

RECORD OF PROCEEDINGS

Minutes of

VILLAGE OF VALLEY VIEW REGULAR COUNCIL

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

JANUARY 9, 20 18

CAUCUS STARTED AT 6:44 PM. MRS. STEPHANIE VERISH AND MR. DAVID BIRTH MADE A PRESENTATION ON BEHALF OF THE VALLEY VIEW HISTORICAL SOCIETY. THE SOCIETY VOTED ON EXPLORING THE POSSIBILITY OF NOMINATING THE CAMPBELL HOUSE TO BE PLACED ON THE NATIONAL REGISTER OF HISTORIC PLACES. A FRIEND OF MRS. VERISH'S, GAIL PEABODY, WOULD BE WILLING TO DO THIS FOR A CLASS SHE IS TAKING IN THE SPRING. MS. PEABODY IS IN THE PROCESS OF GETTING HER DEGREE IN HISTORICAL PRESERVATION. IT WOULD BE AT NO COST TO THE VILLAGE. MAYOR PIASECKI ASKED WHAT ARE THE ADVANTAGES/DISADVANTAGES TO THE VILLAGE? MRS. VERISH REPLIED THAT THE CAMPBELL HOUSE WOULD BE ON A RECOGNIZED LIST OF HISTORICAL BUILDINGS. THERE IS NO COST TO US UNLESS THE VILLAGE WANTS TO BUY A PLAQUE. MAYOR PIASECKI ASKED DOES THE HOUSE THEN BECOME OPEN TO THE PUBLIC? MRS. VERISH REPLIED THAT WE CAN RESTRICT THE HOURS AND THE HOUSE CAN STILL BE RENTED OUT. MS. PEABODY WILL ONLY INVESTIGATE WHETHER THE HOUSE QUALIFIES TO BE ON THE LIST. WE DON'T HAVE TO PROCEED IF IT BECOMES COST PROHIBITIVE. IT IS A VERY PRESTIGIOUS LIST TO BE ON. MAYOR PIASECKI INSTRUCTED THE LAW DIRECTOR TO DRAW UP AN ORDINANCE TO APPROVE THIS FOR NEXT MONTH. IN THE MEANTIME COUNCIL CAN DIRECT ANY QUESTIONS THEY HAVE TO MR. BIRTH. COUNCILMAN WINGENFELD ASKED WHAT IS THE TIMEFRAME FOR THIS PROJECT? MRS. VERISH REPLIED THAT MS. PEABODY'S CLASS STARTS IN THE SPRING. MAYOR PIASECKI WENT OVER THE AGENDA FOR THE COUNCIL MEETING. ORDINANCES 2017-11-5 AND 2017-11-6 PERTAINING TO PAY INCREASES FOR THE PLANNING BOARD AND RECREATION BOARD ARE ON THIRD AND FINAL READING. CAUCUS ENDED AT 6:55 PM.

PRESENT: COUNCILPERSONS WINGENFELD, WYATT, BOROWY, WESTFALL, PERK, LAW DIRECTOR LAMBROS, ENGINEER SCIANO, POLICE CHIEF MARCH, FIRE CHIEF PAPESH, STREET COMMISSIONER SOLDAT, RECREATION DIRECTOR VON VILLE, BUILDING COMMISSIONER ELLIS, CLERK-TREASURER TOMASKO.

MEETING WAS CALLED TO ORDER AT 7:02 PM.

MAYOR PIASECKI PRESIDED.

PLEDGE OF ALLEGIANCE.

MAYOR PIASECKI ASKED FOR NOMINATIONS FOR COUNCIL PRESIDENT PRO-TEMP FOR 2018.

COUNCILMAN WESTFALL NOMINATED COUNCILMAN WYATT.

MOVED BY WESTFALL, SECONDED BY WINGENFELD, TO ELECT COUNCILMAN WYATT COUNCIL PRESIDENT PRO-TEMP FOR 2018.

ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK.
MOTION CARRIED.

COUNCILMAN WYATT WAS ELECTED PRESIDENT PRO-TEMP FOR 2018.

COUNCILMAN WYATT ASKED FOR COUNCIL PREFERENCES FOR COMMITTEES BE SENT TO HIM BY FRIDAY JANUARY 12, 2018.

