

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 12, 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.

MR. HOUSTON MADE A MOTION TO RETAIN DIANE ROUDEBUSH AS CLERK OF COUNCIL. MR. LOCKER SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

MR. LOCKER MADE A MOTION TO ELECT MR. HOUSTON AS PRESIDENT PRO TEM. MR. ELLWOOD SECONDED THE MOTION. ROLL CALL, 6 YEAS, MOTION PASSED.

COUNCIL MEMBERS IN ATTENDANCE: MR. BILL ELLWOOD
MR. SAM HITCHCOCK
MR. GEORGE HOUSTON
MR. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

COUNCIL MEMBER SANDY COX WAS ABSENT.

THE MINUTES OF DECEMBER 22, 2003 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Finance Committee meeting minutes of December 22, 2003.
2. The Auditor's Financial Statement for December 2003.
3. The Auditor's Monthly Statement of Revenue for the General Fund for December 2003.
4. New Philadelphia Police Monthly Activity Report for December 2003.
5. Board of Control meeting minutes of December 22, 2003.
6. New Philadelphia City Board of Health meeting minutes of December 10, 2003.
7. Summary of Reports for the New Philadelphia Fire Department for December 2003.
8. The Treasurer's Summary of Transactions for the General Checking Account for December 2003.
9. The Treasurer's Statement of transactions of all city funds for December 2003.
10. The Treasurer's Reconciliation for the period ending December 2003..

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from December 23, 2003 through January 12, 2004. Welcomed all returning and new members of Council. He said 2004 will be an interesting year, and he looks forward to working with everyone.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Distributed copies of the 2003 infrastructure tabulations, which includes streets and alleys, water lines, storm sewer and sanitary sewer. Reported that the one million gallon clear well project was awarded today. Relinquished the floor to Building Inspector Bill Richesson, who reported that he sent a letter to the owner of storage units on 2nd St. N.E. asking them to clean up trash, 141 3rd St. S.E. to repair the sidewalk, 540 Fair Ave. Rear to either repair or tear down a garage, 139 Fair Ave. to clean up their property, and 130 5th Dr. N.W.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITORMS. BETH GUNDY ABSENT

TREASURERMR. MIKE TAYLOR

Requested that his reports, and the Auditor’s reports, be approved. Informed Council that for the first time in two years, both his and the Auditor’s figures were in balance. Reported that he is working on direct deposit of payroll for city employees, and hopes to offer it soon. Reported that he will be scheduling a training session for new council members so they can be informed on the budget process, sources of revenue, purchase order process, income tax split, etc. Mr. Hitchcock asked what process is followed for collection of nsf checks. Mr. Taylor said each department handles them in their individual way. Mr. Houston made a motion to approve the Treasurer’s and Auditor’s Reports. Mr. Hitchcock seconded the motion. Roll call, 6 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Explained Ordinances 1-2004 and 2-2004. Scheduled a Public Hearing on Ordinance 2-2004 for February 23, 2004 at 8:00 P.M.

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that 174 letters were sent to Santa in 2003 and Main Street volunteers responded to all of them. Ms. Wyrie said she is looking for the Mayor to announce the replacement of Mr. Cicconetti on the Board. Reported that the holiday decorations were taken down this past weekend. Reported that Main Street at Midnight was a wonderful promotion for the city and a great success. Reported that she is working continually on the Art on the Square, set for June 11, 12, and 13.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Reported that the next meeting will be January 14, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Reported meeting January 6, 2004. One (1) appeal was granted.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting December 9. Reported that no money has been received for November and December sales at the Airport Restaurant. The next meeting is January 13, 2004.

PARK BOARD NO REPORT

HEALTH BOARD.MS. SANDRA COX

Will meet January 14, 2004 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDRA COX ABSENT

Will meet January 20, 2004 at 1:00 P.M. in the Mayor’s Conference Rom to review appropriations.

SALARY COMMITTEEMR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEEMR. SAM HITCHCOCK NO REPORT

PUBLIC WORKS COMMITTEE.MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON NO REPORT

Mr. Johnson assigned a letter from L.E. Stein requesting a meeting to review ordinances.

CONTACT COMMITTEE.MR. BILL ELLWOOD NO REPORT

The next Bicentennial meeting is scheduled for Thursday January 22, 2004 at 6:30 p.m. at Buckeye Career Center.

SPECIAL COMMITTEEMR. DARRIN LAUTENSCHLEGER NO REPORT

Mr. Johnson assigned a request from Main Street to expand Art on the Square.

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 1-2004 An ordinance by the Council of the City of New Philadelphia accepting the plat for Lawver Haas Subdivision, and declaring an emergency. (1st Reading)
- 2-2004 An ordinance by authorize the City of New Philadelphia, Ohio, to enter into an Ohio Enterprise Zone Agreement with Stone Container Corporation, an Ohio corporation to grant a tax exemption of one hundred percent (100%) for eight (8) years pursuant to Section 5709.62, 5709.63 or 5709.632 for eligible new tangible personal property acquired in conjunction with their project for a period of eight (8) years, and declaring an emergency. (1st Reading)

RESOLUTIONS: NONE

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson scheduled a meeting of the whole council immediately following the next regular Council meeting on January 26, 2004 to address the following: (1) the question of whether or not year end reports are needed from Boards/Commissions, (2) Committee focuses, and (3) Council rules and procedures.:

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:03 P.M.

CLERK OF COUNCIL _____

APPROVED January 26, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 26, 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF JANUARY 12, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Annexation & Zoning Committee meeting of January 15, 2004.
2. Tuscora Park Board meeting minutes of January 21, 2004.
3. Finance Committee meeting minutes of January 20, 2004.
4. Planning Commission meeting minutes of January 14, 2004.
5. A letter dated January 6, 2004 from Adelphia Cable notifying Council that certain cable tv rates are being increased, effective February 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from January 13 through January 26, 2004. Reported that he attended the January 15 meeting of the Zoning & Annexation Committee concerning tax abatement for Smurfit Stone. Ordinance 2-2004, granting the abatement, is before Council for consideration tonight, and Mayor Brodzinski requested its passage. Mayor Brodzinski gave the first half of his State of the City Address for 2003.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that he attended a 2-day workshop in Columbus concerning security risk assessments for water utilities in regards to bioterrorism preparedness. Informed Council that Building Inspector Bill Richesson is absent recovering from a heart problem, and hopes to return to work sometime in February.

SAFETY DIRECTORMR. GREG POPHAM ABSENT

Mayor Brodzinski reported that Police Captain Rich Calderon is going back to the position of patrol officer; therefore, the captain's position will need to be filled.

AUDITOR MS. BETH GUNDY

Requested passage tonight of Ordinances 4-2004, 5-2004, 6-2004, and Resolutions 1-2004 and 2-2004.

TREASURER MR. MIKE TAYLOR NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON

Agreed with Auditor Beth Gundy in requesting emergency passage tonight of Resolutions 1-2004 and 2-2004. Explained Resolution 3-2004 and recommended its passage. Recommended that Ordinance 2-2004, tax abatement for Smurfit Stone, be passed, and said the Public Hearing scheduled for February 23 has been cancelled, since both Buckeye Career Center and New Philadelphia Schools have already approved the tax abatement. Explained Ordinance 3-2004 and requested that it be assigned to Committee.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Reported that the next meeting will be February 11, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet February 3, 2004 at 5:00 p.m. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER NO REPORT

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting January 21. Expansion of the Park Place Teen Center was approved. The next meeting will be February 18, 2004 at 7:00 p.m.

HEALTH BOARD. MS. SANDRA COX

Reported that Dr. Terry Stocker has donated some medical equipment to the Health Department. Resolution 4-2004, to commend Dr. Stocker, has been prepared and is before Council. Will meet February 11, 2004 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX ABSENT

Reported meeting January 20, 2004 to review increase in appropriations, which was approved. Also discussed and approved were resolutions requesting an advance of the estate tax settlement and real estate tax settlement, establishment of a Public Health Fund for the Health Department, and redistribution of the Income Tax. Ms. Cox introduced the idea of creating a web site or using a commercial site to sell certain items that are no longer needed. Ms. Cox also asked if any revenue has been collected from the wireless communications and telecommunications systems. Service Director Gary Espenschied will look into this.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Will meet February 9 at 5:30 p.m. to discuss a fire inspector and mutual aid agreement. Mr. Johnson assigned the Public Defender's Contract for review.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEE MR.GEORGE HOUSTON

Reported meeting January 15 to discuss Ordinance 1-2004, the Lawver Haas Subdivision, which was approved by Committee, and Ordinance 2-2004, the tax abatement for Smurfit Stone Corp. Both New Philadelphia School Superintendent Richard Varrati and Buckeye Career Center Superintendent Eugene Fries stated they had no objections, as did the County Commissioners. The Committee recommends emergency passage tonight of Ordinance 2-2004.

CONTACT COMMITTEE.MR. BILL ELLWOOD NO REPORT

Mr. Johnson assigned a request for a liquor permit to Scheetz at 1281 West High Avenue.

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Will meet February 9 to discuss a request from Main Street to expand Art on the Square. Mr. Johnson assigned the rate adjustment from Adelphia.

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 1-2004 An ordinance by the Council of the City of New Philadelphia accepting the plat for Lawver Haas Subdivision, and declaring an emergency. (2nd Reading)
 - Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 7 years, rules suspended.
 - Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 years, ordinance passed.

- 2-2004 An ordinance by authorize the City of New Philadelphia, Ohio, to enter into an Ohio Enterprise Zone Agreement with Stone Container Corporation, an Ohio corporation to grant a tax exemption of one hundred percent (100%) for eight (8) years pursuant to Section 5709.62, 5709.63 or 5709.632 for eligible new tangible personal property acquired in conjunction with their project for a period of eight (8) years, and declaring an emergency. (2nd Reading)
 - Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 years, rules suspended.
 - Motion to vote on passage made by Mr. Houston, seconded by Mr. Hitchcock. Roll call, 7 years, ordinance passed.

- 3-2004 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio, to enter 9into 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)

Mr. Hitchcock added this issue to the agenda for his meeting on February 9 at 5:30 p.m.

4-2004 An ordinance amending and adjusting the temporary appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

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

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

5-2004 An ordinance to allocate funds collected under Ordinance 51-2003, Income Tax Ordinance, and declaring an emergency. (1st Reading)

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

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

6-2004 An ordinance authorizing the City of New Philadelphia Auditor to establish the Public health Fund (#251) to receive patient and other fees and license and permits issued by the New Philadelphia Health Department, and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

1-2004 A resolution declaring the necessity to request an advance of \$50,000.00 from the County Auditor on the February 2004 Estate Tax Settlement, and declaring an emergency. (1st Reading)

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

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

2-2004 A resolution declaring the necessity to request an advance of \$850,000.00 from the County Auditor on the February 2004 Real Estate Tax Settlement, and declaring an emergency. (1st Reading)

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

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

3-2004 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 Allen and Jane Gasser annexation, and declaring an emergency. (1st Reading)

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

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

4-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Terry Stocker, M.D. for his generosity in donating certain medical equipment to the New Philadelphia City Health Department, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson cancelled the meeting of the whole council tonight because of inclement weather. Mr. Johnson reminded everyone of the Bicentennial Dinner Dance on February 7, 2004 at the R & S Party Center.

Mr. Lautenschleger commended the Service Department for the fine job they've done in keeping the city's streets clear of snow and ice during the recent storms, and asked what is the status of the city's salt supply. Service Director Gary Espenschied said plenty of salt has been ordered.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:19 P.M.

CLERK OF COUNCIL _____

APPROVED February 9, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 9, 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF JANUARY 26, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. New Philadelphia City Board of Health Meeting minutes of January 14, 2004.
2. The Treasurer's Reconciliation for January 2004.
3. The Treasurer's Summary of Transactions for the General Checking Account for January 2004.
4. The Treasurer's Statement of Transactions of all City Funds for January 2004.
5. Board of Control meeting minutes of January 12, 2004.
6. Airport Commission meeting minutes of January 13, 2004.
7. Mayor's Monthly Statement to Council for January 2004.
8. New Philadelphia Police Monthly Activity Report for January 2004.
9. The Auditor's Financial Statement for January 2004.
10. The Auditor's Monthly Statement of Revenue for the General Fund for January 2004.
11. Salary Committee meeting minutes of February 3, 2004.
12. New Philadelphia Fire Department Summary of Reports for January 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from January 27 through February 9, 2004. Reported that he met January 30 with Pipes Insurance, the City's Aultcare representative, and informed Council that the city's insurance is increasing \$92,000 per year. Reported that on February 2 he spoke with a Russian group of chefs who in the area to share their cooking skills. Reported that bids were opened on February 4 for three new police cruisers. Congratulated Treasurer Mike Taylor for the training session held on February 5. Commended Leslie & Ron Wilson for their dedication to Main Street New Philadelphia. Commended the Bicentennial Dance Committee for the fine event held on February 7. Mayor Brodzinski gave the second half of his State of the City Address for 2003.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that 171 overtime hours were spent in the Street Department, and 210 tons of salt have been used during the recent ice and snow storms. Reported that they are trying to keep potholes repaired, using 18 tons of cold mix, Reported that there have been four water leaks recently, and 128 hours of overtime have been worked in the Water Department. Commended all General Services workers for their help over the past few weeks. Reported that Building Inspector Bill Richesson is due back soon.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITORMS. BETH GUNDY

Requested approval tonight of her monthly reports. Ms. Gundy said she will be asking for a Finance Committee meeting to take care of some bookkeeping items in her office.

TREASURERMR. MIKE TAYLOR

Requested approval of his reports tonight. Reported that payroll direct deposit will be offered soon. Reported that a preliminary meeting was held today with the state auditors, and the 2003 audit will begin soon. Reported that the training session for newly elected officials went well, and thanked everyone who took part. Commended the Bicentennial Dance Committee and said it was a well planned function.

LAW DIRECTORMR. MIKE JOHNSON NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Reported that the meeting scheduled for February 11, 2004 has been cancelled because of no business.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Reported meeting February 3. Two variances were approved.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting January 13, 2004. The next meeting will be February 10, 2004.

PARK BOARDMR. DARRIN LAUTENSCHLEGER

Will meet February 18, 2004 at 7:30 p.m. in the Park office.

HEALTH BOARD.MS. SANDRA COX

Will meet February 11, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Made a motion to accept the Treasurer’s and Auditor’s Reports. Mr. Houston seconded the motion. Roll call, 7 yeas, motion passed. Mr. Johnson assigned the requests from the Auditor.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting February 3 to discuss the sick leave policy. Another meeting has been scheduled for February 23, 2004.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to discuss the Public Defender’s Contract, a Mutual Aid Agreement for the Fire Department, and the creation of a fire inspector position in the Fire Department. The Committee approved the Public Defender’s Contract. Law Director Mike Johnson informed the Committee that Ohio Revised Code allows for mutual aid to be rendered without a contract, so Fire Chief Jamie Snyder withdrew his request. The Fire Inspector position was addressed, and even though the position is needed, the money will not be available in the budget for this year.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

Mr. Johnson assigned a petition from residents of Rankin Court SW asking that their street be repaired.

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON

Informed Council that the Avon addition has begun, and will allow for 29 new homes.

CONTACT COMMITTEE. MR. BILL ELLWOOD

Reported meeting tonight to discuss the liquor permit request for Sheetz. The Committee approved the request.

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to discuss a request by Main Street to expand the Art On The Square event to be held in June. Several concerns were addressed, and the issue was tabled until an alternative plan can be provided.

VISITOR’S COMMENTS:

John Storrie, asked for a resolution to the problem of the sump hole on Springbrook Dr. SW. He said this has been an ongoing problem for over 20 years, and it is time to take care of it.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked where do the franchise fees from cable tv go. Mayor Brodzinski said they go to pay for long-term debt. She asked that anything that has to do with the airport be made public.

Council member Sam Hitchcock said he receives numerous complaints concerning the lack of storm sewers on the southside. Mayor Brodzinski said the cost of alleviating the problem would be approximately \$4 million.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

3-2004 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio, to enter into an agreement with the Tuscarawas 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. (2nd Reading)

RESOLUTIONS:

4-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Terry Stocker, M.D. for his generosity in donating certain medical equipment to the New Philadelphia City Health Department, and declaring an emergency. (2nd Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Ms. Cox made a motion that a letter approving the Sheetz liquor permit be prepared and sent. Mr. Houston seconded the motion. Roll call, 7 yeas, motion passed.

Mr. Johnson said the Bicentennial Dinner Dance was very successful.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MOTION PASSED. MEETING ADJOURNED AT 8:11 P.M.

CLERK OF COUNCIL _____

APPROVED February 23, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 23, 2004 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL PRO TEM GEORGE HOUSTON PRESIDING. MR. HOUSTON 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF FEBRUARY 9, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The 2003 Annual Report of the New Philadelphia City Health District.
2. Contact Committee meeting minutes of February 9, 2004.
3. Special Committee meeting minutes of February 9, 2004.
4. Safety, Health, and Service Committee meeting minutes of February 9, 2004.
5. Minutes of the Municipal Treasury Investment Board.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from February 10 through February 23, 2004. Reported that he met February 10 with representatives of Smith Dairy, who are building a distribution warehouse on Cookson Avenue. Approximately 15 people will be employed there. Reported meeting February 12 with Goshen Township Trustees to discuss fire protection. Ordinance 7-2004 is before council tonight for approval. Mr. Houston wished Mayor Brodzinski a "Happy Birthday".

SERVICE DIRECTOR MR. GARY ESPENSCHIED

Reported that all residential allotments within the city are going well. Wished a "Happy Birthday" to Mayor Brodzinski, and welcomed back Building Inspector Bill Richesson. Relinquished the floor to Mr. Richesson, who reported that, in his absence, Assistant Service Director Jim Zucal had garages at 915 West High Avenue and 515 Fair Ave. torn down.

SAFETY DIRECTOR MR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Informed Council that the State Auditors are here for the 2003 audit. Reported that approval has been received for the Public Health Fund. Requested emergency passage tonight of Ordinance 8-2004.

