



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

Tuesday, June 28, 2022

7:00 PM

Council Chambers

I. Call to Order

Council President France called the meeting to order at approximately 7:17 p.m.

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

Steve Schmidt, Finance Director

Paul Pickett, City Engineer

Valerie Carr, Service Director

Mayor Neugebauer

Valerie Welford, Communications Manager

Wayne Wiethe, Planning Director-Remote

IV. Council Study Session

[TMP-3902](#)

Approval of the June 14, 2022 Council Meeting Minutes

Attachments: [6-14-22 Council Meeting Minutes](#)

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

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

[TMP-3903](#)

Approval of the May 2022 Electronic Financial Report, Subject to Audit

Attachments: [MAY 2022 ELECTRONIC FINANCIAL REPORT](#)

A motion was made by Council Member DeVitis, seconded by Council Member Yeargin, 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

****State Representative Bob Young will present a Proclamation in Celebration of Green's 30 Year Anniversary**

State Representative Bob Young presented the Mayor with a proclamation celebrating the City of Greens 30th Anniversary. He shared some of his favorite memories and things about Green.

V. Public Report

None.

VI. Public Hearings

None.

VII. Reading of Correspondence

The correspondence was read in and filed by the Clerk of Council.

[TMP-3910](#)

June 15, 2022 PZC Agenda

Attachments: [6-15-22 PZC Agenda with attachments REVISED](#)

[TMP-3911](#)

PZC's Recommendation Letter for Brier Creek Phase III

Attachments: [22-40 Brier Creek Phase III PZC Recommendation to CC](#)

[TMP-3912](#)

PZC's Recommendation letter for Forest Lakes Subdivision Phase III

Attachments: [22-42 Forest Lakes Subdivision Phase III PZC Recommendation to CC](#)

[TMP-3913](#)

Email from Greer Langkamp RE: Proposed Property Maintenance Law

Attachments: [Email from Greer Langkamp RE Proposed Property Maintenance law](#)

[TMP-3914](#)

Email from Samuel Smith RE: Property Maintenance

Attachments: [Email from Samuel Smith RE Property maintenance](#)

[TMP-3915](#)

Summit County Executive Press Release on New Broadband Program

Attachments: [Summit Co. Executive Broadband Press Release June 2022](#)

VIII. New Legislation - Items on First Reading

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

2022-R37 **A RESOLUTION APPROVING THE REPLAT OF IMREK ACRES SUBDIVISION, AND DECLARING AN EMERGENCY.** -Referred to the Planning and Economic Development Committee

Attachments: [2022-R37 re Imrek Acres Subdivision replat final](#)
[2022-R37 re Exhibit A Replat of Imrek Acres plat](#)
[2022 Request for Legislation Replat of Imrek Acres Subdivision](#)

2022-R38 **A RESOLUTION RATIFYING A THREE-YEAR LABOR AGREEMENT BETWEEN THE CITY OF GREEN AND LOCAL 2714 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (“AFSCME”) EMPLOYEE UNIT, AND DECLARING AN EMERGENCY.** -Referred to the Rules and Personnel Committee ****FIRST READING PASSAGE REQUESTED****

Attachments: [2022-R38 re Local 2714 AFSCME Employee Unti 2022](#)
[2022-R38 Exhibit A AFSCME Contract](#)
[2022 Request for Legislation AFSCME Contract](#)

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

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

2022-R39 **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A FIRST AMENDMENT TO THE POLICING CONTRACT (FISCAL YEARS 2021-2023) WITH THE SUMMIT COUNTY SHERIFF TO INCLUDE A K-9 UNIT TO PROVIDE SERVICES WITHIN THE CITY OF GREEN, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.** -Referred to the Public Safety Committtee ****SECOND READING PASSAGE REQUESTED****

Attachments: [2022-R39 re K-9 Deputy Dog Policing Contract](#)
[2022-R39 Exhibit A Policing Contract with Amendment](#)
[Policing 2022 2023 Contract Rates Exhibit](#)
[2022 Request for Legislation K-9 Unit](#)

[2022-10](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY CAE PROPERTIES, LLC, D.B.A. HUMAN BEAN, TO BE A PUBLIC PURPOSE EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY.** -Referred to the Planning and Economic Development Committee

