



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, April 12, 2022

7:00 PM

Council Chambers

I. Call to Order

Council Vice President DeVitis called the regular meeting to order at 7:10 p.m.

II. Pledge of Allegiance

III. Roll Call of Council Members

Present: 6 - Richard Brandenburg, Clark A. DeVitis, Rocco Yeargin, CJ Meager, Jeff Noble and Barbara Babbitt

Absent: 1 - Dave France

Also present:

Nichole Messner, Clerk of Council
Wayne Wiethe, Planning Director
Steve Schmidt, Finance Director
Paul Pickett, City Engineer
Lisa Dean, Law Director
Valerie Carr, Service Director
Mayor Neugebauer
Valerie Wolford, Communications Manager

Shareen Awadallah, Student Representative

IV. Council Study Session

[TMP-3813](#) Approval of the March 22, 2022 Council Meeting Minutes

Attachments: [3-22-22 Council Meeting Minutes](#)

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

[TMP-3819](#) Approval of the March 2022 Electronic Financial Report, Subject to Audit

Attachments: [MARCH 2022 ELECTRONIC FINANCIAL REPORT](#)

A motion was made by Council Member Brandenburg, seconded by Council Member Noble, to approve the Financial Statement. The motion carried by the following vote:

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

V. Public Report

None.

VI. Public Hearings

None.

VII. Reading of Correspondence

Correspondence was read in and filed by Clerk Nichole Messner.

[TMP-3818](#) Email from Susan Patterson RE: Boettler Park Playground

Attachments: [Boettler Park Playground-Susan Patterson](#)

[TMP-3821](#) April 6, 2022 Parks & Recreation Board Meeting Agenda

Attachments: [Meeting Agenda 2022-04-06](#)

[TMP-3822](#) March 2022 Planning Dept. Monthly Financial Summary

Attachments: [March Monthly Summary](#)

VIII. New Legislation - Items on First Reading

Clerk of Council read in the new legislation.

[2022-R24](#) **A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR NEW SEASONS PLANNED DEVELOPMENT PHASE III, AND DECLARING AN EMERGENCY. -(Introduced on 4/12/22)**
****SECOND READING PASSAGE REQUESTED****

Attachments: [2022-R24 re New Seasons Planned Development Phase 3](#)
[2022-R24 re Exhibit A](#)

[2022-R25](#) A RESOLUTION AWARDING A CONTRACT TO DIGIOIA-SUBURBAN EXCAVATING LLC FOR THE MASSILLON ROAD AT BOETTLER AND CORPORATE WOODS ROUNDABOUTS PROJECT, AUTHORIZING A TRANSFER, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 4/12/22) **SECOND READING PASSAGE REQUESTED**

Attachments: [2022-R25 re Massillon Boettler Corporate Woods RAB](#)
[2nd Reading Passage Request](#)
[ALL IN ONE MassillonRdAtBoettlerAndCorpRAB Project](#)

IX. Report of Council Committees

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

Councilman Yeargin gave his committee report.

[2022-R09 A](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN
[AA](#) CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22) (Amended March 08, 2022) (AMENDED MARCH 22, 2022) (Amended April 12, 2022)

Attachments: [2022-R09 AAA re Amended Appropriations February 2022](#)
[2022-R09 AAA re Amended Exhibit A](#)

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

No additional questions or comments. Councilman Yeargin moved 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: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

THIRD READING ITEMS

[2022-R18](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH AKHIA COMMUNICATIONS TO PROVIDE SPECIALIZED PUBLIC RELATION SERVICES REGARDING THE MASSILLON ROAD SOUTH ROUNDABOUT PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 3/8/2022)

Attachments: [2022-R18 re Akhia Communications Massillon Road South](#)
[2022-R18 re Exhibit A](#)

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

Councilwoman Babbitt asked if the item passed today, what would be the benefit of that.

Mrs. Wolford stated that some of the things they do can start sooner if this is passed today, versus the next meeting.

