

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 10, 2018 WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING. MRS. RAMOS OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND  
MR. DAN LANZER  
MRS. AIMEE MAY  
MR. ROB MAURER  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC  
MR. JOHN ZUCAL

- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT’S AGENDA  
MR. RICKLIC SECONDED THE MOTION  
7 YEAS  
TONIGHT’S AGENDA HAS BEEN ACCEPTED
  
- MR. MAURER MOTIONED TO ACCEPT THE MINUTES FROM THE NOVEMBER 26, 2018 REGULAR SESSION OF CITY COUNCIL  
MRS. MAY SECONDED THE MOTION  
7 YEAS  
MINUTES FROM THE NOVEMBER 26, 2018 REGULAR SESSION HAVE BEEN APPROVED

**CORRESPONDENCE** . . . . . CLERK, JULIE COURTRIGHT

1. *To Council Clerk from Kevin Gegenstein, President of Northeast Ohio Natural Gas Corporation, dated November 27, 2018. This is a letter with the following excerpts: “Dear Community Leader, for over 25 years the Northeast Ohio Natural Gas Corp, including Brainard Gas Corp., Orwell Natural Gas Company and Spelman Pipeline, have been committed to providing efficient, safe, reliable natural gas service at competitive prices to our valued customers throughout Ohio. NEO’s base distribution rates have not increased in approximately 15 years. During that time NEO has successfully completed substantial investments in the natural gas distribution infrastructure. Despite ongoing cost control efforts the expenses associated with bringing high quality service to our customers have increased since our last rate case in 2004. As a result, in late December 2018 NEO will ask the Public Utilities Commission of Ohio to consider an increase in the base distribution rate. If approved by the Public Utilities Commission of Ohio this case will result in an increase of approximately \$8.00 to a typical residential customer’s monthly bill.” Signed Kevin Degenstein, President*
2. *To Clerk of Council from Paul and Sue Behm, dated November 28, 2018. This is an email with the title “To Councilmembers and Governing Body” and it states the following: I recently attended several meetings of the Council and even though my opinion did not sway enough of Council to vote against the Property Management Code, I wanted to let Council know how impressed I was at our Council’s governing body and their genuine love of our City and to thank all of you for your dedication and service to the City. I do also want a nice well kept City.” Sincerely, Sue Behm*
3. *To Clerk of Council from Dominion Energy Ohio, dated November 30, 2018. This is a letter and it has the following excerpt: Dear Public Official, on October 15, 2008 in Case Number 07-829-GA-AIR, the Public Utilities Commission of Ohio approved Dominion Energy Ohio’s use of automatic adjustment mechanism known as the AMR cost recovery charge to allow Dominion to recover certain costs associated with deploying automatic meter reading AMR technology throughout its service territory. “ Signed Tracy Oliver, Director, DEO Media and Local Affairs*
4. *To Council and Administration from Mayor Day, dated November 30, 2018. This is the November 2018 End of Month Report.*

5. *To Council and Administration from Vickie Daniels, Income Tax Administrator for the City. This is the November 2018 Income Tax Report.*
6. *To Council and Administration from Auditor Gundy, dated December 5, 2018. This is the Expense Report with Encumbrance Details, the Check Report by Number for November 2018, and the Statement of Cash Position MTD for November 2018.*
7. *To Law Director Marvin Fete from Beth Gundy, dated December 5, 2018. This is an email titled Appropriations Memo 2018.*
8. *To Council and Administration from Auditor Gundy, dated December 7, 2018. This is the Auditor's Financial Statement for November 2018.*
9. *To Clerk of Council from Treasurer Tom Gerber, dated December 10, 2018. This is the City of New Philadelphia November 2018 Deposit.*
10. *To Council and Administration from Mayor Day, dated December 10, 2018. This is the Mayor's Report*

**Administrative Reports.....**

MAYOR'S REPORT/REQUESTS ....MAYOR JOEL B. DAY

Mayor Day had the following report:

