

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 22, 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. MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A CORRECTION TO THE APPROVED MINUTES HELD MARCH 8, 2010 CHANGING THE DATE TO MARCH 1, 2010 AND THE MEETING WAS A SPECIAL SESSION.

MS. COX MADE A MOTION TO APPROVE THE CORRECTED MINUTES OF THE MARCH 8, 2010 AND THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD MARCH 16, 2010. MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. A Notice to Council from the Ohio Division of Liquor Control to Dee's Restaurant LLC DBA Dee's Restaurant 1109 Bowers Avenue Suite C, New Philadelphia, Ohio 44663 for a D 5 permit transfer from Don Pancho's Restaurant Inc., DBA Don Pancho's, 1157 West High Avenue, New Philadelphia, Ohio 44663. Asking objections be made no later than 04/09/2010.
2. New Philadelphia City Health District Annual Report 2009
3. City of New Philadelphia Board of Control Meeting Minutes of March 5th 2010

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT/REQUEST.....MAYOR MICHAEL TAYLOR

The Mayor requested the Council President schedule a council caucus for Wednesday April 7th at; 6:00 PM to discuss the Water and Sewer Report from W.E. Quicksall & Associates, Inc. and the Scaling Study Report from MWH Americas, Inc.

Mayor Taylor had an informational meeting today, (March 22, 2010) with area government representatives and major land owners from University Drive to determine the interest level for the widening of University Drive and what possible sources of funding may exist to consider the feasibility of this project. The idea for widening this road is one that this group feels should be looked into further, because in the next several years, traffic on that small two lane former township road will increase due to the performing arts center, Tech Park, the potential new commercial development and the new 40 lot residential development that is in the initial phases. The group agreed the idea should be looked into further. That conclusion was the main purpose of today's meeting. Several participants volunteered, including the County Engineer, for a committee to assist the mayor into investigating funding sources to do a feasibility study which would formally establish justification or not for this project and would help determine what funding is available for the project. University Drive is a city owned street and a

widening would be the responsibility of the city. The bridge over Beaver Dam Creek is the responsibility of the county. In addition, if this project is undertaken it would be prudent for the city to study and address any utility issues in that area and upgrade what is needed as part of the project. There is much fact finding and work to do to determine if and when such a project could be undertaken, however the need is real. The traffic congestion and problems will only grow and the cost today will be less than the cost in the future. Once the committee develops a plan to precede the Mayor will request council to assign this project to a committee which will work with the Mayor's committee to decide whether or not to move this idea for a project forward. Mayor Taylor was told that there may be funding available for all or most of the cost of a feasibility study. The committee will research this and see where it leads. This study will answer any of the questions as to what should and could be done on University Drive and will provide a clear project outline to seek Federal and State funding. There is lots of work to do for this potential project. The Mayor's goal will be to try to get as much information as possible for council to make a future decision on this important project. Outside funding is crucial to this project moving forward and those are the issues the committee will strive to define.

Mayor Taylor congratulated the New Philadelphia Business and Community Association for their successful inaugural 5K Shamrock run this past Saturday, March 20, 2010. This event was a fundraiser for operating money for their group and a way they demonstrate to the city that they work to raise money to assist in the efforts to support their operations and the Central Business District.

March 22, 2010 the AFSCME Clerical union agreed to the counter wage proposal for a 1% increase for 2010 only. All other terms of the original Tentative Agreement and wage article will remain in place. The Mayor will work with the union to get the wage article redone and signed off on and will provide a copy of that article showing the 1 percent increase instead of the 1 1/2 percent increase. Mayor Taylor requested the Law Director again prepare the proper legislation for the finance committee and for council's approval.

Mr. Darrin Lautenschleger offered his thanks and appreciation to the clerical union for avoiding the fact finding process and going back to the people and listening to the facts of the matter and making an informed decision that helps the city over all and one that he wished could have been followed through out with all contracts.

Mr. Lautenschleger said he will support the legislation when it comes before council again.

Ms. Sandy Cox stated her appreciation to the union on what they just did in regard to the clerical contract, their support and their cooperation. The 1% is a benefit for the city.

Ms. Cox and Mr. Lautenschleger thanked the administration for the work they did on this matter.

SERVICE DIRECTOR MR. JIM ZUCAL

The Service Director Plans to replace the existing fence around the Springbrook Pond with a new chain link safety fence and a lock access gate. The old fence is in deplorable condition and with the dredging of the sump hole; this is the final step in the project.

The downtown street light decorative poles will be sanded, primed and painted this summer, as they are in dire need of reconditioning.

