



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, January 11, 2022

7:00 PM

Council Chambers

I. Call to Order

Council President France called the meeting to order at 7:05 pm.

II. Pledge of Allegiance

III. Roll Call of Council Members

Present: 7 - Barbara Babbitt, Richard Brandenburg, Clark A. DeVitis, Dave France, Rocco Yeargin, CJ Meager and Jeff Noble

Also present:

Nichole Messner, Clerk of Council
Gerard Neugebauer, Mayor
Wayne Wiethe, Planning Director
Steve Schmidt, Finance Director
Paul Pickett, City Engineer
Lisa Dean, Law Director
Valerie Carr, Service Director

Shareen Awadallah, Student Representative

IV. Council Study Session

Council President France announced that the Planning Dept. went over the population numbers with the 2021 Census information and there is no need to change the ward boundaries at this time.

[TMP-3715](#) Approval of the December 14, 2021 Council Meeting Minutes

Attachments: [12-14-21 Council Meeting Minutes](#)

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

Aye: 6 - Babbitt, Brandenburg, DeVitis, France, Yeargin and Meager

Abstain: 1 - Noble

[TMP-3717](#) Approval of the January 4, 2022 Organizational Meeting Minutes

Attachments: [1-4-22 Organizational Meeting Minutes](#)

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

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

V. Public Report

Pat Carleski, 3878 Greenfield Rd., Green OH-
Ms. Carleski spoke regarding the new year and how she'd like to see Council acts this year.

VI. Public Hearings

None.

VII. Reading of Correspondence

Clerk of Council Messner read in the correspondence.

[TMP-3723](#) Planning Dept. December 2021 Financial Summary

Attachments: [Planning Financial Summary for December 2021](#)

[TMP-3724](#) January 5, 2022 Parks & Recreation Board Meeting Agenda

Attachments: [Meeting Agenda 2022-01-05](#)

VIII. New Legislation - Items on First Reading

The Clerk of Council read in the new legislation.

[2022-R01](#) **A RESOLUTION AUTHORIZING THE PAYMENT OF PAST DUE INVOICES FOR PREVENTATIVE MAINTENANCE SERVICES IN THE FIRE DIVISION, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee**

Attachments: [2022-R01 re Fire Department pay past due invoices](#)

[2022-R02](#) **A RESOLUTION AWARDING A CONTRACT TO ABBOTT ELECTRIC, INC. FOR THE TOROK CENTER WALKING PATH LIGHTING PHASE 3 PROJECT, AND DECLARING AN EMERGENCY. -Referred to the Environment and Parks Committee**

Attachments: [2022-R02 re #18-P-29 Torok Center Walking Path Lighting Phase 3](#)

[2022-R03](#) **A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR THE DIESEL MITIGATION TRUST FUND GRANT PROGRAMMED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR THE PROCUREMENT AND INSTALLATION OF ONE (1) SINGLE-PORT AND ONE (1) DUAL-PORT CHARGING STATION FOR THREE PUBLICLY ACCESSIBLE DC FAST ELECTRIC VEHICLE PARKING SPACES AT THE CENTRAL ADMINISTRATION BUILDING, AND DECLARING AN EMERGENCY. -Referred to the Intergovernmental and Utilities Committee **FIRST READING PASSAGE REQUESTED****

Attachments: [2022-R03 re Diesel Mitigation Grant for Charging Station](#)
[Valerie Wax Carr memo re 2022 Diesel Mitigation Trust Fund Charging Station](#)

Councilman France explained that this legislation was discussed in Committees and the Administration was requesting first reading passage on this due to the grant funding deadline.

Committee and Council were in support of first reading passage. A motion was made to adopt.

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

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

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

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

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

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

[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. -Referred to the Rules and Personnel Committee**

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](#)

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. - Referred to the Planning and Economic Development Committee *PUBLIC HEARING SCHEDULED FOR TUESDAY, FEBRUARY 22, 2022 AT 7:00 PM IN COUNCIL CHAMBERS**

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

IX. Report of Council Committees

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

Councilman Yeargin gave his Committee report.

