

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 14, 2003 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. SAM HITCHCOCK  
MR. GEORGE HOUSTON  
MR. JIM LOCKER

COUNCILMAN ROB MAURER WAS ABSENT.

THE MINUTES OF JUNE 23, 2003 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. New Philadelphia Fire Department Incident Report for June 30, 2003.
2. A notice from the Ohio Division of Liquor Control requesting a transfer of a C1 and C2 permit Demonte Development Group Ltd., dba Certified Beverage, 1103 East High Avenue, New Philadelphia, transferred from Robert S. Zontini, dba Certified Beverage, same address, and asking that objections be made no later than August 4, 2003.
3. The Auditor's Financial Statement for June 2003.
4. The Auditor's Monthly Statement of Revenue for the General Fund for June 2003.
5. The New Philadelphia Police Monthly Activity Report for June 2003.
6. Planning Commission meeting minutes of June 11 and July 8, 2003.
7. New Philadelphia City Health Board meeting minutes of June 11, 2003.
8. Zoning & Annexation meeting minutes of July 10, 2003.
9. Finance Committee meeting minutes of July 7, 2003.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT . . . . . MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from June 23 through July 14, 2003. Reported that another walk-thru of the John Knisely Municipal Centre will be held August 11, 2003 at 6:00 P.M. Reported meeting with the firefighters to discuss an addendum to their current contract, which awards firefighters additional wage for hazmat training and dive team training. Reported that the recent First Town Days Festival was a tremendous success, and congratulated Councilman Art Cicconetti on his being chosen as Grand Parade Marshall. Reported that he has been in contact with Marsh Industries to discuss their financial problems, and he is working with them to try to keep the jobs in the city.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED . . . . . ABSENT

In the absence of Mr. Espenschied, Mayor Brodzinski reported that the South Broadway project should be complete within 30 days; the John Knisely Municipal Centre is proceeding well, and the contractors are working towards a deadline of October 1; and the Wastewater Treatment Plant should be complete by end of September. Relinquished the floor to Building Inspector Bill Richesson, who reported that he is working on problems at 370 4<sup>th</sup> St. NW and 130 5<sup>th</sup> Dr. NW. Letters have been sent to 8 property owners requesting that the grass be cut, a letter was sent to the owner of a house on Logan St. where the resident is parking a semi-truck there and destroying the sidewalk.

SAFETY DIRECTOR . . . . .MR. GREG POPHAM

Commended all departments that worked together to have a successful First Town Days Festival.

AUDITOR . . . . . MS. BETH GUNDY

Requested passage tonight of Ordinance 38-2003, approval of her transfers, and approval of her monthly reports, along with the Treasurer's reports.

TREASURER . . . . . MR. MIKE TAYLOR

Requested approval of the revised April 2003 Reconciliation and of May 2003 reports. Ms. Gundy asked that her reports be approved together with the Treasurer's reports. Finance Committee Chairperson recommended that the reports be approved separately. Ms. Cox made a motion to approve the Auditor's transfers, seconded by Mr. Day. Roll call, 7 yeas, motion passed. Ms. Cox made a motion to approve the Treasurer's Reports for December 2002 through May 2003, seconded by Mr. Cicconetti. Roll call, 7 yeas, motion passed. Ms. Cox made a motion to approve the Auditor's Financial Statements for December 2002 through May 2003, seconded by Mr. Locker. Roll call, 7 yeas, motion passed.

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Reported that the 2 million gallon water tank has been inspected, and the investigation will be covered by the bonding policy. Requested an Executive Session to discuss litigation. Reported that he is reviewing the issue of semi-trucks parked in residential districts. Reported that a letter has been sent to the bank concerning the East High Avenue burned-out house, and they responded that they are taking bids to have the house razed. Scheduled a Public Hearing on Ordinance 40-2003 for August 25 at 8:00 P.M. Explained Ordinance 41-2003 and recommended that it be passed tonight as an emergency.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . .MAYOR BRODZINSKI

Will meet August 13, 2003 at 1:00 p.m. in the Police Station Conference Room.

BOARD OF ZONING APPEALS . . . . .MR. GARY ESPENSCHIED . . . . . ABSENT

Will meet August 5 at 5:00 p.m. in Council Chambers.

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

PARK BOARD . . . . .MR. ART CICONETTI . . . . . NO REPORT

HEALTH BOARD. . . . .MS. SANDRA COX . . . . . NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Reported meeting July 7 to discuss Ordinance 38-2003, amending the permanent appropriations; and reviewing the current income tax ordinance. The Committee approved the appropriations, and the Law Director will review a draft of the income ordinance before submitting a final draft to Council.

SALARY COMMITTEE . . . . . MR. JIM LOCKER . . . . . NO REPORT

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

Mr. Johnson assigned a request by the Fire Department to add to the firefighters current contract. He also asked that it be reviewed by the Salary Committee because the request deals with salary also.

