



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 - Ward 2
Rick Miller- Ward 3
Jeff Noble - Ward 4, President
Justin Speight - At-Large, Vice President
Clark A. DeVitis - At-Large
Gerard Neugebauer- At-Large
Nichole Messner, MMC- Clerk of Council

Tuesday, May 27, 2025

7:00 PM

Council Chambers

I. Call to Order

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

II. Pledge of Allegiance

III. Roll Call of Council Members

Present: 6 - Clark A. DeVitis, CJ Meager, Barbara Babbitt, Gerard Neugebauer, Justin Speight and Rick Miller

Absent: 1 - Jeff Noble

Also Present:

Valerie Carr, Service Director

Paul Pickett, City Engineer

Wayne Wiethe, Planning Director

Steve Schmidt, Finance Director

Nichole Messner, Clerk of Council

Councilman Speight explained that they would be having a moment of silence in memory of Matthew Schultz, a 13 yr old boy who tragically fell off a float in the Memorial Day parade this past weekend and was fatally injured.

After the moment of silence, Councilman Speight and Mayor Yeargin both shared some brief words and details regarding the incident.

IV. Council Study Session

[TMP-4983](#) Approval of the May 13, 2025 Council Meeting Minutes

Attachments: [5-13-25 Draft Council Meeting Minutes](#)

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

Aye: 5 - DeVitis, Meager, Babbitt, Speight and Miller

Abstain: 1 - Neugebauer

[TMP-4985](#) Approval of the April 2025 Electronic Financial Report, Subject to Audit

Attachments: [April 2025 Electronic Financial Report](#)

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

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

V. Public Report

None.

VI. Public Hearings

None.

VII. Reading of Correspondence

Clerk of Council Messner read in the correspondence.

[TMP-4986](#) May 21, 2025 Planning & Zoning Commission Meeting Agenda

Attachments: [5-21-25 PZC Agenda with attachments](#)

[TMP-4987](#) April 2025 Summit County Sheriff's Dept. Activity Report

Attachments: [Green Stats 04.2025](#)

[TMP-4989](#) April 16, 2025 Planning & Zoning Commission Meeting Minutes

Attachments: [4-16-25 PZC Meeting Minutes](#)

[TMP-4988](#) Email from Patricia Smith- RE Opposed to Chicken Ordinance

Attachments: [FW_ ordinance for having chickens](#)

[TMP-4990](#) Letter from Clinton Fire Chief- Thanking Green Fire & Service Dept. for their Assistance

Attachments: [Clinton FD thank you letter-Mayor-Council](#)

VIII. New Legislation - Items on First Reading

Nichole Messner, Clerk of Council, read in the new legislation.

2025-R25AA A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING AND DECLARING AN EMERGENCY. -(Introduced on 5/27/2025)(Amended June 10, 2025)(Amended June 24, 2025)

Attachments: 2025-R25AA 2nd Quarter 2025 Supplemental Appropriations 6-24-25
2025-R25 Amended Exhibit A
2025-R25 Request for Legislation

IX. Report of Council Committees

A. Finance (Neugebauer*, DeVitis**, Meager)

Councilman Neugebauer gave his committee report.

SECOND READING ITEMS

2025-R18 A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH MIDSTATES RECREATION FOR PLAYGROUND EQUIPMENT MODIFICATIONS AND THE PURCHASE AND INSTALLATION OF SYNTHETIC PLAYGROUND TURF AT PATRIOT PLAYGROUND, MAKING AN APPROPRIATION AND DECLARING AN EMERGENCY. -(Introduced on 5/13/2025)

Attachments: [2025-R18 Patriot Playground Turf Replacement](#)
[2025-R18 Exhibit A](#)
[2025-R18 Exhibit B](#)
[2025-R18 Exhibit C](#)
[2025-R18 Exhibit D](#)
[2025-R18 Request for Legislation](#)

Councilman Neugebauer read in the legislation and gave a brief overview of the discussion that took place during committees.

Committee would like to move forward on second reading so that they can get the playground back open and available to residents as quickly as possible.

No additional comments or questions. A motion was made to adopt.

