

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 8, 2010 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

President of Council Joel Day acknowledged Todd Cox, member of New Philadelphia School Board who was in the audience.

COUNCIL MEMBERS IN ATTENDANCE: MS. SANDY COX  
MS. COLLEEN ESPENSCHIED  
MR. DARRIN LAUTENSCHLEGER  
MR. JIM LOCKER  
MR. ROB MAURER  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA. MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE MARCH 1, 2010 SPECIAL SESSION OF COUNCIL. MR. LOCKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE . . . . . CLERK, PATRICIA MCKAY

1. Auditor's monthly statement of revenue for the general fund for February 2010
2. Auditor's financial statement for the month of February 2010
3. Planning Commission Meeting Minutes For February 9, 2010
4. City of New Philadelphia Mayor's monthly statement to council for the month of February 2010
5. Finance Committee Meeting Minutes for Monday, March 1, 2010
6. New Philadelphia Police Monthly Activity Report for the month of February 2010

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT/REQUEST.....MAYOR MICHAEL TAYLOR

The Mayor announced there were 1000 responses to the survey on the downtown that were sent out in the February utility bills. (Residents were asked to complete the survey and return it with their utility payment or complete the survey on the city's website.) All survey results will go to the Mayor's Advisory Committee on the central business district for inclusion to their ideas and the work they have done. By midyear, council should receive a final report for recommendations to be considered by the city for the central business district to increase its desirability as a business location and destination.

Mayor Michael Taylor congratulated Gradall Management and labor for their successful bargaining agreements announced in today's paper. Gradall is an important and vital employer in New Philadelphia and their agreement seems to solidify their presence in the city at this time.

The Mayor requested that council pass tonight Resolution 11-2010 adopting the AFSCME Clerical Contract.

SERVICE DIRECTOR . . . . . MR. JIM ZUCAL

Reported the city’s street department employees will continue to patch pot holes daily and will be sweeping streets as weather permits. The City of New Philadelphia has been recognized as Tree City USA for the 23<sup>RD</sup> year, by keeping up with standards on the National Arbor Day Foundation and the Ohio Department of Natural Resources a Division of Urban Forestry.

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham commended three New Philadelphia police officers for their life saving efforts on the March 2, 2010 event at a gas station around 1:30 PM in the afternoon. Mr. Popham announced: that the new dispatcher/jailer hired for the Police Department is Winona McCoun, who started today, March 8, 2010.

AUDITOR. . . . .MS. BETH GUNDY . . . . .NO REPORT

TREASURER . . . . .MR. DAVE JOHNSON . . . . .NO REPORT

LAW DIRECTOR . . . . .MR. MICHAEL JOHNSON . . . . .NO REPORT.

Recommended that Resolution 9-2010 and Resolution 10-2010 should be tabled because the time period to reject or adopt the tentative contract has already passed.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The planning commission for March was cancelled as there were no items on the agenda  
The next tentative meeting for the planning commission will meet Tuesday, April 13, 2010 at 1:00 PM in Council Chambers.

BOARD OF ZONING APPEALS . . . . . MR. JIM ZUCAL

There was no Board of Zoning Appeals meeting scheduled for the month of March.  
The next meeting for the Board of Zoning Appeals will meet Tuesday, April 13, 2010 at 5:00 PM in Council Chambers, providing there are items on the agenda.

AIRPORT COMMISSION.....MR. JIM LOCKER . . . . .NO REPORT

Airport Commission will meet Tuesday, March 9, 2010 at 6:00 PM at the Airport meeting room

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER . . . . . NO REPORT

HEALTH BOARD.....MS. SANDY COX

The Health Board will meet Wednesday, March 17, 2010 at 12:00 noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDY COX . . . . .NO REPORT  
President Joel Day assigned to the Finance committee Ordinance 7-2010 (utility bills) and Resolution 13-2010 (smart bill program).

SALARY COMMITTEE . . . . .MR. JIM LOCKER . . . . . NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . MR. ROB MAURER . . . . .NO REPORT

Meeting will be held Monday, March 22, 2010 at 6:15 PM at the Council Chambers. With Safety, Health, and Service Committee and ODOT officials to discuss the West High Avenue Lane project.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . MR. DARRIN LAUTENSCHLEGER... NO REPORT

ZONING & ANNEXATION COMMITTEE . . . . . MS. COLLEEN ESPENSCHIED.....NO REPORT  
There will be a meeting with Zoning & Annexation Committee Tuesday, March 16, 2010 at 6:00 PM at the Council Chambers. Purpose is to discuss Personal and Family Counseling Service of Tuscarawas Valley, Inc .Annexation to the City of New Philadelphia.

CONTACT & SPECIAL COMMITTEE . . . . .MR. JOHN ZUCAL . . . . . NO REPORT  
There will be a meeting Monday, March 22, 2010 at 7:00 PM in the Council Chambers to discuss the approval of the job description for the clerk of council and the request for a liquor permit for HARSV Petroleum LLC, 1219 E. High Avenue, New Philadelphia for a new C-1 permit.