Mr. Zucal reported the city's street department employees continue to patch pot holes and the street sweeper is out on nice days.

In the near future, the service director will be distributing in every one's box a request for consideration of streets or alleys that need to be paved this summer. All requests will be evaluated and considered.

Ms. Cox asked the service director when the sump hole was dredged.
The service director replied the sump hole was dredged and completed last fall.

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported a civil service examination was conducted March 11, 2010 for a firefighter/paramedic in the fire department. He said 56 applicants took and passed the test. Currently, Mr. Popham is waiting for the civil service commission to certify the results and then he will continue with the process of the interviewing and hiring of a new firefighter/paramedic. The end of this week he will start the paper work for the process for the 3 sergeants in the police department. This process should take a couple months to complete.

AUDITOR MS. BETH GUNDY NO REPORT

The Auditor requested acceptance of the Auditor's report for February 2010 reports

TREASURERMR. DAVE JOHNSON.....NO REPORT

Ms. Cox made a motion to approve the Auditor’s report for February 2010 Mr. Zucal seconded the motion. Roll Call, 7 Yeas, Motion Passed.

LAW DIRECTORMR. MICHAEL JOHNSON

The Law Director Reported that a civil law suite was filed, which was to go to jury trial tomorrow was settled this afternoon. The city was a defendant for an ambulance bill which was owed to the city has been settled by the primary litigant. The law suite was a car bicycle accident. The bicycle rider was taken to the hospital by ambulance. Because they could not come to a satisfactory resolution, a law suit was filed by the bicycle rider against the driver of the car, doctor, hospital and the ambulance service. There was no allegation that there was any wrong doing only to clarify that money was owed to the city for the ambulance service for that law suit.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The Planning Commission will meet Tuesday, April 13, 2010 at 1:00 PM in Council Chambers pending an agenda.

BOARD OF ZONING APPEALSMR. JIM ZUCAL

The Board of Zoning Appeals will meet Tuesday, April 13, 2010 at 5:00 PM in Council Chambers, providing there are any items on the agenda.

AIRPORT COMMISSION..... MR. JIM LOCKERNO REPORT

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER . . .NO REPORT

HEALTH BOARD..... ..MS. SANDY COX

The Health Board will meet Wednesday, April 21 2010 at 12:00 noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDY COX

Ms. Cox reminded everyone of the Finance Committee meeting following the council meeting tonight.
Ms. Cox requested for passage tonight of the following ordinances for the service director.
Ordinance 4-2010 (To advertise for best bids and enter into contracts with lowest best bidder for materials and supplies for 2010)
Ordinance 5-2010 (To direct the service director to advertise for best bids and enter into contracts with lowest best bidder and award the 2010 CDBG)

SALARY COMMITTEEMR. JIM LOCKER..... NO REPORT

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

Safety, Health, and Service Committee and ODOT officials met Monday, March 22, 2010 at 6:15 PM at the Council Chambers. The meeting was for the purposed widening of West High Street between Seventh Street, NW, and the railroad tracks as well as funding issues for this project. The city portion of funding is going to be a slightly over \$500,000. It is an 80/20 match. There will be subsequent meetings, as there is a 90 day window to iron everything out. Mr. Maurer said he will keep everyone apprised as we move along.

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

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIED

There was a meeting with Zoning & Annexation Committee Tuesday, March 16, 2010 at 6:00 PM at the Council Chambers. Purpose was to discuss Personal and Family Counseling Service of Tuscarawas Valley, Inc. Annexation to the City of New Philadelphia. Part of this property is in the township and they want to annex it into the city.

Ms. Espenschied said that first we have to go ahead with our agreement and contact the township and then it will go to the county commissioners for them to approve that it can be changed.

Motion was made by Mr. Locker. Mr. Lautenschleger seconded the motion to move forward and put on the agenda for tonight for three readings. (Resolution 14-2010 a resolution to enter into an agreement with the Goshen Township Trustees to permit real estate taxes pursuant to Ohio revised code section 709.19 for the annexation of an adjacent 1.3938 acre tract of land located in Goshen Township to be divided with the township for Real Estate taxes and authorizing annexation of this tract)

Meeting was adjourned at 6:23PM.

CONTACT & SPECIAL COMMITTEEMR. JOHN ZUCAL

There was a meeting on Monday, March 22, 2010 at 7:00 PM in the Council Chambers to approve the request for a new liquor permit for HARSV Petroleum LLC, 1219 E. High Avenue, New Philadelphia for a new C-1 permit.

