

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 12, 2010 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: MS. SANDY COX  
MS. COLLEEN ESPENSCHIED  
MR. DARRIN LAUTENSCHLEGER  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

COUNCIL MEMBERS

EXCUSED ABSENCE: MR. ROB MAURER  
MR. JIM LOCKER

MS. COX MADE A MOTION TO ADD RESOLUTION 16-2010 AND RESOLUTION 17-2010 TO TONIGHT'S AGENDA. MS. WALKER SECONDED THE MOTION. ROLL CALL, 5 YEAS, MOTION PASSED.

PRESIDENT OF COUNCIL JOEL DAY MADE A CORRECTION TO THE MINUTES.  
PAGE 3 THE TIME NPBCA HOLD THEIR MEETINGS WAS 8:00PM SHOULD BE 8:00AM.

MS. COX MADE A MOTION TO APPROVE THE CORRECTED MINUTES FROM MARCH 22, 2010.  
MS. WALKER SECONDED THE MOTION. ROLL CALL, 5 YEAS, MOTION PASSED.

CORRESPONDENCE . . . . . CLERK, PATRICIA MCKAY

1. City of New Philadelphia, Ohio Treasurer's Statement of all city funds for the month of February 2010
2. City of New Philadelphia, Ohio Treasurer's Summary of transactions for the General Checking Account for the Month of February 2010
3. City of New Philadelphia Treasurer's Reconciliation for the period ending February 2010
4. Airport commission Minutes of March 9<sup>th</sup>, 2010
5. A Notice to Council from the Ohio Division of Liquor Control to Ryan A. Catola DBA Tobacco Row, 401 East High Avenue, New Philadelphia, Ohio 44663 for a new C- 1 permit; asking objections be made no later than 05/07/2010.
6. Finance Committee Meeting Minutes from March 22, 2010
7. Auditor's monthly statement of 2010 Revenue for the General fund for the month of March 2010
8. Auditor's Financial Statement for the month of March 2010.
9. Safety, Health and Service Minutes from the March 22, 2010 meeting
10. New Philadelphia Fire Department February 2010 Month End Summary
11. Incident report for the Fire Department between February 1, 2010 and February 28, 2010
12. New Philadelphia Municipal Court 2009 Annual report prepared by and submitted by Judge Mary Wade Space

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT/REQUEST.....MAYOR MICHAEL TAYLOR

The Mayor held his third annual voluntary employee meeting at Tuscora Park Pavilion. Items discussed: The availability of a new voluntary dental insurance policy for any full time employees at their own expense. Reviewed the employee wellness incentive program for the coming year, highlighted accomplishments from 2009 and reported on projects planned for 2010. The employee meetings create an opportunity to share information with all departments.

Recently, Mayor Taylor attended the ground breaking for the new service center for the Tuscarawas County Board of Developmental Disabilities at their Commercial Avenue SW location. The new building in their campus will provide efficiencies of operations for clients and employees and will be a welcome addition to our city. As part of this project, two locations in New Philadelphia will close. The employees from those locations will move to the new central facility.

Mayor Taylor worked with the AFSCME Clerical Union and they have approved the changes to the previous tentative agreement regarding the wage increase being reduced from 1 ½ % to 1 % for 2010. The Mayor encouraged council to pass this legislation this evening to complete the bargaining contract process for all unions. This will not be possible because of the 2 members absent. The Mayor requested a Special Meeting of Council to be held Monday, April 19, 2010 at 6:30 PM in Council Chambers. The purpose of this meeting only is to take action on the following:

- Ordinance 8-2010 (Traffic Signal Project),
- Resolution 15-2010 (Paving Project for West High Avenue), this resolution needs to be passed before April 21<sup>st</sup> 2010.
- Resolution 16-2010 (to adopt the Clerical Tentative Agreement),
- Resolution 17-2010 (to reject the Clerical Tentative Agreement)

SERVICE DIRECTOR . . . . . MR. JIM ZUCAL

Mr. Zucal announced before the next city council meeting of April 26, 2010 Jeannette Wierzbicki, P.E., of W.E. Quicksall & Associates, Inc., will have the second public hearing for the 2011 Construction Year CDBG Project.

