

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 13, 2004 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: MS. SANDRA COX  
MR. BILL ELLWOOD  
MR. SAM HITCHCOCK  
MR. GEORGE HOUSTON  
MR. DARRIN LAUTENSCHLEGER  
MR. JIM LOCKER  
MR. ROB MAURER

THE MINUTES OF AUGUST 23, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. New Philadelphia Police Monthly Activity Report for August 2004.
2. The Treasurer's Reconciliation for the period ending August 2004.
3. The Treasurer's Statement of Transactions of all city funds for August 2004.
4. The Treasurer's Summary of Transactions for the General Checking Account for August 2004.
5. Parks & Cemetery Committee meeting minutes of August 23, 2004.
6. Tuscora Park Board meeting minutes of August 18, 2004.
7. The Auditor's Financial Statement for August 2004.
8. The Auditor's Monthly Statement of Revenue for the General Fund for August 2004.
9. Tuscora Park Board meeting minutes of May 26, 2004.
10. Finance Committee meeting minutes of August 23, 2004.
11. Mayor's Monthly Statement to Council for August 2004.

ADMINISTRATIVE REPORTS:

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

(Mayor's Report under New Business – he was attending the New Philadelphia City School Board Meeting to read a proclamation congratulating them on their excellent rating on the School's Report Card.) Submitted a written report of the activities of his office from August 24 through September 13, 2004.

SERVICE DIRECTOR . . . . .MR. GARY ESPENSCHIED

Reported that bids were awarded last week for the CDBG storm sewer project on 3<sup>rd</sup> Dr. N.W. and Chauncey N.W. Reported that he has been working with FEMA since the flooding in June, and the city will be receiving approximately \$30,000 of the \$40,113 that was incurred by the city.

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

AUDITOR . . . . . MS. BETH GUNDY

Requested that her August reports be approved, and asked for emergency passage of Ordinances 44-2004 and 48-2004 and Resolutions 28-2004, 29-2004, 30-2004, and 33-2004.

TREASURER . . . . . MR. MIKE TAYLOR

Requested approval of his August reports. Reported that he and Auditor Beth Gundy attended a meeting on an update of the Ohio Sunshine Law. Also discussed were the Public Records Act, the Open Meetings Act, and record retention. Public Works Committee Chairman Rob Maurer said the Records Commission was to be assigned and activated by the Mayor. Ms. Cox made a motion to approve the Auditor's and Treasurer's reports. Mr. Houston seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR . . . . .MR. MIKE JOHNSON

Agreed with the Auditor on passage of the legislation that she requested.

MAIN STREET REPRESENTATIVE . . . . . MS. PAULINE WYRIE

Reported that a Ribbon Cutting Ceremony will be held September 29 at 9:00 a.m. at Runway Rags on 2<sup>nd</sup> St. N.W. Reported that the Car Show was a huge success with 232 registered vehicles. Reported that Family Safety Day will be held October 9, in conjunction with the Police and Fire Departments.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION . . . . . MAYOR BRODZINSKI

Will meet October 13, 2004 at 1:00 p.m. in Council Chambers.

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

Reported meeting September 7. 2 appeals were granted.

AIRPORT COMMISSION . . . . .MR. JIM LOCKER

Will meet September 14, 2004 at 6:00 p.m. at the Airport.

PARK BOARD . . . . . MR. DARRIN LAUTENSCHLEGER

Will meet September 22, 2004 at 7:00 p.m. at the Park office.

HEALTH BOARD. . . . .MS. SANDRA COX

Will meet October 13, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDRA COX

Reported meeting August 23, 2004 to discuss Ordinance 44-2004, Resolution 27-2004, Resolution 28-2004, Resolution 29-2004, and Resolution 30-2004. All items were approved. Requested that Ordinance 48-2004 be passed as an emergency tonight.

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

Reported meeting tonight to review airport hangar rent increase. The Committee approved increases over the next 3 years.