No further questions or comments. Councilman Yeargin moved 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: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

SECOND READING ITEMS

[2022-R20](#) **A RESOLUTION AWARDING A CONTRACT TO SPECIALIZED CONSTRUCTION INC. FOR THE TOROK CENTER PAVEMENT MAINTENANCE PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 3/22/22)**

Attachments: [2022-R20 re Torok Center Pavement Maintenance](#)
[Interoffice Memo Torok Center Pavement Maintenance Project](#)

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

No additional questions or comments. Time requested and granted.

[2022-R23 A](#) **A RESOLUTION REQUESTING THE CITY OF GREEN TO RECEIVE ITS SHARE OF ONEOHIO OPIOID SETTLEMENT FUNDS THROUGH THE STATE OF OHIO, AND TO APPROVE THE SETTLEMENT AGREEMENT IN THE MULTIDISTRICT LITIGATION “IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION” , AND DECLARING AN EMERGENCY. (Introduced 03/22/2022) (Amended 04/12/2022)**

Attachments: [2022-R23 re Amended to include Giant Eagle settlement OneOhio Opioid Settlement](#)
[2022-R23 EXHIBIT A](#)
[2022-R23 A re Exhibit B](#)
[State Auditor Bulletin 2022-003 OneOhio Opioid Settlement](#)

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

No additional questions or comments. Councilman Yeargin made a motion to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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

Councilman Brandenburg gave his committee report.

SECOND READING ITEMS

[2022-R21](#)

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH MARKS CONSTRUCTION INC. FOR THE DEVELOPMENT OF RECTANGULAR ALL-PURPOSE YOUTH SPORT FIELDS, AND THE CONSTRUCTION OF ADA COMPLIANT WALKWAYS WITHIN ARISS PARK, AND DECLARING AN EMERGENCY. -(Introduced on 3/22/22) **SECOND READING PASSAGE REQUESTED**

Attachments: [2022-R21 re Ariss Park Improvements](#)
[Valerie Wax Carr memo re 1st reading passage](#)
[ALL IN ONE Ariss Park Improvements Project](#)

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

No additional questions or comments. Council and Committee ok with second reading passage. Councilman Brandenburg moved to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

[2022-R22](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH GRAYBAR ELECTRIC COMPANY, INC. FOR THE PURCHASE AND INSTALLATION OF SPORT COURT LIGHTING AT BOETTLER PARK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 3/22/22)
SECOND READING PASSAGE REQUESTED**

Attachments: [2022-R22 re Boettler Park TC PBC Reconstruction](#)

[2022-R22 re Exhibit A](#)

[2022-R22 re Exhibit B](#)

[Valerie Wax Carr memo](#)

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

No additional questions or comments. Committee and Council in support of second reading passage. Councilman Brandenburg moved to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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

Councilman DeVitis gave his committee report.

LICENSE ITEMS

[TMP-3823](#)

Bob Evans Restaurant LLC. New Liquor License
DBA Bob Evans Restaurant
3211 Arlington Ridge E.
Green, OH 44312

Attachments: [Bob Evans 3211 Arlington Ridge New Liquor License](#)

Council and Committee all in favor of the liquor license for Bob Evans. Councilman

DeVitis made a motion to not hold 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: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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

Councilwoman Babbitt gave her committee report.

2022-03

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 7.9 ACRES OF LAND LOCATED AT 6083 AND 6095 S. MAIN STREET AND INCLUDING THREE VACANT PARCELS OF LAND DIRECTLY NORTH OF 6083 S. MAIN STREET FROM B-1 (GENERAL BUSINESS) TO R-R (RURAL RESIDENTIAL). -(Introduced on 2/22/22) **A PUBLIC HEARING WAS HELD ON TUESDAY, MARCH 22, 2022**

Attachments: [2022-03 re 6083 S Main Street Rezoning](#)

[2022-03 re Exhibit A](#)

[22-13 S Main Rezoning PZC Staff Report](#)

[22-13 S.Main Rezone Aerial Map](#)

