

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 22, 2007 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. ROBERT CONNER
MS. SANDY COX
MR. GEORGE HOUSTON
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

COUNCILMAN JIMMY EICHEL WAS ABSENT.

THE MINUTES OF OCTOBER 8, 2007 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. A notice from the Ohio Division of Liquor Control requesting a transfer of a D1 and D2 permit to Sugar Creek Pizza LLC, dba Pizza Hut, 1227 Fourth St. NW, New Philadelphia, OH 44663, transferred from Midland Food Services III LLC, dba Pizza Hut, same address, and asking that objections be made no later than 11/19/07.
2. A notice from the Ohio Division of Liquor Control requesting a transfer of a D2 and D2X permit to Sugar Creek Pizza LLC, dba Pizza Hut, 1125 West High Ave. New Philadelphia, OH 44663, transferred from Midland Food Services III LLC, dba Pizza Hut, same address, and asking that objections be made no later than 11/19/07.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from October 8 through October 22, 2007. Mr. Johnson yielded the floor to Councilman Rob Maurer, who yielded to J.T. Ansel, Chairman of the New Philadelphia School's Levy Committee, School Treasurer Steve Sherer, and School Board Member Gil Snyder, who asked for council's support of Resolution 32-2007, in support of the New Philadelphia City School District.

SERVICE DIRECTOR.....MR. GARY ESPENSCHIED

Reported that a new medical facility will be locating at the former Rappert's Junk Yard on West High Avenue. Law Director Mike Johnson said that a Public Hearing on that rezoning, Ordinance 22-2007, has been set for November 26, 2007 at 8:00 P.M. President Johnson asked if West High Avenue will be completed soon. Mr. Espenschied said that new sidewalks will be put in before winter, and ODOT has committed to pave West High Ave. in the spring of 2008. Mr. Espenschied said he has applied for a grant to widen West High, but if the grant is received, the project would not begin until 2012.

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

AUDITOR. MS. BETH GUNDY

Reported that the Workers' Compensation Program has paid \$6,600 and \$15,500 to the City through 2 separate programs.

TREASURER MR. MIKE TAYLOR

Wished "Good Luck" to all political candidates and school board members and levy in the upcoming General Election.

LAW DIRECTOR MR. MIKE JOHNSON

Reported that he has set Public Hearings on Ordinance 21-2007 and 22-2007, both rezoning issues, for November 26, 2007 at 8:00 P.M. Reported that a lawsuit has been filed against the city concerning strip clubs.

MAIN STREET REPRESENTATIVE MS. ANITA EDWARDS

Reported that the banner sale is underway.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR BRODZINSKI

Will meet November 14, 2007 at 1:00 P.M.

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

Reported meeting October 9 with one appeal on the agenda, which was approved.

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

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Reported meeting October 18. Minutes are forthcoming.

HEALTH BOARD.....MS. SANDY COX

Will meet November 14, 2007 at noon in the Health Department. .

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Reported meeting tonight to discuss Ordinance 23-2007, amending appropriations.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . MR. ROB MAURER

Reported meeting October 18 to discuss a resolution to show support for the school district. The Committee recommends emergency passage tonight, but if it does not pass tonight, Mr. Maurer said he will call 2 special meetings before the upcoming election.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . . MR. DARRIN LAUTENSCHLEGER . . .
NO REPORT

Mr. Johnson assigned the issue of a sanitation line on Reiser Ave.

ZONING & ANNEXATION COMMITTEE. . . . MR. GEORGE HOUSTON NO REPORT

Mr. Johnson assigned the plat for Oak Shadows Phase III.

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER NO REPORT

Mr. Johnson assigned the two liquor permit transfers mentioned under correspondence.

PARKS & CEMETERY COMMITTEE MR. JIMMY EICHEL ABSENT NO REPORT

VISITOR’S COMMENTS:

Megan Linard, 910 West High Avenue, New Philadelphia, asked council to re-consider the current fencing regulations. Her neighbors have a six foot high fence, and she is unable to see oncoming traffic when exiting her driveway into the alley.

Troy Linard, 910 West High Avenue, New Philadelphia, said that alley is being used more often because of construction on West High Avenue. Mr. Johnson assigned this to the Safety, Health, and Service Committee.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

21-2007 An ordinance by the Council of City of New Philadelphia, Ohio to rezone certain land owned by Kenwood Shoppes Development, LTD located at Wabash Avenue NW (adjacent to the Pepsi-Bottling Company), from Residential to Business, and declaring an emergency. (2nd Reading)

Public Hearing to be held November 26, 2007 at 8:00 P.M.

22-2007 An ordinance by the Council of City of New Philadelphia, Ohio to rezone certain land owned by Investment Properties III, LTD, Development, LTD located at 1037 West High Avenue (former site of Tuscarawas Auto Parts/Rapport’s) from Industrial to Business, and declaring an emergency. (2nd Reading)

Public Hearing to be held November 26, 2007 at 8:00 P.M.

RESOLUTIONS:

30-2007 A resolution by the Council of the City of New Philadelphia, Ohio to notify the Tuscarawas County Commissioners of utility services that the City of New Philadelphia can make available to the annexation for property located at 2705 East high Avenue as required y Chapter 709.031 of the Ohio Revised Code and to clarify zoning, and declaring an emergency. (2nd Reading)

32-2007 A resolution by the Council of the City of New Philadelphia, Ohio in support of the New Philadelphia City School District, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Maurer, seconded by Mr. Lautenschleger. Mr. Maurer said this resolution is merely to show support for our local school district, it does not mention support of the levy. Roll call, 2 yeas 4 nays (Conner, Houston, Cox, & Locker), suspension of rules failed.

UNFINISHED OR OLD BUSINESS:

Mr. Locker asked that a study for an additional road into Shel-Mar Estates be assigned to Committee. Mr. Johnson assigned this to the Public Works Committee.

NEW BUSINESS:

Mr. Maurer called a Special Council meeting for Monday October 29 at 6:00 P.M. to discuss Resolution 32-2007. Law Director said only the Mayor or three council members can call a special meeting. Mr. Maurer said he will talk to Mayor Brodzinski tomorrow.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 7:55 P.M.

CLERK OF COUNCIL _____

APPROVED November 15, 2007

PRESIDENT OF COUNCIL _____