Attachments: [2022-10 re TIF CAE Properties Human Bean](#)
[2022-10 re Exhibit A B C D E](#)
[Human Bean Request for Legislation](#)

[2022-11](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY FAPA HOLDINGS, LLC, DBA RAGON CHIROPRACTIC TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY.** -Referred to the Planning and Economic Development Committee

Attachments: [2022-11 re TIF FAPA Holdings Ragon](#)
[2022-11 re Exhibits A B C D E](#)
[Ragon Chiropractic Request for Legislation](#)

[2022-12](#) **AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT ESTABLISHING THE COMMUNITY UNIVERSITY EDUCATION PURCHASING REGIONAL COUNCIL OF GOVERNMENTS, AND DECLARING AN EMERGENCY.** -Referred to the Intergovernmental and Utilities Committee

Attachments: [2022-12 re Community University Education Purchasing Cooperative CUE](#)
[2022-12 re Exhibit A Agreement Establishing CUE Council of Governments](#)
[2022 Request for Legislation - CUE](#)
[Ltr from Greg Tracy CUE Steering Committee Chairperson](#)

IX. Report of Council Committees

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

Councilman Yeargin gave his committee report.

THIRD READING ITEMS

[2022-R30 A](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced on 5/24/22) (Amended June 14, 2022) (AMENDED JUNE 28, 2022)

Attachments: [2022-R30 A A re Amended Amended May Appropriations](#)
[2022-R30 A re Amended May Appropriations](#)
[2022 Request for Legislation - 2022-R30 amended](#)

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

This is was on 3rd reading and Committee and Council ok wiht passage. A motion was made to adopt.

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

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

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

Did not meet.

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

All were present. Heard an update from Chief Funai regarding the new fireworks law in Ohio.

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

Councilwoman Babbitt gave her committee report.

[2022-07](#) AN ORDINANCE AMENDING CHAPTER 1229, SECTION 1229.05(4) PARKING SPACE REQUIREMENTS TABLE 1229-1 REQUIRED NUMBER OF PARKING SPACES OF THE CODIFIED ORDINANCE OF THE CITY OF GREEN. -(Introduced on 5/10/22) **A PUBLIC HEARING WAS HELD ON TUESDAY, JUNE 14, 2022**

Attachments: [2022-07 re Chapter 1229 section 1229.05\(4\) Parking Space Requirements](#)
[2022-07 re Exhibit A](#)
[2022-07 Request for Legislation Form](#)

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

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

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

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

THIRD READING ITEMS

[2022-08](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY JENNINGS INVESTMENT HOLDINGS 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 5/24/22)**

Attachments: [2022-08 re Jennings Investment Holdings Storage Units](#)

[2022-08 re Exhibit A](#)

[2022-08 re Exhibit B](#)

[2022-08 re Exhibit C](#)

[2022-08 re Exhibit D](#)

[2022-08 re Exhibit E](#)

[2022-08 Request for Legislation Form](#)

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

This was on 3rd reading. All were in favor of passage. A motion was made to adopt.

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

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

[2022-09](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY CANTON GREEN, LLC DBA GENERAL RV 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 5/24/22)**

Attachments: [2022-09 re General RV TIF](#)

[2022-09 re Exhibit A](#)

[2022-09 re Exhibit B](#)

[2022-09 re Exhibit C](#)

[2022-09 re Exhibit D](#)

[2022-09 re Exhibit E](#)

[2022-09 Request for Legislation Form](#)

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

Item was on third reading and all were in favor of passage. A motion was made to adopt.

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

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

SECOND READING ITEMS

[2022-R34](#) **A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR JACOBS RIDGE PLANNED DEVELOPMENT PHASE I AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT, AND DECLARING AN EMERGENCY. -(Introduced on 6/14/22)**

Attachments: [2022-R34 re Jacobs Ridge Planned Development Phase I](#)

[2022-R34 re Exhibit A](#)

[2022-R34 re Exhibit B](#)

[2022 Request for Legislation Jacobs Ridge Phase I Final Plat](#)

[22-33 Jacobs Ridge Phase I PZC Staff Report](#)

[22-33 Jacobs Ridge Phase I final plat Updated](#)

[22-33 Jacobs Ridge Phase I Final Plat Aerial Map](#)

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

This was on 2nd reading. Committee and council ok with passage. A motion was made to adopt.

