

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 23, 2009 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE: MR. ROBERT CONNER
MS. SANDY COX
MS. COLLEEN ESPENSCHIED
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER
MS. WINNIE WALKER

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA. MR. CONNER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 9, 2009 MEETING. MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Statement of Transactions of all city funds for October 2009.
2. The Treasurer's Summary of Transactions for the General Checking Account for October 2009.
4. The Treasurer's Reconciliation for October 2009
5. Finance Committee meeting minutes of November 9, 2009.
6. Finance Committee meeting minutes of November 12, 2009.
7. Ambulance Committee meeting minutes of November 10, 2009.
8. Parks & Cemetery Committee meeting minutes of November 11, 2009.
9. October 2009 Month End Summary of the New Philadelphia Fire Department.
10. A notice from the Ohio Division of Liquor Control requesting a transfer of C1 and C2 permit to Greg A. Anderson, dba Coney Island Deli & Carry Out, 418 Tuscarawas Ave. NW, New Philadelphia, transferred from Frank W. Pietro II, dba Wine & Cheese Deli, same address, and asking that all objections be made no later than 12/10/09.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT.....MAYOR MIKE TAYLOR

Extended his condolences to the family of George Keffer, the city's parking control officer who recently passed away. Requested suspension of the rules and passage tonight of Resolution 35-2009, to adopt the tentative agreement with the FOP. Thanked Pastor Alan Crawford and the congregation of the Emmanuel Church on South Broadway for cooperating with the city to provide access for the Springbrook pond project. Reported that he received the paperwork from OPWC for the salt bin repair, and the Law Director has it for review. Congratulated

New Philadelphia Schools for sponsoring their Principal for a Day event, as he was honored to be Central Elementary School Principal. Reported that he attended a ribbon cutting and open house last week at Electronic Date Payment Systems on Front St. SW. Reported meeting today with Pipes Insurance to begin the process of seeking potential insurance companies for city employees.

SERVICE DIRECTOR MR. JIM ZUCAL

Reported that the drudging of the sump hole on Springbrook SW is complete. Reported that a storm sewer project on Larkin & 3rd St. SW is complete. Reported that leaf pickup began November 9 and is progressing.

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

AUDITOR.MS. BETH GUNDY

Requested approval of her October reports.

TREASURER MR. DAVE JOHNSON

Requested approval of his October reports. Mr. Locker made a motion to approve the Auditor's and Treasurer's October reports. Mr. Conner seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR MR. MIKE JOHNSON

Explained Resolutions 35-2009, to adopt, and 36-2009, to reject the tentative agreement with the FOP. Mr. Johnson recommended passage of Resolution 35-2009, to adopt the agreement.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

The next meeting is tentatively scheduled for December 8, 2009 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. JIM ZUCAL

Will meet December 8, 2009 at 5:00 P.M. in Council Chambers.

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

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

HEALTH BOARD.....MS. SANDY COX

Will meet December 16, 2009 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Reported meeting November 12 to discuss a request from the Auditor to increase appropriations for water operating, unnumbered resolution to authorize the Mayor to submit an application for the FY2010 CHIP grant, travel expenses and a request for the city to consider entering into a fire protection only agreement with York Township. Ordinance 33-2009, to increase appropriations for water operating expenses is before Council for consideration tonight. Resolution 38-2009, for the CHIP grant is also before Council for consideration tonight.

The Law Director is presently updating the ordinance for travel expenses to be reviewed by Committee at a later date. The Fire Chief is gathering information concerning fire protection only agreement for York Township, and no decisions were made at this time.

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 MS. COLLEEN ESPENSCHIED NO REPORT

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER

Mr. Conner made a motion to approve a request for a C2 liquor permit to Creekside Gardens and Gift, Inc. at New Towne Mall. Mr. Maurer seconded the motion. Roll call, 7 yeas, motion passed. Mr. Day assigned the liquor permit transfer request at 418 Tuscarawas Ave. NW.

PARKS & CEMETERY COMMITTEE MS. WINNIE WALKER

Reported meeting November 12 to discuss a soil study for proposed cemetery land on Perry Drive at the south side park. The Committee will review all information and meet again in the future.

VISITOR’S COMMENTS: NONE.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

30-2009 An ordinance to make to make temporary appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio, during the fiscal year ending December 31, 2010, and declaring an emergency. (2nd Reading)

31-2009 An ordinance to enact new section 549.12 of the New Philadelphia Codified Ordinances concerning possession control, or conveyance of deadly weapons or dangerous ordinance into or within all city owned buildings and repealing existing section 549.12 of the New Philadelphia Codified Ordinances, and declaring an emergency. (2nd Reading)

32-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to establish ambulance rates for the year 2010, and declaring an emergency. (1st Reading)

33-2009 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2009 and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

34-2009 A resolution authorizing the Mayor of the City of New Philadelphia, Ohio to enter into an agreement with the Joint County Public Defender’s office for the provision of legal representation for indigents charged with violations of New Philadelphia City ordinances in the municipal court where such offenses carry a possible loss of liberty, establishing compensation and terms thereof for the calendar year 2010, and declaring an emergency. (2nd Reading)

35-2009 A resolution by the Council of the City of New Philadelphia, Ohio to adopt an agreement between the City of New Philadelphia, Ohio and Fraternal Order of Police Lodge 4 to be effective January 1, 2010 through December 31, 2012, and declaring an emergency. (2nd Reading)

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

Motion to vote on passage made by Mr. Lautenschleger, seconded by Ms. Cox. Ms. Espenschied questioned the auditor in regard to whether or not the city can afford this package. Ms. Gundy said the 1% wage increase is affordable, but any future increase is unknown. Mr. Conner asked how many people will receive the 1% increase across the board. He said all involved will receive more than 1%, and he doesn’t think it is fair to give these raises when the unemployment rate in the state is high. Mayor Taylor pointed out the positions that will receive the 1%. Questions were raised by Ms. Cox and Mr. Lautenschleger as to the cost of the total package. Roll call, 4 yeas 3 nays (Cox, Conner, & Walker), resolution failed.

36-2009 A resolution by the Council of the City of New Philadelphia, Ohio to reject an agreement between the City of New Philadelphia, Ohio and Fraternal Order of Police Lodge 4 to be effective January 1, 2020 through December 31, 2012, and declaring an emergency. (2nd Reading)

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

Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker. Roll call, 4 yeas, 3 nays (Espenschied, Lautenschleger, & Maurer) resolution failed.

38-2009 A resolution by the Council of the City of New Philadelphia authorizing the Mayor to submit an application for a FY 2010 Community Housing Improvement Program (CHIP) grant and to enter into an agreement with the successful proposer to prepare such application and to administer and implement the CHIP should the city receive the grant, and declaring an emergency. (1st Reading)

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 8:16 P.M.

CLERK OF COUNCIL_____

APPROVED December 14, 2009

PRESIDENT OF COUNCIL_____