

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 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. MR. DARRIN LAUTENSCHLEGER  
MR. JIM LOCKER

COUNCIL MEMBERS GEORGE HOUSTON AND ROB MAURER WERE ABSENT.

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

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

- 1. Safety, Health, and Service Committee meeting minutes of April 12, 2004.
- 2. Zoning & Annexation Committee meeting minutes of April 15, 2004.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT . . . . . MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from April 13 through April 26, 2004. Reported that on April 13 he attended a luncheon at BCC to honor the retired and Senior Volunteer Program. Reported that he attended the Main Street Volunteer Dinner on April 22 to honor the many volunteers who dedicate their time to Main Street New Philadelphia. Reported that on April 16 he attended the Solid Waste Policy Board Meeting, and the plan is being updated and rewritten. Reported that on April 20, he attended the quarterly meeting of the where it was announced the receipt of a grant for new equipment for the Fire Department Dive Team. Reported that on April 22, he attended a gathering of state officials at Smurfit Stone to celebrate their continuing to operate their facility in New Philadelphia. Reported that the ribbon cutting ceremony was held on April 22 for the new Sheetz gas station on West High Avenue.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that changes have been made to the sidewalk replacement program, including a June 1 deadline for residents to get their applications in to the Service Department. He requested emergency passage of the sidewalk replacement Ordinance 21-2004 tonight as an emergency. President of Council Dave Johnson reminded everyone that 6 votes of council are needed to pass emergency legislation, and since there are only 5 members present, nothing can be passed tonight as an emergency.

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

Mr. Johnson commended Mr. Popham for working on the visibility problem on the South Broadway Bridge.

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

TREASURER . . . . . MR. MIKE TAYLOR

Reminded everyone that he will be attending continuing education this week in Columbus.

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Explained Ordinances 22-2004 and 23-2004 concerning concealed weapons, and recommended their passage as soon as possible.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . .MAYOR BRODZINSKI

Will meet May 12, 2004 at 1:00 P.M. in Council Chambers.

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

Will meet May 4, 2004 at 5:00 P.M. in Council Chambers.

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

PARK BOARD . . . . . MR. DARRIN LAUTENSCHLEGER

Reported that the meeting scheduled for April 21 was cancelled due to lack of quorum, and will be rescheduled at a later date.

HEALTH BOARD. . . . .MS. SANDRA COX

Will meet May 19, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Reported meeting tonight to discuss additional appropriations for the cemetery department. The Committee approved making additional money available when needed. Ms. Cox informed the Committee that there will be an ordinance before Council at the next meeting to increase appropriations for grant money issued to the Fire Department and to the Bicentennial Fund for Bicentennial items sales.

SALARY COMMITTEE . . . . . MR. JIM LOCKER

Reported meeting April 15 to continue discussion on the sick leave policy. Another meeting will be scheduled as soon as the Steering Committee meets to discuss the issue. Also discussed was Ordinance 15-2004, amending Codified Ordinance Section 1335.08 to designate those employees to act as building inspector or enforcement officer.

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

Reported meeting tonight to discuss an additional K-9 unit in the police department. Police Chief Jeff Urban explained that an additional K-9 unit is very much needed on the midnight shift so that the current officer and dog don't have to be called out resulting in overtime. The Committee approved the issue, and an ordinance will be forthcoming.

COUNCIL MEMBER GEORGE HOUSTON ARRIVED AT 7:52 P.M.

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

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

Reported meeting April 15 to discuss Ordinance 17-2004, to create a new sub-business zone to allow for future development in the city. Ordinance 18-2004, requiring minimum frontage on a residential lot was also discussed. The Committee approved both issues and recommend they go before Council for consideration. The Committee approved that Ordinance 16-2004, rezoning of West High Ave., be approved on third reading.

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

SPECIAL COMMITTEE . . . . . MR. DARRIN LAUTENSCHLEGER . . . . . NO REPORT

Will meet April 29, 2004 at 11:00 A.M. to discuss the banners in the downtown area.

