

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 25, 2003 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. SAM HITCHCOCK  
MR. GEORGE HOUSTON  
MR. JIM LOCKER  
MR. ROB MAURER

MR. HOUSTON MADE A MOTION TO ADD RESOLUTION 22-2003 TO TONIGHT'S AGENDA. MR. LOCKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

THE MINUTES OF AUGUST 11, 2003 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. Zoning & Annexation Committee meeting minutes of August 18, 2003.
2. Planning Commission Committee meeting minutes of August 13, 2003.
3. The Treasurer's Reconciliation for July 2003.
4. The Treasurer's Statement of transactions of all City funds for July 2003.
5. The Treasurer's Summary of transactions for the general checking account for July 2003.
6. A copy of a letter from the President of Council to the Airport Commission in support of George Houston, who was singled out for his absence at Airport Commission meetings.

ADMINISTRATIVE REPORTS:

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

Submitted a written report of the activities of his office from August 12 through August 25, 2003. Reported that on August 18 he attended an Open House for elected officials for the new Employment Source at Monroe Mall, which will provide resources for jobs and training for unemployed residents of Tuscarawas County. Reported meeting with Service Director Gary Espenschied and Greg Gurney and Rod Wilson of ODOT to discuss preliminary plans for a possible third lane on West High Avenue from the railroad tracks to Five Points. Reported that he attended the TGIF on the Square and thanked all who were involved in making this a successful event. Requested passage tonight of Ordinance 45-2003, Ordinance 47-2003, and Resolutions 19-2003, 20-2003, and 22-2003.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that he is seeking a state grant to fund an engineering study for the addition of a third lane on West High Avenue, since it is a state route. Reported that he has been working with the New Philadelphia High School Athletic Director and park personnel regarding drainage around the track areas at Quaker Stadium. Relinquished the floor to Building Inspector Bill Richesson, who reported that the burned out house on East High Avenue has been partially torn down. Reported that he has spoken with the Bernard

family, and they are cleaning up the property. Reported that the Police Chief assisted in getting trash removed at 166 9<sup>th</sup> St. N.E. Reported that he has sent letters to residents who had smoke testing which showed smoke coming from their downspouts into the storm sewers. Reported that he is working on properties at 148 7<sup>th</sup> St. SW and 4<sup>th</sup> St. NW.

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

AUDITOR . . . . . MS. BETH GUNDY

Requested emergency passage tonight of Ordinance 47-2003.

TREASURER . . . . . MR. MIKE TAYLOR

Reported that the survey on record retention that was sent to all departments is complete, and summaries were sent to those doing the survey and Mr. Maurer, who has taken this issue into his committee. Reported that he is investigating the possibility of offering electronic payroll deposit. Reported that he will schedule an Investment Committee meeting soon. Requested approval of his July reports. Mr. Cicconetti made a motion to accept the Treasurer's reports. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR . . . . . MR. MIKE JOHNSON

Explained Resolutions 19-2003, 20-2003, and 22-2003, and recommended their passage tonight.

MAIN STREET REPRESENTATIVE . . . . . ABSENT . . . . . NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Will meet September 10, 2003 at 1:00 p.m. in the Police Station Conference Room.

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

Will meet September 2 at 5:00 p.m. in Council Chambers.

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

PARK BOARD . . . . . MR. ART CICCONE

Will meet August 27, 2003 at 7:30 p.m. in the Park office.

HEALTH BOARD . . . . . MS. SANDRA COX

Will meet September 10, 2003 at noon in the Mayor's Conference Room.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE . . . . . MS. SANDRA COX

Reported meeting tonight to discuss Ordinance 47-2003. The Committee approved emergency passage tonight.

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

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . . . MR. SAM HITCHCOCK . . . . . NO REPORT

PUBLIC WORKS COMMITTEE. . . . .MR. JOEL DAY . . . . . NO REPORT

ZONING & ANNEXATION COMMITTEE . . . . .MR.GEORGE HOUSTON

Reported meeting August 18 to discuss annexation requests by Dennis Carr, Mark Luikart, and Tinker/Rutledge. Resolutions 19-2003, 20-2003, and 22-2003 were prepared concerning these annexations, and the Committee requests approval. Also discussed was a condominium ordinance. More information is needed before any decisions are made. The Committee recommends that the alley vacation, Ordinance 40-2003, be approved tonight following Public Hearing at 8:00 p.m.

CONTACT COMMITTEE. . . . .MR. ART CICONETTI

Reported meeting August 4 to discuss Resolution 21-2003. The Committee approved passage after third reading.

