

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 10, 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
MR. JIM LOCKER
MR. TOM LOCKER
MS. WINNIE WALKER

THE MINUTES OF NOVEMBER 26, 2001 WERE APPROVED AS WRITTEN AND RECEIVED.

MR. DAY MADE A MOTION TO ADD ORDINANCE 56-2001 TO TONIGHT'S AGENDA. MOTION WAS SECONDED BY MR. HOUSTON. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE. CLERK DIANE ROUDEBUSH

1. Public Works Committee meeting minutes of December 6, 2001.
2. Board of Zoning Appeals meeting minutes of December 4, 2001.
3. Annexation and Zoning Committee meeting minutes of December 9, 2001.
4. A letter dated November 8, 2001 from the Ohio Department of Commerce notifying Council that all permits to sell alcoholic beverages in the city will expire on February 1, 2002, and each permit holder must file a renewal application.
5. A letter dated November 27, 2001 from Senator Gregory DiDonato thanking council for their letter concerning overcharges of customers of Dominion East Ohio Gas.
6. New Philadelphia Airport Commission meeting minutes of November 13, 2001.
7. A letter dated from November 27, 2001 from Dorothy Byers of Roswell, OH expressing her concerns and objecting to comments made concerning the purchase of the home on the southside for SEI residents.
8. New Philadelphia City Board of Health meeting minutes of November 14, 2001.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of the Mayor's office from November 27 through December 10, 2001. Reported that he recently attended a ceremony at the newly renovated Lanning House in Dennison, which was opened for senior citizen apartments. Reported that he appointed Ted Gentsch to the Airport Commission. Wished everyone a Merry Christmas and Happy New Year.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Wished Happy Holidays to everyone in attendance. Reported that the bases for the traffic light poles should be installed by the first week in January. Reported that bid opening for the wastewater treatment plant will be held December 19 at 2:00 p.m. at the park. Reported that leaf pickup should be completed by Christmas.

SAFETY DIRECTORMR. GREG POPHAM

Reported that the cost of the police cruisers will be slightly more than expected. Also wished everyone Happy Holidays.

AUDITOR MS. BETH GUNDY

Requested approval of transfers that were made in her office. Requested passage tonight of Resolutions 22-2001 and 26-2001. Ms. Cox made a motion to approve the transfers, seconded by Mr. Jim Locker. Roll call, 7 yeas, motion passed.

TREASURER MS. TERRI DEARDORFF ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Recommended that Resolution 26-2001 should be passed before the end of the year. Scheduled the Swearing In Ceremony for newly elected officials for Thursday, December 27 at 8:15 p.m. following the regular council meeting, which is being moved from the regular meeting night on December 24 because of Christmas Eve.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet December 12, 2001 at 1:00 p.m. at Tuscora Park.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported meeting December 4, 2001. 4 variances were granted.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting November 13. Reported that the Mayor informed the Commission that the city is looking for a new occupant for the restaurant. Purchase of the adjacent Kamban property was discussed, but must be approved by council. Reported that resurfacing of the taxiway is expected to be done soon.

PARK BOARDMR. ART CICONETTI NO REPORT

HEALTH BOARD.MS. SANDRA COX

Will meet Wednesday, December 12 at noon in the Mayor’s Conference Room.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Will meet Tuesday, December 18 at noon in the Mayor’s Conference Room to review the temporary appropriations for 2002.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

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

PUBLIC WORKS COMMITTEE.MR. JOEL DAY

Reported meeting December 6 to discuss the backflow prevention program. The Committee agreed to proceed with the program, and Ordinance 56-01 has been prepared and is before council for consideration tonight. Also discussed was the trust for public land proposal. Mayor Brodzinski urged council to support it. Another meeting was scheduled for December 10 to continue discussion. Mr. Day reported meeting tonight to continue discussion, and the committee recommends the ordinance be passed tonight.

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON

Reported meeting tonight to discuss HB 258, which would have an effect on the city’s residency requirement. The Committee objects to this bill, and the Law Director will prepare legislation for council’s consideration at the next regular council meeting.