PARKS & CEMETERY COMMITTEE . . . . MS. WINNIE WALKER .....NO REPORT

VISITOR’S COMMENTS: NONE.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 2-2010 An ordinance by the Council of the City of New Philadelphia, Ohio to enact the new administrative code section 159.05 and to repeal existing section 159.05 of the administrative code, and declaring an emergency. (3<sup>rd</sup> Reading)  
Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker. Roll call, 7 yeas, ordinance passed.
- 3-2010 An ordinance to make appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio during the fiscal year ending December 31, 2010, and declaring an emergency. (2<sup>nd</sup> Reading)
- 4-2010 An ordinance by the Council of the City of New Philadelphia directing the service director to advertise for bids and to enter into contracts with the lowest and best bidder for the city’s requirements of various materials and supplies for 2010 , and declaring an emergency. (1<sup>st</sup> Reading)
- 5-2010 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize and direct the service director to advertise for bids, to receive bids and to enter into contracts with the lowest and best bidder and award the 2010 CDBG project, and declaring an emergency. (1<sup>st</sup> Reading)

RESOLUTIONS:

- 5-2010 A resolution by the Council of the City of New Philadelphia, Ohio to commend Diane M. Roudebush for her years of service as Clerk of Council for the City of New Philadelphia, and declaring an emergency (3<sup>rd</sup> Reading)

Motion to vote on passage made by Mr. Locker, seconded by Ms. Cox. Roll call, 7 yeas, resolution passed.

- 6-2010 A resolution by the Council of the City of New Philadelphia, Ohio to commend Larry L. Tate for his years of service as Custodian for the City of New Philadelphia City Hall and declaring an emergency (3<sup>rd</sup> Reading)  
Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Maurer. Roll call, 7 yeas, resolution passed.
- 7-2010 A resolution by the Council of the City of New Philadelphia, Ohio to commend Robert N. Conner for his years of service as Councilman of Ward 2 for the City of New Philadelphia and declaring an emergency. (3<sup>rd</sup> Reading)  
Motion to vote on passage made by Mr. Locker, seconded by Ms. Cox. Roll call, 7 yeas, resolution passed.
- Because Mr. & Mrs. Conner were in the audience, President of Council Joel Day requested Mr. Conner and his lovely wife to come forward so he could present Mr. Conner with a recognition plaque from the New Philadelphia Council to thank Mr. Conner for his years of service as Councilman of Ward 2 for the City of New Philadelphia.
- 9-2010 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the tentative agreement between the City of New Philadelphia, Ohio and AFSCME to be effective January 1, 2010 through December 31, 2012 and declaring an emergency. (2<sup>nd</sup> Reading)  
Motion to vote to table Resolution 9-2010 made by Mr. Lautenschleger, seconded by Mr. Locker. Roll call, 7 yeas, resolution tabled.
- 10-2010 A resolution by the Council of the City of New Philadelphia, Ohio to reject the tentative agreement between the City of New Philadelphia, Ohio and AFSCME to be effective January 1, 2010 through December 31, 2012 and declaring an emergency. (2<sup>nd</sup> Reading)  
Motion to vote to table Resolution 10-2010 made by Mr. Zucal, seconded by Ms. Cox. Roll call, 7 yeas, resolution tabled.
- 11-2010 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the tentative agreement between the City of New Philadelphia, Ohio and Local 1958, and Ohio Council 8 AFSCME, AFL- CIO to be effective January 1, 2010 through December 31, 2012 and declaring an emergency. (2<sup>nd</sup> Reading)  
Motion to suspend the rules made by Ms, Cox, seconded by Mr. Locker Roll call, 7 yeas, rules suspended.  
Motion to vote on passage made by Mr. Locker, seconded by Mr. Zucal.  
Roll call, 3 yeas 4 nays (Ms. Cox, Ms. Espenschied, Mr. Lautenschleger and Ms. Walker)  
Resolution failed.
- 12-2010 A resolution by the Council of the City of New Philadelphia, Ohio to reject the tentative agreement between the City of New Philadelphia, Ohio and Local 1958, and Ohio Council 8 AFSCME, AFL- CIO to be effective January 1, 2010 through December 31, 2012, and declaring an emergency. 2<sup>nd</sup> Reading  
  
Motion to suspend the rules made by Mr. Lautenschleger, seconded by Ms. Cox Roll call, 7 yeas rules suspended.  
Motion to vote on passage made by Mr. Lautenschleger, seconded by Ms. Cox.  
Roll call, 5 yeas 2 nays (Mr. Maurer, Mr. Zucal) Resolution 12-2010 was approved

UNFINISHED OR OLD BUSINESS:

NEW BUSINESS:

Mr. Lautenschleger and Mr. Maurer wanted clarification of the votes for Resolution 12-2010 on the action that was taken.

The Law Director said it takes 6 votes to suspend and 5 votes to pass.

We have rejected the contract so first step is to go back to fact finding.

The Mayor requested a special meeting with council to receive direction as to what they specifically want him to take to fact finder.

A Special Meeting has been scheduled for March 16, 2010 immediately following the 6:00 PM Zoning & Annexation Committee meeting, discuss the AFSCME Clerical Negotiations.

Today is Ms. Walker's birthday, the President, Joel Day requested everyone sing Happy Birthday to Ms. Walker.

Ms. Walker thanked everyone.

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 7:59 P.M.

CLERK OF COUNCIL \_\_\_\_\_

APPROVED

PRESIDENT OF COUNCIL \_\_\_\_\_