TREASURER MR. MIKE TAYLOR NO REPORT

LAW DIRECTORMR. MIKE JOHNSON NO REPORT

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that she is working to have the John Knisely Municipal Centre nominated for a 2004 Downtown Ohio and Heritage Ohio “Best Improvement in the Central Business District.” Reported that plans are continuing for “Art On The Square” in June.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet March 10, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet March 2, 2004 at 5:00 p.m. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting February 10, 2004. Reported that Alan Welch was re-appointed to the Commission.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting February 18, 2004. Reported that a “Friends of the Park” program will be implemented, which will include those individuals who donate time, services, and monetary gifts to the park. Reported that a new barn will be built behind the Ferris wheel to store materials. Reported that construction for a new press box on the “home” side of the stadium was approved, and a new scoreboard will be in place also. The next meeting will be March 31, 2004 at 7:30 p.m. in the park office.

HEALTH BOARD.MS. SANDRA COX

Will meet March 10, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting tonight to discuss Ordinance 8-2004, amending the temporary appropriations, and Resolution 5-2004. The Committee recommends passage tonight of Ordinance 8-2004, but requested that Resolution 5-2004 go for three readings.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting tonight to continue discussion on the sick leave policy. The Committee voted to table the issue until more information is available.

SAFETY, HEALTH, AND SERVICE COMMITTEEMR. SAM HITCHCOCK NO REPORT

PUBLIC WORKS COMMITTEE.MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEEMR. GEORGE HOUSTON NO REPORT

CONTACT COMMITTEE.MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to continue discussion on a request by Main Street to expand the Art On The Square event to be held in June. Revised plans for the expansion of the festival were presented by Main Street representatives, and the Committee accepted the plans. A resolution will be introduced for council's approval.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if a resolution recognizing the Diamond Shop owners for their service since they recently closed. She said there is a tree in Fair Avenue Cemetery and a branch on a tree on 3rd St. N.E. that need to be cut down. She asked if there could be a sign that informs residents that there is a City Health Department. She asked the status of the Records Commission and the cable rate increase. Mayor Brodzinski said he presented a proclamation to the Diamond Shop on their last day of business. He said there are directional signs coming which shows where all the city departments are located. The Records Commission will be meeting in the next couple of weeks. Mr. Lautenschleger said, in regards to the cable rate increase, he is in contact with Adelphia to schedule a meeting. Service Director Gary Espenschied will have the tree and branch problem taken care of.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

3-2004 An ordinance authorizing the Mayor of the City of New Philadelphia, Ohio, to enter into an agreement with the Tuscarawas 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. (3rd Reading)

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

7-2004 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor to enter into a contract with Goshen Township to provide fire protection services for the calendar year 2004 in the amount of \$55,000.00, and declaring an emergency. (1st Reading)

8-2004 An ordinance amending and adjusting the temporary appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

4-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Terry Stocker, M.D. for his generosity in donating certain medical equipment to the New Philadelphia City Health Department, and declaring an emergency. (3rd Reading)

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

5-2004 A resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the Cable Franchise Fees (260) to the Bond Retirement Fund (360) to supplement cash needed to pay current debt, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 7:59 P.M.

CLERK OF COUNCIL _____

APPROVED March 8, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 8, 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

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

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Statement of Transactions of all city funds for February 2004.
2. The Treasurer's Summary of Transactions for the General Checking Account for February 2004.
3. The Treasurer's Reconciliation for the period ending February 2004.
4. Special Committee meeting minutes of February 23, 2004.
5. The New Philadelphia Police Monthly Activity Report for February 2004.
6. The Auditor's Financial Statement for February 2004.
7. The Auditor's Monthly Statement of Revenue for the General Fund for February 2004.
8. Finance Committee meeting minutes of February 23, 2004.
9. Salary Committee meeting minutes of February 23, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from February 24 through March 8, 2004. Reported that he has meeting with each department concerning the 2004 budget. Reported meeting March 1 with Service Director Gary Espenschied and General Services Superintendent Fred Neff to discuss changes to the recycling route. Reported meeting today at the Employment Source at Monroe Mall. Reported that he attended an Economic Development Summit in Cambridge regarding programs.

SERVICE DIRECTORMR. GARY ESPENSCHIED ABSENT

In the absence of Mr. Espenschied, Mayor Brodzinski reported that construction is to begin soon on the new 1 million gallon clearwell. Reported that the department has been busy with permits since the new housing developments are progressing. Relinquished the floor to Building Inspector Bill Richesson, who reported that he inspected the property at 481 1st Dr. N.E., he is checking a sewer complaint at 236 3rd St. S.W., and he is working on changes to the housing code.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Requested approval of her February reports.

TREASURER MR. MIKE TAYLOR

Requested approval of his February reports. Informed Council that approximately 50 people have signed up for payroll direct deposit. Informed Council that he would not be in attendance at the March 22, 2004 council meeting. Mr. Locker made a motion to accept the Auditor's and the Treasurer's February reports. Mr. Hitchcock seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Reported that he is awaiting additional information concerning sick leave banks. Informed Council that the city has been sued in Federal District Court. Rodney Class is suing Chief of Police Jeff Urban and City Prosecutor Jim Range for violations in a traffic case.

PRESIDENT DAVE JOHNSON WELCOMED DAVID RENNER OF BOY SCOUT TROUP 181 WHO WAS IN ATTENDANCE FOR HIS MERIT BADGE.

MR. JOHNSON READ THE LIST OF TOP 10 PROJECTS THAT COUNCIL WOULD LIKE TO SEE ACCOMPLISHED IN 2004.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet March 10, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED ABSENT NO REPORT

AIRPORT COMMISSIONMR. JIM LOCKER

Will meet March 9, 2004 AT 6:00 p.m. at the airport.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Will meet March 31, 2004 at 7:30 p.m. in the park office.

HEALTH BOARD.MS. SANDRA COX

Will meet March 10, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Will meet Tuesday March 16 and Wednesday March 17 for the 2004 Budget Hearings.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

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

Mr. Johnson assigned a letter from the Police Chief concerning overweight trucks in the city.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEE MR. GEORGE HOUSTON NO REPORT

Mr. Johnson assigned a letter from the Law Director concerning land canal rights.

CONTACT COMMITTEE. MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Will meet March 22 at 6:45 P.M. concerning the Adelphia rate increase.

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

7-2004 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor to enter into a contract with Goshen Township to provide fire protection services for the calendar year 2004 in the amount of \$55,000.00, and declaring an emergency. (2nd Reading)

RESOLUTIONS:

5-2004 A resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the Cable Franchise Fees (260) to the Bond Retirement Fund (360) to supplement cash needed to pay current debt, and declaring an emergency. (2nd Reading)

6-2004 A resolution by the Council of the City of New Philadelphia, Ohio, to add an additional depository institution for the period ending January 1, 2004 through December 31, 2006 and to set the maximum amount allowable for such deposits, and declaring an emergency. (1st Reading)

Mr. Johnson assigned this to the Finance Committee.

7-2004 A resolution by the Council of the City of New Philadelphia, Ohio to permit the closing of East High Avenue from Public Square to First Drive NE, SE during the Art On The Square Program sponsored by Main Street which shall occur June 11, 12, and 13, 2004, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson informed Council that there will be meeting of the whole Council immediately following the next meeting on March 22, 2004 to gather input concerning committee re-structuring.

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 7:48 P.M.

CLERK OF COUNCIL _____

APPROVED March 22, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 22, 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF MARCH 8, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Mayor's Monthly Statement to Council for February 2004.
2. Finance Committee meeting minutes of March 16 and March 17, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from March 9 through March 22, 2004. Reported that he has been looking at new copy machines for the Mayor's office. Congratulated the Vaughn Brothers for being recognized at the recent St. Patrick's Day Parade and Celebration. Reported that on March 19, the positions of Building Inspector and Assistant General Services Superintendent were eliminated, and two part-time clerk positions were consolidated, due to cuts in the budget.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that potholes are being repaired. Grinding and paving will begin later in the year, and a list is being prepared for those areas in need. Reported that bids for materials will be open March 25.

SAFETY DIRECTORMR. GREG POPHAM ABSENT

Mayor Brodzinski reported that Police Officer Rick McCoy is retiring effective April 26, and the captain's test has been given.

AUDITOR MS. BETH GUNDY

Requested emergency passage tonight of Ordinance 10-2004.

TREASURER MR. MIKE TAYLOR ABSENT

LAW DIRECTORMR. MIKE JOHNSON

Reported that the Gasser annexation is before the Zoning & Annexation for review, as is the Oak Shadows 2nd plat. Informed Council that a lawsuit filed against several city officials was thrown out. Informed Council that, effective April 12, the State of Ohio has a new concealed carry law concerning weapons. He advised that the City should pass an ordinance disallowing weapons on city owned property.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet April 14, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet April 6, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER NO REPORT

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Will meet March 31, 2004 at 7:30 p.m. in the park office.

HEALTH BOARD. MS. SANDRA COX

Will meet April 14, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Thanked the Finance Committee members, administration, and all department heads for their cooperation in preparing the 2004 Budget. Requested passage of Ordinance 10-2004 and Resolution 6-2004.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Will meet April 12 at 6:45 P.M. to discuss overloaded trucks, the annual Ambulance Committee review, and review of the fire inspector position. Mr. Johnson assigned the Law Director's request for a concealed weapon ordinance.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEE MR. GEORGE HOUSTON

Scheduled a meeting for Monday, March 29 to discuss a request for change of zoning on West High Avenue from Five Points to the railroad tracks, change of property ownership of canal land on the south side, the Gasser annexation, alley vacation at 5th St. N.W., modular and double-wide homes within the city, and the Oak Shadows Plat.

CONTACT COMMITTEE. MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to discuss the recent rate structure for Adelphia Cable. Adelphia Communications General Manager Rick Whaley was in attendance and informed Council that it is almost an annual event that cable rates will be increased, due to those imposed by cable networks.

MR. JOHNSON REVIEWED THE INPUT FROM COUNCIL MEMBERS CONCERNING BOARD/COMMISSION REPORTS AND COMMITTEE FOCUS.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, read from a newspaper article in which the "Welcome To Our City" sign was highlighted.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 7-2004 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor to enter into a contract with Goshen Township to provide fire protection services for the calendar year 2004 in the amount of \$55,000.00, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Houston. Roll call, 7 years, ordinance passed.
- 9-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to accept the application by Allen L. and Jane E. Gasser for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same, and declaring an emergency. (1st Reading)
- 10-2004 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, 2004 and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 years, ordinance passed.
- 11-2004 An ordinance by the Council of the City of New Philadelphia, accepting the Oak Shadows Phase II Plat, and declaring an emergency. (1st Reading)

RESOLUTIONS:

- 5-2004 A resolution by the Council of the City of New Philadelphia, Ohio to transfer funds from the Cable Franchise Fees (260) to the Bond Retirement Fund (360) to supplement cash needed to pay current debt, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 years, resolution passed.
- 6-2004 A resolution by the Council of the City of New Philadelphia, Ohio, to add an additional depository institution for the period ending January 1, 2004 through December 31, 2006 and to set the maximum amount allowable for such deposits, and declaring an emergency. (2nd 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. Ellwood. Roll call, 7 yeas, resolution passed.

7-2004 A resolution by the Council of the City of New Philadelphia, Ohio to permit the closing of East High Avenue from Public Square to First Drive NE, SE during the Art On The Square Program sponsored by Main Street which shall occur June 11, 12, and 13, 2004, and declaring an emergency. (2nd Reading)

8-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the Service Director to charge a per day storage fee of \$12.00 per day for any impounded vehicles stored at the New Philadelphia City Garage which vehicles have been towed and impounded pursuant to any law enforcement order, and declaring an emergency. (1st Reading)

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

9-2004 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the New Philadelphia Health Department policy delegating authority to quarantine and isolate pursuant to Ohio House Bill No. 6 that has been passed into law, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 8:03 P.M.

CLERK OF COUNCIL _____

APPROVED April 12, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 12, 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

THE MINUTES OF MARCH 22, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Board of Control meeting minutes of April 2, 2004.
2. Airport Commission meeting minutes of March 9, 2004.
3. The February 2004 Summary of Reports for the New Philadelphia Fire Department.
4. Special Committee meeting minutes of March 22, 2004.
5. New Philadelphia Fire Department Fire Chief's Report on the State of the Fire Department.
6. New Philadelphia Municipal Court 2003 Annual Report.
7. The Treasurer's Reconciliation for March 2004.
8. The Treasurer's Statement of Transactions for all city funds for March 2004.
9. The Treasurer's Summary of Transactions for the General Checking Account for March 2004.
10. Planning Commission meeting minutes of March 10, 2004.
11. The New Philadelphia Police Monthly Activity Report for March 2004.
12. Zoning & Annexation Committee meeting minutes of March 28, 2004.
13. Mayor's Monthly Statement to Council for March 2004.
14. The Auditor's Monthly Statement of revenue for the General Fund for March 2004.
15. The Auditor's Financial Statement for march 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI ABSENT NO REPORT

Submitted a written report of the activities of his office from March 23 through April 12, 2004.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that bids were opened and awarded for various materials for the year 2004.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

Mr. Johnson said he has received some complaints about the difficulty in determining the traffic lanes on the South Broadway Bridge, and he asked if reflective tape or paint could be used to help alleviate the problem. Mr. Popham will check into this.

AUDITORMS. BETH GUNDY

Requested approval tonight of her monthly reports and requested that Resolutions 12-2004 and 13-2004 be assigned to Committee for review. Informed Council that the Fire Department received a \$100 donation from the family of a drowning victim to be used for diving equipment.

TREASURERMR. MIKE TAYLOR

Requested that his March reports also be approved, along with the Auditor's. Informed Council that direct deposit of payroll for employees began April 2, and everything went well. 108 employees participated in the program. Ms. Cox made a motion to accept the Treasurer's and Auditor's March reports. Mr. Ellwood seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Suggested that Ordinance 16-2004 be sent back to the Zoning & Annexation Committee, and that Mr. Houston also look at Ordinance 17-2004 and Ordinance 18-2004. Recommended emergency passage tonight of Ordinance 19-2004, vacating an unnamed alley at the VFW at 5th St. N.W.

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that a Volunteer Recognition Dinner will be held April 22, and Council will be invited to attend. Reported that a fundraiser, Longaberger Basket Bingo, will be held May 2 at the R & S Party Center. Reported that spring banners and the planters on the square are in place. Reported that plans for Art On The Square are proceeding, and the TGIF concert series will begin soon.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI ABSENT

Mr. Espenschied reported there the April meeting has been cancelled because there was no business to come before the Commission.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Reported meeting April 6. One variance was presented and granted.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting March 9. President of Council Dave Johnson announced the appointment of Sam Hitchcock to the Commission to fill Joel Day's vacancy.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting March 31. Informed Council that traveling youth ball teams will be playing on Sundays at the Waterworks. Reported that improvements have been made to the skate park, all funded by private donations. The concealed weapons law was discussed. The next meeting will be April 21, 2004 at 7:30 p.m. at the Park office.

HEALTH BOARD. MS. SANDRA COX

Will meet April 14, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX NO REPORT

Mr. Johnson assigned Resolution 13-2004.

SALARY COMMITTEE MR. JIM LOCKER

Will meet Thursday April 15, 2004 at 6:00 p.m. to discuss the sick leave policy. Mr. Johnson assigned Ordinance 15-2004.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to discuss overloaded trucks, the annual Ambulance Committee review, and review of the fire inspector position. It was reported that no ambulance fee increases are needed at this time. Safety Director Greg Popham reminded everyone of the need for a Fire Inspector, but the funding is not available in the budget at this time. The Committee will look at this again later in the year. Police Chief Jeff Urban said an ordinance is needed to address overloaded trucks within the city, and suggests that fines be increased. The concealed weapons law was addressed, and two ordinances are being prepared by the Law Director for council’s consideration. Storage/impounded fees were discussed, and it was agreed that charges are necessary. Mr. Johnson assigned a request by the Safety Director for an additional canine officer.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON

Reported meeting March 29 to discuss the request to rezone West High Avenue from the Five Points Intersection to the railroad tracks. More information was needed, so the issue was tabled. Also discussed was the re-conveyance of canal land on the south side, Ordinance 14-2004. The Gasser annexation, Ordinance 9-2004, was addressed and approved. The alley vacation at the VFW on 5th St. N.W. was addressed and Ordinance 19-2004 was prepared and is before Council tonight for consideration. Laws governing modular homes was addressed, and no changes will be made at this time. The Oak Shadows Phase II Plat was discussed and approved. Will meet April 15 immediately following the Salary Committee to continue discussion on the rezoning request on West High Avenue. Mr. Johnson assigned Ordinances 16-2004, 17-2004, and 18-2004. Mr. Johnson commended Mr. Houston for considering the West High rezoning before approving it because these things should be reviewed extensively before being approved.

CONTACT COMMITTEE. MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

Mr. Johnson assigned a request by Mayor Brodzinski for sponsorships of flags in the downtown area.

VISITOR'S COMMENTS:

Pauline Wyrle, 337 Donahey Dr. New Philadelphia, commended Mr. Hitchcock's Committee for making changes and bringing money into the city for overweight trucks. She asked how trucks are weighed to know if they are overweight. Mr. Lautenschleger said that a police officer is trained in looking at the trucks to determine if they might be in violation.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

9-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to accept the application by Allen L. and Jane E. Gasser for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same, and declaring an emergency. (2nd Reading)

11-2004 An ordinance by the Council of the City of New Philadelphia, accepting the Oak Shadows Phase II Plat, and declaring an emergency. (2nd Reading)

12-2004 An ordinance by the Council of the City of New Philadelphia authorizing the Mayor to submit an application for a FY 2004 Chip Grant and to enter into an agreement with the successful proposer to prepare such application and to administer and implement the CHIP should the city receive the grant, and declaring an emergency. (1st 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 Ms. Cox, seconded by Mr. Houston. Roll call, 7 yeas, ordinance passed.

13-2004 An ordinance by the Council of the City of New Philadelphia to authorize the New Philadelphia Police Department to hold their annual police auction on May 28, 2004 at 5:00 p.m., and declaring an emergency. (1st 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. Houston. Roll call, 7 yeas, ordinance passed.

14-2004 An ordinance by the Council of the City of New Philadelphia to authorize the re-conveyance of a 4.259 acre tract which is part of the Ohio and Erie Canal lands within the City of New Philadelphia, and declaring an emergency. (1st Reading)

15-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Section 1335.08 to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 1335.08 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (1st Reading)

- 16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (1st Reading)
- 17-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to define certain business district property as Business Type B Zone, and declaring an emergency. (1st Reading)
- 18-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1161.031 of the Codified Ordinances of the City of New Philadelphia requiring minimum frontage on a residential lot, and declaring an emergency. (1st Reading)
- 19-2004 An ordinance by the Council of the City of New Philadelphia to vacate an unnamed alley parallel to Park Avenue NW, New Philadelphia, Ohio and perpendicular to Fifth Street NW, New Philadelphia, Ohio and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Houston. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Mr. Houston, seconded by Ms. Cox. Roll call, 7 years, ordinance passed.

