

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

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

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Reconciliation for the period ending December 31, 2000.
2. The Treasurer's Statement of transactions of New Philadelphia City funds for December, 2000.
3. The Auditor's Monthly Statement of 2001 Revenue for the General Fund.
4. Safety, Health, and Service Committee meeting minutes of February 5, 2001.
5. The Auditor's Financial Statement for the Month of January, 2001.
6. Board of Control meeting minutes of February 24, 2001.
7. Board of Control meeting minutes of January 31, 2001.
8. Planning Commission meeting minutes for January 10, 2001.
9. New Philadelphia Park & Recreation Board meeting minutes of January 10, 2001.
10. New Philadelphia Airport Commission meeting minutes of January 9, 2001.
11. Mayor's Monthly Statement to Council for January, 2001.
12. Public Works Committee meeting minutes for February 7, 2001.
13. New Philadelphia City Board of Health meeting minutes of January 10, 2001.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from January 23 through February 12, 2001. Reported on the State of the City for 2000 and outlined future goals. Ms. Cox asked the update of the generator at the police station. Safety Director Greg Popham reported that it would be installed in the next week or so. Mr. Houston asked how far out Route #21 did the city extend water and sewer. Mayor Brodzinski said just past the Department of Jobs and Family Services, although he would like to see it extended to Crooked Run Road as soon as possible.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reminded residents that a building permit must be obtained before doing any projects to their property. Reported that he will be advertising for bids soon for materials for the year. Reported that bids will be opened on February 22 for the timber at the south side park. Reported meeting today with Quicksall & Assoc. and ODOT officials concerning the state grant for the traffic signalization. It is hoped that the project will begin this year, but will go into 2002. Mr. Cicconetti asked if Council would have any opinion concerning certain traffic lights. Mr. Espenschied said that he would like to have any comments made to his office before the project is bid. Ms. Walker asked if Mr. Espenschied had checked a the pavement at 7th St S.W. and Front St. Mr. Espenschied said the area was surveyed and plans will be made to have it repaired.

SAFETY DIRECTORMR. GREG POPHAMNO REPORT

AUDITORMS. BETH GUNDYNO REPORT

TREASURERMR. ROBERT GERBER

Requested that his reconciliation be approved. Motion to approve the reconciliation made by Ms. Cox, seconded by Mr. Cicconetti. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Reported that the annexation of the Department of Jobs and Family Services has been approved by the County Commissioners, and will proceed to the Planning Commission. Reported that the new Public Defender's Contract has been received and asked that it be assigned to Committee. Requested a brief Executive Session to discuss real estate. Motion for Executive Session made by Mr. Day, seconded by Mr. Jim Locker. Mr. Houston asked if the subject of a financial matter could be added to the Executive Session. Both Mr. Day and Mr. Locker amended their motion to reflect the change. Roll call, 7 yeas, motion passed. Mr. Johnson requested emergency passage tonight of Ordinance 4-2001 and Resolution 4-2001.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet Wednesday, February 14, 2001 at 1:15 p.m. in his office to discuss dividing the plot for the skate park.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

There was no meeting in February, and the next meeting will be held March 6, 2001 at 5:30 p.m. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKERNO REPORT

PARK BOARDMR. ART CICCONEITTINO REPORT

HEALTH BOARDMS. SANDRA COX

Will meet Wednesday, February 14, 2001 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMS. SANDRA COX

Requested emergency passage tonight of Resolution 4-2001, opposing the closing of the unemployment office.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE. MS. WINNIE WALKER

Mr. Houston asked the status of the housing code ordinance. Law Director Mike Johnson explained that he has been working on it, but he is reviewing ordinances from several communities, and attempting to put together a working draft for the Committee.

PUBLIC WORKS COMMITTEE. MR. JOEL DAY

Reported meeting February 7 to discuss Ordinance 2-2001, for traffic signalization. The Committee recommends passage as an emergency so that the project can move ahead as soon as possible.

AT 8:03 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING TO DISCUSS ORDINANCES 68-2000, 69-2000, AND 70-2000.

Ms. Slough, 616 Sandpiper, S.E., New Philadelphia, asked the purpose of these ordinances. President of Council Dave Johnson explained that they are all changes in zoning. Councilperson Winnie Walker asked, in regards to Ordinance 69-2000 if there are to be garages, and where are people to park. Law Director Mike Johnson said the lots are standard size lots, and these ordinances are only for change of zoning.

THERE BEING NO FURTHER COMMENTS, FOR OR AGAINST, COUNCIL ADJOURNED FROM PUBLIC HEARING INTO REGULAR SESSION AT 8:06 P.M.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT COMMITTEE. MR. ART CICCONE NO REPORT

Reported that Mr. Swinderman has made changes in the city's wards, primarily in Wards I, II, and III. Mr. Johnson assigned the contract with the Public Defender's office.

