

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 27, 2006 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL DAVE JOHNSON PRESIDING. A MOMENT OF SILENCE WAS OBSERVED FOR THE LATE NAOMI HOUSTON, COUNCILMAN GEORGE HOUSTON'S WIFE WHO RECENTLY PASSED AWAY, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE: MR. ROBERT CONNER
MS. SANDY COX
MR. JIMMY EICHEL
MR. GEORGE HOUSTON
MR. DARRIN LAUTENSCHLEGER
MR. ROB MAURER

MR. JIM LOCKER WAS ABSENT.

THE MINUTES OF MARCH 13, 2006 WERE RECEIVED AND APPROVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. A Thank-You card from Lois Wilhelm, thanking Council for their passage of a resolution to honor Harvey Wilhelm, long time employee of the Park and school system, who recently passed away.
2. Minutes of the Municipal Treasury Investment Board meeting of March 16, 2006.
3. Finance Committee meeting minutes of March 20, 2006.
4. Zoning & Annexation Committee meeting minutes of March 20, 2006.
5. Safety, Health, and Service Committee meeting minutes of March 13, 2006.
6. Special/Contact Committee meeting minutes of March 8, 2006.
7. New Philadelphia Fire Department Type of Alarm Report Summary for February 2006.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from March 13 through March 27, 2006. Reported that on March 14 bids were opened for the Hi Tech Park. An additional \$200,000 is needed, so Ordinance 17-2006 has been introduced designating that the city will put up the money and then assess future tenants of the Park. Introduced that Jessica Kopelwitz has been named Main Street Director to replace Pauline Wyrle, who recently resigned. Reported that he attended Ribbon Cutting Ceremonies to welcome Comfort Keepers and Ring Around the House. Congratulated the Saint Patrick's Day Festival Committee for the parade and activities held March 17.

SERVICE DIRECTOR.....MR. GARY ESPENSCHIED

Reported that he will be obtaining requests for proposals for professional engineering services for the National Pollutant Discharge Elimination System for storm water phase 2 assistance, as required by the Ohio EPA.

SAFETY DIRECTOR.....MR. GREG POPHAM

Reported that bids were opened on March 22 for police cruisers. Reported that a tornado drill will be held March 29 at 9:50 a.m.

AUDITOR.MS. BETH GUNDY

Requested passage tonight of Ordinance 15-2006 and Resolution 10-2006.

TREASURER MR. MIKE TAYLOR NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON

Explained Ordinance 14-2006.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR BRODZINSKI

Will meet April 12, 2006 at 1:00 P.M. in the Art Cicconetti Council Chambers.

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

Will meet April 11, 2006 at 5:30 P.M. in Council Chambers.

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

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

HEALTH BOARD.....MS. SANDY COX

Will meet April 12, 2006 in the Health Department at 12:00 PM.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX.

Reported meeting March 20, 2006 to discuss appropriations and Ordinances 11-2006 and 12-2006. The Committee approved changes in the appropriations. Ms. Cox asked for comments from various department supervisors concerning Ordinances 11-2006 and 12-2006, and each supervisor stated their concerns. The Committee voted not to recommend passage.

SALARY COMMITTEE MR. JIM LOCKER ABSENT NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . MR. ROB MAURER NO REPORT

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

Reported meeting tonight to discuss Ordinance 8-2006, Jake brakes. Mr. Conner said he has heard several complaints, but the Police have received only 1 complaint since 2001. Another future meeting will be held after Mr. Conner has spoken with those residents who complained to address those problems. Also addressed was Ordinance 9-2006, the adoption of NIMS. Future sanitation funding was also discussed.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON

Ms. Cox reported that the Committee met March 20, 2006 to discuss a request for alley vacation on land off West High Avenue. The Committee voted to approve the request.

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER NO REPORT

PARKS & CEMETERY COMMITTEE MR. JIMMY EICHEL NO REPORT

VISITOR'S COMMENTS:

Sam Hitchcock, 604 North Broadway New Philadelphia, spoke against Ordinances 11-2006 and 12-2006, which would require bidding of anything over \$7,500. He said these ordinances suggest a lack of confidence in the department heads, and will ultimately cost the city more money.

Bill Ellwood, 462 4th St. NE New Philadelphia, agreed with Mr. Hitchcock in objecting to Ordinances 11-2006 and 12-2006. He said there are more important things that need attention such as the sanitation funding. He said if there is mistrust among the department heads, the residents need to be informed. He said there are other costs involved with this, such as engineering costs and studies.

