

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 13, 2002 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL PRO TEM GEORGE HOUSTON PRESIDING. MR. HOUSTON 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. ROB MAURER

COUNCILMAN SAM HITCHCOCK WAS ABSENT.

THE MINUTES OF APRIL 22, 2002 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. New Philadelphia Health Board Report submitted by Ms. Cox from May 8, 2002.
2. Board of Control meeting minutes of May 6, 2002.
3. Salary Committee meeting minutes of April 22, 2002.
4. The 2001 Union Hospital Annual Report to the Community.
5. New Philadelphia Park & Recreation Board meeting minutes of April 17, 2002.
6. New Philadelphia Fire Department Monthly Report for April, 2002.
7. April 2002 Summary of Reports for the New Philadelphia Fire Department.
8. New Philadelphia Police Monthly Activity Report for April, 2002.
9. New Philadelphia Airport Commission meeting minutes of April 9, 2002.
10. New Philadelphia Police K9 Activity Report for April, 2002.
11. New Philadelphia City Board of Health meeting minutes of April 13, 2002.
12. New Philadelphia Health Department Environmental Health Report for April, 2002.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of the Mayor's office from April 23 through May 13, 2002. Reported that the traffic signalization program is proceeding and should be complete by the end of summer. Reported that the South Broadway project is also proceeding, and construction has begun at the WWTP. Reported that fire pumper bids were opened April 26. Reported meeting with a representative of AEP on April 29, and expressed his dissatisfaction that service for the ballfield lights at the Waterworks will cost the city approximately \$16,500, a service that previously cost the city nothing or a reduced rate. Reported that "Art on the Square" was held over the weekend, and officially kicks off the summer downtown activities. Requested emergency passage of Ordinances 39-2002, 42-2002, 43-2002, and 45-2002. Announced that the Airport Restaurant will open soon under the

management of Holly Nelson and Bob Jacobs. Mr. Day asked if the city has any alternatives to electric service for the ballfield lights. Mayor Brodzinski said he would like to speak with Dover Mayor Homrighausen to see if a deal could be worked out for service.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported meeting April 25 for the CDBG for storm sewer projects, and since the bids came in lower than expected, it is hoped that additional storm sewers can be installed. Reported that the Sidewalk Replacement Program is doing well, and said he would like to see additional funds be available to satisfy all those that wish to participate. Relinquished the floor to Building Inspector Bill Richesson, who reported that he has worked on 30 properties since July, 2001. Reported that 59 building permits were issued in April.

SAFETY DIRECTORMR. GREG POPHAM

Reported that Police Officer Joe Skinner has been promoted to Captain.

AUDITORMS. BETH GUNDY

Requested that transfers made in her office be approved. Requested emergency passage of Ordinance 41-2002 and Resolution 18-2002. Reported that she and Mayor Brodzinski attended a meeting with the Tuscarawas County Auditor and Commissioners to discuss an alternative formula for local government share of funding. She will submit all information to the Law Director for an ordinance, and then ask that it be assigned to the Finance Committee for review. Ms. Cox made a motion to approve the transfers. Motion was seconded by Mr. Day. Roll call, 6 yeas, motion passed.

TREASURER MS. TERRI DEARDORFF ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Reported that he has spoken with the City Treasurer to set up an Investment Committee so that bond money can be placed in the best interest producing account. Reminded everyone of the Public Hearing tonight at 8:00 p.m. on Ordinance 32-2002. Reported that he has been working on the property on East High Ave. owned by Mike Harmon, which is in bankruptcy court. Ms. Cox asked the status on the liquor permit for the Airport Restaurant. Mr. Johnson explained that the liquor license belongs to Mr. Beachy, who recently managed the restaurant, but was not renewed by the state because sales tax is owed to the state by Mr. Beachy.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING TO DISCUSS ORDINANCE 32-2002, WHICH REQUESTS A CHANGE OF ZONING AT 429 WABASH AVENUE NW FROM RESIDENTIAL TO OFFICE DISTRICT.

MR. HOUSTON SAID THIS ORDINANCE PASSED THROUGH THE PLANNING COMMISSION BY A 6-1 VOTE. THERE BEING NO FURTHER COMMENTS, COUNCIL RECONVENED INTO REGULAR SESSION AT 8:04 P.M.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Reported that the meeting scheduled for May 8, 2002 was cancelled, and the next meeting will be June 12, 2002 at 1:00 p.m. at Tuscora Park.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet May 14, 2002 at 5:00 p.m. in Council Chambers

AIRPORT COMMISSIONMR. JIM LOCKER

Will meet May 14, 2002 at 6:00 p.m. at the airport.

PARK BOARD MR. ART CICCONE NO REPORT

HEALTH BOARD.MS. SANDRA COX

Read from a report she compiled from the Health Board meeting on May 8, 2002, which highlights a discussion on rabies and the need for residents to have their pets vaccinated against rabies. Recently, a 7-month-old puppy came into contact with a rabid bat.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting tonight to discuss the Auditor’s transfers; Ordinance 40-2002, allowing the Auditor to deposit cable TV franchise fee revenue directly into certain accounts; Ordinance 41-2002, amending & adjusting the permanent appropriations; Review of Ordinance 42-2002, agreement with ODOT for South Broadway Bridge resurfacing; and Resolution 18-2002, adopting a fixed assets policy for accounting procedures. Also discussed was the concession and ride contract at the park. Scheduled a meeting for Thursday, May 30 at 7:00 p.m. to discuss the bids for a new fire pumper truck.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK NO REPORT

PUBLIC WORKS COMMITTEE.MR. JOEL DAY

Reported meeting tonight to finalize the terms of the franchise agreement with Adelphia. Ordinance 44-2002 has been prepared and presented to council for review. The Committee requests that the ordinance be held for three readings.