- **Work on a City Master Plan Continues:** Another round of data gathering for development of a City Master Plan took place last week. University of Cincinnati professor Michael McInturf held two sessions with local government, school administration and community members to receive their impressions of the plan's framework he and his School of Architecture graduate students have created. He will return to New Philadelphia for a follow-up meeting later this month. The purpose of the plan is to identify the City's key assets and use them to guide future business and residential development. The last master plan created for the City was in 1967.
- **A Spectacular Start to the Christmas Season Celebration in New Philadelphia:** I want to thank the City and County employees, the County Commissioners, the teachers and musical performers from New Philadelphia City Schools, the New Philadelphia Business and Community Association's volunteers, the downtown business owners, local church and community members for creating a perfect start of the season with the annual Christmas Lighting Ceremony and City Christmas Parade. I have received many compliments about both events and the holiday look of the new Courthouse and downtown lighting.
- **City Human Resources Director Kurtz Becomes a SHRM Certified Professional:** The Society for Human Resource Management has notified my office that City HR Director Mary Kurtz has passed the SHRM Certified Professional exam. Director Kurtz has worked hard over the past eight months to receive the SHRM certification, which can only be achieved by an in-depth knowledge of human resources issues and best practices. She has lead the effort to improve job training and safety practices throughout the entire City workforce. Please join me in congratulating Ms. Kurtz for receiving the SHRM credential.
- **The Ohio Dept of Health Recognizes the City Health Dept's Food Service Operation program:** During the months of October and November, the City of New Philadelphia's Health Department underwent an extensive survey of its Food Service Operation program by the State Department of Health. The findings, released today, acknowledged the programs adherence to mandated State requirements, and as a result our Health Department was approved to continue issuing food service licenses in the New Philadelphia Health District.
- **Rainbow Connection to Fund Construction of a Handicapped Fishing Pier at Tuscora Park:** Today I received a letter from Carmel Haueter, Executive Director of the Rainbow Connection, announcing that the charity's board of directors has approved payment of \$14,880.00 to fund construction of a handicapped fishing pier at Tuscora Park. The pier will be located on the Maloney Drive side of the park pond. It will accommodate wheelchairs and will be accessed from handicap parking spaces. The start of construction will be determined once engineering plans are completed.

SERVICE DIRECTOR .....MR. RON MCABIER

Mr. McAbier had the following report:

For the Carlisle Coniglio boat ramps we have our first preconstruction meeting tomorrow. So we'll have future updates on their plan of action. I look for them to start in December but I'll let you know at the Thursday meeting after Christmas. Also, an update on the hangar, all the footers are poured and I talked to Mark Strait and he looks to pour the entire slab this week. Also, the house finally got torn down at 132 Poplar Avenue on Friday and they just finished work up there again today but they're out of there now. So that's an eyesore finally removed. On leaves the entire main streets have been picked up at least once. The southside is completely done on the southeast side. I look to have the southwest side done, if it's good weather probably by the end of the week the southwest side should be done. They're up on Oak Street today and they'll concentrate on the northwest section and then do the northeast after that.

Mr. Ricklic had the following question:

Is there paving on Wabash?

Mr. McAbier had the following reply:

They're going to skim coat that section to get us through because it's not on the paving list. Also the intersection of 3<sup>rd</sup> and Wabash. They're just going to come and skim there will be no grinding they'll try to make some smooth patching to get us through.

Mr. Zucal had the following comment:

Thank you for the work at the Poplar address. Very impressed by the work that was done there. Great job. Today they finished up. The top soil on top looks really good. Very efficiently done and they were very respectful to the neighbors.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy had the following report:

I'm just asking Council to pass Ordinance 29-2018 on an emergency basis tonight. That's for 2018 appropriations.

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

TREASURER . . . . MR. TOM GERBER.....NO REPORT

LAW DIRECTOR . . . . . MR. MARVIN FETE.....NO REPORT

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission meeting this month has been cancelled. We'll be meeting next month.

BOARD OF ZONING APPEALS.....MR. RON MCABIER

The Board of Zoning Appeals will meet tomorrow at 5:00 PM here in Council Chambers with one

item to be heard.

