



# 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*

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Tuesday, October 26, 2021

7:00 PM

Council Chambers

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#### I. Call to Order

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

#### II. Pledge of Allegiance

#### III. Roll Call of Council Members

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

Also present:

Wayne Wiethe, Planning Director  
Steve Schmidt, Finance Director  
Nichole Messner, Clerk of Council  
Valerie Carr, Service Director

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

#### IV. Council Study Session

Council President Yeargin announced the sad news that Roger Spitale had passed away. He announced the calling hours/funeral dates and times. Keeping the family in our thoughts and prayers.

#### [TMP-3633](#)

Approval of the October 12, 2021 Council Meeting Minutes

**Attachments:** [10-12-21 Council Meeting Minutes](#)

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

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

## V. Public Report

None.

## VI. Public Hearings

### 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. -(Introduced on 9/28/21) \*\*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](#)

Councilman Yeargin called the public hearing to order at 7:03 p.m.

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

Scott Life, DeHoff Development - 821 S. Main St. and Joe McCabe, 1429 King Ave Columbus, OH both spoke on behalf of the project.

Mr. McCabe provided a presentation for the proposed Spring Hills PD. (Powerpoint presentation attached).

Tim Piatt, 950 Brigantine Rd. Green Oh-

Mr. Piatt explained that when he moved there they knew that it was always a possibility that this land would be developed, they hoped it wouldn't be, but knew it possibly would. His hope is that the cul-de-sac remains and keeps safety for the subdivision.

Ralph Tucker, 1296 Springbury Dr., Green OH-

Mr. Tucker had concerns with lighting pollution from parking lot, noise pollution from vehicles and a walkway between the apartment to the housing subdivision.

Bill Wappler of Surgere Company, Green OH-

Mr. Wappler explained that their company is growing and will be bringing many new employees to the area, making well over \$100,000 a year and are looking to live in a nice high end home very near to where they work. This is a positive for the area.

Neil Friery, Springbury Dr. Green OH-

Mr. Friery supports the cul-de-sac and would like to keep that. He has some concerns with the traffic this will create onto Arlington and Boettler Roads.

Rachel Martinez, Springhill Dr. Green OH-

Ms. Martinez was opposed to the new development and wanted Council to think twice about approving.

Councilman France asked a few questions regarding possible downsizing to less units and then doing it in smaller phases. He also asked about road connections in the Forest Lakes Subdivision. He commented on the widening of Arlington Rd and the timeline for it being engineered/built. He also commented on the giving up of the B-2 zoning.

Councilwoman Babbitt clarified that any connection in the development would be sidewalks along roads and not trails.

Councilman Yeargin closed the public hearing at 8:38 p.m.

## VII. Reading of Correspondence

Clerk of Council, Nichole Messner read in the correspondence.

### [TMP-3648](#)

October 20, 2021 Planning & Zoning Commission Agenda

**Attachments:** [10-20-21 PZC Agenda](#)

### [TMP-3649](#)

Email from Karen Fritz RE: New Apartments on 619

**Attachments:** [Email from Karen Fritz RE Apartments on 619](#)

### [TMP-3650](#)

October 13, 2021 Civil Service Commission Agenda

**Attachments:** [October 13, 2021 CSC Agenda](#)

### [TMP-3651](#)

September 13, 2021 Civil Service Commission Approved Minutes

**Attachments:** [September 13, 2021 CSC Minutes](#)

## VIII. New Legislation - Items on First Reading

The Clerk of Council read in the new legislation.

[2021-R73](#)

**A RESOLUTION REVISING ESTABLISHED PAY RANGES FOR THE SEASONAL POSITIONS OF SEASONAL LABORER I AND SEASONAL LABORER II AND REQUESTING FLEXIBILITY FOR DETERMINING SEASONAL PAY RATES WITHIN THESE RANGES BASED ON PREDETERMINED SKILLS, EXPERIENCE, AND DRIVING LICENSE CRITERIA, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2021-R73 re Seasonal Laborer-CDL Driver Pay Range Adjustment](#)  
[2021-R73 re Exhibit A](#)  
[Pam Serina 2021-R73 1st reading passage memo Seasonal Labor-CDL Drivers](#)