RESOLUTIONS:

- 7-2004 A resolution by the Council of the City of New Philadelphia, Ohio to permit the closing of East High Avenue from Public Square to First Drive NE, SE during the Art On The Square Program sponsored by Main Street which shall occur June 11, 12, and 13, 2004, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Hitchcock. Roll call, 7 years, resolution passed.
- 8-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the Service Director to charge a per day storage fee of \$12.00 per day for any impounded vehicles stored at the New Philadelphia City Garage which vehicles have been towed and impounded pursuant to any law enforcement order, and declaring an emergency. (2nd Reading)
- Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Houston. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 7 years, resolution passed.
- 9-2004 A resolution by the Council of the City of New Philadelphia, Ohio to adopt the New Philadelphia Health Department policy delegating authority to quarantine and isolate pursuant to Ohio House Bill No. 6 that has been passed into law, and declaring an emergency. (2nd Reading)

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

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

10-2004 A resolution by the Council of the City of New Philadelphia, Ohio to enter into a mutual consent agreement with the Goshen Township to permit division of real estate taxes based on the standard compensation pursuant to Ohio Revised Code Section 709.19 for the Barnett and Ryans annexation, and declaring an emergency. (1st Reading)

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

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

11-2004 A resolution by the Council of the City of New Philadelphia, Ohio to enter into a lease agreement for installation of Yagi antenna with the City of Dover, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Locker. Roll call, 7 years, rules suspended.

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

12-2004 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. (1st Reading)

Motion to suspend the rules made by Mr. Ellwood, seconded by Mr. Houston. Roll call, 7 years, rules suspended.

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

13-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the New Philadelphia City Auditor to issue blanket fiscal officer certificates, and declaring an emergency. (1st Reading)

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

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Council President Dave Johnson recognized *Times Reporter* Correspondent Ben Duerr who is attending his last council meeting before taking a similar position with *The Canton Repository*.

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 8:39 P.M.

CLERK OF COUNCIL _____

APPROVED April 26, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 26, 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. MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER

COUNCIL MEMBERS GEORGE HOUSTON AND ROB MAURER WERE ABSENT.

THE MINUTES OF APRIL 12, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

- 1. Safety, Health, and Service Committee meeting minutes of April 12, 2004.
- 2. Zoning & Annexation Committee meeting minutes of April 15, 2004.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from April 13 through April 26, 2004. Reported that on April 13 he attended a luncheon at BCC to honor the retired and Senior Volunteer Program. Reported that he attended the Main Street Volunteer Dinner on April 22 to honor the many volunteers who dedicate their time to Main Street New Philadelphia. Reported that on April 16 he attended the Solid Waste Policy Board Meeting, and the plan is being updated and rewritten. Reported that on April 20, he attended the quarterly meeting of the where it was announced the receipt of a grant for new equipment for the Fire Department Dive Team. Reported that on April 22, he attended a gathering of state officials at Smurfit Stone to celebrate their continuing to operate their facility in New Philadelphia. Reported that the ribbon cutting ceremony was held on April 22 for the new Sheetz gas station on West High Avenue.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that changes have been made to the sidewalk replacement program, including a June 1 deadline for residents to get their applications in to the Service Department. He requested emergency passage of the sidewalk replacement Ordinance 21-2004 tonight as an emergency. President of Council Dave Johnson reminded everyone that 6 votes of council are needed to pass emergency legislation, and since there are only 5 members present, nothing can be passed tonight as an emergency.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

Mr. Johnson commended Mr. Popham for working on the visibility problem on the South Broadway Bridge.

AUDITOR MS. BETH GUNDY NO REPORT

TREASURER MR. MIKE TAYLOR

Reminded everyone that he will be attending continuing education this week in Columbus.

LAW DIRECTORMR. MIKE JOHNSON

Explained Ordinances 22-2004 and 23-2004 concerning concealed weapons, and recommended their passage as soon as possible.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet May 12, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet May 4, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER NO REPORT

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the meeting scheduled for April 21 was cancelled due to lack of quorum, and will be rescheduled at a later date.

HEALTH BOARD.MS. SANDRA COX

Will meet May 19, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting tonight to discuss additional appropriations for the cemetery department. The Committee approved making additional money available when needed. Ms. Cox informed the Committee that there will be an ordinance before Council at the next meeting to increase appropriations for grant money issued to the Fire Department and to the Bicentennial Fund for Bicentennial items sales.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting April 15 to continue discussion on the sick leave policy. Another meeting will be scheduled as soon as the Steering Committee meets to discuss the issue. Also discussed was Ordinance 15-2004, amending Codified Ordinance Section 1335.08 to designate those employees to act as building inspector or enforcement officer.

SAFETY, HEALTH, AND SERVICE COMMITTEEMR. SAM HITCHCOCK

Reported meeting tonight to discuss an additional K-9 unit in the police department. Police Chief Jeff Urban explained that an additional K-9 unit is very much needed on the midnight shift so that the current officer and dog don't have to be called out resulting in overtime. The Committee approved the issue, and an ordinance will be forthcoming.

COUNCIL MEMBER GEORGE HOUSTON ARRIVED AT 7:52 P.M.

PUBLIC WORKS COMMITTEE.MR. ROB MAURERABSENT NO REPORT

ZONING & ANNEXATION COMMITTEE MR.GEORGE HOUSTON

Reported meeting April 15 to discuss Ordinance 17-2004, to create a new sub-business zone to allow for future development in the city. Ordinance 18-2004, requiring minimum frontage on a residential lot was also discussed. The Committee approved both issues and recommend they go before Council for consideration. The Committee approved that Ordinance 16-2004, rezoning of West High Ave., be approved on third reading.

CONTACT COMMITTEE.MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

Will meet April 29, 2004 at 11:00 A.M. to discuss the banners in the downtown area.

VISITOR’S COMMENTS:

Dewey Daley, 303 Lighthouse Point, New Philadelphia, presented a petition of approximately 180 signatures, from the residents of Shel-Mar Estates asking why the odor of the sewer plant is so bad. Service Director Gary Espenschied said the upgrade of the sewer plant is not complete, and he asked the residents to be patient until the sludge removal and the odor control is in place.

Ruth Hilfinger, 123 East 12th St., Dover, said she owns a property at 145 Fair Ave. N.E. in New Philadelphia, and she asked that something be done about the junk and the run down condition at the property next door and the residence directly behind her property. Mayor Brodzinski said letters will be sent to the Swineharts, the property owners, asking them to clean it up. He said, concerning the Fair Ave. property, the house is vacant, and the city has different laws pertaining to vacant and occupied properties. He said the city will do whatever they can to help alleviate the problem.

George Summers, 1351 Sharon Valley Rd. New Philadelphia, said he owns 3 properties abutting the Swinehart property mentioned previously, and he presented pictures that show the bad condition of that property.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked that the Council meetings be listed in the newspaper under “Open Sessions”. She was informed that it is in the Saturday newspaper. She said there is a lot of brush on 2nd Dr. N.W. that needs to be cleaned up. She said she would like to see approval of the addition K-9 unit in the police department.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

9-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to accept the application by Allen L. and Jane E. Gasser for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same, and declaring an emergency. (3rd Reading)

Ms. Slough asked where the water run off will go. Mr. Houston said it would go into the creek. The creek was dredged so that it will handle the additional water.

Motion to vote on passage made by Mr. Houston, seconded by Mr. Jim Locker. Roll call, 6 yeas, motion passed.

- 11-2004 An ordinance by the Council of the City of New Philadelphia, accepting the Oak Shadows Phase II Plat, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Ellwood. Roll call, 6 yeas, ordinance passed.
- 14-2004 An ordinance by the Council of the City of New Philadelphia to authorize the re-conveyance of a 4.259 acre tract which is part of the Ohio and Erie Canal lands within the City of New Philadelphia, and declaring an emergency. (2nd Reading)
- 15-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Section 1335.08 to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 1335.08 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)
- 16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (2nd Reading)
- Law Director Mike Johnson scheduled a Public Hearing for June 14, 2004 at 8:00 P.M.
- 17-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to define certain business district property as Business Type B Zone, and declaring an emergency. (2nd Reading)
- 18-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1161.031 of the Codified Ordinances of the City of New Philadelphia requiring minimum frontage on a residential lot, and declaring an emergency. (2nd Reading)
- 20-2004 An ordinance by the Council of the City of New Philadelphia to vacate an unnamed alley extending north from Park Avenue NW to the south side of private residence and located between lots owned by the New Philadelphia VFW, and declaring an emergency. (1st Reading)
- 21-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Section 903.09 and 903.11 of the Sidewalk Replacement Program within the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Locker. Roll call, 6 yeas, rules suspended.
- Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Ellwood. Roll call, 6 yeas, ordinance passed.
- 22-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to prohibit the possession, control or conveyance of deadly weapons or dangerous ordinances into or within all city owned buildings, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Houston. Roll call, 6 yeas, rules suspended.

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

23-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to prohibit the possession, control or conveyance of deadly weapons or dangerous ordinances onto, over or within all city owned or occupied real estate, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Houston. Roll call, 6 yeas, rules suspended.

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

24-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 121.01 Rule 13 to modify the standing committees named by Council, and declaring an emergency. (1st Reading)

25-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 339.01(b), and declaring an emergency. (1st Reading)

RESOLUTIONS:

14-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Captain Rick McCoy for his years of service through the New Philadelphia Police Department, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson said he will assign the housing problem to the Public Works Committee.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:27 P.M.

CLERK OF COUNCIL _____

APPROVED May 10, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 10, 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 APRIL 26, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The March 2004 Summary of Reports for the New Philadelphia Fire Department.
2. The Auditor's Monthly Statement of Revenue for the General Fund for April 2004.
3. The Auditor's Financial Statement for the month of April 2004.
4. Finance Committee meeting minutes of April 26, 2004.
5. Salary Committee meeting minutes of April 15, 2004.
6. Airport Commission meeting minutes of April 13, 2004.
7. Safety, Health, and Service Committee meeting minutes of April 26, 2004.
8. Special Committee meeting minutes of April 29, 2004.
9. Mayor's Monthly Statement to Council for April 2004.
10. The Treasurer's Statement of Transactions of all city funds for April 2004.
11. The Treasurer's Summary of Transactions for the General Checking Account for April 2004.
12. The Treasurer's Reconciliation for the period ending April 2004.
13. Minutes of the Municipal Treasury Investment Board meeting of May 6, 2004.
14. The New Philadelphia Police Monthly Activity Report for April 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI ABSENT

Submitted a written report of the activities of his office from April 26 through May 12, 2004.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported on the activities of the General Services Department from April 26 through May 7, 2004, including extra trash pickups and pothole repair. Informed everyone that compost is available at the City

garage. Council President Dave Johnson asked that Mr. Espenschied and Mayor Brodzinski look into having some of these departmental reports put on the city's website so as not to generate so much paperwork.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Requested that her April reports be approved, as well as Ordinance 26-2004 and Resolution 17-2004.

TREASURER MR. MIKE TAYLOR

Requested approval of his April reports. Mr. Houston made a motion, seconded by Ms. Cox, to approve the Auditor's and Treasurer's reports. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON ABSENT NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet May 12, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported meeting May 4. One variance was granted.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting April 13. Reported that a fly-in and pancake breakfast will be held May 30. Reported that Kent State University Main Campus is closing their airport and is looking for a new location for a flight school.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the meeting scheduled for April has not yet been rescheduled.

HEALTH BOARD.MS. SANDRA COX

Will meet May 19, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Recommended passage tonight of Ordinance 26-2004 and Resolution 17-2004.

SALARY COMMITTEE MR. JIM LOCKER

Reported that he is waiting for a letter from the city's Steering Committee concerning the sick leave policy, and will schedule another meeting when it is received.

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

PUBLIC WORKS COMMITTEE.MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEE MR. GEORGE HOUSTON

Recommended that Ordinance 14-2004, the reconveyance of land to the state, be put on hold. Mr. Houston relinquished the floor to John Hauser of the Ohio & Erie Canal Corridor Coalition, who asked that Council table this ordinance so that the Coalition can have the opportunity to address the issue of using this land for recreational purposes. Council President Dave Johnson assigned to Committee a letter from Mr. Stine concerning home-occupied businesses.

CONTACT COMMITTEE. MR. BILL ELLWOOD NO REPORT

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting April 29 to discuss the banners in the downtown area, and a review of Ordinance 24-2004, modifying council standing committees. Concerning Ordinance 24-2004, the Committee recommended that some changes be made to allow for items that may not fit into the current proposed changes. The proposed banner agreement with CGI Banners was discussed, and the Committee voted to approve the contract extension. Since that meeting, Mr. Lautenschleger informed Council that he has been approached by Main Street to allow for a local company to take over the banner program. Mr. Lautenschleger relinquished the floor to Terry Wallick of Main Street, who asked that Main Street get involved and offer the program locally. Council President Dave Johnson said he thought this to be an excellent idea, and asked Mr. Wallick to work with Mr. Lautenschleger's Committee.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if there is a rule concerning city employees' clothing attire who work outside in the summer. She asked who should be contacted in animal abuse cases. She asked if there is anything new on the status of the former K-Mart building. She said there is a tree in the Fair Avenue cemetery that needs to be removed, and another one on 3rd St. N.W. She asked how much money has been received from the Airport Restaurant. Service Director Gary Espenschied said the city workers are to have proper attire, namely shirts, when they are working. Safety Director Greg Popham suggested that the Police Department be notified of any animal abuse. Mr. Espenschied will have the General Services Department look at the trees. Mr. Johnson said there is nothing new on the K-Mart building, and Airport Restaurant rent money is coming on for each month. Mr. Locker said he doesn't have any dollar figures with him, but it is usually \$1,500 and \$1,800 per month.

Dee Grossman-Tasker of the Visitors & Convention Bureau, said there will be an Open House at their new facility on East High Avenue on June 4, and she reminded council that on June 21-22 a couple of thousand bicyclists will come into the city, and she asked for additional police patrol.

Mayor Brodzinski arrived at 8:05, and apologized for being late due to a golf outing sponsored by the Quaker Club.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

14-2004 An ordinance by the Council of the City of New Philadelphia to authorize the reconveyance of a 4.259 acre tract which is part of the Ohio and Erie Canal lands within the City of New Philadelphia, and declaring an emergency. (3rd Reading)

Mr. Houston made a motion to table this ordinance. Mr. Ellwood seconded the motion. Roll call, 7 yeas, motion passed.

15-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Section 1335.08 to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 1335.08 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

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

16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (3rd Reading)

Public Hearing to be held June 14, 2004 at 8:00 P.M.

17-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to define certain business district property as Business Type B Zone, and declaring an emergency. (3rd Reading)

18-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1161.031 of the Codified Ordinances of the City of New Philadelphia requiring minimum frontage on a residential lot, 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.

20-2004 An ordinance by the Council of the City of New Philadelphia to vacate an unnamed alley extending north from Park Avenue NW to the south side of private residence and located between lots owned by the New Philadelphia VFW, and declaring an emergency. (2nd Reading)

24-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 121.01 Rule 13 to modify the standing committees named by Council, and declaring an emergency. (2nd Reading)

25-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 339.01(b), and declaring an emergency. (2nd Reading)

26-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 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. Houston, seconded by Ms. Cox. Roll call, 7 yeas, ordinance passed.

RESOLUTIONS:

14-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Captain Rick McCoy for his years of service through the New Philadelphia Police Department, and declaring an emergency. (2nd Reading)

16-2004 A resolution by the Council of the City of New Philadelphia, Ohio to approve recommendations to terminate Marsh Industries, Agreement #214-00-01, and declaring an emergency. (1st Reading)

Mr. Johnson assigned this resolution to the Contact Committee.

17-2004 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. (1st Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Houston. Mr. Maurer asked the purpose of this resolution. Auditor Beth Gundy explained that the Cemetery Department is operating with a deficit, and additional funds are needed. She said the city is waiting to receive an estate settlement for the cemetery. Mayor Brodzinski said the revenue into the cemetery fund is not enough to fund current operations, and eventually changes in the income tax formula will need to be made. Mr. Johnson assigned this matter to the Special Committee for review. Roll call, 7 years, rules suspended.

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

18-2004 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio authorizing and directing the Mayor to submit an application for an FY 2004 Community Housing Improvement Program (CHIP) and to sign any and all documents related to such application, and declaring an emergency. (1st Reading)

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

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:23 P.M.

CLERK OF COUNCIL _____

APPROVED May 24, 200

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 24, 2004 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL PRO TEM GEORGE HOUSTON PRESIDING. MR. HOUSTON 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 MAY 10, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The April 2004 Summary of Reports for the New Philadelphia Fire Department.
2. Planning Commission meeting minutes of May 12, 2004.
3. Board of Control meeting minutes of May 7, 2004.
4. Zoning & Annexation Committee meeting minutes of May 17, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from May 13 through May 24, 2004. Reported that on May 17 he attended the Leadership Tuscarawas graduation, and he congratulated his Administrative Assistant Mary Jo Fragasse for completing the Leadership course this past year. Reported that on May 18, he attended the Senior Day Luncheon at Buckeye Career Center, and he commended the program. Reported that he attended the Police award dinner at Tuscora Park, and several officers were recognized.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that numerous building permits have been issued. Requested emergency passage tonight of Ordinance 28-2004, accepting the D.J.W. Development Phase I plat, proposed by Jan McInturf of McInturf Realty. Reported that the million gallon clearwell project at the Water Plant began today, and will take approximately 3 months to complete. Mr. Espenschied thanked Law Director Mike Johnson for his help in securing easements from the Gradall Co. so that this project can be done. Mr. Houston asked the location of the D.J.W. Development. Mr. Espenschied said it is on the south side off Goshen Ave. It has been through the Planning Commission, and Mr. McInturf, ho was in attendance, urges passage. Mr. Houston said the issue has not been through the Zoning & Annexation Committee.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Requested passage tonight of Resolution 20-2004.

