



# 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, March 9, 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

#### IV. Council Study Session

[TMP-3358](#) Approval of the February 23, 2021 Council-Committee 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

#### V. Public Report

Clerk of Council, Nichole Baldinger read in an email from Staci Schweikert regarding the Parks Master Plan.

#### VI. Public Hearings

None.

#### VII. Reading of Correspondence

Read in and filed.

[TMP-3359](#) Summit County EMA Email RE: Smart Phone App

[TMP-3360](#) March 3, 2021 Parks & Recreation Board Agenda

[TMP-3365](#) Approximately 320 Email Responses RE: Input Requested on Change of Trash Provider

VIII. New Legislation - Items on First Reading

Clerk of Council read in the legislation.

[2021-R16](#) **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 3/9/2021)**

[2021-R17](#) **A RESOLUTION AMENDING RESOLUTION 2020-R88, ADOPTED NOVEMBER 24, 2020, AUTHORIZING THE MAYOR TO TEMPORARILY DEVIATE FROM, AS NECESSARY, SECTIONS OF CHAPTER 258 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED "EMPLOYEES GENERALLY" AND SECTIONS OF CHAPTER 260 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED "CIVIL SERVICE COMMISSION" BY EXECUTIVE ORDER; AND, EXTENDING THROUGH JUNE 30, 2021, IN ORDER THAT THE MAYOR OF THE CITY OF GREEN SHALL HAVE THE NECESSARY FLEXIBILITY TO ADDRESS THE OPERATIONAL IMPACT OF THE PUBLIC HEALTH EMERGENCY CREATED BY THE COVID-19 CORONAVIRUS, FOR THE MAYOR'S ADMINISTRATION AND DEPARTMENTS AND FOR THE DEPARTMENT OF LAW IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

[2021-R18](#) **A RESOLUTION AWARDED A CONTRACT TO B&B SEALING LLC FOR THE 2021 PARKS PAVEMENT MAINTENANCE PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 3/9/2021)**

[2021-R19](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO UTILIZE ELECTRONIC SIGNATURES AS AN APPROVED METHOD OF CONTROL ON CONTRACTS AND AGREEMENTS, AND DECLARING AN EMERGENCY. -(Introduced on 3/9/2021)**

[2021-R20](#) **A RESOLUTION IN SUPPORT OF ADOPTING THE 2021 PARKS AND RECREATION MASTER PLAN, AND DECLARING AN EMERGENCY. -(Introduced on 3/9/2021)**

[2021-03](#) **AN ORDINANCE AMENDING CHAPTER 1229, SECTION 1229.05 PARKING, LOADING, AND STACKING REGULATIONS; AND, CHAPTER 1231, SECTION 1231.02 DEFINITIONS, OF THE CODIFIED**

**ORDINANCES OF THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -(Introduced on 3/9/2021) \*PUBLIC HEARING SCHEDULED FOR TUESDAY, APRIL 13, 2021 AT 7:00 P.M.\***

[2021-04](#)

**AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY DC3 PROPERTIES, LLC, DBA BOGGS 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. -(Introduced on 3/9/2021)**

[2021-05](#)

**AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY TWL GREEN DEVELOPMENT, 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 3/9/2021)**

IX. Report of Council Committees

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

All members present.

**SECOND READING ITEMS**

[2021-R13 A](#)

**A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced on 2/23/2021)(AMENDED MARCH 9, 2021)**

Councilwoman Babbitt read in the legislation and gave a detailed overview of the proposed appropriation modifications.

Director Wiethe and Director Schmidt reiterated several of the line items.

Second reading passage was being requested by the Administration to be able to have the funds appropriated to demo the structures at Steves Motel.

Committee ok with second reading passage.

After further discussion, Councilwoman Babbitt made a motion.

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

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

[2021-R15](#)

**A RESOLUTION AWARDDING A CONTRACT TO NORTHSTAR ASPHALT, INC. FOR THE 2021 RESURFACING PROJECT, MAKING AN APPROPRIATIONS, AND DECLARING AN EMERGENCY.**

-(Introduced on 2/23/2021)

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

City Engineer Paul Pickett went over the details of the legislation which was awarding the contract for the 2021 resurfacing project to Northstar Asphalt Inc. Mr. Pickett added that this included the alternate for Steese Road.

Second reading passage was preferred by the Administration due to the necessity to get the process moving and the possibility that there would not be enough Councilmembers present at the next meeting to pass the legislation as an emergency.

Committee ok with second reading passage.

After further discussion, Councilwoman Babbitt made a motion.

**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 Brandenburg, 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 present.

**SECOND READING ITEMS**

[2021-R14](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH FOREVERLAWN SOUTHWEST AND ITS' SUBSIDIARY FOREVER LAWN NEO FOR THE PURCHASE AND INSTALLATION OF SYNTHETIC PLAYGROUND TURF AT CENTRAL PARK PLAYGROUND, AND DECLARING AN EMERGENCY.**

-(Introduced on 2/23/2021)

Councilman Brandenburg read in the legislation and gave a detailed overview.

