

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 10, 2008 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.

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

COUNCIL MEMBER WINNIE WALKER WAS ABSENT.

MS. COX MADE A MOTION TO REMOVE ORDINANCE 46-2008 FROM TONIGHT'S AGENDA. THE MOTION WAS SECONDED BY MR. CONNER. ROLL CALL, 6 YEAS, MOTION PASSED.

MS. SMITH MADE A MOTION TO REMOVE RESOLUTION 35-2008 FROM TONIGHT'S AGENDA. MS. COX SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA, AS AMENDED. MR. CONNER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE OCTOBER 27, 2008 COUNCIL MEETING. MR. CONNER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Auditor's Financial Statement for October 2008.
2. The Auditor's Monthly Statement of Revenue for the General Fund for October 2008.
3. Public Works & Economic Development Committee meeting minutes of October 13, 2008.
4. Finance Committee meeting minutes of November 3, 2008.
5. Mayor's Monthly Statement to Council for October 2008.
6. A letter from Carl Russo, 630 Jordan Dr. N.W., New Philadelphia, thanking Council and the Administration for their efforts in the placement of a sidewalk from the railroad tracks on West High Avenue to 11th St. N.W.'

ADMINISTRATIVE REPORTS:

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

Reported that he, Service Director Jim Zucal, and Ms. Cox recently toured the Kimble mfg. plant. Reported that a dilapidated property at 1229 Second St. N.W. was razed last week. Reported that he is working with the Goshen Township Trustees for a three year agreement for fire protection. Reported that the process to close out of the EDA Grant for the Hi-Tech Park is in the beginning stages. Announced that Michael Noretto has resigned from the Park Board after serving for many years, and publicly thanked him for his service.

SERVICE DIRECTOR MR. JIM ZUCAL

Reported that the CDG project on Fair Ave. NW should be complete by the end of this week, along with the 8th St. SW waterline project. Reported that the 9th St. SW waterline project has begun, along with the sidewalk project on West High Avenue. Reported that he, Mayor Taylor, and General Services Superintendent Fred Neff is working on a snowplow plan and policy. Reported that the Beaver Dam Creek is constantly being monitored for removal of debris.

SAFETY DIRECTOR.....MR. GREG POPHAM

Reported that Michael Pierce has been named to replace Larry Hootman as a Detective in the Police Department.

AUDITOR. MS. BETH GUNDY NO REPORT

TREASURER MR. DAVE JOHNSON ABSENT NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON

Reported that he and Mr. Zucal attended an unemployment hearing for a terminated water department employee, and its outcome was unfavorable to the City. Reported that the EEOC case reimbursement was received. Reported that he worked with Mayor Taylor and Mr. Zucal to have the house razed on 2nd St. NW.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Will meet November 18, 2008 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. JIM ZUCAL

Reported that the next meeting is scheduled for November 18, 2008 at 5:00 P.M. in Council Chambers, but at this time there have been no requests for variances.

AIRPORT COMMISSION.....MR. JIM LOCKER

Reported meeting October 14. It was reported that the restaurant is behind on their rent, and the issue is being addressed by the attorneys of both parties. Codified Ordinance Chapter 155 was discussed and tabled indefinitely. The Commission will meet November 11, 2008.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Reported meeting October 29, 2008. Reported that \$14,000 to \$15,000 in damage was reported in the September wind storm. New Philadelphia High School Athletic Director Tom Farbizo was present and thanked the Board for the upgrades to the tennis courts. Mr. Farbizo also reported that this year’s soccer program was very successful. The Board is in the process of reviewing Codified Ordinance Chapters 149 and 973. The next meeting is scheduled for November 19.

HEALTH BOARD.....MS. SANDY COX

Will meet November 19, 2008 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Scheduled a meeting for November 24 at 6:45 P.M. to discuss Ordinance 46-2008, and another meeting for December 1 to discuss the temporary appropriations for 2009. Reported that the Committee met November 3 to discuss Ordinance 45-2008, lease/purchase of a street sweeper. The Committee approved it, and suspension of the rules is requested tonight.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

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

Reported meeting tonight to discuss pyrotechnics at Oak Shadows. Rules were outlined, and provided to the Law Director for preparation of legislation. The Committee will meet briefly prior to the next meeting to review the new legislation. Mr. Day assigned the Goshen Township fire protection.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to discuss the Mayor's re-appointment of Tom Farbizo and Richard Varrati to the Airport Commission. The Committee voted to have the legislation prepared and put on the next meeting's agenda for Council's consideration.

ZONING & ANNEXATION COMMITTEE MS. COLLEEN SMITH

Reported meeting November 3 to review Resolution 33-2008, with passage recommended tonight. Resolution 32-2008 was also discussed. The Committee will meet soon to review Resolution 35-2008.

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER NO REPORT

Mr. Day assigned the Public Defender's Contract.

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

VISITOR'S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

45-2008 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize the Mayor of the City of New Philadelphia, Ohio to enter into an agreement to lease/purchase a street sweeper which shall be purchased from Best Equipment Company, and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

31-2008 A resolution by the Council of the City of New Philadelphia, Ohio to commend William H. Seibold for service and dedication to the City of New Philadelphia during his 34 years with the Waste Water Treatment plant as an employee for the City of New Philadelphia, Ohio. (2nd Reading)

32-2008 A resolution by the Council of the City of New Philadelphia, Ohio to enter into an agreement with the Dover Township Trustees to permit real estate taxes pursuant to Ohio Revised Code Section 709.19(C)(1) for the annexation of an adjacent 4.07 acre tract of land located in Dover Township to remain with the Township for real estate taxes for a period of twelve (12) years in the declining percentages as set forth in the attached annexation agreement and authorizing annexation of this tract, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Locker. Roll call, 3 yeas 2 nays (Cox & Conner).

33-2008 A resolution by the Council of the City of New Philadelphia, Ohio approving and adopting certain changes to the policies and procedures manual for the administration and implementation of the CHIP activities, and declaring an emergency. (1st Reading)

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

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

34-2008 A resolution by the Council of the City of New Philadelphia, Ohio to create a new fund to be known as Indigent Drivers Interlock and Alcohol Monitoring Fund (I.D.I.A.M.) #249, and declaring an emergency. (1st Reading)

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

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

UNFINISHED OR OLD BUSINESS:

Mr. Conner said he is concerned about what rates are being charged for the annexation included in Resolution 32-2008. He asked if the appropriate charges were charged for an out of town water user. Mr. Zucal said he would have to look at the monthly charges to determine what charge was made, but an agreement was made with the owner of the McKnight property for a utility easement. Mr. Day said this should have been discussed in Committee. Mr. Conner said he attempted to, but was told that was not the time to do so. Mr. Zucal said there were a lot of variables that come in to play in this annexation, but city water is currently being provided to this property. Law Director Mike Johnson said water was provided to them with the provision that they would annex into the city before the end of 2008. Mr. Conner said the ordinance is very specific, and is it going to be followed or not. Mr. Johnson said if easements are provided, fees are waived.

NEW BUSINESS:

Mr. Conner said, in regards to the re-appointment of members to the Airport Commission, those appointments have previously been assigned to his Special/Contact Committee, but were assigned to the Public Works Committee. He questioned committee assignments by the President of Council.

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 8:13 P.M.

CLERK OF COUNCIL _____ APPROVED November 10, 2008

PRESIDENT OF COUNCIL _____