TREASURER MR. MIKE TAYLOR NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON

Reported that a check for \$166,545.59 has been received from the estate of Marian Reis to be used for cemetery funds exclusively. Reminded Council of the Public Hearing on June 14 for Ordinance 16-2004, and set a Public Hearing on June 28 at 8:00 P.M. on Ordinance 29-2004.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet June 16, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet June 1, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER

Reported that the meeting scheduled for May 18 was cancelled due to lack of quorum. Mr. Locker said he has received complaints and a petition concerning the street condition of Rankin Court, and asked if it is to be repaved this year. Mr. Espenschied said quotes are being taken for underdrains, and then it will be paved next year.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Will meet May 26, 2004 at 7:30 P.M. in the Park Office.

HEALTH BOARD. MS. SANDRA COX

Will meet June 9, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX NO REPORT

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Will meet June 14, 2004 at 6:30 P.M. to discuss the city's tattoo/body piercing ordinance.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

Informed Council that he is undergoing disc fusion surgery in his back and will miss both June council meetings, but hopes to be back in July.

ZONING & ANNEXATION COMMITTEE MR. GEORGE HOUSTON

Reported meeting May 17 to discuss Ordinance 20-2004, to vacate an alley near the VFW. The Committee recommends passage of this ordinance. Also discussed was a request by Ms. Stine of 119 Minnich Ave. N.W. to review the ordinance which deals with home occupied businesses. The Committee will review information

presented by Ms. Stine. The Committee discussed the construction of a road for a possible new development near 16th St. N.W., and a request for change of zoning on Kaderly Street N.W.

CONTACT COMMITTEE MR. BILL ELLWOOD NO REPORT

Scheduled a meeting for 6:15 P.M. to discuss Resolution 16-2004, to terminate the Marsh Industries agreement.

SPECIAL COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to review the Cemetery Department budget. Since Law Director Mike Johnson reported the receipt of the check from the Reiss estate, no additional funding is needed at this time; however, Auditor Beth Gundy suggested that future funding from the city's annual income tax collections be reviewed. Also discussed was the city's banner program. Representatives of Main Street were in attendance and are proposing that they work with local sign and banner companies so that the banner program can be kept local. Main Street will obtain information and bring it back to the Committee the end of August 2004.

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that Peggy's Boutique has relocated from East High Ave. to Second St. N.W. in the former Goshen Dairy Building. Reported that an Open House will be held on June 4 for the new location of the Convention & Business Bureau and Main Street offices on East High Avenue. Thanked Mayor Brodzinski and Service Director Espenschied for accompanying her to Dayton, where the city received a state-wide award for the preservation and restoration of the John Knisely Municipal Centre. Mayor Brodzinski read the caption on the award and displayed it for all to be seen. Ms. Wyrie also reported that plans are proceeding for Art On The Square June 11-13.

VISITOR'S COMMENTS:

Jan McInturf, McInturf Realty, asked why his final plat could not be approved tonight. Mr. Houston said the Zoning & Annexation Committee routinely reviews plats for final approval.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said mowing needs to be done around the property at the former K-Mart and the former Rappports Junk Yard. She asked when the paving will begin and is 10th St. on the list. She asked the status of the deodorizer at the Wastewater Treatment Plant, how could she have Planning Commission meeting minutes sent to the Library, and is there a fence around the pond of water behind the former K-Mart. Mayor Brodzinski said the summer employees in the General Services Department are beginning and will be doing the mowing, but they do not mow on private property. The deodorizer at the WWTP has been much better, but the project is not yet complete. Ms. Slough was informed that his office can provide minutes of the Planning Commission. Service Director Gary Espenschied said paving will begin the middle of June, and he thinks 10th St. is on the list. Mayor Brodzinski said there is a retention pond behind K-Mart, and he believes there is a fence there.

Norma Fantin, 426 Fair Ave, N.E., asked if Fair Ave. is on the paving list. Mr. Espenschied said he is not sure and asked Ms. Fantin to call his office. She also asked about the sidewalk replacement program. Mr. Espenschied explained how to apply.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue,

Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (4th Reading)

Public Hearing to be held June 14, 2004 at 8:00 P.M.

17-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to define certain business district property as Business Type B Zone, and declaring an emergency. (4th Reading)

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

20-2004 An ordinance by the Council of the City of New Philadelphia to vacate an unnamed alley extending north from Park Avenue NW to the south side of private residence and located between lots owned by the New Philadelphia VFW, and declaring an emergency. (3rd Reading)

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

24-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 121.01 Rule 13 to modify the standing committees named by Council, and declaring an emergency. (3rd Reading)

Motion to amend made by Mr. Lautenschleger, seconded by Mr. Hitchcock. Roll call, 7 yeas, ordinance amended.

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

25-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend Codified Ordinance Section 339.01(b), and declaring an emergency. (3rd Reading)

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

27-2004 An ordinance by the Council of the City of New Philadelphia, Tuscarawas County, Ohio authorizing and directing the Mayor to enter into an agreement with Municipal Services Corporation to provide administration and implementation services for the FY2004 Community Housing Improvement Program (CHIP), appropriation funds for said agreement, and declaring an emergency. (1st Reading)

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

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

28-2004 An ordinance by the Council of the City of New Philadelphia accepting the D.J.W. Development Phase 1 Plat, and declaring an emergency. (1st Reading)

Mr. Houston assigned this ordinance to his Zoning & Annexation Committee.

- 29-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for a 0.319 acre tract located at 812 Kaderly Street, New Philadelphia, Ohio from Residential to Business, and declaring an emergency. (1st Reading)
- Public Hearing to be held June 28, 2004 at 8:00 P.M.
- 30-2004 An ordinance by the Council of the City of New Philadelphia to vacate the remaining three-foot strip (.014 acre) of a vacated alley located off of Commercial Avenue SE in New Philadelphia and to rescind a utility easement held by the City of New Philadelphia, and declaring an emergency. (1st Reading)
- 31-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend the K-9 unit ordinance to allow a second dog and handler, and declaring an emergency. (1st Reading)

RESOLUTIONS:

- 14-2004 A resolution by the Council of the City of New Philadelphia, Ohio to commend Captain Rick McCoy for his years of service through the New Philadelphia Police Department, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Locker. Roll call, 7 years, resolution passed.
- 16-2004 A resolution by the Council of the City of New Philadelphia, Ohio to approve recommendations to terminate Marsh Industries, Agreement #214-00-01, and declaring an emergency. (2nd Reading)
- 19-2004 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio to authorize the New Philadelphia Police Department to donate a Dictaphone communication recording system device to Community Mental Health Services, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Mr. Hitchcock, seconded by Ms. Cox. Roll call, 7 years, resolution passed.
- 20-2004 A resolution declaring the necessity to request an advance of \$850,000.00 from the County Auditor on the July 2004 Real Estate Tax Settlement, and declaring an emergency. (1st Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 years, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 years, resolution passed.

21-2004 A resolution to authorize additional payment to the Mayor for health insurance cost, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS:

Mr. Ellwood asked the status of the property on Fair Ave. N.E. since some complaints have been received. Mayor Brodzinski said the General Services and Health Departments and the Fire and Police Departments have all been there. Information has been turned over to the County Prosecutor for possible charges. Mayor Brodzinski said Council needs to review the current housing code to see what changes can be made.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MS COX. MEETING ADJOURNED AT 8:30 P.M.

CLERK OF COUNCIL _____

APPROVED June 14, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 14, 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

COUNCILMAN ROB MAURER WAS ABSENT.

THE MINUTES OF MAY 24, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Airport Commission meeting minutes of May 18, 2004.
2. Zoning & Annexation Committee meeting minutes of June 1, 2004.
3. Special Committee meeting minutes of May 24, 2004.
4. The New Philadelphia Police Monthly Activity Report for May 2004.
5. The Auditor's Monthly Statement of Revenue for the General Fund for May 2004.
6. The Auditor's Financial Statement for May 2004.
7. The Treasurer's Statement of Transactions of New Philadelphia funds for May 2004.
8. The Treasurer's Summary of Transactions for the General Checking Account for May 2004.
9. The Treasurer's Reconciliation for May 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from May 24 through June 14, 2004. Reported that the Police and Fire Departments are recommending that residents in the Northeast side of the City voluntarily evacuate their homes due to heavy rainfall that has caused severely flooding along the Beaverdam Creek. The Emergency Management Agency has set up temporary quarters at the Otterbein Methodist Church on Beaver Avenue to assist residents. Reported that a check was received from the EDA for the funding of the Hi-Tech Park. Reported meeting May 26 with Tony Danzo to discuss the CDBG for 2005, and May 27 with Harry Eadon of the Tuscarawas County Port Authority. Reported that he attended the ribbon cutting ceremony for the new Convention & Visitor's Bureau, where the new offices of Main Street New Philadelphia and Leadership Tuscarawas will be located. Reported that on June 11 he attended the services at the County Courthouse for former U.S. President Ronald Reagan, who recently passed away. Reported that the recent Art On The Square Festival was a great success.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that the City of Dover has offered their assistance to help New Philadelphia residents in their efforts to clean up from recent flooding. Reported meeting recently to discuss the condominium ordinance. Informed Council that his report is brief due to the numerous telephone calls he received today concerning flooding problems throughout the city.

SAFETY DIRECTORMR. GREG POPHAM ABSENT

Reported that the parking officer has resigned, and Mr. Popham has been hired for the position.

AUDITOR MS. BETH GUNDY

Requested approval tonight of her May reports.

TREASURER MR. MIKE TAYLOR

Requested approval tonight of his reports, and informed Council that he will not be in attendance at the June 28 council meeting because he will be out of state. Mr. Hitchcock made a motion to approve the Treasurer's and the Auditor's Reports. Mr. Houston seconded the motion. Roll call, 6 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Informed Council that he, too, will be out of state and not in attendance at the June 28 meeting. Explained Ordinances 32-2004 and 33-2004 and recommended their emergency passage tonight. Ordinance 35-2004 should be passed at the next regular council meeting. Requested that President of Council assign a request for a liquor license for Virgil Watkins in the 100 block of West High Avenue.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet July 14, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet July 6, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported that the meeting scheduled for May 18 was cancelled due to lack of quorum. Some items were discussed, with no action taken.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting May 26 in the Park Office. Improvements around the park were approved, as were plans to work on the press box and scoreboard at Quaker Stadium. Fireworks will be held July 3. Reported that the Park Place Teen Center has been expanded. The Board will resume meetings in September. Mr. Hitchcock informed Council that internet capabilities are being improved.

HEALTH BOARD.MS. SANDRA COX

Will meet July 14, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Will meet immediately following tonight’s regular council meeting to discuss amending the appropriations, a request for an additional K-9 unit in the Police Department, and payment to the Mayor for health insurance cost.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Mr. Hitchcock invited everyone to attend the 27th Annual First Town Days Festival as the city celebrates its Bicentennial. Reported meeting tonight to discuss the city’s tattoo/body piercing ordinance. New Philadelphia Health Commissioner Joan Robis had requested that the city’s current law be updated to coincide with state code. The issue was approved by Committee.

PUBLIC WORKS COMMITTEE. MR. ROB MAURER NO REPORT

ZONING & ANNEXATION COMMITTEEMR.GEORGE HOUSTON

Reported meeting June 1 to discuss several matters: (1) DJW Development on the south side. The Committee voted to approve the plat. (2) Ordinance 29-2004, change of zoning at 812 Kaderly St. There will be a Public Hearing on the matter on June 28, 2004. (3) Ordinance 30-2004, alley vacation off Commercial Ave. The Committee recommends passage on 3rd reading. (4) Study and development of a condominium ordinance. Other cities’ ordinances are being reviewed before making a decision on final legislation. (5) A presentation from the Ohio Erie Canal Corridor representatives. The Committee approved taking Resolution 14-2004 off the table and voting against it.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING TO DISCUSS ORDINANCE 16-2004.

Ordinance 16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting On West High Avenue in the City of New Philadelphia, Ohio from the railroad tracks Crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency.

Karen Morvitz, 128 9th St., N.W., New Philadelphia, asked if her real estate taxes would be effected by passage of this ordinance. Law Director Mike Johnson explained that her property is not rezoned, and her taxes are not affected.

AT 8:05 P.M. COUNCIL ADJOURNED FROM PUBLIC HEARING AND RECONVENED INTO REGULAR SESSION.

ZONING & ANNEXATION COMMITTEE (CONT’D.):

Mr. Houston relinquished the floor to Mr. Houser of the Ohio Erie Canal Corridor Coalition, who encouraged Council to defeat Ordinance 14-2004, so that this land can be kept and used for recreational purposes.

CONTACT & SPECIAL COMMITTEE.MR. BILL ELLWOOD

Reported meeting tonight to discuss Resolution 16-2004, to terminate the Marsh Industries agreement. The Committee voted to pass Resolution 16-2004. Mr. Johnson assigned the Law Director’s request for a liquor permit on West High Avenue.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

16-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to rezone lots abutting on West High Avenue in the City of New Philadelphia, Ohio from the railroad track crossing on the west in an easterly direction to the intersection of West High Avenue, Seventh Street SW, and Tuscarawas Avenue from Residential zoning to Business Type B zoning, and declaring an emergency. (5th Reading)

Motion to vote on passage made by Mr. Locker, seconded by Mr. Hitchcock. Roll call, 6 years, ordinance passed.

28-2004 An ordinance by the Council of the City of New Philadelphia accepting the D.J.W. Development Phase 1 Plat, and declaring an emergency. (2nd Reading)

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

Motion to vote on passage made by Mr. Houston, seconded by Ms. Cox. Roll call, 6 years, ordinance passed.

29-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for a 0.319 acre tract located at 812 Kaderly Street, New Philadelphia, Ohio from Residential to Business, and declaring an emergency. (2nd Reading)

Public Hearing to be held June 28, 2004 at 8:00 P.M.

30-2004 An ordinance by the Council of the City of New Philadelphia to vacate the remaining three-foot strip (.014 acre) of a vacated alley located off of Commercial Avenue SE in New Philadelphia and to rescind a utility easement held by the City of New Philadelphia, and declaring an emergency. (2nd Reading)

31-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend the K-9 unit ordinance to allow a second dog and handler, and declaring an emergency. (2nd Reading)

Mr. Johnson assigned this ordinance to the Finance Committee.

32-2004 An ordinance to approve current replacement pages to the New Philadelphia Codified Ordinances, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Hitchcock. Roll call, 6 yeas, rules suspended.

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

33-2004 An ordinance by the Council of the City of New Philadelphia authorizing and directing the Service Director to advertise for bids, receive bids and to enter into a contract with the lowest and best bidder for renovations to the New Philadelphia Municipal Building used by New Philadelphia Municipal Court, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Ellwood. Mr. Houston asked the Auditor if the Court Judge has the money in her funds to do this work. Ms. Gundy said she was concerned over one line item, but the Court will be conservative in its use, so the money is there. Roll call, 6 yeas, rules suspended.

Motion to vote on passage made by Mr. Houston, seconded by Mr. Ellwood. Roll call, 6 yeas, ordinance passed.

34-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

35-2004 An ordinance to authorize the City of New Philadelphia to enter into a contract with the Tuscarawas County Commissioners and the Tuscarawas County Sheriffs Office for the housing of inmates in the Tuscarawas County Jail and payment of housing costs to the Tuscarawas County Commissioners 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 Mr. Locker, seconded by Mr. Ellwood. Roll call, 6 yeas, ordinance passed.

36-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Chapter 767 – Tattooing/Body Piercing to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 767.01 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Locker. President of Council Dave Johnson reminded Council that, by approving this legislation tonight, the public is not being given the opportunity to voice their opinion. Roll call, 6 yeas, rules suspended.

There being no motion for passage, this ordinance will be held for 2nd reading.

RESOLUTIONS:

16-2004 A resolution by the Council of the City of New Philadelphia, Ohio to approve recommendations to terminate Marsh Industries, Agreement #214-00-01, and declaring an emergency. (3rd Reading)

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

21-2004 A resolution to authorize additional payment to the Mayor for health insurance cost, and declaring an emergency. (2nd Reading)

22-2004 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 \$25,000.00 from the General Fund #101 to the Sidewalk Improvement Fund #285, and declaring an emergency. (1st Reading)

OLD OR UNFINISHED BUSINESS:

Mr. Houston made a motion to take Ordinance 14-2004 off the table and put in on the agenda for consideration at the next regular meeting of council. Mr. Ellwood seconded the motion. Roll call, 6 yeas, motion passed.

Mr. Johnson assigned Resolution 21-2004 to the Finance Committee.

NEW BUSINESS:

Mr. Johnson asked that Mayor Brodzinski inform Council as to when an award from the Ohio Historical Society will be presented during the First Town Days Festival. Mr. Hitchcock said it is to be presented at Opening Ceremonies on July 2 at 7:30 P.M.

Mr. Johnson informed Council that he will not be in attendance at the June 28 meeting.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:29 P.M.

CLERK OF COUNCIL _____

APPROVED June 28, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 28, 2004 AT 7:30 P.M. WITH PRESIDENT OF COUNCIL PRO TEM GEORGE HOUSTON PRESIDING. MR. HOUSTON 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 JUNE 14, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Finance Committee meeting minutes of June 14, 2004.
2. Finance Committee meeting minutes of June 21, 2004.
3. A notice from the Ohio Division of Liquor Control requesting a C1 and C2 permit to Sours Oil Co. LLC, DBA Skips BP, 162 South Broadway, New Philadelphia, OH, and asking that any objections be made no later than July 19, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from June 15 through June 28, 2004. Reported that on June 18 he attended the groundbreaking for the new Senior Center near Heritage Square. Reported that GOBA arrived last week, and was a great success. Reported that the Soap Box Derby was held this past weekend, and in a two-man race with Dover Mayor Rick Homrighausen, Mayor Brodzinski was the victor. Reported that the First Town Days Festival will run from July 2-5, with the annual parade being held on July 2 and the softball game between the City Slickers and The Tuscarawas County Terminators will be held July 3 at 9:00 a.m. Mayor Brodzinski urged residents who experienced any flooding during the heavy rains from June 25-28 to notify the EMA for possible federal funding. Mayor Brodzinski thanked all city employees for their help with the residents during that time.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that he attended a conference on June 16 with representatives of the U.S. Department of Commerce, Economic Development concerning requirements for projects granted in 2004, of which the Hi-Tech Park is the city's project.

SAFETY DIRECTORMR. GREG POPHAM

Reported that Theresa Everett has been hired for the position of parking control officer. Relinquished the floor to Police Chief Jeff Urban, who informed Council that in regards to Ordinance 31-2004, an additional K-9 unit in the police department, an anonymous benefactor has offered to pick up overtime costs in connection with the K-9 unit. He reminded everyone that all costs associated with the dog are being donated, and he urged Council to pass this ordinance. Ms. Rachel Silverstone, representing the Humane Society, urged Council to pass this ordinance. She said the Humane Society will gladly help with any costs associated with the dog.

