

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 13, 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  
MS. WINNIE WALKER  
MR. TOM LOCKER

MS. WALKER MADE A MOTION TO REMOVE ORDINANCE 39-2001 FROM TONIGHT'S AGENDA, AND ASSIGNED TO THE FINANCE COMMITTEE. MOTION WAS SECONDED BY MR. HOUSTON. ROLL CALL, 7 YEAS, MOTION PASSED.

THE MINUTES OF JULY 23, 2001 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE. . . . . CLERK DIANE ROUDEBUSH

1. A letter dated July 31, 2001 from Southeastern Ohio Legal Services thanking Council for passing a housing code ordinance.
2. Mayor's Monthly Statement to Council for July, 2001.
3. Board of Control meeting minutes of July 25, 2001.
4. New Philadelphia City Board of Health meeting minutes of July 11, 2001.
5. Planning Commission meeting minutes of August 8, 2001.
6. A notice from the Ohio Division of Liquor Control requesting a C1 and C2 permit to LA Reunion LLC, dba LA Reunion, 131 Fair Ave. N.E., New Philadelphia, Ohio 44663 and asking that objections be made no later than 9/7/01.

COUNCIL PRESIDENT DAVE JOHNSON RECOGNIZED LONG TIME COUNCIL MEETING ATTENDEE ELLA SLOUGH FOR HER BIRTHDAY TODAY, AND COMMENDED THE CITY OFFICIALS AND EMPLOYEES FOR A SUCCESSFUL ITALIAN-AMERICAN FESTIVAL HELD DOWNTOWN OVER THE PAST WEEKEND.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from July 23 through August 13, 2001. Reported that the skate park is in full operation and getting a lot of use. Reported meeting recently with Aultcare representatives concerning the health fair that was held in the spring, and informed everyone that some programs will be initiated for the employees' participation. Reported that the parade of Clydesdale horses was terrific and there was a good attendance. Reported that the Italian-American Festival was a great success, and the Mayor's Breakfast was well attended.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reminded everyone that a Public Meeting will be held August 27, 2001 at 7:00 p.m. concerning monthly water/sewer billing. Reported that four test borings for underground petroleum at the airport were negative. Reported that 372 cemetery lots are available. Reported meeting August 1 with ODOT to discuss the city's participation in the state's urban paving program, which would help with paving on state routes. Mr. Johnson asked what is the current activity at the Waterworks Ballfields. Mr. Espenschied said lights are being installed. Ms. Walker asked the status of streetlights at Honey Valley Estates. Mr. Espenschied said General Services Superintendent Fred Neff is working with Gary Enama of AEP, and he will have Mr. Neff contact Ms. Walker.

SAFETY DIRECTOR . . . . .MR. GREG POPHAM

Announced the retirement of Fire Chief Chuck Caton, effective September 16, 2001. Mr. Popham thanked Mr. Caton for his dedication and service to the city.

AUDITOR . . . . .MS. BETH GUNDY

Requested approval of transfers that were made within city funds. Ms. Cox made a motion to approve the transfers, seconded by Mr. Day. Roll call, 7 yeas, motion passed.

TREASURER . . . . .MR. ROBERT GERBER . . . . . ABSENT . . . . . NO REPORT

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Reported that legal proceedings have been commenced against Ron Prince for back rent at the airport. Mr. Houston asked Mr. Johnson to explain the city's liability at the new skate park. Mr. Johnson said as long as the city properly maintains the skate park, there is no liability for injuries that occur.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . .MAYOR BRODZINSKI

Reported meeting Wednesday, August 8, 2001 at 1:00 p.m. at Tuscora Park. A request by Personal Family Counseling Service was approved.

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

Reported meeting August 7, 2001. Two variances were granted, and one was denied.

AIRPORT COMMISSION. . . . .MR. JIM LOCKER

Will meet Tuesday, August 14, 2001 at 6:00 p.m.

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

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

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . .MS. SANDRA COX

Scheduled a meeting for Monday, August 27, 2001 at 6:45 p.m. to discuss Ordinance 40-2001, amending and adjusting the permanent appropriations. Thanked Chief Caton for his service to the city, and for his work with the

Finance Committee during the budget process. Mr. Johnson assigned Ordinance 39-2001, the K-9 unit, to the Finance Committee.