Charles Warner, 406 Springbrook Dr. SW, New Philadelphia, said the road is caving in on Springbrook, and a barrier was put in there. He said he is concerned about ingress/egress and has there been any other investigation into the problem. Mr. Espenschied said he is obtaining soil samples and checking into the backflow. He relinquished the floor to Mr. Bill Seibold of the Wastewater Treatment Plant to explain the storm sewer and sanitary sewer.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

8-2006 An ordinance by the Council of the City of New Philadelphia, Ohio to enact Ordinance 339-11 – Use of Engine Compression Brakes prohibited to the Codified Ordinances of the City of New Philadelphia and declaring an emergency. (2nd Reading)

Mr. Lautenschleger made a motion to table this ordinance. Mr. Houston seconded the motion. Roll call, 6 yeas, motion passed.

10-2006 An ordinance by the Council of the City of New Philadelphia authorizing the Mayor to submit an application for a FY2006 CHIP grant and to enter into an agreement with the successful proposer to prepare such application and to administer and implement the CHIP should the city receive the grant, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 6 yeas, ordinance passed.

11-2006 An ordinance by the Council of the City of New Philadelphia to limit the Director of Public Service making contracts in excess of \$7,500.00, a limit lesser than permitted by Ohio Revised Code Section 735.05, and declaring an emergency. (3rd Reading)

Mr. Houston voiced his opposition to Ordinances 11-2006 and 12-2006. He said these ordinances would impede the Administration from operating the city in a timely manner, and additional committee meetings would be necessary. Mr. Houston said he has spoken with several department heads, and they all object to their passage. Mr. Eichel made a motion to vote on passage. Mr. Conner seconded the motion. Mr. Eichel said these ordinances were not meant to demean any employee of the city, nor is he attempting to shut down the city. He said the city is a business, and passage of these ordinances is the beginning to a business approach. He said money needs to be set

aside for future projects, and this is a start. Mr. Conner said these ordinances do not show a mistrust in the department heads, and passage is a leap forward in fiscal management of the city. Ms. Cox said she refers to these two ordinances as the taxpayers' waste ordinances, and gave a scenario of what would happen if they should pass. She urged Council not to pass them. Roll call, 2 years 4 nays (Houston, Maurer, Lautenschleger, & Cox), passage failed.

- 12-2006 An ordinance by the Council of the City of New Philadelphia to limit the authority of the Board of Control granted under 733.22 of the Ohio Revised Code to amounts of \$7,500.00 or less and requiring competitive bidding for all amounts in excess of \$7,500.00 and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Houston, seconded by Mr. Eichel. Roll call, 2 years 4 nays (Houston, Maurer, Lautenschleger, & Cox), passage failed.
- 13-2006 An ordinance addressing and clarifying the Public Employees Retirement System (P.E.R.S.) pick-up for employees of the New Philadelphia Municipal Court, and declaring an emergency. (2nd Reading)
- 14-2006 An ordinance by the Council of the City of New Philadelphia authorizing and directing the Safety Director to enter into a contract for the purchase of one (1) properly equipped ambulance for use in the New Philadelphia Fire Department in 2006, through the State Cooperative Purchase Program, and declaring an emergency. (1st Reading)
- 15-2006 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2006 and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Houston. Roll call, 6 years, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Maurer. Roll call, 6 years, ordinance passed.
- 16-2006 An ordinance to vacate an unnamed twenty-foot alley running south from Maple Avenue NW and separating Lots #4060 and 4061 owned by Investment Realty Properties, LTD., and declaring an emergency. (1st Reading)
- 17-2006 An ordinance by the Council of the City of New Philadelphia to complete the financing for the High Tech Park in the City of New Philadelphia, Ohio and to assess users at the High Tech Park for certain costs, and declaring an emergency. (1st Reading)
- Mr. Johnson assigned this to the Safety, Health, and Service Committee.
- 18-2006 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone certain land owned by Dyer Properties, LTD., and located on Martin Street NW, from Residential to Industrial, and declaring an emergency. (1st Reading)
- Mr. Johnson assigned this to the Zoning & Annexation Committee.

RESOLUTIONS:

- 7-2006 A resolution by the Council of the City of New Philadelphia to thank the Gradall Company, its employees, the County Engineer and his employees for the help and donations of service and equipment to allow the City of New Philadelphia, Ohio to clean the Beaver Dam Creek of debris, and declaring an emergency. (2nd Reading)
- 8-2006 A resolution to welcome Alamo Group, Inc. to New Philadelphia, Ohio. (2nd Reading)
- 9-2006 A resolution by the Council of the City of New Philadelphia, Ohio adopting the National Incident Management System. (2nd Reading)
- 10-2006 A resolution by the Council of the City of New Philadelphia, Ohio to create a new fund to be known as Airport Federal Fund #476, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Mr. Lautenschleger. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 6 yeas, resolution passed.

OLD BUSINESS: NONE

NEW BUSINESS: NONE

MR. HOUSTON THANKED EVERYONE FOR THEIR SUPPORT DURING THE RECENT PASSING OF HIS WIFE. MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:26 P.M.

CLERK OF COUNCIL _____

APPROVED April 10, 2006

PRESIDENT OF COUNCIL _____