MOVED BY PIASECKI, SECONDED BY WYATT, TO INSTRUCT COUNCIL MEMBERS TO HAVE THEIR COUNCIL PREFERENCES FOR COMMITTEES TO COUNCIL PRESIDENT WYATT BY FRIDAY, JANUARY 12, 2018.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD.
MOTION CARRIED.

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MAYOR PIASECKI ASKED FOR NOMINATIONS FOR COUNCIL REPRESENTATIVE TO THE PLANNING BOARD FOR 2018.

COUNCILMAN WYATT NOMINATED COUNCILMAN WINGENFELD.

MOVED BY WYATT, SECONDED BY PERK, TO ELECT COUNCILMAN WINGENFELD COUNCIL REPRESENTATIVE TO THE PLANNING BOARD FOR 2018.
ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.
MOTION CARRIED.

COUNCILMAN WINGENFELD WAS ELECTED COUNCIL REPRESENTATIVE TO THE PLANNING BOARD FOR 2018.

MOVED BY BOROWY, SECONDED BY WINGENFELD, TO ACCEPT THE MINUTES OF DECEMBER 5, 2017 AS RECEIVED.
ROLL CALL: AYE; WESTFALL, PERK, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

ORDINANCE: 2017-11-5

AN ORDINANCE AMENDING SECTION 1220.01 ENTITLED "ESTABLISHMENT; POWERS AND DUTIES; MEMBERSHIP; TERMS; VACANCIES; COMPENSATION", AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI AND COUNCILMEN WESTFALL, WINGENFELD AND WYATT.

THIS ORDINANCE IS ON THIRD AND FINAL READING.

COUNCILMAN BOROWY THANKED THE LAW DIRECTOR FOR HIS MEMO LAST NIGHT. COUNCILMAN BOROWY SPOKE REGARDING ORC 713.01 RELATING TO PLANNING COMMISSIONS. HE STATED THAT PAY IS A SUBSTANTIVE MATTER. THE ORC SEEMS CLEAR THAT PLANNING COMMISSION SHOULD NOT BE PAID. WE DO NOT HAVE A CHARTER. COUNCILMAN BOROWY CITED OPINION 71-019, STATUE ALLOWS CREATION OF A PLANNING COMMISSION BUT THEY SERVE WITHOUT COMPENSATION. HE THINKS THEY SERVE WITHOUT COMPENSATION SO THERE IS NO UNDUE INFLUENCE BY THE APPOINTING AUTHORITY. HE PROVIDED A LIST OF NON-CHARTERED VILLAGES IN THE AREA. REGARDING 755.14 PERTAINING TO RECREATION BOARDS, COUNCILMAN BOROWY WOULD LIKE MORE DEFINITIVE ANSWERS, POSSIBLY AN OPINION FROM THE ATTORNEY GENERAL.

LAW DIRECTOR LAMBROS SAID THE ATTORNEY GENERAL'S OPINION CARRIES NO MORE WEIGHT THAN HIS. THERE IS A QUESTION WHETHER A NON CHARTER MUNICIPALITY CAN PASS AN ORDINANCE TO PAY MEMBERS. LAW DIRECTOR LAMBROS CITED A COURT CASE- BELLVILLE VS BEAL REGARDING COMPENSATION OF ALL VILLAGE OFFICERS AND POSITIONS. OUR PLANNING BOARD IS A BOARD OF ZONING APPEALS. AN ORDINANCE WILL BE BROUGHT FORWARD NEXT MONTH TO CLARIFY THE DUTIES OF THE PLANNING BOARD. THEY REVIEW ALL VARIANCES.

COUNCILMAN PERK ASKED, ARE THERE ONE OR TWO BOARD?

MAYOR PIASECKI STATED THERE IS ONE. WE ARE JUST CHANGING WHAT THE PLANNING BOARD IS RESPONSIBLE FOR.

COUNCILMAN PERK STATED HE WOULD LIKE TO TABLE THIS UNTIL WE GET THE NEW ORDINANCE NEXT MONTH CLARIFYING THE DUTIES OF THE PLANNING BOARD.

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COUNCILMAN WINGENFELD MENTIONED THE STATE AUDITS OUR BOOKS. WE HAVE NEVER BEEN CITED FOR PAYING OUR PLANNING BOARD WHEN WE SHOULDN'T HAVE.

COUNCILMAN BOROWY REPLIED THAT THE AUDITOR DOES NOT LOOK FOR THAT.

MOVED BY BOROWY, SECONDED BY PERK, TO TABLE ORDINANCE 2017-11-5.

