

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 23, 2002 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
MR. SAM HITCHCOCK
MR. GEORGE HOUSTON
MR. JIM LOCKER
MR. ROB MAURER

MS. COX MADE A MOTION TO ADD ORDINANCES 77-2002 AND 78-2002 TO TONIGHT’S AGENDA. THE MOTION WAS SECONDED BY MR. LOCKER. ROLL CALL, 7 YEAS, MOTION PASSED.

THE MINUTES OF SEPTEMBER 9, 2002 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

- 1. Salary Committee meeting minutes of September 9, 2002.
- 2. New Philadelphia Fire Department Monthly Report for August, 2002.
- 3. New Philadelphia Park Board meeting minutes of September 18, 2002.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from September 10 through September 23, 2002. Reported that, in connection with the one-year anniversary of the terrorist attacks in New York and Washington, a memorial service was held on the Square, Central Elementary 4th grade students planted flower bulbs at Tuscora Park, and Habitat for Humanity built a new house on 2nd St. N.W., and many other events were held to commemorate a Day of Caring. Reported that the Tuscarawas County Fair was a huge success. Informed Council that Greg Miller has resigned from the Park Board, and has been replaced by Phil Tidrick. Requested passage of Ordinances 69-2002 and 78-2002 tonight as an emergency, and requested that Ordinance 76-2002 and Resolution 30-2002 be assigned to Committee. Requested an Executive Session to discuss labor contract negotiations. Mr. Hitchcock made a motion, seconded by Ms. Cox, that Council go into Executive Session immediately following the reading of legislation. Roll call, 7 yeas, motion passed.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that new building permit signs are going to be posted at job sites so that the Building Inspector can see that a building permit has been issued. Reported that the West High Avenue railroad tracks are being replaced, and both lanes of West High Avenue will be closed to traffic for a couple of days and will be re-routed to Front St. Relinquished the floor to Building Inspector Bill Richesson, who reported that he has been working on a Fair Housing Analysis, which helps to determine grants received. Mr. Johnson commended the Water Department, Service Department, and Mayor for the fine job during the recent fire hydrant flushing. Harry Matter of Civil Design explained that new software program provided for easy and cleaner hydrant flushing.

SAFETY DIRECTORMR. GREG POPHAM ABSENT NO REPORT

AUDITOR MS. BETH GUNDY

Requested emergency passage tonight of Ordinance 75-2002.

TREASURER MS. TERRI DEARDORFF ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Reported that a certified letter has been sent to Twila Bernard advising her to repair or remove the house from her property. Reported that the Michael Harmon property on West High Avenue has been released from bankruptcy, and a notice will be sent to him giving him thirty days to repair or remove the structure. Informed Council that there is a possible sale of the South Broadway Nursing Home, and the city has no zoning to cover health care facilities in central business zones, so the Zoning & Annexation Committee should review this issue. Mr. Johnson scheduled a Public Hearing for October 28, 2002 for this matter. Reported that he attended the hearing on the liquor permit for the Airport Restaurant, and he is awaiting a letter informing us that the restaurant can operate under a liquor permit. Mr. Johnson said he would be meeting with several legislators to review the matter of penalties and fines to attempt to have these fees removed from the amount owed by the city for the permit.

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that there will be a Bi-Centennial Planning meeting on September 25, 2002 at 7:00 p.m. at the R & S Party Center. Reported that the lunchtime entertainment series has ended for the summer, and will be continued next summer.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet October 9, 2002 at 1:00 p.m. in the Police Department Conference Room.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet October 1, 2002 at 5:00 p.m. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting September 10, 2002.

PARK BOARD MR. ART CICONETTI

Reported meeting September 18, 2002.

