

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 8, 2002 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL PRO TEM GEORGE HOUSTON PRESIDING. MR. HOUSTON OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE: MR. ART CICCONETTI  
MS. SANDRA COX  
MR. JOEL DAY  
MR. SAM HITCHCOCK  
MR. GEORGE HOUSTON  
MR. ROB MAURER

COUNCILMAN JIM LOCKER WAS ABSENT.

MR. HOUSTON MADE A MOTION TO ADD ORDINANCE 27-2002 TO TONIGHT'S AGENDA. MS. COX SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO TAKE ORDINANCE 27-2002 OFF THE TABLE. MR. DAY SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

THE MINUTES OF JUNE 24, 2002 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. Summary of Reports from the Police Department dated July 3, 2002.
2. Finance Committee meeting minutes of June 24, 2002.
3. Contact Committee meeting minutes of July 1, 2002.
4. Annexation & Zoning Committee meeting minutes of June 27, 2002.
5. New Philadelphia City Board of Health meeting minutes of June 12, 2002.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT . . . . . MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from June 25 through July 8, 2002. Reported that on July 2 he attended a meeting at Quicksall & Assoc. regarding the traffic light program. All traffic lights within school zones will be operating by the end of July, with the remaining lights to be in operation by the end of October. Reported that the recent First Town Days Festival was a huge success, and thanked all departments and staff who helped in any way. Reported that he will meet Thursday July 11 with all department heads concerning the move to the former Elk's building, and they will review blueprints for future offices. Requested emergency passage of Ordinance 57-2002.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that approximately 335 cemetery lots remain to be sold at the cemetery. Reported that additional trash containers were ordered for the cemetery. Reported that bids will be opened on July 23 for the South Broadway paving project. Yielded the floor to Building Inspector Bill Richesson, who reported that the Housing Board of Appeals met last week concerning a property owned by Wesley Tolle. The Board voted to find Mr. Tolle in violation of the housing code, and legal proceedings will begin soon. Mr. Richesson requested that the issue of modular and pre-fab homes be assigned to Committee, and also the issue of billboards. Mr. Cicconetti thanked the

Service Director for having the grass on properties that were recently damaged by fire on East High Avenue mowed. Both Mr. Espenschied and Mayor Brodzinski agreed that solving the issue of the burned out properties, who are in bankruptcy, is quite frustrating. Mr. Espenschied thanked the Finance Committee for appropriating additional money for the sidewalk replacement fund, due to the number of residents who are requesting to participate in the program. Mr. Houston said the Zoning & Annexation Committee would take the assignment of the modular units and billboards.

SAFETY DIRECTOR . . . . .MR. GREG POPHAM

Commended the fire and police departments for the fine job they did during the recent festival and holiday time.

AUDITOR . . . . .MS. BETH GUNDY

Reported that the state auditors held an exit conference last week, and final copies will be available soon. Requested passage tonight of Ordinances 50-2002, 51-2002, 56-2002, 58-2002, and Resolutions 25-2002 and 26-2002. Requested that transfers made in her office be approved.

TREASURER . . . . .MS. TERRI DEARDORFF . . . . . ABSENT . . . . . NO REPORT

LAW DIRECTOR . . . . .MR. MIKE JOHNSON . . . . .ABSENT . . . . . NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Will meet July 12 at 1:00 p.m. in the Police Department Conference Room.

BOARD OF ZONING APPEALS . . . . .MR. GARY ESPENSCHIED

Reported meeting July 2, 2002. Eleven appeals were heard, with 10 being accepted and 1 rejected.

AIRPORT COMMISSION . . . . .MR. JIM LOCKER . . . . . ABSENT

Will meet Tuesday, July 9 at 6:00 p.m. in the Airport Conference Room.

PARK BOARD . . . . .MR. ART CICONETTI . . . . . NO REPORT

HEALTH BOARD. . . . .MS. SANDRA COX

Will meet Wednesday, July 10 at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . .MS. SANDRA COX

Reported meeting immediately following council's regular session on June 24 to continue discussion on Ordinances 50-2002 and 51-2002. Both issues were approved by Committee. Also reviewed was Resolution 24-2002, which was also approved by Committee. Reported meeting July 8 to discuss Resolution 26-2002, Ordinance 56-2002, Resolution 23-2002, the Auditor's transfers, Resolution 25-2002, and Ordinance 58-2002. All items were approved by Committee. Ms. Cox made a motion to approve the Auditor's transfers. Mr. Day seconded the motion. Roll call, 6 yeas, motion passed.

SALARY COMMITTEE . . . . . MR. JIM LOCKER . . . . . ABSENT

In the absence of Mr. Locker, Mr. Day recommended that Ordinance 47-2002 be passed tonight.

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . . . MR. SAM HITCHCOCK

Reported meeting tonight prior to regular session to discuss Resolution 21-2002, agreement with ASCAP. After considerable discussion, the Committee agreed that this resolution is not necessary, and they recommend it be defeated.

PUBLIC WORKS COMMITTEE. . . . . MR. JOEL DAY

Reported meeting tonight to discuss storm sewers for Union Avenue. Civil Design will look into the possibility of routing the storm water into the Wabash Ave. storm sewer.

