



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, September 27, 2022

7:00 PM

Council Chambers

I. Call to Order

Council President France called the meeting to order at 7:14 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

IV. Council Study Session

[TMP-3984](#) Approval of the September 13, 2022 Council Meeting Minutes

Attachments: [9-13-22 Council Meeting Minutes](#)

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

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

[TMP-3998](#) Approval of the August 2022 Electronic Financial Statement, Subject to Audit

Attachments: [Aug 2022 City of Green Electronic Financial Report](#)

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

V. Public Report

None.

VI. Public Hearings

[2022-15](#) **AN ORDINANCE AMENDING CHAPTER 1226, SECTION 1226.01 TABLE 1226-1: ALLOWABLE USES AND CHAPTER 1226, SECTION 1226.02: USE-SPECIFIC REGULATIONS AND CHAPTER 1231, SECTION 1231.02: DEFINITIONS TO ADD CHILDREN'S GROUP HOME AS AN ALLOWED LAND USE. -(Introduced on 8/23/22) **A PUBLIC HEARING IS SCHEDULED FOR TUESDAY, SEPTEMBER 27, 2022 AT 7:00 PM IN COUNCIL CHAMBERS****

Attachments: [2022-15 Childrens Group Home Text Amendment Legislation](#)
[2022-15 Exhibits A-C Childrens Group Homes](#)
[2022-15 Request for Legislation](#)

Councilwoman Babbitt opened the public hearing at 7:16 p.m. She read in the legislation and gave a brief summary.

Planning Director Wiethe explained the text amendment. He advised that the Planning Dept. had been approached by JFS about Childrens homes and the ability to put a foster child in a home temporarily and what rules the City had. The City found they had none and wanted to get some guidelines for these scenarios.

No comments or questions from residents, committee or council members.

Councilwoman Babbitt closed the public hearing at approximately 7:25 pm.

VII. Reading of Correspondence

The Council Clerk read in the correspondence.

[TMP-3994](#) September 21, 2022 Planning & Zoning Commission Meeting Agenda

Attachments: [9-21-22 PZC Agenda with attachments](#)

[TMP-3999](#) August 10, 2022 Civil Service Commission Approved Minutes

Attachments: [CSC Meeting Minutes August 10, 2022](#)

[TMP-4000](#) Email from Keith Harvey RE: Installing Rubber Ramps to Slow Traffic

Attachments: [Email from Keith Harvey RE Installing Rubber ramps to slow down traffic](#)

VIII. New Legislation - Items on First Reading

Nichole Messner, Clerk of Council read in the new legislation. Council President France referred each piece to a committee.

[2022-R52](#) **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.**-Referred to the Finance Committee

Attachments: [2022-R52 Accept Tax & Rates FY2022 CY2023 Legislation](#)
[2022-R52 Exhibit A -Tax Rates](#)
[2022-R52 Request for Legislation](#)

[2022-R53](#) **A RESOLUTION REQUIRING THE SUMMIT COUNTY FISCAL OFFICER TO ADVANCE FUNDS TO THE CITY OF GREEN, AND DECLARING AN EMERGENCY.** -Referred to the Finance Committee

Attachments: [2022-R53 Advance Property Tax 2023 Legislation](#)
[2022-R53 Request for Legislation](#)

[2022-R54](#) **A RESOLUTION ADJUSTING THE SALARY FOR CITY COUNCIL MEMBERS, ELECTED OR APPOINTED TO OFFICE FOR FUTURE TERMS.** -Referred to Council as a Whole

Attachments: [2022-R54 Council Salary Update Legislation](#)
[2022-R54 Request for Legislation](#)

[2022-R55](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO PURCHASE A PIERCE VELOCITY HDR PUMPER (HEAVY RESCUE), MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.**-Referred to the Finance Committee

Attachments: [2022-R55 Pierce Rescue Truck Purchase Legislation](#)
[2022-R55 Exhibit A-Heavy Rescue Truck Contract](#)
[2022-R55 Request for Legislation](#)

