

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 12, 2001 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. GEORGE HOUSTON  
MS. WINNIE WALKER  
MR. JIM LOCKER  
MR. TOM LOCKER

THE MINUTES OF OCTOBER 22, 2001 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE. . . . . CLERK DIANE ROUDEBUSH

1. A petition for annexation to the city filed by John E. Stocker.
2. Contact Committee meeting minutes of October 28, 2001.
3. New Philadelphia Police Monthly Activity Report for October, 2001.
4. Annexation & Zoning Committee meeting minutes of October 22, 2001.
5. New Philadelphia Airport Commission meeting minutes of October 8, 2001.
6. Board of Control meeting minutes of November 1, 2001.
7. Board of Control meeting minutes of November 8, 2001.
8. New Philadelphia City Board of Health meeting minutes of October 10, 2001.

Mr. Johnson congratulated newly elected council members Sam Hitchcock and Rob Maurer, who will begin their term in January, 2002, and expressed his thanks to Winnie Walker and Tom Locker, who will end their term on December 31, 2001. Mr. Johnson also acknowledged new Fire Chief Jamie Snyder.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT . . . . . MAYOR RON BRODZINSKI

Submitted a written report of the activities of the Mayor's office from October 23, 2001 through November 12, 2001. Reported that the Tuscarawas County Arts Center opened November 3. Acknowledged all veterans on this Veterans Day.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that leaf pickup began today. Reported that a new brochure has been compiled depicting the city's tree program. Reported that he will meet Thursday November 15 at 6:00 p.m. with the Public Works Committee to review the city's backflow prevention program. Reported that he has reviewed the water/sewer rates, as required by city ordinance by October 31, and the water rates will be increased by 10% and the sewer rates by 20%.

SAFETY DIRECTOR . . . . .MR. GREG POPHAM

Introduced Fire Chief Jamie Snyder and new Firefighter Bert Snyder, who was recently hired to fill a position due to retirement, and effective November 13, Jim Parrish will be promoted to Captain. Reported that three police cruisers will be purchased through the state-purchasing program.

AUDITOR . . . . . MS. BETH GUNDY

Requested emergency passage tonight of Ordinance 55-2001. Informed Council that, as required by the State Auditor's Office, she must have approval of the Revenue for the General Fund Report and the Cash Position Report. Motion to approve both reports made by Mr. Cicconetti, seconded by Ms. Cox. Roll call, 7 yeas, motion passed.

TREASURER . . . . . MS. TERRI DEARDORFF

Reported that depository bids are being taken, and she hopes to have an ordinance for council approval at the next regular meeting.

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Reported that he continues to work on the K-9 Unit Policy Manual, and hopes to have it prepared soon. Reported that Mayor Brodzinski, Auditor Beth Gundy, Finance Committee Chairperson Sandra Cox, and he will meet Friday, November 16 with bond counsel to review the city's bond financing. Reported that the Airport Restaurant has closed, and it will be advertised for a new tenant. Requested an Executive Session tonight to discuss litigation. Mr. Cicconetti made a motion to go into Executive Session following the reading of legislation, seconded by Mr. Jim Locker. Roll call, 7 yeas, motion passed.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Reported that there was no meeting this month because of lack of business.

BOARD OF ZONING APPEALS . . . . . MR. GARY ESPENSCHIED

Reported that there were no items before the Board in November, and the next meeting is scheduled for December 4, 2001. at 5:30 p.m. in Council Chambers

AIRPORT COMMISSION . . . . .MR. JIM LOCKER

Reported meeting October 8, 2001. Reported that the Airport Restaurant has closed. Reported that security measures have been implemented since the terrorist attacks in September. Mr. Cicconetti asked who approved an appraisal of the nearby Kamban property. Mr. Locker said the cost is to come from the grant that the airport is to receive. Mr. Cicconetti said council should approve the appraisal before it is done. Mr. Locker said ultimately, the appraisal would be approved by council. Mr. Cicconetti said he would like to discuss this during Executive Session. Law Director suggested that it be added to tonight's Executive Session. Mr. Houston made a motion to amend the ordinance for Executive Session to add land acquisition to the agenda, seconded by Ms. Cox. Roll call, 7 yeas, motion amended. The Airport Commission will meet Tuesday, November 13 at 6:00 p.m. in the Airport Conference Room.

