



# 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*

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**Tuesday, March 8, 2022**

**7:00 PM**

**Council Chambers**

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#### I. Call to Order

Council President France called the meeting to order at 7:00 pm.

#### 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  
Wayne Wiethe, Planning Director  
Steve Schmidt, Finance Director  
Paul Pickett, City Engineer  
Lisa Dean, Law Director  
Valerie Carr, Service Director  
Mayor Neugebauer

Shareen Awadallah, Student Representative  
Eden Deger, Student Representative  
Rachel Pritchard, Student Representative

#### IV. Council Study Session

Council President France announced the very sad news that the previous Clerk of Council, Molly Kapeluck who had retired just a year prior had lost her battle with cancer on February 25, 2022. All of Council Chambers took a moment of silence in memory of Molly and all of her hard work and dedication to the City of Green. She will be missed by many.

[TMP-3784](#) Approval of the February 22, 2022 Council Meeting Minutes

**Attachments:** [2-22-22 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

V. Public Report

None.

VI. Public Hearings

None.

VII. Reading of Correspondence

Read in and filed by the Clerk of Council.

[TMP-3786](#) March 2, 2022 Parks & Recreation Board Meeting Agenda

**Attachments:** [Meeting Agenda 2022-03-02](#)

[TMP-3787](#) February 2022 Planning Dept. Monthly Financial Summary

**Attachments:** [Planning Financial Summary for February 2022](#)

VIII. New Legislation - Items on First Reading

New legislation read in by Clerk of Council, Nichole Messner

[2022-R14](#) **A RESOLUTION RECOGNIZING MARCH 7, 2022 AS INCLUSION DAY, IN WHICH WE RECOGNIZE AND SUPPORT PEOPLE OF ALL ABILITIES WHO ARE MAXIMIZING THEIR TALENTS AND POTENTIAL IN PURSUING THEIR DREAMS AND ACHIEVING THEIR INDIVIDUAL GOALS, WHILE MAKING SIGNIFICANT CONTRIBUTIONS TO OUR COMMUNITY, AND DECLARING AN EMERGENCY.**

**Attachments:** [2022-R14 re Developmental Disabilities Day Resolution](#)

Councilman France read the Ceremonial Resolution that was created to celebrate Developmental Disabilities month and Inclusion Day.

**A motion was made by Council Member France, 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

[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](#)

[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](#)

[2022-R17](#)     **A RESOLUTION CREATING THE POSITIONS OF BUILDING & GROUNDS MAINTENANCE WORKER I AND II, AND ESTABLISHING A RATE OF COMPENSATION, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:**   [2022-R17 re Building Grounds Maintenance Positions](#)  
[Pam Serina 1st Reading Passage Request.docx](#)  
[MOU AFSCME Building Grounds Maintenance Worker 2022](#)  
[Building & Grounds I II Job Description](#)

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

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

[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](#)

#### IX. Report of Council Committees

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

Councilman Yeargin gave his committee report.

#### THIRD READING ITEMS

[2022-R06](#) A RESOLUTION RENEWING THE AGREEMENT WITH THE CITY OF BARBERTON FOR PROSECUTORIAL SERVICES, AND DECLARING AN EMERGENCY. -(Introduced on 2/8/22)

**Attachments:** [2022-R06 re Agreement with City of Barberton](#)  
[2022-R06 re Exhibit A](#)  
[Lisa Miller Jan 2022 Prosecutor Agreement Letter](#)

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

This item was third reading. A motion was made for adoption.

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

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

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

Time was requested and granted.

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

Councilman Brandenburg gave his committee report.

**SECOND READING ITEMS**

[2022-R10](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH RAIN-DROP FOR THE CONSTRUCTION AND INSTALLATION OF THE CENTRAL PARK SPLASH PAD SAFETY SURFACE AND A NEW WATER SPRAY FEATURE, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22)**

**Attachments:**   [2022-R10 re Splash Pad Resurface](#)  
[2022-R10 re Exhibit A](#)  
[2022-R10 re Exhibit B](#)  
[V. Carr Memo RE: Splash Pad Resurface Legislation](#)

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

Committee and Council ok with second reading passage to expedite the installation. A motion was made for adoption.

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

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

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

Councilman DeVitis gave his committee report.

**LICENSE ITEMS**

[TMP-3783](#)      3875 Café LLC. New Liquor License  
DBA Sunrise Social  
3875 Massillon Rd., Ste B200  
Green, OH 44685

**Attachments:**   [3875 Cafe LLC. New Liquor License](#)

**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.

2022-02

**AN ORDINANCE AMENDING CHAPTER 1226, SECTION 1226.01 TABLE OF ALLOWED USES, TABLE 1226-1 ALLOWED USES, SECTION 1226.02(3) USE SPECIFIC REGULATIONS, CHAPTER 1229, SECTION 1229.05 TABLE 1229-1 REQUIRED NUMBER OF PARKING SPACES AND TABLE 1229-2 STACKING SPACE REQUIREMENTS, SECTION 1229.12 OUTDOOR SALES, DISPLAY AND STORAGE AND CHAPTER 1231, SECTION 1231.02 DEFINITIONS OF THE CODIFIED ORDINANCE OF THE CITY OF GREEN. - (Introduced on 1/11/2022) \*\*A PUBLIC HEARING WAS HELD ON TUESDAY, FEBRUARY 22, 2022\*\***

**Attachments:** [2022-02 re Chapter 1226 section 1226.01 Table of Allowed Uses](#)  
[2022-02 re Exhibits A B C D](#)

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

This item had more than 3 hearings and Committee and Council ok with passage.

A motion was made 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:** 7 - Brandenburg, DeVitis, France, Yeargin, Meager, Noble and Babbitt

**SECOND READING ITEMS**

2022-R11

**A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S APPROVAL OF THE REPLAT OF MOUNT PLEASANT ESTATES, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22)**

**Attachments:** [2022-R11 re Mt Pleasant Estates Replat final](#)  
[2022-R11 re Exhibit A](#)  
[Map of Replat of Mount Pleasant Estates](#)  
[Mount Pleasant Aerial Map](#)  
[PZC Mount Pleasant Estates Replat](#)

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

Committee and council support 2nd reading passage. A motion was made for adoption.

**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

### 2022-R13

**A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S APPROVAL OF LIBERTY GREEN SUBDIVISION REPLAT #3, AND DECLARING AN EMERGENCY. -(Introduced on 2/22/22)**

**Attachments:** [2022-R13 re Liberty Green Subdivision Replat #3 final](#)  
[2022-R13 re Exhibit A](#)  
[22-02 Liberty Green Dr. Subdiv Replat #3 PZC Staff Report](#)  
[22-02 Liberty Green Subdivision Replat No 3](#)

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

Time was take on this item.

### 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 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.

A public hearing will be held at the next meeting therefore time will be taken on this item.

### 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](#)

Councilman Meager read in the legislation and gave a brief summary. Time will continue to be taken to allow for additional research.

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

Did not meet.

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

No legislation. Councilman France stated that they did discuss the yard waste program briefly.

#### X. Mayor's Report

Mayor Neugebauer gave his report.

-Mayor Neugebauer presented a plaque to Jeff Noble for his 19 years served on the Design Review Board before he was voted onto Council.

#### 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 7:30 pm. 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.