

ORDINANCE NO.: 2022-21 (*Amended January 10, 2023*)
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: NOVEMBER 22, 2022 **ASSIGNED TO:** _____

AN ORDINANCE TO AMEND SECTION 1223.06 OF GREEN CODIFIED ORDINANCE TO INCREASE THE TERM LENGTH AND METHOD OF APPOINTMENT FOR MEMBERS OF THE DESIGN REVIEW BOARD.

WHEREAS, the City of Green Administration desires to amend Section 1223.06 of the Codified Ordinances to increase the term of the appointed members of the Design Review Board (“DRB”) from two (2) years to three (3) years; and

~~WHEREAS, the City of Green Administration also desires to amend this Section to indicate that the appointments of the individuals serving on the Design Review Board shall be by the Mayor; and those appointments shall be confirmed by City Council; and~~

WHEREAS, the City of Green Administration also desires to amend this Section to create the position of alternate member to serve on the DRB; and

WHEREAS, the City of Green Administration also desires to amend this Section to indicate that the appointments of the individuals serving on the Design Review Board by the Mayor shall be two (2); and the appointments of the individuals of the Design Review Board by City Council shall be two (2).

WHEREAS, the City of Green Administration also desires to correct the current situation which has caused the terms of the members to run concurrently rather than in a staggered fashion as originally contemplated in Section 1223.06; and

WHEREAS, the DRB has reviewed and recommended the approval of the proposed amendment to Green Codified Ordinance 1223.06; and

WHEREAS, the DRB has also reviewed and recommended the approval of the alteration to the terms of the current members to allow the terms of the members to become staggered and allow for the expiration of the term of one member in consecutive years; and

WHEREAS, it is necessary for City Council to approve this amendment to this process.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

Section 1223.06 of Green Codified Ordinances is amended as follows:

1223.06(2) MEMBERSHIP

- 1) The DRB shall consist of ~~five~~ **six** members **inclusive of an alternate member**, who shall be appointed as follows:

A. The Mayor shall appoint ~~one~~**two** members. **One member and one alternate.** The term of the ~~mayoral~~ **DRB** appointments shall be ~~two~~ **three** years and a person appointed by the Mayor shall fill any expired or unexpired term of the mayoral appointments. **One appointment shall be the alternate member.**

- (2) The City Council shall appoint two members. The term of the Council appointments shall be ~~two~~ **three** years ~~scheduled to expire each year~~. Any expired or unexpired term shall be filled by and appointed by City Council.
- (3) The City Engineer; and
- (4) The Planning Director.
- (5) **Role of the Alternate Member**

The alternate member shall attend all meetings and will receive the same compensation paid to other members of the Design Review Board.

The alternate member shall participate in the discussion of any matter before the Design Review Board as if he/she were an active, voting member.

The alternate member shall only vote on any matter if a Design Review Board member is absent for any reason, including sickness and/or conflict of interest, however, the alternate member shall not vote if five (5) standing members of the Design Review Board are present and able to vote.

SECTION TWO:

The terms of the current members of the DRB shall be amended/alterd as set forth in the following chart. Upon reappointment or replacement of each member, the new member shall serve a ~~five~~ **three**-year term.

Seat	Current Term Expires	Interim Appointment	3-Year Appointment
Matt Glassner (Appt. by Council)	December 31, 2020 December 31, 2022 December 31, 2024	1 year expiring December 31, 2021-2 2 years expiring December 31, 2024	Begins January 1, 2022 3 to Dec. 31, 2025
Tom Wartko (Appt. by Mayor)	December 31, 2020 2022 December 31, 2024	2 year expiring December 31, 2022 3 2024	Begins January 1, 2023 4 to Dec. 21, 2026
John Dodovich (Appt. by Council)	December 31, 2021 2023	2 years expiring December 31, 2023	Begins January 1, 2024-5 Dec. 31, 2027
Alternate (Appt. by Mayor)	December 31, 2023	2 years expiring December 31, 2024 3	Begins January 10, 2025 to Dec. 31, 2027 2023 2025

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: _____, 2023

Nichole Messner, Clerk of Council

Clark DeVitis, Council President

APPROVED: _____, 2023

Gerard M Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2023

ON ROLL CALL: Babbitt _____ Brandenburg _____ DeVitis _____ France _____

Noble _____ Meager _____ Yeargin _____

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Southside Leader publication on _____ and _____

Nichole Messner, Clerk of Council

~~11/17/2022~~ 1/8/23 Approved as to form and content by Lisa Carey Dean, Director of Law _____