



# 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, April 26, 2022

7:00 PM

Council Chambers

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#### I. Call to Order

Council President France called the regular meeting to order at 7:00 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  
Wayne Wiethe, Planning Director  
Steve Schmidt, Finance Director  
Paul Pickett, City Engineer  
Lisa Dean, Law Director  
Valerie Carr, Service Director  
Mayor Neugebauer

Rachel Pritchard, Student Representative  
Shareen Awadallah, Student Representative

#### IV. Council Study Session

[TMP-3836](#) Approval of the April 12, 2022 Council Meeting Minutes

**Attachments:** [4-12-22 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:** 6 - Brandenburg, DeVitis, Yeargin, Meager, Noble and Babbitt

**Abstain:** 1 - France

## V. Public Report

None.

## VI. Public Hearings

[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](#)

7:01 pm. Councilwoman Babbitt read in the legislation and opened the public hearing. She expressed that the developer working with the abutting residents was the standard that the City should require during these types of developments.

Planning Director Wiethe reported that the applicant was looking to modify the plan and therefore requests Council to refer the project back to the PZC. The Public will still be heard at this hearing.

Mr. Greg Sommers, Sommers Development Group- He reported that they may be able to acquire additional land, and amend the plan to make it more palatable for the adjacent property owners. Possible buffering. They do plan to meet with the residents and hear their concerns.

Chelsea & Daniel Ritchey- 2872 Byron Drive, Green OH-  
Mrs. Ritchey stated that they were concerned that their backyard abuts the proposed project, that there would be a loss of trees, and the number of homes that would be added to a small parcel would cause issues. They mentioned that the proposed development did not fit into the Land Use Plan necessarily.

Sam Porter- 2782 Byron Drive, Green OH-  
Mr. Porter was concerned with water run-off from the proposed project onto his

property.

Councilman Noble reiterated some of his thoughts from the last meeting. He does not agree with a culdesac neighborhood, screening/significant buffer to the expressway is essential for the property owners, buffering to the other neighbors is essential as well. Drainage issues need to be addressed. Setbacks are inadequate and density is too high.

Public hearing was closed at 7:33 pm.

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) \*\*PUBLIC HEARING WILL BE HELD ON APRIL 26, 2022 AT 7:00 PM IN COUNCIL CHAMBERS\*\***

**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](#)

7:33 pm. Councilwoman Babbitt read in the legislation and opened the public hearing.

Planning Director Wiethe stated that this was 11.4 acres on Graybill Rd. zoned industrial, proposed to rezone to R-1 single-family. Its in compliance with the LRLUP. Over the years this area has transitioned to more of a rural/residential street.

Don Schultz, Developer- Explained the property has been reclaimed into farmland and that the City had approached him about rezoning it back to the residential zoning to better fit the area. They would anticipate one home on this parcel at this time.

Councilman Yeargin asked if the previous zoning and use would limit what you can build on the property. Mr. Schultz stated that after the strip mining there is limited area for a home to be built.

Councilman Meager asked if there would be a shared driveway or access to Graybill Rd. Mr. Schultz stated that there potentially would be.

No additional comments.

Public hearing closed at 7:41 pm.

## VII. Reading of Correspondence

Council Clerk read in all correspondence.

[TMP-3832](#) April 13, 2022 Civil Service Commission Agenda

**Attachments:** [April 13, 2022 CSC Agenda](#)

[TMP-3833](#) April 20, 2022 Planning & Zoning Commission Agenda

**Attachments:** [4-20-22 PZC Agenda with attachments](#)

[TMP-3834](#) March 9, 2022 Approved CSC Minutes

**Attachments:** [CSC Meeting Minutes March 9, 2022](#)

[TMP-3835](#) Email from Joe Seiler RE: Issue 3 & Taxes

**Attachments:** [Email from Joe Seiler RE Issue 3 and Taxes](#)

## VIII. New Legislation - Items on First Reading

Council Clerk Messner read in the new legislation.

[2022-06](#) **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 SCHEDULED FOR TUESDAY, JUNE 14, 2022 AT 7:00 P.M. IN COUNCIL CHAMBERS\*\*

**Attachments:** [2022-06 re Exterior Property Maintenance Code](#)  
[2022-06 re Exhibit A Exterior Property Maintenance Code for the City of Green](#)

## IX. Report of Council Committees

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

Councilman Yeargin gave his report.

**THIRD 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 summary.

No additional questions or concerns. A 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-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](#)

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

Second reading has been requested by the administration. Committee & Council supportive. 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.

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

Councilman DeVitis gave his report.

**LICENSE ITEMS**[TMP-3831](#)

HAMISI Inc. New Liquor License  
DBA Rose Nails  
790 Arlington Ridge, Unit 211  
Green, OH 44312

**Attachments:** [Rose Nails, 790 Arlington Rdge New Liquor License](#)

**A motion was made by Council Member DeVitis, seconded by Council Member France, to not request a hearing for 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 report.

**THIRD 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\*\***

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[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 was held. The Developer wishes to amend the plan before it goes further, therefore Council will refer the project back to the PZC.

Councilwoman Babbitt made a motion to refer the legislation back to the Planning & Zoning Commission. Councilman DeVitis seconded. All were in favor.

**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) \*\*PUBLIC HEARING WILL BE HELD ON APRIL 26, 2022 AT 7:00 PM IN COUNCIL CHAMBERS\*\***

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[Graybill Proposed Rezoning Map](#)  
[Planning & Zoning Commission Review](#)

Councilwoman Babbitt read in the legislation and gave a brief summary. A public hearing was held.

No vote will take place until next meeting, time was taken.

**SECOND READING ITEMS****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](#)

Councilwoman Babbitt read in the legislation and gave a brief summary. Second reading has been requested.

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 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)

Did not meet.

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

Did not meet.

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

Did not meet.

## X. Mayor's Report

Mayor Neugebauer gave his report.

## XI. Unfinished Business

None.

## XII. New Business

## XIII. Adjournment

**A motion was made by Council Member Babbitt, seconded by Council Member DeVitis, to adjourn the meeting at 8:05 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.