Valerie Carr, Service Director explained the reason for going with Foreverlawn for the installation of synthetic playground turf at the playgrounds at Central Park.

After further discussion, Councilman Brandenburg requested time, which was granted.

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

All members present.

[TMP-3364](#)

Chief Funai to present the 2020 Summary of Fire Activity Report

Chief Funai presented the 2020 Annual Fire Dept. Activity Video.

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

All members present, but did not meet.

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

All members present.

**FIRST READING ITEMS**

[2021-R17](#)

**A RESOLUTION AMENDING RESOLUTION 2020-R88, ADOPTED NOVEMBER 24, 2020, AUTHORIZING THE MAYOR TO TEMPORARILY DEVIATE FROM, AS NECESSARY, SECTIONS OF CHAPTER 258 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED “EMPLOYEES GENERALLY” AND SECTIONS OF CHAPTER 260 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN ENTITLED “CIVIL SERVICE COMMISSION” BY EXECUTIVE ORDER; AND, EXTENDING THROUGH JUNE 30, 2021, IN ORDER THAT THE MAYOR OF THE CITY OF GREEN SHALL HAVE THE NECESSARY FLEXIBILITY TO ADDRESS THE OPERATIONAL IMPACT OF THE PUBLIC HEALTH EMERGENCY CREATED BY THE COVID-19 CORONAVIRUS, FOR THE MAYOR’S ADMINISTRATION AND DEPARTMENTS AND FOR THE DEPARTMENT OF LAW IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

Councilman Meager read in the legislation on first reading and gave a brief overview. The Administration is requesting first reading on this legislation which will extend the ability for employees to work from home during the COVID pandemic.

Councilman France asked how many employees were still working from home at this

point.

Mayor Neugebauer gave an update, stating that Fire and Service had no one working from home, and that about half of the CAB employees were doing a few days at home and a few at the office. Some were there all week. He explained that they would be making decisions regarding public in the CAB etc. very soon.

Committee was ok with first reading passage.

After further discussion, a motion was made by Councilman Meager.

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

**Aye:** 6 - Babbitt, Brandenburg, DeVitis, Shaughnessy, Yeargin and Meager

**Nay:** 1 - France

#### [TMP-3363](#)

**Approval of Mayor Neugebauers Appointment of Nora Anderson to the Planning & Zoning Commission**

Councilman Meager explained that Mayor Neugebauer had appointed Nora Anderson to serve on the Planning & Zoning Commission, to take the seat of Mike Burch who resigned from the position.

Councilman Meager made a motion to approve the appointment.

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

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

\*\*At this time, Councilwoman Babbitt gave an update on the newly formed Talent Inclusion Committee.

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

All members present, but did not meet.

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

All members present.

\*\*At this time, City Engineer Paul Pickett gave an update on the Wise Road closure.

### THIRD READING ITEMS

#### [2021-R10](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN EXCLUSIVE AGREEMENT WITH REPUBLIC SERVICES FOR THE COLLECTION AND REMOVAL OF RESIDENTIAL RECYCLABLES, REFUSE, AND WASTE MATERIALS IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. - (Introduced on 2/9/21)**

Councilman Shaughnessy read in the legislation and gave a detailed overview.

This legislation was discussed in detail at the previous meeting. Many individuals expressed their concern with switching to Republic and that their preference was to keep Kimble. Individuals from both Kimble and Republic spoke and Service Director, Valerie Carr gave a thorough explanation of the process that was followed and all the pertinent information.

Councilman Shaughnessy explained that he felt that they should listen to the people and keep Kimble.

Councilwoman Babbitt stated that she initially felt the same way, but had since realized that by not passing this legislation with a majority vote, there would be a lapse in trash service which would not be a good thing for the City.

Councilman DeVitis stated that he felt the bidding process was followed correctly by the City and the Service Director, and that going with the lowest cost was the right thing and that it was important to honor the process.

Councilman France felt the City provided ample information and followed the process and that it was important to honor the bidding process.

Councilman Yeargin stated that he felt the Service Director had done a good job and provided them with much useful information. He felt they had a duty to save the tax payers money and honor the bidding process.

After further discussion, Councilman Shaughnessy made a motion to amend the legislation to accept a contract from Kimble instead of Republic. This motion failed due to lack of a second.

Councilman Shaughnessy then made a motion to adopt.

**Councilman Shaughnessy made a motion to amend the legislation. The motion**

failed for lack of a second.

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

**Nay:** 1 - Shaughnessy

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

None.

XII. New Business

None.

XIII. Adjournment

The meeting was adjourned at 9:25 p.m.

**A motion was made by Council Member France, seconded by Council Member Meager, to adjourn the meeting. The motion carried by the following vote:**

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

ATTEST: \_\_\_\_\_  
NICHOLE BALDINGER, 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.