



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, July 26, 2022

7:00 PM

Council Chambers

I. Call to Order

Council President France called the regular meeting to order at 7:30 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

Also present:

Nichole Messner, Clerk of Council
Steve Schmidt, Finance Director
Paul Pickett, City Engineer
Valerie Carr, Service Director
Lisa Dean, Law Director
Mayor Neugebauer
Pam Serina, HR Manager

IV. Council Study Session

[TMP-3930](#) Approval of the June 28, 2022 Council Meeting Minutes

Attachments: [6-28-22 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-3931](#) Approval of the June 2022 Electronic Financial Report, Subject to Audit

Attachments: [June 2022 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

None.

VII. Reading of Correspondence

The Council Clerk read in the correspondence.

[TMP-3932](#)

Email from Leslie Dewey RE: Proposed Property Maint Code

Attachments: [Email from Leslie Dewey- RE Proposed exterior property maintenance code](#)

[TMP-3934](#)

June 2022 Planning Dept. Financial Summary

Attachments: [Monthly Summary Report June 2022 UPDATED](#)

VIII. New Legislation - Items on First Reading

Clerk of Council Nichole Messner read in the new legislation.

[2022-R40](#)

A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MARKS CONSTRUCTION, INC FOR THE ARISS PARK IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. -Referred to Finance Committee **FIRST READING PASSAGE REQUESTED**

Attachments: [2022-R40 re Ariss Park](#)
[2022 Request for Legislation- Ariss increase](#)

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

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

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

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

[2022-R40](#) **A RESOLUTION AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MARKS CONSTRUCTION, INC FOR THE ARISS PARK IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. -Referred to Finance Committee **FIRST READING PASSAGE REQUESTED****

Attachments: [2022-R40 re Ariss Park](#)
[2022 Request for Legislation- Ariss increase](#)

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

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

[2022-R41](#) **A RESOLUTION AWARDING A CONTRACT TO CAVANAUGH BUILDING CORPORATION FOR THE KLECKNER PARK IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 7/26/22)**

Attachments: [2022-R41 re Kleckner Park](#)
[2022 Request for Legislation - Kleckner Improvements](#)
[22-35 Kleckner Parking Lot Plans PZC](#)
[22-35 Kleckner Parking lot Aerial Map PZC](#)
[22-35 Kleckner Parking Lot PZC Staff Report](#)

[2022-R43A](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH CLEMANS NELSON & ASSOCIATES, INC TO PROVIDE SPECIALIZED CONSULTING SERVICES EVALUATING THE CITY OF GREEN COMPENSATION PLAN FOR ~~ALL NON-ELECTED, CERTAIN, SELECT~~ NON-BARGAINING EMPLOYEES AS ORIGINALLY DEVELOPED BY CLEMANS NELSON & ASSOCIATES, INC, AND DECLARING AN EMERGENCY. -(Introduced on 7/26/22)(Amended August 9, 2022) **SECOND READING PASSAGE REQUESTED****

Attachments: [2022-R43 A re Clemans Nelson Assoc Compensation Study](#)
[2022-R43 Amended Exhibit A](#)
[2022 Request for Legislation Comp Study](#)

[2022-13](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY LIBERTY GREEN, LTD, DBA LIBERTY GREEN STORAGE, 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 7/26/22)**

Attachments: [2022-13 re TIF Liberty Green](#)
[2022-13 re Exhibit A Liberty Green](#)
[2022-13 re Exhibit B Liberty Green](#)
[2022-13 re Exhibit C Liberty Green](#)
[2022-13 re Exhibit D Liberty Green](#)
[2022-13 re Exhibit E Liberty Green](#)
[Liberty Green TIF Request for Legislation](#)

[2022-14](#) **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY FC WASH LTD, DBA UNITED AUTO WASH, 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 7/26/22)**

Attachments: [2022-14 re TIF United Auto Wash](#)
[2022-14 re Exhibit A](#)
[2022-14 re Exhibit B](#)
[2022-14 re Exhibit C](#)
[2022-14 re Exhibit D](#)
[2022-14 re Exhibit E](#)
[2022-14 re Exhibit F](#)
[2022-14 re Exhibit G](#)
[Request for Legislation United Auto Wash](#)

IX. Report of Council Committees

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

Councilman Yeargin gave his committee report.

