



# 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, June 22, 2021

7:00 PM

Council Chambers

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#### I. Call to Order

Council President Yeargin called the meeting to order at 7:15 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-3470](#) Approval of the June 8, 2021 Council Meeting Minutes

**Attachments:** [6-8-21 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-3469](#) Approval of the May 2021 Electronic Financial Report, Subject to Audit

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

**A motion was made by Council Member France, seconded by Council Member DeVitis, to approve subject to audit 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

Read in and filed by the Clerk of Council.

[TMP-3471](#) May 12, 2021 Civil Service Commission Minutes

**Attachments:** [May 12, 2021 CSC Minutes](#)

[TMP-3472](#) June 16, 2021 Planning & Zoning Commission Meeting Agenda

**Attachments:** [June 16, 2021 PZC Agenda](#)

[TMP-3473](#) Raber Road Multi-Use Trail Emails

**Attachments:** [Paul & Sue Tarr Raber Road Trail](#)  
[Bob DeMay Raber Road Trail](#)  
[Amy Harmon- Raber Road Multi-Use Trail](#)

[TMP-3474](#) Email from Lindsay Lockwood RE: City Park Amenities

**Attachments:** [Lindsay Lockwood- City amenities - parks & rec](#)

## VIII. New Legislation - Items on First Reading

Council Clerk Nichole Messner read in the new legislation.

[2021-R42](#) **A RESOLUTION ALLOWING THE MAYOR TO APPLY FOR FEDERAL CONGESTION MITIGATION/AIR QUALITY FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY FOR THE ARLINGTON ROAD RECONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 6/22/21) \*\*SECOND READING PASSAGE REQUESTED\*\***

**Attachments:** [2021-R42 re CMAQ Legislation](#)  
[Wayne Wiethe 2nd Reading Passage Request](#)

[2021-R43 A](#) **A RESOLUTION CREATING THE POSITION OF SEASONAL CODE INSPECTOR, ESTABLISHING A PAY RATE OF COMPENSATION, ESTABLISHING THE POSITION AS NON-EXEMPT AND UNCLASSIFIED UNDER THE CIVIL SERVICE RULES AND REGULATIONS, *MAKING AN APPROPRIATION*, AND DECLARING AN EMERGENCY. -(Introduced on 6/22/21) (AMENDED JULY 13, 2021) \*\* SECOND READING PASSAGE REQUESTED\*\***

**Attachments:** [2021-R43 A re Amended Seasonal Code Inspector](#)  
[JD-Class Spec Code Insepctor--Seasonal 20210611](#)  
[Pam Serena 2nd Reading Passage memo Seasonal Code Inspector](#)

**2021-R44**      **A RESOLUTION AUTHORIZING THE FUNDS TO ENABLE THE MAYOR TO GRANT SALARY ADJUSTMENTS TO CITY OF GREEN NON-BARGAINING EMPLOYEES, AND DECLARING AN EMERGENCY. -Referred to the Finance Committee \*\*FIRST READING PASSAGE REQUESTED\*\***

**Attachments:** [2021-R44 re Non Bargaining Pay Adjustment](#)  
[1st Reading Passage memo 2021-R44 Nonbargaining Pay Adjustments](#)

Councilwoman Babbitt gave a brief overview on the first reading passage request for this item.

Committee and Council supportive of first reading passage.

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

**Aye:** 6 - Babbitt, DeVitis, France, Shaughnessy, Yeargin and Meager

**Absent:** 1 - Brandenburg

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

**Aye:** 6 - Babbitt, DeVitis, France, Shaughnessy, Yeargin and Meager

**Absent:** 1 - Brandenburg

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

**Aye:** 6 - Babbitt, DeVitis, France, Shaughnessy, Yeargin and Meager

**Absent:** 1 - Brandenburg

**2021-R45**      **A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR THE REPLAT OF MYSTIC POINTE SUBDIVISION, AND DECLARING AN EMERGENCY. -(Introduced on 6/22/21)**