HEALTH BOARD.MS. SANDRA COX

Will meet October 9, 2002 at noon in the Mayor’s Conference Room.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting tonight to discuss Ordinance 68-2002, bids for a replacement dehumidifier for the water filtration plant. The Committee recommends passage. Also discussed were Ordinances 74-2002 and 75-2002, which were both approved and passage recommended.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

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

PUBLIC WORKS COMMITTEE. MR. JOEL DAY

Reported meeting tonight to hear a presentation by the Community Improvement Corporation concerning a high-tech park off University Dr. N.E. on County owned land. Mr. Johnson assigned this issue to the Public Works Committee and the Finance Committee.

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON NO REPORT

Scheduled a meeting for Thursday, September 26, 2002 at 6:00 p.m. to discuss several issues.

CONTACT COMMITTEE. MR. ART CICCONE

Reported meeting September 10 to review liquor license transfers. All transfers were approved without objection.

SPECIAL COMMITTEE MR. ROB MAURER NO REPORT

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING FOR ORDINANCE 63-2002.

Ordinance 63-2002 An ordinance by the Council of the City of New Philadelphia to change the zoning from Business to Industrial zone for a tract owned by Timothy O. Bober and Jamie Hicks adjacent to James Street NW containing .9868 acres and being tax parcel number 43-00191.00 and being more fully described in the attached map.

THERE BEING NO COMMENTS FOR OR AGAINST THE PUBLIC HEARING WAS ADJOURNED AT 8:03 P.M.

VISITOR'S COMMENTS:

Ingrid Parker, 1403 Warner Ct. SW, New Philadelphia, said she lives close to the catch basin there, and the neighbors are having problems because of snakes, rats, and mosquitoes. Service Director Gary Espenschied said he would look into what can be done there.

Ella Slough, 616 Sandpiper, SE, New Philadelphia, said there are two signs at the Perfect Landing, one showing the restaurant is open and one showing it is closed. She asked when the traffic light at Donahey and North Broadway would be in operation, and could the trees at Washington Square be trimmed. Ms. Slough asked if the new canine dog for the police department has been trained and is being used. Mr. Espenschied will talk to the restaurant owners about the sign. Mayor Brodzinski said the light at Donahey and North Broadway will be operating soon, but a warning sign about its operation will be erected first. The police department dog, Abbe, has been trained, and is being used.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 62-2002 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, 2003 and continuing until revoked, to provide funds for safety forces operations, maintenance, new equipment, extension and enlargement of safety forces services and facilities and capital improvements, and declaring an emergency. (4th Reading)
- Law Director Mike Johnson reminded council that this ordinance cannot be passed until after the General Election in November. Mr. Hitchcock made a motion to table this ordinance, seconded by Mr. Cicconetti. Roll call, 7 yeas, ordinance tabled.
- 63-2002 An ordinance by the Council of the City of New Philadelphia to change the zoning from Business to Industrial zone for a tract owned by Timothy O. Bober and Jamie Hicks adjacent to James Street NW containing .9868 acres and being tax parcel number 43-00191 and being more fully described in the attached map. (4th Reading)
- Motion to vote on passage made by Mr. Locker, seconded by Mr. Houston. Roll call, 7 yeas, ordinance passed.
- 64-2002 An ordinance by the City Council of New Philadelphia, Ohio to set up new boundaries for ward districts within the City of New Philadelphia based upon the last census. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 7 yeas, ordinance passed.
- 65-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to increase the rate of pay for the part-time meter man for the City of New Philadelphia from \$8.00 per hour to \$8.50 per hour effective September 19, 2002 and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Cicconetti. Ms. Cox relinquished the floor to Police Chief Jeff Urban, who submitted copies of reports from the parking officer that shows the income from parking meters and tickets. The current officer, who is employed part-time, is bringing in more income than the former officer who was employed full time, and is working for substantially less money. Mr. Houston said he is voting against the ordinance because he thinks the position should be paid \$10.00 per hour. Ms. Cox said this is not a raise, but a wage adjustment. A \$.50 increase was to be given after six months, and that time has expired. She added that, in contacting other municipalities, \$10.00 per hour is usually a union position. Mr. Hitchcock said he agrees with Mr. Houston, in that the job should pay \$10.00. Mr. Day said this increase amounts to just over 6%, and council has an ordinance to terminate the 3% for non-bargaining employees for next year. He said he could not support a 6% for one individual. Ms. Cox reminded council that, over the past two years, given some individuals 10%-26%, so this is not out of line. Mr. Cicconetti reminded council that this position is more than a meter-man position, because he controls parking violations all over the city, and the extra \$.50 per hour shouldn't be turned down. Mr. Locker agreed with Mr. Day, in that council has an ordinance before them to terminate the 3% raise for other employees. Police Chief Jeff Urban said this is not a raise, only a step increase, and said he would hate to lose this individual over a fifty-cent increase. Roll call, 3 yeas 4 nays (Houston, Locker, Day, & Hitchcock), ordinance failed.
- 66-2002 An ordinance to accept the application by David and Nanette Avon for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio and to establish Residential zoning of the same. (3rd Reading)

