

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 26, 2004 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL DAVE JOHNSON PRESIDING. MR. JOHNSON OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE: MS. SANDRA COX  
MR. BILL ELLWOOD  
MR. SAM HITCHCOCK  
MR. GEORGE HOUSTON  
MR. MR. DARRIN LAUTENSCHLEGER  
MR. JIM LOCKER  
MR. ROB MAURER

THE MINUTES OF JANUARY 12, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. Annexation & Zoning Committee meeting of January 15, 2004.
2. Tuscora Park Board meeting minutes of January 21, 2004.
3. Finance Committee meeting minutes of January 20, 2004.
4. Planning Commission meeting minutes of January 14, 2004.
5. A letter dated January 6, 2004 from Adelphia Cable notifying Council that certain cable tv rates are being increased, effective February 2004.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from January 13 through January 26, 2004. Reported that he attended the January 15 meeting of the Zoning & Annexation Committee concerning tax abatement for Smurfit Stone. Ordinance 2-2004, granting the abatement, is before Council for consideration tonight, and Mayor Brodzinski requested its passage. Mayor Brodzinski gave the first half of his State of the City Address for 2003.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that he attended a 2-day workshop in Columbus concerning security risk assessments for water utilities in regards to bioterrorism preparedness. Informed Council that Building Inspector Bill Richesson is absent recovering from a heart problem, and hopes to return to work sometime in February.

SAFETY DIRECTOR . . . . .MR. GREG POPHAM . . . . . ABSENT

Mayor Brodzinski reported that Police Captain Rich Calderon is going back to the position of patrol officer; therefore, the captain's position will need to be filled.

AUDITOR . . . . . MS. BETH GUNDY

Requested passage tonight of Ordinances 4-2004, 5-2004, 6-2004, and Resolutions 1-2004 and 2-2004.

TREASURER . . . . . MR. MIKE TAYLOR . . . . . NO REPORT

LAW DIRECTOR . . . . . MR. MIKE JOHNSON

Agreed with Auditor Beth Gundy in requesting emergency passage tonight of Resolutions 1-2004 and 2-2004. Explained Resolution 3-2004 and recommended its passage. Recommended that Ordinance 2-2004, tax abatement for Smurfit Stone, be passed, and said the Public Hearing scheduled for February 23 has been cancelled, since both Buckeye Career Center and New Philadelphia Schools have already approved the tax abatement. Explained Ordinance 3-2004 and requested that it be assigned to Committee.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Reported that the next meeting will be February 11, 2004 at 1:00 p.m. in Council Chambers.

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

Will meet February 3, 2004 at 5:00 p.m. in Council Chambers.

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

PARK BOARD . . . . . MR. DARRIN LAUTENSCHLEGER

Reported meeting January 21. Expansion of the Park Place Teen Center was approved. The next meeting will be February 18, 2004 at 7:00 p.m.

HEALTH BOARD. . . . . MS. SANDRA COX

Reported that Dr. Terry Stocker has donated some medical equipment to the Health Department. Resolution 4-2004, to commend Dr. Stocker, has been prepared and is before Council. Will meet February 11, 2004 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX . . . . . ABSENT

Reported meeting January 20, 2004 to review increase in appropriations, which was approved. Also discussed and approved were resolutions requesting an advance of the estate tax settlement and real estate tax settlement, establishment of a Public Health Fund for the Health Department, and redistribution of the Income Tax. Ms. Cox introduced the idea of creating a web site or using a commercial site to sell certain items that are no longer needed. Ms. Cox also asked if any revenue has been collected from the wireless communications and telecommunications systems. Service Director Gary Espenschied will look into this.

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

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

Will meet February 9 at 5:30 p.m. to discuss a fire inspector and mutual aid agreement. Mr. Johnson assigned the Public Defender's Contract for review.

