

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 26, 2001 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. GEORGE HOUSTON
MR. JIM LOCKER
MR. TOM LOCKER
MS. WINNIE WALKER

THE MINUTES OF MARCH 12, 2001 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE. CLERK DIANE ROUDEBUSH

1. Planning Commission meeting minutes of March 14, 2001.
2. The 2000 Annual Report of the New Philadelphia City Health Department.
3. Salary Committee meeting minutes of March 12, 2001.
4. A letter dated February 27, 2001 from State Representative Kerry Metzger thanking Council for passing a resolution opposing the closing of the local employment agency.
5. Finance Committee meeting minutes of March 13 and March 14 for the 2001 budget.
6. Safety, Health, and Service Committee meeting minutes of March 12, 2001.
7. Public Works Committee meeting minutes of March 24, 2001.

COUNCIL PRESIDENT DAVE JOHNSON SUBMITTED A LIST OF THE TOP TEN PRIORITIES FOR 2001.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from March 13 through March 26, 2001. Reported that he kicked off the "Light the Diamond" campaign last week to raise funds to light the ball fields at the Waterworks. Requested emergency passage tonight of Ordinance 18-2001, the 2001 appropriations.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that he attended a governmental seminar with Auditor Beth Gundy for the county. Reported that 20 dead trees were removed, and 20 new trees have been planted. Reported that the Sidewalk Replacement Program will again be available after the appropriations are approved.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITORMS. BETH GUNDY

Requested emergency passage tonight of Ordinance 18-2001. Mr. Brad Pirie of the State Auditor's Office was in attendance to present an award to Ms. Gundy for financial reporting

TREASURERMR. ROBERT GERBER ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Reported meeting last week with the Federal Court Judge for a status conference concerning the sexually oriented business. Another conference will be held the end of May, if necessary. Explained Ordinances 12-2001 and 19-2001, and requested emergency passage tonight. Mr. Houston asked when would the housing code ordinance be available. Mr. Johnson said he has been working on a proposed ordinance for the Committee's review, and should have it ready in the next week or two.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet Wednesday, April 11, 2001 at 1:00 p.m. in the park office.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet Tuesday April 3, 2001 at 5:30 p.m.

AIRPORT COMMISSION.MR. JIM LOCKER

Reported meeting March 13. It was reported that business has been slow at the restaurant. Reported that all monies due the city for rents and fees are current. Reported that repairs to the roof of the main hangar are nearly finished. The Commission gave their endorsement to Pro-Av to stage a Grand Prix race at the Airport on August 18.

PARK BOARDMR. ART CICCONE NO REPORT

HEALTH BOARD.MS. SANDRA COX NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDRA COX

Reported that meetings were held last week with all department supervisors for the 2001 budget. The Committee recommends passage of the budget Ordinance 18-2001 tonight. Thanked the Mayor, Auditor, and all council members and department supervisors for attending the meetings and helping with the budget.

SALARY COMMITTEEMR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE.MS. WINNIE WALKER

Reported meeting tonight to discuss Ordinance 8-2001, to establish minimum standards for traffic light controllers. The Committee approved the ordinance, and recommended its emergency passage tonight.

PUBLIC WORKS COMMITTEE.MR. JOEL DAY

Reported meeting Saturday to tour the former Elks building. The Committee voted to recommend that the administration seek an out of town architect to inspect the building. Reported meeting tonight to discuss sump hole on Springbrook Dr. The Committee voted to recommend that the City purchase the land. Mr. Day scheduled another Public Works Committee meeting for Saturday, March 31 at 10:00 a.m. to take another tour of the Elks building, due to request by several community residents.

ZONING & ANNEXATION COMMITTEE.MR.GEORGE HOUSTON NO REPORT

CONTACT COMMITTEE.MR. ART CICCONE

Mr. Cicconetti, Ms. Cox, and Mr. Houston requested a Special Meeting of Council for Thursday, March 29, 2001 at 7:00 p.m. to give 3rd reading and take possible action on Ordinance 10-2001, remodeling of the Elks building.

SPECIAL COMMITTEE.MR. TOM LOCKER

Scheduled a meeting for Monday, April 9, 2001 at 6:30 p.m. to discuss Ordinance 13-2001, which deals with dangerous animals.

VISITOR'S COMMENTS:

Pauline Wyrle, 337 Donahey Dr. New Philadelphia, Program Director of Main Street New Philadelphia, thanked Council for their \$10,000 donation to Main Street. Ms. Wyrle presented a petition of approximately 300 names of persons wanting to preserve the historical integrity of the Elks building. Ms. Wyrle said there might be grants available for the preservation because of the historical value of the building.

