



# 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*  
*Justin Speight - At-Large*  
*Clark A. DeVitis - At-Large*  
*Gerard Neugebauer- At-Large*  
*Nichole Messner, MMC- Clerk of Council*

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Tuesday, December 10, 2024

7:00 PM

Council Chambers

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#### I. Call to Order

Council President Meager called the meeting to order at 7:20 p.m.

#### II. Pledge of Allegiance

#### III. Roll Call of Council Members

**Present:** 7 - Clark A. DeVitis, CJ Meager, Jeff Noble, Barbara Babbitt, Gerard Neugebauer, Justin Speight and Rick Miller

#### IV. Council Study Session

[TMP-4807](#) Approval of the November 26, 2024 Council Meeting Minutes

**Attachments:** [11-26-24 Draft Council Meeting Minutes.pdf](#)

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

**Aye:** 5 - DeVitis, Meager, Noble, Neugebauer and Miller

**Abstain:** 2 - Babbitt and Speight

#### V. Public Report

Pat Carleski, 3787 Greenfield Rd., Green OH-  
Thanked the Parks Division for the wonderful holiday senior luncheon. Complimented the drivers of the golf carts shuttling people in the cold.

Tom Weise, 195 S. Main St, Akron OH-  
Mr. Weise explained that the Skipper Group is in support of the text amendment change that will be on public hearing at the next meeting.

#### VI. Public Hearings

None.

## VII. Reading of Correspondence

The Clerk of Council read in the correspondence.

[TMP-4810](#) Planning Department November 2024 Financial Summary

**Attachments:** [November Monthly Summary - Planning.pdf](#)

[TMP-4811](#) Veterans Advisory Commission December 3, 2024 Agenda

**Attachments:** [VAC Agenda 2024-12-03.pdf](#)

[TMP-4812](#) November 5, 2024 Veterans Advisory Commission Minutes

**Attachments:** [VAC Draft Meeting Minutes 2024-11-05.docx](#)

## VIII. New Legislation - Items on First Reading

Nichole Messner, Clerk of Council, read in the new legislation and Council President Meager referred each piece to the appropriate committee.

[2024-R79](#) **A RESOLUTION CREATING THE POSITION OF ASSISTANT PLANNING DIRECTOR IN THE PLANNING DEPARTMENT, ESTABLISHING COMPENSATION, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee**

**Attachments:** [2024-R79 Assistant Planning Director Position.docx](#)

[2024-R79 Exhibit A.pdf](#)

[2024-R79 Request for Legislation.pdf](#)

[2024-R80](#) **A RESOLUTION CREATING THE POSITION OF PLANNING ADMINISTRATOR IN THE PLANNING DEPARTMENT, ESTABLISHING COMPENSATION, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee**

**Attachments:** [2024-R80 Planning Administrator Position.docx](#)

[2024-R80 Exhibit A.pdf](#)

[2024-R80 Request for Legislation.pdf](#)

[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. -Referred to the Intergovernmental and Utilities Committee**  
**\*\*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](#)

**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.**  
-Referred to the Intergovernmental and Utilities Committee

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

**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.** -Referred to the Planning and Economic Development Committee \*\*A PUBLIC HEARING WILL BE HELD ON TUESDAY, JANUARY 14, 2025 @ 7:00 PM IN COUNCIL CHAMBERS\*\*

**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](#)

## IX. Report of Council Committees

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

Councilman Neugebauer gave his committee report.

## THIRD READING ITEMS

**2024-R68**      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO CONTRACTS WITH VARIOUS LAW FIRMS FOR INCOME TAX COLLECTION SERVICES, FOR A THREE-YEAR TERM COMMENCING JANUARY 1, 2025 AND ENDING DECEMBER 31, 2027, AND DECLARING AN EMERGENCY.** -(Introduced on 11/12/2024)

**Attachments:** [2024-R68 Income Tax Legal Services.docx](#)  
[2024-R68 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 Meager, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

#### [2024-R69](#)

**A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL (“TIRC”) REGARDING THE COMMUNITY REINVESTMENTS AREA, AND TAX INCREMENT FINANCING AGREEMENTS WITHIN THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -(Introduced on 11/12/2024)**

**Attachments:** [2024-R69 TIRC Recommendations.docx](#)  
[2024-R69 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 Meager, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

#### [2024-R71A](#)

**A RESOLUTION APPROVING AND ADOPTING THE 2025 ANNUAL OPERATING APPROPRIATION FOR THE GENERAL FUND AND ALL OTHER FUNDS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -(Introduced on 11/12/2024) (Amended December 10, 2024)**

**Attachments:** [2024-R71 Amended 2025 Annual Operating Budget.docx](#)  
[2024-R71 Amended Exhibit A.pdf](#)  
[2024-R71 Exhibit B.pdf](#)  
[2024-R71 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 Meager, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

#### [2024-R72](#)

**A RESOLUTION APPROVING AND ADOPTING THE 2025 ANNUAL CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN AND**

**DECLARING AN EMERGENCY. -(Introduced on 11/12/2024)**

**Attachments:** [2024-R72 2025 Capital Annual Appropriations.docx](#)  
[2024-R72 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. Time was requested and granted.

**2024-R74****A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE GREEN LOCAL SCHOOL DISTRICT, FOR THE CONSTRUCTION OF A JOINT BUS GARAGE AND STORAGE FACILITY, AND DECLARING AN EMERGENCY.**

-(Introduced on 11/12/2024)

**Attachments:** [2024-R74 Joint Bus Garage & Storage Building Legislation.docx](#)  
[2024-R74 Exhibit A.pdf](#)  
[Green School Board Resolution.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 Meager, to adopt the Resolution. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

**SECOND 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 at this time. Time was requested and granted.

[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 summary of the discussion that took place during committees.

