



# 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, President - Ward 3*  
*Matt Shaughnessy - Ward 4*  
*Richard Brandenburg - At-Large*  
*Clark A. DeVitis - At-Large*  
*Dave France, Vice President - At-Large*  
*Nichole Baldinger, Clerk of Council*

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Tuesday, January 26, 2021

7:00 PM

Council Chambers

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#### I. Call to Order

Council President Yeargin called the meeting to order at 7:00 p.m.

#### II. Pledge of Allegiance

#### III. Roll Call of Council Members

**Present:** 5 - Barbara Babbitt, Richard Brandenburg, Clark A. DeVitis, Dave France and Rocco Yeargin  
**Absent:** 1 - Matt Shaughnessy

#### **\*\*2021 STATE OF THE CITY VIDEO PRESENTATION- MAYOR NEUGEBAUER\*\***

Mayor Neugebauer & Communications Manager, Valerie Wolford presented the 2021 State of the City presentation.

#### IV. Council Study Session

##### [TMP-3316](#)

Approval of the January 12, 2021 Council-Committee Meeting Minutes

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

##### [TMP-3302](#)

Approval of the December 2020 Financial Report Subject to Audit

**A motion was made by Council Member France, seconded by Council Member Babbitt, to approve subject to audit the Financial Statement. The motion carried by the following vote:**

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

V. Public Report

No reports

VI. Public Hearings

None.

VII. Reading of Correspondence

[TMP-3319](#) December 9, 2020 Civil Service Commission Minutes  
Read in and filed.

VIII. New Legislation - Items on First Reading

[2021-R04](#) **A RESOLUTION TO AMEND RESOLUTION 2020-R44, ADOPTED MAY 26, 2020, AUTHORIZING THE CITY OF GREEN TO ENTER INTO A MODIFIED ADDITIONAL CONTRACT WITH BURGESS & NIPLE, INC. FOR ADDITIONAL COMPENSATION TO COMPLETE THE PLANS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD NORTH IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

[2021-R05](#) **A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

[2021-R06](#) **A RESOLUTION IN SUPPORT OF ACCEPTING A GRANT FROM NOPEC, INC. FOR AN ELECTRONIC DEVICE CHARGING STATION, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

[2021-R07](#) **A RESOLUTION AUTHORIZING THE MAYOR TO RE-APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF APPARATUS, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF A HEAVY RESCUE VEHICLE, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

[2021-R08](#) **A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF SAFETY,**

**FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF FIRE ALARM SYSTEMS FOR STATION #1 AND #2, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021)  
\*\*SECOND READING PASSAGE REQUESTED\*\***

[2021-R09](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF EQUIPMENT, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF BATTERY POWERED EXTRICATION EQUIPMENT, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

[2021-01](#)

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY. -Referred to the Rules and Personnel Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

All First Reading legislation was read in and referred to the appropriate committee.

IX. Report of Council Committees

A. Finance (Babbitt\*, Brandenburg\*\*, Yeargin)

All members present.

COMMITTEE BUSINESS

[2021-R05](#)

**A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee  
\*\*FIRST READING PASSAGE REQUESTED\*\***

Councilwoman Babbitt read in the legislation and gave a brief description. The Administration had requested first reading passage of this piece of legislation.

Councilwoman Babbitt had some concerns about the money being allotted for an employee to be paid to help with Council duties during the virtual meetings and need to follow COVID protocols. Some discussion took place.

Finance Director, Steve Schmidt also explained the money being moved from one

account to another to help get the new Council of Governments set up.

After further discussion, it was decided that the account name would be changed to payments & supplies instead of overtime for the Council budget.

Committee was ok with first reading passage.

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

B. Environment & Parks (Brandenburg\*, France\*\*, DeVitis)

All members present.

### THIRD READING ITEMS

[2020-R89 A](#) **A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR THE CERTIFIED LOCAL GOVERNMENT GRANT PROGRAM BY THE OHIO STATE HISTORIC PRESERVATION OFFICE FOR THE REHABILITATION OF THE LEVI J HARTONG HOUSE/SOUTHGATE FARM PUBLIC RESTROOM, AND DECLARING AN EMERGENCY. Introduced 12/8/2020 (AMENDED JANUARY 12, 2021)**

Councilman Brandenburg read in the legislation and gave a brief overview. This legislation was on third reading and the Committee was ok with passage.

With no further questions, a motion was made to adopt.

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

Two members present, Shaughnessy absent.

## COMMITTEE BUSINESS

[2021-R07](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO RE-APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF APPARATUS, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF A HEAVY RESCUE VEHICLE, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

Councilman DeVitis read in the first reading legislation and explained that second reading passage was being requested, therefore they would discuss the item. Councilman DeVitis gave a brief overview of the legislation.

Chief Funai went into detail about the AFG grant and what the Fire Dept. was requesting.

After further discussion, Councilman DeVitis requested time.

[2021-R08](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF SAFETY, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF FIRE ALARM SYSTEMS FOR STATION #1 AND #2, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

Councilman DeVitis read in the first reading legislation. He explained that this legislation was just like the previous piece and that it was a second reading passage request. He stated that this was another AFG grant for the Fire Dept.

Chief Funai added a few additional details.

