



# 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 Messner, Clerk of Council**

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Tuesday, May 25, 2021

7:00 PM

Council Chambers

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#### I. Call to Order

Council President Yeargin called the meeting to order at 9:00 p.m.

#### II. Pledge of Allegiance

#### III. Roll Call of Council Members

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

#### IV. Council Study Session

[TMP-3438](#) Approval of the May 11, 2021 Council Meeting Minutes

**Attachments:** [5-11-21 Council Meeting Minutes](#)

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

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

[TMP-3440](#) Approval of the April 2021 Electronic Financial Report, Subject to Audit

**Attachments:** [APRIL 2021 ELECTRONIC FINANCIAL REPORT](#)

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

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

#### V. Public Report

None.

## VI. Public Hearings

None.

## VII. Reading of Correspondence

Clerk of Council Nichole Messner read in the correspondence and filed it.

[TMP-3441](#) May 19, 2021 PZC Agenda

**Attachments:** [5-19-21 PZC Agenda](#)

[TMP-3442](#) April 14, 2021 Civil Service Commission Minutes

**Attachments:** [April 14, 2021 CSC Minutes](#)

[TMP-3443](#) Email from Tammy Agosta RE: Raber Rd Multi-Use Trail

**Attachments:** [Email from Tammy Agosta RE Raber Rd Multi Use Trail](#)

[TMP-3444](#) Summit County Public Health- RE: Updated Covid-19 Guidelines

**Attachments:** [COVID19 Updated Guidance](#)

## VIII. New Legislation - Items on First Reading

The Clerk of Council read in the new legislation.

[2021-R35](#) **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\*\***

**Attachments:** [2021-R35 re May 2021 Appropriations](#)  
[2021-R35 re Exhibit A](#)  
[Steve Schmidt 1st Reading Passage Request May 25 2021](#)

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

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

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

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

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

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

[2021-R36](#)      **A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS TELECOMMUNICATIONS EQUIPMENT FOR GREEN HIGH SCHOOL VIDEO PRODUCTION STUDIO AND AUDITORIUM, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee**

**Attachments:** [2021-R36 re Telecommunications Equipment](#)

[2021-R36 Exhibit A](#)

[2021-R36 Exhibit B](#)

[2021-R37](#)      **A RESOLUTION AWARDED A CONTRACT TO THE AERO-MARK COMPANY, LLC FOR THE 2021 PAVEMENT MARKING PROJECT, AND DECLARING AN EMERGENCY. -Referred to the Transportation, Connectivity and Storm Water Committee**

**Attachments:** [2021-R37 re Pavement Marking Project](#)

[ALL IN ONE 2021 Pavement Marking](#)

[2021-08](#)      **AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 8 ACRES OF LAND LOCATED AT 1541 EAST TURKEYFOOT LAKE ROAD FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO PD (PLANNED DEVELOPMENT), APPROXIMATELY 9.4 ACRES OF LAND FROM I-1 (GENERAL INDUSTRIAL) TO PD (PLANNED DEVELOPMENT), AND APPROXIMATELY 8 ACRES OF LAND FROM B-1 (GENERAL BUSINESS) TO PD (PLANNED DEVELOPMENT) AND ACCEPTING THE CONCEPTUAL SITE PLAN OF THE PROPOSED VISION DEVELOPMENT PLANNED DEVELOPMENT. -Referred to the Planning and Economic Development Committee**

**Attachments:** [2021-08 re 1541 Turkeyfoot Lake Rd Rezoning](#)

[2021-08 Exhibit A](#)

[Vision Development PD PZC Recommendation to CC](#)

[21-19 Vision Development PZC Staff Report](#)

## IX. Report of Council Committees

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

All members were present.

## THIRD READING ITEMS

[2021-R26](#)      **A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF LEVEL 2 ELECTRIC VEHICLE CHARGING STATIONS AT THE CENTRAL ADMINISTRATION BUILDING FROM EV UNITED, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 4/27/2021)**

**Attachments:**    [2021-R26 re EV Charging Stations Draft Appropriation](#)

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

Committee and Council were good with passage.

Councilwoman Babbitt made a motion.

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

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

## SECOND READING ITEMS

[2021-R34](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH VASCO ASPHALT COMPANY FOR THE RECONSTRUCTION OF THE TENNIS COURTS AND PICKLE BALL COURTS AT BOETTLER PARK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced 5/11/2021)**

**Attachments:**    [2021-R34 re Vasco for Boettler Park Tennis Pickle Ball Courts](#)

[2021-R34 re Exhibit A](#)

[2021-R34 re Exhibit B](#)

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

Director Carr explained this item in Committee Meetings.

Councilwoman Babbitt requested time; time was granted.

[2021-R31](#)      **A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH JMP RESOURCES TO PROVIDE DESIGN-BUILD SERVICES FOR THE DESIGN AND CONSTRUCTION OF THE CITY'S ARISS PARK SERVICE BUILDING, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 5/11/2021)**

**Attachments:**    [2021-R31 re JMP Resources](#)

[2021-R31 re Exhibit A](#)

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

Director Carr explained the need for the service building and reason for costs in Committee Meetings.

Councilwoman Babbitt requested time; time was granted.

