



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 - Ward 2
Rick Miller- Ward 3
Jeff Noble - Ward 4, President
Justin Speight - At-Large, Vice President
Clark A. DeVitis - At-Large
Gerard Neugebauer- At-Large
Nichole Messner, MMC- Clerk of Council

Tuesday, January 14, 2025

7:00 PM

Council Chambers

I. Call to Order

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

II. Pledge of Allegiance

III. Roll Call of Council Members

Present: 6 - Clark A. DeVitis, CJ Meager, Jeff Noble, Gerard Neugebauer, Justin Speight and Rick Miller

Absent: 1 - Barbara Babbitt

IV. Council Study Session

[TMP-4819](#) Approval of the December 10, 2024 Council Meeting Minutes

Attachments: [12-10-24 Draft Council Meeting Minutes.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4848](#) Approval of the January 6, 2025 Council Organizational Meeting Minutes

Attachments: [1-6-25 Draft Council Organizational Meeting Minutes.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4847](#) Approval of the November 2024 Electronic Financial Report, Subject to Audit

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

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

****Jaclyn Beckwith of the Green Community Fund presenting an update and grant application process.**

Ms. Beckwith gave a brief presentation regarding the Green Community Fund and the grant application process.

V. Public Report

None.

VI. Public Hearings

[2024-R75](#)

A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR STONEY CREEK ESTATES PHASE IV, AND DECLARING AN EMERGENCY. -(Introduced on 11/26/2024) ****A PUBLIC HEARING WAS HELD ON TUESDAY, JANUARY 14, 2025****

Attachments: [2024-R75 Stoney Creek Estates Phase IV Street Lighting District.docx](#)
[2024-R75 Exhibit A.pdf](#)
[2024-R75 Exhibit B.pdf](#)
[2024-R75 Exhibit C.pdf](#)
[2024-R75 Request for Legislation.pdf](#)

7:07 pm Councilman Speight opened the public hearing.

Planning Director Wiethe reported that this was 6 street lights for lighting purposes. That the developer assumes the cost of installation and there would be a monthly cost spread among the 30 lots that would be assessed to the property owners.

Councilman Speight commented there were street lights in other phases of this subdivision. Planning Director Wiethe replied that yes this is a continuation of the lights within the phases.

No additional comments or questions.

Councilman Speight closed the public hearing at 7:09 pm.

[2024-14](#)

AN ORDINANCE AMENDING CHAPTER 157, SECTION 157.085: TABLE OF ALLOWED USES (TABLE 157.085-1) TO ADD DRIVE -THROUGH FACILITIES AS A CONDITIONAL USE IN THE I-1 (GENERAL INDUSTRIAL) DISTRICT. -(Introduced on 12/10/24) ****A**

PUBLIC HEARING WAS HELD ON TUESDAY, JANUARY 14, 2025**

Attachments: [2024-14 Chapter 157 Section 157.085 Table of Allowed Uses Drive thru facilities.doc](#)
[2024-14 Exhibit A.pdf](#)
[2024-14 Request for Legislation.pdf](#)

Councilman DeVitis opened the public hearing at 7:10 p.m. Councilman DeVitis read in the legislation.

Director Wiethe stated the applicant brought this forward to the Planning Dept. They wished for drive-thrus to be a permitted use, however Planning and PZC decided it should instead be a conditional use. He felt allowing it in an industrial zone made the most sense. PZC voted in favor of this change.

Tom Wiese, Skipper Group-

They brought this forward since restaurants were already allowed within the industrial zone and thought it may have been an oversight not adding drive-thrus.

Councilman Neugebauer asked what types of drive-thrus this would include. Planning Director Wiethe stated bank drive thru/ATM, restaurant drive-thru, etc. He explained that drive-thrus saved a lot of restaurants during Covid and now many places don't open there dining room or interiors anymore. He explained this would help with different types of businesses and additional marketing options.

Councilman Noble commented that he was at the meeting- and saw the discussion on this. He feels there may be another category in the code necessary to categorize more of a fast-food restaurant rather than bank drive thru, etc. Planning Director Wiethe disagreed, stating that their stacking regulations help with this area as well.

Councilman Speight clarified that this change has no connection to the previous project the recently reviewed. Planning Director Wiethe stated no.

No further comments or questions.

Councilman DeVitis closed the public hearing at 7:23 p.m.

VII. Reading of Correspondence

Clerk of Council Messner read in the correspondence.