AUDITOR MS. BETH GUNDY

Requested passage tonight of Ordinance 34-2004, after it is amended to increase the appropriations for Municipal Complex Projects Fund. Ms. Cox made a motion to amend Ordinance 34-2004. Mr. Locker seconded the motion. Roll call, 7 yeas, amendment passed.

TREASURER MR. MIKE TAYLOR ABSENT NO REPORT

LAW DIRECTOR MR. MIKE JOHNSON ABSENT NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet July 14, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet July 6, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER

Will meet July 13, 2004 at 6:00 P.M. at the Airport.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the Board is in summer recess until September.

HEALTH BOARD. MS. SANDRA COX

Will meet July 14, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Informed Council that, on June 22, the Sharon Moravian Church donated a Bible for the Bicentennial Time Capsule. Reported meeting June 14 to discuss Ordinance 34-2004, amending the appropriations, and Resolution 22-2004, to transfer funds for the sidewalk improvement program. Both pieces of legislation were approved. Other items discussed, with no action taken, were: update on cell towers, paving, revenues, crossing guards, fire department call outs, and input on a possible ½% income tax. Ms. Cox also reported meeting on June 21 to discuss Ordinance 31-2004, a request for an additional K-9 unit in the Police Department, and payment to the Mayor for health insurance cost. The Committee voted not to support Ordinance 31-2004 because of concerns for additional strains on the budget. Concerning the additional payment to the Mayor for health insurance costs, the Committee voted to approve it after changes are made, including the change from a resolution to an ordinance.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

Mr. Houston assigned a request to review salaries for several members of the administration to both the Salary Committee and the Finance Committee.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Urged Council to approve Ordinance 31-2004, an additional K-9 unit in the police department.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. ROB MAURER

Thanked everyone for their well wishes, cards, and the Hollywood Video gift card that city employees gave to him during his recent back surgery. He said everything went well. Mr. Maurer apologized to his constituents for his inability to help them during the recent flooding, since it happened during his recent recuperation. On behalf of Mayor Brodzinski, he requested passage tonight of Resolution 21-2004.

AT 8:00 P.M. COUNCIL ADJOURNED FROM REGULAR SESSION INTO PUBLIC HEARING TO DISCUSS ORDINANCE 29-2004.

Ordinance 29-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for a 0.319 acre tract located at 812 Kaderly Street, New Philadelphia, Ohio from Residential to Business, and declaring an emergency.

Luke Marino, who is requesting this rezoning, presented a petition from area residents stating that they do not oppose this rezoning

AT 8:04 P.M. COUNCIL ADJOURNED FROM PUBLIC HEARING AND RECONVENED INTO REGULAR SESSION.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON

Reported that his committee has reviewed Ordinance 29-2004, but they made no recommendation.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD

Reported meeting tonight to discuss a request for a liquor permit to Hot Shots at 143 West High Avenue. The Committee is requesting a Public Hearing with the Liquor Control Commission, since the businesses in that area oppose another liquor establishment. The Committee will also request a Public Hearing for Skips BP at 162 South Broadway. They are requesting a C1 and C2 permit.

VISITOR’S COMMENTS:

Mr. Houston asked that anyone wishing to speak keep in mind that council and administration are here to serve the people, and they ask that people give full respect and patience. Mr. Houston introduced General Services Superintendent Fred Neff, Service Director Gary Espenschied, Assistant Service Director Jim Zucal, Water Superintendent Kelly Ricklic, and Wastewater Superintendent Jim Dinger who were in attendance to address any questions or concerns about the recent flooding problems.

Kyle Courtwright, 2173 Denise Dr., New Philadelphia, asked if an assignment to committee could be made to discuss the water runoff in Honey Valley. Mr. Houston assigned it to the Public Works Committee. Mr. Maurer scheduled a meeting for Tuesday, July 6 at 6:00 P.M. to address this problem.

Paul Mishler, 1006 3rd St. N.W., New Philadelphia, asked if the Beaver Dam Creek could be dredged, since the last time it was dredged was in 1969. He thinks some of the flooding could have been alleviated if it had been dredged. He said he heard that Gradall volunteered the use of their equipment for training purposes. Mr. Houston said some of the homes that experienced flooding were in the city’s flood plain. Assistant Service Director Jim Zucal said the Army Corps of Engineers is the direct authority for the

Beaver Dam Creek. Mr. Mishler asked that Army Corps. Be contacted to see what can be done. Mayor Brodzinski said the city would contact them. He added that this is was an extremely unusual situation, since so much rain fell in such a short time. He said the creek could not handle this volume of water.

Dante Silvestri, 225 7th St. N.E., New Philadelphia, encouraged council and the administration to come to that area to see what the residents experienced. He agreed with Mr. Mishler that the creek needs to be dredged. Mr. Espenschied said that he has been there, and he has spoken to someone that will fly to that area to get an aerial view.

Raymond Butts, 1221 Ray Ave. N.E., New Philadelphia, said he would also like to see the creek dredged.

Tom Raiff, 219 7th St. N.E., New Philadelphia, asked Mr. Zucal if the Lagoon is in a flood plain, because it appeared that the gate was opened. Mr. Zucal said the information provided to Mr. Raiff concerning the Lagoon was inaccurate, and he asked General Services Superintendent Fred Neff to explain. Mr. Neff said that no one opened the gate, and he explained how the overflow system works. He asked that anyone to see how it operates to contact him and he will gladly show them. Mr. Zucal said he would gladly show the tax maps provided by the County Auditor to show ownership of the Beaver Dam Creek. Mr. Zucal added that the Lagoon is not in the flood plain, because it is based on elevation and the Lagoon and the Tuscarawas River is not in the flood plain. Mr. Raiff asked that the city do something to help the residents in that area.

Jim Kollar, 564 Crider Ave., N.E., New Philadelphia, said he has lived near the Creek since 1972 and the bank used to be cleaned out. He said houses were built on Beitler Ave. and storm sewers were put in on one side of the road, but not on the other. He asked if the Mayor had ever come and looked at that area. Mayor Brodzinski said he had, and it appeared the water was going into the drains, but it wasn't as heavy of a rainfall as we recently experienced. He said Mr. Espenschied promised a drain there, but nothing was ever done. He said it is time the city clean out the limbs and logs from the Creek.

Dick Rausch, 715 Oak St., New Philadelphia, said he sympathizes with the residents in that area, because he experienced the same problems in that past. He said, though, that only a 36" pipe delivers the water from the lagoon to the creek. He said he knows the city has looked at the problem in the past, including when he was Service Director, but problems cannot be blamed on the Lagoon. He said it was simply too much water in a short period of time.

Sue Fox, 218 8th Dr. N.E., New Philadelphia, presented pictures of the flooding that she has experienced. She said she is aware that she lives in a flood plain, but was very offended by a newspaper article by Mr. Zucal. She said she found the article to be arrogant and unsympathetic, and she resented it. She said she was born and raised in that area, and there was never a problem until now. She said it looked like a wave of water came gushing towards her house, and she only had a short period of time to get things out of the way. She thanked the fire fighters for their help, but said she and her neighbors experienced major problems. She asked that this problem be taken very serious. Mr. Houston defended Mr. Zucal, and said the article he wrote was based on facts.

Edward Connor, 461 3rd St. N.E., New Philadelphia, said the water he received was not flood water, but it came up through his sewer. Wastewater Superintendent Jim Dinger said the sanitary sewer was probably surged in that area, and everything backed up.

Linda Hobart, 1622 Kent Circle, New Philadelphia, said there are no storm sewers on Hicks Avenue, and they have asked the city for years to do something there. She said she contacts Goshen Township and

they blame the city, and in turn the city says it is the Township's problem. She said current and past administration has been contacted to alleviate the water problems, and nothing has ever been done.

Rob Brown, 268 Kent Circle, New Philadelphia, said he thinks the problems are in connection with the Rutledge Farms, and he is concerned about future development there. He asked that the city do all they can to minimize the problems when they occur.

John Anderson, 2167 Denise Dr., New Philadelphia, said the city is allowing new development without addressing water runoff. He said his streets are falling apart, and no one cares.

Ms. Courtwright, 2173 Denise Dr., New Philadelphia, asked who is responsible for the development of Honey Valley, the City or Demattio. She said they are getting the run around, and no one seems to take responsibility. Service Director Gary Espenschied said the city is responsible for drainage. She said the maps show storm drains that are not there.

Mayor Brodzinski said water runoff is the \$1 priority of the Planning Commission, and it is taken very seriously before any new development is approved.

Ralph Shanower, 1049 South Broadway, New Philadelphia, said there is a lack of storm sewers in his area on the Southside. He said he is flooded every time it rains, not just in heavy rainfalls.

Bruce Rich, 143 13th St. N.E., New Philadelphia, said he is in the flood plain and has experienced flooding before, but he is also concerned about new developments. He encouraged the dredging of the creek, and asked that the diameters of the storm sewers be increased.

Stacy Heiser, 290 Kent Circle, New Philadelphia said they had flooding, but it had nothing to do with the Beaver Dam Creek, if came from the Rutledge Farms.

Jeff Fahner, 1605 Rolland Ave. N.E., New Philadelphia, said the city's flooding problem needs to be dealt with before new construction is allowed to take place. He said new annexation should be stopped until current problems with water runoff are handled.

Carol Anderson, 2167 Denise Dr., New Philadelphia, asked why the developer is allowed to proceed when flooding happens. She asked who is responsible, the developer or the city, for water problems and the deterioration of their streets. Service Director Gary Espenschied said if the allotment is more than a year old, the city is responsible. New development, under 1 year, is the responsibility of the developer. Mr. Espenschied said, since he has been with the city, inspectors look at the developments when they are being done. He cannot speak for what was done prior to his being in that capacity. He said the streets should not be falling apart, and the developer should be responsible for what they do.

Mayor Brodzinski said it has been a difficult time for everyone, and he has informed the Water Department to give average water bills for this time period, and not charge for the extra water that was used for cleanup. He said all city departments aided the residents as much as they could. He encouraged everyone to contact the EMA for possible federal funding.

Councilman Jim Locker said he sympathizes for everyone who experienced flooding, because he has had flooding in the past. He said he knows the city will work with everyone.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 14-2004 An ordinance by the Council of the City of New Philadelphia to authorize the re-conveyance of a 4.259 acre tract which is part of the Ohio and Erie Canal lands within the City of New Philadelphia, and declaring an emergency. (4th Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 0 yeas 7 nays, ordinance failed.
- 29-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change zoning for a 0.319 acre tract located at 812 Kaderly Street, New Philadelphia, Ohio from Residential to Business, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Ellwood, seconded by Mr. Locker. Roll call, 7 yeas, ordinance passed.
- 30-2004 An ordinance by the Council of the City of New Philadelphia to vacate the remaining three-foot strip (.014 acre) of a vacated alley located off of Commercial Avenue SE in New Philadelphia and to rescind a utility easement held by the City of New Philadelphia, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker. Roll call, 7 yeas, ordinance passed.
- 31-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to amend the K-9 unit ordinance to allow a second dog and handler, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Mr. Hitchcock, seconded by Mr. Lautenschleger. Roll call, 3 yeas 4 nays (Cox, Ellwood, Houston, and Locker), ordinance failed.
- 34-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (2nd 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.
- 36-2004 An ordinance by the Council of the City of New Philadelphia to enact replacement Chapter 767 – Tattooing/Body Piercing to the Codified Ordinances of the City of New Philadelphia and to repeal existing Section 767.01 of the Codified Ordinances of the City of New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)
- 37-2004 An ordinance to authorize additional payment to the Mayor for health insurance cost, and declaring an emergency. (1st Reading)

38-2004 An ordinance authorizing a request to the Ohio Board of Building Standards to certify the City of New Philadelphia to exercise enforcement authority in accordance with the Ohio Basic Building Code with the condition that the Tuscarawas County Building Department perform all inspections, and authorizing an agreement for such enforcement between the City of New Philadelphia and Tuscarawas County, Ohio. (1st Reading)

Mr. Houston assigned this ordinance to the Public Works Committee.

39-2004 An ordinance amending Sections 3 and 4 of Ordinance No. 3283 providing for an increase of one-half percent (1/2%) in the existing income tax levied by the City of New Philadelphia, effective January 1, 2005 and continuing until revoked, to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (1st Reading)

Mr. Houston assigned this ordinance to the Finance Committee.

RESOLUTIONS:

21-2004 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio, authorizing and directing the Mayor of the said City of New Philadelphia to act as the signature designee and to file an application for financial assistance under Title 1 of the Housing and Community Development Act of 1974 (PL93-383) to the Ohio Department of Development, Division of Community Development, Office of Local Government Services, and declaring an emergency. (1st Reading)

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

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

22-2004 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 \$25,000.00 from the General Fund #101 to the Sidewalk Improvement Fund #285, and declaring an emergency. (2nd Reading)

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

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

23-2004 A resolution declaring the necessity of an election on the question of approving the passage of an ordinance amending Ordinance No. 3283, as amended, providing for an increase of one-half percent (1/2%) in the existing income tax levied by the City of New Philadelphia, effective January 1, 2005 and continuing until revoked to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (1st Reading)

Mr. Houston assigned this resolution to the Finance Committee.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Maurer added Ordinance 38-2004 to the agenda for his July 6 meeting at 6:00 P.M.

MOTION TO ADJOURN MADE BY MS. COX. MEETING ADJOURNED AT 9:20 P.M.

CLERK OF COUNCIL _____

APPROVED June 28, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 12, 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

COUNCILMAN ROB MAURER WAS ABSENT.

THE MINUTES OF JUNE 28, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. A letter dated July 8, 2004 from Beth & Dave Rose, 2247 State Route 39NE, New Philadelphia, asking that the city grant permission for them to cross the city's right of way for access to their garage/storage building.
2. The Treasurer's Reconciliation for the period ending June 2004.
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12. The Auditor's Monthly Statement of Revenue for the General Fund for June 2004.
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MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from June 29 through July 12, 2004. Reported that the city continues to meet with the EMA to discuss reimbursement to the residents who experienced recent flooding. Reported that the recent First Town Days Festival was a huge success. Mr. Johnson said he received calls concerning "thirty minute" parking signs in the downtown area in front of the Visitors &

Convention Bureau. Mayor Brodzinski said he and Safety Director Greg Popham gave permission for the signs so that anyone visiting the Visitors Bureau can have easy access to and from the location. Mayor Brodzinski said that parking in those spots is not exclusively for the Bureau; they can be used by anyone. Mr. Johnson said other business owners in the downtown area are complaining about the signs. Law Director Mike Johnson said that Safety Director Greg Popham has the authority to have the signs placed, and Mr. Popham said violators of the 30-minute spots would be ticketed. Council President Dave Johnson said he will assign this to a committee.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that bids will be opened August 17 for the 2003 CDBG projects, which include new sewer lines in several locations within the city..

SAFETY DIRECTORMR. GREG POPHAM

Commended all city employees for their work during the First Town Days Festival.

AUDITOR MS. BETH GUNDY

Requested approval tonight of her June reports and of Resolution 24-2004.

TREASURER MR. MIKE TAYLOR

Requested that his June reports be approved. Mr. Houston made a motion to approve the Treasurer's and Auditor's Reports. Ms. Cox seconded the motion. Mr. Hitchcock questioned the figures for NSF checks. Mr. Taylor said the majority is for water bills, and the water department shuts off the water. Roll call, 6 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Reported that he has reviewed the OMEGA grant for the Hi-Tech Park, and everything is in order. Reported that he has met with Service Director Gary Espenschied concerning property owned by the city outside the corporation. Property owners Dave & Beth Rose and Shirley Massarelli are asking that they be granted a right-of-way to their property. Mr. Johnson asked that this issue be assigned to Committee. Explained Ordinance 38-2004 and Ordinance 39-2004, and suggested that Ordinance 39-2004 be tabled because it cannot be passed until the decision for a ½% income tax addition is decided in the November General Election.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Reported that the July meeting was cancelled because of lack of business.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported that the meeting scheduled for July 6 was cancelled.

AIRPORT COMMISSIONMR. JIM LOCKER

Will meet July 13, 2004 at 6:00 P.M. at the Airport.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the Board is in summer recess until September.

HEALTH BOARD.MS. SANDRA COX

Will meet July 14, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Reported meeting July to discuss a future ordinance for the Cemetery Department to repay \$16,000 to the General Fund. The Committee approved the issue, and the Auditor will have an ordinance prepared for consideration at the next regular meeting. Ms. Cox distributed paperwork for the Committee to review, which deals with loss of revenue from the state, and a memorandum on income tax projections from Auditor Beth Gundy. The Committee discussed Ordinance 39-2004 and Resolution 23-2004, providing for an increase of ½% in the city income tax. The Committee will meet again on July 12. Reported meeting July 12 to review Resolution 24-2004, transferring money from the Cemetery Fund to the General Fund. Ms. Gundy said she would like to have this passed as an emergency. The Committee again reviewed the ½% increase in income tax. Mr. Houston stated his opposition to this resolution, and the Committee voted 2 to 1 to ask the full council for consideration.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting jointly with the Finance Committee on July 6 to discuss a salary increase request for the mayor. The Committee tabled the request until a time when the city can afford to grant additional salary requests.

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

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . .MR. ROB MAURER . . . ABSENT

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

Mr. Johnson assigned the city’s right-of-way matter on State Route 39.

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD

Reported meeting June 28 to discuss a request for a liquor license transfer to Hot Shots at 143 West High Avenue. The Committee agreed to have another meeting so the public can have their input into whether the request should be granted. Also discussed was a request for a liquor license request for carryout for Skip’s BP at 162 South Broadway Ave. The Committee scheduled another meeting for Thursday, July 15 at 11:00 A.M. so that business owners in that area can be notified for public input. Mr. Johnson assigned the 30-minute parking signs in front of the Visitor’s & Convention Bureau for review.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR’S COMMENTS:

Jill Martinelli, 708 Hardesty Ave., New Philadelphia, owner of the Picket Fence Consignment store downtown, said she was never contacted about the 30-minute parking signs downtown, and she is against them because they are chasing away from the customers.

Shirley Massarelli, 3673 Dover-Zoar Rd., asked that Council members come and look at her property on State Route 39. She recently erected a walk-in cooler, and later found out it is on the city's right-of-way. Mr. Houston will look at this.