AIRPORT COMMISSION.....MR. JOHN ZUCAL  
There is no Airport Commission meeting scheduled for December. We'll be reconvening in January.

PARK BOARD.....MRS. AIMEE MAY.....NO REPORT

CEMETERY BOARD.....MRS. AIMEE MAY  
Mrs. May had the following report:  
The Cemetery Board meeting was cancelled for the month of December. We'll reconvene in January.

HEALTH BOARD..... MR. KELLY RICKLIC  
Mr. Ricklic had the following report:  
The Health Board will be meeting Wednesday, December 12, 2018 at Buckeye Career Center at noon.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. ROB MAURER  
Mr. Maurer had the following report:  
I'm asking that Ordinance 29-2018 be passed and Ordinance 30-2018 be passed, just for the fact that we might not have enough people at the next Council meeting.

Mr. Holland had the following comment:  
We recently discussed the wage increases for non-bargaining personnel. I want you to know that I find history in New Philadelphia to be quite interesting. In 2004 the Mayor made the statement that this is a part-time retirement position. He was referring to the Mayor's position. He said "I don't need a raise and if I don't need one the department heads don't need it either. That's on record and can be found easily. I can't begin to understand the asininity of such a statement. When we begin to break the statement apart he said the Mayor's position is part-time. It's certainly not part-time. It is far beyond any 40 hour work week. If anybody expects to move this City forward they're going to have to work 40 hours or more. That needs to be determined and ultimately decided since we've had a number of questions over the last three years or whether or not the Mayor's position was part-time or full-time. If the Mayor were to make a salary decision based on what his personal income was at any given time it would be a gross disservice to all the City employees. This entire City workforce would be hurt. We're the governing body and now we find ourselves in the untenable position of having to right the wrongs of the past. If we want to create further divide and dissention among City employees continue to treat them differently on payday. There comes a time when the ship must be righted and it's my position that if non-bargaining employees do not see a raise in the coming fiscal year then neither should anyone else, and if that lasts for the term of the next contracts then so be it. We represent those employees in non-bargaining as well as those in the bargaining positions, and it's up to us to see that every employee is represented fairly concerning their position compensation packages.

SALARY COMMITTEE .....MR. JOHN ZUCAL.....NO REPORT

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE.....MR. KELLY RICKLIC.....NO REPORT

ZONING & ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS.....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR DAN LANZER

Mr. Lanzer had the following report:

The Special and Contact Committee met this evening at 7:00 PM and we had a discussion of food truck regulations and also a liquor license request from Buckeye Beverage to Oszust LLC, which is the drive thru on East High. We had a 3-0 vote to have us take a voice vote from all of Council to approve the liquor license transfer request.

ROLL CALL

7 YEAS

THE LIQUOR LICENSE REQUEST HAS BEEN APPROVED

PARKS & CEMETERY COMMITTEE .....MRS. AIMEE MAY.....NO REPORT

**VISITOR’S COMMENTS:**

Matthew Graham, President of the Local 1501 had the following comment:

I just want to thank Council, the Mayor and Administration for all their work in 2018, and Merry Christmas.

**COUNCIL COMMENTS:**

Mr. Holland had the following comment:

First, I want to commend this body and Administration for standing firm to our community convictions a year ago. Without the birth of our Lord there would be no resurrection, then where would we be? This is such an important time of year when we celebrate the birth of our Lord community-wide. Your decision a year ago has been noticed by many citizens, neighbors and supporters, Thank you.

I’m sorry I missed the discussion on the International Property Maintenance Code, however, I would like to comment. I understand that this body has been referred to as a “hammer looking for a nail.” We are not hammers looking for nails. we are civil servants working to clean up this city and I would add that we are citizens, taxpayers, neighbors, mothers and fathers and we are those who were put here by this community to represent everyone’s best interest and provide this community services and protection through the use of our best judgement.