[TMP-4838](#) November 6, 2024 Design Review Board Minutes

Attachments: [11-6-24 Meeting Minutes.pdf](#)

- [TMP-4839](#) November 20, 2024 Planning & Zoning Commission Minutes
Attachments: [11-20-24 Meeting Minutes.pdf](#)
- [TMP-4840](#) December 18, 2024 Planning & Zoning Commission Meeting Agenda
Attachments: [12-18-24 PZC Agenda with attachments.pdf](#)
- [TMP-4841](#) Planning Department December 2024 Monthly Financial Summary
Attachments: [December Monthly Summary Planning Dept..pdf](#)
- [TMP-4842](#) November 13, 2024 Civil Service Commission Minutes
Attachments: [November 13, 2024 CSC Minutes.pdf](#)
- [TMP-4843](#) November 5, 2024 Parks & Recreation Board Minutes
Attachments: [PRBMeeting Minutes 2024-11-05.pdf](#)
- [TMP-4844](#) January 8, 2025 Parks & Recreation Board Meeting Agenda
Attachments: [PRB Meeting Agenda 2025-01-08.pdf](#)
- [TMP-4845](#) December 3, 2024 Veterans Advisory Commission Minutes
Attachments: [VAC Meeting Minutes 2024-12-03.pdf](#)
- [TMP-4846](#) January 7, 2025 Veterans Advisory Commission Meeting Agenda
Attachments: [VAC Meeting Agenda 2025-01-07.pdf](#)

VIII. New Legislation - Items on First Reading

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

- [2025-R01](#) **A RESOLUTION CREATING THE POSITION OF DEPUTY DIRECTOR OF PUBLIC SERVICE, ESTABLISHING A RATE OF COMPENSATION AND DECLARING AN EMERGENCY.** -(Introduced on 1/14/2025)
Attachments: [2025-R01 Deputy Service Director Position.docx](#)
[2025-R01 Exhibit A.docx](#)
[2025-R01 Request for Legislation.pdf](#)
- [2025-R02](#) **A RESOLUTION DECLARING THE NECESSITY TO MAKE IMPROVEMENTS TO MULTIPLE ROADWAYS STORMWATER SYSTEM IMPROVEMENTS AND DEVELOPMENT OF A PLAT TO**

DEDICATE SAID ROADWAYS, ASSESSING A PORTION OF THE COST OF THE IMPROVEMENTS TO THE ABUTTING PROPERTY OWNERS, AND DECLARING AN EMERGENCY. -(Introduced on 1/14/2025)

Attachments: [2025-R02 Prestwick Estates legislation.doc](#)
[2025-R02 Exhibit A.pdf](#)
[2025-R02 Exhibit B.pdf](#)
[2025-R02 Exhibit C.pdf](#)
[2025-R02 Prestwick Estates legislation.doc](#)

2025-R03

A RESOLUTION SUPPORTING THE CITY OF GREEN MAYOR'S REQUEST TO THE UNITED STATES POSTAL SERVICE TO ASSIGN A SINGLE UNIFIED ZIP CODE FOR THE ENTIRE CITY OF GREEN, THAT IS IDENTIFIED EXCLUSIVELY WITH THE CITY OF GREEN FOR POSTAL DELIVERY PURPOSES, AND DECLARING AN EMERGENCY. -Referred to the Intergovernmental and Utilities Committee ****SECOND READING PASSAGE REQUESTED****

Attachments: [2025-R03 Resolution of Support to PO zip code.docx](#)

Councilman Speight explained that they had discussed this item on first reading by the Administrations request. He advised that members of Committee and Council were in support of the resolution and of first reading passage. He made a motion to adopt.

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

2025-01

AN ORDINANCE PROHIBITING THE ESTABLISHMENT AND OPERATION OF ANY BUSINESS OR COMMERCIAL ENTERPRISE WITHIN THE CORPORATE LIMITS OF THE CITY OF GREEN, LICENSED AS AN ADULT USE CANNABIS OPERATOR PURSUANT TO OHIO REVISED CODE SECTION 3780. -(Introduced on 1/14/2025)

Attachments: [2025-01 Ordinance Prohibiting Sale & Distribution of marijuana.docx](#)

[2025-02](#) **AN ORDINANCE REPEALING SECTION 138.06: “ILLEGAL CULTIVATION OF MARIJUANA” OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN.** -(Introduced on 1/14/2025)

Attachments: [2025-02 Ord Repeal Sect 138.06 Illegal Cultivation of Marijuana.docx](#)

[2025-03](#) **AN ORDINANCE ADOPTING THE 2024 UPDATE OF THE CITY OF GREEN LONG RANGE COMPREHENSIVE LAND USE PLAN.**
-(Introduced on 1/14/2025) **A PUBLIC HEARING WAS HELD ON TUESDAY, FEBRUARY 11, 2025**

Attachments: [2025-03 2024 Land Use Comp Plan Legislation.docx](#)
[2025-03 Exhibit A.pdf](#)
[2025-03 Request for Legislation.pdf](#)

IX. Report of Council Committees

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

Councilman Neugebauer gave his committee report.