John Martinelli, 708 Hardesty Ave., New Philadelphia, said he is concerned about a city-owned water pit off Commercial Ave. Mr. Espenschied said the city engineer has been looking at this, and the city will apply for CDBG funds if they qualify.

Mike Barnett, 445 East High Ave., New Philadelphia, asked about the proposed annexation proposed by R & B Venture. Mr. Houston will notify Mr. Barnett of any future meetings concerning this annexation.

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, said bushes need to be trimmed at 3rd St. N.W. and Fair Ave. N.W., East High Avenue & Delaware Dr., and East Avenue Cemetery. Also, recently cut grass needs to be cleaned up and a tree removed at the Fair Avenue Cemetery. There is also a tree on 3rd St. N.W. that needs to be removed. She said she sees numerous garage sale signs on telephone poles and curb strips. She asked if the city gave permission for someone to go door-to-door asking questions about a sewer line. She asked that city workers be informed that proper dress includes a shirt. Ms. Slough asked who is the new meter reader employee. General Services Department will look at the bushes that need trimmed, and the tree that needs to be removed. Mayor Brodzinski said the Police Department removes any signs they see in curb strips and on poles, and he will stress that city workers need to have shirts on. Service Director Gary Espenschied said the main going door-to-door on Sunday was legitimate to ask questions concerning a sanitary sewer line. Safety Director Greg Popham said Theresa Everett is the new parking control officer.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

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general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (2nd Reading)

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Mr. Johnson assigned this ordinance to the Zoning & Annexation Committee.

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MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:23 P.M.

CLERK OF COUNCIL _____

APPROVED July 26, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 12, 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

COUNCILMAN ROB MAURER WAS ABSENT.

THE MINUTES OF JUNE 28, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

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CLERK OF COUNCIL _____

APPROVED July 26, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 9, 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

MS. COX MADE A MOTION TO ADD ORDINANCE 39-2004 TO TONIGHT'S AGENDA. MR. HITCHCOCK SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

THE MINUTES OF JULY 26, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Mayor's Monthly Statement to Council for July 2004.
2. Public Works & Economic Development Committee meeting minutes of July 19, 2004.
3. The Treasurer's Reconciliation for the period ending July 2004.
4. The Treasurer's Summary of Transactions for the General Checking Account for July 2004.
5. The Treasurer's Statement of Transactions of all New Philadelphia City funds for July 2004.
6. The Auditor's Monthly Statement of Revenue for the General Fund for July 2004.
7. The Auditor's Financial Statement for July 2004.
8. Airport Commission meeting minutes of July 13, 2004.
9. New Philadelphia Police Monthly Activity Report for July 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from July 27 through August 9, 2004. Congratulated Greer Steel for their addition of new equipment at their facility. Congratulated the Train Festival Committee for the fine festival held recently. Reported that he attended the Solid Waste District meeting, and they hope to have a revised plan soon. Congratulated everyone who took part in the Bicentennial Birthday Picture and Party, and especially thanked Nancy Johnson and Joan Johnson, who coordinated the event. Reported that the Farmer's Market is underway at Tuscora Park. Congratulated Vincenzo's Italian Grille for their new opening on Front St. SW. Reported that he attended an award ceremony for the 1485th Transportation Company at Dover High School. Reported that he will be attending the Grand Opening on Thursday August 12 for the new Goody's Store at New Towne Mall.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Yielded the floor to General Services Superintendent Fred Neff, who updated Council on the paving project for this year, and provided the paving list to all council members. Reported that he will be meeting Tuesday, August 10 with representatives of FEMA to discuss recent flooding in the northeast section of the city.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Requested approval tonight of her July reports.

TREASURER MR. MIKE TAYLOR

Requested that his July reports be approved, along with those of the Auditor. Ms. Cox made a motion to approve the Treasurer’s and Auditor’s Reports. Mr. Locker seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTOR MR. MIKE JOHNSON

Informed Council that Ordinance 39-2004 must be amended tonight, because action taken at the last council meeting was not effective. He reminded Council that this ordinance must be passed and forwarded to the Board of Elections by August 19 to be on the November General Election Ballot.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Reported that the August meeting was cancelled because of lack of business.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported meeting August 3. Five variances were granted, and 3 were denied.

AIRPORT COMMISSION MR. JIM LOCKER

Will meet August 10, 2004 at 6:00 P.M. at the Airport.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported that the Board is in summer recess until September.

HEALTH BOARD. MS. SANDRA COX

Will meet August 10, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX NO REPORT

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

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

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. MR. ROB MAURER

Reported meeting tonight to discuss Ordinance 38-2004. The ordinance has been tabled, and the Committee will schedule another meeting in the future. Also discussed was Ordinance 45-2004, which was approved by Committee.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON

Reported meeting tonight to discuss Ordinance 41-2004, Ordinance 43-2004, Ordinance 46-2004, and a request by Dave & Beth Rose on State Route 39 for a right of way approval. All items were approved by Committee.

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD NO REPORT

Mr. Johnson assigned a letter from Robert Knauss requesting review of landscaping and signs at Franklin Square.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to discuss Resolution 25-2004 and Ordinance 47-2004. The Committee voted to recommend that Resolution 25-2004 be brought before council for approval. The Committee will take some time to review Ordinance 47-2004, and Mr. Lautenschleger scheduled another meeting for August 23 at 6:30 p.m.

VISITOR’S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked if it is possible to obtain money from other municipalities for the use of the K9 unit. Mr. Johnson said it is a mutual aid and no compensation is received. If equipment is used, damaged or destroyed, money is received for replacement. Ms. Slough said she is concerned if there is adequate police and fire coverage, since additional annexations are approved, and the city grows.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

39-2004 An ordinance amending Sections 3 and 4 of Ordinance No. 3283 providing for an increase of one-half percent (1/2%) in the existing income tax levied by the City of New Philadelphia, effective January 1, 2005 and continuing until revoked, to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (4th Reading)

Motion to amend made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 yeas, ordinance amended.

Ms. Cox made a motion to table Ordinance 39-2004. Mr. Lautenschleger seconded the motion. Roll call, 7 yeas, ordinance tabled.

40-2004 An ordinance to accept the application by R & B Venture LLC for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Residential zoning of the same. (3rd Reading)

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

41-2004 An ordinance to accept the application by S.S.T. Enterprises for the annexation of certain territory in Goshen Township, Tuscarawas County, Ohio, and to establish Business zoning of the same. (1st Reading)

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

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

42-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.12 of the Codified Ordinances of the City of New Philadelphia to prohibit location of sign within fifteen (15) feet from the property line frontage in a Business Zone Type B District, and declaring an emergency. (2nd Reading)

43-2004 An ordinance by the Council of the City of New Philadelphia, Ohio accepting the Goshen Glens Subdivision Phase I plat, and declaring an emergency. (2nd 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.

44-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

Mr. Johnson assigned this to the Finance Committee.

45-2004 An ordinance by the City of New Philadelphia to authorize City participation in the ODOT resurfacing of State Route 416 and South Broadway, and declaring an emergency. (1st Reading)

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

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

46-2004 An ordinance by the Council of the City of New Philadelphia, Ohio accepting the Rutledge Gate Phase I plat, and declaring an emergency. (1st Reading)

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

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

47-2004 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor of the City of New Philadelphia to enter into an agreement among the City of New Philadelphia, the New Philadelphia School Board and the Tuscarawas County Central Catholic High School for use of Quaker Stadium, and declaring an emergency. (1st Reading)

RESOLUTIONS:

23-2004 A resolution declaring the necessity of an election on the question of approving the passage of amending Ordinance No. 3283, as amended, providing for an increase of one-half percent (1/2%) in the existing income tax levied by the City of New Philadelphia, effective January 1, 2005 and continuing until revoked to provide funds for general municipal operations, maintenance, new equipment, extension and enlargement of municipal services and facilities and capital improvements, and declaring an emergency. (4th Reading)

Motion to amend made by Ms. Cox, seconded by Mr. Lautenschleger. Roll call, 7 yeas, resolution amended

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

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, and declaring an emergency. (1st Reading)

27-2004 A resolution by the Council of the City of New Philadelphia, Ohio to terminate the Tuscarawas County Tax Incentive Agreement No. 214-00-01 between the City of New Philadelphia and Marsh Industries as recommended by the Tuscarawas County Incentive Review Council, and declaring an emergency. (2nd Reading)

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. (1st Reading)

Mr. Johnson assigned this to the Finance Committee.

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. (1st Reading)

Mr. Johnson assigned this to the Finance Committee.

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. (1st Reading)

Mr. Johnson assigned this to the Finance Committee.

31-2004 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio approving and adopting the Community Housing Improvement Strategy for the time period of September 1, 2004 to August 31, 2009, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Houston. Roll Call, 7 yeas, rules suspended.

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

OLD OR UNFINISHED BUSINESS:

Mr. Johnson said he has seen the Bicentennial Birthday Picture, and it is wonderful. It is on display at the Visitors & Convention Bureau, and he advised everyone to stop and take a look at it.

NEW BUSINESS:

Ms. Cox scheduled a meeting for Monday, August 23 at 7:00 P.M. to discuss all matters assigned to her tonight.

Mayor Brodzinski informed everyone that the Bicentennial Postcard Book is on sale for \$19.95 and can be purchased at the Daily Grind, Dayspring Christian Store, and hopefully at the Municipal Building.

Mr. Lautenschleger scheduled a meeting for Monday August 23 at 6:30 P.M.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:17 P.M.

CLERK OF COUNCIL _____

APPROVED August 23, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 23, 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 9, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Public Works and Economic Development meeting minutes of August 9, 2004.
2. Zoning & Annexation Committee meeting minutes of August 9, 2004.
3. Special Committee meeting minutes of August 9, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI ABSENT

In the Mayor's absence, a written report of the activities of his office from August 10 through 23, 2004 was submitted.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that bids were opened August 17 for the CDBG storm sewer project on 3rd Dr. N.W. and Kaderly N.W. and will be awarded soon.

Mr. Maurer made a motion to take Ordinance 38-2004 off the table and added to tonight's agenda. Mr. Houston seconded the motion. Roll call, 7 yeas, motion passed.

SAFETY DIRECTORMR. GREG POPHAM

Requested that Mr. Johnson assign Codified Ordinance 1131 and 1141 to Committee, as requested by Fire Chief Jamie Snyder.

AUDITOR MS. BETH GUNDY NO REPORT

TREASURER MR. MIKE TAYLOR

Reported that he continues to encourage city employees to take advantage of payroll direct deposit. Informed Council that interest rates are slowly starting to go up

LAW DIRECTORMR. MIKE JOHNSON

Urged passage of Ordinance 42-2004. Explained Ordinance 47-2004 and Resolutions 25-2004 and 27-2004.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI ABSENT

Will meet September 8, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet September 7, 2004 at 5:00 p.m. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER

Reported meeting August 10. The Commission recommended that a Council Committee be requested to review possible hangar rent increases, since they have not changed for five years. As part of the New Philadelphia Bicentennial Celebration, a fly-in pancake breakfast will be held September 5. Additional activities are planned.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting August 18. A request was approved for a Market Day Celebration to be held at the park on October 16, as part of the New Philadelphia Bicentennial Celebration. Park Director Rod Miller reported that park revenue for June & July was outstanding, with August being slightly lower because of the weather. Use of the ball fields will be reviewed. The next meeting will be September 22, 2004 at 7:00 P.M.

HEALTH BOARD. MS. SANDRA COX

Will meet September 8, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Will meet immediately following Council's regular session tonight to review several issues. Reported that the next Bicentennial Meeting will be August 26, 2004 at 6:30 P.M. in Council Chambers.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

Mr. Johnson assigned the request by the Airport Commission to review hangar rent.

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

Mr. Johnson assigned the request by Fire Chief Jamie Snyder to review Codified Ordinance Chapters 1131 and 1141.

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

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD

Will meet September 13 to review bid criteria, signage at Franklin Square.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER

Reported meeting tonight to discuss a lease agreement for use of Quaker Stadium between the New Philadelphia Schools and Tuscarawas Central Catholic School. The Committee approved the request. Mr. Lautenschleger informed Council that a petition of approximately 50 signatures was presented tonight by residents opposing the name change to Woody Hayes Quaker Stadium. A letter of support for the name change was also received.

VISITOR'S COMMENTS:

Ella Slough, 616 Sandpiper, S.E., New Philadelphia, asked about the needed roof repair at the airport. Mr. Locker said bids will be taken for roof repair.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

38-2004 An ordinance authorizing a request to the Ohio Board of Building Standards to certify the City of New Philadelphia to exercise enforcement authority in accordance with the Ohio Basic Building Code with the condition that the Tuscarawas County Building Department perform all inspections, and authorizing an agreement for such enforcement between the City of New Philadelphia and Tuscarawas County, Ohio. (4th Reading)

Motion to vote on passage made by Mr. Maurer, seconded by Mr. Lautenschleger. Mr. Maurer said he supports this ordinance because area contractors are in favor of having local control. Ms. Cox she has spoken to several people, including architects, who are against this ordinance. She has spoken to state officials, and she thinks passing this ordinance would be a mistake. Mr. Houston said he was concerned about liability initially, but he has experienced problems with the state level, and he thinks it would be much better to have someone locally to help with problems. He also said there is an escape clause, so the city can opt out whenever they wish. Mr. Hitchcock said he would like to have heard from area contractors, and he still has some questions, but he agrees with having local control, so he supports its passage. Roll call, 4 yeas 3 nays (Ellwood, Locker, & Cox), ordinance passed.

42-2004 An ordinance by the Council of the City of New Philadelphia to enact Section 1167.13 of the Codified Ordinances of the City of New Philadelphia to prohibit location of sign within fifteen (15) feet from the property line frontage in a Business Zone Type B District, and declaring an emergency. (3rd Reading)

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

44-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (2nd Reading)

47-2004 An ordinance by the Council of the City of New Philadelphia to authorize the Mayor of the City of New Philadelphia to enter into an agreement among the City of New Philadelphia, the New Philadelphia School Board and the Tuscarawas County Central Catholic High School for use of Quaker Stadium, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Ellwood. Roll call, 6 yeas 1 nay (Houston), rules suspended.

Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Ellwood. 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. (2nd Reading)

27-2004 A resolution by the Council of the City of New Philadelphia, Ohio to terminate the Tuscarawas County Tax Incentive Agreement No. 214-00-01 between the City of New Philadelphia and Marsh Industries as recommended by the Tuscarawas County Tax Incentive Review Council, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Houston, seconded by Mr. Ellwood. 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. (2nd Reading)

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. (2nd Reading)

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. (2nd Reading)

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. (1st Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:10 P.M.

CLERK OF COUNCIL _____

APPROVED September 13, 2004

PRESIDENT OF COUNCIL _____

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 DIRECTORMR. GARY ESPENSCHIED

Reported that bids were awarded last week for the CDBG storm sewer project on 3rd 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 DIRECTORMR. 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 DIRECTORMR. 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 2nd 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 COMMISSIONMR. 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 18th 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 3rd 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. (1st 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. (1st 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 _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 27, 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 SEPTEMBER 13, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Minutes of the Municipal Treasury Investment Board meeting of September 23, 2004.
2. Safety, Health, and Service Committee meeting minutes of September 13, 2004.
3. Salary Committee meeting minutes of September 13, 2004.
4. Special & Contact Committee meeting minutes of September 13, 2004.
5. A letter dated September 16, 2004 from the Muskingum Watershed Conservancy District thanking the City for the use of City Council Chambers for a meeting of their Board of Appraisers.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from September 13 through September 27, 2004. Reported meeting September 15 with Erin Van Fossen of Buckeye Career Center and Greg Scott of CD Tees to finalize plans for a mural being painted by Mr. Scott in celebration of the city's Bicentennial. Reported meeting with Safety Director and representatives of ODOT to discuss plans for paving of SR416 in 2005. The city's cost will be approximately \$50,000. Reported that on September 16 he swore in the first Chaplain in the Police Department. Reported meeting September 23 to discuss the Flytwin Hangar at the airport. Reported that the Investment Committee met September 23. Reported that he met on September 23 with Virginia Seevers of Crazy Horse Tattoos to discuss possible changes to the tattoo ordinance.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Announced that the fall cleanup has been set for October 18-22.

SAFETY DIRECTORMR. GREG POPHAM

Will have information concerning the Chaplain in the Police Department at the next meeting.

AUDITOR MS. BETH GUNDY ABSENT NO REPORT

TREASURER MR. MIKE TAYLOR

Reported that interest earnings are up approximately 25% from 2003.

LAW DIRECTOR MR. MIKE JOHNSON

Reported that he has been reviewing leasing fees for hangars at the airport. Requested an Executive Session to discuss land leasing at the airport. Informed Council that Police Chief Jeff Urban provided information concerning recovery of service runs for both the Police and Fire Departments, and he requested that this be assigned to committee. Council President Dave Johnson said he will assign this to committee when more information is obtained from the Police Chief.

Mr. Johnson commended the local Main Street Organization because he received word that their office is referred to when certain information is needed in other communities.

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

Will meet October 5, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER

Reported meeting September 14, 2004 at 6:00 p.m. at the Airport. Checks for fuel sales and restaurant receipts were presented. The EAA Fly-In Breakfast on September 5 was a great success.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting September 22. Minutes are forthcoming.

HEALTH BOARD. MS. SANDRA COX

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

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Will meet October 11, 2004 at 7:00 P.M. to discuss appropriations. Reported that the Bicentennial Committee will meet Thursday September 30 at 6:30 P.M. in Council Chambers.

SALARY COMMITTEE MR. JIM LOCKER

Mr. Houston made a motion to go into Executive Session to discuss land leasing at the airport. Mr. Locker seconded the motion. Roll call, 7 yeas, motion passed.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Scheduled a meeting for October 5, 2004 at 6:00 P.M. to discuss junk vehicles and trash collection.

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 discuss input received concerning guidelines on signage at Franklin Square. The Committee voted to table the issue until the beginning of 2005 because new signage will be put up as part of the Bicentennial Celebration.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR'S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

49-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

Mr. Johnson assigned this ordinance to the Finance Committee.

RESOLUTIONS:

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. (3rd Reading)

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

34-2004 A resolution by the Council for the City of New Philadelphia, Ohio to name an unnamed alley located to the East of 4th Street NW to the South of Minnich Avenue and to the West of Esther Court to be named Edwards Lane NW and declaring an emergency. (1st Reading)

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

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

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSTION AT 7:55 P.M. TO DISCUSS LAND LEASING AT THE AIRPORT. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:15 P.M.