ROLL CALL: AYE; PERK, BOROWY.
NAY; WINGENFELD, WYATT, WESTFALL.

MOTION DEFEATED.

MOVED BY WESTFALL, SECONDED BY WYATT, TO PASS ORDINANCE 2017-11-5.

ROLL CALL: AYE; WINGENFELD, WYATT, WESTFALL.
ABSTAIN; BOROWY, PERK.

MOTION CARRIED.

ORDINANCE: 2017-11-6

AN ORDINANCE AMENDING SECTION 272.01 ENTITLED "ESTABLISHMENT; DUTIES; MEMBERSHIP", AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI AND COUNCILMEN WESTFALL, WINGENFELD AND WYATT.

THIS ORDINANCE IS ON THIRD AND FINAL READING.

MOVED BY WYATT, SECONDED BY WESTFALL, TO PASS ORDINANCE 2017-11-6.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD.

MOTION CARRIED.

ORDINANCE: 2018-1-1

AN ORDINANCE TO PAY CERTAIN CLAIMS THEREIN MENTIONED DURING THE MONTH OF DECEMBER, 2017 WAS READ BY TITLE ONLY AND INTRODUCED BY COUNCILMAN WESTFALL.

MOVED BY WESTFALL, SECONDED BY WINGENFELD, TO SUSPEND THE RULES AND PLACE ORDINANCE 2018-1-1 ON THIRD AND FINAL READING.

ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.

MOTION CARRIED.

MOVED BY WYATT, SECONDED BY PERK, TO PASS ORDINANCE 2018-1-1.

ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.

MOTION CARRIED.

ORDINANCE: 2018-1-2

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE VILLAGE OF VALLEY VIEW A DONATION OF REAL PROPERTY KNOWN AS PARCEL NUMBER 573-29-002 FROM THE S W CAPLAN TRUST WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

COUNCILMAN WYATT SAID WE HAVE BEEN MAINTAINING THIS PROPERTY THROUGHOUT THE YEARS BY CUTTING THE GRASS.

MAYOR PIASECKI SAID CAPLAN WAS GLAD TO DONATE LAND TO THE VILLAGE.

MOVED BY WESTFALL, SECONDED BY PERK, TO SUSPEND THE RULES AND PLACE ORDINANCE 2018-1-2 ON THIRD AND FINAL READING.

ROLL CALL: AYE; WESTFALL, PERK, WINGENFELD, WYATT, BOROWY.

MOTION CARRIED.

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MOVED BY WESTFALL, SECONDED BY WINGENFELD, TO PASS ORDINANCE 2018-1-2

ROLL CALL: AYE; WESTFALL, PERK, WINGENFELD, WYATT, BOROWY. MOTION CARRIED.

ORDINANCE: 2018-1-3

AN ORDINANCE PROVIDING FOR THE VILLAGE OF VALLEY VIEW, OHIO TO HELP PAY STORMWATER FEES IMPOSED ON VILLAGE RESIDENTIAL PARCELS AS DETERMINED BY THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) STORMWATER MANAGEMENT PROGRAM, AND ESTABLISHING A STORMWATER USER FUND WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI AND COUNCILMEN BOROWY, WESTFALL, PERK AND WYATT.

COUNCILMAN WYATT NOTED THIS COVERS \$50.00-\$75.00 PER RESIDENCE IN THE VILLAGE PER YEAR.

ENGINEER SCIANO NOTED THERE ARE ONLY TWO CITIES IN CUYAHOGA COUNTY WHO PAY THESE FEES FOR ITS RESIDENTS. THEY ARE VALLEY VIEW AND CUYAHOGA HEIGHTS.

MAYOR PIASECKI STATED THE VILLAGE GETS FUNDS BACK TO DO STORMWATER PROJECTS.

COUNCILMAN WINGENFELD ASKED ABOUT COMMERCIAL PROPERTY.

ENGINEER SCIANO EXPLAINED THE TIER RATES AND HOW THEY ARE BILLED.

COUNCILMAN WINGENFELD ASKED IF WE GET MONEY BACK FOR COMMERCIAL PROPERTIES?

ENGINEER SCIANO REPLIED ONLY FOR THOSE THAT PAY.

MOVED BY PERK, SECONDED BY BOROWY, TO SUSPEND THE RULES AND PLACE ORDINANCE 2018-1-3 ON THIRD AND FINAL READING.