PUBLIC WORKS COMMITTEE. . . . . MR. ROB MAURER . . . . . NO REPORT

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

Reported meeting January 15 to discuss Ordinance 1-2004, the Lawver Haas Subdivision, which was approved by Committee, and Ordinance 2-2004, the tax abatement for Smurfit Stone Corp. Both New Philadelphia School Superintendent Richard Varrati and Buckeye Career Center Superintendent Eugene Fries stated they had no objections, as did the County Commissioners. The Committee recommends emergency passage tonight of Ordinance 2-2004.

CONTACT COMMITTEE. . . . .MR. BILL ELLWOOD . . . . . NO REPORT

Mr. Johnson assigned a request for a liquor permit to Scheetz at 1281 West High Avenue.

SPECIAL COMMITTEE . . . . . MR. DARRIN LAUTENSCHLEGER

Will meet February 9 to discuss a request from Main Street to expand Art on the Square. Mr. Johnson assigned the rate adjustment from Adelphia.

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

1-2004 An ordinance by the Council of the City of New Philadelphia accepting the plat for Lawver Haas Subdivision, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 7 years, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 years, ordinance passed.

2-2004 An ordinance by authorize the City of New Philadelphia, Ohio, to enter into an Ohio Enterprise Zone Agreement with Stone Container Corporation, an Ohio corporation to grant a tax exemption of one hundred percent (100%) for eight (8) years pursuant to Section 5709.62, 5709.63 or 5709.632 for eligible new tangible personal property acquired in conjunction with their project for a period of eight (8) years, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 years, rules suspended.

Motion to vote on passage made by Mr. Houston, seconded by Mr. Hitchcock. Roll call, 7 years, ordinance passed.

3-2004 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio, to enter 9into an agreement with the Joint County Public Defender’s office for the provision of legal representation for indigents charged with violations of New Philadelphia City ordinances in the Municipal Court where such offenses carry a possible loss of liberty, establishing compensation and terms thereof, and declaring an emergency. (1<sup>st</sup> Reading)

Mr. Hitchcock added this issue to the agenda for his meeting on February 9 at 5:30 p.m.

4-2004 An ordinance amending and adjusting the temporary appropriations ordinance for the year 2004 and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Ellwood. Roll call, 7 years, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Ellwood. Roll call, 7 years, ordinance passed.

5-2004 An ordinance to allocate funds collected under Ordinance 51-2003, Income Tax Ordinance, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Ellwood. Roll call, 7 years, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 7 years, ordinance passed.

6-2004 An ordinance authorizing the City of New Philadelphia Auditor to establish the Public health Fund (#251) to receive patient and other fees and license and permits issued by the New Philadelphia Health Department, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 years, rules suspended.

Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Lautenschleger. Roll call, 7 years, ordinance passed.

#### RESOLUTIONS:

1-2004 A resolution declaring the necessity to request an advance of \$50,000.00 from the County Auditor on the February 2004 Estate Tax Settlement, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Maurer. Roll call, 7 years, rules suspended

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

2-2004 A resolution declaring the necessity to request an advance of \$850,000.00 from the County Auditor on the February 2004 Real Estate Tax Settlement, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Ms. Cox. Roll call, 7 years, rules suspended.

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

3-2004 A resolution by the Council of the City of New Philadelphia, Ohio to enter into an agreement with the Goshen Township Trustees to permit division of real estate taxes based on the standard compensation pursuant to Ohio Revised Code Section 709.19 for the Allen and Jane Gasser annexation, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Mr. Houston, seconded by Mr. Hitchcock. Roll call, 7 yeas, resolution passed.

4-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Terry Stocker, M.D. for his generosity in donating certain medical equipment to the New Philadelphia City Health Department, and declaring an emergency. (1<sup>st</sup> Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson cancelled the meeting of the whole council tonight because of inclement weather. Mr. Johnson reminded everyone of the Bicentennial Dinner Dance on February 7, 2004 at the R & S Party Center.

Mr. Lautenschleger commended the Service Department for the fine job they've done in keeping the city's streets clear of snow and ice during the recent storms, and asked what is the status of the city's salt supply. Service Director Gary Espenschied said plenty of salt has been ordered.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:19 P.M.

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

APPROVED February 9, 2004

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