

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 26, 2011 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER AND THANKED THE LORD FOR RETURNING MR. JOHN ZUCAL TO THE MEETING SO SOON AFTER HEART SURGERY AND PRAYED THE LORD WOULD CONTINUE TO GIVE JOHN STRENGTH IN HIS RECOVERY AND TO GIVE HIM THE PATIENCE TO FOLLOW THE DOCTORS ORDERS. ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

PRESIDENT JOEL DAY ANNOUNCED COUNCIL MEMBERS, MS. COLLEEN ESPENSCHIED, AND MR. JAMES LOCKER, THE SERVICE DIRECTOR, MR. JAMES ZUCAL, AND THE SAFETY DIRECTOR, MR. GREG POPHAM ARE EXCUSED FROM TONIGHT'S COUNCIL MEETING.

COUNCIL MEMBERS IN ATTENDANCE:

MS. SANDY COX
MR. DARRIN LAUTENSCHLEGER
MR. ROB MAURER
MS. WINNIE WALKER
MR. JOHN ZUCAL

PRESIDENT JOEL DAY ANNOUNCED THAT WE HAVE A QUORUM PRESENT THIS EVENING, HOWEVER, WE DO NOT HAVE ENOUGH MEMBERS PRESENT TO SUSPEND THE RULES AND PASS ANY LEGISLATION UNDER SUSPENSION OF THE RULES.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA.
MR. LAUTENSCHLEGER SECONDED THE MOTION.
ROLL CALL, 5 YEAS, MOTION PASSED

MR. ZUCAL MADE A MOTION TO APPROVE THE MINUTES OF THE PREVIOUS SESSION HELD SEPTEMBER 12, 2011 AND MS. WALKER SECONDED THE MOTION.
ROLL CALL, 5 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Mayor's Report/Requests to Council September 26, 2011
2. September 26, 2011 New Philadelphia Treasurer' Progress Report , March 2011 Summary of Transactions for the General Checking Account, and the Reconciliation for the period ending March 2011
3. Bankers' Acceptances and Commercial Paper Investment Training, Presented by State of Ohio Auditor, David Yost's Office - Local Government Services, Wednesday, November 2, 2011, 12:30 PM – 3:30 PM
State Library of Ohio, 274 E. First Ave., Columbus, Ohio 43201.
Deadline for registration is October 25, 2011.
4. Finance Committee Meeting Minutes from September 12, 2011
5. Airport Commission Meeting Minutes from February 8, 2011, March 15, 2011, April 12, 2011, May 10, 2011, June 14, 2011 and July 12, 2011.
There was not any meeting in January, 2011 because of bad weather.

ADMINISTRATIVE REPORTS:

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

Mayor Taylor reported the following:

The Mayor congratulated Prestige Creative Marketing, on the improvements they have made to their new location on the corner of Tuscarawas Avenue and Sherman Avenue NW.

The Mayor thanked the Drabik family and Dante's Pizza and Pasta House for continuing the tradition of raising funds for the Hospice House in New Philadelphia. Dan and Betty Drabik were able to host their fundraiser with the support and cooperation of the New Philadelphia Elks Lodge.

The Mayor reported the Service Director and he recently met with local ODOT officials to discuss the possibility of combining a Storm Water Project for Five Points with the West High Widening Project.

The Mayor reported the Records Commission recently approved an RC 1 destruction request for old records that have been in the Commercial Avenue building for years. The Mayor commended Jeff Urban, the Chief of Police who has worked hard to complete this process. The Tuscarawas County Historical Society would like all of these records. Arrangements will be made to deliver them to their location.

The Mayor requested the Council President assign to committee a 2012 OPWC Sanitary Sewer Project request, this is an 80-20 program and the application will be due November 4th. If the committee votes to move forward, the legislation will need passed by the last meeting of October. The project is to install a sanitary sewer line from the end of the current line on North Avenue NE along the old railroad bed the city owns to Hillandale Avenue.

