

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 25, 2010 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

- MS. SANDY COX
- MS. COLLEEN ESPENSCHIED
- MR. DARRIN LAUTENSCHLEGER
- MR. JIM LOCKER
- MR. ROB MAURER
- MS. WINNIE WALKER
- MR. JOHN ZUCAL

MS. COX MADE A MOTION TO ACCEPT TONIGHT’S AGENDA. MR. LOCKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE JANUARY 11, 2010 COUNCIL MEETING. MS. ESPENSCHIED SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE .....CLERK, PATRICIA MCKAY

1. A notice from the Ohio Division of Liquor Control, requesting a D5 permit to DANNY’S GRILL, LLC, DBA DANNY’S GRILL, 110 Ashwood Lane NW, New Philadelphia, OH 44663, and asking that objections be made no later than 02/08/2010.
2. The Treasurer’s Statement of Transactions of all City Funds for the month of November 2009 and for the month of December 2009.
3. The Treasurer’s Reconciliation for the month of November 2009 and for the month of December 2009.
4. The Treasurer’s Summary of Transactions for the General Checking Account for the month of November 2009 and for the month of December 2009.
5. Tuscora Park Board Meeting Minutes from November 4, 2009.
6. Park and Cemetery Committee Meeting Minutes from December 28, 2009.
7. Safety, Health and Service minutes from the January 11, 2010 meeting.
8. New Philadelphia City Council Public Works & Economic Development Committee Memorandum for January 12, 2010 subject, proposed sale of land near city airport and consideration of Airport Master Plan.
9. Finance Committee Meeting Minutes from January 21, 2010.
10. A letter from Ryan Styer, Tuscarawas County Prosecuting Attorney, in regard to 2009 Agent’s Report prepared by Detective Scott Ballentine of the Tuscarawas County Sheriff’s Office.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT/REQUEST..... MAYOR MIKE TAYLOR

Mayor Mike Taylor reappointed Guido Civiello to The Board of Health effective February 2010.

The Mayor will have a meeting this week with his Departments on any concerns they might have on their final 2010 budget. Interest based bargaining sessions with AFSME unions, are rescheduled for Wednesday of this week. The first of two meetings was held with the CHIP administrator, Municipal Service Corporation, and the CHIP advisory committee to determine how the CHIP funds should be earmarked for the next 2 years. The second meeting will be held in February.

The EDA has audited the two grants for the Tech Park to finalize the amount that the city is eligible to receive for reimbursement.

SERVICE DIRECTOR..... MR. JIM ZUCAL

Project involving developer John Stocker of the New Golden Corral Restaurant of Mill St. SE is moving forward. The water department is to be commended for keeping up with many water leaks as the ground continues to freeze and thaw. The city’s street department employees continue to patch pot holes and they are utilizing the new street sweeper by sweeping as much as possible. The Cemetery Superintendent’s report for the month of December has been placed in every ones mail box. W. E. Quicksall Company is near completion of the water and sewer rate study and the results of the study should be ready for the Public Works & Economic Development Committee’s evaluation within the next few weeks.

SAFETY DIRECTOR.....MR. GREG POPHAM

On January 12<sup>th</sup>, the Safety Director received an official retirement notice effective January 31, 2010 after 30 years of service, from Cynthia Alesiano, a New Philadelphia dispatcher. The mayor swore in Diane Erdman as the new parking control officer.

AUDITOR.....MS. BETH GUNDY

Requested approval of the Auditor’s report for December 2009 reports.

TREASURER.....MR. DAVE JOHNSON

Requested approval of the Treasurer’s reports for November and December 2009.

Mr. Locker made a motion to approve the Auditor’s report for December 2009 and the Treasurer’s reports for November and December 2009. Ms. Cox seconded the motion. Roll Call, 7 Yeas, Motion Passed.

LAW DIRECTOR .....MR. MIKE JOHNSON

The Law Director congratulated Ms. Walker for 53 years of marriage. Notice of a lawsuit with the Federal District court was received in regard to Cynthia A. Alesiano, retiring dispatcher, against the City of New Philadelphia and the New Philadelphia Police Department alleging discrimination. The Law director will keep council updated of the status of the legal action. The Law director requested an executive session to discuss ongoing litigation.

Ms. Cox made a motion to have an executive session after the reading of legislation and Ms. Walker seconded the motion. Roll Call, 7 Yeas, Motion Passed.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Will meet February 9, 2010 at 1:00 PM. in Council Chambers

BOARD OF ZONING APPEALS..... MR. JIM ZUCAL

Will meet February 9, 2010 at 5:00 PM in Council Chambers

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

PARK BOARD ..... MR. DARRIN LAUTENSCHLEGER.

Meeting was held January 20th at 7:00 PM at the Park Board Office.  
Minutes will be forth coming.

