NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 27, 2000 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. GEORGE HOUSTON MR. JIM LOCKER MR. TOM LOCKER MR. MIKE TAYLOR

THE MINUTES OF MARCH 13, 2000 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE...... CLERK DIANE ROUDEBUSH

- 1. A notice from the Ohio Division of Liquor Control requesting a D3 permit to Dutch Country Kitchen LLC, dba New Phila Airport Restaurant, 1816 E. High Ave., New Philadelphia, Ohio 44663, and asking that any objections be made no later than April 19, 2000.
- 2. Public Works Committee meeting minutes of March 13, 2000.
- 3. Auditor's Monthly Statement of Revenue for the General Fund for February, 2000.
- 4. Planning Commission meeting minutes of March 22, 2000.
- 5. The Treasurer's Report for the month of February, 2000.
- 6. The Treasurer's Statement of Transactions of City funds for February, 2000.
- 7. The Treasurer's Reconciliation for period ending February 29, 2000.
- 8. Board of Control meeting minutes of March 21, 2000.
- 9. New Philadelphia Airport Commission meeting minutes of March 14, 2000.
- 10. New Philadelphia Park & Recreation Board meeting minutes of March 20, 2000.

COUNCIL PRESIDENT DAVE JOHNSON WELCOMED MEMBERS OF BOY SCOUT TROOP #180, WHO ARE TRYING FOR THEIR COMMUNICATIONS MERIT BADGE.

ADMINISTRATIVE REPORTS:

Submitted a written report of the activities of his office from March 14 through March 27, 2000. Reported that there were some problems with the telephone system since some City offices were relocated to West High Ave., and hopefully they have been taken care of. Reported that the Board of Control met and awarded the CHIP grant to Municipal Services, who have handled it in the past. Relinquished the floor to Special Assistant Tom Farbizo, who reported meeting with the owner of Dante's Restaurant to explain the Linked Deposit Program. Reported that on March 16, he contacted Senator Greg DiDonato and Representative Kerry Metzger about the availability of funding for the airport. Reported that on March 17, he attended the Solid Waste District meeting, and informed Council that the Ohio EPA has rejected the Solid Waste District's 5 year plan. The City's composting and the asphalt recycling machine are both on hold until a new plan is approved. Reported that the Air 21 Bill has passed, and the City will receive \$150,000 per year for three years for the airport. Informed Council that the City of New Philadelphia will host a meeting sponsored by Leadership Ohio on June 16 & 17. Several business leaders throughout the state will be in attendance. Reported that three fuel tanks are in place, and ready for testing at the airport. Mayor Brodzinski requested passage tonight of Ordinances 22-2000, 23-2000, and 24-2000.

# SERVICE DIRECTOR. ..... MR. GARY ESPENSCHIED

Reported, on behalf of the Cemetery Committee, that 121 lots were sold in 1999. Reported that all eight traffic light poles were set, and will be completed when the lights arrive. Reported that 13 stumps were removed with the new stump grinder. Tree roots were also removed in the sanitary sewer line and water distribution lines in Shel-mar, and storm drains were cleaned out on 3rd St. N.E.

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

Informed Council that Police Detective Sam Hitchcock will be retiring, effective May 26, 2000.

AUDITOR.....MS BETH GUNDY

Requested passage tonight of Ordinance 24-2000.

TREASURER. . . . . . . . . MR. ROBERT GERBER

Ms. Cox made a motion, seconded by Mr. Jim Locker, that Council accept the Treasurer's Report. Roll call, 7 yeas, motion passed.

LAW DIRECTOR. . . . . . . . . . . . . . . . . MR. MIKE JOHNSON

Reported that a crew from the General Services Department was denied access across the Winters' property when they were cleaning up the storm drains on 3rd St. N.E. Work there will cease until it is determined if a right-of-way exists. Reported that legal action has been taken against John Haines, dba Haines Aviation, and the former fixed base operator at the airport, over hangar rentals. Reported that a lawsuit filed against the City income tax ordinance has been dismissed, because the ordinance was found to be constitutional. Reported that a letter has been sent to the Elks Club informing that the City wishes to purchase the building at a cost of \$700,000.00. Recommended that Ordinance 22-2000 be rejected, because it has been included in the permanent appropriations, Ordinance 26-2000. In response to a question raised by Mr. Day about parking at the former Pisanello's Pizza, it was determined that no off-street parking is required. In response to a question raised by Mr. Houston about income tax collections, Mr. Johnson reported that a bill is pending in the Ohio Legislature that would change income tax ordinances throughout the state so that everyone is taxed where they reside. Also, there is talk of outlawing residency requirements statewide, thus eliminating individual city residency requirements. Mr. Johnson encouraged everyone to contact legislators and request that they vote to allow local government to exercise the control the Ohio Constitution gave them.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION. ..... MAYOR BRODZINSKI

Reported meeting March 22, 2000. Minutes were provided to each Council member.

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

Will meet Tuesday, April 4, 2000 at 5:30 p.m. In Council Chambers.

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

Reported meeting March 14, 2000. Commission Chairman Tom Farbizo congratulated the Hubbards for the nice job they are doing in operating the airport. A tentative grant opening is planned for June 11 and 12. The next meeting will be held April 11 at 6:00 p.m. At the Airport conference room.

