

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 28, 2000 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

PRESIDENT OF COUNCIL DAVE JOHNSON ADDED RESOLUTION NO. 25-2000 TO TONIGHT'S AGENDA.

THE MINUTES OF AUGUST 14, 2000 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE. CLERK DIANE ROUDEBUSH

- 1. New Philadelphia's Health Board Report from Council's Representative Sandy Cox.
- 2. Planning Commission meeting minutes of August 16, 2000.
- 3. New Philadelphia Fire Department Report for April, 2000; May, 2000; June, 2000; and July, 2000.
- 4. Special Committee meeting minutes of August 14, 2000.
- 5. New Philadelphia Park & Recreation Board meeting minutes of August 21, 2000.
- 6. A petition for annexation of land from Goshen Township into the City as filed by Dwain & Elizabeth Hicks.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from August 15 through August 28, 2000. Reported that the final inspection of 4th Street took place on August 15, 2000, and more information concerning this will be provided by Service Director Gary Espenschied. Requested an Executive Session tonight to discuss possible land donation and personnel. Motion for Executive Session to discuss personnel and land donation made by Mr. Cicconetti, seconded by Ms. Cox. Roll call, 7 yeas, motion passed.

SERVICE DIRECTOR MR. GARY ESPENSCHIED

Reported that the City has numerous concerns about the 4th St. project, and he is asking that these concerns be addressed. Reported that the new 12" water line is now in service on Beaver, which extends from Crider Ave. to Hillandale and ties into Donahey Ave. water line. Reported that the General Services Department has been busy taking down dead and dangerous trees. Commended the traffic department for painting the school crossing markings on the pavement.

SAFETY DIRECTORMR. GREG POPHAM

Reported that the Fire Department is sponsoring a county meeting tonight, and they are demonstrating new diving equipment that was purchased recently with grant money from the Rosenberry Foundation and the Marsh Foundation. Reported that Policeman Mike Henry recently retired, and Policeman Kim Menapace will retire September 17. Three candidates have been given a conditional job offer, pending medical test reports.

AUDITORMS. BETH GUNDY

Requested passage tonight of Ordinances 45-2000 and 46-2000.

TREASURERMR. ROBERT GERBER ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Reported meeting August 16, 2000 to discuss a request by John Stocker for development of 18 lots, possibly with duplexes, at Southwood Drive S.W. The Service Director’s office will do a study to see if the city can handle the demand for water and sewer. Also discussed was the rezoning of property on Bowers Ave. N.W. This request was approved. The next meeting will be September 13, 2000. Mr. Houston questioned a Zoning Board of Appeals variance for side yard setback. Mr. Espenschied said he denies the request, and that’s how the decision goes to the Board of Appeals. Law Director Mike Johnson suggested that council members express their concerns to members of the board, or to pass an ordinance that would not allow for a variance.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet Tuesday, September 5, 2000 at 5:30 p.m.

AIRPORT COMMISSIONMR. JIM LOCKER NO REPORT

PARK BOARDMR. ART CICCONE

Reported meeting August 21, 2000. Attendance is down at the park due to the weather. Grant money for the paving and installation of storm drains on 2nd St. N.W. is expected in September, and the wall work is almost complete for the year, with the other side of the park to be done next year. The Board is awaiting money for the lights at the baseball field. RTY has requested that the Board consider enclosing the current concession stand to possibly link it to the pavilion. Law Director Mike Johnson suggested a written proposal be submitted to the Board before any decision is made. The next meeting will be September 18, 2000 at 7:30 p.m. Ms. Cox pointed out that the Finance Committee has approved money for the lights at the ball field. Mayor Brodzinski said he is awaiting a possible grant to fund the lights. General Services Superintendent Fred Neff said the delivery on the poles will take 24 weeks, so he suggested they be ordered soon.

HEALTH BOARDMS. SANDRA COX

Reported that a special meeting of the Health Board was held August 23, 2000, and they voted unanimously to no longer be Medicare certified for home health care as of October 1, 2000. Due to the federal balanced budget, the City’s Home Health Agency would have to furnish all supplies and would only be partly reimbursed. Ms. Cox

reminded everyone that the Home Health Agency is not closing, only that more customers will be taken under private care. Flu shot clinics will not be affected.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting tonight prior to regular session to discuss Ordinance 46-2000, increasing the appropriations. The Committee voted, 2 to 1, to approve the ordinance. Also discussed was the purchase agreement with the Elks. The city wishes to acquire the building at the end of December, 2000, and giving the Elks 60 days to vacate the building. Law Director Mike Johnson updated the Committee on the need to hire an additional prosecutor. No action was taken.