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

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

[2021-R74](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A LEASE AGREEMENT FOR THE PURCHASE OF ONE (1) WATERTRONICS IRRIGATION PUMP STATION, FROM PRO PUMP & CONTROLS, INC, FOR USE AT THE RAINTREE GOLF AND EVENT CENTER, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY. -Referred to the Environment and Parks Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2021-R74 re Raintree pump](#)  
[2021-R74 re Exhibit A](#)  
[Valerie Wax Carr 1st Reading Passae Requestt City Council Memo Raintree Pump Pump House Overveiw](#)

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

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

[2021-R74](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A LEASE AGREEMENT FOR THE PURCHASE OF ONE (1) WATERTRONICS IRRIGATION PUMP STATION, FROM PRO PUMP & CONTROLS, INC, FOR USE AT THE RAINTREE GOLF AND EVENT CENTER, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY. -Referred to the Environment and Parks Committee**  
**\*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:**   [2021-R74 re Raintree pump](#)  
                         [2021-R74 re Exhibit A](#)  
                         [Valerie Wax Carr 1st Reading Passae Requestt City Council Memo](#)  
                         [Raintree Pump](#)  
                         [Pump House Overveiw](#)

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

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

[2021-R75](#)      **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee**

**Attachments:**   [2021-R75 re Oct 2021 Appropriations](#)  
                         [2021-R75 re Exhibit A Oct 21 Amended Appropriation](#)  
                         [2021-R75 re Exhibit B Oct 21 Amended Appropriation](#)

[2021-R76](#)      **A RESOLUTION APPROVING AND ADOPTING THE 2022 ANNUAL OPERATING APPROPRIATION FOR THE GENERAL FUND AND ALL OTHER FUNDS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee**

**Attachments:**   [2021-R76 re 2022 Operating Budget annual appropriation](#)  
                         [2021-R76 re Exhibit A 2022 OPERATING BUDGET](#)  
                         [2021-R76 re Exhibit B 2022 OPERATING BUDGET](#)

[2021-R78](#)      **A RESOLUTION APPROVING THE FINAL PLAT OF UNION SQUARE PHASE I, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee**

**Attachments:** [2021-R78 re Union Square Phase I](#)  
[2021-R78 re Exhibit A](#)  
[21-53 Union Square Phase I PZC Staff Report](#)  
[21-53 Union Square Phase I Plat plans](#)

[2021-R79](#)      **A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION’S (“PZC”) APPROVAL OF THE REPLAT # 2 OF GREENSBURG HEIGHTS ALLOTMENT, AND DECLARING AN EMERGENCY.** -Referred to the Planning and Economic Development Committee

**Attachments:** [2021-R79 re Greensburg Heights Allotment Phase 2 WW](#)  
[2021-R79 re Exhibit A 21-49 Greensburg Heights Replat #2 plans](#)  
[21-49 Greensburg Heights Replat #2 PZC Staff Report](#)  
[21-49 Greensburg Heights Replat #2 plans](#)  
[21-49 Greensburg Heights Replat #2 aerial](#)

[2021-23](#)      **AN ORDINANCE TO REGULATE SOLICITORS AND PEDDLERS WITHIN THE CITY OF GREEN.** -Referred to the Rules and Personnel Committee

**Attachments:** [2021-23 re No Knock changes to 860.04](#)  
[Q & A regarding No Knock](#)  
[Q & A \(2\) regarding No Knock](#)

[2021-24](#)      **AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ESTABLISH AN OPT-IN NATURAL GAS PROGRAM PURSUANT TO SECTION 4929.27(A)(1), OHIO REVISED CODE, JOINTLY THROUGH NOPEC AS A NOPEC MEMBER.** -Referred to the Intergovernmental and Utilities Committee \*\*PUBLIC HEARINGS HAVE BEEN SCHEDULED FOR NOVEMBER 9 & 23, 2021 AT 7:00 P.M. IN COUNCIL CHAMBERS\*\*