**Attachments:** [2021-R45 re Replat Mystic Pointe](#)  
[Mystic Pointe Map Key Map](#)  
[Mystic Pointe Map](#)  
[Mystic Pointe Replat Aerial](#)  
[PZC Meeting Sept 16 2020](#)  
[Re-Plat of Mystic Pointe Subdivision Maps](#)

**2021-R46**      **A RESOLUTION ACCEPTING THE PLANNING & ZONING COMMISSION’S (“PZC”) APPROVAL OF THE REPLAT OF GREENSBURG HEIGHTS ALLOTMENT, AND DECLARING AN EMERGENCY.** -(Introduced on 6/22/21)

**Attachments:** [2021-R46 re Greensburg Heights Allotment](#)  
[Greensburg Heights RePlat Tricaso Drive](#)  
[21-28 Replat of Greensburg Heights Allotment PZC Staff Report](#)  
[21-28 Replat of Greensburg Heights parcel split](#)  
[21-28 Replat of Greensburg Heights site plan](#)

**2021-R47**      **A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT WITH GARDINER SERVICE COMPANY, LLC., FOR AN ENERGY SERVICE PERFORMANCE CONTRACT FOR THE LEASE-PURCHASE OF VARIOUS ENERGY EFFICIENCY IMPROVEMENTS, AND DECLARING AN EMERGENCY.** -(Introduced on 6/22/21)

**Attachments:** [2021-R47 re Energy Services Gardiner](#)  
[2021-R47 re Exhibit A -1](#)  
[2021-R47 re Exhibit A -2](#)  
[2021-R47 re Exhibit A -3](#)  
[2021-R47 re Exhibit B](#)  
[Valerie Wax Carr Memo](#)

**2021-11**      **AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.78 ACRES OF LAND LOCATED AT 2961 AND 3015 GRAYBILL ROAD FROM I-1 (GENERAL INDUSTRIAL) TO R-1 (SINGLE FAMILY RESIDENTIAL).** -(Introduced 6/22/21) **\*\*PUBLIC HEARING SCHEDULED FOR TUESDAY, AUGUST 10, 2021 AT 7:00 P.M. IN COUNCIL CHAMBERS\*\***

**Attachments:** [2021-11 re Changing Zoning on Graybill Road](#)  
[2021-11 re Exhibit A](#)  
[21-27 Breedlove Rezoning PZC Staff Report](#)  
[21-27 Breedlove Rezoning site plan](#)  
[21-27 Breedlove Rezoning Implementation Strategy](#)  
[21-27 Breedlove Rezoning aerial map](#)

**2021-12**

**AN ORDINANCE AUTHORIZING A LEASE PURCHASE-FINANCING TRANSACTION BETWEEN HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE CITY OF GREEN FOR THE FINANCING OF IMPROVEMENTS TO VARIOUS LOCATIONS IN THE CITY.**

-(Introduced on 6/22/21)

**Attachments:** [Huntington Term Sheet](#)  
[2021-12 re Green Lease-Purchase Financing](#)

**IX. Report of Council Committees****A. Finance (Babbitt\*, Brandenburg\*\*, Yeargin)**

All members present.

**SECOND READING ITEMS****2021-R39**

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH FINN CORPORATION FOR THE PURCHASE OF A FINN MULCH BLOWER, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY. -(Introduced 6/8/21)**

**Attachments:** [2021-R39 re Parks Capital Appropriations Mulch Blower](#)  
[2021-R39 re Exhibit A](#)  
[2021-R39 re Exhibit B](#)  
[Memo from Valerie Wax Carr Service Director re Mulch Blower](#)

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

Committee and Council ok with second reading passage.