OLD OR UNFINISHED BUSINESS:

Mr. Johnson assigned the review of sewer connection fees to the Public Works Committee.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:18 P.M.

CLERK OF COUNCIL _____

APPROVED October 11, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 11, 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. ROB MAURER

MR. JIM LOCKER WAS ABSENT.

THE MINUTES OF SEPTEMBER 27, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Airport Commission meeting minutes of September 14, 2004.
2. Safety, Health, and Service Committee meeting minutes of October 5, 2004.
3. The Treasurer's Reconciliation for September 2004.
4. The Treasurer's Statement of Transactions of New Philadelphia city funds for September 2004.
5. The Treasurer's Summary of Transactions for the General Checking Account for September 2004.
6. The Auditor's Monthly Statement of Revenue for the General Fund for September 2004.
7. The Auditor's Financial Statement for September 2004.
8. Mayor's Monthly Statement to Council for September 2004.
9. The New Philadelphia Police Monthly Activity Report for September 2004.
10. A notice of a Spaghetti Dinner Fund Raiser on October 19, 2004 at Tuscora Park Pavilion from 5:00-7:30 P.M., sponsored by the Committee for Issue #17.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from September 28 through October 11, 2004. Reported that on October 5 he attended the Dover-Phila Week planning session for the 100th meeting of the Dover-Phila football game on October 29. Reported that he read a Proclamation on October 6 for the Domestic Violence rally on the Square, and a Proclamation on October 7 for Breast Cancer Awareness. He stressed the importance of both issues. Congratulated the Police and Fire Departments for their Family Safety Day held October 9.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that the million-gallon clearwell is complete and is being tied in with the current system.
Reported that 1000 feet of 12-inch water main has been replaced on University Drive.

SAFETY DIRECTORMR. GREG POPHAM ABSENT NO REPORT

AUDITOR MS. BETH GUNDY

Requested that her September reports be approved.

TREASURER MR. MIKE TAYLOR

Requested that his September reports be approved. Reported that a request was given to each department to list the records they create and in what form they are kept. The Commission will meet again the beginning of 2005. He said this is a major project and will be very time consuming. Mr. Houston made a motion to approve the Treasurer's and Auditor's Reports. Mr. Hitchcock seconded the motion. Roll call, 6 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Explained Resolution 35-2004 and recommended its emergency passage.

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 October 5. Three appeals were granted.

AIRPORT COMMISSIONMR. JIM LOCKER ABSENT

Will meet October 12, 2004 at 6:00 P.M. at the Airport.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Will meet October 27, 2004 at 7:00 P.M. in 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 tonight to discuss Ordinance 49-2004, amending appropriations. The Committee made some changes, and will ask that the ordinance be amended.

SALARY COMMITTEE MR. JIM LOCKER ABSENT NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting October 5 to discuss junk vehicles. The Committee agreed that the ordinance should not be changed, since the present definitions of junk vehicles were adequate and not unconstitutional.

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

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD

Mr. Johnson assigned Resolution 36-2004 for review.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

49-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (2nd Reading)

Motion to amend made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 6 yeas, motion passed.

Motion to suspend the rules made by Mr. Houston, seconded by Mr. Ellwood. Roll call, 6 yeas, rules suspended.

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

50-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change Sections 1131.03, 1141.02 and 1141.04 to substitute “Certificate of Zoning Compliance” for each section wherein the phrase “Certificate of Occupancy” is used and declaring an emergency, (1st Reading)

Mr. Hitchcock said the words “Certificate of Occupancy” in Section 1 should be replaced by “Certificate of Zoning Compliance.

RESOLUTIONS:

35-2004 A resolution authorizing the City of New Philadelphia to prepare and submit an application to participation in the Ohio Public Works Commission State Capital Improvement and/or local transportation improvement program(s) and to executive contracts as required, and declaring an emergency.(1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Mr. Hitchcock. Roll call, 6 yeas, rules suspended.

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson invited everyone to the 1804 Market Day Celebration this Saturday October 16, 2004 at Tuscora Park from 11:00 A.M. to 4:00 P.M.

Mr. Ellwood asked if the city is collecting any monies from the telecommunications within the city, namely from cell phone towers. Law Director Mike Johnson will look into this.

Mr. Houston asked the Clerk to review an article in today's *Repository* which features the city's Bicentennial Postcard Book, which was written by Erin Van Fossen of Buckeye Career Center. Mayor Brodzinski informed everyone that Bicentennial Picture Postcards are on sale in the Mayor's office.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 7:54 P.M.

CLERK OF COUNCIL _____

APPROVED October 25, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 25, 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 OCTOBER 11, 2004 WERE APPROVED, FOLLOWING A CORRECTION TO THE TREASURER’S REPORT, AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

- 1. A letter dated October 20, 2004 from Dominion East Ohio asking that elected officials relay to their constituents information they can use for energy assistance due to the projected high cost of fuel.
- 2. Tuscora Park Board meeting minutes of September 22, 2004.
- 3. Planning Commission meeting minutes of October 13, 2004.
- 4. Finance Committee meeting minutes of October 11, 2004.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT MAYOR RON BRODZINSKI ABSENT

In Mayor Brodzinski’s absence, Mr. Espenschied submitted a written report of the activities of his office from October 11 through October 25, 2004.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Relinquished the floor to General Services Superintendent Fred Neff, who reported on the Fall Cleanup that was held last week. Mr. Neff reported that the leaf pickup crew started this week. Mr. Espenschied thanked Mr. Larkin for the use of his equipment to remove some large trees. Reported meeting today with Fire Chief Jamie Snyder and Mr. Nicholas Montan of the County Building Department.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY NO REPORT

TREASURER MR. MIKE TAYLOR ABSENT NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Reported meeting with the New Philadelphia School Board and Central Catholic High School concerning changes to lease agreements. Reported that he negotiated and helped prepare an agreement with the Kerry/Edwards Campaign for use of Woody Hayes Quaker Stadium for a rally for Vice Presidential Candidate John Edwards held there last week.

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that the Ohio Main Street meeting will be held Wednesday October 27 and Show Me The Money will be held Thursday October 28, both in the Main Street Office. Reported that Ribbon Cutting Ceremonies were held recently at Bloom's Printing and Runway Rags. Informed everyone that the downtown area will be decorated for Christmas on November 7, the Lighting Ceremony will be on November 19, and Open Houses will be held November 20.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet November 10, 2004 at 1:00 p.m. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

The next meeting is tentatively scheduled for November 2 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER

Will give a report on the October meeting at the next Council meeting.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

The meeting scheduled for October 20 was cancelled, and will be rescheduled.

HEALTH BOARD. MS. SANDRA COX

Will meet November 10, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX NO REPORT

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to discuss trash collection. The Committee requested that Service Director Gary Espenschied and General Services Superintendent Fred Neff review the ordinance and make changes before bringing them back to the Committee.

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 discuss Resolution 36-2004, participation in the mitigation program of the EMA. The Committee approved this plan, and since it needs to be passed by November 1, the Committee requests emergency passage.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR'S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

50-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change Sections 1131.03, 1141.02 and 1141.04 to substitute "Certificate of Zoning Compliance" for each section wherein the phrase "Certificate of Occupancy" is used and declaring an emergency, (2nd Reading)

RESOLUTIONS:

36-2004 A resolution confirming the City of New Philadelphia participation in the Mitigation Program of the Tuscarawas County Homeland Security and Emergency Management Agency and declaring an emergency. (1st Reading)

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

Motion to vote on passage Mr. Ellwood, seconded by Mr. Lautenschleger. Roll call, 7 yeas, resolution passed.

37-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the Mayor to sign a pre-application for 2005 FY Entitlement Funds to the Federal Aviation Administration for funding of projects at the Harry Clever Field, New Philadelphia Municipal Airport, New Philadelphia, Ohio, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Hitchcock, seconded by Mr. Locker. Roll call, 6 yeas 1 nay (Houston), rules suspended.

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

38-2004 A resolution by the Council of the City of New Philadelphia, Ohio to acknowledge and thank the participation by George Laurence and Erin Van Fossen as co-chair of the New Philadelphia Bicentennial Commission and all other members of the Bicentennial Commission and participation by all citizens for the activities planned and held throughout the bicentennial year for the City of New Philadelphia, Ohio. (1st Reading)

Mr. Johnson assigned this to the Special/Contact Committee.

39-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the New Philadelphia City Law Director to take whatever action is necessary and appropriate to clear obstructions from the roadway located on Fourth Street Extension SE, New Philadelphia, Ohio, and declaring an emergency. (1st Reading)

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

40-2004 A resolution by the Council of the City of New Philadelphia, Tuscarawas County, Ohio approving and adopting the policies and procedures manual for the administration and implementation of CHIP activities, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Hitchcock. Roll call, 6 yeas, 1 nay (Houston), rules suspended.

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Ms. Cox announced that the Time Capsule Ceremony will be held Saturday, October 30, 2004 at noon in the Council Clerk/Safety Director's office. The mural that was painted on a downtown building will be honored immediately following the Time Capsule Ceremony.

Mr. Johnson thanked Park Superintendent Rod Miller, Park Staff, General Services Department, Safety Forces, and everyone else who was involved with the rally to welcome Vice Presidential Candidate John Edwards. He said Council Member Sandy Cox was instrumental in bring Mr. Edwards to town.

Mr. Johnson said he had the pleasure of reading proclamations to honor George Laurence and Erin Van Fossen of the Bicentennial Committee.

Mr. Houston said he wanted to explain that the reason he voted "no" on suspension of the rules on two separate resolutions is because he feels too many pieces of legislation come before Council as emergencies, and the citizens' rights and input are violated because they do not have the opportunity to speak on their behalf. Ms. Cox said all three legislations passed tonight had a deadline for passage..

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 7:58 P.M.

CLERK OF COUNCIL _____

APPROVED November 8, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 8, 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 OCTOBER 25, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Reconciliation for the period ending October 2004.
2. The Treasurer's Statement of Transactions of all New Philadelphia City funds for October 2004.
3. The Treasurer's Summary of Transactions for the General Checking Account for October 2004.
4. The Auditor's Monthly Statement of Revenue for the General Fund for October 2004.
5. The Auditor's Financial Statement for the month of October 2004.
6. Safety, Health, and Service Committee meeting minutes of October 25, 2004.
7. Airport Commission meeting minutes of October 12, 2004.
8. New Philadelphia Police Monthly Activity Report for October 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from October 26 through November 8, 2004. Commended the New Philadelphia Quaker Football Team for their undefeated season and for winning the ECOL. He also commended them for their recent victory over the Dover Tornados, in this the 100th meeting of the two teams. Reported that a Ribbon Cutting Ceremony was held October 30 for the Bicentennial Time Capsule, to be opened in 2104. Congratulated the Fire Department for their Haz-Mat training. Expressed his disappointment in the failure of Issue #17 on the November 2 ballot, and said all aspects of the budget will be looked at. Ordinance 52-2004, a wage freeze for all non-bargaining employees, is before Council for consideration tonight, and other issues/programs will be reviewed to determine what can be cut in the budget. He is asking all departments to cut their expenses. Mr. Houston asked if the bargaining units have been asked to forego raises. Mayor Brodzinski said he has asked for concessions, but did not receive a favorable response. Council President Dave Johnson asked the Mayor to remind all departments that he would like to have year-end reports.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Informed Council that, pursuant to the Codified Ordinances, he has reviewed the water and sewer rates, and he has determined that no increases are needed at this time. He commended Wastewater Superintendent Jim Dinger and Water Superintendent Kelly Ricklic for the fine job they do in their respective departments. He reminded Council that the issue of sewer connection fees is still in Committee, and said he is confident that an increase would be appropriate at this time.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITOR MS. BETH GUNDY

Requested approval of her October reports.

TREASURER MR. MIKE TAYLOR

Requested approval of his October reports. Mr. Houston made a motion to approve both the Auditor's and the Treasurer's Reports. Mr. Hitchcock seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Also congratulated the Quaker Football Team on their 10-0 season, and congratulated the school officials and the city's safety forces for the fine job they did in keeping the week safe from any problems. Reported meeting today with representatives of the Airport Commission and Mayor Brodzinski to review hangar rent increases. Mr. Johnson said he has recommended a \$25 maintenance fee, per aircraft, in lieu of hangar rent increases. He also suggested that the issue be reviewed in the Salary Committee, and an ordinance will be prepared for consideration.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Reported that the meeting scheduled for November 10 was cancelled due to lack of business.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Reported meeting November 3. Seven appeals were heard, with six being granted.

AIRPORT COMMISSIONMR. JIM LOCKER

Reported meeting October 12. It was reported that funds for the restaurant and fuel sales were received. The status of the hangar rent was discussed, but will be continued at the next meeting of the Commission, which is November 9. Mayor Brodzinski informed the Commission that Smith Ambulance is interested in using the Airport as a Medi-Vac site.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Will meet November 24, 2004 at 7:00 P.M. in the Park office.

HEALTH BOARD.MS. SANDRA COX

Will meet November 10, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE MS. SANDRA COX

Scheduled a meeting for November 29 to discuss the budget. Mr. Johnson assigned a request from Police Chief Jeff Urban to attempt to recoup funds for ambulance/accident runs within the Police and Fire Departments.

SALARY COMMITTEE MR. JIM LOCKER NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to discuss changes to the tattoo ordinance, as requested by the Health Department. The Committee voted to approve any proposed change. Also discussed was a request to have speed bumps in the roadway on 4th St. SE removed. The Committee is requesting input from the Police and Fire Departments concerning the ability of emergency vehicles to move through the area. Mr. Hitchcock scheduled another meeting on November 22 at 7:00 P.M

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

Will schedule a meeting soon to discuss sewer connection fees.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD

Reported meeting tonight to discuss Resolution 38-2004, commending members of the Bicentennial Committee. The Committee recommends making changes to include all individuals who helped with the Bicentennial in any way. Scheduled a meeting for November 22 at 6:30 P.M. to discuss bid criteria.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR’S COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

50-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to change Sections 1131.03, 1141.02 and 1141.04 to substitute “Certificate of Zoning Compliance” for each section wherein the phrase “Certificate of Occupancy” is used and declaring an emergency, (3rd Reading)

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

52-2004 An ordinance by the Council of the City of New Philadelphia to enact a wage freeze for all non-bargaining unit employees and elected officials employed by the City of New Philadelphia, and declaring an emergency. (1st Reading)

Mr. Johnson assigned this to the Salary Committee.

RESOLUTIONS:

38-2004 A resolution by the Council of the City of New Philadelphia, Ohio to acknowledge and thank the participation by George Laurence and Erin Van Fossen as co-chair of the New Philadelphia Bicentennial Commission and all other members of the Bicentennial Commission and participation by all citizens for the activities planned and held throughout the bicentennial year for the City of New Philadelphia, Ohio. (2nd Reading)

Mr. Ellwood made a motion to amend, seconded by Ms. Cox. Roll call, 7 yeas, resolution amended, to read as follows:

A resolution by the Council of the City of New Philadelphia, Ohio to acknowledge and thank the New Philadelphia Bicentennial Committee and the community for their participation throughout the Bicentennial year.

39-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the New Philadelphia City Law Director to take whatever action is necessary and appropriate to clear obstructions from the roadway located on Fourth Street Extension SE, New Philadelphia, Ohio, and declaring an emergency. (2nd Reading)

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Johnson also congratulated the Quaker Football Team and all athletes and the band

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:12 P.M.

CLERK OF COUNCIL _____

APPROVED November 22, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 22, 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. SAM HITCHCOCK
MR. GEORGE HOUSTON
MR. DARRIN LAUTENSCHLEGER
MR. JIM LOCKER
MR. ROB MAURER

COUNCILMAN BILL ELLWOOD WAS ABSENT.

THE MINUTES OF NOVEMBER 8, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. A notice from the Ohio Department of Commerce, Division of Liquor Control notifying Council that all permits to sell alcoholic beverages will expire on February 1, 2005, and every permit holder must file a renewal application.
2. Salary Committee meeting minutes of November 15, 2004.
3. Certificate of Result of Election on Resolution 33-2003, proposing staggered terms of council; additional income tax of ½% for general municipal operations; Sunday alcohol sales at the Mini Shop, dba Wine Rack; and Sunday alcohol sales at Discount Drug Mart.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from November 9 through November 22, 2004. Requested emergency passage of Ordinances 53-2004 and 54-2004, in regards to the Airport. Reported meeting November 9 concerning Issue 11 funds for possible funding of sanitary sewers at New Towne Mall. Welcomed Amberwood Manor to the City. Reported that the Downtown Christmas Lighting Ceremony was held November 19, and the Annual Unity Christmas Parade was held November 20.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that leaf pickup has begun, with the southside being complete.

SAFETY DIRECTORMR. GREG POPHAM ABSENT NO REPORT

AUDITOR MS. BETH GUNDY NO REPORT

TREASURER MR. MIKE TAYLOR NO REPORT

LAW DIRECTORMR. MIKE JOHNSON ABSENT NO REPORT

MAIN STREET REPRESENTATIVE MS. PAULINE WYRIE

Reported that the Holiday Open Houses were held November 20. Main Street at Midnight is seeking volunteers.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR BRODZINSKI

Will meet December 8, 2004 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALS MR. GARY ESPENSCHIED

Will meet December 7, 2004 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSION MR. JIM LOCKER

Reported meeting November 9. It was reported that funds for the restaurant and fuel sales were received. The status of the hangar rent was discussed, and it was decided that money received should be set aside for maintenance purposes. A proposal for a medi-vac unit was heard.

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Reported meeting November 17. Grants are being sought for the south side park for a soccer field and cross-country track. RTY contracts are to be renewed in 2005. New fencing around the rides will be installed, being funded by a private donor. Christmas in the Park, sponsored by McInturf Realty, will be held December 20. Rentals of the pool and picnic pavilions are being reviewed.

HEALTH BOARD. MS. SANDRA COX

Will meet December 8, 2004 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX

Will meet November 29 at 6:00 P.M. to discuss the budget.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting November 15 to discuss Ordinance 52-2004, a wage freeze for all non-bargaining employees. The Committee would like to have more input concerning the city's finances before a decision is made. Also discussed were Ordinances 53-2004 and 54-2004 for the Airport. The Committee recommends these ordinances go before council for consideration.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to continue discussion on Resolution 39-2004, to clear roadway of obstructions on 4th St. S.E. The Committee concluded that, since this is on private property, the City should not get involved. The Committee recommends tabling the resolution.

