

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 9, 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. ESPENSSCHIED  
MR. DARRIN LAUTENSCHLEGER  
MR. JIM LOCKER  
MS. WINNIE WALKER  
MR. ROB MAURER

MS. COX MADE A MOTION TO ADD RESOLUTION 2-2009 TO TONIGHT'S AGENDA. MR. LAUTENSCHLEGER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 23, 2009 COUNCIL MEETING. MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE . . . . . CLERK DIANE ROUDEBUSH

1. Public Works & Economic Development Committee meeting minutes of February 18, 2009.
2. The Auditor's Monthly Statement of Revenue for the General Fund for February 2009.
3. The Auditor's Financial Statement for February 2009.
4. Special/Contact Committee meeting minutes of February 23, 2009.
5. New Philadelphia Police Monthly Activity Report for February 2009.
6. Airport Commission meeting minutes of February 10, 2009.
7. Planning Commission meeting minutes of February 10, 2009.
8. A notice from the Ohio Division of Liquor Control requesting a C1 and C2 permit to Frank W. Pietros II, dba Wine & Cheese Deli, 420 Tuscarawas Ave. NW, New Philadelphia, OH 44663, and asking that objections be made no later than 3/30/09.

ADMINISTRATIVE REPORTS:

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

Reported that the Labor/Management Steering Committee met last week for the first time since 2007, and will continue to meet monthly. Reported that the City has been reimbursed 75% of expenses incurred from the September 2008 wind storm. A check for \$91,865.00 was received from FEMA. Reported that he attended the open house of the new Mercy Medical Facility on West High Avenue. Reported that, in April, representatives will be going to Columbus to meet with the new director of ODOT to express the city's desire to make available for development the vacant ODOT site on West High Avenue. Reported that the city of Dennison is interested in purchasing the city's 1989 street sweeper. A resolution of approval is needed, and the Mayor asked that Mr. Day assign it to committee. Reported that he was presented an American Flag by Daniel Adams, a city resident who works for a private company on a U.S. Military base in Iraq. The flag was on a mission with the 3<sup>rd</sup> Division on

January 22, 2009. The flag will be flown in front of the Municipal Building. Mr. Lautenschleger asked if the city plans to apply for any federal government stimulus funds. Mayor Taylor said several applications have been submitted for consideration. Mayor Taylor relinquished the floor to General Services Superintendent Fred Neff, who informed Council of the city's move of recycling materials from J & J Refuse to Gayles Recycling in Dover for cost saving purposes.

SERVICE DIRECTOR . . . . . MR. JIM ZUCAL

Reported that the Building Review Team has met several times concerning a dilapidated garage on 5<sup>th</sup> St. SW, and the garage will be torn down by a local contractor. Reported that Water Superintendent Kelly Ricklic has met recently with a company that deals with water distribution to detect leaks, and they hope to check the 100 miles of the city's water lines. Commended the Street Department for their patching of potholes, and the Sewer Department has been working on catch basins and making a list of needed repairs.

SAFETY DIRECTOR.....MR. GREG POPHAM

Informed Council that he invited Fire Chief Jim Parrish tonight to address any concerns regarding the monthly Fire Department Report, and will invite Police Chief Jeff Urban to the March 23 meeting for the same purpose.

AUDITOR. . . . .MS. BETH GUNDY . . . . . ABSENT . . . . . NO REPORT

TREASURER . . . . . MR. DAVE JOHNSON . . . . . NO REPORT

LAW DIRECTOR . . . . . MR. MIKE JOHNSON

Requested that Mr. Day assign to Committee a review of Time Warner Cable information.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Reported that the March 10 has been cancelled due to no submissions. The next scheduled meeting will be April 14, 2009 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS . . . . . MR. JIM ZUCAL

Will meet March 10, 2009 at 5:00 P.M. in Council Chambers. One variance has been requested.

AIRPORT COMMISSION.....MR. JIM LOCKER

Reported that the Commission met February 10. Minutes were provided to each council member.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Reported meeting February 25. Minutes will be provided soon.