SALARY COMMITTEE. MR. JIM LOCKER. NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE. MS. WINNIE WALKER NO REPORT

PUBLIC WORKS COMMITTEE. MR. JOEL DAY NO REPORT

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT COMMITTEE. MR. ART CICONETTI. NO REPORT

SPECIAL COMMITTEE. MR. TOM LOCKER. NO REPORT

VISITOR'S COMMENTS:

Don Knisely, 128 Moore Ave., New Philadelphia, said he couldn't buy the kind of gasoline his airplane needs at Harry Clever Field, and is forced to get it at another field. He asked that Council insist that the FBO offer that grade of gasoline. He said an outside telephone is also needed for emergency use. Law Director Mike Johnson said he met with Service Director Gary Espenschied, and a letter was sent to the FBO at the airport telling them they should honor the contract with the City, and be open as stated in the contract. The FBO said they would do that.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said she agrees with Mr. Kniseley about the gasoline and the telephone. She asked if minutes of the previous Airport Commission meeting are available because she would like to have a copy. She asked if Maple Ave. N.W. and the alley between the new bank and Dover-Phila Credit Union could be made one-way so motorists would not be exiting onto West High Avenue, and asked if a left-turn lane could be added on West High Ave. for those turning onto 7th St.

COUNCIL ADJOURNED INTO PUBLIC HEARING AT 8:00 P.M. TO DISCUSS ORDINANCES 43-2000 AND 44-2000.

- Ordinance No. 43-2000 An ordinance to amend and modify the zoning map of the City of New Philadelphia, Ohio and to rezone .880 acres owned by Leonard L. Martin on Wabash Avenue, New Philadelphia, Ohio adjacent to Pepsi-Cola Bottling Company from a Residential to Business zone, and declaring an emergency.

- Ordinance No. 44-2000 An ordinance to amend and modify the zoning map of the City of New Philadelphia, Ohio and to rezone 1.630 acres owned by Nick Incarnato located at

4th Street Rear, N.E., New Philadelphia, Ohio from Industrial to Residential, and declaring an emergency.

THERE BEING NO COMMENTS, FOR OR AGAINST, THE PUBLIC HEARING WAS ADJOURNED AT 8:01 P.M.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 42-2000 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio, on behalf of the City of New Philadelphia, Ohio, to sign and enter into a drilling oil and gas lease with Tipka Energy Development Company for four (4) acres known as the city water reservoir and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Day, seconded by Mr. Jim Locker. Roll call, 7 yeas, ordinance passed.
- 43-2000 An ordinance to amend and modify the zoning map of the City of New Philadelphia, Ohio and to rezone .880 acres owned by Leonard L. Martin on Wabash Avenue, New Philadelphia, Ohio adjacent to Pepsi-Cola Bottling Company from a Residential zone to Business zone, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Houston. Roll call, 7 yeas, ordinance passed.
- 44-2000 An ordinance to amend and modify the zoning map of the City of New Philadelphia, Ohio and to rezone 1.630 acres owned by Nick Incarnato located at 4th Street Rear N.E., New Philadelphia, Ohio from Industrial to Residential, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Walker. Roll call, 7 yeas, ordinance passed
- 45-2000 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2000, and declaring an emergency. (2nd 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. Tom Locker. Roll call, 7 yeas, ordinance passed.
- 46-2000 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2000, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Jim Locker. Roll call, 6 yeas 1 nay (Houston), rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Tom Locker. Roll call, 6 yeas 1 nay (Houston), ordinance passed.

47-2000 An ordinance by the City Council of New Philadelphia, Ohio to vacate an unnamed alley from Park Avenue N.W. New Philadelphia, Ohio through property owned by the V.E.J. Company and through property owned by Oran and Glenda R. Turner Family Trust to Fifth Street N.W. New Philadelphia, Ohio, such unnamed alley being at a 90 degree angle, and declaring an emergency. (1st Reading)

RESOLUTIONS:

23-2000 A resolution by the council of the City of New Philadelphia, Ohio to commend Michael Taylor for his service in the City of New Philadelphia as a member of City Council from January 1, 2000 through June 30, 2000, and declaring an emergency. (2nd Reading)

24-2000 A resolution by the Council of the City of New Philadelphia, Ohio to commend Lawrence H. Colvin and Laura Colvin for their donation to the City of New Philadelphia of certain real estate located along the Tuscarawas County River. (1st Reading)

25-2000 A resolution by the Council of the City of New Philadelphia, Ohio to change the name of Winkler Road to Donahey Avenue NE, and declaring an emergency. (1st Reading)

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 8:15 P.M. TO DISCUSS PERSONNEL AND LAND DONATION. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:39 P.M.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Day said he has been contacted by a concerned constituent about the shut down of the cat shelter. It was agreed by council members that this is a county function, and the Commissioners should be made aware of the concerns.

Council President Dave Johnson said he has been contacted by some residents requesting that Council have a regular meeting in front of certain houses within the city to prove that there is a need for a housing ordinance. He also has been asked to have a meeting at various locations, such as the new teen youth center, to get more people involved. Mayor Brodzinski said, in regards to that issue, Council Chambers will not be available for regular session on September 25, 2000, due to Municipal Court construction. Administrative Assistant Mary Jo will call for an alternate site.

Mayor Brodzinski said he has received confirmation that the CHIP grant has been approved for 2001 and 2002. \$500,000.00 will be available for those residents that qualify.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:44 P.M.

CLERK OF COUNCIL _____

APPROVED SEPTEMBER 11, 2000

PRESIDENT OF COUNCIL _____