

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 27, 2009 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
MS. COLLEEN ESPENSCHIED
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

MS. WINNIE WALKER WAS ABSENT.

MS. COX MADE A MOTION TO ADD ORDINANCE 18-2009 TO TONIGHT'S AGENDA. MR. CONNER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MR. CONNER MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 13, 2009 COUNCIL MEETING. MS. COX SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Statement of all City funds for March 2009.
2. The Treasurer's Summary of Transactions for the General Checking Account for March 2009.
3. The Treasurer's Reconciliation for March 2009.
4. All Fire incidents by incident number for March 2009.
5. The March 2009 Month End Summary Report for the Fire Department.
6. Tuscora Park Board meeting minutes of March 9, 2009.

ADMINISTRATIVE REPORTS:

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

Reported that he recently attended the Open House at the Tuscarawas County Chamber of Commerce to reveal their remodeling project. Reported that Habitat for Humanity recently broke ground for a new home on Third St. NW. Reported that he attended a reception honoring Janie Jones, long time director of our local Hospice who is retiring. Reported that two new poles have been placed on the Square for banners to feature upcoming events. Updated Council on the progress of repairing water leaks throughout the City.

SERVICE DIRECTOR MR. JIM ZUCAL

Reported that he is reviewing potential projects to alleviate storm water flooding. Reported that he is in the process of compiling this year's paving list. Reported that the City has received the Tree City USA Award for the 22nd year.

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

AUDITOR.MS. BETH GUNDY

Requested approval of her March reports.

TREASURER MR. DAVE JOHNSON

Requested approval of his March reports. Mr. Locker made a motion to approve the Treasurer’s and Auditor’s March reports. Roll call, 6 yeas, motion passed.

LAW DIRECTOR MR. MIKE JOHNSON

Scheduled a Public Hearing for May 28, 2009 at 8:00 P.M. for Ordinance 16-2009. Explained the Simpson Heating & Cooling lawsuit against the City.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Will meet May 12, 2009 at 1:00 P.M. in Council Chambers if there is any business to come before the Commission.

BOARD OF ZONING APPEALS MR. JIM ZUCAL

Will meet May 12, 2009 at 5:00 P.M. in Council Chambers.

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

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Reported meeting April 22 at the Park. Minutes are forthcoming.

HEALTH BOARD.....MS. SANDY COX

Will meet May 27, 2009 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Reported meeting tonight to discuss the Reiser Ave. sanitary sewer bids. The Committee voted to number this ordinance, Ordinance No. 18-2009, and it was added to the agenda for emergency passage tonight. Auditor Beth Gundy informed the Committee that there are several items that need to be reviewed in the near future. Requested passage tonight of Resolutions 3-2009, 4-2009, and 5-2009.

SALARY COMMITTEE MR. JIM LOCKER 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 water, wastewater, and sanitation rates. Ordinance 17-2009 and Resolution 9-2009 are before Council for 1st reading tonight.

ZONING & ANNEXATION COMMITTEE MS. COLLEEN ESPENSCHIED NO REPORT

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER

Will meet April 29 to discuss the solicitor's ordinance and information concerning Enterprise Zones.

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

In the absence of Ms. Walker, Ms. Cox requested passage tonight of Ordinances 12-2009 and 13-2009, and Resolution 8-2009.

VISITOR'S COMMENTS:

Darla Carlisle, President of the New Philadelphia Business & Community Association, reported that flowers for the downtown pots have been donated by the Rotary and Kiwanis Clubs. Reported that an office manager has been hired on a part-time basis. Reported that the Association has a received a \$9,000.00 grant.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 11-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize and direct the Service Director to advertise for bids, receive bids, and to enter into a contract with the lowest and best bidder for the JKMC pillar replacement project, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Locker, seconded by Ms. Cox. Roll call, 5 yeas 1 nay (Maurer), ordinance passed.
- 12-2009 An ordinance by the Council of the City of New Philadelphia to repeal Section 973.01 – Park Regulations and to enact new Section 973.01 – Park Regulations, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Locker. Roll call, 6 yeas, ordinance passed.
- 13-2009 An ordinance by the Council of the City of New Philadelphia to repeal Codified Ordinance Section 149.02 and to enact new Section 149.02 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied. Roll call, 6 yeas, ordinance passed.
- 16-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning at Fourth Street NW and West High Avenue from Office or Residential to Business as presented by the Fourth and West High Property Owner's Group for the properties as shown in the attached map, and declaring an emergency. (1st Reading)
- Public Hearing to be held May 28, 2009 at 8:00 P.M.
- 17-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to amend 971.06 Trash Collection Rates for the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (1st Reading)
- 18-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize the bidding and contract with the lowest and best bidder for the Reiser Avenue Sanitary Sewer Force Main Project, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Locker. Roll call, 6 yeas, rules suspended.

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

RESOLUTIONS:

3-2009 A resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the General Fund (101) to the Cemetery Operating Fund (209) to supplement cash needed to fund current operations, and declaring an emergency. (3rd Reading)

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

4-2009 A resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$25,000.00 from the General Fund #101 to the Sidewalk Improvement Fund #285, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied. Roll call, 6 yeas, resolution passed.

5-2009 A resolution by the Council of the City of New Philadelphia, Ohio to approve the transfer of interest revenue in an amount up to \$20,000.00 from the Cemetery Endowment Fund (#812) to the Cemetery Operating Fund (#209) for the 2009 fiscal year. (3rd Reading)

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

8-2009 A resolution by the Council of the City of New Philadelphia, Ohio to commend Douglas J. Demattio for his years of service and dedication to the City of New Philadelphia during his 35 years serving the City of New Philadelphia including 17 years serving as Cemetery Superintendent. (3rd Reading)

Motion to vote on passage made by Mr. Locker, seconded by Mr. Lautenschleger. Roll call, 6 yeas, resolution passed.

9-2009 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the increase in water and sanitary sewer rates as suggested by the New Philadelphia Service Director and implementation of the rates and declaring an emergency. (1st Reading)

UNFINISHED OR OLD BUSINESS:

Mr. Conner expressed his concerns regarding the water, wastewater, and sanitation rate structure.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 7:58 P.M.

CLERK OF COUNCIL _____

APPROVED May 11, 2009

PRESIDENT OF COUNCIL _____