

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 12, 2004 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: MS. SANDRA COX
MR. BILL ELLWOOD
MR. SAM HITCHCOCK
MR. GEORGE HOUSTON
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER

COUNCILMAN ROB MAURER WAS ABSENT.

THE MINUTES OF JUNE 28, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. A letter dated July 8, 2004 from Beth & Dave Rose, 2247 State Route 39NE, New Philadelphia, asking that the city grant permission for them to cross the city's right of way for access to their garage/storage building.
2. The Treasurer's Reconciliation for the period ending June 2004.
3. The Treasurer's Summary of Transactions for the General Checking Account for June 2004.
4. The Treasurer's Statement of Transactions of all New Philadelphia City funds for June 2004.
5. Salary Committee meeting minutes of July 7, 2004.
6. New Philadelphia Police/Monthly Activity Report for June 2004.
7. Special/Contact Committee meeting minutes of June 28, 2004.
8. Safety, Health, and Service Committee meeting minutes of June 28, 2004.
9. Public Works and Economic Development meeting minutes of July 6, 2004.
10. Finance Committee meeting minutes of July 6, 2004.
11. New Philadelphia, Ohio Sewer and Wastewater Treatment historic time line submitted by Pretreatment Coordinator of the Wastewater Treatment Plant Tom Alpeter.
12. The Auditor's Monthly Statement of Revenue for the General Fund for June 2004.
13. The Auditor's Financial Statement for June 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from June 29 through July 12, 2004. Reported that the city continues to meet with the EMA to discuss reimbursement to the residents who experienced recent flooding. Reported that the recent First Town Days Festival was a huge success. Mr. Johnson said he received calls concerning "thirty minute" parking signs in the downtown area in front of the Visitors &

Convention Bureau. Mayor Brodzinski said he and Safety Director Greg Popham gave permission for the signs so that anyone visiting the Visitors Bureau can have easy access to and from the location. Mayor Brodzinski said that parking in those spots is not exclusively for the Bureau; they can be used by anyone. Mr. Johnson said other business owners in the downtown area are complaining about the signs. Law Director Mike Johnson said that Safety Director Greg Popham has the authority to have the signs placed, and Mr. Popham said violators of the 30-minute spots would be ticketed. Council President Dave Johnson said he will assign this to a committee.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that bids will be opened August 17 for the 2003 CDBG projects, which include new sewer lines in several locations within the city..

SAFETY DIRECTORMR. GREG POPHAM

Commended all city employees for their work during the First Town Days Festival.

AUDITOR MS. BETH GUNDY

Requested approval tonight of her June reports and of Resolution 24-2004.

TREASURER MR. MIKE TAYLOR

Requested that his June reports be approved. Mr. Houston made a motion to approve the Treasurer's and Auditor's Reports. Ms. Cox seconded the motion. Mr. Hitchcock questioned the figures for NSF checks. Mr. Taylor said the majority is for water bills, and the water department shuts off the water. Roll call, 6 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Reported that he has reviewed the OMEGA grant for the Hi-Tech Park, and everything is in order. Reported that he has met with Service Director Gary Espenschied concerning property owned by the city outside the corporation. Property owners Dave & Beth Rose and Shirley Massarelli are asking that they be granted a right-of-way to their property. Mr. Johnson asked that this issue be assigned to Committee. Explained Ordinance 38-2004 and Ordinance 39-2004, and suggested that Ordinance 39-2004 be tabled because it cannot be passed until the decision for a ½% income tax addition is decided in the November General Election.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Reported that the July meeting was cancelled because of lack of business.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported that the meeting scheduled for July 6 was cancelled.

AIRPORT COMMISSIONMR. JIM LOCKER

Will meet July 13, 2004 at 6:00 P.M. at the Airport.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the Board is in summer recess until September.

HEALTH BOARD. MS. SANDRA COX

Will meet July 14, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting July to discuss a future ordinance for the Cemetery Department to repay \$16,000 to the General Fund. The Committee approved the issue, and the Auditor will have an ordinance prepared for consideration at the next regular meeting. Ms. Cox distributed paperwork for the Committee to review, which deals with loss of revenue from the state, and a memorandum on income tax projections from Auditor Beth Gundy. The Committee discussed Ordinance 39-2004 and Resolution 23-2004, providing for an increase of ½% in the city income tax. The Committee will meet again on July 12. Reported meeting July 12 to review Resolution 24-2004, transferring money from the Cemetery Fund to the General Fund. Ms. Gundy said she would like to have this passed as an emergency. The Committee again reviewed the ½% increase in income tax. Mr. Houston stated his opposition to this resolution, and the Committee voted 2 to 1 to ask the full council for consideration.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting jointly with the Finance Committee on July 6 to discuss a salary increase request for the mayor. The Committee tabled the request until a time when the city can afford to grant additional salary requests.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK NO REPORT

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . .MR. ROB MAURER . . . ABSENT

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

Mr. Johnson assigned the city’s right-of-way matter on State Route 39.