VISITOR’S COMMENTS:

Dewey Daley, 303 Lighthouse Point, New Philadelphia, presented a petition of approximately 180 signatures, from the residents of Shel-Mar Estates asking why the odor of the sewer plant is so bad. Service Director Gary Espenschied said the upgrade of the sewer plant is not complete, and he asked the residents to be patient until the sludge removal and the odor control is in place.

Ruth Hilfinger, 123 East 12<sup>th</sup> St., Dover, said she owns a property at 145 Fair Ave. N.E. in New Philadelphia, and she asked that something be done about the junk and the run down condition at the property next door and the residence directly behind her property. Mayor Brodzinski said letters will be sent to the Swineharts, the property owners, asking them to clean it up. He said, concerning the Fair Ave. property, the house is vacant, and the city has different laws pertaining to vacant and occupied properties. He said the city will do whatever they can to help alleviate the problem.

George Summers, 1351 Sharon Valley Rd. New Philadelphia, said he owns 3 properties abutting the Swinehart property mentioned previously, and he presented pictures that show the bad condition of that property.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked that the Council meetings be listed in the newspaper under “Open Sessions”. She was informed that it is in the Saturday newspaper. She said there is a lot of brush on 2<sup>nd</sup> Dr. N.W. that needs to be cleaned up. She said she would like to see approval of the addition K-9 unit in the police department.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

9-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to accept the application by Allen L. and Jane E. Gasser for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same, and declaring an emergency. (3rd Reading)

Ms. Slough asked where the water run off will go. Mr. Houston said it would go into the creek. The creek was dredged so that it will handle the additional water.

Motion to vote on passage made by Mr. Houston, seconded by Mr. Jim Locker. Roll call, 6 yeas, motion passed.

- 11-2004 An ordinance by the Council of the City of New Philadelphia, accepting the Oak Shadows Phase II Plat, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Ellwood. Roll call, 6 yeas, ordinance passed.
- 14-2004 An ordinance by the Council of the City of New Philadelphia to authorize the re-conveyance of a 4.259 acre tract which is part of the Ohio and Erie Canal lands within the City of New Philadelphia, and declaring an emergency. (2<sup>nd</sup> Reading)
- 15-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Section 1335.08 to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 1335.08 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)
- 16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (2nd Reading)
- Law Director Mike Johnson scheduled a Public Hearing for June 14, 2004 at 8:00 P.M.
- 17-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to define certain business district property as Business Type B Zone, and declaring an emergency. (2<sup>nd</sup> Reading)
- 18-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1161.031 of the Codified Ordinances of the City of New Philadelphia requiring minimum frontage on a residential lot, and declaring an emergency. (2nd Reading)
- 20-2004 An ordinance by the Council of the City of New Philadelphia to vacate an unnamed alley extending north from Park Avenue NW to the south side of private residence and located between lots owned by the New Philadelphia VFW, and declaring an emergency. (1<sup>st</sup> Reading)
- 21-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Section 903.09 and 903.11 of the Sidewalk Replacement Program within the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Locker. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Ellwood. Roll call, 6 yeas, ordinance passed.
- 22-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to prohibit the possession, control or conveyance of deadly weapons or dangerous ordinances into or within all city owned buildings, and declaring an emergency. (1<sup>st</sup> Reading)

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

Motion to vote on passage made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 6 yeas, ordinance passed.

23-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to prohibit the possession, control or conveyance of deadly weapons or dangerous ordinances onto, over or within all city owned or occupied real estate, and declaring an emergency. (1<sup>st</sup> Reading)

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

Motion to vote on passage made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 6 yeas, ordinance passed.

24-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 121.01 Rule 13 to modify the standing committees named by Council, and declaring an emergency. (1<sup>st</sup> Reading)

25-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 339.01(b), and declaring an emergency. (1<sup>st</sup> Reading)

RESOLUTIONS:

14-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Captain Rick McCoy for his years of service through the New Philadelphia Police Department, and declaring an emergency. (1<sup>st</sup> Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson said he will assign the housing problem to the Public Works Committee.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:27 P.M.

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

APPROVED May 10, 2004

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