

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 25, 2002 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: MR. ART CICCONETTI  
MS. SANDRA COX  
MR. JOEL DAY  
MR. SAM HITCHCOCK  
MR. GEORGE HOUSTON  
MR. JIM LOCKER  
MR. ROB MAURER

THE MINUTES OF FEBRUARY 11, 2002 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE. . . . . CLERK DIANE ROUDEBUSH

1. Safety, Health, and Service Committee meeting minutes of February 11, 2002.
2. Planning Commission meeting minutes of February 13, 2002.
3. The 2001 Annual Report of the New Philadelphia City Health Department.
4. Finance Committee meeting minutes of February 11, 2002.
5. Annexation & Zoning Committee meeting minutes of February 22, 2002.
6. New Philadelphia Park & Recreation Board meeting minutes of February 13, 2002.
7. Petition for annexation filed by Al & Jane Gasser.

AT THE REQUEST OF ADMINISTRATION AND COUNCIL MEMBERS, MR. JOHNSON ASKED FOR A MOTION TO GO INTO EXECUTIVE SESSION PRIOR TO THE READING OF LEGISLATION TO DISCUSS PERSONNEL, PROPERTY ACQUISITION, AND LITIGATION. MR. DAY MADE A MOTION, SECONDED BY MR. HOUSTON, TO GO INTO EXECUTIVE SESSION. ROLL CALL, 7 YEAS, MOTION PASSED.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of the Mayor's office from February 12 through February 25, 2002. Reported that the city has four lots for use by Habitat for Humanity, and groundbreaking for the first home will be in May. Reported meeting February 22 at Gradall, where it was announced that Gradall would not be moving their business out of New Philadelphia. Reported that a Retirement Breakfast will be held Friday, March 1 at 7:30 a.m. at Tuscora Park for retiring Police Chief Tom Staggers.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported meeting with representatives of ODOT to discuss the South Broadway bridge painting, which has been tentatively set for April 4. Most of the work is scheduled to be done at night, so traffic should be maintained during daylight hours. Reported that he has been contacted by R.D.Zande, Airport Consultant, that approximately 24 trees at the airport need to be trimmed. Scheduled the 2<sup>nd</sup> Public Hearing for the FY2002 CHIP for March 11, 2002 at 6:30 P.M. Also scheduled a Public Meeting for March 11, 2002 at 7:00 p.m. for preliminary phases of South Broadway resurfacing.

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

AUDITOR . . . . . MS. BETH GUNDY

Requested that additions be made to Ordinance 15-2002, and recommended an amendment and emergency passage tonight of Ordinance 15-2002.

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

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Updated Council on all lawsuits pending with the city. Reported meeting with Service Director Gary Espenschied and Water Superintendent Kelly Ricklic to discuss modifying the operating agreement for the aeration towers. Reported that he is working on the contract for the re-coating of the water reservoir, and that he is working with Safety Director Greg Popham on the method that the detective is chosen in the Police Department.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Will meet March 13, 2002 at 1:00 p.m. at Tuscora Park.

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

Will meet March 5, 2002 at 5:30 p.m. in Council Chambers.

AIRPORT COMMISSION . . . . .MR. JIM LOCKER

Gave a report received by Airport Consultant R.D. Zande.

PARK BOARD . . . . . MR. ART CICCONE

Reported meeting February 13, 2002.

HEALTH BOARD. . . . .MS. SANDRA COX . . . . . NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Recommended amend and passage tonight of Ordinance 15-2002. Mr. Johnson assigned a request from Main Street for the commitment to the Downtown Revitalization Community Block Grant, and a new pumper for the fire department.

SALARY COMMITTEE . . . . . MR. JIM LOCKER

Reported meeting tonight to discuss Ordinance 6-2002, changing the meter-man position to a part-time position. The Committee voted 2 to 1 to set the salary at \$8.00 per hour instead of \$10.00 that was originally put into the ordinance.

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

Reported meeting February 11 to discuss a request from Main Street that truck traffic be re-routed around the downtown area. The Committee took no action because the main street through the downtown is a state route. ODOT officials were in attendance, and advised that the city would have to bear the expense of re-designating a truck route. Safety Director Greg Popham said the other city streets would not bear the heavy traffic and it wouldn't be wise to re-route the traffic through residential areas. Reported meeting tonight prior to regular session to discuss jake brakes. The Committee will advise the police department to enforce the noise ordinance that is already in effect. The jake brake issue was tabled for future study. Ordinance 5-2002, bids for various materials for 2002, was also discussed and approved by Committee. Mr. Johnson assigned the CHIP application to the Safety, Health, and Service Committee.

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

Reported meeting tonight to discuss an increase of fees in the Service Director's office. The Committee voted to approve the increase, and an ordinance will be prepared. Also discussed was a proposed ordinance to address shortcomings in the city's current fire sprinkler systems' law. The Law Director will review this ordinance before the Committee makes any decisions. The city's water and sewer tap-in assessment fees are being reviewed by the Service Director and the Water Superintendent, and will be directed to committee when assigned. Mr. Johnson assigned the last issue to the Public Works Committee.

