

**Cuyahoga Falls City Council**  
**Minutes of the Finance Committee Meeting**  
**January 17, 2006**

**Members:** Tim Gorbach, Chair  
Jerry James  
Carol Klinger

Mr. Gorbach called the meeting to order at 6:17 p.m. All members were present.

The minutes of December 29, 2006 and January 3, 2006 were approved as submitted.

**Legislation Considered:**

Temp. Ord. A-1  
Temp. Ord. A-2  
Temp. Ord. B-183

**Discussion:**

**Temp. Ord. A-1**

An ordinance authorizing the Director of Finance to enter into a contract and/or contracts with New World Systems for software maintenance and support of the public safety and finance software modules, and declaring an emergency.

Mr. Gorbach read A-1 (second reading). Mr. Konich said this is the third year of a 3-year contract with New World. It's the same amount as it's been over the last two years.

*The Committee recommended bringing out Temp. Ord. A-1 for approval.*

**Temp. Ord. A-2**

An ordinance authorizing the Director of Finance to enter into a contract or contracts for software maintenance and support of the e-government software applications, and declaring an emergency.

Mr. Gorbach read A-2 (second reading). Mr. Konich said this is for all of the HTE software purchased last year. It's a one-year contract.

*The Committee recommended bringing out Temp. Ord. A-2 for approval.*

**Temp. Ord. B-183**

An ordinance authorizing the Mayor to enter into an agreement with Clear Channel Outdoor, Inc. for the removal, renovation, and erection of billboards in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Gorbach said that Council would not be voting on the ordinance at the regular Council meeting on 1-23-06. Council members have some ideas as to how the agreement might be modified and will submit their recommendations to the administration for discussion with Clear Channel within the next two weeks. Once further discussions have taken place, a modified agreement will be presented for consideration at the next Finance Committee meeting on February 6. The purpose of tonight's meeting is to allow the public an opportunity to express their opinions on the subject.

Mayor Robart provided a summary of events leading to this agreement. Clear Channel had the right four years ago to erect four billboards in the area of State Road and Steels Corners, which could prove disastrous. The City met with Clear Channel and recommended the development of a comprehensive plan that would satisfy residents of the community.

Ed Davidian (77 Meadow Lane, Peninsula) introduced F. Eugene Smith, president of the Design Management Group which is famous worldwide for its community beautification efforts.

F. Eugene Smith (1103 Courtleigh Dr., Akron) gave a 10-minute visual presentation illustrating the blight of billboards on our cities, roadways and countrysides. Four states have completely eliminated billboards: Hawaii, Alaska, Vermont and Maine. Tourism subsequently increased in Vermont by 40%. It's good business to have a nice looking state/community. Billboards are out of scale for most communities, trashing the landscape. They aren't maintained, and many are dangerous.

Christine Freitag (830 Eaglenest Ave., Akron), chairman of statewide organization called Scenic Ohio, spoke in opposition to billboards. The mission of Scenic Ohio is to protect and enhance the visual quality and the scenic character of communities. Cities that have enacted sign controls benefit economically and attract new residents. The Ohio Revised Code once had a provision called "amortization" which allowed communities to offer billboard companies an opportunity to amortize over a period of time to receive reasonable return on their investment before billboards were taken down. The provision was later removed but should be put back into the ORC. She is opposed to any new legislation that allows new billboard construction.

Woody Watkins (2546 - 18<sup>th</sup> St., Cuy. Falls) said that this legislation would be detrimental to the City. The billboard on Route 8 will dominate the area, negatively impacting our downtown. He recommends the City seek an agreement that eliminates the boards at State Road and Steels Corners.

Keith Haag (1007 W. Steels Corners Rd., Cuy. Falls) said he attended a number of charettes where most people expressed opposition to billboards. He realizes the City may be forced to accept this agreement, but he hopes we can eventually get rid of billboards altogether.

Rick Sabo (2973 Cedar Hill Rd., Cuy. Falls) said the proposed Route 8 billboard would have a negative impact on the riverfront. A planner once stated that Cuyahoga Falls has one of the finest urban gorges he's ever seen. Why ruin it with a gaudy billboard? The City spent a lot of money for underground utilities near the State Road Shopping Center, but now we face the possibility of another billboard there. It doesn't make sense.

Mrs. Pyke said there are three new billboards proposed: Route 8, State Road/Graham Road, Hudson Drive/Graham Road.

Jack Morrison (2910 - 8<sup>th</sup> St., Cuy. Falls) asked what the City would gain from the agreement. He opposes it.

Jack Richard (2250 Front St., Cuy. Falls) said that billboards are extremely distracting and dangerous to drivers. He would like to see all billboards in the City eliminated.

Alan Weinstein (faculty member at Cleveland State University) said he was speaking at the request of Clear Channel as a paid consultant. He's trained as a lawyer and city planner with a specialty in land use regulations that implicate the First Amendment. He's worked with county prosecutors in lawsuits brought against billboard companies and has appeared as an expert witness on the subject. He conducted a survey in January 2004 which included 271 cities in 46 states across the U.S. Each state had 5 cities represented. The survey indicated that 158 cities (58.3%) permit the construction of new billboards; 17 cities (6.3%) allow construction of new billboards as a conditional use; 34 cities (12.5%) condition the construction of new boards upon the removal or relocation of one or more existing signs; 62 cities (23%) totally prohibit the construction of new signs of those 62 cities, 18 (6.2%) also have ordinances that seek to eliminate outdoor advertising entirely. It appears that the 34 cities above closely resemble the agreement under discussion. Clear Channel is offering to remove much more square footage than the norm. Virginia Tech University has conducted a study re: traffic problems associated with billboards that deserves attention. In Ohio, the only way to remove the billboards is to compensate Clear Channel based on an evaluation of economic value.

Gary Whidden (3430 Kellybrook Dr., Cuy. Falls) said he understands from Mr. Weinstein's comments that the City can be sued, but we need to take a stand on this. Maybe we should look into buying out the billboard companies now so as to protect the future of our City.

Mrs. Pyke recommended that those interested in the subject go online to the Wisconsin Department of Transportation which did an extensive study of an electronic billboard along an expressway which resulted in a 36% increase in side swipes and rear end accidents. She opposes this agreement.

Mr. Mader said that while he originally agreed to sponsor this legislation to bring the subject to the public's attention, he would now like his name removed as he is not in favor of the agreement. He believes it will supersede the City's new sign ordinance, which is a step in the wrong direction.

Mr. Barnhart said the legislation requires much more discussion, since the City does not realize an advantage with this agreement.

Mr. Flinn asked what would happen if B-183 fails. Mr. Arrington said if this legislation fails, Clear Channel has the right to construct the two new billboards at State Rd. and Steels Corners. The existing billboards can remain as a legal non-conforming use as long as they are maintained. If they deteriorate to the point where they're unsafe or fall down, they will have to be removed and cannot be replaced. Clear Channel will have the right to maintain the billboards, but no capital improvements will be allowed.

Mr. Flinn made several recommended a number of changes to the agreement (see Mr. Flinn's notes attached).

The meeting adjourned at 7:40 p.m.