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . . MR. SAM HITCHCOCK

Reported meeting tonight to discuss a request by Fire Chief Jamie Snyder to review Codified Ordinance Chapters 1131 and 1141, dealing with a change of wording for a certificate of occupancy. The Committee approved the change in wording. Mr. Johnson assigned a request by General Services Superintendent Fred Neff to review the sanitation ordinance 971.01.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . .MR. ROB MAURER . . . NO REPORT

ZONING & ANNEXATION COMMITTEE. . . . . MR. GEORGE HOUSTON . . . . NO REPORT

CONTACT & SPECIAL COMMITTEE . . . . . MR. BILL ELLWOOD

Reported meeting tonight to review bid criteria, signage at Franklin Square, and the alley at the rear of Esther Court. The Committee asked for input on guidelines on signage throughout the city before the Committee meets again to continue discussion. The Committee approved the naming of an unnamed alley off Esther Court. Mr. Ellwood scheduled another meeting for signage on September 27, 2004 at 7:00 p.m.

PARKS & CEMETERY COMMITTEE . . . . . MR. DARRIN LAUTENSCHLEGER . . . . NO REPORT

VISITOR’S COMMENTS:

Paul Edwards, 231 North Ave. N.E. New Philadelphia, thanked Mr. Ellwood for naming the alley.

Don Johnson, 238 Carrie Ave. N.W. New Philadelphia, spoke in support of the name change to Woody Hayes Quaker Stadium.

Jeff Fahner, 1605 Rolland Ave. N.E New Philadelphia, said there was a problem with contamination at the lift station at 18<sup>th</sup> St., and asked that the city look into what is causing the problem. Public Works Committee Chairman and Wastewater Superintendent Jim Dinger both agreed that the city should be permitted to enter homes in that area to see if they have sump pumps or downspouts emptying into the sanitary sewer system. Mr. Johnson assigned this to the Public Works Committee.

Tom Farbizo, 936 3<sup>rd</sup> St. N.W. New Philadelphia, thanked former mayors and council members who allowed the Quaker Club to undertake the monumental project of making improvements at Quaker Stadium. He said the name change was included in the long-term improvements, and he asked Council to move forward in approving it.

Harry Robb, 625 Ray Ave. N.W. New Philadelphia, asked Council to review the junk car ordinance, saying it is unconstitutional and hypocritical. He said he has fought this issue for over 30 years, and should be permitted to keep his vehicle on his own property. He has been cited into Municipal Court on

several occasions, and if Council doesn't do something to change the ordinance soon, he will be going to jail. Mr. Johnson assigned this to the Safety, Health, and Service Committee.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, thanked Mr. Robb for his service to his country as a pilot. She said she would like to see the name of Quaker Stadium not changed.

#### READING OF ORDINANCES AND RESOLUTIONS:

##### ORDINANCES:

44-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (3rd Reading)

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

48-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (1<sup>st</sup> Reading)

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

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

##### RESOLUTIONS:

25-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize and allow the New Philadelphia Board of Education to change the name of New Philadelphia Quaker Stadium to Woody Hayes Quaker Stadium, Ohio, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Locker, seconded by Mr. Houston. Mr. Lautenschleger read a prepared statement in support of this resolution. He congratulated all involved in the improvements at the stadium, and thanked everyone who spoke on behalf of the resolution. Roll call, 7 yeas, resolution passed.

28-2004 A resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the Economic Development Fund (#250) to the CDBG Fund (#287) 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. Ellwood. Roll call, 7 yeas, resolution passed.

29-2004 A resolution by the Council of the City of New Philadelphia, Ohio to create a new fund to be known as FEMA Fund #290, and declaring an emergency. (3rd Reading)

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

30-2004 A resolution by the Council of the City of New Philadelphia, Ohio to create a new fund to be known as High-Tech Park Fund #450, and declaring an emergency. (3rd Reading)

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

32-2004 A resolution by the Council of the City of New Philadelphia, Ohio to permit Mr. And Mrs. Dave Rose access to the rear of their property along State Route 39 over the former railroad ground now owned by the City of New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)

33-2004 A resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor 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 Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 yeas, resolution passed.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mayor Brodzinski reported that he attended the New Philadelphia School Board meeting to read a proclamation acknowledging their excellent rating on the Ohio Report Card. Reported that he attended the Sr. Citizen Picnic on September 1. Reported that on September 5 he had the pleasure of conducting the Philharmonic Orchestra at the park. Reported that the city experienced severe flooding on September 8, 9, and 10. Congratulated Main Street for their recent Car Show.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:42 P.M.

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

APPROVED September 27, 2004

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