

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 14, 2006 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 JULY 24, 2006 WERE RECEIVED AND APPROVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Reconciliation for July 2006.
2. The Treasurer's Statement of Transactions of all city funds for July 2006.
3. The Treasurer's Summary of Transactions for the General Checking Account for July 2006.
4. The Auditor's Monthly Statement of Revenue for the General Fund for July 2006.
5. The Auditor's Financial Statement for July 2006.
6. Mayor's Monthly Statement to Council for July 2006.
7. The New Philadelphia Police Monthly Activity Report for July 2006.
8. Airport Commission meeting minutes of July 11, 2006.
9. A letter dated August 1, 2006 from Time Warner Cable notifying Council that they have acquired the former Adelphia Cable, effective July 31, 2006.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT.....MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from July 24 through August 14, 2006. Reported on two separate motorcycle accidents that have injured Police Officer Aaron Fulton and Firefighter Rick Wigfield. Reported that the annual downtown Sidewalk Sales were held July 27-29 and were an annual success. Reported that on August 8 he swore in Auxiliary Policeman Donald Woods. Reported that the Groundbreaking Ceremony for the Hi Tech Park was held August 8. Reported that on August 9 he attended an Issue 1 meeting at the County Commissioner's Board Room concerning the Ohio Job Ready Sites Program. Announced that he swore in new Firefighter Zach Campbell, and Darcie Carr as dispatcher.

SERVICE DIRECTOR.....MR. GARY ESPENSCHIED

Reported that bids will be opened on August 29 for the West High Avenue waterline upgrade and the Union Avenue storm sewer project.

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

AUDITOR. MS. BETH GUNDY

Requested approval tonight of her July reports.

TREASURER MR. MIKE TAYLOR

Requested approval tonight of his July reports. Mr. Houston made a motion to accept the Auditor’s and Treasurer’s Reports. Mr. Conner seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR MR. MIKE JOHNSON

Acknowledged County Auditor Matt Judy, who was in attendance to provide figures to be used in Resolution 24-2006, should Resolution 23-2006 pass tonight. Informed Council that the Rodney Class lawsuit has been thrown out of court.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR BRODZINSKI

Reported that there was no meeting in August, and the next meeting is scheduled for September 13, 2006 at 1:00 P.M. in Council Chambers.

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

Reported that there was no meeting in August.

AIRPORT COMMISSION.....MR. JIM LOCKER

Reported meeting July 11. Several items were in need of repair.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Will meet August 30, 2006 at 7:30 P.M. in the Park office.

HEALTH BOARD.....MS. SANDY COX

Will meet September 13, 2006 in the Health Department at 12:00 PM.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX.

Requested emergency passage tonight of Ordinance 33-2006.

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

Reported meeting August 2 to continue discussion of the sanitation department funding. After much discussion, the Committee recommends, tonight, emergency passage of Resolutions 23-2006 and 24-2006, which would place the issue on the November ballot for voter approval. The Committee also is requesting that a study be done for long-term planning for sanitation funding.

ZONING & ANNEXATION COMMITTEE. . . . MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER NO REPORT

PARKS & CEMETERY COMMITTEE MR. JIMMY EICHEL NO REPORT

VISITOR’S COMMENTS:

Eric Reip, 1103 Baltzley Valley Rd., New Philadelphia, said he is opposed to the Muskingum Watershed Conservancy District assessments, and the public is not given permission to give comments. Councilman Darrin Lautenschleger, Public Information Representative of MWCD, said the City does not have authority over MWCD. He pointed out that everyone is given opportunity to speak.

James M. Jones, 233 4th Dr. NW, New Philadelphia, asked what the alternative plan is should the sanitation levy not pass. Council President Dave Johnson said that a fee for trash pickup would likely be added to the water bills.

Larry Arnold, 526 Avon, New Philadelphia, said he understands that the current 2 levies will go off. Law Director Mike Johnson explained that the current two 1-mill levies will be replaced by a 3.7 mill levy. Mr. Arnold said he thought the Mayor’s plan to add the sanitation increase to the water bills was the proper way to fund the sanitation. President Johnson said that will be decided should the levy not pass.

Charles Warner, 406 Springbrook, New Philadelphia, asked the status of the sump hole on Springbrook Dr. Mayor Brodzinski said the property owner refuses to give access to the sump hole in order to clean it up. The Law Director said he has contacted her attorney, with no result. Mr. Warner asked what the alternative plan is. Mayor Brodzinski said the city may have to take the property owner to court.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 33-2006 An ordinance by the City of New Philadelphia, Ohio to enter into an agreement for annual codification of supplement as drafted and signed by Walter H. Drane Company May 26, 2006, a copy of which is attached hereto. (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. Eichel. Roll call, 7 yeas, ordinance passed.

RESOLUTIONS:

- 22-2006 A resolution by the Council of the City of New Philadelphia, Ohio to approve the recommendations of the Tuscarawas County Tax-Incentive Review Council pursuant to Ohio Revised Code 5709.85, and declaring an emergency. (1st Reading)

- 23-2006 A resolution by the Council of the City of New Philadelphia, Ohio to request the County Auditor to certify to the City of New Philadelphia, Ohio the total current tax evaluation of the subdivision, and the dollar amount of revenue that would be generated by 3.7 mill. The purpose of 3.7 mill replacement with an increase will be to supplement trash pickup and sanitation department operation. The tax will be a replacement of an existing tax and declaring an emergency. (1st Reading)
 - Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Eichel. Roll call, 7 yeas, rules suspended.
 - Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Houston. Roll call, 7 yeas, resolution passed.

- 24-2006 A resolution declaring it necessary to levy a tax in excess of the ten mill limitation and declaring an emergency. (1st Reading)
 - Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Locker. Roll call, 7 yeas, rules suspended.
 - Motion to vote on passage made Mr. Houston, seconded b Mr. Locker. Roll call, 7 yeas, resolution passed.

OLD BUSINESS:

Mr. Eichel asked how to proceed to have Rea & Associates come up with a plan for future sanitation funding. Law Director Mike Johnson suggested that Council give an oral vote to give the Mayor permission to proceed. Mr. Eichel made a motion to move forward on a study. Mayor Brodzinski said he could do that, but asked where the money to fund the study would come from. Auditor Beth Gundy said there is no appropriation to cover it. Mr. Johnson assigned it to the Finance Committee. Mr. Lautenschleger seconded the motion. Mr. Conner asked why Council couldn't do the study instead of asking the administration to have it done. Law Director Mike Johnson said Council doesn't have the authority to enter into a contract; however, the Mayor does. Roll call, 7 yeas, motion passed.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:15 P.M.

CLERK OF COUNCIL _____

APPROVED August 28, 2006

PRESIDENT OF COUNCIL _____