ROLL CALL: AYE; PERK, WINGENFELD, WYATT, BOROWY, WESTFALL. MOTION CARRIED.

MOVED BY BOROWY, SECONDED BY WYATT, TO PASS ORDINANCE 2018-1-3.

ROLL CALL: AYE; PERK, WINGENFELD, WYATT, BOROWY, WESTFALL. MOTION CARRIED.

ORDINANCE: 2018-1-4

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EMERGENCY CONTRACT WITH THE GEOPFERT COMPANY TO REPAIR THE COMMUNITY ROOM HVAC SYSTEM AND DECLARING AN EMERGENCY WAS READ BY TITLE ONLY AND INTRODUCED BY MAYOR PIASECKI.

MAYOR PIASECKI STATED THIS WAS APPROVED VERBALLY BY COUNCIL EARLIER LAST WEEK. THIS IS THE FORMAL APPROVAL.

MOVED BY WINGENFELD, SECONDED BY PERK, TO SUSPEND THE RULES AND PLACE ORDINANCE 2018-1-4 ON THIRD AND FINAL READING.

ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK. MOTION CARRIED.

MOVED BY PERK, SECONDED BY WINGENFELD, TO PASS ORDINANCE 2018-1-4.

ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK. MOTION CARRIED.

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NEW BUSINESS FROM MAYOR

MAYOR PIASECKI REPORTED THAT FIRE CHIEF PAPESH WAS AT THE SENIOR MEETING TODAY AND MADE A NICE PRESENTATION OF SERVICES AVAILABLE TO OUR SENIORS.

COMMITTEE REPORTS

CLERK-TREASURER TOMASKO GAVE THE MAYOR AND ALL MEMBERS OF COUNCIL A STATEMENT OF CASH REPORT FOR THE PERIOD ENDING DECEMBER 31, 2017.

FINANCE (WESTFALL)

MOVED BY WESTFALL, SECONDED BY PERK, TO AUTHORIZE THE POLICE DEPARTMENT TO RENEW THE ANNUAL CONTRACT WITH SUNDANCE SYSTEMS FOR 2018 AT A COST OF \$7,980.00.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD.
MOTION CARRIED.

MOVED BY WESTFALL, SECONDED BY PERK, TO AUTHORIZE THE POLICE DEPARTMENT TO PURCHASE THREE NEW POLICE CRUISERS THRU STATE CONTRACT FROM GREVE CHRYSLER AT A COST OF \$65,580.00.

ROLL CALL: AYE; BOROWY, WESTFALL, PERK, WINGENFELD, WYATT.
MOTION CARRIED.

MOVED BY WESTFALL, SECONDED BY PERK, TO AUTHORIZE THE VILLAGE TO APPROVE A CHANGE OF SCOPE FOR THE STRATHMORE PHASE 2 PROJECT FOR FABRIZI TRUCKING & PAVING AT A COST OF \$19,800.00. THIS CHANGE OF SCOPE WILL NOT INCREASE THE TOTAL AMOUNT OF THE CONTRACT.

ROLL CALL: AYE; WESTFALL, PERK, WINGENFELD, WYATT, BOROWY.
MOTION CARRIED.

MOVED BY WESTFALL, SECONDED BY PERK, TO AUTHORIZE THE BUILDING COMMISSIONER TO APPROVE A GENERATOR MAINTENANCE PROGRAM FOR THREE VILLAGE GENERATORS. THIS IS A THREE YEAR PROGRAM THRU GENERATOR SYSTEMS AT A TOTAL COST OF \$10,789.50.

ROLL CALL: AYE; PERK, WINGENFELD, WYATT, BOROWY, WESTFALL.
MOTION CARRIED.

SAFETY (BOROWY) – NO REPORT.

ROAD, TRAFFIC, UTILITY & ENGINEER (WESTFALL) – NO REPORT.

BEAUTIFICATION (WINGENFELD) – NO REPORT.

RECREATION (PERK)

MOVED BY PERK, SECONDED BY WESTFALL, TO AUTHORIZE ENGINEER SCIANO TO REQUEST PROPOSALS FOR ARCHITECTURAL SERVICES FOR THE NEW RESTROOM IN VALLEY VIEW WOODS AT THE SOCCER FIELD.

ROLL CALL: AYE; WINGENFELD, WYATT, BOROWY, WESTFALL, PERK.
MOTION CARRIED.