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

Mr. Johnson assigned a request for consideration of a fire inspector within the city.

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

Scheduled a meeting for Monday, August 20, 2001 at 6:00 p.m. concerning the curfew ordinance.

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

Thanked Chief Caton for his dedication to the city, and requested that he write a report of the future needs of the fire department and of the structural condition of the current fire station.

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

Scheduled a meeting for Thursday, August 16, 2001 at 6:00 p.m. to discuss the Endres annexation. Also thanked Chief Caton for his work with the city, and said the fire department is in much better shape than when Chief Caton took over his duties.

CONTACT COMMITTEE. . . . .MR. ART CICCONE . . . . . NO REPORT

Thanked Chief Caton for his years of service to the city.

SPECIAL COMMITTEE . . . . . MR. TOM LOCKER . . . . . NO REPORT

Also commended Chief Caton for the fine job he did for the city.

Council President also thanked Chief Caton for his dedication and service, and suggested his “jersey” be retired.

VISITOR’S COMMENTS:

Emily Dietz, 141 Stonecreek Rd., New Philadelphia, asked when is water going to be extended out Route 21, and asked if the Zoning & Annexation Committee meeting on Thursday, August 16 is open to the public. Mr. Houston said it is open, and suggested she attend.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, also thanked Fire Chief Caton because she has always been well taken care when she has had to use the emergency services. She asked if bushes at Fair Avenue cemetery could be trimmed, and said there are branches that need cut from a tree there. She asked if trash could be removed at the former junkyard on West High Ave.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

28-2001 An ordinance by the Council of the City of New Philadelphia to increase the salary for the Water Superintendent to equal the salary of the Wastewater Superintendent within the City of New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

Motion to vote on passage and that it be read in its entirety made by Mr. Jim Locker, seconded by Mr. Houston. The Clerk read the ordinance in its entirety. Roll call for passage, 3 yeas 4 nays (Houston, Walker, Cicconetti, and Cox), ordinance failed.

34-2001 An ordinance by the Council of the City of New Philadelphia to change the zoning from Industrial to Business zone for the area known as 416 Robinson Drive SE, New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

Public Hearing to be held August 27, 2001 at 8:00 p.m.

35-2001 An ordinance by the Council of the City of New Philadelphia to amend New Philadelphia Codified Ordinance Section 351.99 penalty section, and declaring an emergency. (3rd Reading)

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

37-2001 An ordinance to accept the application by Gregory E. and Linda C. Donaldson for the annexation of certain territory in Dover Township, Tuscarawas County, Ohio and to establish Industrial zoning of the same. (2nd Reading)

38-2001 An ordinance by the Council of the City of New Philadelphia to authorize payments for waterline extensions at Tuscora Park, New South Side Park, Beaver Avenue, and declaring an emergency. (1<sup>st</sup> Reading)

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

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

40-2001 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2001 and declaring an emergency. (1<sup>st</sup> Reading)

41-2001 An ordinance by the Council of the City of New Philadelphia to enact Section 509.09 Curfew Hours for Minors and to repeal existing Ordinance 509.09, and declaring an emergency. (1<sup>st</sup> Reading)

#### RESOLUTIONS:

17-2001 A resolution by the Council of the City of New Philadelphia Ohio to commend New Philadelphia Police Officer Rocky Dusenberry for winning five gold medals and one bronze medal at the Ohio Police and Fire Games, 2001. (1<sup>st</sup> Reading)

#### OLD OR UNFINISHED BUSINESS:

Council President Dave Johnson announced that he has appointed a committee to proceed with the plans to convert the former Elk's Building into Municipal Court. The Committee consists of: Joel Day, Sandy Cox, and George Houston as voting members; a representative from the architectural firm, a representative of the court, and he will chair the committee. A meeting has been scheduled for Tuesday, August 28, 2001 at 7:00 p.m. to begin discussion on plans to proceed.

#### NEW BUSINESS:

Mr. Day asked how the city stands concerning reconciling of auditor's and treasurer's office. Law Director Mike Johnson said the auditor is attempting to reconcile, but it is up to the Treasurer to produce a report.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:05 P.M.

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

APPROVED August 27 2001

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