No further comments or questions at this time. Time was requested and granted.

B. Environment & Parks (Speight\*, Neugebauer\*\*, Noble)

Councilman Speight gave his committee report.

**THIRD READING ITEMS**

[2024-13A](#)

**AN ORDINANCE REPEALING SECTION 97.12 “SMOKING IN CITY BUILDINGS OR VEHICLES” AND AMENDING SECTION 97.13 “SMOKING AND SMOKELESS TOBACCO PRODUCTS IN ALL CITY PARKS” OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN.** -(Introduced on 11/12/2024) (***Amended December 10, 2024***)

**Attachments:** [2024-13A Amend 97.13 Smoking Ordinance.docx](#)

Councilman Speight read in the legislation and gave a summary of the discussion that took place during committees. He briefly described the 2 amendments made.

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

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

Councilman DeVitis gave his committee report.

**SECOND READING ITEMS**

[2024-R77](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2024 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF OPERATIONS AND SAFETY - EQUIPMENT, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE PURCHASE OF FIRE HOSE AND VARIOUS FIRE HOSE NOZZLES, AND DECLARING AN EMERGENCY. -(Introduced on 11/26/2024) \*\*SECOND READING PASSAGE REQUESTED\*\***

**Attachments:** [2024-R77 AFG Application -Fire Hose & Nozzles.docx](#)  
[2024-R77 Request for Legislation.pdf](#)

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

Committee ok with second reading passage due to the submittal deadline. A motion was made to adopt.

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

## LICENSE ITEMS

[TMP-4816](#)

Caston & Main Brewery LLC- Liquor License Transfer  
2010 S Main Street  
Green, OH 44319

**Attachments:** [Caston & Main Brewery Liquor License Transfer.pdf](#)

Councilman DeVitis read in the liquor license request. No issues reported by SC Sheriffs. There were a few questions regarding the Green/New Franklin line and if it affected the liquor license. Law Director Dean stated she would look into it, but it would not affect the current license.

A motion was made to not request a hearing.

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

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

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

Councilman Noble gave his committee report.

[2024-12A](#)

**AN ORDINANCE VACATING CONWAY DRIVE.** -(Introduced on 10/8/2024)(Amended December 10, 2024)

**Attachments:** [2024-12A Conway Drive Vacation Legislation.docx](#)  
[2024-12 Amended Exhibit A.pdf](#)  
[2024-12 Request for Legislation.pdf](#)

Councilman Noble read in the legislation and gave a 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 Noble, seconded by Council Member Speight, to adopt the Ordinance. The motion carried by the following vote:**

**Aye:** 5 - DeVitis, Meager, Noble, Babbitt and Speight

**Nay:** 2 - Neugebauer and Miller

E. Rules and Personnel (Miller\*, DeVitis\*\*, Meager)

Councilman Miller reported that no items of legislation were discussed in committees.

**\*\*Confirm Mayor Yeargins Board/Commission Appointments as follows:**

**Sherry Neubert- Board of Zoning Appeals**

**Tim Bishman- Planning & Zoning Commission**  
**Jeananne Chadsey-Planning & Zoning Commission**  
**Maria Thrasher- Planning & Zoning Commission**

**Thomas Wartko- Design Review Board**

**Many Cenker- Historic Preservation Commission**

Councilman Miller made a motion to confirm Mayor Yeargins Board/Commission appointments. Councilman DeVitis seconded the motion. All were in favor 7-0; the motion carried.

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

Did not meet.



G. Intergovernmental & Utilities (Babbitt\*, Miller\*\*, Speight)

Councilwoman Babbitt gave her committee report.

**THIRD READING ITEMS**

[2024-R73A](#)     **A RESOLUTION RENEWING THE AGREEMENT WITH THE CITY OF BARBERTON FOR PROSECUTORIAL SERVICES, AND DECLARING AN EMERGENCY.** -(Introduced on 11/12/2024) *(Amended December 10, 2024)*

**Attachments:**   [2024-R73 Amended Barberton Prosecutor Agreement.docx](#)  
[2024-R73 Amended Exhibit A.pdf](#)  
[2024-R73 Request for Legislation.pdf](#)

Councilwoman Babbitt 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 Babbitt, seconded by Council Member Miller, to adopt the Resolution. The motion carried by the following vote:**

**Aye:**   7 -   DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

**SECOND 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 IS SCHEDULED FOR TUESDAY, JANUARY 14, 2025 @ 7:00 P.M. IN COUNCIL CHAMBERS\*\*

**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](#)

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

No further comments or questions. Time was requested and granted.

**X. Mayor's Report**

Mayor Yeargin gave his report.

## XI. Unfinished Business

Council President Meager reminded everyone that there would not be a Council meeting held Dec 24 and the next meeting would be their special/organizational meeting on Jan 6, 2025.

## XII. New Business

None.

## XIII. Adjournment

**A motion was made by Council Member Meager, seconded by Council Member Noble, to adjourn the meeting at 8:03 p.m. The motion carried by the following vote:**

**Aye:** 7 - DeVitis, Meager, Noble, Babbitt, Neugebauer, Speight and Miller

ATTEST: \_\_\_\_\_  
NICHOLE MESSNER, MMC, CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
CHRISTOPHER "CJ" MEAGER, 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.