ENGINEER SCIANO SAID THE RECREATION BOARD MET IN 2016 TO PRIORITIZE PROJECTS. ALL FACILITIES WILL BE ABLE TO BE GRAVITY FED BUT WILL REQUIRE MORE EMPTYING.

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BUILDING & MAINTENANCE (WINGENFELD) – NO REPORT.

HUMAN SERVICES/OFFICE SERVICES (WYATT) – NO REPORT.

SCHOOL (LIASON) (BOROWY)

COUNCILMAN BOROWY STATED THAT MAYOR PIASECKI HAS BEEN HELPING WRITE SOME LITERATURE ABOUT OUR VILLAGE FOR THE SCHOOL'S OPEN HOUSE ON SUNDAY, JANUARY 28, 2018 1:00 – 4:00 P.M. THE B.E.S.T. COMMITTEE WOULD LIKE TWO REPRESENTATIVES FROM THE VILLAGE TO PASS OUT LITERATURE AND TALK TO PEOPLE ABOUT THE SCHOOL. ONE REPRESENTATIVE AT EACH SCHOOL. COUNCILMEN WINGENFELD AND PERK VOLUNTEERED.

MAYOR PIASECKI SAID HE UNDERSTANDS THE VILLAGE IS TRYING TO PROMOTE THE SCHOOL BUT HE DOES NOT THINK WE NEED TO BE THERE TO BE A REAL ESTATE AGENT FOR THE SCHOOL.

POLICE CHIEF MARCH HAD HIS REPORT.

FIRE CHIEF PAPESH HAD HIS REPORT.

FIRE CHIEF PAPESH SAID THE LED LIGHTING AT THE SAFETY CENTER IS COMPLETE AT \$4,000.00 UNDER BUDGET. THERE WERE SOME ISSUES AND WE ADDED SOME ADDITIONAL SAFETY LIGHTS. FIRE CHIEF PAPESH ADDED THAT HE IS LOOKING AT PROJECTS AT OTHER VILLAGE BUILDINGS.

BUILDING INSPECTOR ELLIS HAD HIS REPORT.

BUILDING INSPECTOR ELLIS THANKED FINANCE AND COUNCIL FOR APPROVING THE GENERATOR MAINTENANCE AGREEMENTS.

STREET COMMISSIONER SOLDAT HAD NO REPORT.

RECREATION DIRECTOR VON VILLE HAD HIS REPORT.

RECREATION DIRECTOR VON VILLE STATED THAT FOR THE LAST TWO YEARS HE HAS SUBMITTED INFORMATION ABOUT THE ROOF AT THE COMMUNITY CENTER. HE SAID THE ROOF IS 20 YEARS OLD AND IS GOING TO BE AN ISSUE SOON.

MAYOR PIASECKI EXPRESSED CONCERNS ABOUT THE SOLAR PANELS ON THE ROOF AT THE COMMUNITY CENTER.

COUNCILMAN WYATT STATED THAT ONCE THE NEW COMMITTEES ARE FORMED MR. VON VILLE SHOULD MAKE A PRESENTATION TO THE BUILDING AND MAINTENANCE COMMITTEE.

ENGINEER SCIANO HAD HIS REPORT.

NEW BUSINESS FROM COUNCIL

COUNCILMAN WESTFALL STATED THAT FINANCE HIRED CTL TO DO CORE SAMPLES IN OUR VILLAGE PARKING LOT. IF CUYAHOGA HEIGHTS PASSES THIS ALSO WE WILL SAVE ABOUT \$2,500.00 AS WE WILL BE ABLE TO SHARE THE RIG.

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MAYOR PIASECKI OPENED THE MEETING TO THE PUBLIC.

LARRY ELLIS ASKED WHAT IS GOING ON WITH THE STORMWATER PROJECT ON HATHAWAY.

COUNCILMAN WESTFALL SAID THERE ARE SEVERAL EASEMENTS THAT STILL NEED TO BE SIGNED. HE WILL HAVE THOSE RESIDENTS MEET WITH THE ENGINEER TO GET THEIR QUESTIONS AND OR CONCERNS ANSWERED.

MOVED BY PERK, SECONDED BY WESTFALL, TO ADJOURN.

ROLL CALL: AYE; WYATT, BOROWY, WESTFALL, PERK, WINGENFELD.
MOTION CARRIED.