The housing review team met on March 30, 2010 visited, reviewed and sent out letters to owners of 4 dilapidated structures in the city.

The Service Director coordinated 2 litter clean ups in the city with the Tuscarawas County Office of Litter and Recycling.

One clean up was last weekend on the south side interchange area near Commercial Avenue and South Broadway

The other will be this weekend at west-end interchange.

The city’s street department employees continue to sweep streets and are now using hot mix to patch pot holes

If you have any paving requests please have them to the Service Director, as the memo stated, by this Friday.

Colleen asked what time Jeannette will be having the hearing. Mr.Zucal said Jeannette typically schedules her meeting briefly before ours around 7:00 PM; it is usually about a 10 to 15 minutes meeting before the Council Meeting.

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported:

April 8<sup>th</sup> the fire department entrance examine was certified by the Civil Service Commission.

The top 10 applicants have been notified and they will be completing the phase 2 agility portion here in the next couple weeks.

Secondly, officially the police sergeants test will be given on May 26<sup>th</sup> and an assessment will be given on June 12<sup>th</sup>.

AUDITOR . . . . .MS. BETH GUNDY . . . . .NO REPORT

TREASURER . . . . .MR. DAVE JOHNSON

Apologized for his report being late

Stated there were a couple clerical errors but they did not affect the outcome of the report. Mr. Johnson said he will have a new report for council. (The report he distributed did not print the pennies which will not change the end results of the report.)

The treasurer wants to make sure everyone has an accurate report.

Mr. Johnson requested council approve the treasures report for February 2010.

Ms. Cox made a motion to approve the Treasurer's report for February 2010, Mr. Lautenschleger seconded the motion. Roll Call, 5 Yeas, Motion Passed.

LAW DIRECTOR . . . . .MR. MICHAEL JOHNSON

The Law Director has been meeting with municipal court over some personnel issues He met Friday with the O Holly attorney. He said we are trying to finalize and settle the resolution with civil law suit. Judge Edward O'Farrell gave us a dead line to meet. The Law Director is pushing to get the lawyers and everything taken care of and come back with a final agreement for city council. Mr. Michael Johnson reviewed the Rhodes Case with our attorney in Cleveland. We anticipate a ruling on that the public records case. We expect that to happen in the very near future but we cannot put a date on it. The mayor, the service director, engineer and law director met with Scurlock Construction. They are trying to get some issues taken care of, that projects is completed, but there are some other issues that need addressed We met with them today informally. We will have information for council by the next regular meeting. The Law Director apologized to Ms. Walker as he did not have her indigent burial paper work done. He has been working on it and he will try to have it ready by the next meeting so she will be able meet with her committee on it. We probably have 6 foreclosures we are involved in because of the grants through the federal and state that Mr. Danzo handles. The Law Director has been handling some mediation on those, working with the home owner and the mortgage companies to get them all resolved. It is all favorable, the land owners can keep their properties and keep paying.. The Law Director is working to get that all taken care of and to do it with the city's position that we are not in business to take any ones home away from them We are being cooperative in working with everyone.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The planning commission for Tuesday, April 13, 2010 at 1:00 PM in Council Chambers has been cancelled. The next meeting will be held Tuesday May 11, 2010 at 1:00 PM in Council Chambers pending an agenda.

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

The Board of Zoning Appeals will meet Tuesday, April 13, 2010 at 5:00 PM in Council Chambers.

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

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER . . .NO REPORT

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

The Health Board will meet Wednesday, April 21 2010 at 12:00 noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . .MS. SANDY COX

Ms Cox reported the finance Committee met tonight at 7:15 PM to discuss.  
Item 1) Resolution 15-2010 the paving project with ODOT from the railroad tracks to the interstate  
Item 2) Resolution 16-2010 (to adopt the Clerical contract) we had it added to the agenda for passage for tonight.  
Item 3) Resolution 17-2010 (to reject the Clerical contract) we had it added to the agenda for passage for tonight.  
Due to the absence of two members of Council, no action could be taken this evening:  
Mayor Taylor called A Special Meeting of Council for Monday, April 19<sup>th</sup> 2010 at 6:30 PM in the Council Chambers for the purpose to take action on the following:  
Ordinance 8-2010 Resolution 15-2010, Resolution 16-2010, and Resolution 17-2010.  
Finance Committee adjourned at 7:21 PM

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

President Joel Day assigned the non bargaining workers salary and benefit request to the Salary Committee.