HEALTH BOARD.....MS. SANDY COX

Will meet March 18, 2009 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. . . . . MS. SANDY COX

Reported meeting tonight to discuss the transfer of funds to supplement cash for current operations at the cemetery, transfer money to the Sidewalk Improvement Fund, request an advance from the County Auditor on the July 2009 real estate tax settlement, a transfer of interest revenue from the Cemetery Endowment Fund to Cemetery Operation Fund, the sale of a used 1989 street sweeper to the City of Dennison, and to advertise for bids for the pillar replacement project at the Municipal Building. All issues were approved by Committee and legislation will be prepared and before Council for consideration at the next council meeting, with the exception of the request for the advance of the real estate tax settlement from the County Auditor, which the Committee recommended emergency passage tonight. Mr. Day assigned the Time Warner Cable request.

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

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

Will meet March 23 at 6:15 P.M. to discuss the sump hole on Springbrook and GEO thermal.

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

Reported that the committee will meet soon to discuss the results of the Performance Audit.

ZONING & ANNEXATION COMMITTEE . . . . . MS. COLLEEN ESPENSCHIED . . . . . NO REPORT

Will meet March 18 at 6:30 P.M. to discuss the rezoning request on 4<sup>th</sup> St. NW and West High Avenue.

CONTACT & SPECIAL COMMITTEE . . . . . MR. ROBERT CONNER

Mr. Day assigned the liquor license request on Tuscarawas Avenue.

PARKS & CEMETERY COMMITTEE . . . . . MS. WINNIE WALKER

Reported meeting tonight to discuss a resolution to commend Doug Demattio, who recently retired as Cemetery Superintendent. Also discussed was legislation dealing with the Park Board and Park Regulations. Legislation will be prepared and before Council for the March 23 meeting.

VISITOR’S COMMENTS:

Randy Feemster, 552 Fair Ave. NW, New Philadelphia, requested that Council consider a resolution of commitment from Council that any funds received from the economic stimulus package be used for American made products and purposes. Mr. Day assigned this to the Salary Committee.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 2-2009            An ordinance by the Council of the City of New Philadelphia, Ohio to repeal Chapter 153 of the Codified Ordinances and replace the same with a new Chapter 153, and declaring an emergency. (3rd Reading)
  
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Walker. Roll call, 7 yeas, ordinance passed.

- 3-2009 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor of the City to enter into a contract with Electronic Data Payment Systems to offer a five-year tax credit for city income taxes as the result of new jobs created within the City for the calendar years 2009, 2010, 2011, 2012, and 2013, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Locker, seconded by Ms. Espenschied. Roll call, 7 yeas, ordinance passed.
- 4-2009 An ordinance by the Council of the City of New Philadelphia and dedicating to accept the land deeded to the City of New Philadelphia by the Knisely Family Trust and dedicating said property as a public street Reiser Avenue in New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Walker. Roll call, 7 yeas, ordinance passed.
- 5-2009 An ordinance by the Council of the City of New Philadelphia to authorize payment to the various utility providers for the City of New Philadelphia, Ohio for the monthly utility bills in 2009 for the City of New Philadelphia, Ohio which billings are in excess of \$25,000 per year, and declaring an emergency. (2nd Reading)
- 6-2009 An ordinance by the Council of the City of New Philadelphia, Ohio to authorize payment for gasoline purchased throughout the year 2009, and declaring an emergency. (2nd Reading)
- 7-2009 An ordinance by the Council of the City of New Philadelphia to authorize payment for the purchase of salt used at the New Philadelphia Water Plant, and declaring an emergency. (2nd Reading)
- 8-2009 An ordinance by the Council of the City of New Philadelphia directing the Service Director to advertise for bids and to enter into contracts with the lowest and best bidder for the City's requirements of various materials and supplies for 2009, and declaring an emergency. (2<sup>nd</sup> Reading)
- 9-2009 An ordinance to make appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio, during the fiscal year ending December 31, 2009 and declaring an emergency. (2nd Reading)

#### RESOLUTIONS:

- 1-2009 A resolution by the Council of the City of New Philadelphia, Ohio to commend Michael Noretto for his years of service and dedication to the City of New Philadelphia during his 18 years serving on the New Philadelphia Park Board. (3<sup>rd</sup> Reading)
- Motion to vote on passage made by Mr. Lautenschleger, seconded by Ms. Walker. Roll call, 7 yeas, resolution passed.
- 2-2009 A resolution declaring the necessity to request an advance of \$850,000.00 from the County Auditor on the July 2009 Real Estate Tax Settlement, 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 Ms. Espenschied. Roll call, 7 yeas, resolution passed.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 8:19 P.M.

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

APPROVED March 23, 2009

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