

Cuyahoga Falls City Council

Minutes of the PUBLIC AFFAIRS COMMITTEE Meeting

July 5, 2005

Chair: Mary Ellen Pyke; Vice Chair: Terry Mader; Member: Jerry James.

Mary Ellen Pyke brought the Public Affairs Committee to order at 7:40 p.m. All members of the Committee were present except for Mr. James. The minutes of 6-20-05 were approved as submitted.

Scheduled legislation (second reading):

B-107	An Ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 8, 2005, which amendment will add a new article, and declaring an emergency.
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Mrs. Jones indicates the Charter Review Commission was a pleasure to serve on. There was a section on Northampton Civil Servants, which is not really needed any further. The Summit County Charter had language that helped delete obsolete items.

The Committee recommended bringing out Temp. Ord. B-107

B-108	An Ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 8, 2005, which amendment will revise Article III, Section 10, and declaring an emergency.
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Mrs. Jones indicates this is a section that contains obsolete items. A 1 and A2 speak to Board of Trustees of the Police Relief and Pension fund, which was language from the Original Charter. We do not need this. Under Section B, the Board of Building Appeals replaces the plumbing board, heating board, and electrical board.

The Committee recommended bringing out Temp. Ord. B-108

B-109	An Ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 8, 2005, which amendment will revise Article VIII, Section 1.9, and declaring an emergency.
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Mrs. Jones indicates this language was proposed by Virgil Arrington. Basically, if the Planning Commission denies a request and Council wants to over-rule their vote, Council should be able to vote by a simple majority, not a 2/3 vote. Mrs. Hummel indicates this is a good change. City Council is the elected body of this city. The Planning Commission is an appointed body and this deals with a simple majority, which I concur with. Mrs. Klinger indicates that from the Buckeye ruling, the voters voted against the plan, which was an Administrative act. It is not a legislative act, and I am not confident if this is the direction we should proceed.

Don Nelsch, North Haven Blvd. He indicates many times Planning Commission's approval is supported by Council. He is not comfortable with the Planning Commission being overruled.

Ed Davidian, 77 Meadow Lane, Peninsula. He would like to know how many cities have the 2/3 majority. He believes that a scope of a project in the works for 2 years shouldn't be voted down by one vote.

Roly Sequin, 1830 High Bridge Road. Relative to one vote being able to set something aside, he feels the diligence must be done.

Cathy Beebe, 747 School Avenue. Virgil was concerned that the Planning Commission had too much power. Mr. Gorbach commented that this can also be reversed. The Planning Commission could have declined a project by one vote that Council may have approved. Doug Flinn indicates that a simple majority may not be in the best interests of the city.

The Committee recommended bringing out Temp. Ord. B-109

B-110	An Ordinance providing an amendment to the Charter of the City of Cuyahoga Falls, Ohio, originally adopted by the electorate on November 3, 1959, and amended from time to time, to be submitted at the next General Election on November 8, 2005, which amendment will revise Article VIII, Section 1.7, and declaring an emergency.
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Mrs. Jones indicates this coordinates with the previous ordinances. Mr. Flinn asks if it is a simple majority to overrule the Charter Commission? Mrs. Jones indicates it is a simple majority.

The Committee recommended bringing out Temp. Ord. B-110

B-111	An Ordinance requiring the removal of any newly constructed billboard no later than ten years after the effective date of this ordinance and declaring an emergency.
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Mr. Barnhart indicates there are two permits on State Road for billboards that have not been constructed. We have slated 8 million dollars in this “bridge” to our National Park and Blossom Music Center. This legislation would limit the time the billboards would stand. Mr. Mader indicates these are slated for my ward and he is in total support of this legislation. Mrs. Jones indicates this will set the city up for payment of the structure, a lease on the property, etc.

Mr. Gorbach appreciates their comments. His concern is that it will cost us money. We will be straddling a future Council and a future mayor with costs that are yet to be determined. Mrs. Hummel asks based on the sign code, we are talking about the moratorium of two signs. Once the permits are pulled, the six-month period will run. Those two billboards would only be allowed for ten years. Mrs. Hummel isn’t looking forward to new billboards and yet she is concerned with the future costs this legislation may incur to our city. There could also be legal fees. Mrs. Klinger asks if we can repeal this ordinance in the future? Mrs. Jones indicates we can repeal it.

Ed Davidian, 77 Meadow Lane, Peninsula. Ten years from now, we may not have to pay for this sign. Any amortization has to be paid for “legislation” that was snuck in on a bill on the State level. Many states have banned billboards. We have “teeth” now with this legislation with Clear Channel. These are one-sided billboards with an erector set on the other side 40 feet in the air. Mr. Korycan indicates they are two sided billboards.

The Committee recommended bringing out Temp. Ord. B-111

Held Legislation:

B-79	An Ordinance amending the Codified Ordinances by the addition of Chapter 907, Titled “Trenching” and declaring an emergency.
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B-80	A Resolution designating the National Incident Management Systems (NIMS) as the basis for all incident management in the City, and declaring an emergency.
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Miscellaneous Business:

The Public Affairs Committee Meeting was adjourned at 8:20 p.m.