

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 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  
MS. WINNIE WALKER  
MR. JIM LOCKER

COUNCIL MEMBERS GEORGE HOUSTON AND TOM LOCKER WERE ABSENT.

THE MINUTES OF NOVEMBER 26, 2001 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 C1 and C2 permit to M 2, Inc. DBA Eastside Market & Drive Thru, 260 Beaver, Ave. N.E., New Philadelphia, Ohio 44662, transferred from Pokmac, Inc., same address, and asking that any objections be made no later than 12/17/01.
2. Safety, Health, and Service Committee meeting minutes of November 14, 2001.
3. Public Works Committee meeting minutes of November 15, 2001.
4. Finance Committee meeting minutes of November 12, 2001.

Mr. Johnson asked for a motion for an Executive Session to discuss finances. Mr. Cicconetti made a motion, seconded by Ms. Cox, that Council go into Executive Session prior to reading of legislation. Roll call, 5 yeas, motion passed.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT . . . . . MAYOR RON BRODZINSKI

Submitted a written report of the activities of the Mayor’s office from November 13, through November 26, 2001. Reported meeting recently to discuss refinancing of bonds. Reported that the Downtown Lighting Ceremony was held last week, and was well attended. Reported that the city is attempting to get a grant from Issue #2 for Phase 2 of the wastewater treatment plant. Reported that the first meeting of the Housing Board of Appeals was held and chaired by Bill Richesson. Asked that personnel matters be added to the agenda for tonight’s Executive Session.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that a walk through for potential bidders for the wastewater treatment facility will be held December 5 at 10:00 a.m., and bids will be opened on December 19 at the park. Reported that leaf pickup is proceeding, and the bases for the traffic light poles are being installed. Provided to council a copy of a form letter that will be sent to residents who are experiencing problems with infiltration and inflow into their sanitary sewer system. Mr. Cicconetti asked the status of the backflow study. Mr. Espenschied said it is currently on hold.

BUILDING INSPECTOR . . . . . MR. BILL RICHESSON

Provided to council a list of homes that have been inspected. Reported that the first meeting of the Housing Board of Appeals was held, and he thanked the members who have agreed to serve on the board.

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

AUDITOR . . . . .MS. BETH GUNDY

Requested passage of Resolution 22-2001. Reported that she has been notified by the County Budget Commission that the millage for the park levy bond has decreased from .8 mills to .75 mills.

TREASURER . . . . .MS. TERRI DEARDORFF . . . . . ABSENT . . . NO REPORT

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Reminded Council of the Public Hearing to be held December 10, 2001 at 8:00 p.m. on Ordinance 53-2001, and also reminded Council that no action can be taken tonight to suspend the rules for passage of legislation because there are only five council members present, and suspension of rules needs six affirmative votes.

MAIN STREET REPRESENTATIVE . . . . . MS. PAULINE WYRIE

Reported that Main Street has been busy preparing for the holiday season with the lighting ceremony, live tree decorating, open house at downtown businesses, etc. They are planning the Main Street at Midnight on New Years' Eve, the Santa mailbox with letters being sent to area children, pole banner replacement, downtown signs and banners including South Broadway Bridge, community assessment for competitive grant application, and economic development within the downtown area.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Will meet December 12, 2001 at 1:00 p.m. at Tuscora Park.

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

Will meet Tuesday, December 4, 2001 at 5:30 p.m. in Council Chambers.

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

PARK BOARD . . . . .MR. ART CICONETTI

Reported that the Board met, but no business was conducted due to lack of quorum.

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

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Reported that the Finance Committee has reviewed Resolution 22-2001 and agreed to use the banking services specified in the resolution. Informed Council that, after receiving the assignment on November 12 to discuss HB 405 concerning budget cuts for local government, she contacted State Senator DiDonato's office to express concerns over HB 405 and was informed the vote would take place on November 15. Resolution 24-2001, to express council's opposition to these budget cuts, is before council for consideration tonight, but due to a lack of council members to suspend the rules, the resolution cannot be passed in time to get it sent to state legislators. Council President Dave Johnson suggested that a letter be prepared and faxed to necessary legislators before the vote on November 15.