**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-R41 A](#) A RESOLUTION MODIFYING APPROPRIATIONS WITHIN CERTAIN FUNDS IN ORDER TO PROVIDE SUFFICIENT FUNDING, AND DECLARING AN EMERGENCY. -(Introduced 6/8/21) **(AMENDED JUNE 22, 2021)**

**Attachments:** [2021-R41 A re Amended Parks Supplemental Appropriations](#)  
[2021-R41 A re AMENDED Exhibit A](#)  
[2021-R41 A re Exhibit B](#)  
[Valerie Wax Carr memo](#)

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

Committee and Council ok with second reading passage.

**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

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

All members present, no items of legislation.

Service Director Valerie Carr gave a brief presentation on the yard waste pilot program at the Committee meeting.

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

All members present. Committee heard the May 2021 SC Sheriffs Dept report.

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](#)

President Yeargin read in the legislation and gave a brief overview.

Committee was comfortable with moving on this legislation.

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

**Aye:** 5 - Brandenburg, DeVitis, France, Yeargin and Meager

**Nay:** 2 - Babbitt and Shaughnessy

### THIRD READING ITEMS

[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. -(Introduced on 5/25/21)  
\*PUBLIC HEARING TO BE HELD ON TUESDAY, JULY 13, 2021 AT 7:00 PM\***

**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](#)

President Yeargin read in the legislation and gave a brief overview. A public hearing would be held at the next meeting.

Time requested and granted.

### SECOND READING ITEMS

[2021-09](#)      **AN ORDINANCE DECLARING A PORTION OF IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY OWNED BY BOETTNER**

**FARM LIMITED 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 6/8/21)**

**Attachments:** [2021-09 re Lot 2 Boettler Farms Limited](#)  
[2021-09 re Exhibits A B C D E](#)  
[Development Agreement Boettler Farm Limited Lot 2](#)

President Yeargin read in the legislation and briefly went over the discussion.

Time was requested and granted.

#### [2021-10](#)

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA COMPENSATION AGREEMENT WITH THE JACKSON LOCAL SCHOOL DISTRICT FOR CRA #1 - AULTMAN, AND DECLARING AN EMERGENCY. -(Introduced 6/8/21)**

**Attachments:** [2021-10 re Jackson Local School District CRA Comp. Agreement Authorization](#)  
[2021-10 re Exhibit A](#)  
[2021-10 re Exhibit B](#)

President Yeargin read in the legislation and briefly went over the discussion.

Time was requested and granted.

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

All members present.

Councilman Meager brought up the legislation sponsorship issue- it was decided that discussion would take place at the next meeting.

President Yeargin reported that Council meetings would be completely back to pre-covid July 1 and Councilmembers would be required to attend and vote in person.

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

All members present.

### **THIRD READING ITEMS**

#### [2021-R37](#)

**A RESOLUTION AWARDING A CONTRACT TO THE AERO-MARK COMPANY, LLC FOR THE 2021 PAVEMENT MARKING PROJECT, AND DECLARING AN EMERGENCY. -(Introduced on 5/25/21)**



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

Councilman France read in the legislation and briefly went over the discussion.

Committee and Council ok with passage.

**A motion was made by Council Member France, seconded by Council Member Yeargin, 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-R40](#)      **A RESOLUTION AWARDING A CONTRACT TO SPANO BROTHERS CONSTRUCTION COMPANY INC. FOR THE 2021 MISC. CONCRETE REPAIRS PROJECT, AND DECLARING AN EMERGENCY. -(Introduced 6/8/21)**

**Attachments:** [2021-R40 re Misc Concrete Repairs](#)  
[ALL IN ONE 2021 Misc Concrete Repairs](#)

Councilman France read in the legislation and briefly went over the discussion.

Time was requested and granted.

Councilman France stated that Councilwoman Babbitt raised an issue with speeding on Myersville Rd. and discussion took place. He then briefly summarized the Connectivity Study discussion.

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

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

## X. Mayor's Report

Mayor Neugebauer gave his report.

## XI. Unfinished Business

## XII. New Business

## XIII. Adjournment

**A motion was made by Council Member Yeargin, seconded by Council Member Meager, to adjourn the meeting at 7:45 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.