Randy Feemster, 552 Fair Ave., N.W. New Philadelphia, said there is a problem in his neighborhood with the house at 135 Sixth St. N.W. He said there are between 20-30 people living there, excessive noise, trash strewn about, etc. He asked that the housing code ordinance address this problem throughout the city.

Lillian Mollenkopf, 139 6th St. N.W., New Philadelphia, said there is steady traffic in and out of the residence at 135 6th St. blocking her driveway, leaving trash, making noise. She said living there is like living in the middle of a circus. Mayor Brodzinski will have the Health Department check on the condition at the house. President of Council Dave Johnson explained that the Law Director and Council are working on a new housing code ordinance. The last council and administration voted down a previous ordinance.

Mary Hayes, 146 Sixth St. N.W., New Philadelphia, also complained about the noise and trash from the residence at 135 Sixth St.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

7-2001 An ordinance to accept the application by the Tuscarawas County Commissioner Job and Family Services Building for the annexation of certain territory in Dover Township, Tuscarawas County, Ohio, and to establish Office zoning of the same. (3rd Reading)

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

8-2001 An ordinance by the Council of the City of New Philadelphia to establish minimum standards for traffic light controllers to be installed and used within the City of New Philadelphia, Ohio. (2nd Reading)

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

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

- 9-2001 An ordinance 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, and declaring an emergency. (2nd Reading)
- 10-2001 An ordinance authorizing the Service Director of the City of New Philadelphia, Ohio, to advertise for bids and to enter into a contract for the remodeling of the former Elks Building adjacent to the New Philadelphia Municipal Building into appropriate courtroom and office space for the new Philadelphia Municipal Court at an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00). (2nd Reading)
- 11-2001 An ordinance authorizing the Service Director of the City of New Philadelphia, Ohio, to advertise for bids and to enter into a contract to demolish the New Philadelphia Elks Building, and to accept or reject any such bid for building demolition. (2nd Reading)
- 12-2001 An ordinance by the Council of the City of New Philadelphia to increase the salary for Assistant Municipal Prosecutor at the New Philadelphia Municipal Court to the amount of twenty-seven thousand dollars (\$27,000.00) per year for the two (2) existing municipal prosecutor positions, plus benefits, and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Jim Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Tom Locker. Roll call, 7 yeas, ordinance passed.
- 13-2001 An ordinance by the Council of the City of New Philadelphia to enact New Philadelphia Codified Ordinance 505.16 prohibitions concerning dangerous animals. (2nd Reading)
- 14-2001 An ordinance amending the zoning ordinance by dispersing sexually oriented businesses and limiting them to a specified zoning district; prescribing definitions of sexually oriented businesses; providing for licensing and regulation of sexually oriented businesses and employees; providing for additional miscellaneous regulations for sexually oriented businesses as Chapter 784 of the New Philadelphia Codified Ordinance and repealing existing Chapter 784. (2nd Reading)
- 16-2001 An ordinance by the Council of the City of New Philadelphia to change the zoning from Industrial to Residential zone for a 1.21 acre tract of real estate located in the 800th block of Kaderly Street near the old Zimmer Patient Care Building. (2nd Reading)
- Public Hearing Scheduled for April 23, 2001 at 8:00 p.m.
- 17-2001 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Ordinance 39-97 to award a three percent (3%) annual raise to permanent part-time employees of the City of New Philadelphia effective April 1, 2001, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Jim Locker, seconded by Mr. Cicconetti. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Cicconetti. Roll call, 7 yeas, ordinance passed.

- 18-2001 An ordinance to make appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio, during the fiscal year ending December 31, 2001, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Roll call 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 7 yeas, ordinance passed.
- 19-2001 An ordinance by the Council of the City of New Philadelphia to exempt from the residency requirement imposed by New Philadelphia Codified Ordinance 159.03 licensed practicing attorneys employed as prosecutors by the City of New Philadelphia for the New Philadelphia Municipal Court, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Jim Locker, seconded by Mr. Day. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Day. Roll call, 7 yeas, ordinance passed.
- 20-2001 An ordinance by the Council of the City of New Philadelphia amending Ordinance 28-85 by altering the allocation of income from the Municipal Airport. (1st Reading)

RESOLUTIONS: NONE

OLD OR UNFINISHED BUSINESS:

Mr. Houston said he is very concerned about the condition on 6th St. N.W., and asked the Clerk to read a petition signed from several residents of the area. Mayor Brodzinski said he will send the Health Department there to check on the condition of the property, and Safety Director Greg Popham will check with the Police Department to see what complaints have been made about that particular house.

Mr. Cicconetti suggested that the zoning code be amended to say that no single-family dwelling can be converted into a duplex or multi-family dwelling. Mr. Johnson assigned this to the Public Works Committee.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:32 P.M.

CLERK OF COUNCIL _____

APPROVED APRIL 9, 2001

PRESIDENT OF COUNCIL _____