**Attachments:** [2021-24 re NOPEC Opt In Natural Gas Program](#)

[2021-25](#)      **AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC NATURAL GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING A GAS AGGREGATION PROGRAM AS A NOPEC MEMBER.** -Referred to the Intergovernmental and Utilities Committee \*\*PUBLIC HEARINGS HAVE BEEN SCHEDULED FOR NOVEMBER 9 & 23, 2021 AT 7:00 PM IN COUNCIL CHAMBERS\*\*

**Attachments:** [2021-25 re NOPEC Adot Natural Gas Program](#)

[2021-26](#) AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 79 ACRES OF LAND LOCATED AT 1265 BOETTLER ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED PULTE PLANNED DEVELOPMENT. -Referred to the Planning and Economic Development Committee \*\*A PUBLIC HEARING IS SCHEDULED FOR NOVEMBER 23, 2021 AT 7:00 PM IN COUNCIL CHAMBERS\*\*

**Attachments:** [2021-26 re Pulte 1265 Boettler Rd changes](#)  
[2021-26 re Exhibit A](#)  
[21-51 Pulte PD Concept Plan PZC Staff Report](#)  
[21-51 Pulte PD Concept Plan](#)

#### IX. Report of Council Committees

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

Councilman Brandenburg gave the Committee report.

#### THIRD READING ITEMS

[2021-R70](#) A RESOLUTION REQUIRING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE FUNDS TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -(Introduced on 9/28/21)

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

Councilman Brandenburg read in the legislation and gave brief summary.

No additional questions or concerns. A motion was made to adopt.

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

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

[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. -(Introduced on 9/2/21)

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

Councilman Brandenburg read in legislation and gave brief summary.

No issues with passage. A motion was made 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 - Babbitt, Brandenburg, DeVitis, France, Shaughnessy, Yeargin and Meager

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

Councilman Brandenburg gave his Committee report. A first reading item was discussed and passed.

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

Councilman DeVitis gave his Committee report.

## LICENSE ITEMS

[TMP-3635](#) Liquor License Stockholder Transfer- KOG Drive Thru Inc. 2255 Greensburg Road

**Attachments:** [Liquor License KOG Stockholder Transfer](#)

Councilman DeVitis read in the liquor license transfer. The Sheriffs Dept. found no issues with the transfer, nor did the Council members. A motion was made.

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

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

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

Councilman Yeargin gave his Committee report.

## THIRD READING ITEMS

[2021-R72](#) **A RESOLUTION AUTHORIZING A MUNICIPAL ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH KASPER HOLDINGS, LLC., DBA TRADEFULL, AND DECLARING AN EMERGENCY.**  
-(Introduced on 9/28/21)

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

Councilman Yeargin read in legislation and gave a brief summary.

All Council members good with passage. A motion was made to adopt.

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



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

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

**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. -(Introduced on 9/28/21) \*\*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](#)

Councilman Yeargin read in the legislation and gave a brief summary. A public hearing was held this evening- A lot of good conversation took place with the residents and the developer.

Time was requested and granted.

**SECOND READING ITEMS**

**2021-22**

**AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE PURCHASED BY TURKEYFOOT GREEN, LLC, TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AUTHORIZING THE MAYOR TO ENTER INTO A TAX INCREMENT FINANCING AGREEMENT, AND DECLARING AN EMERGENCY. -(Introduced on 10/12/21)**

**Attachments:** [2021-22 reTurkeyfoot Green LLC TIF](#)  
[2021-22 re Exhibits A B C D E F](#)  
[2021-22 re Exhibit F](#)  
[2021-22 re Exhibit G](#)

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

Discussion took place during Committee. No additional questions.

Time was requested and granted.

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

Councilman Meager gave his committee report. A first reading item was

discussed and adopted.

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

No report this evening. Did not meet.

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

Councilman Shaughnessy gave his committee report.

[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)\*\*A PUBLIC HEARING WAS HELD ON TUESDAY, OCTOBER 12, 2021\*\***

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

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

No issues with passage. A public hearing was held previously and a detailed presentation made. A motion was made to adopt.

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

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

X. Mayor's Report

Communications Manager, Valerie Welford gave the report on behalf of the Mayor.

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 9:07 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.