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

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD ABSENT NO REPORT

Mr. Johnson said he asked Mr. Lautenschleger to chair this committee until Mr. Ellwood has recuperated from his illness, and can return.

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR’S COMMENTS:

Jim Parrish, 393 Schoenbrunn Dr., New Philadelphia, President of the local firefighters’ union, voiced support for a wage increase for all city employees, voting against a wage freeze for all non-bargaining employees.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

- 51-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Ordinance 767.04(B) and enacting new Section 767.04(B), and declaring an emergency. (1st Reading)

- 52-2004 An ordinance by the Council of the City of New Philadelphia to enact a wage freeze for all non-bargaining unit employees and elected officials employed by the City of New Philadelphia, and declaring an emergency. (2nd Reading)

- 53-2004 An ordinance by the Council of the City of New Philadelphia, Ohio to accept the recommendation from the Airport Commission to authorize the fixed base operator to charge an additional \$25.00 per month maintenance fee for certain aircraft housed at the Airport to be placed in a maintenance line item for the hangars at the Airport, and declaring an emergency. (1st Reading)

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

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

- 54-2004 An ordinance by the Council of the City of New Philadelphia to authorize preparation of a supplemental lease between the City of New Philadelphia and Professional Aviation Municipal Management Group, LTD, and Ohio limited liability company which operates as a fixed-base operator for the City of New Philadelphia Airport to include the hangar formerly known as Gile-Flytwin Hangar under the existing fixed-base operator lease entered into December 1, 1999 and to be governed by the same terms as the December 1, 1999 lease agreement, and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

Amended Resolution 38-2004 A resolution by the Council of the City of New Philadelphia, Ohio to acknowledge and thank the New Philadelphia Bicentennial Committee and the community for their participation throughout the bicentennial year. (3rd Reading)

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

39-2004 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the New Philadelphia City Law Director to take whatever action is necessary and appropriate to clear obstructions from the roadway located on Fourth Street Extension SE, New Philadelphia, Ohio, and declaring an emergency. (3rd Reading)

Mr. Hitchcock made a motion to table this resolution. Mr. Houston seconded the motion. Roll call, 6 yeas, motion passed.

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:00 P.M.

CLERK OF COUNCIL _____

APPROVED December 13, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 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 NOVEMBER 22, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. The Treasurer's Reconciliation for November 2004.
2. The Treasurer's Statement of Transactions of all City funds for November 2004.
3. The Treasurer's Summary of Transactions for the General Checking Account for November 2004.
4. The Auditor's Monthly Statement of Revenue for the General Fund for November 2004.
5. The Auditor's Financial Statement for November 2004.
6. Finance Committee meeting minutes of November 29, 2004.
7. Board of Zoning Appeals meeting minutes of November 3, 2004.
8. A letter dated November 23, 2004 from the Ohio Department of Commerce, Division of Liquor Control, notifying Council that a hearing will be held December 13, 2004 on the permit application filed by Sours Oil Company, dba Skip's BP, 162 South Broadway, New Philadelphia, OH.
9. The New Philadelphia Police Monthly Activity Report for November 2004.
10. Planning Commission meeting minutes of December 8, 2004.
11. Safety, Health, and Service Committee meeting minutes of November 8, 2004.
12. Airport Commission meeting minutes of November 9, 2004.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from November 23 through December 13, 2004. Reported that he attended a breakfast at Personal & Family Counseling Services for discussion to help people purchase cars for work purposes. Reported meeting November 29 with Mr. Tripathy in regards to the possible relocation of WJER-FM to the North Canton area. A resolution objecting to the move has been prepared and is before council for consideration tonight. Reported meeting December 7 with Jim DeLucas concerning city liability insurance for 2005. Reported attending an Infocision meeting this morning with the Port Authority concerning a new call center. Reported that he attended the Public

Hearing today on the liquor license issuance for Skip's BP. Requested an Executive Session tonight to discuss personnel and salaries. Mr. Hitchcock made a motion to go into Executive Session. Mr. Lautenschleger seconded the motion. Roll call, 7 yeas, motion passed.

SERVICE DIRECTORMR. GARY ESPENSCHIED

Reported that the City has been awarded \$185,600 in Issue II money from Ohio Public Works for sanitary collections system in the Mall area.

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITORMS. BETH GUNDY

Requested approval of her November reports. Also requested passage of Ordinances 55-2004, 56-2004 and Resolution 43-2004.

TREASURERMR. MIKE TAYLOR

Requested approval of his November reports. Mr. Houston made a motion to approve the Auditor's and Treasurer's Reports. Ms. Cox seconded the motion. Roll call, 7 yeas, motion passed.

LAW DIRECTORMR. MIKE JOHNSON

Reported that three firefighters have been notified by the Mayor that they will be laid off January 1, 2005, and they have filed an appeal with the Civil Service Commission. Reported that he attended the Public Hearing today on the liquor license issuance for Skip's BP. A decision will be made in 3-4 weeks. Resolution 42-2004, opposing the move of WJER-FM, is before Council tonight, and he suggested that it be passed tonight. Reported that Resolution 43-2004 must be passed before the end of this year, and recommended it be passed tonight.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet January 12, 2005 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet January 4, 2005 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER

Will meet December 14, 2004 at 6:00 P.M. in the Airport meeting room.

PARK BOARDMR. DARRIN LAUTENSCHLEGER

Reported that there was no December meeting.

HEALTH BOARDMS. SANDRA COX

Will meet January 12, 2005 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE MS. SANDRA COX

Will meet November 29 at 6:00 P.M. to discuss the budget. Auditor Beth Gundy reviewed the estimated carryover, estimated revenue, Master Capital updates, projections for 2005, etc. Mayor Brodzinski reviewed grants, loans, and suggestions on items that will not be funded in 2004. The Committee went into Executive Session to consider employment and preparing for contract negotiations, etc. Mayor Brodzinski also discussed items to be cut in the 2005 budget, and stressed the importance of freezing the non-bargaining employees' wages. Also discussed was the Temporary Appropriations for 2005, with some minor adjustments being made.

SALARY COMMITTEE MR. JIM LOCKER

Reported meeting tonight to discuss Ordinance 52-2004, a wage freeze for all non-bargaining employees. The Committee voted 2-1 to meet again on December 27 because the Mayor has requested the city's unions all take a wage freeze, and they are to respond to him by December 20 of their decision.

SAFETY, HEALTH, AND SERVICE COMMITTEE MR. SAM HITCHCOCK

Reported meeting tonight to discuss Chapter 971, garbage and rubbish collection. The Committee reviewed changes that will be made. Mr. Johnson assigned the Public Defender's Contract.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE. . .MR. ROB MAURER

Reported meeting tonight to discuss sewer tap-in fees and sewer permit fees. Service Director Gary Espenschied said the sewer connections fees have not been changed since 1960 and sewer permit fees since 1989. Mr. Espenschied gave his recommendations as to the increases he feels are appropriate. The Committee voted to have either the current ordinance amended or a new ordinance prepared for council's consideration.

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD NO REPORT

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR'S COMMENTS:

Jim Parrish, 393 Schoenbrunn Dr., New Philadelphia, President of the local firefighters' union read facts that he compiled about the possible lay-off of three fire fighters. He said the cost to the city will be greater because more overtime will be needed to cover the loss of manpower. He urged the Mayor and Council to reconsider the lay-offs and look at alternative ways to balance the budget

Mark Horton, Secretary/Treasurer of the Ohio Assn. Of Professional Fire Fighters, 1380 Dublin Rd., Columbus, OH, said he has met several times with the fire fighters concerning the lay-offs, and he said the city is already under staffed. He said overtime and un-employments costs would be greater if they are laid off. He suggested working with the administration to come up with alternative measures.

Wes Halter, 1226 Lakeview Rd., New Philadelphia, Vice-President of the local fire fighters union, said the union has voted to not take a wage increase and extend their contract through 2006, and he urged the administration not to lay off three fighters.

Brandon Winnie, 1308 Dover Ave., Dover, said he is one of the three fire fighters to be laid off in January. He said, even though he has a family and will miss his job, the citizens will be affected the most.

Ryan Murphy, 607 Ricksecker St., Dover, asked the Mayor why the firemen were not notified of the layoffs until they read it in the newspaper. Mayor Brodzinski said the fire chief was notified at the same time.

Eileen Baker, Union Hospital Emergency Room Doctor and EMS Medical Director, said she has had the pleasure of working with the local fire departments, and the training they have far exceeds minimal standards. She said it is a major concern to cut the service that is needed so greatly in this area, with the elderly population and the Mall and other businesses.

Kendall Bick, 518 Beaver Ave., New Philadelphia, asked Council and the Mayor to reconsider the layoffs.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

51-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Ordinance 767.04(B) and enacting new Section 767.04(B), and declaring an emergency. (2nd Reading)

52-2004 An ordinance by the Council of the City of New Philadelphia to enact a wage freeze for all non-bargaining unit employees and elected officials employed by the City of New Philadelphia, and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Houston, who said he is not happy about doing this, but something needs to be done to cut the budget. Mr. Locker seconded the motion. Mr. Lautenschleger said without a recommendation from the Committee, he cannot support passage of this ordinance. Mr. Maurer said the Committee voted to hold this until hearing from the city's unions to see if they would forego raises, and said he is floored by the motion to pass. Mr. Locker said Council can override a decision made by the Committee. Mr. Houston said he is sorry Mr. Maurer feels that way, but suggested the Committee should have tabled the ordinance if they wanted more time. Mr. Maurer said no one seems upset about the money that will be given in raises, adding that supervisors and non-bargaining employees' raises would be not have amounted to a large sum of money. Mr. Hitchcock said he agrees with Mr. Maurer, and he thinks Council should have waited until the city's unions have the opportunity to meet and give their decision. Ms. Cox said something has to be done soon, so she will support passage. Roll call, 4 yeas 3 nays (Hitchcock, Lautenschleger, & Maurer), ordinance passed.

55-2004 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2004 and declaring an emergency. (1st Reading)

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

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

56-2004 An ordinance to make temporary appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio, during the fiscal year ending December 31, 2005, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Locker, seconded by Mr. Hitchcock. 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.

57-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Chapter 971 and enacting new Section 971, and declaring an emergency. (1st Reading)

RESOLUTIONS:

42-2004 A resolution by the Council of the City of New Philadelphia, Ohio to oppose the application of Clear Channel Communications to move WJER-FM from Dover, Ohio outside of Tuscarawas County, and declaring an emergency. (1st Reading)

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

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

43-2004 A resolution accepting the amounts and rates a determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency. (1st Reading)

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

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

OLD OR UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

AT 8:20 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL AND SALARIES. COUNCIL RECONVENED INTO REGULAR SESSION AT 9:03 P.M.

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 9:03 P.M.

CLERK OF COUNCIL _____

APPROVED December 27, 2004

PRESIDENT OF COUNCIL _____

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 27, 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. ROB MAURER

COUNCIL MEMBER JIM LOCKER WAS ABSENT.

THE MINUTES OF DECEMBER 13, 2004 WERE APPROVED AS WRITTEN AND RECEIVED.

CORRESPONDENCE CLERK DIANE ROUDEBUSH

1. Safety, Health, and Service Committee meeting minutes of December 13, 2004.
2. Board of Zoning Appeals meeting minutes of December 7, 2004.
3. Public Works & Economic Development Committee meeting minutes of December 14, 2004.
4. Minutes of the Municipal Treasury Investment Committee meeting of December 16, 2004.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT MAYOR RON BRODZINSKI

Submitted a written report of the activities of his office from December 14 through December 27, 2004. Reported that he attended a Metropolitan Housing Authority luncheon on December 14, and congratulated them on the job they do in making affordable housing for those with low income. Reported that welcomed the Empire China Buffet to the community and attended a ribbon cutting ceremony there on December 20. Reported that, on December 22, he attended a meeting with the Port Authority to discuss a master plan for future airport facilities. Requested an Executive Session to discuss personnel and salaries. Wished everyone a “Happy New Year.” Mr. Hitchcock made a motion to go into Executive Session following the reading of legislation. Mr. Lautenschleger seconded the motion. Roll call, 6 yeas, motion passed.

SERVICE DIRECTORMR. GARY ESPENSCHIED NO REPORT

SAFETY DIRECTORMR. GREG POPHAM NO REPORT

AUDITORMS. BETH GUNDY

Explained the need for Ordinance 58-2004 and requested its emergency passage tonight.

TREASURER MR. MIKE TAYLOR NO REPORT

LAW DIRECTORMR. MIKE JOHNSON

Explained Ordinance 58-2004, and recommended it be passed tonight. Also explained Resolution 44-2004, and suggested it be assigned to Committee.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSIONMAYOR BRODZINSKI

Will meet January 12, 2005 at 1:00 P.M. in Council Chambers.

BOARD OF ZONING APPEALSMR. GARY ESPENSCHIED

Will meet January 4, 2005 at 5:00 P.M. in Council Chambers.

AIRPORT COMMISSIONMR. JIM LOCKER NO REPORT

PARK BOARD MR. DARRIN LAUTENSCHLEGER

Will meet January 19, 2005 at 7:00 P.M. at the park office.

HEALTH BOARD.MS. SANDRA COX

Will meet January 12, 2005 in the Health Department at noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDRA COX NO REPORT

SALARY COMMITTEE MR. JIM LOCKER ABSENT NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEEMR. SAM HITCHCOCK NO REPORT

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

ZONING & ANNEXATION COMMITTEE. MR. GEORGE HOUSTON NO REPORT

Will be scheduling a meeting within the next week to discuss Resolution 44-2004.

CONTACT & SPECIAL COMMITTEE MR. BILL ELLWOOD NO REPORT

PARKS & CEMETERY COMMITTEE MR. DARRIN LAUTENSCHLEGER NO REPORT

VISITOR'S COMMENTS:

Charles Demuth, 1296 3rd St. SW, New Philadelphia, said there is a significant water/ice problem on 3rd St. & Larkin. He said at times it is completely iced over and makes it difficult to drive there. He said he called and the Service Department came and chipped the ice away, but the problem still exists. He urged the issue be assigned to a Committee. He said he called and asked the mayor to drive over it and give his opinion. Mayor Brodzinski said he did go there, and he said the problem goes back several years when the developer did not install storm sewers. He said storm sewers are badly needed there.

Jim Parrish, 393 Schoenbrunn Dr., New Philadelphia, President of the local firefighters' union, announced that the firefighters will be seeking approval of a 3/8% income tax increase for the fire department only. The firefighters asked that council support them in their endeavor, and he asked that the layoff of three firefighters be delayed until after the May Primary.

Brian Graham, 1828 Hicks Ave. New Philadelphia, said he does not understand why the 3 firefighters are being laid off when the carryover balance should be enough to pay their salaries. He questioned the purchase of a pothole repair machine when there is a freeze on new equipment purchases. He said the cost is almost equal to the salaries of the three firefighters, at least through April, that are being laid off. He said the mayor said previously there would not be layoffs, and now there are, and he does not know when to believe the mayor. He said he personally doesn't think there is a money problem. Mayor Brodzinski said he doesn't feel he needs to respond to personal attacks. Service Director Gary Espenschied said the durapatch machine was paid out of the water and wastewater funds, with only 10% from the General Fund. He said it will ultimately save the city money.

Allan Sayre, 1420 Parkdale Dr. Dover, newly elected State Representative, said he will work to keep state and local funding, so that cities can maintain their revenue and not run into financial crisis such as this.

Mike Taylor, Third District Vice-President of the Ohio Assn. Of Professional Fire Fighters, said he is appalled by the lack of concern that council and the administration has for the loss of manpower in the fire department. He said the New Philadelphia Fire Department is already understaffed, and additional training has been halted. Council President Dave Johnson said he takes offense by Mr. Taylor's comments that council does not care, adding that council is working with the administration to correct the financial problems. Ms. Cox said she also takes offense, too, saying that the city initiated a 0.5% increase in November that was defeated by the voters. Mayor Brodzinski added that Council and the Administration did support the income tax increase, so if the firefighters want to indict someone, they can indict the voters who voted against the issue. Auditor Beth Gundy said the carryover balance is slightly better than last year, but reminded everyone that it is only because money has been diverted from other funds into the general fund.

Wes Halter, 1226 Lakeview Rd., New Philadelphia, Vice-President of the local fire fighters union, said, addressing Safety Director Greg Popham, that Mr. Popham did not have a report tonight and has not contacted the department in some time. Mr. Popham said he has worked with the firefighters any time they have had a problem. He said he understands their frustration because this is probably one of the worst times the city has had.

Jim Sholtz, 431 Beaver Ave., New Philadelphia, said the firefighters feel unappreciated because they are so grossly understaffed. He said they should be hiring additional manpower instead of laying off three.

Keith Devault, Broad Run Dairy Rd., asked the position of each council member concerning the layoff of the firefighters. Mayor Brodzinski said these decisions have to be made, and when the money isn't there, he has to operate the city the best he can. Council President Dave Johnson reminded everyone that council does not have to respond if they are unprepared. Mayor Brodzinski said the decision on balancing the budget solely falls on the Mayor, who reports to Council.

Kendall Bick, 518 Beaver Ave., New Philadelphia, asked the Mayor to rescind his decision to lay off the firefighters.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

51-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Ordinance 767.04(B) and enacting new Section 767.04(B), and declaring an emergency. (3rd Reading)

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

57-2004 An ordinance by Council for the City of New Philadelphia, Ohio to repeal existing Chapter 971 and enacting new Section 971, and declaring an emergency. (2nd Reading)

58-2004 An ordinance repealing Ordinance 34-2004 amending and adjusting the permanent appropriations for the year 2004 and declaring an emergency. (1st Reading)

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

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

RESOLUTIONS:

44-2004 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 annexation of an adjacent 4.628 acre tract of land located in Goshen Township, and declaring an emergency. (1st Reading)

AT 8:15 P.M. COUNCIL ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL AND SALARIES. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:49 P.M.

OLD BUSINESS:

Council President Dave Johnson wished the firefighters well in their effort to gather signatures to have the 0.375% income tax increase on the ballot in the May primary.

NEW BUSINESS: NONE

MOTION TO ADJOURN MADE BY MR. HOUSTON. MEETING ADJOURNED AT 8:49 P.M.

CLERK OF COUNCIL _____

APPROVED January 10, 2005

PRESIDENT OF COUNCIL _____