



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, President - Ward 3
Matt Shaughnessy - Ward 4
Richard Brandenburg - At-Large
Clark A. DeVitis - At-Large
Dave France, Vice President - At-Large
Nichole Messner, Clerk of Council

Tuesday, September 28, 2021

7:00 PM

Council Chambers

I. Call to Order

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

II. Pledge of Allegiance

Councilman France spoke a few words on former Councilman Bruce Manwarings sudden passing. Condolences to the family, Mr. Manwaring was a great man and public servant and will be dearly missed.

III. Roll Call of Council Members

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

IV. Council Study Session

[TMP-3599](#) Approval of the September 14, 2021 Council Minutes

Attachments: [9-14-21 Council Meeting Minutes](#)

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

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

[TMP-3602](#) Approval of the August 2021 Electronic Financial Report, Subject to Audit

Attachments: [AUGUST 2021 ELECTRONIC FINANCIAL REPORT](#)

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

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

*****THE TALENT INCLUSION COMMITTEE PRESENTATION****

HR Manager Pam Serina gave the presentation on behalf of the Talent Inclusion Committee.

V. Public Report

Pat Carleski, 3878 Greenfield Rd., Green OH-
Mrs. Carleski commented on communication dealing with the trails/paths. There is much confusion on what is allowed on trails or paths, golf carts, ATVs, etc. Mrs. Carleski had concerns with many aspects of possible trails. Trails belong in parks, sidewalks belong in neighborhoods.

Lynda Smole, 3819 Greenfield Rd. Green, OH-
Commented on the passing of Bruce Manwaring and what a wonderful man and co-worker and Councilman he was.

VI. Public Hearings

None.

VII. Reading of Correspondence

The Clerk read in the correspondence.

[TMP-3600](#) Sept 15, 2021 Planning & Zoning Commission Agenda

Attachments: [9-15-21 PZC Agenda](#)

[TMP-3601](#) August 11, 2021 Civil Service Commission Minutes

Attachments: [August 11, 2021 CSC Minutes](#)

VIII. New Legislation - Items on First Reading

Nichole Messner, Council Clerk- read in the new legislation.

[2021-R70](#) **A RESOLUTION REQUIRING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE FUNDS TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** -Referred to the Finance Committee

Attachments: [2021-R70 re Advance Property Tax 2022](#)

[2021-R71](#) **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.** -Referred to

the Finance Committee

Attachments: [2021-R71 re Accept Tax Rates FY2021 CY2022](#)

[2021-R71 re Exhibit A](#)

2021-R72

A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH KASPER HOLDINGS, LLC., DBA TRADEFULL, AND DECLARING AN EMERGENCY.

-Referred to the Planning and Economic Development Committee

Attachments: [2021-R72 re Tradeful MEDG](#)

[2021-R72 re Exhibit A](#)

2021-21

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 26.4 ACRES OF LAND FROM B-2 (BUSINESS OFFICE) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE PLAN OF THE PROPOSED SPRING HILL FARMS PLANNED DEVELOPMENT. -Referred to the Planning and Economic Development Committee ****A PUBLIC HEARING IS SCHEDULED FOR TUESDAY, OCTOBER 26, 2021@ 7:00 PM IN COUNCIL CHAMBERS****

Attachments: [2021-21 re Zoning Change Spring Hill Farms](#)

[2021-21 re Exhibit A](#)

[Codified Ordinance 1224.04](#)

IX. Report of Council Committees

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

Councilwoman Babbitt gave her Committee report.

THIRD READING ITEMS

2021-R65

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH BL COMPANIES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RABER ROAD SIDEWALK AND MULTI-USE TRAIL PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 8/24/2021)

Attachments: [2021-R65 re Raber Road sidewalk project design history](#)

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

Much discussion took place during Committee. This item is third reading and ready for a vote.

A motion was made by Council Member Babbitt, seconded by Council Member

Brandenburg, to adopt the Resolution. The motion carried by the following vote:

Aye: 4 - DeVitis, France, Yeargin and Meager

Nay: 3 - Babbitt, Brandenburg and Shaughnessy

SECOND READING ITEMS

[2021-R66](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH FRED AND DEBORAH CARR FOR THE PROPERTY LOCATED AT 3220 MASSILLON ROAD, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 9/14/21)**

Attachments: [2021-R66 re Carr Land Purchase](#)
[2021-R66 re Exhibit A](#)
[2021-R66 re Exhibit B](#)

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

Some discussion took place. Time requested and granted.

[2021-R69 A](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced on 9/14/21) (AMENDED September 28, 2021) **SECOND READING PASSAGE REQUESTED****

Attachments: [2021-R69 re Amended Appropriations](#)
[2021-R69 re Amended Exhibit A](#)
[2021-R69 re Exhibit B](#)
[Steve Schmidt 2nd Reading Passage Request](#)

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

Assistant Finance Director gave the details of this legislation at the Committee meetings.