SALARY COMMITTEE . . . . . MR. JIM LOCKER

Reported meeting tonight to discuss a wage increase request for the part-time clerk in the police department. Also reviewed was the relief position in the Health Department. The Committee approved increases for both positions to \$8.00 per hour, up from \$5.99 and \$5.68, respectively. The increase will be reflected in the 2002 budget.

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

Reported that the Committee discussed two issues that were assigned, but that will be covered under HB 405, so no action is necessary. Another issue discussed was a letter from the Bureau of Workers' Compensation to inform employers that BWC insurance premiums will be increased because of an increase in BWC claims. The Committee agreed that someone attend one of the meetings that are being set up to discuss this change.

PUBLIC WORKS COMMITTEE. . . . .MR. JOEL DAY

Reported meeting November 15 to discuss the backflow prevention program. No action was taken by the Committee so that members can have time to review the information provided. Another meeting will be scheduled soon to follow up. Also discussed was the drilling of water wells within the city. The Committee will ask for this matter to be assigned in the future. Also discussed was possibly toughening the penalties against fire suppression system inspectors who don't follow the city's procedures for testing.

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

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

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

VISITOR'S COMMENTS:

Randy Keitz, 467 Lockport Ave., SW, New Philadelphia, expressed concerns of his neighbors over the sale of a home to Starlight Enterprises, which will be rented to three individuals. He said the neighbors are concerned for the safety of their children, the fact that the home could be rented to up to five individuals, a government agency owning and managing property in a single family residential neighborhood, the impact of what government owned property would have on their neighborhood, and city ordinances that would give government agencies the ability to purchase single family dwellings without the option of considering the impact of this action on well being of the residents who already reside there. He said he questions why the Starlight Café is closing because of financial purposes, but they are buying property. Law Director Mike Johnson said the purchase of the home is legal, and not allowing the sale to go through would be discrimination. Council President Dave Johnson said he would assign it to a committee.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked the status of the Airport Restaurant. Law Director Mike Johnson said the bid for the Airport Restaurant would be advertised soon.

AT 8:09 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS FINANCING AND PERSONNEL MATTERS. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:30 P.M.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

53-2001 An ordinance by the Council of the City of New Philadelphia to change the zoning from Residential to Business zone for the area known as 118, 122, and 126 Commercial Avenue SW, New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

Public Hearing to be held December 10, 2001 at 8:00 p.m.

54-2001 An ordinance by the Council of the City of New Philadelphia accepting the street plat for Pinnacle Drive NW, New Philadelphia and declaring an emergency. (2nd Reading)

RESOLUTIONS:

22-2001 A resolution by New Philadelphia City Council providing for retaining investment banking services and underwriting services of Seasongood & Mayer in connection with the proposed financing, and declaring an emergency. (1<sup>st</sup> Reading)

24-2001 A resolution by the Council of the City of New Philadelphia, Ohio opposing budget cuts by the Ohio General Assembly and enactment as worded of House Bill 405, and declaring an emergency. (1<sup>st</sup> Reading)

25-2001 A resolution by the Council of the City of New Philadelphia, Ohio to voice opposition to the Public Utilities Commission of Ohio decision concerning Dominion East Ohio Gas Company and the usage of overcharges by Dominion East Ohio Gas Company to pay delinquent and otherwise uncollectable accounts with such overcharge to the detriment of the citizens of New Philadelphia and other customers in Ohio, and declaring an emergency. (1<sup>st</sup> Reading)

Council President Dave Johnson requested that the Clerk draft letters pertaining to Resolutions 24-2001 and 25-2001 to express council's objection. Council member Sandy Cox will assist the Clerk, and council was advised to sign the letters on Tuesday before they are faxed to state legislators and the PUCO.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MOTION PASSED. MEETING ADJOURNED AT 8:33 P.M.

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

APPROVED December 10, 2001

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