SERVICE DIRECTOR.....MR. JAMES ZUCAL.....NO REPORT
EXCUSED ABSENCE

AUDITORMS. BETH GUNDYREPORT.....NO REPORT

SAFETY DIRECTOR.....MR. GREG POPHAM.....NO REPORT
EXCUSED ABSENCE

TREASURERMR. DAVE JOHNSON.....NO REPORT
Mr. Johnson announced that he distributed to Council a copy of his September 26, 2011 progress report and March 2011 Treasurers' reports.

LAW DIRECTORMR. MICHAEL JOHNSON
The Law Director reported at the end of last week the Supreme Court of Ohio unanimously rejected a request for reconsideration of the Rhodes Case. We now consider it officially over.
The Law Director reported he received communication from the Fire Chief that the Fire Department was ordering a new ambulance and are requesting permission for the old one, valued at around \$32,000.00, to be sold on e-government site. The Law Director felt this should go through a committee and be approved by Council and requested President Joel Day assign it to a committee. The Law Director announced the new one is expected around the end of October.
The Law Director reported we have an ordinance on the books that says we cannot put signs out in the City of New Philadelphia more than 30 days prior to an election. That ordinance is no longer valid. The Ohio Supreme Court has said "political signs are a form of free speech. As such, we cannot restrict it to just 30 days before the election". Should we desire we can pass legislature to repeal it. The ordinance itself is not enforceable, we have the choice, we can leave it on the books just as a courtesy reminder that is not enforceable.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR
The Mayor announced the next Planning Commission Meeting will be held October 11, 2011, at 1:00 PM in Council Chambers pending and agenda.

BOARD OF ZONING APPEALS.....MR. JAMES ZUCAL
EXCUSED ABSENCE
The Mayor announced that, the Board of Zoning Appeals Meeting will be held Tuesday, October 11, 2011, at 5:00 PM in Council Chambers.

AIRPORT COMMISSION.....MR. JAMES LOCKER.....NO REPORT
EXCUSED ABSENCE
Mr. Zucal Airport Commission member answered no report.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER
Mr. Lautenschleger reported the September 21, 2011 Park Board Meeting was cancelled due to

conflicting schedules. Mr. Lautenschleger announced an October meeting will be scheduled.

HEALTH BOARD.....MS. SANDY COX

Ms. Cox announced that the Health Board will meet Wednesday, October 19, 2011 at 12:00 noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDY COX

Ms. Cox reported that the Resolution 29-2011, 30-2011 and 31-2011 need the words up to added before the figures of the money in the preamble and section (1) in all three resolutions

to transfer up to \$105,000.00 from the General Fund #101 to the Cemetery Operating Fund #209

to transfer up to \$30,000.00 from the General Fund #101 to the Street Maintenance Fund #203

to transfer up to \$15,000.00 from the General Fund #101 to the Sidewalk Program Fund #285

Resolution 28-2011 is good as it is written.

SALARY COMMITTEEMR. JIM LOCKER.....NO REPORT

EXCUSED ABSENCE

President Joel Day assigned to the Salary Committee Commendation Resolution for Larry Kopp.

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

President Joel Day assigned to the Safety Health and Service Committee the Law Director’s request for the Fire Department selling of the squad on the internet.

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

President Joel Day assigned to Public Works & Economic Development Committee the Mayor’s request for the 2012 OPWC Sanitary Sewer Project

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIEDNO REPORT

EXCUSED ABSENCE

CONTACT & SPECIAL COMMITTEE MR. JOHN ZUCAL.....NO REPORT

PARKS & CEMETERY COMMITTEEMS. WINNIE WALKER.....NO REPORT

VISITOR’S COMMENTS :

Diane Lautenschleger, 250 Lewis Avenue NW, New Philadelphia, OH 44663

New Philadelphia Business and Community Association, 126 East High Avenue, New Philadelphia, Ohio 44663

Diane Lautenschleger, Administrative Director, of New Philadelphia Business and Community Association

Ms. Lautenschleger recognized Mr. John Zucal and mentioned how delighted she was to see him and her concerns for his health.