[2022-R56](#) **A RESOLUTION APPROVING GREENSBURG WOODLANDS ALLOTMENT REPLAT, AND DECLARING AN EMERGENCY.**
-Referred to the Planning and Economic Development Committee
****SECOND READING PASSAGE REQUESTED****

Attachments: [2022-R56 Greensburg Woodlands Replat](#)
[2022-R56 Exhibit A-Greensburg Woodlands Replat](#)
[2022-R56 Request for Legislation](#)

[2022-R57](#) **A RESOLUTION APPROVING THE REPLAT OF HERRING'S ADDITION TO GREENSBURG AND TOUSLEY'S ADDITION TO GREENSBURG, AND DECLARING AN EMERGENCY.** -Referred to the

Planning and Economic Development Committee

Attachments: [2022-R57 Stake Drive Replat Legislation](#)

[2022-R57 Exhibit A- Stake Drive Replat](#)

[2022-R57 Request for Legislation](#)

2022-R58

A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR SPRING HILL BUSINESS PARK PHASE II, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee

Attachments: [2022-R58 Spring Hill Business Park Ph 2 Legislation](#)

[2022-R58 Exhibit A-Spring Hill Phase 2 Final Plat](#)

[2022-R58 Request for Legislation](#)

2022-R59

A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR SPRING HILL BUSINESS PARK PHASE III, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee

Attachments: [2022-R59 Spring Hill Business Park Ph 3 Legislation](#)

[2022-R59 Exhibit A -Spring Hill Ph 3 Final Plat](#)

[2022-R59 Request for Legislation](#)

2022-17

AN ORDINANCE AMENDING ORDINANCE NO. 2003-18 TO REMOVE CERTAIN PARCELS FROM AN EXISTING TAX INCREMENT FINANCING EXEMPTION PROVIDED FOR IN SAID ORDINANCE; AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee

Attachments: [2022-17 Amending Ordinance 2003-18 Legislation](#)

[2022-17 Exhibit A](#)

[2022-17 Request for Legislation](#)

2022-18

AN ORDINANCE AMENDING ORDINANCE NO. 2018-22 TO REMOVE A CERTAIN PARCEL FROM AN EXISTING TAX INCREMENT FINANCING EXEMPTION PROVIDED FOR IN SAID ORDINANCE; AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee

Attachments: [2022-18 Amending Ordinance 2018-22 Legislation](#)

[2022-18 Exhibit A](#)

[2022-18 Request for Legislation](#)

2022-19

AN ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY DEHOFF DEVELOPMENT

COMPANY AND GREEN LAND TRUST, LTD. WITHIN THE CITY OF GREEN, OHIO TO BE A PUBLIC PURPOSE; EXEMPTING SUCH IMPROVEMENTS FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THE PROPERTY TO MAKE SERVICE PAYMENTS IN LIEU OF REAL PROPERTY TAXES; PROVIDING FOR THE DEPOSIT OF THE SERVICE PAYMENTS INTO THE MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; MAKING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42, 5709.43 AND 5709.83; AUTHORIZING THE MAYOR TO EXECUTE A FIFTH AMENDMENT AND RESTATED DEVELOPMENT AGREEMENT, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee

Attachments: [2022-19 DeHoff TIF 5th Amendment Legislation](#)
[2022-19 Exhibits A-D](#)
[2022-19 Request for Legislation](#)

IX. Report of Council Committees

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

Councilman Yeargin gave his committee report.

THIRD READING ITEMS

[2022-R48 AA](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced on 8/23/22) (*AMENDED SEPTEMBER 13, 2022*)(*Amended September 27, 2022*)

Attachments: [2022-R48 Amended August 22 Appropriations 9-27-22](#)
[2022-R48 Amended Exhibit A August Appropriations 9-27-22](#)
[2022-R48 Request for Legislation](#)

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

The item was on third reading, Committee and Council ok with passage. A motion was made to adopt.