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

No additional questions or comments. Councilwoman Babbitt moved to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

SECOND READING ITEMS

2022-04

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 30.5 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF GREENSBURG ROAD AND WINNING WAY FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT); AND, ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED GREENSBURG MEADOW PLANNED DEVELOPMENT. -(Introduced on 3/22/22) **PUBLIC HEARING WILL BE HELD ON APRIL 26, 2022 AT 7:00 PM IN COUNCIL CHAMBERS**

Attachments: [2022-04 re Greensburg Winning Way Rezoning](#)
[2022-04 re Exhibit A](#)
[Development Plan Map](#)
[Greensburg Meadow Aerial Map](#)
[Greensburg Meadow Exhibit A](#)
[Greensburg Meadow Map](#)
[Planning & Zoning Commission Review](#)

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

Public hearing will be held at next meeting. Time was taken.

2022-05

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 11.4 ACRES OF LAND LOCATED AT 3029 GRAYBILL ROAD FROM I-1 (GENERAL INDUSTRIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL). -(Introduced on 3/22/22) **A PUBLIC HEARING WAS HELD ON APRIL 26, 2022**

Attachments: [2022-05 re Graybill Road Rezoning](#)
[2022-05 re Exhibit A](#)
[Graybill Aerial Aerial View Map](#)
[Graybill Proposed Rezoning Map](#)
[Planning & Zoning Commission Review](#)

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

A public hearing will be held at the next meeting. Time was taken.

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

Councilman Meager gave his committee report.

2022-01

AN ORDINANCE TO RESTATE AND AMEND CHAPTER 1480 OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE. -(Introduced on 1/11/2022)

Attachments: [2022-01 re International Property Maintenance Code](#)
[2022-02 re Exhibit A 2018 Property Maintenance book](#)
[Withdrawal of Repeal of International Property Code 2002-11 and Minutes showing Withdrawal](#)

Mayor Neugebauer formally requested that this legislation be withdrawn.

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

Councilman Noble gave his committee report.

THIRD READING ITEMS

[2022-R15](#) **A RESOLUTION AWARDING A CONTRACT TO NORTHSTAR ASPHALT, INC. FOR THE 2022 RESURFACING PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 3/8/2022)**

Attachments: [2022-R15 re Resurfacing Project 2022](#)
[ALL IN ONE 2022 Resurfacing Project](#)

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

No additional questions or comments. Councilman Noble moved to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

[2022-R16](#) **A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR THE CLEAN OHIO TRAIL FUND MANAGED BY THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE DESIGN & CONSTRUCTION OF WILLADALE TRAIL LOCATED WITHIN AND ADJACENT TO BOETTLER PARK, AND DECLARING AN EMERGENCY . -(Introduced on 3/8/2022)**

Attachments: [2022-R16 re Willadale Trail COTF Grant](#)
[Willadale Cost Opinion - January 2022 and May2020](#)
[Willadale Trail Boundary Map Draft 12 20 21 Signed](#)
[COTF Council Memo](#)
[Willadale Cost Opinion - March 2022](#)
[Willadale RTPCOTF Application 2022](#)

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

No additional questions or comments. Councilman Noble moved to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

SECOND READING ITEMS

[2022-R19](#)

A RESOLUTION AWARDING A CONTRACT TO KARVO COMPANIES, INC. FOR THE GREENSBURG ROAD AND S. ARLINGTON ROAD ROUNDABOUT, AND DECLARING AN EMERGENCY. -(Introduced on 3/22/22) **SECOND READING PASSAGE REQUESTED**

Attachments: [2022-R19 re Greensburg Arlington RAB](#)
[Paul Pickett 2nd Reading Request](#)

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

Committee and Council in support of second reading passage. Councilman Noble moved to adopt.

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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

Did not meet.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

XII. New Business

XIII. Adjournment

A motion was made by Council Member DeVitis, seconded by Council Member Meager, to adjourn the meeting at 8:00 p.m. The motion carried by the following vote:

Aye: 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

Absent: 1 - France

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.