

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 27, 2001 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. ART CICCONETTI  
MS. SANDRA COX  
MR. JOEL DAY  
MR. GEORGE HOUSTON  
MR. JIM LOCKER  
MS. WINNIE WALKER  
MR. TOM LOCKER

THE MINUTES OF AUGUST 13, 2001 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE. . . . . CLERK DIANE ROUDEBUSH

- 1. Safety, Health, and Service Committee meeting minutes of August 20, 2001.
- 2. Board of Zoning Appeals meeting minutes of August 7, 2001.
- 3. Finance Committee meeting minutes of August 22, 2001.
- 4. Annexation and Zoning Committee meeting minutes of August 16, 2001.

MR. JOHNSON WELCOMED MEMBERS OF BOY SCOUT TROOP #90 WHO WERE IN ATTENDANCE.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from August 14 through August 27, 2001. Reported that the Grand Prix Race held recently at the Airport was a success. Reported meeting with a representative of a large retail store who wishes to locate in the city. Reported meeting with representatives of Quicksall & Assoc. and the County Engineer concerning the application for Issue #2 funds for Phase II of the wastewater treatment plant upgrade. Requested an Executive Session tonight to discuss personnel matters. Requested passage tonight of Ordinances 36-2001, 43-2001, 44-2001, 45-2001, 46-2001, and Resolution 10-2001. Mr. Cicconetti made a motion to go into Executive Session immediately following the reading of ordinances and resolutions to discuss personnel matters. Ms. Walker seconded the motion. Roll call, 7 yeas, motion passed.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Requested passage tonight of all legislation mentioned by the Mayor. Reported that the tree replacement program is in place, and encouraged residents to water the newly planted trees in the curbstrips in front of their homes. Requested that the President of Council assign Chapter 971, trash collection, of the Codified Ordinances to committee for review. Relinquished the floor to Mr. Roy Crawford of Quicksall & Assoc., who recently reviewed the bids for the traffic signalization project for the city, and announced that the bid was awarded to Complete General Construction Company.

SAFETY DIRECTOR . . . . .MR. GREG POPHAM

Requested passage tonight of Ordinance 41-2001.

AUDITOR . . . . . MS. BETH GUNDY

Requested passage tonight of Ordinance 40-2001.

TREASURER . . . . . MR. ROBERT GERBER . . . . . ABSENT . . . . . NO REPORT

Council President Dave Johnson read a note from Mr. Gerber stating that all checks are cashed and the statement reviewed through July, 2001.

LAW DIRECTOR . . . . . MR. MIKE JOHNSON

Reminded everyone that a Public Hearing is being held tonight to change the zoning at the former Liberty Seed Co. so that the new Arts' Center can be put in there. Informed Council that both the Donaldson and Endres annexations can be passed tonight.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Will meet Wednesday, September 12 at 1:00 p.m. at Tuscora Park.

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

Will meet Tuesday, September 4, 2001 at 5:30 p.m. in Council Chambers.

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

PARK BOARD . . . . . MR. ART CICCONE

Reported meeting recently, but there was a lack of quorum. Parking at the top of the hill on 2<sup>nd</sup> St. was reportedly working well, and the new lights are being installed at the baseball field. The issue of a shelter and running water was discussed at the skate park, and a new sidewalk on N. Broadway from Bill Kidd Dr. to Tuscora Ave., and on 2<sup>nd</sup> St. N.W. up to Broadway. The revamping of the tennis courts was also discussed. Mr. Johnson said he has had numerous requests from residents of that area to open 2<sup>nd</sup> St. N.W. after the park is closed for the winter. Mr. Cicconetti will take this to the Park Board.

HEALTH BOARD. . . . . MS. SANDRA COX . . . . . NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Reported meeting August 22, 2001 to discuss the K-9 unit. The Committee is requesting additional information from the police union concerning the Fair Labor Standards Act. The Committee met tonight prior to regular session to discuss Ordinance 40-2001, with passage being recommended tonight.

SALARY COMMITTEE . . . . . MR. JIM LOCKER

Reported meeting tonight to discuss the fire inspector position. The Committee would like more time to review information concerning the position, so the ordinance will be given first reading tonight and held for another meeting. Mr. Johnson asked if there has been any progress on an assignment to review various salaries within the city. Mr. Locker will schedule a meeting soon.

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . . . MS. WINNIE WALKER . . . . . NO REPORT

Recommended passage tonight of Ordinance 41-2001, curfew hours. Mr. Johnson assigned the request by the Service Director to review Chapter 971 of the Codified Ordinances dealing with trash pickup.

PUBLIC WORKS COMMITTEE. . . . .MR. JOEL DAY . . . . . NO REPORT

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

Reported meeting August 16 to review the proposed Donaldson annexation, Ordinance 37-2001, and the proposed Endres annexation, Ordinance 36-2001. Both ordinances were approved by the Committee, and passage recommended. Mr. Johnson assigned a request for a proposed road, Pinnacle Dr., to the Committee for review.

CONTACT COMMITTEE. . . . .MR. ART CICCONETTI

Scheduled a meeting for Wednesday, August 30, 2001 at 6:30 p.m. to discuss a liquor permit request at 131 Fair Ave. N.W.