[2022-R50](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH GUIDE STUDIO, INC. FOR THE SYSTEMWIDE WAYFINDING SIGNS PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 8/23/22)

Attachments: [2022-R50 Guide Studio Wayfinding Signage Legislation](#)
[2022-R50 Exhibit A Guide Studio Wayfinding Signage Proposal](#)
[2022-R50 Request for Legislation](#)

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

This legislation was on third reading and Committee and Council were ok with passage. A motion was made by Councilman Yeargin to adopt.

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

No report- did not meet.

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

Councilman DeVitis gave his committee report.

LICENSE ITEMS

[TMP-3985](#)

Fred W Albrecht Grocery Co DBA Acme
Liquor License Corporate Stock Ownership Transfer
3878 Massillon Rd. Unit 100
Green, OH 44685

Attachments: [Acme Grocery Store Liquor License Stock Transfer](#)

Councilman DeVitis briefly explained the liquor license, This was a stock tranfer with no issues. Council will not request a hearing.

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

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

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

Councilwoman Babbitt gave her committee report.

THIRD READING ITEMS

[2022-15](#)

**AN ORDINANCE AMENDING CHAPTER 1226, SECTION 1226.01
TABLE 1226-1: ALLOWABLE USES AND CHAPTER 1226, SECTION
1226.02: USE-SPECIFIC REGULATIONS AND CHAPTER 1231,
SECTION 1231.02: DEFINITIONS TO ADD CHILDREN'S GROUP
HOME AS AN ALLOWED LAND USE. -(Introduced on 8/23/22) **A
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[2022-15 Exhbits A-C Childrens Group Homes](#)
[2022-15 Request for Legislation](#)

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

A public hearing was held this evening. No comments from residents or Council. Las Director Dean to get some clarification on a few things for the next meeting.

Time requested and granted.

SECOND READING ITEMS

[2022-R51](#) **A RESOLUTION ACCEPTING THE CONSOLIDATION OF PARCELS OF LAND FOR CITY MAINTENANCE AND SCHOOL PURPOSES, AND FOR FUTURE JOINT IMPROVEMENTS TO SAID PARCEL OF LAND, AND DECLARING AN EMERGENCY. -(Introduced on 9/13/2022)**

Attachments: [2022-R51 Kleckner Parcel Consolidation Maint Garage Legislation](#)
[2022-R51 Exhibit A](#)
[2022-R51 Request for Legislation](#)

Councilwoman Babbitt read in the legislation and gave an overview.

No additional questions at this time. Time was requested and granted.

E. Rules and Personnel (Meager*, Brandenburg**, Yeargin)

Councilman Meager gave his committee report.

[2022-06](#)
[AAAA](#) **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)(Amended September 13, 2022)(September 27, 2022)

Attachments: [2022-06 AAAA Amended Exterior Property Maint Code Legislation](#)
[2022-06 Amended Exhibit A -Exterior Property Maint Code- Final Draft 9-27-22](#)
[1998 IPMC - FOR REFERENCE ONLY](#)

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

Law Director Dean had provided a final draft of the proposed code and council went over it in detail. A public hearing will be scheduled for October 25, 2022 at 7:00 pm to allow residents to discuss the final draft.

Time was requested and granted.

SECOND READING ITEMS

[2022-16](#)

AN ORDINANCE TO ESTABLISH CHAPTER _____, DANGEROUS BUILDINGS CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN, AND PROVIDE FOR IMMEDIATE ENACTMENT.

-(Introduced on 9/13/22) ****A PUBLIC HEARING IS SCHEDULED FOR TUESDAY, OCTOBER 11, 2022 AT 7:00 PM IN COUNCIL CHAMBERS****

Attachments: [2022-16 Dangerous Buildings Code Legislation](#)
[2022-16 Exhibit A Dangerous Buildings Code](#)

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

A public hearing is scheduled for October 11, 2022. Time was requested and granted.

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

Councilman Noble briefly gave a construction update.

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

No report.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

None.

XII. New Business

None.

XIII. Adjournment

A motion was made by Council Member Dave France, seconded by Council Member Richard Brandenburg, to adjourn the meeting at 7:41 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.