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD

Reported meeting June 28 to discuss a request for a liquor license transfer to Hot Shots at 143 West High Avenue. The Committee agreed to have another meeting so the public can have their input into whether the request should be granted. Also discussed was a request for a liquor license request for carryout for Skip’s BP at 162 South Broadway Ave. The Committee scheduled another meeting for Thursday, July 15 at 11:00 A.M. so that business owners in that area can be notified for public input. Mr. Johnson assigned the 30-minute parking signs in front of the Visitor’s & Convention Bureau for review.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR’S COMMENTS:

Jill Martinelli, 708 Hardesty Ave., New Philadelphia, owner of the Picket Fence Consignment store downtown, said she was never contacted about the 30-minute parking signs downtown, and she is against them because they are chasing away from the customers.

Shirley Massarelli, 3673 Dover-Zoar Rd., asked that Council members come and look at her property on State Route 39. She recently erected a walk-in cooler, and later found out it is on the city’s right-of-way. Mr. Houston will look at this.

John Martinelli, 708 Hardesty Ave., New Philadelphia, said he is concerned about a city-owned water pit off Commercial Ave. Mr. Espenschied said the city engineer has been looking at this, and the city will apply for CDBG funds if they qualify.

Mike Barnett, 445 East High Ave., New Philadelphia, asked about the proposed annexation proposed by R & B Venture. Mr. Houston will notify Mr. Barnett of any future meetings concerning this annexation.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said bushes need to be trimmed at 3rd St. N.W. and Fair Ave. N.W., East High Avenue & Delaware Dr., and East Avenue Cemetery. Also, recently cut grass needs to be cleaned up and a tree removed at the Fair Avenue Cemetery. There is also a tree on 3rd St. N.W. that needs to be removed. She said she sees numerous garage sale signs on telephone poles and curb strips. She asked if the city gave permission for someone to go door-to-door asking questions about a sewer line. She asked that city workers be informed that proper dress includes a shirt. Ms. Slough asked who is the new meter reader employee. General Services Department will look at the bushes that need trimmed, and the tree that needs to be removed. Mayor Brodzinski said the Police Department removes any signs they see in curb strips and on poles, and he will stress that city workers need to have shirts on. Service Director Gary Espenschied said the main going door-to-door on Sunday was legitimate to ask questions concerning a sanitary sewer line. Safety Director Greg Popham said Theresa Everett is the new parking control officer.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

36-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Chapter 767 – Tattooing/Body Piercing to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 767.01 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Locker. Ms. Slough, 616 Sandpiper, S.E., asked for an explanation of this ordinance. Mr. Hitchcock said the ordinance is more strict than what was already in effect. Roll call, 6 yeas, ordinance passed.

37-2004 An ordinance to authorize additional payment to the Mayor for health insurance cost, and declaring an emergency. (2nd Reading)

38-2004 An ordinance authorizing a request to the Ohio Board of Building Standards to certify the City of New Philadelphia to exercise enforcement authority in accordance with the Ohio Basic Building Code with the condition that the Tuscarawas County Building Department perform all inspections, and authorizing an agreement for such enforcement between the City of New Philadelphia and Tuscarawas County, Ohio. (2nd Reading)

39-2004 An ordinance amending Sections 3 and 4 of Ordinance No. 3283 providing for an increase of one-half percent (1/2%) in the existing income tax levied by the City of New Philadelphia, effective January 1, 2005 and continuing until revoked, to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (2nd Reading)

Motion to table this ordinance made by Ms. Cox, seconded by Mr. Ellwood. Roll call, 6 years, ordinance tabled.

40-2004 An ordinance to accept the application by R & B Venture LLC for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same. (1st Reading)

Mr. Johnson assigned this ordinance to the Zoning & Annexation Committee.

RESOLUTIONS:

23-2004 A resolution declaring the necessity of an election on the question of approving the passage of amending Ordinance No. 3283, as amended, providing for an increase of one-half percent (1/2%) in the existing income tax levied by the City of New Philadelphia, effective January 1, 2005 and continuing until revoked to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (2nd Reading)

24-2004 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 \$16,000.00 from the Cemetery Fund #209 to the General Fund #101, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Roll call, 6 years, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Houston. Roll call, 6 years, resolution passed.

OLD OR UNFINISHED BUSINESS:

Mr. Johnson commended the City Slickers Softball Team for their good effort against the Tuscarawas County Terminators during the First Town Days Festival. The City Slickers were defeated, but they were good sports.

NEW BUSINESS:

Mr. Houston scheduled a meeting for Monday, July 19, 2004 immediately following the Public Works Committee meeting at 6:00 P.M. to discuss the city's right-of-way at the Rose residence on State Route 39, city-s right-of-way at Shirley Massarelli's business, and the annexation request by R & B Venture.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:23 P.M.

CLERK OF COUNCIL _____

APPROVED July 26, 2004

PRESIDENT OF COUNCIL _____