

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 10, 2010 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

President Joel Day announced the following are excused from tonight's council meeting: Treasurer, Mr. Dave Johnson, Auditor, Ms. Beth Gundy, Service Director, Mr. Jim Zucal and Law Director, Mr. Michael Johnson

President Joel Day welcomed Guest: Amy Gilland, Assist Service Director

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 REQUESTED ORDINANCE 11-2010 (AN ORDINANCE AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE) BE ADDED TO TONIGHT'S AGENDA AND MR. LAUTENSCHLEGER REQUESTED ORDINANCE 10-2010(CITY'S FLOOD PLAN REGULATIONS UPDATE) AND RESOLUTION 20-2010(THE REQUIRED CDBG FUNDING APPLICATION FOR THE CITY) BOTH WERE APPROVED IN A COMMITTEE MEETING EARLIER THIS EVENING AND ARE TO BE ADDED TO TONIGHT'S AGENDA.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA AS AMENDED. MS. ESPENSCHIED SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE MINUTES OF THE PREVIOUS SESSION HELD APRIL 26, 2010. MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Finance Committee Meeting Minutes for Monday April 26, 2010
2. New Philadelphia Police/Monthly Activity Report for the month of April 2010
3. Airport Commission Minutes from April 13, 2010 meeting
4. Mayor's Monthly Statement to Council for April 2010
5. Auditor's Financial Statement for the month of April 2010
6. Auditor's monthly statement of 2010 Revenue for the General fund for the month of April 2010
7. New Philadelphia Business and Community Associations are sponsoring a Springtime In Downtown Merchants & Artists Walk, Saturday evening, May 15, from 6:00 PM – 9:00 PM (Twelve locations in our Central Business District will host local artisans displaying and selling their works.)

ADMINISTRATIVE REPORTS:

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

Mayor Taylor announced that the wage negotiations are now complete for all unions through 2012 with the exception of wage only negotiations to occur in October of this year to determine wages for 2011 and 2012 for the FOP and both AFSCME Unions. The mayor will meet with council closer at that time to ascertain their position on this issue.

The mayor reported that the city's recycling operations will be streamlined to reduce expenses and get rid of some problems at the city garage. The mayor has notified the Joint Solid Waste District that effective July 1, 2010 the city will no longer serve as a countywide drop off location for old tires, appliances and general recyclables.

It was announced tonight that the new site for these recycling activities is Gail's Recyclables at Dover.

We have estimated that this will save the city about \$20,000 a year in expenses devoted to dealing with these recyclables. The mayor stated that now more man hours will be available for other sanitation and recycling efforts.

Mayor Taylor announced that for the second year in a row, he has secured funding through the Ohio Public Works Commission. This will be a grant of approximately \$223,000 to do the Third Street NE storm sewer, sidewalk and street surface project near Central Catholic High School. The city's portion for this project will be approximately \$55,000 which will come out of our storm sewer budget. This project is designed to recontour the street add new storm sewer lines and catch basins, sidewalks on the west side of Third Street NE and curbing. In addition the street will be paved in this area and as part of the city's normal paving; we would like to finish paving the rest of Third Street NE from Minnich Avenue to Donahey. This Project will rectify a long standing water and road surface problem in that area and will also improve the safety for students and residents who have to walk in the street for some parts of this area where sidewalks currently do not exist.

The mayor reminded everyone of The Chamber's Business 2 Business Expo on Friday, May 14, 2010 from 1:00 to 6:00 PM at the New Pointe Community Church. The Mayor has 5 extra tickets and can get additional tickets if needed if any council member would like to attend this event.

SERVICE DIRECTOR MR. JIM ZUCAL NO REPORT
EXCUSED ABSENCE

SAFETY DIRECTOR.....MR. GREG POPHAM

Police Chief informed the Safety Director of the grant the Police Department received from the Dover Reeves Foundation to help buy equipment to link with the Automated Fingerprint Identification System. He said the FBI and the state no longer accept ink print cards for their data base. The AFIS equipment captures a fingerprint electronically and submits it to the system.

VFW has given a grant to the SRT (Special Response Team) of \$2,800 for a scope and mounting system to one of their rifles.

The Fire Department received a FEMA Grant in an amount of \$116,000 (approximate) for radios for the fire trucks, (one base and ten mobile units and twenty-six portables.)

Mr. Popham reported the hiring process is almost complete for a firefighter to fill the December opening. The Safety Director hopes to have a person hired by next week if the candidate passes the physical.

Mr. John Zucal asked when the finger print system would be available. Mr. Popham said the only information he had was the Police Chief reported he had received the grant money. Mr. John Zucal wanted to know if Mr. Popham expects the equipment to be ready soon, at least before the background checks on volunteers for next school year.