Further, I have contacted the Executive Directors of HARCATUS and The Society for Equal Access, just two of the many organizations willing to step up and assist where individuals are either physically or financially unable to comply with the Property Maintenance Code. Both organizations have resources for replacing heating and air conditioning systems, plumbing, construction materials and paint and working in concert with many of our churches and other civic organizations, who have already made a substantial commitment toward improving our community, provide cleanup, fixup and weatherization and can assist with mobile and rental properties. These organizations are dedicated to community improvement and making New Philadelphia a more pleasant place to live, work and play and stand ready to assist wherever they might be needed. We are all citizens in this great community and want to see and do what is best for our home town. We are not trying to make things difficult we are working diligently to improve this community. Finally, The Clinic for the Working Uninsured is currently celebrating its 10<sup>th</sup> anniversary of serving our community. Many people are employed full-time and yet they are unable to obtain healthcare insurance through their employer or cannot afford healthcare insurance through the insurance marketplace, the clinic attempts to aid these individuals. The Clinic for the Working Uninsured provides primary medical care, laboratory testing and x-rays, health education, prescription assistance, limited dental care, and specialty

clinics for dermatology and podiatry. These highly specialized services are provided by local physicians who donate their time for this much needed community service. The clinic operates entirely through donations, grants and fund raisers. What a great service to our community and Mr. Mayor I would request a Mayoral Proclamation recognizing the clinics 10 years of service to the community.

Mrs. Ramos had the following comment:

I just wanted to say I come in from North Broadway downtown, and the downtown is gorgeous. Thank you.

## **READING OF ORDINANCES AND RESOLUTIONS**

### ORDINANCES:

27-2018 THE FOLLOWING ORDINANCE IS ENACTED BY THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, HEARINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT BEING THE REMOVAL OF AN AVERAGE TWO AND ONE QUARTER (2.25) INCHES AND THE RESURFACING WITH AN AVERAGE TWO AND ONE QUARTER (2.25) INCHES OF ASPHALTIC CONCRETE ON STATE ROUTE 39 FROM THE DOVER PARK AND RIDE TO THE WEST HIGH AVENUE RAILROAD CROSSING IN NEW PHILADELPHIA (SLM 13.55); LENGTH OF THE CITY OF NEW PHILADELPHIA EQUALS 3,590 FT., WIDTH VARIES FROM 48 TO 60 FT.

1<sup>st</sup> Reading

MR. HOLLAND MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 27-2018

MR. RICKLIC SECONDED THE MOTION

Mr. Ricklic had the following comment:

This would meet the deadline that the State has imposed on us so that they can file their necessary paperwork.

7 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 27-2018

MR. HOLLAND MOTIONED FOR APPROVAL OF ORDINANCE 27-2018

MR. LANZER SECONDED THE MOTION

7 YEAS

ORDINANCE 27-2018 HAS BEEN APPROVED

29-2018 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2018.

1<sup>st</sup> Reading

MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 29-2018

MR. ZUCAL SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 29-2018

MR. MAURER MOTIONED FOR APPROVAL OF ORDINANCE 29-2018

MR. ZUCAL SECONDED THE MOTION

7 YEAS

ORDINANCE 29-2018 HAS BEEN APPROVED

30-2018 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, 2019.

1<sup>st</sup> Reading

MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON  
ORDINANCE 30-2018  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
ORDINANCE 30-2018 HAS BEEN APPROVED

MR. MAURER MOTIONED THAT ORDINANCE 30-2018 BE APPROVED  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
ORDINANCE 30-2018 HAS BEEN APPROVED

RESOLUTIONS: NONE

**UNFINISHED OR OLD BUSINESS: NONE**

**NEW BUSINESS:**

Mr. Zucal had the following comment:  
Merry Christmas and Happy New Year!

President of New Philadelphia City Council Sam Hitchcock had the following comment:  
I would like to join Mr. Zucal in wishing all of you a very safe and blessed  
Christmas.

Mr. Maurer motioned to adjourn at 7:59 pm

CLERK OF COUNCIL \_\_\_\_\_  
Julie Courtright

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock