

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 13, 2010 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

PRESIDENT JOEL DAY ANNOUNCED THE LAW DIRECTOR, MICHAEL JOHNSON AND COUNCIL MEMBER ROB MAURER, IS EXCUSED FROM TONIGHT’S COUNCIL MEETING.

COUNCIL MEMBERS IN ATTENDANCE:

- MS. SANDY COX
- MS. COLLEEN ESPENSCHIED
- MR. DARRIN LAUTENSCHLEGER
- MR. JIM LOCKER
- MS. WINNIE WALKER
- MR. JOHN ZUCAL

MS. COX MADE A MOTION TO ADD RESOLUTION 45-2010, TO TONIGHT’S AGENDA. MR. LAUTENSCHLEGER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO ACCEPT TONIGHT’S AGENDA AS AMENDED. MS. ESPENSCHIED SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MR. ZUCAL MADE A MOTION TO APPROVE MINUTES OF THE PREVIOUS SESSION HELD AUGUST 23, 2010. MS. COX SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. City of New Philadelphia Cemetery Department Report for the Month of August 2010.
2. Received Notification of filling of Audit Report from Mary Taylor CPA, Auditor of State of Ohio
3. An Invitation for an informal gathering Tuesday, October 5 from 4 to 6:00 PM at the Tuscarawas Regional Technology Park on Tech Drive, buffet will be provided. Please RSVP by September 24, 2010 to Gary Little, garylittle@tusccic.com Phone 330-308-7524.
4. Auditor’s financial Statement for the month of August 2010
5. Mayor’s Monthly Statement to Council for August 2010
6. Finance Committee Meeting Minutes from August 23, 2010
7. Correspondence from Traver & Fox in regard to Personal and Family Counseling Service of Tuscarawas Valley, Inc. Proposed Annexation to the City of New Philadelphia from Goshen Township; they decided they no longer wish to pursue Annexation to the City of New Philadelphia.
8. New Philadelphia Police/Monthly Activity Report for the month of August 2010.
9. Packet of information between the City and EPA in regard to Wastewater Plant Permit
10. Five Year proposed Capital Improvement Plan; Water Department and Wastewater Department.
11. Airport Commission Meeting Minutes from August 10th 2010.
12. Safety Health and Service Committee Meeting Minutes from May 10th 2010 and August 9th, 2010.
13. New Philadelphia and ODOT to hold Public Meeting on Proposed West High Avenue Improvement, Wednesday, September 15, 2010 from 6:00- 7:30 PM at Tuscora Park

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT/REQUEST.....MAYOR MICHAEL TAYLOR

The Mayor reported that he distributed to Council a proposed 5 Year Capital Improvement Plan for The Water and Wastewater Department. Accompanying the plan was a cover letter by the Mayor reporting that "this plan will provide a guideline for possible expenditures, is subject to change and also to revenue being available."

The Mayor announced that "each year this plan needs updated by adding a new year and dropping off the preceding year." The Mayor thanked the Water Superintendent, the Wastewater Superintendent and Assistant Superintendent, and the Service Director and Assistant Service Director for their work and meetings put forth to complete this plan. The Mayor announced that now we have a game plan. The Mayor announced that we will be preparing a proposed plan for the Sanitation area.

The Mayor thanked and congratulated Buehler's for their investment and expansion of their New Philadelphia store with the additions of Ace Hardware.

The Mayor reminded everyone of the Open House Wednesday night from 6:00 PM to 7:30 PM at the Tuscora Park Dining Pavilion. The Mayor announced that this is a joint Open House by the City and ODOT for the public to come in and ask questions about the project and to see some renderings about how the project might look. The Mayor reported that an announcement regarding this meeting was in the Times Reporter on August 29th and notices were mailed to property owners and residences in the affected area. This Open House is a preliminary; ODOT does anticipate having another meeting with the city before the project is completed.

At the last meeting of Council, the Mayor announced that the Administration was looking at and considering weekly recycling. One part of the process was the availability of grants to purchase a new recycling truck and the bins to operate a weekly program. The Mayor announced that he would like thank the Waste District Board for approving those grants including money to market the program to our citizens. The Mayor reported that the total grants awarded were \$163, 241 and that there will be no cost to the city to implement this change. The Mayor announced that the final step for the city is reallocating our 4th Friday sanitation route to the other 3 Friday routes. The Mayor reported that we have begun that allocation last weekend and will conclude it over the next couple weeks pending any major unanticipated issues. The Mayor announced that we can look at weekly curbside recycling beginning once the bins are ordered and received. The Mayor announced that he would hope that we are up and running by late October.

The Mayor announced that we are completing a report for council that will show estimated increased revenues and estimated new costs for changing to weekly recycling. No additional staff is required.

The Mayor announced that we are looking at discontinuing our cardboard pickup route to businesses.

Our drop off site for this has gone out of business and we have found a reluctant substitute for the drop off- site. The Mayor reported that there is no market for cardboard.

The Mayor announced that all businesses will receive at least a 30 day notice of discontinuance and that we will provide them with some suggested alternatives for their cardboard. The Mayor announced that we will not institute this change until the residential weekly recycling is in operation.

