

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 31, 2007 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. ROBERT CONNER
MS. SANDY COX
MR. JIMMY EICHEL
MR. GEORGE HOUSTON
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF MAY 14, 2007 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEUSH

1. Finance Committee meeting minutes of May 14, 2007.
2. The April 2007 Month End Summary Report for the New Philadelphia Fire Department.
3. Safety, Health, and Service Committee meeting minutes of May 9, 2007.
4. Mayor’s Monthly Statement to Council for May 2007.
5. A notice from the Ohio Division of Liquor Control requesting a transfer of a C1 and C2 permit to Buckeye Beverage on East High LTD, dba Buckeye on East High LTD, 1103 East High Avenue, New Philadelphia, OH 44663, transferred from DeMonte Development Group, Inc., dba Davey’s Drive Thru, same address, and asking that objections be made no later than 6/22/07.
6. A notice from the Ohio Division of Liquor Control requesting a transfer of a D1, D2, and D3 permit to 601 Entertainment LLCCC, dba Bud and Tooties, 601 West High Ave. Front & Patio, New Philadelphia, OH 44663, transferred from Bud & Tooties, Inc., same address, and asking that objections be made no later than 6/25/07.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from May 14 through May 31, 2007. Reported that a swearing-in ceremony was held May 16 for the new Police Dog “Ruger” Reported that he attended a ribbon cutting ceremony for the new Body Central store at New Towne Mall. Reported that the EAA Pancake Breakfast was held May 27 at the Airport. Reported that he read a Proclamation for the 100th anniversary of Tuscora Park on Memorial Day. Asked that President Johnson assign a request from ODOT for the city’s share of repairing the slip on Seven Mile Drive. Congratulated all 2007 High School and College graduates.

SERVICE DIRECTOR.....MR. GARY ESPENSCHIED

Reminded residents that a building permit must be obtained before building/remodeling projects. Reported that sidewalk replacement money is still available.

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

AUDITORMS. BETH GUNDY ABSENT NO REPORT

TREASURER MR. MIKE TAYLOR

Informed Council that he will not be in attendance at the June 11 meeting.

LAW DIRECTOR MR. MIKE JOHNSON

Thanked the Fire Department’s EMS for their assistance during a recent fall at his home, in which he suffered a broken rib. Reported that he is working with the Swihart family to clean up a property off Fair Ave. NE.

MAIN STREET REPRESENTATIVE NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR BRODZINSKI

Will meet June 13, 2007 at 1:00 P.M. in Council Chambers.

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

Reported meeting May 15, 2007 at 5:00 P.M. in Council Chambers. 5 variances were granted and 1 was tabled. The next meeting is scheduled for June 12 at 5:00 P.M.

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

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

HEALTH BOARD.....MS. SANDY COX

Will meet June 13, 2007 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Will meet June 11 at 7:15 P.M. to discuss the Auditor’s request for advancement of tax monies from the County, and the walkway around the stadium. Mr. Johnson assigned ODOT’s request for the city’s share of slip repair on Seven Mile Drive.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

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

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

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER NO REPORT

Mr. Johnson assigned the two liquor license transfer requests.

PARKS & CEMETERY COMMITTEE MR. JIMMY EICHEL NO REPORT

VISITOR'S COMMENTS:

David West, 468 Lockport Ave. SW, New Philadelphia, urged Council to approve the AFSCME contract.

William Groom, 1601 Campbell Rd. SW, New Philadelphia, urged Council to approve the AFSCME contract.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

10-2007 An ordinance by the Council of the City of New Philadelphia to authorize the New Philadelphia Police Department to hold the annual Police Auction on June 22, 2007 at 5:00 P.M., and declaring an emergency. (2nd Reading)

12-2007 An ordinance to authorize the City of New Philadelphia to enter into a contract with the Tuscarawas County Sheriff's Office for the housing of inmates in the Tuscarawas County jail and payment of housing costs to the Tuscarawas County Commissioners and declaring it an emergency. (2nd Reading)

Mr. Johnson urged Council to pass Ordinances 13-2007 and 14-2007.

