

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 13, 2004 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: MS. SANDRA COX
MR. BILL ELLWOOD
MR. SAM HITCHCOCK
MR. GEORGE HOUSTON
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF NOVEMBER 22, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Reconciliation for November 2004.
2. The Treasurer's Statement of Transactions of all City funds for November 2004.
3. The Treasurer's Summary of Transactions for the General Checking Account for November 2004.
4. The Auditor's Monthly Statement of Revenue for the General Fund for November 2004.
5. The Auditor's Financial Statement for November 2004.
6. Finance Committee meeting minutes of November 29, 2004.
7. Board of Zoning Appeals meeting minutes of November 3, 2004.
8. A letter dated November 23, 2004 from the Ohio Department of Commerce, Division of Liquor Control, notifying Council that a hearing will be held December 13, 2004 on the permit application filed by Sours Oil Company, dba Skip's BP, 162 South Broadway, New Philadelphia, OH.
9. The New Philadelphia Police Monthly Activity Report for November 2004.
10. Planning Commission meeting minutes of December 8, 2004.
11. Safety, Health, and Service Committee meeting minutes of November 8, 2004.
12. Airport Commission meeting minutes of November 9, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from November 23 through December 13, 2004. Reported that he attended a breakfast at Personal & Family Counseling Services for discussion to help people purchase cars for work purposes. Reported meeting November 29 with Mr. Tripathy in regards to the possible relocation of WJER-FM to the North Canton area. A resolution objecting to the move has been prepared and is before council for consideration tonight. Reported meeting December 7 with Jim DeLucas concerning city liability insurance for 2005. Reported attending an Infocision meeting this morning with the Port Authority concerning a new call center. Reported that he attended the Public

Hearing today on the liquor license issuance for Skip's BP. Requested an Executive Session tonight to discuss personnel and salaries. Mr. Hitchcock made a motion to go into Executive Session. Mr. Lautenschleger seconded the motion. Roll call, 7 yeas, motion passed.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that the City has been awarded \$185,600 in Issue II money from Ohio Public Works for sanitary collections system in the Mall area.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITORMS. BETH GUNDY

Requested approval of her November reports. Also requested passage of Ordinances 55-2004, 56-2004 and Resolution 43-2004.

TREASURERMR. MIKE TAYLOR

Requested approval of his November reports. Mr. Houston made a motion to approve the Auditor's and Treasurer's Reports. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Reported that three firefighters have been notified by the Mayor that they will be laid off January 1, 2005, and they have filed an appeal with the Civil Service Commission. Reported that he attended the Public Hearing today on the liquor license issuance for Skip's BP. A decision will be made in 3-4 weeks. Resolution 42-2004, opposing the move of WJER-FM, is before Council tonight, and he suggested that it be passed tonight. Reported that Resolution 43-2004 must be passed before the end of this year, and recommended it be passed tonight.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet January 12, 2005 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet January 4, 2005 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER

Will meet December 14, 2004 at 6:00 P.M. in the Airport meeting room.

PARK BOARDMR. DARRIN LAUTENSCHLEGER

Reported that there was no December meeting.

HEALTH BOARDMS. SANDRA COX

Will meet January 12, 2005 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE MS. SANDRA COX

Will meet November 29 at 6:00 P.M. to discuss the budget. Auditor Beth Gundy reviewed the estimated carryover, estimated revenue, Master Capital updates, projections for 2005, etc. Mayor Brodzinski reviewed grants, loans, and suggestions on items that will not be funded in 2004. The Committee went into Executive Session to consider employment and preparing for contract negotiations, etc. Mayor Brodzinski also discussed items to be cut in the 2005 budget, and stressed the importance of freezing the non-bargaining employees' wages. Also discussed was the Temporary Appropriations for 2005, with some minor adjustments being made.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting tonight to discuss Ordinance 52-2004, a wage freeze for all non-bargaining employees. The Committee voted 2-1 to meet again on December 27 because the Mayor has requested the city's unions all take a wage freeze, and they are to respond to him by December 20 of their decision.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to discuss Chapter 971, garbage and rubbish collection. The Committee reviewed changes that will be made. Mr. Johnson assigned the Public Defender's Contract.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . .MR. ROB MAURER

