

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 24, 2008 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
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER
MS. COLLEEN SMITH
MS. WINNIE WALKER

MS. COX REQUESTED THAT ORDINANCE 46-2008 TO TONIGHT'S AGENDA. MR. CONNER ADDED ORDINANCE 48-2008, AND MR. MAURER ADDED ORDINANCE 47-2008.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA, AS AMENDED. MR. MAURER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 10, 2008 COUNCIL MEETING. MR. CONNER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Statement of Transactions of all city funds for October 2008.
2. The Treasurer's Reconciliation for October 2008.
3. The Treasurer's Summary of Transactions for the General Checking Account for October 2008.
4. Airport Commission meeting minutes of November 11, 2008.
5. The New Philadelphia Police Monthly Activity Report for October 2008.
6. Tuscora Park Board meeting minutes of October 29, 2008.
7. Planning Commission meeting minutes of November 18, 2008.
8. A letter dated November 8, 2008 from the Ohio Department of Commerce, Division of Liquor Control notifying Council that all permits to sell alcoholic beverages will expire on February 1, 2009, and each permit holder must file a renewal application.

ADMINISTRATIVE REPORTS:

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

Reported that the City completed the paperwork for the closing of the lot on Bowers & Kelly. Reported meeting recently with OMEGA, the CIC, Auditor Beth Gundy, Civil Design and our staff to discuss the final close-out procedures for the EDA grant for the Hi Tech Park. Reported that the lease documents for the new street sweeper have been completed and returned to Chase Bank. Reported that the Downtown Lighting Ceremony was held Friday. Reported that most of the city's salt order has been delivered. Mayor Taylor provided to each Council

Member letters of endorsements for the reappointments of Tom Farbizo and Richard Varrati to the Airport Commission. Mr. Conner questioned the contract for the street sweeper, and the appropriation for its funding.

SERVICE DIRECTOR MR. JIM ZUCAL

Reported that the CDBG project on Fair Ave. NW is near completion. Reported that the 8th St. SW waterline project is complete and the 9th St. NW waterline project, and the Water Department storage building is under roof.

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

AUDITOR.MS. BETH GUNDY

Requested that her October reports be approved.

TREASURER MR. DAVE JOHNSON

Requested that his October reports be approved. Reported that the banking bids were put out last week, and Huntington Bank has been retained. He asked to have this put into Committee for passing of legislation. He announced the recent marriage of Ward I Council Member Colleen Smith and Chuck Espenschied. Mr. Conner made a motion to approve the Treasurer's and Auditor's reports. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR MR. MIKE JOHNSON

Reported that he is working with Mayor Taylor to resolve the delinquency in payment of the Airport Restaurant.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MIKE TAYLOR

Will meet December 9, 2008 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. JIM ZUCAL

Will meet December 9, 2008 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION.....MR. JIM LOCKER

Reported meeting November 11. Reported that fuel sales were down, and all rent fees are current.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Reported meeting November 19, 2008. Discussed was the possibility of moving the youth football league from the Waterworks to the South Side Park. There will be no December meeting, and the next meeting is scheduled for January 14, 2009.

HEALTH BOARD.....MS. SANDY COX

Will meet December 17, 2008 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX

Reported meeting tonight to discuss increasing the appropriations, Ordinance 46-2008. Emergency passage of Ordinance 46-2008 is requested tonight. The Committee will meet December 1 to discuss the 2009 temporary appropriations. Mr. Conner assigned a request from Fire Chief Jim Parrish for a new ambulance and the Treasurer’s request for legislation for a bank depository.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE . . . MR. ROB MAURER

Reported meeting tonight to discuss pyrotechnics at Oak Shadows, and Ordinance 47-2008 has been prepared for consideration. The Committee is requesting emergency passage tonight. Also discussed was a contract with Goshen Township Trustees for fire protection.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. DARRIN LAUTENSCHLEGER NO REPORT

ZONING & ANNEXATION COMMITTEE MS. COLLEEN ESPENSCHIED

Reported meeting tonight to review Resolution 32-2008, with passage recommended tonight. Mr. Day assigned the rezoning request at East High Avenue and Front St.

CONTACT & SPECIAL COMMITTEE MR. ROBERT CONNER

Reported meeting tonight to discuss the Public Defender’s Contract. Ordinance 48-2008 has been prepared, and added to tonight’s agenda for 1st reading.

PARKS & CEMETERY COMMITTEE MS. WINNIE WALKER NO REPORT

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

46-2008 An ordinance amending and adjusting the permanent appropriations for the year 2008 and declaring an emergency. (1st Reading)

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

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

47-2008 An ordinance by the Council of the City of New Philadelphia, Ohio to enact Section 1519.06 of the codified ordinances for the City of New Philadelphia to permit certain fireworks use, and declaring an emergency. (1st Reading)

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

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

48-2008 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio to enter into an agreement with the Joint County Public Defender's office for the provision of legal representation for indigents charged with violations of New Philadelphia City ordinances in the Municipal Court where such offenses carry a possible loss of liberty, establishing compensation and terms thereof, and declaring an emergency. (1st Reading)

RESOLUTIONS:

31-2008 A resolution by the Council of the City of New Philadelphia, Ohio to commend William H. Seibold for service and dedication to the City of New Philadelphia during his 34 years with the Waste Water Treatment plant as an employee for the City of New Philadelphia, Ohio. (3rd Reading)

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

32-2008 A resolution by the Council of the City of New Philadelphia, Ohio to enter into an agreement with the Dover Township Trustees to permit real estate taxes pursuant to Ohio Revised Code Section 709.19(C)(1) for the annexation of an adjacent 4.07 acre tract of land located in Dover Township to remain with the Township for real estate taxes for a period of twelve (12) years in the declining percentages as set forth in the attached annexation agreement and authorizing annexation of this tract, and declaring an emergency. (2nd Reading)

35-2008 A resolution by the Council of the City of New Philadelphia, Ohio authorizing the Mayor to enter into an agreement for the administration services for the FY2008 CHIP grant which are funded by the grant and which agreement is entered into with Tuscarawas Metropolitan Housing Authority, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Ms. Espenschied, seconded by Ms. Cox. Roll call, 7 years, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied. Roll call, 7 years, Resolution passed.

36-2008 A resolution by the Council of the City of New Philadelphia, Ohio to confirm the re-appointment of Thomas Farbizo and Richard Varrati to the Airport Commission for a three year term beginning January 1, 2009. (1st Reading)

UNFINISHED OR OLD BUSINESS:

Mr. Locker said he received a letter stating that a grant that the city had hoped to receive for the Beaver Dam Creek will not be coming through, but hopefully in 2009.

Mr. Conner commended on Resolution 36-2008, re-appointments to the Airport Commission. Mr. Conner said the Commission refuses to follow the city ordinances, and therein lies a problem. He said Council has an obligation to enforce the law. He said he is against the re-appointments of Mr. Farbizo and Mr. Varrati because they are blatantly neglecting too follow city ordinances.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 8:14 P.M.

CLERK OF COUNCIL _____ APPROVED December 8, 2008 PRESIDENT OF COUNCIL _____