THIRD READING ITEMS

[2022-R33](#) **A RESOLUTION AWARDING A CONTRACT TO SPANO BROTHERS CONSTRUCTION CO, INC. FOR THE KING DRIVE CULVERT REPLACEMENT 300 FEET EAST OF GREENSBURG ROAD PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 6/14/22)**

Attachments: [2022-R33 re Kings Drive Culvert](#)
[Request for Legislation King Drive Culvert](#)
[InterofficeMemo King Drive Culvert East of Greensburg](#)

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

No additional questions or concerns. Council and Committee ok with passage.

Motion was made to adopt.

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

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

SECOND READING ITEMS

[2022-R39](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A FIRST AMENDMENT TO THE POLICING CONTRACT (FISCAL YEARS 2021-2023) WITH THE SUMMIT COUNTY SHERIFF TO INCLUDE A K-9 UNIT TO PROVIDE SERVICES WITHIN THE CITY OF GREEN, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 6/28/22) **SECOND READING PASSAGE REQUESTED****

Attachments: [2022-R39 re K-9 Deputy Dog Policing Contract](#)
[2022-R39 Exhibit A Policing Contract with Amendment](#)
[Policing 2022 2023 Contract Rates Exhibit](#)
[2022 Request for Legislation K-9 Unit](#)
[K-9 Service Inc. Summit Co. Sheriff's Office](#)

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

Inspector Brown gave a presentation on this during committees. Committee and Council ok with second reading passage.

A motion was made to adopt.

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

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

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

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

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

Did not meet, no report.

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

Councilman DeVitis gave his committee report.

LICENSE ITEMS

[TMP-3933](#)

TGI Fridays- Liquor License Stock Transfer
1039 Interstate Pkwy
Green, Akron Ohio 44312

Attachments: [TGI Fridays Liquor License Stock Transfer](#)

Councilman DeVitis explained that this was a liquor license stock transfer for TGI Fridays. The SCSO found no calls or issues associated with the license for the property. Committee ok with passage. 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 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

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

Councilwoman Babbitt gave her committee report.

SECOND READING ITEMS

[2022-10](#)

AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY CAE PROPERTIES, LLC, D.B.A. HUMAN BEAN, 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 6/28/22)

Attachments: [2022-10 re TIF CAE Properties Human Bean](#)

[2022-10 re Exhibit A B C D E](#)

[Human Bean Request for Legislation](#)

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

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

[2022-11](#)

AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY FAPA HOLDINGS, LLC, DBA RAGON 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 6/28/22)

Attachments: [2022-11 re TIF FAPA Holdings Ragon](#)
[2022-11 re Exhibits A B C D E](#)
[Ragon Chiropractic Request for Legislation](#)

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

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

2022-R37

A RESOLUTION APPROVING THE REPLAT OF IMREK ACRES SUBDIVISION, AND DECLARING AN EMERGENCY. -(Introduced on 6/28/22)

Attachments: [2022-R37 re Imrek Acres Subdivision replat final](#)
[2022-R37 re Exhibit A Replat of Imrek Acres plat](#)
[2022 Request for Legislation Replat of Imrek Acres Subdivision](#)

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

This was a straight forward piece of legislation. No concerns from the contiguous properties. PZC voted in favor of the project.

Committee and council ok with second reading passage. A motion was made to adopt.

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

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

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

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

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

Councilman Meager gave his committee report.

2022-06 A A

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)

Attachments: [2022-06 A A re Amended Exterior Property Maintenance Code](#)
[2022-06 A re Amended Exhibit A](#)
[1998 IPMC - FOR REFERENCE ONLY](#)

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

A special committee meeting was held today on this legislation to review and discuss. Discussion got thru Section .06 in the proposed exterior property maintenance code.

An additional special rules & personnel committee meeting will be held at 4:00 p.m. on Aug 9, 2022.

Time was requested and granted.

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

Councilman Noble gave his committee report. The committee had no legislation, however they heard a construction update from City Engineer Paul Pickett.

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

Councilman France gave his committee report.

SECOND READING ITEMS

[2022-12](#)

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT ESTABLISHING THE COMMUNITY UNIVERSITY EDUCATION PURCHASING REGIONAL COUNCIL OF GOVERNMENTS, AND DECLARING AN EMERGENCY. -(Introduced on 6/28/22)

Attachments: [2022-12 re Community University Education Purchasing Cooperative CUE](#)
[2022-12 re Exhibit A Agreement Establishing CUE Council of Governments](#)
[2022 Request for Legislation - CUE](#)
[Ltr from Greg Tracy CUE Steering Committee Chairperson](#)

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

Time was requested and granted.

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 France, seconded by Council Member Meager, to adjourn the meeting at 7:56 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.