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON NO REPORT

CONTACT COMMITTEE.MR. ART CICCONE

Reported meeting May 6 to discuss downtown banners. A three-year contact was signed, and a resolution is forthcoming.

SPECIAL COMMITTEE MR. ROB MAURER

Reported meeting April 29 and again on May 7 to discuss the traffic light signalization. After hearing a considerable amount of information supporting both sides of the issue, the Committee voted to take no action to hold up the project of installing the lights.

VISITOR’S COMMENTS:

Harry Dotts, 827 East High Ave., New Philadelphia, said he recently experienced a problem with the Building Inspector over a building permit for a new shed he put on his property. Mr. Houston apologized for council members and administration if there was a lack of communication, and he defended the Building Inspector because he is all over town checking on permits.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if Park Board minutes are provided, and when will Bosco and handler Randy Williamson be back on the job. She was informed that minutes are provided to the Library when available. Mr. Popham said Randy is back on light duty.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

31-2002 An ordinance to make multiple family dwellings a conditional use in office districts and to amend Ordinance 1163.02 and enact Ordinance 1163.02, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Locker, seconded by Ms. Cox. Roll call, 6 years, motion passed.

32-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for real estate located at 429 Wabash Avenue NW, New Philadelphia, Ohio from Residential to Office district, and declaring an emergency. (3rd Reading)

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

Amended 34-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to enact Section 903.16 Sidewalk Installation in residential areas, and declaring an emergency. (2nd Reading)

36-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Ordinance 6-2002 in order to grant discretion to the Safety Director to set the rate for the part-time position of meter man within New Philadelphia, Ohio between \$8.00 per hour and \$10.00 per hour, and declaring an emergency. (1st reading)

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

Motion to vote on passage made by Mr. Day, seconded by Ms. Cox. Ms. Cox said she couldn't support this ordinance because she has contacted other cities and the average rate of pay for this position is \$8.11. Roll call, 1 year 5 days (Day, Cox, Houston, Maurer, & Locker), ordinance failed.

37-2002 An ordinance to repeal Codified Ordinance 143.03 – Certification of Ambulance Personnel and to enact new Codified Ordinance Section 143.03 – Certification of Ambulance Personnel, and declaring an emergency. (1st Reading)

Mr. Houston assigned this ordinance to the Finance Committee.

38-2002 An ordinance to increase permit fees under New Philadelphia Codified Ordinance 1309.01 by enacting a new permit fee schedule and repealing existing Section 1309.01 and repealing Ordinance 26-2002, and declaring an emergency. (1st Reading)

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

Motion to vote on passage made by Ms. Cox, seconded by Mr. Day. Roll call, 6 years, ordinance Passed.

- 39-2002 An ordinance by the Council of the City of New Philadelphia, Ohio authorizing the Service Director to advertise for bids and to accept or reject any and all bids concerning Federal Aviation Administration Grants to be used for runway lighting cable replacement, installation of precision approach path indicators, and installation of runway end identifier lights, and/or security fencing, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Locker, seconded by Ms. Cox. 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.
- 40-2002 An ordinance authorizing the City of New Philadelphia Auditor to deposit cable TV franchise fee revenue directly into certain accounts, and declaring an emergency. (1st Reading)
- 41-2002 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2002 and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Day. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Day. Roll call, 6 yeas, ordinance passed.
- 42-2002 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio to enter into an agreement with the Ohio Department of Transportation for the resurfacing of the South Broadway Bridge over railroad, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Day, seconded by Mr. Maurer. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 yeas, ordinance passed.
- 43-2002 An ordinance by the Council of the City of New Philadelphia authorizing the Service Director to advertise for bids and enter into a contract for the South Broadway pavement reconstruction project at a total cost not to exceed two hundred ninety four thousand and 00/100 dollars (\$294,000.00), and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Day, seconded by Ms. Cox. 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.
- 44-2002 An ordinance granting a franchise to Frontiervision operating Partners LP DBA Adelphia Cable Communications (the grantee) to construct, operate, and maintain a cable system in the City of New Philadelphia, Ohio (the grantor), setting forth conditions accompanying the grant of the franchise, providing for regulation and use of the system. (1st Reading)
- 45-2002 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio, to enter into a written lease agreement with Oh Holly Corporation to operate the New Philadelphia Airport Restaurant, and declaring an emergency. (1st 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. Maurer. Roll call, 6 yeas, ordinance passed.

RESOLUTIONS:

18-2002 A resolution by the Council of the City of New Philadelphia, Ohio to adopt a fixed assets policy documenting the threshold and fixed asset accounting procedures, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Houston reminded everyone that the next regular meeting of Council will be Thursday, May 30, 2002 at 7:30 p.m. because of the Memorial Day Holiday.

MOTION TO ADJOURN MADE BY MS. COX. MOTION PASSED. MEETING ADJOURNED AT 9:09 P.M.

CLERK OF COUNCIL _____

APPROVED May 30, 2002

PRESIDENT OF COUNCIL _____