SPECIAL COMMITTEE. MR. TOM LOCKER NO REPORT

VISITOR'S COMMENTS:

Ms. Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if anything could be done about the noxious odor coming from the wastewater treatment plant. She asked if the signs which prohibit bicycle riding within a block of the downtown area still exist, and could be put back up. She read an article from 1922 concerning signs on trees and poles, and said there is still a problem with that issue. She asked if the Airport Restaurant is current on their payments to the City, is the timber to be sold from the south side park land, and is work to be done at 4th St. and West High Ave. and 4th St. and East High Ave. She publicly acknowledged Sandy and Mark Cox for taking her to the hospital and staying with her during her recent illness. Mr. Jim Locker said the Airport Restaurant has experienced some slow months, but they are current in their rent payments. Mr. Espenschied said Issue #2 money will be used for improvements at the intersections in question, and the timber is from the south side park. Mayor Brodzinski will check on the signs concerning bicycle riding downtown. Mr. Espenschied said the wastewater treatment plant is being upgraded, and they are addressing the odor problems. Safety Director Greg Popham said the police are removing signs from poles and trees when they see them.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 68-2000 An ordinance by the Council of the City of New Philadelphia to change the zoning from Commercial to Industrial zone for a one acre tract of real estate located on Bowers Avenue NW adjacent to Marsh Industries property by Tim Bober and Jamie Hicks. (4th Reading)
- Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Day. Roll call, 7 years, ordinance passed.
- 69-2000 An ordinance by the Council of the City of New Philadelphia to change the zoning from Industrial to Residential zone for 1.3 acre tract of real estate located in the 1000th block of Kaderly Street near the old Zimmer Patient Care Building. (4th Reading)
- Motion to vote on passage made by Mr. Jim Locker, seconded by Mr. Houston. Roll call, 6 years 1 nay (Cicconetti), 6 years.
- 70-2000 An ordinance by the Council of the City of New Philadelphia to change the zoning from Industrial to Business Zone for 2 acres of real estate located at the corner of Union Avenue and Martin Street in New Philadelphia, Ohio. (4th Reading)
- Motion to vote on passage made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 years, ordinance passed.
- 2-2001 An ordinance by the City of New Philadelphia for primary legislation for traffic signalization throughout the City of New Philadelphia, and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Mr. Day, seconded by Ms. Cox. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Mr. Houston, seconded by Mr. Tom Locker. Roll call, 7 years, ordinance passed.
- 3-2001 An ordinance to authorize the City of New Philadelphia, Ohio, to enter into a contract with Main Street New Philadelphia, Inc. for economic development of the Downtown New Philadelphia for the calendar year 2001 and to pay to Main Street New Philadelphia, Inc. the sum of ten thousand dollars (\$10,000) and declaring an emergency. (1st Reading)
- Mr. Johnson assigned this to the Contact Committee for review.
- 4-2001 An ordinance to authorize the Service Director of the City of New Philadelphia, Ohio, to sell timber on the Cameron property consisting of thirty-eight (38) acres to the highest and best bidder after advertisement for not less than two weeks and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Ms. Walker. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Tom Locker. Roll call, 7 years, ordinance passed.
- 5-2001 An ordinance by the Council of the City of New Philadelphia, accepting the plat for Taylor Drive SW subdivision, and declaring an emergency. ((1st Reading)

6-2001 An ordinance by the Council of the City of New Philadelphia to amend New Philadelphia Codified Ordinance Section 351.99 penalty as it relates to handicap parking, and declaring an emergency. (1st Reading)

RESOLUTIONS:

1-2001 A resolution declaring the necessity to request an advance of \$250,000.00 from the County Auditor on the February, 2001 Estate Tax Settlement, and declaring an emergency. (3rd Reading)

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

2-2001 A resolution declaring the necessity to request an advance of \$750,000.00 from the County Auditor on the February, 2001 Real Estate Tax Settlement, and declaring an emergency. (3rd Reading)

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

3-2001 A resolution by the Council of the City of New Philadelphia Ohio to commend Dennis Vitt for his years of service in the City of New Philadelphia Police Department. (3rd Reading)

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

4-2001 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio to oppose and protest the closing of the Ohio Department of Jobs and Family Services Employment/Unemployment located at 407 4th Street NW, New Philadelphia, Ohio 44663, and declaring an emergency. (1st 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.

AT 8:32 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS REAL ESTATE AND FINANCIAL MATTERS. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:46 P.M.

OLD OR UNFINISHED BUSINESS:

Mayor Brodzinski said he has received approximately 2600 names opposing the adult video store.

NEW BUSINESS:

Council President Dave Johnson scheduled a roundtable meeting for Monday, March 5, 2001 at 7:00 p.m. to discuss the use of the Elks Building, and to set goals for 2001.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:50 P.M.

CLERK OF COUNCIL _____

APPROVED FEBRUARY 12, 2001

PRESIDENT OF COUNCIL _____