All Committee members ok with 2nd reading passage.

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

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

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

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

B. Environment & Parks (Brandenburg*, France**, DeVitis)

All members were present. No items of legislation-did not meet.

C. Public Safety (DeVitis*, Babbitt**, Shaughnessy)

All members were present. No legislation was discussed. Sheriffs monthly report deferred to next meeting.

D. Planning, Community & Economic Development (Yeargin*, DeVitis**, Meager)

Councilman Yeargin gave his Committee report.

THIRD READING ITEMS2021-19

AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY CAE PROPERTIES, LLC 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 8/24/2021)

Attachments: [2021-19 re TIF CAE Properties Taco Bell](#)

[2021-19 re Exhibit A](#)

[2021-19 re Exhibit B](#)

[2021-19 re Exhibit C](#)

[2021-19 re Exhibit D](#)

[2021-19 re Exhibit E](#)

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

TIF was discussed in detail during Committees. This was a third reading item and ready for a vote.

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

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

2021-20

AN ORDINANCE CREATING A TAX INCREMENT FINANCING INCENTIVE DISTRICT PURSUANT TO SECTIONS 5709.40, 5709.42 AND 5709.43 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY. -(Introduced on 8/24/2021) **PUBLIC HEARING WAS HELD TUESDAY, AUGUST 24, 2021 **

Attachments: [2021-20 re Southwood Extension ID Creation LAW Revision](#)
[2021-20 re Exhibit A ID Creation](#)
[2021-20 re Exhibit B ID Creation](#)

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

A public hearing was held in August and the legislation was discussed in detail over many meetings. No additional questions; the item was on third reading.

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

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Meager

Nay: 1 - Shaughnessy

E. Rules and Personnel (Meager*, Yeargin**, France)

Councilman Meager gave his Committee report.

THIRD READING ITEMS

[2021-R63](#) **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ENGAGEMENT AGREEMENT WITH ROETZEL & ANDRESS FOR PROFESSIONAL LITIGATION MATTERS, AND DECLARING AN EMERGENCY. -(Introduced on 8/24/2021)**

Attachments: [2021-R63 re professional services with Roetzel & Andress](#)

Councilman Meager read in legislation and gave a brief summary.

The legislation was discussed in with Law Director Dean and was ready for a vote.

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

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

[2021-17](#) **AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY. -(Introduced on 8/24/2021)**

Attachments: [2021-17 re Code Changes Aug 2021](#)
[2021-17 re Exhibit A](#)

Councilman Meager read in legislation and gave brief summary.

Law Director Dean gave an overview on the bi-annual codified updates during Committees. This item was on third reading and ready for a vote.

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

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

****EXECUTIVE SESSION TO DISCUSS A LITIGATION MATTER****

A motion was made by Council Member Meager at 7:59 p.m., seconded by Council Member Yeargin, to enter executive session with all of Council, Law Director Dean and Service Director Valerie Carr to discuss a pending litigation matter. The motion carried by the following vote:

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

****EXECUTIVE SESSION TO DISCUSS A LITIGATION MATTER****

A motion was made by Council Member Meager, seconded by Council Member Yeargin, to adjourn executive session and reconvene the regular meeting at 8:20 p.m. The motion carried by the following vote:

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

F. Transportation, Connectivity & Storm Water (France*, Shaughnessy**, Brandenburg)

All members were present. Councilman France gave a quick update on the paving at the 619/Massillon Rd. roundabout.

G. Intergovernmental & Utilities (Shaughnessy*, Meager**, Babbitt)

Councilman Shaughnessy gave his Committee report.

SECOND READING ITEMS

[2021-R67](#) **A RESOLUTION AUTHORIZING NEW FRANKLIN, SUMMIT COUNTY, OHIO TO PARTICIPATE IN THE CITY OF GREEN'S WASTE HAULING CONTRACT WITH REPUBLIC SERVICES OF OHIO HAULING, LLC., AND DECLARING AN EMERGENCY. -(Introduced on 9/14/21)**

Attachments: [2021-R67 re New Franklin and COG Waste Hauling](#)

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

Time was requested and granted.

[2021-R68](#) **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AQUA OHIO, INC., AND DECLARING AN EMERGENCY. -(Introduced on 9/14/21)**

Attachments: [2021-R68 re AquaOhio Agreement](#)
[2021-R68 re Exhibit A](#)

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

A public hearing will be held on Oct. 12 at 7:00 p.m.. Time was requested and granted.

X. Mayor’s Report

Valerie Wolford, Communications Manager gave the Mayors report in his absence.

XI. Unfinished Business

None.

XII. New Business

None.

XIII. Adjournment

A motion was made by Council Member Yeargin, seconded by Council Member France, to adjourn the meeting at 8:30 p.m. The motion carried by the following vote:

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

ATTEST: _____
NICHOLE MESSNER, CLERK OF COUNCIL

APPROVED: _____
ROCCO YEARGIN, 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.