

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 22, 2008 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE: MR. ROBERT CONNER  
MS. SANDY COX  
MR. DARRIN LAUTENSCHLEGER  
MR. JIM LOCKER  
MR. ROB MAURER  
MS. COLLEEN ESPENSCHIED  
MS. WINNIE WALKER

MS. COX REQUESTED THAT ORDINANCES 52-2008 AND 53-2008 BE ADDED TO THE AGENDA, AND MR. MAURER ADDED ORDINANCE 54-2008.

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

MS. ESPENSCHIED MADE A MOTION TO APPROVE THE MINUTES OF THE DECEMBER 8, 2008 COUNCIL MEETING. MS. COX SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. The Treasurer's Statement of Transactions of all city funds for November 2008.
2. The Treasurer's Reconciliation for November 2008.
3. The Treasurer's Summary of Transactions for the General Checking Account for November 2008.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT.....MAYOR MIKE TAYLOR

Reported that he met recently with department heads to discuss the budget process for 2009. Reported that he has met with representatives of the city's four bargaining units to begin negotiations for 2009. Reported that the Joint Solid Waste District Policy Committee is working on the revision of their plan, and it is hoped that the new plan will be approved by the end of next year. Requested that Mr. Day assign to Committee a request from Electronic Date Payment Systems for a credit on income taxes, as they are acquiring the former Randall's Restaurant facility on Front St. Thanked everyone for their patience and support as his first year as Mayor comes to a close.

SERVICE DIRECTOR . . . . . MR. JIM ZUCAL

Thanked everyone for their support in 2008. Reported that the projects remaining to be completed by year end are the West High Avenue sidewalk extension and the ramp at Tuscora Park.

SAFETY DIRECTOR.....MR. GREG POPHAM . . . . . ABSENT . . . . . NO REPORT

AUDITOR. . . . .MS. BETH GUNDY

Requested approval of her November 2008 reports.

TREASURER . . . . . MR. DAVE JOHNSON

Requested approval of his November 2008 reports. Mr. Locker made a motion to accept the Auditor’s and Treasurer’s reports for November. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR . . . . . MR. MIKE JOHNSON

Reported that slippage behind a resident’s property has been taken care of. Reported that a jury trial has been set for January on a records request. Requested an Executive Session to discuss litigation. Ms. Cox made a motion to go into Executive Session immediately following reading of legislation to discuss litigation. Mr. Lautenschleger seconded the motion. Roll call, 7 yeas, motion passed.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Will meet January 13, 2009 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS . . . . . MR. JIM ZUCAL

Will meet January 13, 2009 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION.....MR. JIM LOCKER . . . . . NO REPORT

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER . . . . . NO REPORT

HEALTH BOARD.....MS. SANDY COX

Will meet January 21, 2009 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDY COX

Reported meeting tonight to discuss Ordinances 52-2008 and 53-2008. Both items were approved by Committee and emergency passage tonight requested. Mr. Day assigned a request for tax abatement for Electronic Data Payment Systems, and a request by Auditor Beth Gundy to review non-bargaining wages.

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

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

Reported meeting tonight to discuss a ramp rehabilitation project at the Airport. Ordinance 54-2008 has been prepared, and is before Council tonight for emergency passage.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . . . . MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to review water, wastewater, and sanitation service rate fees. The Performance Audit has not been complete, and the Committee will meet when the audit is complete.

ZONING & ANNEXATION COMMITTEE . . . . . MS. COLLEEN ESPENSCHIED

Reported that tentative meetings are being set for January 14 and January 21 to discuss rezoning issues.

CONTACT & SPECIAL COMMITTEE . . . . . MR. ROBERT CONNER . . . . . NO REPORT

PARKS & CEMETERY COMMITTEE . . . . MS. WINNIE WALKER . . . . NO REPORT

VISITOR'S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

48-2008 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio to enter into an agreement with the Joint County Public Defender's office for the provision of legal representation for indigents charged with violations of New Philadelphia City ordinances in the Municipal Court where such offenses carry a possible loss of liberty, establishing compensation and terms thereof, and declaring an emergency. (3rd Reading)

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

52-2008 An ordinance by the Council of the City of New Philadelphia, Ohio to suspend the transfer of 5% of the sewer revenue income to the appropriate fund as authorized by Ordinance 91-2002 and 92-2002 for the fourth quarter 2008 and thereafter until Council has reviewed this matter, and declaring an emergency. (1<sup>st</sup> Reading)

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

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

53-2008 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2008 and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Conner. 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.

54-2008 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 2009 ramp rehabilitation project at Harry Clever Field, and declaring an emergency. (1<sup>st</sup> Reading)

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

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

RESOLUTIONS:

36-2008 A resolution by the Council of the City of New Philadelphia, Ohio to confirm the re-appointment of Thomas Farbizo and Richard Varrati to the Airport Commission for a three year term beginning January 1, 2009. (3rd Reading)

Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Maurer. Mr. Conner said he has several concerns concerning the appointment of Mr. Farbizo, because he hasn't been following the Airport Commission ordinances. Mr. Conner made a motion to amend Resolution 36-2008 by removing Mr. Farbizo from the resolution. The motion died for lack of second. Roll call for passage, 6 yeas 1 nay (Conner), resolution passed. Ms. Cox asked Mayor Taylor if a Chairman will be elected in 2009. Mayor Taylor said one will be.

37-2008 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the mayor to enter into an agreement with the Goshen Township Trustees for fire protection services from the City of New Philadelphia within Goshen Township, Ohio for the calendar years 2009, 2010, and 2011, and declaring an emergency. (2<sup>nd</sup> Reading)

AT 8:03 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION TO DISCUSS LITIGATION. COUNCIL RE-CONVENED INTO REGULAR SESSION AT 8:32 P.M.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

Fire Chief Jim Parrish gave a power point presentation on the State of the Fire Department.

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 8:53 P.M.

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

APPROVED January 12, 2009

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