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

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

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

vote:

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

B. Environment & Parks (Miller*, Speight**, Babbitt)

Did not meet.

Reported that the JROTC was having Camp Reliance in the Boettler/Southgate Park and there will be many students in the Park so just a heads up for those using the parks. They are also holding the Raider Run on Saturday in the Park as well.

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

Councilwoman Babbitt gave her committee report.

SECOND READING ITEMS

[2025-R21](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT TO PROVIDE COMMUNITY CORRECTIONAL SERVICES WITH ORIANA HOUSE, INC., AND DECLARING AN EMERGENCY. -(Introduced on 5/13/2025)**

Attachments: [2025-R21 Oriana House Community Corrections Legislation](#)
[2025-R21 Exhibit A](#)
[2025-R21 Request for Legislation](#)

Councilwoman Babbitt read in the legislation and gave a brief summary of the discussion that took place during committees.

No additional comments or questions. Committee in support of second reading passage since this was essentially a housekeeping piece of legislation. A motion was made to adopt.

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

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

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

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

D. Planning, Community & Economic Development (DeVitis*, Neugebauer**, Speight)

Councilman DeVitis gave his committee report.

THIRD READING ITEMS

[2025-06AA](#) **AN ORDINANCE AMENDING SECTION 157.086(2) AGRICULTURAL USES: ANIMAL HUSBANDRY AND KEEPING OF LIVESTOCK OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN.** -(Introduced on 4/8/2025) (*Amended on April 22, 2025*)(**Amended May 27, 2025**) **A PUBLIC HEARING WAS HELD ON TUESDAY, MAY 13, 2025**

Attachments: [2025-06AA Ord Amend Sect 157.086 Animal Husbandry-Chickens 5-27-25](#)

Councilman DeVitis read in the legislation and gave a brief overview of the discussion that took place during committees.

Councilman Speight gave a detailed overview of the discussion and public hearing that has been held up to this point. He went over the proposed changes to the ordinance.

Councilman Miller explained that he would be voting no, he feels that the community's opinion on this matters and that this is a drastic change that will create conflict between neighbors and doesn't feel like he can support it.

Councilman Neugebauer stated that 13 yrs ago they changed the ordinance to 2 acres, and it has not seemed to create issues thus far. He felt this new legislation was a good exercise and that treating everyone the same is the right thing, however the changes are too extreme and will vote no, as well.

Councilwoman Babbitt explained that she supports this legislation and is comfortable with the wording. Feels this is a good compromise. Doesn't necessarily agree with the consequence of a felony. Is concerned that the city has an identity crisis and has forgotten about its roots.

Councilman DeVitis stated that he agreed with Councilwoman Babbitt and the identity of Green. Through the collaborative efforts of council and the residents, they have come up with a good piece of legislation and compromise. Other communities that are similar to Green have even less strict rules on chicken rearing, or even none at all. He is happy that they have not added the HOA language and that the safeguards that have been written into the legislation will help this be successful. Americans in general are moving toward wanting to grow their own foods and know where their food is coming from, and this is a step in the right direction for that. It also respects Greens heritage and he will vote yes.

No further comments or questions. A motion was made to adopt.

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

Aye: 4 - DeVitis, Meager, Babbitt and Speight

Nay: 2 - Neugebauer and Miller

SECOND READING ITEMS

[2025-R19](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ACCEPT A DONATION OF PROPERTY FROM WAYNE O. RIGGS, JR., GENERALLY KNOWN AS PARCELS 28-08137, 28-08138, 28-08139, 28-08140, AND 28-08141 OF TAMARACK HIGHLANDS, AND DECLARING AN EMERGENCY. -(Introduced on 5/13/2025)**

Attachments: [2025-R19 Riggs Land Donation Legislation](#)
[2025-R19 Exhibit A](#)
[2025-R19 Attachment](#)
[2025-R19 Request for Legislation](#)

Councilman DeVitis read in the legislation and gave a brief summary of the discussion that took place during committees.

Committee ok with passing on second reading. No further comments or questions. A motion was made to adopt.