SPECIAL COMMITTEE . . . . . MR. ROB MAURER . . . . . NO REPORT

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said there is a house on West High Avenue near Five Points and one on Fair Avenue that are a disgrace, and asked that somebody take a look at them. She asked if the Airport Commission should approve flying lessons given by Mr. Tinker. She said there is a raised up place in the road on East High Avenue that needs to be fixed. Ms. Slough asked how many condominiums are to be built in the Kent State University area. Mayor Brodzinski will have the City crews look at the houses needing repair. Mayor Brodzinski said he does not know how many condos are to be built. Law Director Mike Johnson said Mr. Tinker will have to register and attain proper insurance if he is to give flying lessons.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING TO DISCUSS ORDINANCE 40-2003.

Ordinance 40-2003      An ordinance by the City Council of New Philadelphia, Ohio to vacate an Unnamed alley extending approximately 265 feet north of Wabash Avenue NW, And 165 south of Emmett Avenue NW between 1023 Logan Street NW Rear and 1033 Logan Street NW Rear, 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:

40-2003      An ordinance by the City Council of New Philadelphia, Ohio to vacate an unnamed alley extending approximately 265 feet north of Wabash Avenue NW, and 165 south of Emmett Avenue NW between 1023 Logan Street NW Rear and 1033 Logan Street NW Rear and declaring an emergency. (4th Reading)

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

44-2003      An ordinance by the Council of the City of New Philadelphia, Ohio to amend Section 1167.07(b) of the New Philadelphia Codified Ordinances to allow gasoline stations to be permitted a total storage of 100,000 gallons of fuel lubricating oil and/or gasoline, and declaring an emergency. (1<sup>st</sup> Reading)

Mr. Johnson assigned this ordinance to the Safety, Health, and Service Committee.

45-2003 An ordinance by the Council of the City of New Philadelphia, Ohio to enter into a modifications of Article 15 with the New Philadelphia Fire Fighters Local 1501 contract and to permit an increase in base wages when certain certification is obtained, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Cicconetti. Roll call, 7 yeas, rules suspended.

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

47-2003 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2003 and declaring an emergency. (1<sup>st</sup> 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 Mr. Locker. Roll call, 7 yeas, ordinance passed.

#### RESOLUTIONS:

19-2003 A resolution by the Council of the City of New Philadelphia, Ohio to accept the agreement between the City of New Philadelphia, Ohio and the Goshen Township Trustees concerning the Dennis Carr property for the purpose of annexation and taxation, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Ms. Slough asked the location. Mr. Houston said it is near Mistee Dawn. Roll call, 7 yeas, rules suspended.

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

20-2003 A resolution by the Council of the City of New Philadelphia, Ohio to enter into an agreement with the Goshen Township Trustees to permit division of real estate taxes based on the standard compensation pursuant to Ohio Revised Code Section 709.19 for the Tinker, Et Al, 20-acre annexation, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Ms. Slough asked the location. Mr. Houston said it is beyond the 18<sup>th</sup> St. NE Bridge. Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Mr. Houston, seconded by Ms. Cox. Law Director reminded Council that the city would receive \$1000 for each lot sold in this development to offset the cost of installing the 18<sup>th</sup> St. Bridge. Roll call, 7 yeas, resolution passed.

21-2003 A resolution by the Council of the City of New Philadelphia, Ohio to support designation of historic districts within the City of New Philadelphia. (1<sup>st</sup> Reading)

22-2003 A resolution by the Council of the City of New Philadelphia, Ohio to enter into an agreement with the Goshen Township Trustees to permit division of real estate taxes based on the standard compensation pursuant to Ohio Revised Code Section 709.19 for the Luikart Annexation, and declaring an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Hitchcock. Ms. Slough asked the location. Mr. Houston said it is Mark's Place on the southside. Roll call, 7 yeas, rules suspended.

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

OLD OR UNFINISHED BUSINESS:

Mr. Houston said there is a house on West High Avenue that is constantly selling junk vehicles and tires. He asked Building Inspector Bill Richesson if something could be done. Mayor Brodzinski said he has been abiding by the ordinance concerning yard sales, but suggested strengthening the House Code. Law Director will meet with Mr. Richesson concerning this property.

NEW BUSINESS:

Mr. Johnson asked for a meeting of the whole council to review plans for furnishings for the new Council Chambers.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:15 P.M.

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

APPROVED September 8, 2003

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