Mr. Popham said it should be ready before the background checks on volunteers for next school year.

AUDITOR MS. BETH GUNDY NO REPORT
EXCUSED ABSENCE

TREASURER MR. DAVE JOHNSON NO REPORT
EXCUSED ABSENCE

LAW DIRECTOR MR. MICHAEL JOHNSON NO REPORT

EXCUSED ABSENCE

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The Mayor reported that there would not be a Planning Commission or a Board of Zoning Appeals meeting for the month of May. The Planning Commission will meet Tuesday, June 8, 2010 at 1:00 PM in Council Chambers pending an agenda. The Board of Zoning Appeals will meet Tuesday, June 8, 2010, at 5:00 PM in Council Chambers pending an agenda.

BOARD OF ZONING APPEALSMR. JIM ZUCALNO REPORT
EXCUSED ABSENCE

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

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Park Board will meet Wednesday, May 19, 2010 at 7:00 PM at the Tuscora Park Office.

HEALTH BOARD.....MS. SANDY COX

The Health Board will meet Wednesday, May 19, 2010 at 12:00 noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDY COX

Finance Committee met April 26, 2010 immediately following the Council Meeting in Council Chambers to discuss the following: Item 1: Ordinance 9-2010 to appropriate money for maintenance & repair of \$40,856.21 this is to fix the pool at the Park. Item 2: Resolution 21-2010 transfer the money (\$40,856.21) from the Park Bond Fund #370 to the Park Improvement levy Fund #495 so the funds will be available for Ordinance 9-2010.

Item 3: Resolution 22-2010 fix the airport restaurant roof.

The committee is requesting Ordinance 9-2010 Resolution 21-2010 and Resolution 22-2010 be passed this evening.

Finance committee met May 10, 2010 immediately following the Public Works & Economic Development meeting at 7:17 PM in Council Chambers.

Ms. Cox reported Ordinance 11-2010 the Grants & Donation for the Police which is \$17,650 for the purchase of electronic fingerprint equipment. The equipment of \$15,288.50 for the Street Fund is to replace the dump truck. The superintendent of the street department will be picking up the replacement truck tomorrow. Ordinance 11-2010 needs to be passed this evening. We are requesting Ordinance 9-2010, Ordinance 11-2010, Resolution 21-2010 and Resolution 22-2010 be passed this evening. Meeting was adjourned at 7:20 PM.

President Joel Day assigned to the Finance Committee the Law Director's request for a resolution to be considered to establish a policy for the selling of the Police Department fire arms to retirees.

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

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

Safety, Health, and Service Committee met this evening to discuss 2 items.

Item 1: Solid Waste District Plan (a plan that needs updated every 3 to 5 years) adopted a plan March 26, 2010 which was presented to council tonight.

Some of the changes to the plan are tires and appliances will not be accepted within the city these recycling activities will go to Gail's Recyclables site at Dover

The committee recommends adopting the Solid Waste District Plan and getting a resolution drawn up by the Law Director, Mr. Johnson.

Item 2: The lane widening of West High from the railroad tracks to 5 points.

The topics the committee discussed at this meeting in regard to this project were the 3 different funding options presented by the mayor, the composition of the neighborhood and the safety concerns.

Ms. Cox requested that we have a drawing or a sketch to show where the road will be in relation to the front porches of the people's homes. Once the drawing or sketch is received a meeting will be scheduled.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. DARRIN LAUTENSCHLEGER

Public Works & Economic Development Committee met this evening, briefly to consider 2 pieces of legislation to be added to tonight's agenda which was done.

Item 1: Ordinance 10-2010 (Federally required update to the City's Flood Damage Reduction Ordinance) and Resolution 20-2010 (Authorizes the administration to begin the application process for fiscal year 2010 CDBG Program. Public hearing #2 was held earlier in the evening.

Mr. Darrin Lautenschleger announced Public Works & Economic Development Committee scheduled a joint meeting with the City Airport Commission for Wednesday May 19, 2010 at 6:00 PM at Council Chambers to discuss the Airport Master Plan. Please note the location for this meeting has been changed from Council Chambers to the Tuscora Park pavilion.

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIED..... NO REPORT

CONTACT & SPECIAL COMMITTEEMR. JOHN ZUCAL

Mr. John Zucal reported a few points for tonight remain from Monday, April 26, 2010 meeting.

First: Contact & Special Committee is looking to council to make a motion to suspend the rules in regards to Resolution 18-2010 (TIRC) which was talked about previously at the April 26, 2010 meeting along with that the committee will be looking for council to approve and adopt that resolution.