13-2007 An ordinance by the Council of the City of New Philadelphia to accept the agreement between the City of New Philadelphia and Local 1958 – Clerical Chapter and Ohio Council 8, American Federation of State, County and Municipal employees AFL-CIO, , Clerical Employees for 2007, 2008 and 2009, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Locker, seconded by Mr. Houston. Roll call, 3 yeas, 4 nays (Conner, Cox, Eichel, & Maurer), suspension of rules failed.

14-2007 An ordinance by the Council of the City of New Philadelphia to accept the agreement between the City of New Philadelphia and Local 1958 and Ohio Council 8 American Federal of State, County and Municipal Employees AFL-CIO, Service, Maintenance and Technical employees for 2007, 2008, and 2009, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Locker, seconded by Mr. Houston. Mr. Maurer stated that, even though the negotiations have been ongoing for several months, Council only recently received the proposed contract, and he is not prepared to vote on passage tonight. Ms. Cox said city everyone was aware that these ordinances would be held for three readings. Mr. Houston said these are good employees, and they have been waiting for their money, and Council should approve the ordinances. Roll call, 3 yeas, 4 nays (Conner, Cox, Eichel, & Maurer), suspension of rules failed.

15-2007 An ordinance by the Council of the City of New Philadelphia, Ohio to repeal Chapter 1307 – Ohio Basic Building Code of the codified ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)

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

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

16-2007 An ordinance by the Council of the City of New Philadelphia, Ohio to revise and update the current fire code within the City of New Philadelphia, Ohio, by repealing existing Chapter 1511, and declaring an emergency. (2nd Reading)

RESOLUTIONS:

12-2007 A resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the General Fund (#101) to the CDBG Fund (#287) to supplement cash needed to fund current operations, and declaring an emergency. (3rd Reading)

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

13-2007 A resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia, Ohio to transfer up to \$25,000.00 from the General Fund #101 to the Sidewalk Improvement Fund #285, and declaring an emergency. (3rd Reading)

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

16-2007 A resolution by the Council of the City of New Philadelphia, Ohio to commend Dr. Roy Geduldig for his years of service to the Board of Health, New Philadelphia, Ohio. (1st Reading)

UNFINISHED OR OLD BUSINESS:

Mr. Houston asked if there has been any action on the deplorable condition of the property in the 1300 block of Kaderly NW. Mr. Espenschied said that he and the Fire Chief will be looking at that property and another property on Fourth St. Law Director Mike Johnson explained the procedure for notifying residents that they need to clean up their property.

Mayor Brodzinski commended Fire Chief Snyder and Firefighter Wes Halter for having the old ambulance converted into a dive vehicle.

Mr. Maurer informed Council that all the fire captains are not certified fire inspectors.

NEW BUSINESS: NONE

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING REGARDING ORDINANCE 9-2007.

Ordinance 9-2007 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning For property located on the corner of Kelly Street and Bowers Avenue owned by Gary Lawver and containing approximately three acres of land from Industrial to Residential, and declaring an emergency.

Sharon Lawver, 1235 Lakeview Rd. New Philadelphia, representing her husband Gary Lawver, said he intends to build 12-14 moderately priced homes.

Mr. Houston said the Zoning & Annexation Committee has approved this change of zoning.

AT 8:02 P.M. COUNCIL ADJOURNED FROM PUBLIC HEARING INTO REGULAR SESSION.

READING OF ORDINANCES (CONT'D.):

Ordinance 9-2007 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for property located on the corner of Kelly Street and Bowers Avenue owned by Gary Lawver and containing approximately three acres of land from Industrial to Residential, and declaring an emergency. (4th Reading)

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

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:02 P.M.

CLERK OF COUNCIL _____

APPROVED June 11, 2007

PRESIDENT OF COUNCIL _____