

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 10, 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 APRIL 26, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The March 2004 Summary of Reports for the New Philadelphia Fire Department.
2. The Auditor's Monthly Statement of Revenue for the General Fund for April 2004.
3. The Auditor's Financial Statement for the month of April 2004.
4. Finance Committee meeting minutes of April 26, 2004.
5. Salary Committee meeting minutes of April 15, 2004.
6. Airport Commission meeting minutes of April 13, 2004.
7. Safety, Health, and Service Committee meeting minutes of April 26, 2004.
8. Special Committee meeting minutes of April 29, 2004.
9. Mayor's Monthly Statement to Council for April 2004.
10. The Treasurer's Statement of Transactions of all city funds for April 2004.
11. The Treasurer's Summary of Transactions for the General Checking Account for April 2004.
12. The Treasurer's Reconciliation for the period ending April 2004.
13. Minutes of the Municipal Treasury Investment Board meeting of May 6, 2004.
14. The New Philadelphia Police Monthly Activity Report for April 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI ABSENT

Submitted a written report of the activities of his office from April 26 through May 12, 2004.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported on the activities of the General Services Department from April 26 through May 7, 2004, including extra trash pickups and pothole repair. Informed everyone that compost is available at the City

garage. Council President Dave Johnson asked that Mr. Espenschied and Mayor Brodzinski look into having some of these departmental reports put on the city's website so as not to generate so much paperwork.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Requested that her April reports be approved, as well as Ordinance 26-2004 and Resolution 17-2004.

TREASURER MR. MIKE TAYLOR

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

LAW DIRECTORMR. MIKE JOHNSON ABSENT NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet May 12, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported meeting May 4. One variance was granted.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting April 13. Reported that a fly-in and pancake breakfast will be held May 30. Reported that Kent State University Main Campus is closing their airport and is looking for a new location for a flight school.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the meeting scheduled for April has not yet been rescheduled.

HEALTH BOARD.MS. SANDRA COX

Will meet May 19, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Recommended passage tonight of Ordinance 26-2004 and Resolution 17-2004.

SALARY COMMITTEE MR. JIM LOCKER

Reported that he is waiting for a letter from the city's Steering Committee concerning the sick leave policy, and will schedule another meeting when it is received.

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

PUBLIC WORKS COMMITTEE.MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEE MR. GEORGE HOUSTON

Recommended that Ordinance 14-2004, the reconveyance of land to the state, be put on hold. Mr. Houston relinquished the floor to John Hauser of the Ohio & Erie Canal Corridor Coalition, who asked that Council table this ordinance so that the Coalition can have the opportunity to address the issue of using this land for recreational purposes. Council President Dave Johnson assigned to Committee a letter from Mr. Stine concerning home-occupied businesses.

CONTACT COMMITTEE. MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting April 29 to discuss the banners in the downtown area, and a review of Ordinance 24-2004, modifying council standing committees. Concerning Ordinance 24-2004, the Committee recommended that some changes be made to allow for items that may not fit into the current proposed changes. The proposed banner agreement with CGI Banners was discussed, and the Committee voted to approve the contract extension. Since that meeting, Mr. Lautenschleger informed Council that he has been approached by Main Street to allow for a local company to take over the banner program. Mr. Lautenschleger relinquished the floor to Terry Wallick of Main Street, who asked that Main Street get involved and offer the program locally. Council President Dave Johnson said he thought this to be an excellent idea, and asked Mr. Wallick to work with Mr. Lautenschleger's Committee.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if there is a rule concerning city employees' clothing attire who work outside in the summer. She asked who should be contacted in animal abuse cases. She asked if there is anything new on the status of the former K-Mart building. She said there is a tree in the Fair Avenue cemetery that needs to be removed, and another one on 3rd St. N.W. She asked how much money has been received from the Airport Restaurant. Service Director Gary Espenschied said the city workers are to have proper attire, namely shirts, when they are working. Safety Director Greg Popham suggested that the Police Department be notified of any animal abuse. Mr. Espenschied will have the General Services Department look at the trees. Mr. Johnson said there is nothing new on the K-Mart building, and Airport Restaurant rent money is coming on for each month. Mr. Locker said he doesn't have any dollar figures with him, but it is usually \$1,500 and \$1,800 per month.

Dee Grossman-Tasker of the Visitors & Convention Bureau, said there will be an Open House at their new facility on East High Avenue on June 4, and she reminded council that on June 21-22 a couple of thousand bicyclists will come into the city, and she asked for additional police patrol.

Mayor Brodzinski arrived at 8:05, and apologized for being late due to a golf outing sponsored by the Quaker Club.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

14-2004 An ordinance by the Council of the City of New Philadelphia to authorize the reconveyance of a 4.259 acre tract which is part of the Ohio and Erie Canal lands within the City of New Philadelphia, and declaring an emergency. (3rd Reading)

Mr. Houston made a motion to table this ordinance. Mr. Ellwood seconded the motion. Roll call, 7 yeas, motion passed.

15-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Section 1335.08 to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 1335.08 of the Codified Ordinances 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. Hitchcock. Roll call, 7 yeas, ordinance passed..

16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (3rd Reading)

Public Hearing to be held June 14, 2004 at 8:00 P.M.

17-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to define certain business district property as Business Type B Zone, and declaring an emergency. (3rd Reading)

18-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1161.031 of the Codified Ordinances of the City of New Philadelphia requiring minimum frontage on a residential lot, and declaring an emergency. (3rd Reading)

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

20-2004 An ordinance by the Council of the City of New Philadelphia to vacate an unnamed alley extending north from Park Avenue NW to the south side of private residence and located between lots owned by the New Philadelphia VFW, and declaring an emergency. (2nd Reading)

24-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 121.01 Rule 13 to modify the standing committees named by Council, and declaring an emergency. (2nd Reading)

25-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 339.01(b), and declaring an emergency. (2nd Reading)

26-2004 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. 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.

RESOLUTIONS:

14-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Captain Rick McCoy for his years of service through the New Philadelphia Police Department, and declaring an emergency. (2nd Reading)

16-2004 A resolution by the Council of the City of New Philadelphia, Ohio to approve recommendations to terminate Marsh Industries, Agreement #214-00-01, and declaring an emergency. (1st Reading)

Mr. Johnson assigned this resolution to the Contact Committee.

17-2004 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. (1st Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Houston. Mr. Maurer asked the purpose of this resolution. Auditor Beth Gundy explained that the Cemetery Department is operating with a deficit, and additional funds are needed. She said the city is waiting to receive an estate settlement for the cemetery. Mayor Brodzinski said the revenue into the cemetery fund is not enough to fund current operations, and eventually changes in the income tax formula will need to be made. Mr. Johnson assigned this matter to the Special Committee for review. Roll call, 7 years, rules suspended.

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

18-2004 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio authorizing and directing the Mayor to submit an application for an FY 2004 Community Housing Improvement Program (CHIP) and to sign any and all documents related to such application, and declaring an emergency. (1st Reading)

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

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:23 P.M.

CLERK OF COUNCIL _____

APPROVED May 24, 200

PRESIDENT OF COUNCIL _____