MEETING WAS ADJOURNED AT 7: 58 PM.

DATED: _____, 2018

MAYOR

ATTEST:

CLERK/TREASURER

THESE ARE THE UNAPPROVED MINUTES
FROM THE JANUARY 9, 2018 VILLAGE
OF VALLEY VIEW COUNCIL MEETING.

Non-Charter Villages

Planning Commission Compensation

Village	Population	County	Compensation
Bentleyville	947	Cuyahoga	0
Bratenahl	1,337	Cuyahoga	0
Valley View	2,179	Cuyahoga	\$900 Current \$1300 Proposed per yr
Walton Hills	2,400	Cuyahoga	\$40 per meeting
Fairport Harbor	3,180	Lake	0
Madison	2,921	Lake	0
Perry	1,195	Lake	0
Creston	2,161	Medina	0
Westfield Center	1,054	Medina	0
Boston Heights	1,186	Summit	0
Clinton	1,337	Summit	0
Lakemore	2,561	Summit	0
LaGrange	1,815	Lorain	0
Sheffield	2,949	Lorain	0
South Amherst	1,863	Lorain	0
Garrettsville	2,262	Portage	0
Hiram	1,242	Portage	0
Mantua	1,046	Portage	0
Windham	2,806	Portage	0
Middlefield	2,233	Geauga	may receive pay Mayor and Council Member 0
South Russell	4,022	Geauga	0

713.01 Establishment of planning commissions.

The legislative authority of each city having a board of park commissioners may establish a city planning commission of seven members, consisting of the mayor, the director of public service, the president of the board of park commissioners, two citizens of the municipal corporation, and two public members who shall serve without compensation and shall be appointed by the mayor for terms of six years each, except that the term of two of the members of the first commission shall be for three years. The legislative authority may, by resolution, change the number of citizen members to an even number of members, not less than four nor more than twelve. Whenever the size of a commission is expanded, the initial appointees to new positions shall be appointed to terms which permit half the citizen members to be reappointed each third year. No reduction in the size of a commission shall affect the term of any incumbent, and at least two citizen members shall be appointed every third year.

The legislative authority of each city without a board of park commissioners may establish a commission of five members, consisting of the mayor, the director of public service, two citizens of the municipal corporation, and one public member who shall serve without compensation and shall be appointed by the mayor for a term of six years, except that the term of one of the members of the first commission shall be for four years and one for two years.

The legislative authority of each city with a commission plan of government, adopted as provided in sections [705.01](#) to [705.06](#), [705.31](#), [705.32](#), and [705.41](#) to [705.48](#) of the Revised Code, may establish a city planning commission of five members, consisting of the chairperson of the legislative authority, three citizens of the city, and one public member to be appointed by the legislative authority for terms of six years each, except that the term of two of the members of the first planning commission shall be for four years and two for two years. All members of the planning commission shall serve without compensation.

The legislative authority of each city with a city manager plan of government, adopted as provided in sections [705.01](#) to [705.06](#) and [705.51](#) to [705.60](#) of the Revised Code, may establish a commission of five members, consisting of the chairperson of the legislative authority, the city manager, two citizens of the city, and one public member who shall serve without compensation and shall be appointed by the city manager for terms of six years each, except that the term of one of the members of the first commission shall be for four years and one for two years.

The legislative authority of each village may establish a commission of five members, consisting of the mayor, one member of the legislative authority to be elected thereby for the remainder of the individual's term as such member of the legislative authority, two citizens of the village, and one public member to be appointed by the mayor for terms of six years each, except that the term of one of the members of the first commission shall be for four years and one for two years. All members shall serve without compensation.

The public members appointed under this section need not be residents of the municipal corporation but shall be residents of the county in which the municipal corporation is located or a township that is adjacent to the county. For purposes of this section, all members of a planning commission are subject to section [2921.42](#) of the Revised Code.

Whenever a planning commission is appointed under this section, it shall have all the powers conferred in section [735.15](#) of the Revised Code.

Except as otherwise provided in its charter, the commission of a charter municipal corporation created in the manner and by virtue of authority granted by its charter, shall have the powers of and the plans made by it shall have the effect of a planning commission or city plan created under sections [713.01](#) to [713.15](#) of the Revised Code.

Any member of a city or village planning commission established under this section or by charter, except as otherwise provided in its charter, may hold any other public office and may serve as a member of a county, and a regional planning commission.