Also, in the April 26, 2010, meeting the committee discussed a new liquor permit from the Ohio Division of Liquor Control to Ryan A. Catola DBA Tobacco Row, 401 East High Avenue, New Philadelphia, Ohio 44663 for a new C- 2 permit; asking objections be made no later than 05/21/2010.

Mr. Zucal reported that the committee did not have any objections to the permit and did not request a hearing. Mr. Zucal made a motion to direct the Clerk Of Council to forward the appropriate permit application #1336581 to the Ohio Division of Liquor Control noting the New Philadelphia City Council did not have any objections to the permit and do not request a hearing for a new C- 2 liquor permit for Ryan A. Catola DBA Tobacco Row, 401 East High Avenue, New Philadelphia, Ohio. Mr. Lautenschleger seconded the motion. Roll Call, 7 Yeas, Motion Passed.

PARKS & CEMETERY COMMITTEEMS. WINNIE WALKER..... NO REPORT

VISITOR'S COMMENTS:

Ron Dotts, Jr.
131 4th Street NW
New Philadelphia OH 44663

Mr. Dotts attended the Council Session tonight because he was following up with council in regard to a noise complaint of loud music he had made to council several months ago.

He had spoken with the Police Chief and the Safety Director as well as others at the city in regard to the noise. Safety Director, Mr. Popham, said he has not forgotten about Mr. Dotts complaint and that

the Police Chief and he are working on the complaint and as soon as the Police Chief is comfortable with the revised noise ordinance they will bring it back in front of the safety committee..

Safety Director, Mr. Popham said the complaint will be addressed by a revised ordinance for noise.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

7-2010 An ordinance by the Council of the City of New Philadelphia to authorize payment to the various utility providers for the City of New Philadelphia, Ohio for the monthly utility bills in 2010 for the City of New Philadelphia, Ohio which billings are in excess of \$25,000.00 per year, 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.

9-2010 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2010 and declaring an emergency. (1st 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 Ms. Cox, seconded by Ms. Espenschied.
Roll call, 7 yeas, ordinance passed.

10-2010 An ordinance by the council of the City of New Philadelphia, to authorize the enactment of flood damage reduction and to repeal Ordinance No 6-87, and declaring an emergency. (1st Reading)

11-2010 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2010 and declaring an emergency. (1stReading)

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

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger.
Roll call, 7 yeas, ordinance passed.

RESOLUTIONS:

13-2010 A resolution by the council of the City of New Philadelphia, Ohio to authorize the New Philadelphia Water Department to use the services for Smart Bill and pay the same in excess of \$25,000.00 per year, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Locker.
Roll call, 7 yeas, resolution passed.

18-2010 A resolution by the council of the City of New Philadelphia, Ohio to approve and adopt the Tuscarawas County Tax Incentive Review Council's recommendations to the enterprise zone annual report for fiscal year 2010, and declaring an emergency. (1st Reading)

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

Motion to vote on passage made by Mr. Zucal, seconded by Ms. Cox.
Roll call, 7 yeas, resolution passed.

19-2010 A resolution by the council of the City of New Philadelphia, Ohio authorizing the Mayor to enter into an agreement for the administration services for the FY 2010 Chip Grant which are funded by the grant and which agreement is entered into with Tuscarawas Metropolitan Housing Authority, and declaring an emergency. (1st Reading)

20-2010 A resolution by the council of the City of New Philadelphia, Tuscarawas County, Ohio, authorizing and directing the Mayor of the said City of New Philadelphia to act as the signature designee and to file an application for financial assistance under Title 1 of The Housing And Community Development act of 1974 (PL 93-383) to The Ohio Department of Development, Division of Community Development Office of Local Government Services, and declaring an emergency (1st Reading)

21-2010 A resolution by the council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia to transfer \$40,856.21 form the park bond fund #370 to the park improvement levy fund #495 and declaring an emergency. (1st 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. Locker.
Roll call, 7 yeas, resolution passed

22-2010 A resolution by the council of the City of New Philadelphia, Ohio to authorize and direct the Service Director to advertise for bids receive bids and award a contract for roof repairs on the airport restaurant building and declaring an emergency. (1st 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, resolution passed

24-2010 A resolution by the council of the City of New Philadelphia, Ohio to create a written job description for the position Clerk New Philadelphia City Council, and declaring an emergency (1st Reading)

UNFINISHED OR OLD BUSINESS:NONE

NEW BUSINESS:NONE

MOTION TO ADJOURN MADE BY MS. COX, MEETING ADJOURNED AT 8:04PM

CLERK OF COUNCIL_____

APPROVED _____

PRESIDENT OF COUNCIL_____