Reported meeting tonight to discuss sewer tap-in fees and sewer permit fees. Service Director Gary Espenschied said the sewer connections fees have not been changed since 1960 and sewer permit fees since 1989. Mr. Espenschied gave his recommendations as to the increases he feels are appropriate. The Committee voted to have either the current ordinance amended or a new ordinance prepared for council's consideration.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD NO REPORT

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR'S COMMENTS:

Jim Parrish, 393 Schoenbrunn Dr., New Philadelphia, President of the local firefighters' union read facts that he compiled about the possible lay-off of three fire fighters. He said the cost to the city will be greater because more overtime will be needed to cover the loss of manpower. He urged the Mayor and Council to reconsider the lay-offs and look at alternative ways to balance the budget

Mark Horton, Secretary/Treasurer of the Ohio Assn. Of Professional Fire Fighters, 1380 Dublin Rd., Columbus, OH, said he has met several times with the fire fighters concerning the lay-offs, and he said the city is already under staffed. He said overtime and un-employments costs would be greater if they are laid off. He suggested working with the administration to come up with alternative measures.

Wes Halter, 1226 Lakeview Rd., New Philadelphia, Vice-President of the local fire fighters union, said the union has voted to not take a wage increase and extend their contract through 2006, and he urged the administration not to lay off three fighters.

Brandon Winnie, 1308 Dover Ave., Dover, said he is one of the three fire fighters to be laid off in January. He said, even though he has a family and will miss his job, the citizens will be affected the most.

Ryan Murphy, 607 Ricksecker St., Dover, asked the Mayor why the firemen were not notified of the layoffs until they read it in the newspaper. Mayor Brodzinski said the fire chief was notified at the same time.

Eileen Baker, Union Hospital Emergency Room Doctor and EMS Medical Director, said she has had the pleasure of working with the local fire departments, and the training they have far exceeds minimal standards. She said it is a major concern to cut the service that is needed so greatly in this area, with the elderly population and the Mall and other businesses.

Kendall Bick, 518 Beaver Ave., New Philadelphia, asked Council and the Mayor to reconsider the layoffs.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

51-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Ordinance 767.04(B) and enacting new Section 767.04(B), and declaring an emergency. (2nd Reading)

52-2004 An ordinance by the Council of the City of New Philadelphia to enact a wage freeze for all non-bargaining unit employees and elected officials employed by the City of New Philadelphia, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Houston, who said he is not happy about doing this, but something needs to be done to cut the budget. Mr. Locker seconded the motion. Mr. Lautenschleger said without a recommendation from the Committee, he cannot support passage of this ordinance. Mr. Maurer said the Committee voted to hold this until hearing from the city's unions to see if they would forego raises, and said he is floored by the motion to pass. Mr. Locker said Council can override a decision made by the Committee. Mr. Houston said he is sorry Mr. Maurer feels that way, but suggested the Committee should have tabled the ordinance if they wanted more time. Mr. Maurer said no one seems upset about the money that will be given in raises, adding that supervisors and non-bargaining employees' raises would be not have amounted to a large sum of money. Mr. Hitchcock said he agrees with Mr. Maurer, and he thinks Council should have waited until the city's unions have the opportunity to meet and give their decision. Ms. Cox said something has to be done soon, so she will support passage. Roll call, 4 yeas 3 nays (Hitchcock, Lautenschleger, & Maurer), ordinance passed.

55-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

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

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

56-2004 An ordinance 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, 2005, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Locker, seconded by Mr. Hitchcock. 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.

57-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Chapter 971 and enacting new Section 971, and declaring an emergency. (1st Reading)

RESOLUTIONS:

42-2004 A resolution by the Council of the City of New Philadelphia, Ohio to oppose the application of Clear Channel Communications to move WJER-FM from Dover, Ohio outside of Tuscarawas County, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 6 yeas, rules suspended.

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

43-2004 A resolution accepting the amounts and rates a determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, 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, resolution passed.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

AT 8:20 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL AND SALARIES. COUNCIL RECONVENED INTO REGULAR SESSION AT 9:03 P.M.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 9:03 P.M.

CLERK OF COUNCIL _____

APPROVED December 27, 2004

PRESIDENT OF COUNCIL _____