It was approved by the committee and it was requested the clerk of council complete the form and forward it to the division of liquor control. Mr. Zucal requested the a new liquor permit for HARSV Petroleum LLC, 1219 E. High Avenue, New Philadelphia for a new C-1 permit with no hearing be approved.

Mr. Zucal made a motion to have it approved and Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

Second item is the job description for the clerk of council. It was decided to accept draft number two.

A copy of this approved draft will be sent to the Law Director who will prepare legislation for the committee to be approved and put on the agenda for the next regular council meeting.

President Joel Day gave Mr. Zucal a copy of the Notice to Council from the Ohio Division of Liquor Control to Dee's Restaurant LLC DBA Dee's Restaurant 1109 Bowers Avenue Suite C, New Philadelphia, Ohio 44 663 for a D 5 permit transfer from Don Pancho's Restaurant Inc., DBA Don Pancho's, 1157 West High Avenue, New Philadelphia, Ohio 44663. Asking objections be made no later than 04/09/2010

PARKS & CEMETERY COMMITTEEMS. WINNIE WALKERNO REPORT

VISITOR'S COMMENTS:

Diane Lautenschleger, 250 Lewis Avenue NW, New Philadelphia, OH 44663

New Philadelphia Business and Community Association, 126 East High Avenue, New Philadelphia, Ohio 44663

Diane Lautenschleger, Administrative Director, of New Philadelphia Business and Community Association

Diane greeted everyone thanked them and then reported on the following:

New Philadelphia Business and Community Association was formerly known to the community as Main Street New Philadelphia, Inc. NPBCA left the Main Street umbrella about 1 1/2 years ago. New Philadelphia Business and Community Association has had a positive benefits to New Philadelphia citizens, visitors, government and businesses.

The association works hard to provide educational events to their members which are always open to the general public, promote develop & market to their members an array of benefits, organize events to draw a diverse population to the downtown and strives to promote the importance of teamwork, communication, community spirit. Funding is done by membership donations, City of New Philadelphia funding, fund raising projects, and grant proceeds. NPBCA recently submitted an application for a grant titled Driving Downtown Forward from the Stark Community Foundation which was awarded to the association in the amount of \$9000.00. Half of the \$9000.00 will be used for education promotion and marketing expenditures and the other half for administrative costs. She expressed her appreciation of the project support she receives from the general services staff, the advisory support given to her by Mayor Taylor and the fiscal support from the City of New Philadelphia. Diane thanked everyone and informed all that she just wanted council to become familiar with her and the association which was designed to promote the City of New Philadelphia. Mr. John Zucal asked Diane where and when NPBCA held their meetings. She replied first Thursday of the month, at 8:00 AM, rear conference room, at the Tuscarawas County Convention & Visitors Bureau. The Mayor Commended Dianne for doing a dynamic job as manager of NPBCA. The Mayor said in the past 11 1/2 months, Diane has made great strides increasing the membership. The stability of this group will attract new members which is good for the downtown area as the city continues grow and move forward.

President Joel Day congratulated Diane and the group. The president encouraged Diane to come to council often to keep council informed. And she replied that she loved her job and she would return.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 3-2010 An ordinance to make appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio during the fiscal year ending December 31, 2010, and declaring an emergency. (3rd Reading)
Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker. Roll call, 7 yeas, ordinance passed.

- 4-2010 An ordinance by the Council of the City of New Philadelphia directing the service director to advertise for bids and to enter into contracts with the lowest and best bidder for the city’s requirements of various materials and supplies for 2010 , and declaring an emergency. (2nd Reading)
Motion to suspend the rules made by Ms. Cox, seconded by Mr. Maurer Roll call, 7 yeas, rules suspended.
Motion to vote on passage made by Mr. Locker, seconded by Ms. Espenschied.
Roll call, 7 yeas, ordinance passed

- 5-2010 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize and direct the service director to advertise for bids, to receive bids and to enter into contracts with the lowest and best bidder and award the 2010 CDBG project, 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 Ms. Walker.
Roll call, 7 yeas, ordinance passed

RESOLUTIONS:

- 14-2010 A resolution by the council of the City of New Philadelphia, Ohio to enter into an agreement with the Goshen Township Trustees to permit real estate taxes pursuant to Ohio Revised Code section 709.19 for the annexation of an adjacent 1.3938 acre tract of land located in Goshen Township to be divided with the township for Real Estate taxes and authorizing annexation of this tract, and declaring an emergency.
(1st Reading)

UNFINISHED OR OLD BUSINESS:

NEW BUSINESS:

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 7:59 P.M.

CLERK OF COUNCIL_____

APPROVED

PRESIDENT OF COUNCIL_____