

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 28, 2002 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. SAM HITCHCOCK
MR. GEORGE HOUSTON
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF OCTOBER 14, 2002 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Finance Committee meeting minutes of October 14, 2002.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from October 15 through October 28, 2002. Reported meeting with County Commissioners and the CIC concerning the Hi-Tech Park, and plans are proceeding well. Reported meeting October 24 with MKC and the Service Director regarding plans for the new city hall. Bids will be taken and opened November 27 with construction to begin in early 2003. Reported that he attended the dedication and Open House for the newly remodeled Educational Service Center on East High Avenue.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that bids will be advertised November 1 and 8 for the new city hall. Reported that the bid for a new de-humidifier at the Water Filtration Plant has been awarded, and it came in somewhat lower than the engineer's estimate. Reported that he, along with the Mayor, Auditor, Water Superintendent, Wastewater Superintendent, is reviewing water/sewer rates and report to council in November or December. Yielded the floor to Jack Pottmeyer of MKC, who introduced the plans for a new band shell at Quaker Stadium. Mr. Espenschied then yielded the floor to Housing Inspector Bill Richesson, who reported on the status of some properties that he has been working on.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY ABSENT NO REPORT

TREASURER MS. TERRI DEARDORFF ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Reported that he received a letter from Treasurer Terri Deardorff saying that she will be at the next regular council meeting. She will be having regular office hours on Monday, Wednesday, and Friday. Reminded Council that there will be a Public Hearing tonight at 8:00 p.m. on Ordinance 73-2002, and, immediately following, another Public Hearing on Ordinance 79-2002. Another Public Hearing is scheduled for November 25, 2002 at 8:00 p.m. on Amended Ordinance 85-2002.

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that volunteers will decorate the downtown for the Christmas season on Sunday, November 3 at 8:00 a.m. Reported that the Downtown Lighting Ceremony will be held November 22, and Open Houses will be observed at downtown businesses November 23. Commented on the improvement in traffic design with the installation of left-turn lanes.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet November 13, 2002 at 1:00 p.m. in the Police Department Conference Room.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet November 12, 2002 at 5:30 p.m. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER NO REPORT

PARK BOARD MR. ART CICCONE

Reported meeting October 22, 2002. Reported that the Board has approved the constructions plans for the new band shell at Quaker Stadium.

HEALTH BOARD.MS. SANDRA COX

Requested that a 1993 ordinance designating city buildings as non-smoking areas be reviewed and updated.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX NO REPORT

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting tonight to discuss Ordinance 82-2002, giving discretion to the Safety Director to set rate of pay for the part-time meter man. The Committee recommended that the ordinance go before full council for consideration.

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

Mr. Johnson assigned the review of the non-smoking designation for city owned buildings.

AT 8:00 P.M. COUNCIL ADJOURNED INTO PUBLIC HEARING TO DISCUSS ORDINANCE 73-2002.

Ordinance 73-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for Property located at 115 Howe Avenue SW, New Philadelphia, Ohio, from Residential to Business district, and declaring an emergency.

Mr. Houston said the Committee agreed to proceed with this ordinance after the Public Hearing was held to let anyone comment on the matter. Ms. Ella Slough, 616 Sandpiper, S.E., asked the location of this property. Mr. Houston said this is on the southside across from Lee’s Famous Recipe Chicken.

AT 8:05 P.M. THE PUBLIC HEARING WAS ADJOURNED ON ORDINANCE 73-2002, AND THE PUBLIC HEARING ON ORDINANCE 79-2002 BEGAN.

Ordinance 79-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to enact Section 1165.02(h), social services: general and special hospitals, health centers, institutions, for the aged; family homes; health care facilities to include nursing homes, medical services organizations and similar organizations as permitted businesses within the Central Business District, and declaring an emergency.

Attorney Dan Lehigh, office at 158 N. Broadway, asked that consider passage of this ordinance because the South Broadway Nursing Home has been sold and the owner, whom he represents, wishes to do some remodeling and nursing facilities are not included in the Central Business District

AT 8:08, THE PUBLIC HEARING WAS ADJOURNED, AND REGULAR SESSION RECONVENED.

PUBLIC WORKS COMMITTEE.MR. JOEL DAY NO REPORT

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON NO REPORT

CONTACT COMMITTEE.MR. ART CICCONE

Reported that the Bi-Centennial Committee met October 23, 2002, and will meet again November 20, 2002 at 7:00 p.m. in the Historical Society Room at Kent State University.

SPECIAL COMMITTEE MR. ROB MAURER

Recognized and commended Greg Miller for his 25 years with the New Philadelphia Park Board. Mr. Miller, who was in attendance, said he was only one of many who participated in plans at the park and everyone should be commended.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, SE, New Philadelphia, asked that a tree on Ashwood Lane N.W. be trimmed and also trees at Washington Square. Service Director Gary Espenschied will give these requests to Mr. Zucal, who takes care of tree trimming.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

66-2002 An ordinance to accept the application by David and Nanette Avon for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio and to establish Residential zoning of the same. (5th Reading)

Mr. Houston asked that this ordinance be held until further information is received.

73-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for property located at 115 Howe Avenue, SW, New Philadelphia, Ohio from Residential to Business district, and declaring an emergency. (4th Reading)

76-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to terminate the automatic 3% pay raise per year to non-bargaining unit employees of the City of New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Locker, seconded by Mr. Day. Roll call, 7 yeas, ordinance passed.

77-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to direct money received for electric company estimated income tax payments to be paid into the general fund with a cap of \$40,000.00 and thereafter to be distributed pursuant to the existing income tax distribution ordinances, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas 1 nay (Houston), ordinance passed.

79-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to enact Section 1165.02(h), Social Services: General and Special Hospitals, Health Centers, Institutions for the aged; family homes; health care facilities to include nursing homes, medical services organizations and similar organizations as permitted businesses within the central business district, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Houston. Roll call, 7 yeas, ordinance passed.

80-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to enact Codified Ordinance 1165.04(j) to require off street parking for health care facilities as defined within this zoning code, and declaring an emergency. (2nd Reading)

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

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

82-2002 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. (2nd Reading)

Amended 85-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for real estate located at 1103 Fourth Street NW, New Philadelphia, Ohio to be used by Ernie's Bicycle Shop from Residential to Business District, and declaring an emergency. (2nd Reading)

Public Hearing scheduled for November 25, 2002 at 8:00 p.m.

RESOLUTIONS:

29-2002 A resolution by the Council of the City of New Philadelphia, Ohio to commend Greg Miller for his service to the New Philadelphia park by his 25-year membership and leadership on the New Philadelphia Park Board and Tuscora Park, and declaring an emergency. (3rd Reading)

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

32-2002 A resolution by the Council of the City of New Philadelphia, Ohio to enter into negotiations and to amend the Quaker Stadium lease with the New Philadelphia School Board to be amended to allow the construction and maintenance of a new band shell within Quaker Stadium, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Hitchcock. Roll call, 7 yeas, rules suspended.

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:27 P.M.

CLERK OF COUNCIL _____

APPROVED November 11, 2002

PRESIDENT OF COUNCIL _____