The Mayor reported that he has received many positive comments about this proposed change to weekly recycling.

The Mayor announced:

- It is anticipated that the number of citizens participating will increase due to the fact that we will be picking it up weekly on the same day as their trash.
- That the recyclables no longer have to be separated and that we will be providing one bin per household to use. (The bins are approximately the size of a rectangle laundry basket.)
- Over time, we will develop final guidelines for bin replacement, the number of bins allowed.
- Experience will dictate what rules will be created.
- We are looking forward to this change; the increase from the waste district from \$25 per ton to \$45 per ton for all residential recyclables that is collected and processed.

SERVICE Director.....MR. JIM ZUCAL

The service director reported the following:

- The City’s General Paving Program is progressing well. If anyone should have any comments or concerns please share them with Mr. Zucal.
- Bids were open for the Wastewater Hoop Barn and Catwalk; the low bid was from Martin Dreher, Inc. of Strasburg, Ohio.
- Superior Paving of North Canton, Ohio will perform the Airport Ramp Rehabilitation Phase B which is actually a paving project at the airport for the main ramp.
- The Front Avenue Retaining Wall Project is finished. Mr. Zucal shared some before and after photos of the wall.
- Roof repair is scheduled at the Airport Restaurant beginning October 4th, 2010. M.E.B. Systems, Inc. is the contractor of Sugarcreek, Ohio.

Ms. Cox wanted to know where we stood with the rent from the Airport Restaurant.
 The Mayor answered that we have received 2 checks (not the correct amount as they are not calculating it correctly.)
 The Mayor reported that the Law Director indicated we should deposit the checks we received and said that Mr. Johnson will be sending a letter to them to get the amount of rent we should receive straightened out.
 At this point we have received our first amount of funds.

Ms. Walker asked the service director if something could be done about the bugs that are on the trees.
 Mr. Zucal replied that is a Tent Worm, or a Bag Worm. The Service Director reported that he received an e-mail from the State that the Tent Worm is quite a problem this year. He said, “If you noticed they are worse in the country.”

We do have some issues at the park. Possible solutions are:

- We can physically take the nest out
- Or spray, (it becomes quite a chore)
- They will die off with the first frost in October. Mother Nature will take care of them.

Ms. Walker asked the Service Director if the city had any kind of equipment to use to get rid of the grass, weeds and etc. that grows between the curb and the street pavement in the crease. Mr. Zucal answered “not anything mechanical.”

He asked Ms. Walker if there is an area or location in particular that she has an issue with if so let him know and it will be addressed.

SAFETY DIRECTOR.....MR. GREG POPHAM

1. The Safety Director reported in August we received a grant from the Rosenberry Foundation. This grant went to the Police Department for their Special Response Team for a Tactical Communication Unit.
2. Last week, the Fire Chief went to Roanoke Virginia to look at the fire truck that is being refurbished. Mr. Popham had some Pictures that were taken of the truck which he passed around so everyone could see the results. Mr. Popham announced that if everything goes as planned we should have our truck back in November. The Fire Chief was pleased with the results.
3. Last council meeting Ms. Espenschied requested a solution to the problem of not having traffic lights on West High Avenue when there is a power outage. Mr. Popham reported that we now have 2 battery powered backups in the Intersections for West High / Bluebell and South Broadway / Mill Street.

The Mayor commented that the Fire Chief said the company that is refurbishing the fire trucks is so pleased with the results of this project they are going to use the photos for marketing/promoting their service.

AUDITORMS. BETH GUNDY.....NO REPORT

TREASURERMR. DAVE JOHNSON.....NO REPORT

The Treasurer announced that the reason the Law Director is absent is because he is welcoming his new twin grandsons into the world. They will be New Philadelphia residents.

LAW DIRECTORMR. MICHAEL JOHNSON.....NO REPORT

Excused Absence

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The next Planning Commission will meet Tuesday, October 12, 2010, at 1:00 PM in Council Chambers pending an agenda.

BOARD OF ZONING APPEALSMR. JIM ZUCAL

The Board of Zoning Appeals will meet Tuesday, September 14, 2010 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... .MR. JIM LOCKER

The Airport Commission will meet Tuesday, September 14, 2010 at 6:00 PM in Airport Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGERNO REPORT

HEALTH BOARD.....MS. SANDY COX

The Health Board will meet Wednesday, September 15, 2010 at 12:00 noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDY COX

Ms. Cox reported:

The Finance Committee met on Monday, September 13th, 2010 at 7:00 PM in the Council Chambers at the Knisely Centre. To discuss the following:

Item 1: Resolution 45-2010 Resolution accepting the amounts and rates as determined by the Budget Commission This item was added to the agenda this evening and needs to be passed as an emergency this evening because of the deadline. (It needs to be in the County Auditor’s office by September 17th, 2010.)

Item 2: Resolution 44-2010 This is an upgrade or replacement of a lift station at the Lauren Lift Station in Knisely Industrial Park. The figure has been changed to \$225,000 and we are asking that it be and pass as an emergency on the second reading (October 11th).