[2024-R72A](#) **A RESOLUTION APPROVING AND ADOPTING THE 2025 ANNUAL CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN AND DECLARING AN EMERGENCY.** -(Introduced on 11/12/2024)(***Amended January 14, 2025***)

Attachments: [2024-R72A 2025 Capital Annual Appropriations.docx](#)
[2024-R72 Amended Exhibit A.pdf](#)
[2024-R72 Request for Legislation.pdf](#)

Councilman Neugebauer read in the legislation and gave a brief summary of the discussion that took place during committees.

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

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

THIRD READING ITEMS

[2024-R76](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A LEASE AGREEMENT FOR THE PURCHASE OF GOLF CART EQUIPMENT AND GPS EQUIPMENT FOR USE AT THE RAINTREE GOLF AND EVENT CENTER, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.** -(Introduced on 11/26/2024)

Attachments: [2024-R76 Raintree Golf Cart Equip Lease.docx](#)
[2024-R76 Exhibit A.pdf](#)
[2024-R76 Exhibit B.pdf](#)
[2024-R76 Request for Legislation.pdf](#)

Councilman Neugebauer read in the legislation and gave a brief summary of the discussion that took place during committees.

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

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[2024-R78](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO CREATE A GREEN DRUG TASK FORCE SCHOLARSHIP FUND, WITH THE GREEN SCHOOLS FOUNDATION AND CITY OF GREEN OPIOID SETTLEMENT FUNDS TO PROVIDE ANNUAL SCHOLARSHIPS TO GRADUATING GREEN STUDENTS TO FURTHER THEIR EDUCATION, AND DECLARING AN EMERGENCY. -(Introduced on 11/26/2024)

Attachments: [2024-R78 Drug Task Force Scholarship Legislation.docx](#)
[2024-R78 Exhibit A.pdf](#)
[2024-R78 Request for Legislation.pdf](#)
[Written legal opinion re use of Opioid Settlement funds.pdf](#)

Councilman Neugebauer read in the legislation and gave a brief overview of the discussion that took place during committees.

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

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

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

Did not meet.

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

Councilman Miller gave his committee report.

LICENSE ITEMS

Councilman Miller read in all of the liquor license requests.

No further comments or questions. A motion was made to not request a hearing on any of the license requests.

[TMP-4849](#) Fresh Food Deli Inc- New D3 Liquor License
5 E. Caston Rd.
Green, OH 44319

Attachments: [Fresh Food Deli 5 E Caston-New Liquor License.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4850](#) Mama Lupe LLC. New D1 & D2 Liquor License
DBA Mama Lupe Mexican Grill
4195 Massillon Rd. Suite 217
Green, OH 44685

Attachments: [Mama Lupe LLC 4195 Massillon Rd- New Liquor License.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4852](#) Sadguru Krupa LLC. -D5A Liquor License Transfer
DBA Residence Inn Akron
897 Arlington Ridge E & Patio
Green, OH 44312

Attachments: [Residence Inn Akron- Liquor License Transfer.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4851](#) Hotel Equities Group LLC. -New D5A Liquor License
DBA Residence Inn Akron
897 Arlington Ridge E
Green, OH 44312

Attachments: [Residence Inn Akron 897 Arlington Ridge- New Liquor License.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4853](#) Green Drive Thru LLC- D5 Liquor License Transfer
Excl Bsmt
2255 Greensburg Rd.
Green, OH 44685

Attachments: [Sai Vicchu LLC 2255 Greensburg Rd Liquor License Transfer.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[TMP-4854](#) Sai Vicchu LLC -New C1 & C2 Liquor License
2255 Greensburg Rd.
Green, OH 44685

Attachments: [Sai Vicchu LLC 2255 Greensburg Rd. New Liquor License.pdf](#)

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

D. Planning, Community & Economic Development (DeVitis*, Neugebauer**, Speight)

Councilman DeVitis gave his committee report.

SECOND READING ITEMS

[2024-14](#) **AN ORDINANCE AMENDING CHAPTER 157, SECTION 157.085: TABLE OF ALLOWED USES (TABLE 157.085-1) TO ADD DRIVE -THROUGH FACILITIES AS A CONDITIONAL USE IN THE I-1 (GENERAL INDUSTRIAL) DISTRICT. -(Introduced on 12/10/24) **A PUBLIC HEARING WAS HELD ON TUESDAY, JANUARY 14, 2025****

Attachments: [2024-14 Chapter 157 Section 157.085 Table of Allowed Uses Drive thru facilities.doc](#)
[2024-14 Exhibit A.pdf](#)
[2024-14 Request for Legislation.pdf](#)

Councilman DeVitis read in the legislation and gave a brief overview of the discussion that took place during this evenings public hearing. Time was requested and granted.