CONTACT COMMITTEE.MR. ART CICCONE

Informed Council that information concerning ward re-apportionment should be available soon.

SPECIAL COMMITTEE MR. TOM LOCKER NO REPORT

VISITOR’S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said she was glad to hear about the opening of the Lanning House in Dennison, and hopes to see a similar situation in New Philadelphia some day. She said she has been doing research on the New Philadelphia Police Department, and finds it to be very interesting. She asked the status of the Airport Restaurant. Mayor Brodzinski said there have been about ten applicants, and the deadline for applications is December 15.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION TO GO INTO PUBLIC HEARING TO DISCUSS ORDINANCE 53-2001.

ORDINANCE NO. 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.

THERE BEING NO COMMENTS, FOR OR AGAINST, THE PUBLIC HEARING WAS ADJOURNED AT 8:01 P.M.

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. (4th Reading)

Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Houston. Roll call, 7 yeas, ordinance passed.
- 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. (3rd Reading)

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

56-2001 An ordinance by the Council of the City of New Philadelphia, Ohio authorizing the Service Director of the City of New Philadelphia, Ohio, to advertise for bids and to enter into a contract with the lowest and best bidder and/or reject any and all bids to establish a backflow program within the guidelines of the Ohio Environmental Protection Act to protect the potable water supply for the City of New Philadelphia, and declaring an emergency. (1st Reading)

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

Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Day. Mr. Cicconetti asked if there is any part of this inspection that can be done by a city employee to save the residents money. Service Director Gary Espenschied said there is nothing in the employee's job description that would allow for this to be done. Roll call, 7 yeas, ordinance passed.

57-2001 An ordinance to increase pay rate for substitute clerk at the New Philadelphia City Health Department, and declaring an emergency. (1st Reading)

58-2001 An ordinance to make temporary appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio, during the fiscal year ending December 31, 2002, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Jim Locker. Roll call, 2 yeas, 5 nays (T. Locker, Walker, Cicconetti, Cox, and Day), suspension of rules failed.

59-2001 An ordinance to amend Ordinance No. 39-97 to create a new position in the Water Department being part-time clerk and declaring an emergency. (1st Reading)

60-2001 An ordinance authorizing the Mayor to submit a pre-application and an application form to the Ohio Water Pollution Loan Fund Program for funding of the Bass Lake Project by Geauga Park District within the water resource restoration sponsor program of the Ohio EPA < further authorizing the Mayor to enter into a sponsorship agreement with Geauga Park District for the program, and declaring an emergency. (1st Reading)

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

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

61-2001 An ordinance to increase pay rate for part-time clerk at the New Philadelphia Police Department, and declaring an emergency. (1st Reading)

RESOLUTIONS:

22-2001 A resolution by New Philadelphia City Council providing for retaining investment banking services and underwriting services of Seasongood & Mayer in connection with the proposed financing, 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 Mr. Tom Locker. Roll call, 7 yeas, resolution passed.

24-2001 A resolution by the Council of the City of New Philadelphia, Ohio opposing budget cuts by the Ohio General Assembly and enactment as worded of House Bill 405, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Jim Locker. 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.

25-2001 A resolution by the Council of the City of New Philadelphia, Ohio to voice opposition to the Public Utilities Commission of Ohio decision concerning Dominion East Ohio Gas Company and the useage of overcharges by Dominion East Ohio Gas Company to pay delinquent and otherwise uncollectable accounts with such overcharge to the detrement of the citizens of New Philadelphia and other customers in Ohio, and declaring an emergency. (2nd Reading)

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

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

26-2001 A resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. (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 Ms. Walker. Roll call, 7 yeas, resolution passed.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Ms. Cox asked the Law Director if the bank depository resolution should be passed before the end of the year. Mr. Johnson said that it should be, and he will have it prepared for consideration at the next meeting.

Council President urged newly elected council members and those who were re-elected to offer their suggestions to him of any committees they would like to serve on for the upcoming term.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:19 P.M.

CLERK OF COUNCIL _____

APPROVED December 27, 2001

PRESIDENT OF COUNCIL _____