PUBLIC WORKS COMMITTEE. . . . . MR. JOEL DAY . . . . . NO REPORT

ZONING & ANNEXATION COMMITTEE . . . . .MR.GEORGE HOUSTON

Reported meeting July 10 to discuss energy proposals and requests by area developers to review condominiums. The Committee agreed that another meeting on both issues is needed, and Mr. Houston scheduled a meeting for July 28 at 6:00 P.M.

CONTACT COMMITTEE. . . . . MR. ART CICONETTI . . . . . NO REPORT

Mr. Johnson assigned a request by Main Street New Philadelphia for a Design Committee.

SPECIAL COMMITTEE . . . . . MR. ROB MAURER . . . . . ABSENT . . . . . NO REPORT

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, SE, New Philadelphia, asked about the house on Front St. that is to be torn down. She also said there are old trees in the cemetery that need to be removed, and bushes that need trimmed. Mayor Brodzinski will give these issues to the General Services Dept.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING ON ORDINANCE 27-2003.

Ordinance 27-2003      An ordinance by the Council of the city of New Philadelphia, Ohio to change zoning for property located at 430 Fair Avenue NW, New Philadelphia, Ohio from Residential to Office district, and declaring an emergency.

Attorney Richard Fox, 122 South Wooster, Strasburg, representing Theresa Prince, property owner, urged Council to approve the rezoning.

Julie Provan, 1208 Third St. NE, New Philadelphia, said she is employed as a property manager, not a realtor, and she assists people in finding property to fit their needs. She said changing the zoning would enhance the city.

AT 8:09 P.M. COUNCIL ADJOURNED FROM PUBLIC HEARING INTO REGULAR SESSION.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 27-2003 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for property located at 430 Fair Avenue NW, New Philadelphia, Ohio from Residential to Office district, and declaring an emergency. (5th Reading)
- Motion to vote on passage made by Mr. Houston, seconded by Mr. Locker. Roll call, 4 yeas 2 nays (Cox & Cicconetti), ordinance passed.
- 35-2003 An ordinance by the Council of the City of New Philadelphia, Ohio to change the name of Perch Alley to Mishler Lane. (3rd Reading)
- Motion to vote on passage made by Mr. Locker, seconded by Mr. Houston. Roll call, 6 yeas, ordinance passed.
- 36-2003 An ordinance by the Council of the City of New Philadelphia, Ohio designating all secondary thoroughfares within the City which are now named Alley to be renamed Lane for all streets running East to West within New Philadelphia, Ohio and to change the name from Alley to Drive for all secondary streets running North and South within the City of New Philadelphia, Ohio. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker. Roll call, 6 yeas, ordinance passed.
- 38-2003 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2003 and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas, ordinance passed.
- Mr. Houston made a motion to go into Executive Session immediately following the reading of ordinances to discuss litigation. Motion was seconded by Ms. Cox. Roll call, 6 yeas, motion passed.
- 40-2003 An ordinance by the City Council of New Philadelphia, Ohio to vacate an unnamed alley extending approximately 265 feet north of Wabash Avenue NW, and 165 south of Emmett Avenue NW between 1023 Logan Street NW Rear and 1033 Logan Street NW Rear and declaring an emergency. (1<sup>st</sup> Reading)
- Public Hearing to be held August 25, 2003 at 8:00 P.M. Mr. Johnson assigned this ordinance to the Zoning & Annexation Committee.
- 41-2003 An ordinance by the Council of the City of New Philadelphia to authorize the mayor of the City of New Philadelphia, Ohio to sign a quit claim deed to return to Benjamin Cookson, Jr. and Eunice J. Cookson property donated to the City of New Philadelphia by deed recorded volume 768, page 444 of the Tuscarawas County deed records which property was donated for the use of a skate park, and is no longer considered usable by the City of New Philadelphia for a skate park, and declaring an emergency. (1<sup>st</sup> Reading)

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

Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 6 yeas, ordinance passed.

42-2003

An ordinance by the Council of the City of New Philadelphia to authorize the Service Director of the City of the City of New Philadelphia, Ohio to advertise for bids for the technical proposal selection of engineering services to prepare construction plans and specifications for the infrastructure of the proposed city owned streets and utilities of the proposed Tuscarawas Regional Technology Park, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Houston... Roll call, 6 yeas, resolution passed.

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 8:21 P.M. TO DISCUSS LITIGATION. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:38 P.M.

Mr. Houston made a motion to add Resolution 17-2003 to tonight's agenda. Ms. Cox seconded by motion. Roll call, 6 yeas, motion passed.

RESOLUTIONS:

17-2003

A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio to authorize settlement of four worker's compensation claims and pending litigation captioned by Jimmy Martin vs. the City of New Philadelphia, Tuscarawas County Common Pleas Court, Case Number 2002CW-11-0738, and declaring an emergency. (1<sup>st</sup> Reading)

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

Motion to vote on passage made by Mr. Locker, seconded by Mr. Houston. Roll call, 6 yeas, resolution passed.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:41 P.M.

CLERK OF COUNCIL \_\_\_\_\_

APPROVED July 28, 2003

PRESIDENT OF COUNCIL \_\_\_\_\_