E. Rules and Personnel (Noble*, Babbitt**, Miller)

Councilman Noble gave his committee report.

SECOND READING ITEMS

[2024-R79](#) **A RESOLUTION CREATING THE POSITION OF ASSISTANT**

**PLANNING DIRECTOR IN THE PLANNING DEPARTMENT,
ESTABLISHING COMPENSATION, AND DECLARING AN
EMERGENCY. -(Introduced on 12/10/24)**

Attachments: [2024-R79 Assistant Planning Director Position.docx](#)
[2024-R79 Exhibit A.pdf](#)
[2024-R79 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. Time was taken.

[2024-R80](#) **A RESOLUTION CREATING THE POSITION OF PLANNING
ADMINISTRATOR IN THE PLANNING DEPARTMENT,
ESTABLISHING COMPENSATION, AND DECLARING AN
EMERGENCY. -(Introduced on 12/10/24)**

Attachments: [2024-R80 Planning Administrator Position.docx](#)
[2024-R80 Exhibit A.pdf](#)
[2024-R80 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. Time was taken.

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

Did not meet.

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

Councilman Speight gave his committee report.

THIRD READING ITEMS

[2024-R75](#) **A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR STONEY CREEK ESTATES PHASE IV, AND DECLARING AN EMERGENCY.** -(Introduced on 11/26/2024) ****A PUBLIC HEARING WAS HELD ON TUESDAY, JANUARY 14, 2025****

Attachments: [2024-R75 Stoney Creek Estates Phase IV Street Lighting District.docx](#)
[2024-R75 Exhibit A.pdf](#)
[2024-R75 Exhibit B.pdf](#)
[2024-R75 Exhibit C.pdf](#)
[2024-R75 Request for Legislation.pdf](#)

Councilman Speight read in the legislation and gave a brief summary of the public hearing that was held this evening. Time was requested and granted.

SECOND READING ITEMS

[2024-R81](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A LEASE AGREEMENT WITH SUMMIT COUNTY, OHIO, AND THE SUMMIT COUNTY SHERIFF'S OFFICE, FOR THE LEASE OF A PORTION OF FIRE STATION #2, LOCATED AT 393 EAST TURKEYFOOT LAKE ROAD, GREEN, OHIO, AND DECLARING AN EMERGENCY.** -(Introduced on 12/10/24) ****SECOND READING PASSAGE REQUESTED****

Attachments: [2024-R81 Fire Station #2 & SC Lease.docx](#)
[2024-R81 Exhibit A.doc.pdf](#)
[2024-R81 Attachment.pdf](#)
[2024-R81 Request for Legislation.pdf](#)

Councilman Speight read in the legislation and gave a brief summary of the discussion that took place during committees. No further comments. Committee ok with second reading passage. A motion was made to adopt.

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

[2024-R82](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO TRANSFER A PARCEL OF LAND FOR SANITARY SEWER PURPOSES, TO THE COUNTY OF SUMMIT, OHIO, AND DECLARING AN EMERGENCY. -(Introduced on 12/10/24)

Attachments: [2024-R82 Transfer of Parcel for Sanitary Sewer.docx](#)
[2024-R82 Exhibit A.pdf](#)
[2024-R82 Request for Legislation.pdf](#)

Councilman Speight read in the legislation and gave a brief summary of the discussion that took place during committees. No further comments or questions. Time was taken.

****Executive Session to discuss pending litigation matters****

A motion was made by Council Member Noble, seconded by Council Member Speight, to enter executive session at 7:42 p.m. The motion carried by the following vote:

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

****Executive Session to discuss pending litigation matters****

A motion was made by Council Member Noble, seconded by Council Member Speight, to to adjourn executive session and reconvene the regular meeting at 8:25 p.m. The motion carried by the following vote:

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

X. Mayor's Report

Mayor Yeargin gave his report.

XI. Unfinished Business

None

XII. New Business

Reminder that there would be no council meeting held on Tues Jan 28- State of the City would take the place of that meeting on Thursday, Jan 30.

XIII. Adjournment

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

Aye: 6 - DeVitis, Meager, Noble, Neugebauer, Speight and Miller

ATTEST: _____
NICHOLE MESSNER, MMC, CLERK OF COUNCIL

APPROVED: _____
JEFF NOBLE, 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.