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

Reported meeting February 19 to review the proposed Fisher/Stocker annexation. The Committee approved the annexation, and the ordinance is before council for 2<sup>nd</sup> reading tonight. Also discussed was a proposed annexation by David Avon. The request was tabled until more information is available from Mr. Avon. Mr. Johnson assigned the proposed Gasser annexation to Committee. Mr. Johnson scheduled a Public Hearing for Monday, April 8, 2002 at 8:00 p.m. on Ordinance 19-2002.

CONTACT COMMITTEE. . . . . MR. ART CICCONETTI . . . . . NO REPORT

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

VISITOR'S COMMENTS: NONE

AT 8:05 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL, LITIGATION, AND ACQUISITION OF PROPERTY. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:35 P.M.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 5-2002            An ordinance by the Council of the City of New Philadelphia directing the Service Director to advertise for bids and to enter into contracts with the lowest and best bidder for the city's requirements of various materials and supplies for 2002, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 7 yeas, ordinance passed.
- 6-2002            An ordinance by the Council of the City of New Philadelphia authorizing and directing the Safety Director of New Philadelphia, Ohio to modify the union contract between the Fraternal Order of

Police and the City of New Philadelphia to make the meter-man position part-time, and declaring an emergency. (3rd Reading)

Ms. Cox made a motion to amend the ordinance by changing the wages from \$10.00 per hour to \$8.00 per hour. Motion was seconded by Mr. Day. Roll call, 5 yeas 2 nays (Hitchcock & Cicconetti), ordinance amended.

Motion to vote on passage made by Mr. Houston, seconded by Mr. Locker. Roll call, 5 yeas 2 nays (Cicconetti & Hitchcock), ordinance passed.

8-2002 An ordinance to accept the application by Jerry L. Fisher, Julie Fisher and John E. Stocker for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same. (2nd Reading)

9-2002 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor to enter into a contract with Goshen Township to provide fire protection services for the calendar year 2002 in the amount of \$39,000.00 and fire protection services for the calendar year 2003 in the amount of \$43,000.00 and declaring an emergency. (2<sup>nd</sup> Reading)

15-2002 An ordinance amending and adjusting the temporary appropriations ordinance for the year 2002 and declaring an emergency. (2nd Reading)

Ms. Cox made a motion to amend this ordinance by adding certain line items. Motion was seconded by Mr. Maurer. Roll call, 7 yeas, ordinance amended.

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

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

16-2002 An ordinance to repeal Ordinance 159.05 Reimbursement for Travel Expenses, and to enact new Codified Ordinance Section 159.05 of the codified ordinances for the City of New Philadelphia, Ohio, and declaring an emergency. (1<sup>st</sup> Reading)

17-2002 An ordinance to enact Section 1151.05 of the codified ordinances of the City of New Philadelphia, Ohio to provide notice to adjacent property owners of any Planning Commission, Zoning Board of Appeals and/or Council Committee meeting wherein any change of zoning is contemplated, and declaring an emergency. (1<sup>st</sup> Reading)

Mr. Johnson assigned this to the Zoning & Annexation Committee.

18-2002 An ordinance providing for the issuance and sale of building renovation bonds, Series 2002, of this City, in an aggregate principal amount not to exceed \$1,545,000 to pay costs of acquiring, constructing, adding to, renovating, furnishing, equipping, and otherwise improving buildings and sites to create a municipal government center including administrative, court, legislative, and safety facilities repealing Ordinance No. 14-2002, and declaring an emergency. (1<sup>st</sup> Reading)

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

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

19-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for Fair Avenue NW, New Philadelphia, Ohio from North Broadway to Fifth Drive NW to an Office zone, and declaring an emergency. (1<sup>st</sup> Reading)

Public Hearing to be held April 8, 2002 at 8:00 P.M.

RESOLUTIONS:

6-2002 A resolution by the Council of City of New Philadelphia, Ohio to adopt the Memorandum of Understanding between the City of New Philadelphia and the Fraternal Order of Police Lodge #4 for the canine unit within the New Philadelphia Police Department, and declaring an emergency. (3rd Reading)

Motion to amend the Memorandum of Understanding made by Ms. Cox, seconded by Mr. Houston. Safety Director Greg Popham informed Council that the Police Department has not approved the Memorandum of Understanding. Roll call, 7 yeas, motion passed.

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

8-2002 A resolution by the Council of the City of New Philadelphia, Ohio to welcome Smith Dairy to the City of New Philadelphia. (1<sup>st</sup> Reading)

10-2002 A resolution by the Council of the City of New Philadelphia, Ohio to commend Thomas Staggers for his more than 28 years of service, the last 15 of which he served as Chief of Police, with the New Philadelphia Police Department, and declaring an emergency. (1<sup>st</sup> Reading)

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

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson reminded everyone of the Special Council Meeting on Tuesday, February 26, 2002 at 7:30 p.m. to discuss plans for the former Elk's building.

Mr. Johnson asked Council to turn in their list of the top 10 projects they would like to see addressed this year.

Mr. Johnson asked the Finance Committee to work with the Contact Committee to develop plans for use of the south side park land.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:55 P.M.

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

APPROVED March 11, 2002

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