2021-R77A

**A RESOLUTION APPROVING AND ADOPTING THE 2022 ANNUAL CAPITAL APPROPRIATIONS FOR THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -(Introduced on 11/9/21)
(AMENDED JANUARY 11, 2022)**

Attachments: [2021-R77 A re Amended 2022 Capital Annual Appropriations](#)
[2021-R77 A re Amended Exhibit A](#)

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

Councilman Brandenburg made a motion to amend the legislation and add an additional \$50,000 to the Kreighbaum Park appropriation to make it \$75,000 for 2022. Councilman Yeargin seconded the motion. The vote was 7-0; the motion carried.

Councilman Brandenburg made a motion to amend the legislation and decrease the money to be appropriated for Kleckner Park to \$200,000 instead of \$700,000. Councilman Yeargin seconded the motion. The vote was 1-6; the motion failed.

After no additional comments, a motion was made to adopt with the amendment of adding an additional \$50,000 to the Kreighbaum Park appropriation.

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 - Babbitt, Brandenburg, DeVitis, France, Yeargin, Meager and Noble

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

Did not meet.

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

Councilman DeVitis gave his committee report.

[TMP-3725](#)

Liquor License Renewal- Speedway LLC DBA Speedway 3555
3535 Massillon Rd., Green OH 44685

Attachments: [Speedway LLC Liquor License](#)

It was discussed in Committee that there were no issues raised from the Sheriffs Dept. regarding this liquor license. Committee good with passage.

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

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

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

Councilwoman Babbitt gave her Committee report.

[2021-R78](#)

A RESOLUTION APPROVING THE FINAL PLAT OF UNION SQUARE PHASE I, AND DECLARING AN EMERGENCY.
-(Introduced on 10/26/21)

Attachments: [2021-R78 re Union Square Phase I](#)

[2021-R78 re Exhibit A](#)

[21-53 Union Square Phase I PZC Staff Report](#)

[21-53 Union Square Phase I Plat plans](#)

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

No other comments from Council or Committee. A motion was made.

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 - Babbitt, Brandenburg, DeVitis, France, Yeargin, Meager and Noble

[2021-26](#)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 79 ACRES OF LAND LOCATED AT 1265 BOETTLER ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED PULTE PLANNED DEVELOPMENT. -(Introduced on 10/26/21) Committee **A PUBLIC HEARING WAS HELD ON NOVEMBER 23, 2021**

Attachments: [2021-26 re Pulte 1265 Boettler Rd changes](#)

[2021-26 re Exhibit A](#)

[21-51 Pulte PD Concept Plan PZC Staff Report](#)

[21-51 Pulte PD Concept Plan](#)

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

No additional comments or questions from Council or Committee. A motion was made.

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 - Babbitt, Brandenburg, DeVitis, France, Yeargin, Meager and Noble

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

Councilman Meager gave his Committee report.

Councilman Meager made a motion to confirm the Mayors appointment of Mike Burch to the open Board of Zoning Appeals seat. Councilman Brandenburg seconded the motion. All were in favor; the motion carried.

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

Did not meet.

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

Councilman France gave his committee report.

A first reading item was adopted.

X. Mayor's Report

Mayor Neugebauer gave his report.

XI. Unfinished Business

None.

XII. New Business

Council President France made a motion to hold a special meeting on Thursday, January 27, 2022 at 7 pm so that the Mayor could give his State of the City address. Councilman DeVitis seconded the motion. All were in favor; the motion carried.

Councilman France reported that the January 25 Council meeting would be canceled due to the State of the City.

XIII. Adjournment

A motion was made by Council Member France, seconded by Council Member Meager, to adjourn the meeting at 7:40pm. The motion carried by the following vote:

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

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.