On behalf of Mike Ley, President of the New Philadelphia Business and Community Association, Diane Lautenschleger distributed a written report with an attachment (A flyer for the 2011 City of New Philadelphia Candidate’s Forum).

NPBCA attributes its’ forward progression to the dedication of their Board of Trustees and many partnerships.

Ms. Lautenschleger reported the following update of NPBCA’s progress from the last two months and upcoming plans:

- o The fifty seventh side walk sale promotion was held within our Central Business District in late July.
- o August 13th was our second Merchants and Artists Walk. The New Philadelphia City Schools were a partner in the evening providing a food stand and a musical activity while members of the varsity football team participated in a drawing event. The Celebrity Masterpiece event allowed the community to observe three local celebrities sharing their talents with us as they created their personal works which were then auctioned to our guests raising \$75.00 for new Christmas decorations.
- o Ms. Lautenschleger announced the Two Cute Kids Boutique located at 127 West High Avenue was selected by the Board of Trustees as the recipient of the 2011 Lease/Rent Subsidy Program. The subsidy is \$100.00 per month with an award value of up to \$1,200.00 to one new business annually.
- o NPBCA partnered with Classic Glass Corvette Club for the September 10th 2011 Cruise in Style, downtown car show. This is a fund raising event for our association, we receive a portion of the registration fee and members volunteer their time to sell 50/50 tickets throughout the evening.
- o NPBCA has teamed up with the Tuscarawas County Chamber of Commerce for the New Philadelphia Candidate’s Forum to be held, Wednesday, October 12, 2011 at 6:30 PM at the Tuscora Park Pavilion for the November 8th, 2011 Election. The flyer for the forum is attached to this report.

- NPBCA volunteers will be working three additional evenings to prepare Christmas items for the early November decorating day. The community has been supportive of the fund raising campaign with donations totaling over \$9,000.00. The goal was to reach over \$10,000.00. A grant request was submitted to Crossroad Hospice Foundation in the amount of \$2,500.00. The grant award would allow NPBCA to exceed the goal. A special Christmas Lighting Ceremony is being planned for November 18th, 2011.
- The movie “Old Fashioned” will be shot in our community with some scenes that will include the new Christmas decorations.
- NPBCA is organizing the 2011 New Philadelphia Christmas parade with guidance from the past parade committee members and support from new volunteers.

Ms. Lautenschleger thanked everyone and extended her appreciation to the Mayor, Service Director, General Service Director, and City employee Mark Henke for their continued support.

Ms. Lautenschleger invited all to attend the NPBCA monthly membership meetings held the first Thursday of each month at 8:00 AM at the Tuscarawas County Convention and Visitors Bureau located at 124 East High Avenue.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCE: NONE

RESOLUTIONS:

- 26-2011 Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency. (1st Reading)
- 28-2011 A Resolution by the Council of the City of New Philadelphia, Ohio amending Resolution 29-2005 adopting a fixed assets policy documenting the threshold and fixed asset accounting procedures, and declaring an emergency. (1st Reading)
- 29-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$105,000.00 from the General Fund #101 to the Cemetery Operating Fund #209, and declaring an emergency. (1st Reading)
- 30-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$30,000.00 from the General Fund #101 to the Street Maintenance Fund #203, and declaring an emergency. (1st Reading)
- 31-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$15,000.00 from the General Fund #101 to the Sidewalk Program Fund #285, and declaring an emergency. (1st Reading)

UNFINISHED OR OLD BUSINESS:

NONE

NEW BUSINESS:

It was Mayor Taylor’s Birthday. Everyone present sang Happy Birthday to the Mayor.

MOTION TO ADJOURN MADE BY MS COX, MEETING ADJOURNED AT 7:54 PM

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____