- 68-2002 An ordinance by the Council of the City of New Philadelphia authorizing and directing the Service Director to advertise for bids, receive bids and to enter into a contract with the lowest and best bidder for the purchase of a replacement dehumidifier to be used at the Water Filtration Plant, and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Houston. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Locker, seconded by Mr. Houston. Roll call, 7 yeas, ordinance passed.
- 69-2002 An ordinance by the Council of the City of New Philadelphia authorizing and directing the Service Director to advertise for bids, receive bids and to enter into a contract with the lowest and best bidder for renovation of the former New Philadelphia Elks Building to be used for city offices, and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Houston. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Houston, seconded by Mr. Hitchcock. Roll call, 6 yeas 1 nay (Day), ordinance passed.
- 73-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for property located at 115 Howe Avenue, SW, New Philadelphia, Ohio from Residential to Business district, and declaring an emergency. (2nd Reading)
- Public Hearing to be held October 28, 2002 at 8:00 p.m.
- 74-2002 An ordinance authorizing the Service Director to enter into a contract with M.P. Dory Company, Inc. for security fencing at Harry Clever Airport, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Mr. Locker, seconded by Ms. Cox. Roll call, 7 yeas, ordinance passed.
- 75-2002 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2002 and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Houston. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 7 yeas, ordinance passed.
- 76-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to terminate the automatic 3% pay raise per year to non-bargaining unit employees of the City of New Philadelphia, Ohio, and declaring an emergency. (1st Reading)
- Mr. Johnson assigned this to the Salary Committee.

77-2002 An ordinance by the Council of the City of New Philadelphia, Ohio to direct money received for electric company estimated income tax payments to be paid into the general fund with a cap of \$40,000.00 and thereafter to be distributed pursuant to the existing income tax distribution ordinances, and declaring an emergency. (1st Reading)

Mr. Johnson assigned this to the Finance Committee.

78-2002 An ordinance by the Council of the City of New Philadelphia to authorize the Service Director to advertise for and to accept or reject bids, for lighting at the waterworks ball fields, and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

29-2002 A resolution by the Council of the City of New Philadelphia, Ohio to commend Greg Miller for his service to the New Philadelphia park by his 25-year membership and leadership on the New Philadelphia Park Board and Tuscora Park, and declaring an emergency. (1st Reading)

30-2002 A resolution by the Council of City of New Philadelphia, Ohio to express the intent of city council to participate in infrastructure construction for a high-tech park off of University Drive NE, New Philadelphia, Ohio by committing up to 20% of the infrastructure construction costs not to exceed \$1,000,000.00 and declaring an emergency. (1st Reading)

AT 8:40 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION TO DISCUSS LABOR CONTRACT NEGOTIATIONS. COUNCIL RECONVENED INTO REGULAR SESSION AT 9:17 P.M.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS COX. MOTION PASSED. MEETING ADJOURNED AT 9:18 P.M.

CLERK OF COUNCIL _____

APPROVED October 14, 2002

PRESIDENT OF COUNCIL _____