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . MR. ROB MAURER .....NO REPORT

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . . . . MR. DARRIN LAUTENSCHLEGER

No Formal Report, but Mr. Lautenschleger alerted his committee members that Public Works & Economic Development Committee have received a couple assignments and he will have some paper work and will be in touch in scheduling a meeting.

President Joel Day assigned:

Public Works & Economic Development Committee CDBG grant application for Ray Avenue and Second Street NW project and a request for revisions to Codified Ordinance Chapter 1329 Flood Damage Prevention.

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

There will be a meeting with Zoning & Annexation Committee Monday, April 26, 2010 at 6:30PM in the Council Chambers to discuss Resolution 19- 2010 (to allow Tuscarawas Metropolitan Housing Authority to administer FY Chip Funding)

President Joel Day assigned:

Chip grant funding for rental units and also

A resolution to the Tuscarawas County Park District for land development support

CONTACT & SPECIAL COMMITTEE .....MR. JOHN ZUCAL

There will be a meeting on Monday, April 26, 2010 at 7:00 PM in the Council Chambers to discuss the following

Item 1) Resolution 18-2010 a resolution by council to approve and adopt the Tuscarawas County Tax Incentive Review Council's recommendations to the Enterprise Zone Annual Report (TIRC ) Tax Incentive Review Council)

Item 2) Discuss and review the request for a new liquor permit from the Ohio Division of Liquor Control to Ryan A. Catola DBA Tobacco Row, 401 East High Avenue, New Philadelphia, Ohio 44663 for a new C- 1 permit; asking objections be made no later than 05/07/2010.

Those are the 2 specific agenda items for Contact & Special Committee meeting on the 26th

(President Joel Day assigned these items last week to Mr. Zucal and his committee)

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

VISITOR'S COMMENTS:

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

7-2010 An ordinance by the Council of the City of New Philadelphia to authorize payment to the various utility providers for the City of New Philadelphia, Ohio for the monthly utility bills in 2010 for the City of New Philadelphia, Ohio which billings are in excess of \$25,000.00 per year, and declaring an emergency. (1<sup>st</sup> Reading)

8-2010 An ordinance by the Council of the City of New Philadelphia authorizing and directing the service director to advertise for bids receive bids and to enter into contracts with the lowest and best bidder for the 2010 traffic signal project (PID 81602), and declaring an emergency. (1<sup>st</sup> Reading)

RESOLUTIONS:

13-2010 A resolution by the council of the City of New Philadelphia, Ohio to authorize the New Philadelphia Water Department to use the services for Smart Bill and pay the same in excess of 25,000.00 per year, and declaring an emergency. (1<sup>st</sup> Reading)

- 14-2010      A resolution by the council of the City of New Philadelphia, Ohio to enter into an agreement with the Goshen Township Trustees to permit real estate taxes pursuant to Ohio Revised Code section 709.19 for the annexation of an adjacent 1.3938 acre tract of land located in Goshen Township to be divided with the township for Real Estate taxes and authorizing annexation of this tract, and declaring an emergency. (2<sup>nd</sup> Reading)
  
- 15-2010      A resolution by the council of the City of New Philadelphia, Ohio to authorize payment to ODOT for city participation in the removal and resurfacing project on S.R. 39 within the City of New Philadelphia, and declaring an emergency. (1st Reading)
  
- 16-2010      A resolution by the council of the City of New Philadelphia, Ohio to adopt the amended 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. (1st Reading)
  
- 17-2010      A resolution by the council of the City of New Philadelphia, Ohio to reject the amended 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. (1st reading)

UNFINISHED OR OLD BUSINESS: .....None

NEW BUSINESS:.....None

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 7:56 P.M.

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

APPROVED

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