[2021-R32](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH ENVIROSCAPES FOR THE CONSTRUCTION AND INSTALLATION OF THE CENTRAL PARK IDENTIFICATION SIGN, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced 5/11/2021)**

**Attachments:** [2021-R32 re Central Park ID Sign](#)  
[2021-R32 re Exhibit A](#)

Councilwoman Babbitt read in the legislation and gave a short overview.

Director Carr explained this item in Committee; the idea was to have all the signs for the City parks match.

Councilwoman Babbitt requested time; time was granted.

[2021-R33](#)

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH ENVIROSCAPES FOR THE KLECKNER PARK TREE/LANDSCAPE PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced on 5/11/2021)**

**Attachments:** [2021-R33 re Envirosapes Kleckner Park Tree Landscape](#)  
[2021-R33 re Exhibit A](#)

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

Service Director Carr explained this item as well. She explained that pickle ball has gotten very popular and that the courts are used very often.

After further, Councilwoman Babbitt requested time; time was granted.

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

All members were present. No items of legislation; did not meet.

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

All members were present.

Detective Larry Brown gave the April Sheriff Dept. report.

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

All members were present.

[2021-03 A](#) **AN ORDINANCE AMENDING CHAPTER 1229, SECTION 1229.05 PARKING, LOADING, AND STACKING REGULATIONS; AND, CHAPTER 1231, SECTION 1231.02 DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN, AND DECLARING AN EMERGENCY. -(Introduced on 3/9/2021) \*PUBLIC HEARING WAS HELD ON APRIL 13, 2021\***

**Attachments:** [2021-03 re Chapter 1229 & 1231 Parking, Loading-Amended 5-11-21](#)  
[2021-03 Exhibit A-Revised 5-11-21](#)  
[2021-03 Exhibit B- Revised 5-11-21](#)

Council President Yeargin read in the legislation and gave a detailed overview. This item had been discussed thoroughly at a number of meetings, with a public hearing being held as well.

There was another lengthy discussion in Committee with Council members, Law Director Dean, Planning Director Wiethe and Mayor Neugebauer as well as several members of the public speaking about the legislation.

After further discussion, it was decided time would be requested. Time was granted.

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

All members present.

[2021-07 A](#) **AN ORDINANCE TO AMEND SECTION 648.13, ADDITIONAL NOISE DISTURBANCES, OF CHAPTER 643, PEACE DISTURBANCE, OF THE CODIFIED ORDINANCES OF THE CITY OF GREEN, AND DECLARING AN EMERGENCY. - (Introduced on 3/23/2021) (AMENDED APRIL 13, 2021) \*\*PUBLIC HEARING WAS HELD ON TUESDAY, MAY 11, 2021\*\***

**Attachments:** [2021-07 A re Amended Noise Ordinance Chapter 648](#)

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

Law Director Dean went over this legislation in Committee and gave some background on the need for updated rules. A public hearing had previously been held.

Councilman Meager requested time; time was granted.

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

All members present.

Councilman France announced at the Committee Meeting that at the June 8 meeting the Administration would be presenting the Connectivity Study.

**SECOND READING ITEMS**[2021-R28](#)**A RESOLUTION AWARDING A CONTRACT TO LOCKHART CONCRETE CO. FOR THE 2021 CITY WIDE CATCH BASIN REHAB PROGRAM PROJECT, AND DECLARING AN EMERGENCY.**

-(Introduced on 5/11/2021)

**Attachments:** [2021-R28 re 2021 City Wide Catch Basin Rehab Program](#)

[ALL IN ONE 2021 City Wide Catch Basin Rehab Program](#)

Councilman France read in the legislation. He stated that due to the late hour, discussion on this item had been deferred to the next meeting.

Councilman France requested time; time was granted.

[2021-R30](#)**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A FEDERAL SURFACE TRANSPORTATION BLOCK GRANT (“STBG”) FUND PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (“AMATS”) TO IMPROVE SEVERAL STREETS WITHIN THE CITY, AND DECLARING AN EMERGENCY.**

-(Introduced on 5/11/2021)

**Attachments:** [2021-R30 re Combined 4 Resurfacing AMATS STBG](#)

[2021-R30 re Exhibit A](#)

Councilman France read in the legislation. He stated that due to the late hour, discussion on this item had been deferred to the next meeting.

Councilman France requested time; time was granted.

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

All members were present. No items of legislation; did not meet.

**X. Mayor’s Report**

Mayor Neugebauer gave a brief report.

## XI. Unfinished Business

At this time, Law Director Dean requested a brief executive session to go over pending legal matters.

At 9:24 p.m. Councilman Yeargin made motion to go into executive session with all of Council, Law Director Dean and Mayor Neugebauer. Councilman France seconded the motion. The vote was 7-0; the motion carried.

At 9:40 p.m. Councilman Yeargin made a motion to adjourn executive session. Councilman France seconded the motion. All were in favor; the motion carried.

## XII. New Business

## XIII. Adjournment

**A motion was made by Council Member Rocco Yeargin, seconded by Council Member Dave France, to adjourn the meeting at 9:41 p.m. . The motion carried by the following vote:**

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

ATTEST: \_\_\_\_\_  
NICHOLE MESSNER, 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.