

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 11, 2009 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

MR. DAY REMINDED EVERYONE THAT THE NEXT COUNCIL MEETING WILL BE THURSDAY, MAY 28, 2009 AT 7:30 P.M. DUE TO THE MEMORIAL DAY HOLIDAY.

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

MS. COX ADDED ORDINANCE 21-2009, AND MR. CONNER WITHDREW ORDINANCE 11-2009 FROM TONIGHT'S AGENDA. MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA. MR. MAURER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 27, 2009 COUNCIL MEETING. MS. ESPENSCHIED SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Auditor's Monthly Statement of Revenue for the General Fund for April 2009.
2. The Auditor's Financial Statement for April 2009.
3. Mayor's Monthly Statement to Council for March 2009.
4. Finance Committee meeting minutes of April 27, 2009.
5. Airport Commission meeting minutes of April 14, 2009.
6. Special/Contact Committee meeting minutes of April 29, 2009.
7. New Philadelphia Police Monthly Activity Report for April 2009.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT.....MAYOR MIKE TAYLOR

Reported that he met on April 29 with County Commissioners, the Director of the Port Authority, and the Chamber Executive Director in Columbus with ODOT concerning the West High Avenue property. Reported that Arbor Day was celebrated last week by the planting of a tree at South Elementary School. Reported that the Water Department is continuing to work on the list of identified leaks within the City. Reported that training for interest based bargaining has been scheduled for next month, with all four unions agreeing to the training.

SERVICE DIRECTOR MR. JIM ZUCAL

Reported that work will be done to replace the concrete under the Mill Ave. railroad overpass. Reported that the Housing Review Team reviewed 7 sites within the City. Bids for materials will be opened this week. Reported that an employee newsletter will be prepared and included in the employee paychecks.

SAFETY DIRECTOR.....MR. GREG POPHAM

Reported that the Civil Service Exam was administered on April 29 for a police patrolman. 32 candidates took the written test. Part II of the test will be given May 19.

AUDITOR.MS. BETH GUNDY NO REPORT

TREASURER MR. DAVE JOHNSON ABSENT NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON

Reported that the legal notice for the Public Hearing to be held on May 28 on Ordinance 16-2009 was not advertised within the required 30 day time frame, so he rescheduled it for June 22, 2009 at 8:00 P.M. Reported that he has filed a motion to dismiss the Simpson Heating & Cooling lawsuit.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Reported that there will be no May meeting, and the next meeting will be June 9, 2009 at 1:00 P.M. if there is business to come before the Commission.

BOARD OF ZONING APPEALS MR. JIM ZUCAL

Will meet May 12, 2009 at 5:00 P.M. in Council Chambers with one variance to be heard.

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

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

HEALTH BOARD.....MS. SANDY COX

Will meet May 27, 2009 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Reported meeting tonight to discuss Ordinance 21-2009, amending and adjusting the appropriations. The Committee recommends emergency passage on 2nd reading at the May 28 meeting. Mr. Day assigned the sale of a truck being used in the Water Department.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting tonight to discuss housing prisoners at the county jail. An ordinance will be prepared and before Council at the next meeting.

SAFETY, HEALTH, AND SERVICE COMMITTEE ... MR. ROB MAURER

Informed Council that the Corvette Rally at the airport will not take place, as advised by the FAA. Mr. Day assigned complaints of loud noise from car stereos.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. DARRIN LAUTENSCHLEGER

Reminded Council that the Committee will meet Tuesday May 12 at 4:30 P.M. in the Airport Conference Room to discuss land acquisition.

ZONING & ANNEXATION COMMITTEE MS. COLLEEN ESPENSCHIED NO REPORT

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER

Scheduled a meeting for May 18 at 6:00 P.M. to discuss the solicitor's ordinance.

PARKS & CEMETERY COMMITTEE MS. WINNIE WALKER NO REPORT

VISITOR'S COMMENTS:

Mr. Tom Strickling, 319 Fair Ave. N.W., New Philadelphia, commented that the new sidewalk on Fair Ave. was not properly done on one side of the street. He said some of the cement is crumbling after the winter weather.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

16-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning at Fourth Street NW and West High Avenue from Office or Residential to Business as presented by the Fourth and West High Property Owner's Group for the properties as shown in the attached map, and declaring an emergency. (2nd Reading)

Public Hearing to be held June 22 2009 at 8:00 P.M.

17-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to amend 971.06 Trash Collection Rates for the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)

Mr. Lautenschleger made a motion to amend to change the effective collection dates from May 1, 2009 to June 1, 2009. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

21-2009 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2009 and declaring an emergency. (1st Reading)

RESOLUTIONS:

7-2009 A resolution by the Council of the City of New Philadelphia, Ohio to approve and adopt the Tuscarawas County Tax Incentive Review Council's recommendations to the Enterprise Zone Annual Report for fiscal year 2009, and declaring an emergency. (1st Reading)

9-2009 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the increase in water and sanitary sewer rates as suggested by the New Philadelphia Service Director and implementation of the rates and declaring an emergency. (2nd Reading)

Mr. Lautenschleger made a motion to amend to change the effective collection dates from May 1, 2009 to June 1, 2009. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

10-2009 A resolution by the Council of the City of New Philadelphia, Ohio to terminate the Enterprise Zone Agreement with Miller Studio Inc. and to submit the same to the State of Ohio Department of Development, and declaring an emergency. (1st Reading)

UNFINISHED OR OLD BUSINESS:

Mr. Conner asked how the recent finding of water leaks will affect the proposed water rates. Service Director Jim Zucal said he is not prepared to answer this question, but he will talk to Water Superintendent Kelly Ricklic. Mr. Conner said he is interested to know the impact of the proposed rates as compared to the amount of water being lost in these leaks.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 7:56 P.M.

CLERK OF COUNCIL_____

APPROVED May 28, 2009

PRESIDENT OF COUNCIL_____