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

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

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

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

2025-R22A A RESOLUTION AMENDING THE CONCEPTUAL SITE PLAN OF THE EXISTING PLANNED DEVELOPMENT DISTRICT ON THE EAST SIDE OF MASSILLON ROAD, SOUTH OF BURGESS DRIVE, AND DECLARING AN EMERGENCY. -(Introduced on 5/13/2025)(Amended June 24, 2025) ** A PUBLIC HEARING WILL BE HELD ON TUESDAY, JUNE 24, 2025 @ 7:00 P.M. IN COUNCIL CHAMBERS**

Attachments: 2025-R22A Conceptual Site Plan Amendment
2025-R22 Amended Exhibit A
2025-R22 Request for Legislation

Councilman DeVitis read in the legislation and gave a brief summary of the discussion that took place during committees.

A public hearing will be held on June 24. No additional comments or questions at this time. Time was requested and granted.

[2025-07](#) **AN ORDINANCE AMENDING CHAPTER 157, SECTION 157.085: TABLE OF ALLOWED USES (TABLE 157.085-1) TO ADD CERTAIN USES IN THE I-1 (GENERAL INDUSTRIAL) DISTRICT.** -(Introduced on 5/13/2025) **A PUBLIC HEARING WILL BE HELD TUESDAY, JUNE 24, 2025 @ 7:00 P.M. IN COUNCIL CHAMBERS**

Attachments: [2025-07 Chapter 157 Section 157.085 Table of Allowed Uses Certain Uses](#)
[2025-07 Exhibit A](#)
[2025-07 Request for Legislation](#)

Councilman DeVitis read in the legislation and gave a brief summary of the discussion that took place during committees.

A public hearing will be held on June 24. No additional comments or questions at this time. Time was requested and granted.

E. Rules and Personnel (Noble*, Babbitt**, Miller)

Did not meet.

F. Transportation, Connectivity & Storm Water (Meager*, Noble**, Neugebauer)

No items of legislation. Did hear a transportation update from City Engineer Pickett.

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

Councilman Speight gave his committee report.

SECOND READING ITEMS

[2025-R23](#) **A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR SPRING HILL VILLAS, AND DECLARING AN EMERGENCY.** -(Introduced on 5/13/2025) ** A PUBLIC HEARING WILL BE HELD ON TUESDAY, JUNE 24, 2025 @ 7:00 P.M. IN COUNCIL CHAMBERS**

Attachments: [2025-R23 Spring Hill Villas Street Lighting District Legislation](#)
[2025-R23 Attachment 1](#)
[2025-R23 Attachment 2](#)
[2025-R23 Attachment 3](#)
[2025-R23 Request for Legislation](#)

Councilman Speight read in the legislation and gave a brief summary of the discussion that took place during committees.

A public hearing will be on held on June 24.

No additional comments or questions. Time was taken.

[2025-R24](#)

A RESOLUTION ESTABLISHING A STREET LIGHTING DISTRICT FOR SPRING HILL PHASE VI, AND DECLARING AN EMERGENCY.

-(Introduced on 5/13/2025) ** A PUBLIC HEARING WILL BE HELD ON TUESDAY, JUNE 24, 2025 @ 7:00 P.M. IN COUNCIL CHAMBERS**

Attachments: [2025-R24 Spring Hill Phase 6 Street Lighting District Legislation](#)

[2025-R24 Attachment 1](#)

[2025-R24 Attachment 2](#)

[2025-R24 Attachment 3](#)

[2025-R24 Request for Legislation](#)

Councilman Speight read in the legislation and gave a brief summary of the discussion that took place during committees.

A public hearing will be on held on June 24.

No additional comments or questions. Time was taken.

X. Mayor's Report

No report.

XI. Unfinished Business

None.

XII. New Business

Council Vice President announced that May 4-10 was Municipal Clerks week and thanked Nichole Messner for all of her hard work.

XIII. Adjournment

7:46

A motion was made by Council Member Neugebauer, seconded by Council Member DeVitis, to adjourn the meeting at 7:46 p.m. The motion carried by the following vote:

Aye: 6 - DeVitis, Meager, Babbitt, Neugebauer, Speight and Miller

ATTEST: _____
NICHOLE MESSNER, MMC, CLERK OF COUNCIL

APPROVED: _____
JEFF NOBLE, 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.