

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 9, 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 ADD RESOLUTIONS 35-2009, 36-2009, AND 37-2009 TO TONIGHT'S AGENDA. MR. CONNER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MR. CONNER MADE A MOTION TO APPROVE THE MINUTES OF THE OCTOBER 26, 2009 MEETING. MS. COX SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Special/Contact Committee meeting minutes of October 26, 2009.
2. Finance Committee meeting minutes of October 26, 2009.
4. Mayor's Monthly Statement to Council for October 2009
5. A letter dated October 26, 2009 from Piedmont Gas Company, 139 Stonecreek Rd. N.W. New Philadelphia, Ohio notifying Council that they intend to file an application with the PUCO for an increase in rates and charges for natural gas service customers throughout its service are.
6. Records Commission meeting minutes of October 26, 2009.
7. Tuscora Park Board meeting minutes of September 23, 2009.
8. Auditor's Monthly Statement of Revenue for the General Fund for October 2009.
9. Auditor's Financial Statement for October 2009.
10. Airport Commission meeting minutes of October 13, 2009.
11. A notice from the Ohio Division of Liquor Control requesting a C2 permit to Creekside Gardens & Gift Inc., 400 Mill Ave. Unit 229, New Philadelphia, OH 44663, and asking that objections be made no later than 12/07/09.

ADMINISTRATIVE REPORTS:

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

Announced that he is implementing the emergency snow removal policy that the city has had in place for several years but has never been in effect. Reported that he is currently meeting with the AFSCME unions for contract

negotiations. Reported that the firefighter's union and the city have agreed on a fact finder with the bargaining contract. Announced that he is forming a committee of non-bargaining and union representatives' employees to look at interested insurance companies that want to offer health insurance coverage to the city.

SERVICE DIRECTOR MR. JIM ZUCAL

Reported that the drudging of the sump hole on Springbrook SW has begun. Reported that leaf pickup began today. Reported that the Street Department continues to repair potholes, and the Wastewater Department is repairing catch basins.

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

AUDITOR.MS. BETH GUNDY NO REPORT

TREASURER MR. DAVE JOHNSON NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON

Informed Council that there is no change in the bonding issue resolution at the High-Tech Park.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Reported that there was no meeting in November, and 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 November 10, 2009 at 5:00 P.M. in Council Chambers. One variance has been requested.

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

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Reported meeting November 4. Discussed was: A resolution of support of the rules and procedures concerning scheduling events at the south side park. Holes around the south side park were recently filled in. A grant request for a scoreboard at the ball field on Wabash Ave. was turned down, and the Park Board is looking at other options for grants. Reported that RTY is preparing their budget report for 2009. Announced that the annual Christmas in the Park will be held December 21, and Story Book Lane will be set up for display the first week of December. There will be no meeting in December.

HEALTH BOARD.....MS. SANDY COX

Will meet November 18, 2009 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Reported meeting to discuss Resolution 37-2009, emergency funding for the water plant salt bin collapse repair project. The Committee recommends passage tonight as an emergency. Also discussed was Resolution 35-2009 and 36-2009, resolutions to adopt or reject the agreement between the FOP and the City of New Philadelphia. The Committee made no recommendation.

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. Day assigned the liquor permit request to Creekside Gardens and Gift, Inc. at New Towne Mall.

PARKS & CEMETERY COMMITTEE MS. WINNIE WALKER

Will meet November 12, 2009 at 6:00 P.M.

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. (1st 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. (1st Reading)

RESOLUTIONS:

32-2009 A resolution by the Council of the City of New Philadelphia, Ohio to accept Professional Aviation Municipal Management Group Inc. five-year renewal for the fixed-base operator lease and the management agreement for the New Philadelphia City Airport, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Locker, seconded by Mr. Maurer. Roll call, 6 yeas 1 abstention (Cox), resolution passed.

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. (1st 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. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Maurer. Roll call, 3 yeas 4 nays (Conner, Cox, Locker, & Walker) suspension of rules 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. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Maurer. Roll call, 3 yeas 4 nays (Conner, Cox, Locker, & Walker), suspension of rules failed.

37-2009 A resolution authorizing the Mayor of the City of New Philadelphia, Ohio, to participate in the Ohio Public Works Commission for emergency funding for the water plant salt bin collapse repair project, and to bid and accept the project not to exceed \$68,750.00, and declaring an emergency. (1st Reading)

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

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

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 7:51 P.M.

CLERK OF COUNCIL _____

APPROVED November 23, 2009

PRESIDENT OF COUNCIL _____