



# 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 11, 2021

7:00 PM

Council Chambers

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#### I. Call to Order

Council President Yeargin called the meeting to order at approximately 9:25 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-3418](#) Approval of the April 27, 2021 Council-Committee Minutes

**Attachments:** [4-27-21 Council-Committee Minutes](#)

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

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

**\*Mayor Neugebauer will present a Proclamation to Lisa King of Summit Metro Parks in honor of their 100th Anniversary\***

#### V. Public Report

Clerk of Council, Nichole Messner read in an email from Lynda Smole in regard to making City parks ADA accessible.

#### VI. Public Hearings

Councilman Meager read in the legislation for 2021-07 and opened the public hearing at approximately 9:30 p.m.

This legislation was amending the codified ordinances in section 648.13 Additional Noise.

There were no questions or concerns from residents or members of Council.

Councilman Meager closed the Public Hearing at approximately 9:35 p.m.

[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](#)

#### VII. Reading of Correspondence

Read in and filed.

[TMP-3419](#)      May 5, 2021 Parks & Rec Board Agenda

**Attachments:**   [PRB Meeting Agenda 5-5-21](#)

[TMP-3420](#)      Email from Patti Miley RE: Parks Master Plan Comments

**Attachments:**   [Email from Patti Miley RE Parks Master Plan](#)

[TMP-3421](#)      Email from Steve Braswell RE: How valuable the Freedom of Speech Webinar was

**Attachments:**   [Braswell - Email RE Freedom of Speech Webinar](#)

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

Clerk of Council read in the new legislation.

[2021-R27](#)      **A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION'S ("PZC") APPROVAL OF THE REPLAT OF PINE KNOLLS ESTATES NO. 2 SUBDIVISION, AND DECLARING AN EMERGENCY. -Referred to the Planning and Economic Development Committee**

**Attachments:**   [2021-R27 re Pine Knoll Replat](#)  
[2021-R27 re Exhibit A](#)

Council President Yeargin read in the legislation and gave a brief overview. First reading passage requested by the property owners.

Committee was ok with first reading passage.

**A motion was made by Council Member Yeargin, seconded by Council Member DeVitis, to bypass Committee deliberations 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 Yeargin, seconded by Council Member DeVitis, to bypass the three reading rule 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 Yeargin, seconded by Council Member DeVitis, to adopt the Resolution. The motion carried by the following vote:**

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

#### 2021-R28

**A RESOLUTION AWARDDING 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](#)

#### 2021-R29

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH GARDINER SERVICE COMPANY, LLC FOR EMERGENCY INSTALLATION OF TWO NEW HVAC SYSTEMS AT FIRE STATION NUMBER TWO, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2021-R29 re Station 2 HVAC](#)

[2021-R29 re Exhibit A](#)

[Mayor Neugebauer 1st Reading Passage Request](#)

Councilwoman Babbitt read in the legislation and gave a brief overview. First reading passage requested by the Administration due to the HVAC being out of working order. They would like to get it fixed before the warm summer months begin.

Committee ok with first reading passage.

**A motion was made by Council Member Babbitt, seconded by Council Member Brandenburg, to bypass Committee deliberations 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 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-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](#)

**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](#)

**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](#)

**2021-R33 A**

**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) (AMENDED 06/08/2021)**

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

[2021-R34 A](#) 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) (**Amended 06/08/2021**)

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

#### IX. Report of Council Committees

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

All members were present.

#### THIRD READING ITEMS

[2021-R25](#) A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH BL COMPANIES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RABER ROAD SIDEWALK AND MULTI-USE TRAIL PROJECT, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced 4/13/21)

**Attachments:** [2021-R25 re Raber Road sidewalk project design history PID 99729](#)  
[2021-R25 re Exhibit A](#)

Councilwoman Babbitt read in the legislation. She explained that there had been a lengthy discussion on this legislation and it was decided that the Mayor and Administration would withdraw the legislation at this time.

#### SECOND 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 explained that there had been a short discussion. They would hold off on voting on this matter until the NOPEC grant

had been accepted.

Time was requested and granted.

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

All members present, no items of legislation; did not meet.

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

All members present, no items of legislation; did not meet.

Councilwoman Babbitt wanted to mention the K-9 Officer Pup that worked down at the airport- that she had passed away and to keep them in your thoughts.

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

All members present.

2021-03 AA **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\* (AMENDED MAY 25, 2021) (AMENDED JUNE 8, 2021) (AMENDED JUNE 22, 2021)**

Attachments: [2021-03 A re Amended Amended Chapter 12 Section 1229 and 1231 draft Exhibit A for 1229.05 \(9\)draft518](#)  
[2021-03 re Amended June 22 2021 Exhibit A](#)  
[2021-03 Exhibit B- Revised 5-11-21](#)

Council President Yeargin read in the legislation. He reported that there had been a very lengthy discussion on his piece. Council, Director Wiethe, Law Director Dean and Mayor Neugebauer went over the proposed changes very thoroughly and came up with some great wording.

Law Director Dean would be amending the legislation and bringing it back forward at the next meeting.

Time was requested and granted.

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

All members present.

2021-06 **AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF**

**CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY. -(Introduced on 3/23/2021)**

**Attachments:** [2020-06 re Codified Ordinance revision codes](#)  
[2021-06 re Exhibit A](#)

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

After much discussion with Law Director Dean, it was determined that Councilmen Meager and Shaughnessy would sponsor the legislation and Law Director Dean would be the Presenter. Further research would be done on the matter.

Committee was ok with passage of the legislation.

Councilman Meager made a motion.

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

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

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

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

**[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](#)

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

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

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

All members present, no items of legislation; did not meet.

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

All members present. Councilman Meager chaired the Committee due to Councilman Shaughnessy's bad internet connection.

**THIRD READING ITEMS**

[2021-R24](#)

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL 2021 ENERGIZED COMMUNITY GRANT FUNDS, AND DECLARING AN EMERGENCY.**  
-(Introduced 4/13/21)

**Attachments:** [2021-R24 re NOPEC Grant Agreement](#)

[2021 NOPEC City of Green Energized Community Grant Agreement](#)  
[21JAN2021](#)

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

No questions or concerns from the Committee.

After further, Councilman Meager made a motion.

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

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

**X. Mayor's Report**

Mayor Neugebauer gave a brief report on current City activities and events.

**XI. Unfinished Business**

None.

**XII. New Business**

None.

**XIII. Adjournment**

Council President Yeargin adjourned the meeting at approximately 10:05 p.m.

**A motion was made by Council Member Yeargin, seconded by Council Member France, to adjourn the meeting. 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.