PARK BOARD. . . . . . . . . MR. ART CICCONETTI

Reported meeting March 20. Reported that the new youth center, to be named Park Place, will open May 1, with Sam Hitchcock as Director. He is retiring as Police Detective to take the position of Director. Mr. Cicconetti distributed copies of a progress report, which outlines the project from its inception,

# HEALTH BOARD.....MS. SANDRA COX

Will meet Wednesday, April 12 at noon in the mayor's office.

# STANDING COMMITTEE REPORTS:

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

Reported meeting 21 and 22 to review the 2000 budget. The Committee recommends passage tonight.

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

Reported that the Ambulance Committee will meet Monday, April 10, 2000 at 7:00 p.m. To discuss the proposed increase in fees for ambulance service.

PUBLIC WORKS COMMITTEE. ..... MR. JOEL DAY. ...... NO REPORT

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

Reported meeting tonight to discuss the request for alley vacation on Eaton St. The request was approved, and an ordinance will be prepared and presented for passage. Also discussed was rules concerning private drives, and an ordinance will be prepared for consideration.

CONTACT COMMITTEE. . . . . . . . MR. ART CICCONETTI

Will meet Wednesday, March 29, 2000 at 7:00 p.m. To discuss a request for a liquor permit for the Airport Restaurant and the new water meters. A representative of the company which manufactures the new meters will be in attendance.

SPECIAL COMMITTEE. . . . . . . . . MR. TOM LOCKER. . . . . . . . . NO REPORT

VISITOR'S COMMENTS:

Frank Benkowski, 420 Springbrook Dr. S.W., New Philadelphia, asked the status of the sump hole on Springbrook and the drainage problems on 3rd St. N.E. Service Director Gary Espenschied reported that both projects have been put on hold. Mr. Benkowski asked what was done with the money allocated for those projects, since it is not being spent. Mayor Brodzinski said money was not appropriated for either project.

Sally Benkowski, 420 Springbrook Dr. S.W., New Philadelphia, asked why an ordinance was passed allowing the project to proceed. Mayor Brodzinski said the bids were not authorized because problems existed. Ms. Benkowski asked if the money allocated for this project could be spent on another project. Law Director Mike Johnson explained that the money was not allocated to a specific fund to proceed.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if Walt Watson on the City's payroll. She asked, again, if a hoove in the pavement on West High Ave. Could be removed. She said there is a house at 906 West High Ave. That is in dis-repair and asked that it be looked at. She said the numerous tobacco signs at a business on Beaver and East High Ave. Is a disgrace, and asked if something could be done about them in the future.

READING OF ORDINANCES AND RESOLUTIONS:

# ORDINANCES:

13-2000 An ordinance authorizing the mayor of the City of New Philadelphia, Ohio, to enter into the Union Contract with Clerical Union Local 1958 Clerical Chapter and Ohio Council 8 AFSCME for the years 2000, 2001, and 2002, and declaring an emergency. (3Rd Reading)

Mayor Brodzinski said he has not yet received a clean contract, and asked that it be held for 4th reading.

- 17-2000 An ordinance to increase the salary of the New Philadelphia Water Superintendent by \$1.02 per hour effective April 1, 2000, and declaring an emergency. (2Nd Reading)
- 18-2000 An ordinance to increase the salary of the New Philadelphia City Auditor to \$40,000.00 per year effective January 1, 2000, and declaring an emergency. (2Nd Reading)
- 19-2000 An ordinance to set the salary for the New Philadelphia City Income Tax Administrator at \$36,000.00 per year effective January 1,2000, and declaring an emergency. (2Nd Reading)
- 20-2000 An ordinance by the City Council of New Philadelphia, Ohio to vacate an unnamed alley extending approximately 480 feet east of Third Street N.W. Between Ohio Avenue and Carrie Avenue, and declaring an emergency. (2Nd Reading)
- 21-2000 An ordinance accepting james Street N.W. In the City of New Philadelphia, Ohio for street purposes and dedication, and declaring an emergency. (2Nd Reading)
  22-2000 An ordinance adopting the permanent appropriations for Municipal Court for the year 2000, and declaring an emergency. (2Nd 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 Ms. Cox, seconded by Mr. Day. Roll call, no yeas, 7 nays, passage failed.

23-2000 An ordinance prohibiting discharge of storm water into the sanitary sewer system of the City of New Philadelphia, Ohio, and declaring an emergency. (2Nd Reading)

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

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

26-2000 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, 2000, and declaring an emergency. (1St Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Ms. Slough, 616 Sandpiper, S.E., asked what is the total appropriations. Ms. Cox said the entire budget is over \$20 million, and \$6 million for the general fund. The ordinance includes \$1.2 million for Municipal Court. Roll call, 7 yeas, rules suspended.

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

### RESOLUTIONS: NONE

### OLD OR UNFINISHED BUSINESS:

Mr. Day asked Mayor Brodzinski what is the status of an ordinance that City Sanitarian Jim Ulis is working on. Mayor Brodzinski will check with Mr. Ulis.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:22 P.M.

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

APPROVED APRIL 10, 2000

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