ZONING & ANNEXATION COMMITTEE . . . . . MR. GEORGE HOUSTON

Reported meeting June 27 to discuss Ordinance 27-2002, which was tabled earlier in the spring. The Committee voted to bring the ordinance off the table and present it to council for consideration. Also discussed was a request to rezone property at Martin & Union Ave. N.E. from industrial to residential. A public hearing is scheduled for this request on August 12, 2002, at which time the Committee will recommend passage.

CONTACT COMMITTEE. . . . . MR. ART CICCONE

Reported meeting July 1 to discuss the 15-year plan for the Solid Waste District. The Committee approved the plan, and they recommend emergency passage of Ordinance 57-2002, which is before council for consideration tonight. Also discussed was preparation for the city’s bicentennial that will be held in 2004. The Committee is looking for volunteers who wish to help with the planning.

SPECIAL COMMITTEE . . . . . MR. ROB MAURER . . . . . NO REPORT

VISITOR’S COMMENTS:

Sam Hitchcock, 604 North Broadway, New Philadelphia, presented the 25<sup>th</sup> Anniversary First Town Days Plate to Mayor Brodzinski for display in the Mayor’s office, and thanked the Mayor for his attendance at certain activities. Mr. Hitchcock also presented a “Purple Heart” award to Council member Sandy Cox for injuries she received at the softball game featuring the City Slickers vs. the County Terminators at the First Town Days Festival.

Ella Slough, 616 Sandpiper S.E., New Philadelphia, asked the status of the Airport Restaurant, and said maybe more laws are needed for the Building Inspector. She asked if there are available lots at the Fair Avenue cemetery, and if the Traffic Commission and Records Commission still exist, and when are their meetings. Mayor Brodzinski said the Airport Restaurant is awaiting their liquor license, and they hope to open soon, and he thinks there are approximately 40 lots available at the Fair Avenue cemetery. Mayor Brodzinski said neither Commission is active at this time.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

27-2002 An ordinance by the Council of the City of New Philadelphia accepting the Creekside Development #3 plat, and declaring an emergency. (4<sup>th</sup> Reading)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 6 yeas, ordinance passed.

- 47-2002 An ordinance to authorize additional payment to the Mayor for health insurance cost, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Day. Roll call, 6 yeas, ordinance passed.
- 48-2002 An ordinance to authorize the City of New Philadelphia, Ohio, to enter into a contract with Main Street New Philadelphia, Inc. for economic development of the downtown New Philadelphia for the calendar year 2002 and to pay to Main Street New Philadelphia, Inc. the sum of ten thousand dollars (\$10,000), and declaring an emergency. (2<sup>nd</sup> Reading)
- Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Cicconetti. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Cicconetti. Roll call, 5 yeas 1 nay (Cox), ordinance passed.
- 50-2002 An ordinance authorizing the City of New Philadelphia Auditor to establish the OPWC Fund #400 to receive revenue from Ohio Public Works Grants (Issue II money) and revenue from Master Capital Funds for the City's share of the project, and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 yeas, ordinance passed.
- 51-2002 An ordinance authorizing the City of New Philadelphia Auditor to directly deposit a portion of the income tax revenue into the OPWC Fund #400 in an amount equal to the City's share of the project costs and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas, ordinance passed.
- 52-2002 An ordinance to approve, adopt and enact the current replacement pages to the Codified Ordinances, and declaring an emergency. (2nd Reading)
- 55-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone certain land being part of the Marsh Industries property bounded on the north by Martin Street located west of Union Avenue and north of Emmett Avenue being 3.874 acres, from Industrial to Residential zone. (2nd Reading)
- Public Hearing to be held August 12, 2002 at 8:00 P.M.
- 56-2002 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2002 and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Cicconetti, seconded by Mr. Maurer. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Houston. Roll call, 6 yeas, ordinance passed.

57-2002 An ordinance approving the draft revised solid waste management plan of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 6 yeas, ordinance passed.

58-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize the New Philadelphia City Auditor to advertise for bids for lease and/or purchase financing for the rescue pumper fire truck authorized to be purchased by Ordinance Number 20-2002 and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Day. Roll call, 6 yeas, ordinance passed.

#### RESOLUTIONS:

21-2002 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio authorizing the Mayor to enter into an agreement with the American Society of Composers, Authors, and Publishers (ASCAP) and pay a licensing fee yearly, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Maurer. Roll call, 0 yeas, 6 nays (Hitchcock, Maurer, Cox, Houston, Cicconetti, Day), ordinance failed.

24-2002 An ordinance declaring it necessary to levy a tax in excess of the ten-mill limitation, and declaring an emergency. (2nd Reading)

25-2002 A resolution declaring the necessity to request an advance of \$750,000.00 from the County Auditor on the July, 2002 real estate tax settlement, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Day. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Mr. Cicconetti, seconded by Mr. Day. Roll call, 6 yeas, resolution passed.

26-2002 A resolution requesting the County Auditor to certify the total current tax valuation and the dollar amount of revenue to be generated by a tax of 2.25 mills and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Mr. Cicconetti, seconded by Ms. Cox. Roll call, 6 yeas, resolution passed.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MOTION PASSED. MEETING ADJOURNED AT 8:39 P.M.

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

APPROVED July 22, 2002

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