After further discussion, Councilman DeVitis requested time.

[2021-R09](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT, UNDER THE FISCAL YEAR 2020 ASSISTANCE TO FIREFIGHTERS GRANT (“AFG”), IN THE CATEGORY OF EQUIPMENT, FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR PURCHASE OF BATTERY POWERED EXTRICATION EQUIPMENT, AND DECLARING AN EMERGENCY. -(Introduced on**

1/26/2021) **\*\*SECOND READING PASSAGE REQUESTED\*\***

Councilman DeVitis read in the first reading legislation. He explained that this too was another second reading passage request for an AFG grant for the Fire Dept.

Chief Funai summarized the need for this grant as well.

After further discussion, Councilman DeVitis requested time.

Valerie Wolford, Communications Manager gave a brief update on the COVID-19 vaccine roll out happening in Summit County.

D. Planning, Community & Economic Development (Yeargin\*, DeVitis\*\*, Vacant)

Two members present.

**THIRD READING ITEMS**

[2020-11](#)

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY CONTAINING APPROXIMATELY 9.78 ACRES OF LAND LOCATED AT 4137 S. ARLINGTON ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED WOODLAND RESERVE PLANNED DEVELOPMENT. (Introduced 12/8/2020) Public Hearing was held on January 12, 2021**

Council President Yeargin read in the legislation and explained that a public hearing had been held at the previous meeting on this matter. Many residents attended and there was much opposition to the project on the grounds of possible traffic issues and flooding.

Councilman France expressed his concern with the development and agreed with the issues brought forth by the residents and could not support the project. Councilman DeVitis was in agreement, as was President Yeargin.

After further discussion, a motion was made to adopt. The motion failed and the legislation was defeated.

**A motion was made by Council Member Yeargin, seconded by Council Member France, to adopt the Ordinance. The motion failed by the following vote:**

**Nay:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

**SECOND READING ITEMS**

[2021-R01](#)

**A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION’S (“PZC”) APPROVAL OF THE REPLAT OF HIGH TOWER ESTATES NO. 2, AND DECLARING AN EMERGENCY.**  
(Introduced 1/12/2021)

President Yeargin read in the legislation and gave a brief overview. He explained that this was a housekeeping item with the Planning Dept.

Wayne Wiethe, Planning Director agreed that this was a common practice and that there was no rush to pass the legislation.

After further discussion, President Yeargin requested time.

E. Rules and Personnel (Vacant\*, Yeargin\*\*, France)

Two members present.

**COMMITTEE BUSINESS**

[2021-01](#)

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.**  
-Referred to the Rules and Personnel Committee **\*\*FIRST READING PASSAGE REQUESTED\*\***

Council President Yeargin read in the first reading legislation and gave a brief overview. He explained that Law Director Dean had requested first reading passage on this item.

Law Director Dean explained that this was something that was done bi-annually to update the codifieds and due to the numerous Charter changes they recently had this update got delayed and it needed to be done as soon as possible.

Committee was ok with passage.

After further discussion, a motion was made.

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

F. Transportation, Connectivity & Storm Water (France\*, Shaughnessy\*\*, Brandenburg)

Two members present.

## SECOND READING ITEMS

[2021-R02](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH M.P. DORY CO., FOR GUARDRAIL REPAIRS AND REPLACEMENT, OBVIATING FORMAL BIDDING AND ADVERTISING FOR A CONTRACT, AND DECLARING AN EMERGENCY. (Introduced on 1/12/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

Councilman France read in the legislation and gave a detailed overview. He stated that the administration had requested second reading passage on this matter.

City Engineer Pickett agreed with Councilman Frances description of the project.

Committee was ok with second reading passage.

After further discussion, a motion was made.

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

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

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

## COMMITTEE BUSINESS

[2021-R04](#)

**A RESOLUTION TO AMEND RESOLUTION 2020-R44, ADOPTED MAY 26, 2020, AUTHORIZING THE CITY OF GREEN TO ENTER INTO A MODIFIED ADDITIONAL CONTRACT WITH BURGESS & NIPLE, INC.**



**FOR ADDITIONAL COMPENSATION TO COMPLETE THE PLANS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD NORTH IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 1/26/2021) \*\*SECOND READING PASSAGE REQUESTED\*\***

Councilman France read in the first reading legislation and gave a detailed overview. He explained that the administration was requesting second reading passage on this.

City Engineer Pickett explained the legislation in detail and the reason for second reading passage.

After further discussion, Councilman France requested time.

G. Intergovernmental & Utilities (Shaughnessy\*, Vacant\*\*, Babbitt)

Did not meet.

X. Mayor’s Report

Mayor Neugebauer gave an update on the COVID-19 pandemic and some of the local statistics.

XI. Unfinished Business

None.

XII. New Business

None.

XIII. Adjournment

**A motion was made by Council Member Yeargin, seconded by Council Member France, to adjourn the meeting at the . The motion carried by the following vote:**

**Aye:** 5 - Babbitt, Brandenburg, DeVitis, France and Yeargin

**ATTEST:** \_\_\_\_\_  
**NICHOLE BALDINGER, CLERK OF COUNCIL**

**APPROVED:** \_\_\_\_\_  
**ROCCO YEARGIN, 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.**