Item 3: Revisiting the Water Department Truck: The committee was informed that the water truck exceeded the \$30,000 by \$3,703 and that we are going to receive the truck through state purchasing. It was approved for the additional funds and now there needs the proper legislation prepared.

Item 4: Revisiting roof and cat walk around the wastewater treatment plant. The estimated figure was \$67,000 It was an additional \$2,548. The committee did approve to move forward on this.

Item 5: Putting on a Moratorium on Legislation from 2011 to 2014 in regard to assessment fees that were charged to certain locations in the city. Committee is recommending that we do this and pass it on the next meeting.

Item 6: Recycling program expanded to every week. The committee was informed that recycling would be expanded to every week with no additional employees hired (rearranging schedules). The district would be providing funds for a new compacting truck for recycling (cost \$123,241), the district will provide funds for the recycling bins (\$35,000) The pickup day for recycling would same as garage collection day, and the city was awarded \$5,000 to advertise the change to a weekly program. Pending any major unanticipated issues the can look at weekly curbside recycling beginning once the bins are ordered and received.

The administration is also completing a report for council that will show estimated increased revenue and estimated new costs for changing to weekly recycling.

Ms. Espenschied adjourned the meeting at 7:30 PM

SALARY COMMITTEEMR. JIM LOCKERNO REPORT

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

Excused Absence

President of Council assigned to Safety, Health, and Service Committee Ms. Walker’s request to look into Broken Window Glasses in residential districts being repaired within 30 days. and the Mayor’s request for ordinance to regulate skilled game businesses.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported the Public Works & Economic Development Committee will be meet Monday, September 20, 2010 at 6:30 PM at the New E.A.A. Hangar at the City’s Airport. The meeting is to discuss the Airport Master Plan. The committee is to simply review and act on the administration’s recommendation to adopt the Master Plan and place it on file.

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIED.....NO REPORT

CONTACT & SPECIAL COMMITTEEMR. JOHN ZUCAL

Mr. Zucal reported that the Contact & Special Committee had one item to report on

A new liquor permit from the Ohio Division of Liquor Control to Armitts Trax LC, DBA Kent Cafe, 330 University Drive, New Philadelphia Ohio 44663 for a new D5I permit; asking objections be made no later than 9/20/2010.

Mr. Zucal reported that the committee did not have any objections to the permit and did not request a hearing. Mr. Zucal asked that the conclusion of his presentation he asks for a full vote before council to approve that this evening.

Mr. Zucal made a motion for the clerk to sign the request, for a new D5I permit for Armitts Trax LC, DBA Kent Cafe, 330 University Drive, New Philadelphia Ohio 44663, indicate there are not any objections to the permit, we do not request a hearing and return to the Ohio Division of Liquor Control, no later than 9/20/2010.

Ms. Cox seconded the motion. Roll Call, 6Yeas, Motion Passed.

PARKS & CEMETERY COMMITTEEMS. WINNIE WALKER.....NO REPORT

VISITOR’S COMMENTS:

NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

18-2010 An ordinance by the Council of the City of New Philadelphia authorizing and directing the Service Director to advertise for bids, receive bids and to enter into a contract with an engineer or equally qualified professional to implement and administer a Backflow Prevention Program for the Water Department as required by the Oho Environmental Protection Agency (EPA) and declaring an emergency. (1st Reading)

RESOLUTIONS:

- 38-2010 A Resolution by the Council of the City of New Philadelphia, Ohio to approve the transfer of interest revenue in an amount up to \$10,000.00 from The Cemetery Endowment Fund (#812) to the Cemetery Operating Fund (#209) for the 2010 fiscal year, and declaring an emergency. (2nd Reading)

- 39-2010 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia, to transfer up to \$25,000.00 from the General Fund (#101) to the Sidewalk Improvement Fund (#285), and declaring an emergency. . (2nd Reading)

- 40-2010 A Resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the General Fund (#101) to the Cemetery Operating Fund (#209) to supplement cash needed to fund current operations, and declaring an emergency. (2nd Reading)

- 43-2010 A Resolution by the Council of the City of New Philadelphia, Ohio to enter into an agreement with the Goshen Township Trustees to permit real estate taxes pursuant to Ohio Revised Code Section 709.19 C for the annexation of a 4.64 acre tract adjacent to land owned by the City of New Philadelphia consisting of 2.462 acres being annexed inside the city of New Philadelphia and for the 4.64 acres real estate taxes to remain with the township for a period of 12 years in declining percentages as set forth in the attached annexation agreement and authorizing the annexation of the Rosenberry 4.64 acre tract and the New Philadelphia Tract 2.462 acres, and declaring an emergency. . (2nd Reading)

- 45-2010 A Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor. . (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. Lautenschleger
 Roll call, 6 yeas, resolution passed

UNFINISHED OR OLD BUSINESS:NONE

NEW BUSINESS:

President Joel Day reminded everyone of the Special Council Meeting to be held immediately following a ten minute break to discuss wage negotiations with the F.O.P. and A.F.S.C.M.E. Unions

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 8:00 PM

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____