SPECIAL COMMITTEE . . . . . MR. TOM LOCKER . . . . . NO REPORT

VISITOR’S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said there are trees at the cemetery that need to be removed. She asked why the sale of tires at a residence on West High Ave. is permitted, and will the junk be removed from the former junkyard on West High Ave. She asked if the city received a percentage of the revenue from the Grand Prix race at the airport, and could something be done about houses at Fair Ave. N.W. and Ashwood Lane N.W.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING TO DISCUSS ORDINANCE NO. 34-2001.

Ordinance No. 34-2001                    An ordinance by the Council of the City of New Philadelphia to change the zoning From Industrial to Business zone for the area known as 461 Robinson Drive SE, New Philadelphia, Ohio, and declaring an emergency.

THERE BEING NO COMMENTS FOR OR AGAINST, THE PUBLIC HEARING WAS ADJOURNED AT 8:01 P.M.

VISITOR’S COMMENTS: (CONT’D.)

In response to Ms. Slough’s questions, Service Director Gary Espenschied said the trees are a list to be taken out, but the list is quite long, and he doesn’t know where on the list these trees are. Mayor Brodzinski said the tire sales on West High Ave. will be addressed, and the city will get 7-1/2% of the gross receipts of the Grand Prix Race. The Police Department is handling the junkyard on West High Ave., and letters were sent to the owners of the houses at Fair and Ashwood Lane.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

34-2001                    An ordinance by the Council of the City of New Philadelphia to change the zoning from Industrial to Business zone for the area known as 461 Robinson Drive SE, New Philadelphia, Ohio, and declaring an emergency. (4th Reading)

Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Day. Roll call, 6 yeas 1 nay (Cicconetti), ordinance passed.

- 36-2001 An ordinance to accept the application by Endres Land LLC and Endres Floral Company for the annexation of certain territory in Dover Township, Tuscarawas County, Ohio, and to establish Industrial zoning of the same. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Mr. Jim Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 yeas, ordinance passed.
- 37-2001 An ordinance to accept the application by Gregory E. and Linda C. Donaldson for the annexation of certain territory in Dover Township, Tuscarawas County, Ohio and to establish Industrial zoning of the same. (3<sup>rd</sup> Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Walker. Roll call, 7 yeas, ordinance passed.
- 40-2001 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2001 and declaring an emergency. (2<sup>nd</sup> Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Tom Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Walker. Roll call, 7 yeas, ordinance passed.
- 41-2001 An ordinance by the Council of the City of New Philadelphia to enact Section 509.09 Curfew Hours for Minors and to repeal existing Ordinance 509.09, and declaring an emergency. (2<sup>nd</sup> Reading)
- Motion to suspend the rules made by Ms. Walker, seconded by Ms. Cox. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Walker, seconded by Mr. Tom Locker. Roll call, 7 yeas, ordinance passed.
- 42-2001 An ordinance authorizing the Service Director to advertise for bids and to enter into a contract with the lowest and best bidder for sewer sludge removal and land application for the City of New Philadelphia, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Day, seconded by Mr. Jim Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Day, seconded by Ms. Cox. Roll call, 7 yeas, ordinance passed.
- 43-2001 An ordinance to repeal New Philadelphia Codified Ordinance 737.02 and enact new Codified Ordinance 737.02 and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Ms. Walker. There being no 2<sup>nd</sup>, this ordinance will be held

- 44-2001 An ordinance by the Council of the City of New Philadelphia to enter into a contract for the close-loop traffic control system with Complete General Construction Company, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Jim Locker, seconded by Ms. Cox. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Jim Locker, seconded by Ms. Cox. Roll call, 7 yeas, ordinance passed.
- 45-2001 An ordinance authorizing the Service Director to enter into a contract with Superior Paving for a taxiway overlay at the Harry Clever Airport, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Tom Locker. Roll call, 7 yeas, ordinance passed.
- 46-2001 An ordinance authorizing the Service Director to enter into a contract with Southway Fence for security fencing at Harry Clever Airport, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Mr. Jim Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Jim Locker. Roll call, 7 yeas, ordinance passed.
- 47-2001 An ordinance to establish the position of Fire Inspector/Investigator in the New Philadelphia Fire Department and declaring an emergency. (1<sup>st</sup> Reading)

RESOLUTIONS:

- 17-2001 A resolution by the Council of the City of New Philadelphia Ohio to commend New Philadelphia Police Officer Rocky Dusenberry for winning five gold medals and one bronze medal at the Ohio Police and Fire Games, 2001. (2nd Reading)
- 18-2001 A resolution by the Council of the City of New Philadelphia Ohio to commend Fire Chief Charles Caton for his years of service in the City of New Philadelphia Fire Department. (1<sup>st</sup> Reading)
- 19-2001 A resolution authorizing the Mayor of the City of New Philadelphia, Ohio to apply for a loan through the Ohio Water Pollution Control Fund for improvements to the wastewater treatment plant in the City of New Philadelphia, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Cicconetti, seconded by Mr. Tom Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 7 yeas, resolution passed.

AT 8:30 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:36 P.M.

OLD OR UNFINISHED BUSINESS:

Mr. Day asked the Law Director if there has been a decision on the Haines Lawsuit. Mr. Johnson said there is none, and the city has been waiting since December, 2000.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:37 P.M.

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

APPROVED September 10, 2001

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