

NEW PHILADELPHIA CITY COUNCIL MET IN A SPECIAL SESSION IN COUNCIL CHAMBERS ON MARCH 1, 2010 WITH THE PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

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

COUNCIL MEMBER MS. COLLEEN ESPENSCHIED EXCUSED ABSENCE.

MS. COX MADE A MOTION TO ADD ORDINANCE 6-2010 AND RESOLUTION 9-2010, RESOLUTION 10-2010, RESOLUTION 11-2010 AND RESOLUTION 12-2010 TO TONIGHT'S AGENDA. MS. WALKER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 08, 2010 COUNCIL MEETING. MS. WALKER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

CORRESPONDENCE .....CLERK, PATRICIA MCKAY

1. Notice from Ohio Division of Liquor Control to Council for HARSV Petroleum LLC, 1219 E. High Avenue, New Philadelphia for a new C-1 permit responses post marked no later than 3-29-2010
2. Notice of Public Hearing #2 March 8, 2010 at 7:00 PM in the New Philadelphia Council Chambers in regard to the City's proposed CDBG Home application
3. 2009 President of City Council Committee Assignment Report
4. New Philadelphia City Council Public Works & Economic Development Committee Meeting Minutes from January 25, 2010
5. New Philadelphia Treasurer's Reconciliation for the month of January 2010
6. New Philadelphia Treasurer's Statement of transactions of all city funds for the month of January 2010
7. New Philadelphia Treasurer's Summary of transactions for the General Checking Account for the month of January 2010
8. Tuscora Park Board Meeting Minutes from January 20, 2010
9. The January 2010 Month End summary for the New Philadelphia Fire Department
10. Finance committee Meeting Minutes for February 08, 2010

11. Finance committee Meeting Minutes for February 10, 2010
12. City of New Philadelphia 2009 Mayor's State of the City report

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT/REQUEST TO COUNCIL...MAYOR MIKE TAYLOR

The Mayor provided a summary of the 19,197 incoming calls into the city building for 2009 which was tabulated by the part-time citizen service representative. Actual incoming calls were estimated at 25,000 a year. The largest percentage of all incoming calls into the city building a person, not a computer, assists the callers with their questions and directs them to the proper department.

The Mayor requested an Executive session this evening prior to the Legislative portion of our agenda to discuss negotiations with AFSCME.

The Mayor reported that several of the administrative team met recently with representatives of the joint solid waste district regarding our recycling and our general services garage that is a countywide drop off location for several recyclable items including appliances and tires.

We are looking for away to streamline our operations and make adjustments to our collections of recyclables to meet the grant criteria from the solid waste district for a new recycling truck.

We are evaluating the countywide drop-off as to whether or not this should continue.

Mayor Taylor requested the Council President Joel Day assign to a committee: to contact ODOT for information for the adding of a 3<sup>rd</sup> lane on West High Avenue, from 5 points to the tracks.

SERVICE DIRECTOR.....MR. JIM ZUCAL

Mr. Zucal reported to council:

2009 infrastructural data sheets were placed in all council's mail boxes as well as information in regard to the traffic signal project for this year. Cost of the traffic signal project will be shared with ODOT.

Letters of notification were sent out to affected property owners and for public advertisement Re: City of New Philadelphia project TUS-New Phila Signals Phase 2, PID 81602

The notice read: The City of New Philadelphia is proposing to install new traffic signals at 4 locations and upgrade 26 existing traffic signals at various intersections within the city of New Philadelphia. The project proposes to remove and replace existing curb ramps and sidewalks install pedestrian push button, signals and intersections with emergency vehicle preemption.

Traffic will be maintained during construction. Construction is anticipated to begin in the summer of 2010.

SAFETY DIRECTOR.....MR. GREG POPHAM ..... Excused Absence

AUDITOR.....MS. BETH GUNDY

Requests Council accept the Auditor's January 2010 reports and in the absence of Treasurer, Mr. Dave Johnson, requested that his report be approved. Ms. Cox made a motion to accept the Auditor's report and Treasurer's reports. Mr. Locker seconded the motion. Roll call, 6 yeas motion passed

LAW DIRECTOR .....MR. MIKE JOHNSON.....No Report

TREASURER.....MR. DAVE JOHNSON..... Excused Absence

In the absence of Treasurer, President of Council Joel Day Requests Council to Accept the Treasurer's Reports

LAW DIRECTOR .....MR. MIKE JOHNSON .....No Report

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR MIKE TAYLOR**

The PLANNING COMMISSION will not have a meeting on March 9, 2010 as there are no items on the agenda at this time.

**BOARD OF ZONING APPEALS.....MR. JIM ZUCAL**

No meeting on March 9, 2010 as there are no items on the agenda.