HEALTH BOARD.....MS. SANDY COX

Will meet February 17, 2010 at noon in the Health Department

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.....MS. SANDY COX

The Committee met January 21, 2010 at 6:45 PM to discuss the following issues:

Item (1) The Committee moved to recommend passage of Ordinance 1-2010 at the January 25<sup>th</sup> council meeting. (An ordinance amending and adjusting the temporary appropriations ordinance for the year 2010 and declaring an emergency) Item (2) The Committee moved to recommend passage of Resolution 1-2010 at the January 25<sup>th</sup> council meeting. (Removal and resurfacing project on State Route 39 from the City West Corporation Limit to .10 mile East of Bluebell Drive, and from .02 miles West of 12<sup>th</sup> Street, .04 miles East of McDonald Street and from .01 miles West of 11<sup>th</sup> Street to the Railroad Crossing) The city has a deadline of February 12<sup>th</sup> to give its consent to ODOT. The estimated cost is \$125,000.00. Last year 50% of this amount was set aside in preparation for this project. Item (3) Updating of the travel reimbursement policy was approved. Law Director will prepare legislation for this policy to be put on the agenda for the next regular council meeting. Item(4) Fire Chief Parrish requested a meeting between York Township Trustees, Firefighter Representatives from New Philadelphia and York Township, City Administration and Council to see if there was any interest in moving forward in regards to a fire protection plan. Mayor Taylor requested the trustees submit a proposal in writing if they have any interest in moving forward in regards to a fire protection plan.

Meeting adjourned at 7:31 PM.

SALARY COMMITTEE.....MR. JIM LOCKER

A meeting was held January 25<sup>th</sup> prior to the regular session of city council to discuss commendations for (3) retiring employees, Council Clerk Diane Roudebush, Custodian Larry Tate and Ward 2 Councilman Robert Conner. The committee approved the commendations and the Law Director will prepare legislation for the next regular council meeting.

SAFETY, HEALTH, AND SERVICE COMMITTEE .....MR. ROB MAURER ..... NO REPORT

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE

.....MR. DARRIN LAUTENSCHLEGER

The committee had a meeting January 25, 2010 at 6: 30 PM prior to the regular session of city council items to be discussed were purchase of property near city airport and consideration of Airport Master Plan. There was only time to discuss the city’s Airport Master Plan. The Airport Master Plan that was developed a couple years ago is on file with the FAA, has been recommended for adoption by the Airport Commission to council. There is no legal requirement for council to adopt the plan. The mayor asks that council review the plan and give

their thoughts and input to him. The airport commission is going to offer a meeting for property owners, near the airport, to have a presentation of the development of the Airport Master Plan in its various forms. The purchase of property near city airport will be discussed in an upcoming meeting.

ZONING & ANNEXATION COMMITTEE ..... MS. COLLEEN ESPENSCHIED  
NO REPORT

President Joel Day assigned the request for Annexation from Goshen Township for Personal & Family Counseling Services to Zoning & Annexation Committee.

CONTACT & SPECIAL COMMITTEE.....MR. JOHN ZUCAL

A meeting will be held February 8<sup>th</sup> at 7:15 to discuss the job description for the City Clerk of Council. President Joel Day assigned the following notice from the Ohio Division of Liquor Control, requesting a D5 permit to DANNY’S GRILL, LLC, DBA DANNY’S GRILL, 110 Ashwood Lane NW, New Philadelphia, OH 44663.

PARKS & CEMETERY COMMITTEE.....MS. WINNIE WALKER.....NO REPORT

VISITOR’S COMMENTS:

Terry Henry, 762 3<sup>rd</sup> Street NE, New Philadelphia OH, project chairman for the Experimental Aircraft Assn’s hangar and Educational Center at the airport told council that the project that was started last fall is moving forward. When the building is completed he estimates it will be worth about \$100,000.00, the building an 18 foot high wood pole structure with a steel exterior is being built by 16 Buckeye Career Center students as a school project. The EAA has received many donations in labor and materials from the community, as well as assistance from city officials for the project.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 1-2010 An ordinance amending and adjusting the temporary appropriations ordinance for year 2010 and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Ms. Espenschied. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker. Roll call, 7 yeas, ordinance passed.

RESOLUTIONS:

- 1-2010 A resolution by the Council of the City of New Philadelphia, Ohio to re-appoint Alan Welch to the Airport commission for a new three year term beginning January 1, 2010. (1<sup>st</sup> Reading)
- 2-2010 A resolution enacted by the city of New Philadelphia, Tuscarawas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project, and declaring an emergency.  
Being the removal and resurfacing with an average one and three-fourths inches of asphaltic concrete on State Route 39 from the City West Corporation Limit to .10 miles

East of Bluebell Drive and from .02 miles west of 12<sup>th</sup> Street .04 miles east of McDonald Street and from .01 miles west of 11<sup>th</sup> Street to the Railroad Crossing. (1<sup>st</sup> Reading)

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

Motion to vote on passage made by Ms. Cox, seconded by Ms. Espeschied. Roll call, 7 yeas, Resolution passed.

3-2010

A resolution by the Council of the City of New Philadelphia, Ohio to reclassify land purchase in 2002 from Jack Phillips containing 18.151 acres on the south side of New Philadelphia, OH from cemetery land to park land , and declaring an emergency. (1<sup>st</sup>Reading)

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 8:00 PM AS REQUESTED BY THE LAW DIRECTOR TO DISCUSS LITIGATION. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:19 PM.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 8:20 P.M.

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

APPROVED

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