Amended by 132nd General Assembly File No. TBD, HB 49, §101.01, eff. 9/29/2017.

Effective Date: 11-06-1969 .

the first planning commission shall be for four years and two for two years. All members of the planning commission shall serve without compensation.

The legislative authority of each city with a city manager plan of government, adopted as provided in sections 705.01 to 705.06, ~~inclusive~~, and 705.51 to 705.60, ~~inclusive~~, of the Revised Code, may establish a commission of five members, consisting of the ~~chairman~~ chairperson of the legislative authority, the city manager, ~~and three~~ two citizens of the city, and one public member who shall serve without compensation and shall be appointed by the city manager for terms of six years each, except that the term of one of the members of the first commission shall be for four years and one for two years.

The legislative authority of each village may establish a commission of five members, consisting of the mayor, one member of the legislative authority to be elected thereby for the remainder of ~~his~~ the individual's term as such member of the legislative authority, ~~and three~~ two citizens of the village, and one public member to be appointed by the mayor for terms of six years each, except that the term of one of the members of the first commission shall be for four years and one for two years. All ~~such~~ members shall serve without compensation.

The public members appointed under this section need not be residents of the municipal corporation but shall be residents of the county in which the municipal corporation is located or a township that is adjacent to the county. For purposes of this section, all members of a planning commission are subject to section 2921.42 of the Revised Code.

Whenever ~~such~~ a planning commission is appointed under this section, it shall have all the powers conferred in section 735.15 of the Revised Code.

Except as otherwise provided in its charter, the commission of a charter municipal corporation created in the manner and by virtue of authority granted by its charter, shall have the powers of and the plans made by it shall have the effect of a planning commission or city plan created under sections 713.01 to 713.15, ~~inclusive~~, of the Revised Code.

Any member of a city or village planning commission established under this section or by charter, except as otherwise provided in its charter, may hold any other public office and may serve as a member of a county, and a regional planning commission.

Sec. 715.014. (A) As used in this section:

(1) "Tourism development district" means a district designated by a municipal corporation under this section.

(2) "Territory of a tourism development district" means all of the area included within the territorial boundaries of a tourism development district.

755.14 Recreation board - joint recreation district.

(A) If the legislative authority of a municipal corporation determines that the power to equip, operate, and maintain parks, playgrounds, playfields, gymnasiums, public baths, swimming pools, or recreation centers shall be exercised by a recreation board, it may establish such a board, which shall possess all the powers and be subject to all the responsibilities of the respective local authorities under sections [755.12](#) to [755.18](#) of the Revised Code. The board shall consist of five persons, two of whom shall be members of the board of education of the city or village school district or shall be appointed by that board of education. The other members of the recreation board shall be appointed by the mayor or manager as executive of such municipal corporation with the consent of its council. The members who are board of education members and members appointed by a board of education shall be residents of the school district making the appointment but need not be residents of the municipal corporation. All other members of the board shall be residents of the municipal corporation. All members of the board shall serve for terms of five years, except that the members first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter. Members of the board shall serve without pay. Vacancies in the board, occurring otherwise than by expiration of term, shall be for the unexpired term and shall be filled in the same manner as original appointments.

(B) The legislative authorities of the municipal corporations, boards of township trustees of the townships, boards of township park commissioners, boards of county commissioners of the counties, and boards of education of the school districts joined in the operation and maintenance of parks or recreation facilities under section [755.16](#) of the Revised Code may, by resolution, establish a joint recreation board which may possess all the powers and be subject to all the responsibilities of the respective local authorities under sections [755.12](#) to [755.18](#) of the Revised Code. The resolutions shall specify the number of members of the joint recreation board and the method of appointing members and filling vacancies. **Members of the board shall serve without pay.**

(C) The legislative authorities of the several subdivisions joined in the operation and maintenance of recreation facilities under section [755.16](#) of the Revised Code may, by resolution, establish a joint recreation district, consisting of all the territory of the subdivisions so joined. The joint recreation district board of trustees shall be the governing body of a district and shall possess all the powers of a legislative authority of an individual subdivision under sections [755.12](#) to [755.18](#) of the Revised Code. Subject to section [755.141](#) of the Revised Code, the number of trustees shall be fixed by the resolutions creating the district and may be any number so long as there is representation of all participating subdivisions.

Amended by 128th General Assembly File No.46, SB 270, §1, eff. 9/13/2010.

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