



# 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, August 9, 2022**

**7:00 PM**

**Council Chambers**

---

#### 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:** 6 - Richard Brandenburg, Dave France, Rocco Yeargin, CJ Meager, Jeff Noble and Barbara Babbitt

**Absent:** 1 - Clark A. DeVitis

Also present:

Nichole Messner, Clerk of Council

Steve Schmidt, Finance Director

Paul Pickett, City Engineer

Valerie Carr, Service Director

Lisa Dean, Law Director

Wayne Wiethe, Planning Director

Mayor Neugebauer

#### IV. Council Study Session

[TMP-3938](#) Approval of the July 26, 2022 Council Meeting Minutes

**Attachments:** [7-26-22 Council Meeting Minutes](#)

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

[TMP-3948](#) Approval of the July Electronic Financial Statement, Subject to Audit

**Attachments:** [JULY 2022 ELECTRONIC FINANCIAL REPORT](#)

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

#### V. Public Report

None.

#### VI. Public Hearings

None.

#### VII. Reading of Correspondence

Council Clerk Messner read in the correspondence.

[TMP-3940](#) Planning Dept. July 2022 Financial Summary

**Attachments:** [July Summary Report](#)

[TMP-3941](#) August 3, 2022 Parks & Recreation Board Meeting Agenda

**Attachments:** [Meeting Agenda 2022-08-03](#)

[TMP-3942](#) May 11, 2022 Civil Service Commission Meeting Approved Minutes

**Attachments:** [CSC Meeting Minutes May 11, 2022](#)

#### VIII. New Legislation - Items on First Reading

The Clerk of Council read in the new legislation and Council President France assigned each piece to a committee.

[2022-R44](#) **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO BECOME A POWER A CLEAN FUTURE OHIO (PCFO) COMMUNITY, ESTABLISHING A PARTNERSHIP THAT WILL ASSIST THE CITY AND ENHANCE THE WORK OF THE LIVING GREEN TASK FORCE IN DEVELOPING GOALS AND IMPLEMENTING SOLUTIONS TOWARD CLEAN ENERGY, TRANSPORTATION ELECTRIFICATION, ENERGY EFFICIENCY AND LAND USE POLICIES THAT PROTECT THE CITY'S NATURAL RESOURCES, AND DECLARING AN EMERGENCY.**  
-Referred to the Intergovernmental and Utilities Committee

**Attachments:** [2022-R44 re Power A Clean Ohio Community](#)  
[2022-R44 Request for Legislation](#)

[2022-R45](#)      **A RESOLUTION AUTHORIZING CREDIT CARD USE PROVIDED BY HUNTINGTON NATIONAL BANK, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee**

**Attachments:** [2022-R45 re Huntington credit card](#)  
[2022-R45 re Exhibit A](#)  
[2022-R45 re Exhibit B](#)  
[2022-R45 Request for Legislation](#)

[2022-R47](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH ECC GREEN OH LLC OHIO CVS STORES, LLC AND WELLS FARGO TRUST COMPANY, FOR THE PROPERTY LOCATED AT 3761 MASSILLON ROAD, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2022-R47 re ECC CVS Massillon Rd Boettler Corp Woods RAB](#)  
[2022-R47 re Exhibit A](#)  
[2022-R47 Request for Legislation](#)

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

**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:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

**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, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

[2022-R46](#)      **A RESOLUTION AWARDDING A CONTRACT TO THE JOSEPH A. JEFFRIES CO., INC FOR THE 2022 MISCELLANEOUS CONCRETE REPAIRS PROJECT, AND DECLARING AN EMERGENCY. -Referred to the Transportation, Connectivity and Storm Water Committee \*\*SECOND**

## READING PASSAGE REQUESTED\*\*

**Attachments:** [2022-R46 re 22-H-29 2022 Misc Concrete Repairs](#)  
[Memo RE: ALL IN ONE 2022 Misc. Concrete Project Project](#)  
[2022-R46 Request for Legislation](#)

## IX. Report of Council Committees

Councilman Yeargin gave his committee report.

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

Councilman Yeargin gave his committee report. They heard the financial report from Finance Director Schmidt during committee and discussed 2022-R47 on first reading.

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

Councilman Brandenburg gave his committee report.

## SECOND READING ITEMS

[2022-R41](#)     **A RESOLUTION AWARDING A CONTRACT TO CAVANAUGH BUILDING CORPORATION FOR THE KLECKNER PARK IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.**  
-(Introduced on 7/26/22)

**Attachments:** [2022-R41 re Kleckner Park](#)  
[2022 Request for Legislation - Kleckner Improvements](#)  
[22-35 Kleckner Parking Lot Plans PZC](#)  
[22-35 Kleckner Parking lot Aerial Map PZC](#)  
[22-35 Kleckner Parking Lot PZC Staff Report](#)

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

Committee and Council in support of 2nd reading passage. A motion was made to adopt.

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

**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, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

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

Councilwoman Babbitt gave the committee report.

**LICENSE ITEMS**

[TMP-3947](#)

Objections to Renewal of Class C & D Liquor Permits in the City of Green

**Attachments:** [2022 Liquor Permit Renewals](#)  
[Green Liquor Permit Holders](#)

No issues were raised regarding the passing of the liquor license renewals. Committee and Council ok with not requesting a hearing. A motion was made to not request a hearing.

**A motion was made by Council Member Babbitt, seconded by Council Member France, to not request a hearing the License. The motion carried by the following vote:**

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

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

Councilwoman Babbitt gave her committee report.

