Introduced on 1/11/2022)

**Attachments:**   [2022-R02 re #18-P-29 Torok Center Walking Path Lighting Phase 3](#)

Councilman Brandenburg read in the legislation and gave a brief summary.

Committee and Council ok with passage. Councilman Brandenburg moved to adopt.

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

## SECOND READING ITEMS

[2022-R07](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A LEASE AGREEMENT FOR THE PURCHASE OF ONE (1) JOHN DEERE 2550 E-CUT HYBRID DIESEL TRIPLEX MOWER FOR USE AT THE RAINTREE GOLF AND EVENT CENTER, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 2/8/22)**

**Attachments:**   [2022-R07 re Raintree Purchase Remote Mower Agreement](#)  
[2022-R07 re Exhibit A](#)

Councilman Brandenburg read in the legislation and gave a brief summary.

Council and Committee ok with second reading passage. A motion was made to adopt on second reading.

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

Councilman DeVitis gave his committee report.

## SECOND READING ITEMS

[2022-R04](#)      **A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF GREEN AND THE SUMMIT COUNTY PUBLIC DEFENDER'S COMMISSION OF SUMMIT COUNTY, OHIO, AND DECLARING AN EMERGENCY. -(Introduced on 2/8/22)**

**Attachments:**   [2022-R04 re Agreement COG Legal Defenders Summit Cty 2022](#)  
[2022-R04 re Exhibit A](#)

Councilman DeVitis read in the legislation and gave a brief summary.

Council and Committee ok with second reading passage. A motion was made to pass on second reading.

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

#### 2022-R05

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT TO PROVIDE COMMUNITY CORRECTIONAL SERVICES WITH ORIANA HOUSE, INC., AND DECLARING AN EMERGENCY. -(Introduced on 2/8/22)**

**Attachments:** [2022-R05 re Oriana House Agreement 2022](#)  
[2022-R05 re Exhibit A](#)

Councilman DeVitis read in the legislation and gave a brief summary.

Council and Committee ok with second reading passage. A motion was made to pass on second reading.

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

Councilwoman Babbitt gave her committee report.

### **THIRD READING ITEMS**

2022-02

AN ORDINANCE AMENDING CHAPTER 1226, SECTION 1226.01 TABLE OF ALLOWED USES, TABLE 1226-1 ALLOWED USES, SECTION 1226.02(3) USE SPECIFIC REGULATIONS, CHAPTER 1229, SECTION 1229.05 TABLE 1229-1 REQUIRED NUMBER OF PARKING SPACES AND TABLE 1229-2 STACKING SPACE REQUIREMENTS, SECTION 1229.12 OUTDOOR SALES, DISPLAY AND STORAGE AND CHAPTER 1231, SECTION 1231.02 DEFINITIONS OF THE CODIFIED ORDINANCE OF THE CITY OF GREEN. - (Introduced on 1/11/2022) \*\*A PUBLIC HEARING WAS HELD ON TUESDAY, FEBRUARY 22, 2022\*\*

**Attachments:** [2022-02 re Chapter 1226 section 1226.01 Table of Allowed Uses](#)  
[2022-02 re Exhibits A B C D](#)

Councilwoman Babbitt read in the legislation. A public hearing was held this evening and Director Wiethe explained the amendments to the code.

Time will be taken on this legislation because of the public hearing rules.

## SECOND READING ITEMS

2022-R08

A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF DIAMOND SHORES ALLOTMENT #6, AND DECLARING AN EMERGENCY. -(Introduced on 2/8/22)

**Attachments:** [2022-R08 re Diamond Shores Allotment #6](#)  
[2022-R08 re Exhibit A](#)  
[22-04 Diamond Shores Subdiv Replat PZC Staff Report](#)  
[22-04 Diamond Shores Replat Aerial Map](#)  
[22-04 Diamond Shores Governors Deed Areas](#)

Councilwoman Babbitt read in the legislation and gave a brief summary.

Council and Committee ok with second reading passage. A motion was made to pass on second reading.

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

**Aye:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

E. Rules and Personnel (Meager\*, Brandenburg\*\*, Yeargin)



Councilman Meager gave his committee report.

### THIRD READING ITEMS

[2022-01](#)      **AN ORDINANCE TO RESTATE AND AMEND CHAPTER 1480 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE. -(Introduced on 1/11/2022)**

**Attachments:**   [2022-01 re International Property Maintenance Code](#)  
[2022-02 re Exhibit A 2018 Property Maintenance book](#)  
[Withdrawal of Repeal of International Property Code 2002-11 and Minutes showing Withdrawal](#)

Councilman Meager read in the legislation and gave a brief summary. Some discussion took place, but more time will be taken on this to allow for additional research.

Time requested and granted.

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

Councilman Noble gave an update on the presentation that City Engineer Pickett provided during Committees on upcoming road construction projects.

G. Intergovernmental & Utilities (France\*, Noble\*\*, Meager)

Did not meet.

### X. Mayor's Report

Valerie Wolford, Communications Manager gave the Mayors report.

### XI. Unfinished Business

Councilwoman Babbitt announced several athletes headed to championships for Green High School. Swimming, Cheerleading and the Dance Team.

### XII. New Business

None.

### XIII. Adjournment

Council President France adjourned the meeting at 7:40 pm.

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

APPROVED: \_\_\_\_\_  
DAVE FRANCE, 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.