**AIRPORT COMMISSION.....MR. JIM LOCKER**

Meeting is scheduled for March 9, 2010 at 6:00PM at the airport meeting room.

**PARK BOARD ..... MR. DARRIN LAUTENSCHLEGER**

Park Board met February 24, 2010 at the Tuscora Park office; Meeting minutes are being prepared and will be distributed.

**HEALTH BOARD.....MS. SANDY COX**

Will meet March 17, 2010 at noon at the Health Department

**STANDING COMMITTEE REPORTS:**

**FINANCE COMMITTEE.....MS. SANDY COX**

Ms. Sandy Cox reported that the Budget hearings were held February 10, 2010 at 9:00 AM and were completed by 12:15PM. Before the hearings The Mayor had requested all the department supervisors to reduce their expenditures by 10% which resulted in the finance committee reviewing a streamlined budget. General fund expenditures were estimated at \$6,266,479 the total 2010 budget is estimated at \$22,816,779. Ms. Cox thanked everyone who participated in the budget hearings the budget was then forwarded to full council for passage.

Because the New Philadelphia City Council Regular Session In Council Chambers On February 22, 2010 was cancelled due to power outage: the actions of the 2 items listed below were scheduled for February 22, 2010 were moved to March 1, 2010 Special Session and need to be passed tonight.

Resolution 4-2010 (a resolution declaring the necessity to request an advance of \$850,000 from the county auditor on the February, 2010 real estate tax settlement. standard procedure)

Resolution 8-2010 (a resolution by the council of the City of New Philadelphia, Ohio to authorize a contract for health care benefits between the City of New Philadelphia and all non bargaining unit employees with health and medical insurance under three plan options.)

Add to tonight's agenda

Ordinance 6-2010 Adjusting Temp Appropriations (radio system for the new fire truck)

Resolution 9-2010 To Adopt Tentative Agreement with AFSCME

Resolution 10-2010 To Reject Tentative Agreement with AFSCME

Resolution 11-2010 To Adopt Tentative Agreement with Local 1958 Ohio Council 8 AFSCME, AFL-CIO

Resolution 12-2010 To Reject Tentative Agreement with Local 1958 Ohio Council 8 AFSCME, AFL-CIO

Added to March 8, 2010 agenda

Ordinance 4-2010 To advertise for bids and to enter into contracts with the lowest and best bidder for materials and supplies for 2010.

Ordinance 5-2010 To advertise for bids and to enter into contracts with the lowest and best bidder for the 2010 CDBG project.

Ms. Cox passed out a news article in regard to the repeal of Ohio estate tax bill if passed could reduce the city's funds. Adjourned at 7:11 PM.

President of Council Joel Day gave Ms. Cox an assignment for her committee to evaluate a couple estimates on the replacement of a roof on the airport restaurant.

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

SAFETY, HEALTH, AND SERVICE COMMITTEE .....MR. ROB MAURER ..... NO REPORT  
Mayor Taylor requested the Council President Joel Day assign to a committee: to contact ODOT for more information on the adding of a 3<sup>rd</sup> lane on West High Avenue, from 5 points to the tracks.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE  
.....MR. DARRIN LAUTENSCHLEGER ..... NO FORMAL REPORT

Mr. Lautenschleger will be scheduling a meeting in the near future to discuss the airport master plan and resolution support for Hospice, Tuscarawas, Stark and Carroll Counties project.

ZONING & ANNEXATION COMMITTEE ..... MS. COLLEEN ESPENSCHIED...Excused Absence

CONTACT & SPECIAL COMMITTEE.....MR. JOHN ZUCAL.....NO REPORT  
Council President Joel Day Assigned request for a liquor permit for HARSV Petroleum LLC, 1219 E. High Avenue, New Philadelphia for a new C-1 permit. To Mr. Zucal and his committee.

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

VISITOR’S COMMENTS:

The Mayor requested an Executive session to be held before the Legislative agenda to discuss contract negotiations. Mr. Lautenschleger made a motion to have an executive session before the reading of legislation and Mr. Locker seconded the motion. Roll call, 6 yeas, motion passed.

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 7:48 PM AS REQUESTED BY MAYOR MIKE TAYLOR TO DISCUSS NEGOTIATIONS WITH AFSCME. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:52PM.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 2-2010 An ordinance by the Council of the City of New Philadelphia to enact the new administrative code section 159.05 and to repeal existing section 159.05 of the administrative code, and declaring an emergency. (2<sup>nd</sup> Reading)
- 3-2010 An ordinance to make appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio during the fiscal year ending December 31, 2010, and declaring an emergency. (1<sup>st</sup> Reading)
- 6-2010 An ordinance amending and adjusting the temporary appropriations ordinance for the year 2010 and declaring an emergency. (1<sup>st</sup> 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:

- 1-2010      A resolution by the Council of the City of New Philadelphia, Ohio to re-appoint Alan Welch to the Airport commission for a new three year beginning January 1, 2010 (3<sup>rd</sup> Reading)  
.  
Motion to vote on passage made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 yeas, resolution passed.
- 3-2010      A resolution by the Council of the City of New Philadelphia, Ohio to reclassify land purchase in 2002 from Jack Phillips containing 18.151 acres on the south side of New Philadelphia, OH from cemetery land to park land , and declaring an emergency. (3<sup>rd</sup> Reading)  
Motion to vote on passage made by Ms. Walker, seconded by Ms. Cox. Roll call, 6 yeas, resolution passed
- 4-2010      A resolution declaring the necessity to request an advance of \$850,000.00 from the county auditor on the February, 2010 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. Lautenschleger. Roll call, 6 yeas, rules suspended.  
Motion to vote on passage made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 yeas, resolution passed.
- 5-2010      A resolution by the Council of the City of New Philadelphia, Ohio to commend Diane M. Roudebush for her years of service as Clerk of Council for the City of New Philadelphia, and declaring an emergency (2<sup>nd</sup> Reading)
- 6-2010      A resolution by the Council of the City of New Philadelphia, Ohio to commend Larry L. Tate of his years of service as Custodian for the City of New Philadelphia City Hall and declaring an emergency (2<sup>nd</sup> Reading)
- 7-2010      A resolution by the Council of the City of New Philadelphia, Ohio to commend Robert N. Conner for his years of service as Councilman of Ward 2 for the City of New Philadelphia and declaring an emergency. (2<sup>nd</sup> Reading)
- 8-2010      A resolution by the Council of the City of New Philadelphia, Ohio to authorize a contract for health care benefits between the City of New Philadelphia and all non bargaining unit employees with health and medical insurance under three plan options and declaring an emergency. (1<sup>st</sup>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. Zucal. Roll call, 6 yeas, resolution passed.
- 9-2010      A resolution by the Council of the City of New Philadelphia, Ohio to adopt the tentative agreement between the city of new Philadelphia, Ohio and AFSCME to be effective January 1, 2010 through December 31, 2012 and declaring an emergency. (1<sup>st</sup>Reading)

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

Mr. Lautenschleger and Ms. Cox announced they would not be voting to approve either tentative contracts, because of their concerns about the city's ability to fund the agreement which could result in the reduction of personnel and services.

Motion to vote on passage made by Mr. Maurer, seconded by Mr. Locker. Roll call, 3 yeas, 3 nays (Ms. Cox, Mr. Lautenschleger and Ms. Walker) No Action Taken

The Law Director clarified the President of council does not have to vote to break the tie when it takes 5 votes to pass.

10-2010 A resolution by the Council of the City of New Philadelphia, Ohio to reject the tentative agreement between the city of New Philadelphia, Ohio and AFSCME to be effective January 1, 2010 through December 31, 2012 and declaring an emergency. (1<sup>st</sup>Reading)  
Motion to suspend the rules made by Ms. Cox, seconded by Mr. Zucal Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger  
Roll call, 4 yeas, 2 nays (Mr. Maurer, Mr. Zucal) No Action Taken.

Audience question-Mr. Robert Conner, 122 North Avenue NW, New Philadelphia, wanted to know cost of the contract wages and benefits? Ms. Gundy replied clerical wages would cost an additional \$10,585 and Maintenance wages would cost an additional \$46,231. For benefits add an additional 15%.

11-2010 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the tentative agreement between the City of New Philadelphia, Ohio and Local 1958, and Ohio Council 8 AFSCME, AFL- CIO to be effective January 1, 2010 through December 31, 2012 and declaring an emergency. (1<sup>st</sup>Reading)

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

Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Maurer  
Roll call, 3 yeas, 3 nays (Ms. Cox, Mr. Lautenschleger and Ms. Walker) No Action Taken

12-2010 A resolution by the Council of the City of New Philadelphia, Ohio to reject the tentative agreement between the City of New Philadelphia, Ohio and Local 1958, and Ohio Council 8 AFSCME, AFL- CIO to be effective January 1, 2010 through December 31, 2012, and declaring an emergency. (1<sup>st</sup>Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Zucal Roll call, 4 yeas, 2 nays, (Mr. Locker and Mr. Zucal) Suspension of rules defeated

UNFINISHED OR OLD BUSINESS:

NEW BUSINESS:

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 9:18 PM.

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

APPROVED

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