PARK BOARD . . . . .MR. ART CICCONE

Will meet Wednesday, November 14, 2001 at 7:00 p.m. at the Park Office.

HEALTH BOARD. . . . .MS. SANDRA COX

Will meet Wednesday, November 14, 2001 at noon in the Mayor's Conference Room.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Reported meeting tonight to discuss Ordinance 55-2001. The ordinance was approved, and is before council for consideration tonight. Also discussed were the Auditor's Cash Position Statement, the Auditor's Financial Statement, and the transfers made by the Auditor, and all were approved. Also reviewed were the water/sewer rate increases as proposed by the Service Director. Mr. Johnson assigned a proposal to cut local government funds that is under consideration by the Senate Finance Committee.

SALARY COMMITTEE . . . . . MR. JIM LOCKER . . . . . NO REPORT

Mr. Johnson assigned a request from Police Chief Staggars that the part-time clerk's position in the Police Department be increased.

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . . . MS. WINNIE WALKER . . . . . NO REPORT

Mr. Johnson assigned a proposal for an electric Kilowatt-hour tax, and proposed changes under the Ohio Bureau of Workers' Compensation for review.

PUBLIC WORKS COMMITTEE. . . . .MR. JOEL DAY

Will meet Thursday, November 16, 2001 at 6:00 p.m. to discuss the city's backflow prevention program.

ZONING & ANNEXATION COMMITTEE . . . . .MR.GEORGE HOUSTON . . . . . NO REPORT

Mr. Johnson assigned a proposal by the state wanting to change residency requirements for certain employees, which would have an effect on our city ordinances.

CONTACT COMMITTEE. . . . .MR. ART CICCONE

Reported meeting October 28 to review an increase in Adelphia Cable rates for high-speed Internet access. No changes are being made currently to basic cable rates, only for Internet access. No action was taken.

SPECIAL COMMITTEE . . . . . MR. TOM LOCKER . . . . . NO REPORT

Mr. Johnson assigned changes in Ohio law regarding predatory lenders for review.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, thanked whoever is responsible for cleaning the obscenities from the bridge at University Drive. Asked if a bulletproof vest could be purchased for the police dog from the money that was donated. She asked the status of the plaque for Jeannette Jenkins at the airport. Mayor Brodzinski said his office continues to accept donations for the plaque.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 53-2001 An ordinance by the Council of the City of New Philadelphia to change the zoning from Residential to Business zone for the area known as 118, 122, and 126 Commercial Avenue SW, New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)
- Public Hearing to be held December 10, 2001 at 8:00 p.m.
- 54-2001 An ordinance by the Council of the City of New Philadelphia accepting the street plat for Pinnacle Drive NW, New Philadelphia and declaring an emergency. (1<sup>st</sup> Reading)
- 55-2001 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2001 and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Tom Locker. 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:

- 23-2001 A resolution by the Council of the City of New Philadelphia, Ohio to notify the Tuscarawas County Commissioners of utility services that the City of New Philadelphia can make available to the annexation presently offered by John E. Stocker as required by Chapter 709.031 of the Ohio Revised Code and to clarify zoning, and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Mr. Day. Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Day. Roll call, 7 yeas, resolution passed.

AT 8:12 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS LITIGATION AND LAND ACQUISITION. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:48 P.M.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Houston suggested that Council object to the ruling by the Ohio PUCO's decision to not reimburse customers for over payments for natural gas usage. Law Director Mike Johnson said he would prepare a resolution for council's consideration at the next council meeting.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:49 P.M.

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

APPROVED November 26, 2001

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