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-R35 A](#) **A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF RAINTREE ESTATES PHASE II REPLAT #3, AND DECLARING AN EMERGENCY. -(Introduced on 6/14/22) (AMENDED JUNE 28, 2022)**

Attachments: [2022-R35 A re Amended Raintree Estates Phase II Replat #3 final](#)
[2022-R35 re Exhibit A](#)
[2022 Request for Legislation Raintree Estates Phase II Replat #3](#)
[22-24 Raintree Estates Replat PZC Staff Report](#)
[22-24 Raintree Estates Replat Phase II](#)
[22-24 Raintree Estates Replat Aerial Map](#)

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

This was on 2nd reading; was an easy boundary line adjustment and no issues were raised. All in favor of second reading passage, a motion was made to adopt.

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-R36 **A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR FOREST LAKES SUBDIVISION PHASE II, AND DECLARING AN EMERGENCY. -(Introduced on 6/14/22)**

Attachments: [2022-R36 re Forest Lakes Phase 2 performance bond](#)
[2022-R36 re Exhibit A](#)
[2022 Request for Legislation Forest Lakes Subdivision Phase 2](#)
[21-61 Forest Lakes Subdivision Phase 2 PZC Staff Report](#)
[21-61 Forest Lakes Phase 2 Final Plat plans](#)

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

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

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.

[2022-06 A A](#) AN ORDINANCE TO REPEAL CHAPTER 1480, INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN; AND TO ESTABLISH CHAPTER ____, EXTERIOR PROPERTY MAINTENANCE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN, AND PROVIDE FOR IMMEDIATE ENACTMENT.-(Introduced on 4/26/22)
PUBLIC HEARING WAS HELD ON TUESDAY, JUNE 14, 2022
(AMENDED MAY 10, 2022) (Amended June 28, 2022)

Attachments: [2022-06 A A re Amended Exterior Property Maintenance Code](#)
[2022-06 A re Amended Exhibit A](#)

Councilman Meager read in and gave a brief summary.

This was discussed in Committee. A special meeting will be held on July 26, 2022 at 4pm to go over the code in detail.

Time was taken.

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

Councilman Noble gave his committee report.

SECOND READING ITEMS

[2022-R32](#) A RESOLUTION AWARDING A CONTRACT TO THE AERO-MARK COMPANY, LLC FOR THE 2022 PAVEMENT MARKINGS PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 6/14/22)
SECOND READING PASSAGE REQUESTED

Attachments: [2022-R32 re 2022 Pavement Markings Project](#)
[Request for Legislation 2022 Pavement Markings Project Aero Mark](#)
[ALL IN ONE 2022 Pavement Markings](#)

Councilman Noble read in the legislation and gave a brief overview.

Second reading passage was requested by administration. Committee and Council ok with passage. A motion was made to adopt.

A motion was made by Council Member Noble, 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 Noble, 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-R33](#)

A RESOLUTION AWARDING A CONTRACT TO SPANO BROTHERS CONSTRUCTION CO, INC. FOR THE KING DRIVE CULVERT REPLACEMENT 300 FEET EAST OF GREENSBURG ROAD PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.
-(Introduced on 6/14/22)

Attachments: [2022-R33 re Kings Drive Culvert](#)
[Request for Legislation King Drive Culvert](#)
[InterofficeMemo King Drive Culvert East of Greensburg](#)

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

Time was taken.

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

All present. Received an update from Valerie Wolford on well testing by EPA.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

Councilman Noble acknowledged a few outstanding citizens. Harmony Springs Church planted flowers. Dog rescue and bought kits with leashes and such for pets to go in a police car.

****Executive Session Council as a Whole- to discuss the Clerks evaluation and salary**

At 7:57 p.m. Councilman France made a motion to go into executive session with all of council to discuss the Clerks pay raise and evaluation. Councilman DeVitis seconded. All were in favor.

At 8:09 p.m. Councilman France made a motion to adjourn the executive session and resume the regular meeting. Councilman Yeargin seconded. All were in favor.

XII. New Business

None.

XIII. Adjournment

A motion was made by Council Member France, seconded by Council Member Meager, to adjourn the meeting at 8:10 p.m. The motion carried by the following vote:

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

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.