**THIRD READING ITEMS**

[2022-10](#)

**AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY CAE PROPERTIES, LLC, D.B.A. HUMAN BEAN, TO BE A PUBLIC PURPOSE EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY. -(Introduced on 6/28/22)**

**Attachments:** [2022-10 re TIF CAE Properties Human Bean](#)  
[2022-10 re Exhibit A B C D E](#)  
[Human Bean Request for Legislation](#)

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

Council & Committee good with passage. A motion was made to adopt.

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

[2022-11](#)      **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY FAPA HOLDINGS, LLC, DBA RAGON CHIROPRACTIC TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY. -(Introduced on 6/28/22)**

**Attachments:**   [2022-11 re TIF FAPA Holdings Ragon](#)  
[2022-11 re Exhibits A B C D E](#)  
[Ragon Chiropractic Request for Legislation](#)

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

Council & Committee ok with passage. No questions or concerns. A motion was made to adopt.

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

## SECOND READING ITEMS

[2022-13](#)      **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY LIBERTY GREEN, LTD, DBA LIBERTY GREEN STORAGE, TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY. -(Introduced on 7/26/22)**

**Attachments:**   [2022-13 re TIF Liberty Green](#)  
[2022-13 re Exhibit A Liberty Green](#)  
[2022-13 re Exhibit B Liberty Green](#)  
[2022-13 re Exhibit C Liberty Green](#)  
[2022-13 re Exhibit D Liberty Green](#)  
[2022-13 re Exhibit E Liberty Green](#)  
[Liberty Green TIF Request for Legislation](#)

Councilwoman Babbitt read in the legislation and gave a summary.

No questions or concerns from Council or Committee. Time requested and granted.

[2022-14](#)      **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY FC WASH LTD, DBA UNITED AUTO WASH, TO BE A PUBLIC PURPOSE, EXEMPTING 100% OF THE VALUE OF THE IMPROVEMENTS FROM REAL PROPERTY TAXATION FOR THIRTY YEARS, AND DECLARING AN EMERGENCY. -(Introduced on 7/26/22)**

**Attachments:**   [2022-14 re TIF United Auto Wash](#)  
[2022-14 re Exhibit A](#)  
[2022-14 re Exhibit B](#)  
[2022-14 re Exhibit C](#)  
[2022-14 re Exhibit D](#)  
[2022-14 re Exhibit E](#)  
[2022-14 re Exhibit F](#)  
[2022-14 re Exhibit G](#)  
[Request for Legislation United Auto Wash](#)

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

This item was on second reading, therefore Time was requested and granted.

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

Councilman Meager gave his committee report.

[2022-06 A A](#)      **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 WAS HELD ON TUESDAY, JUNE 14, 2022\*\*  
(AMENDED MAY 10, 2022) (Amended June 28, 2022)**

**Attachments:**   [2022-06 A A re Amended Exterior Property Maintenance Code](#)  
[2022-06 A re Amended Exhibit A](#)  
[1998 IPMC - FOR REFERENCE ONLY](#)

A special committee meeting was held at 4pm. Council as a whole went through sections, and got to Section .99.

Will continue at next committee meeting for the first hour of committees.

Attorney Dean will do some research on numerous items.

Time was requested and granted.

## SECOND READING ITEMS

[2022-R43A](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH CLEMANS NELSON & ASSOCIATES, INC TO PROVIDE SPECIALIZED CONSULTING SERVICES EVALUATING THE CITY OF GREEN COMPENSATION PLAN FOR *ALL NON-ELECTED, CERTAIN, SELECT* NON-BARGAINING EMPLOYEES AS ORIGINALLY DEVELOPED BY CLEMANS NELSON & ASSOCIATES, INC, AND DECLARING AN EMERGENCY.  
-(Introduced on 7/26/22)(Amended August 9, 2022) \*\*SECOND READING PASSAGE REQUESTED\*\*

**Attachments:** [2022-R43 A re Clemans Nelson Assoc Compensation Study](#)  
[2022-R43 Amended Exhibit A](#)  
[2022 Request for Legislation Comp Study](#)

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

Second reading passage had been requested on this item. Committee and council in support of second reading passage. A motion was made to adopt.

**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:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

**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:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

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

Councilman Noble gave his committee report. The City Engineer gave a construction report during committees. They also discussed 2022-R46 on first reading.

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

Councilman France gave his committee report.

## THIRD READING ITEMS



2022-12

**AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT ESTABLISHING THE COMMUNITY UNIVERSITY EDUCATION PURCHASING REGIONAL COUNCIL OF GOVERNMENTS, AND DECLARING AN EMERGENCY. -(Introduced on 6/28/22)**

**Attachments:** [2022-12 re Community University Education Purchasing Cooperative CUE](#)  
[2022-12 re Exhibit A Agreement Establishing CUE Council of Governments](#)  
[2022 Request for Legislation - CUE](#)  
[Ltr from Greg Tracy CUE Steering Committee Chairperson](#)

Councilman France read in the legislation and gave a brief overview.

Committee and council good with passage. A motion was made to adopt.

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

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

X. Mayor's Report

Mayor Neugebauer gave his report.

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 p.m. The motion carried by the following vote:**

**Aye:** 6 - Brandenburg, France, Yeargin, Meager, Noble and Babbitt

**Absent:** 1 - DeVitis

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.