

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 9, 2017 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING. COUNCILMAN HOLLAND OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

MR. DEAN HOLLAND  
MR. DARRIN LAUTENSCHLEGER  
MRS. AIMEE MAY  
MR. ROB MAURER  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC  
MR. JOHN ZUCAL

EXCUSED ABSENSE:

SAFETY DIRECTOR GREG POPHAM

- MRS. MAY MOTIONED TO ADD ORDINANCE 1-2017, ORDINANCE 2-2017, AND RESOLUTION 2-2017 TO TONIGHT’S AGENDA  
MR. RICKLIC SECONDED THE MOTION  
7 YEAS  
ORDINANCE 1-2017, ORDINANCE 2-2017, AND RESOLUTION 2-2017 HAVE BEEN ADDED TO TONIGHT’S AGENDA
- MRS. MAY MOTIONED TO ACCEPT TONIGHT’S AGENDA  
MRS. RAMOS SECONDED THE MOTION  
7 YEAS  
TONIGHT’S AGENDA HAS BEEN ACCEPTED
- MRS. RAMOS MOTIONED TO ACCEPT THE MINUTES FROM THE DECEMBER 29, 2016 REGULAR SESSION OF COUNCIL  
MRS. MAY SECONDED THE MOTION  
7 YEAS  
MINUTES FROM THE DECEMBER 29, 2016 REGULAR SESSION OF COUNCIL ARE ACCEPTED

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

1. *To Clerk of Council Julie Courtright from the Ohio EPA, dated December 30, 2016, this public notice states the following:  
“The following matters are the subject of this public notice from the Environmental Protection Agency. The complete public notice including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal can be obtained at <http://www.epa.ohio.gov/actions.aspx> or hearing clerk, Ohio EPA 50 West Town St. P.O. Box 1049 Columbus, Oh. This is the final issuance of certification for the Oxford Mining Company at Eddy Hill Rd. Stillwater, Oh. The date of action is December 23, 2016, and the final issuance of certification for the Oxford Mining Company Hunt 4 for County Road 124 Port Washington, Oh. The date of action for that was 12/23/2016.”*
2. *To Clerk of Council Julie Courtright from Auditor Beth Gundy, dated December 31, 2016. This is the Auditor’s Monthly Statement of 2016 Revenue for the General Fund, The Auditor’s Financial Statement for the Month of December 2016, The City of New Philadelphia Statement of Cash Position with MTD, and the City of New Philadelphia Budget Report with Encumbrance Details.*
3. *To Clerk of Council Julie Courtright from Treasurer Tom Gerber, dated January 1, 2017. This is the City of New Philadelphia December 2016 Deposits.*
4. *From IT Specialist for the City of New Philadelphia Jeff Erb to Law Director Marvin Fete, and from Marvin Fete to Council Clerk Julie Courtright, dated January 6, 2017, this is a letter and documents concerning a grant for ODOT Office of Aviation and legislation that is needed ASAP. President of New Philadelphia City Council Sam*

- Hitchcock assigned this to the Finance Committee.*
5. *To New Philadelphia City Council from President of New Philadelphia City Council Sam Hitchcock, dated January 6, 2017. This is an email titled "Copy Machine Expense" asking Council's opinion of receiving digital copies in lieu of hard copies of required paperwork as a potential cost saving measure for the City.*
  6. *To Dr. Maureen May MD from Mayor Joel Day, dated January 9, 2017. This is a letter to advise Dr. May of her reappointment to the New Philadelphia Board of Health effective February 1, 2017 for a 5 year term pending City Council ratification.*
  7. *To Brian Marsh II from Mayor Joel Day, dated January 9, 2017. This is a letter to advise Mr. Marsh of his reappointment to the New Philadelphia Airport Commission for 3 years effective January 1, 2017 pending City Council ratification.*
  8. *To Don Kennedy from Mayor Joel Day, dated January 9, 2017. This is a letter to advise Mr. Kennedy of his reappointment to the New Philadelphia Airport Commission for 3 years effective January 1, 2017 pending City Council ratification.*
  9. *To New Philadelphia City Council and Administration, from Mayor Joel Day, dated January 9, 2017. This is the Mayor's Report.*

## **Administrative Reports.....**

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

Mayor Day had the following report:

- R & J Cylinder Moving from Dover into the Morgantown Machine Facility: New Philadelphia will be gaining at least 50 manufacturing jobs when R & J Cylinder moves from its Dover location into the Morgantown Machine facility on Robinson Drive in the Reiser Avenue industrial park. The company purchased the property last month and is now in the process of preparing for the move. The facility will enable R & J to expand its hydraulic cylinder manufacturing and repair business, improve its machining capabilities and create additional jobs. I would like to thank R & J officials for choosing to join the New Philadelphia manufacturing business community.
- The Closing of the West High Avenue McDonald's Restaurant : I was saddened to learn from franchise owner Vickie Lewis that the McDonald's Corporation had decided to close the West High Avenue restaurant. Corporate officials told Mrs. Lewis that they reached their decision based on low customer volume. They told her the heavy traffic on West High made it difficult for customers to drive in and out of the location. Thankfully all the employees will be offered jobs in the other McDonald's restaurants in the area. Since receiving the news last week I have been in contact with developers looking for business locations in the West High Avenue area. And I am hopeful that the center turning lane included in the 2018 upgrade of the West High/Bluebell Drive intersection will address the traffic issues.
- Developing a Sustainability Road Map with AEP Officials: AEP officials will be in town on Monday January 23rd to help the City develop what they term a "Sustainability Road Map". It's a study to identify other areas in the City where additional electricity savings could be realized and to develop a program to keep residents and businesses engaged as community energy savers. Following the meeting, the AEP representatives will come to the City Council meeting to present the City with its \$35,000 check for reaching its Community Energy Savers goal.

### **SERVICE DIRECTOR .....MR. RON MCABIER**

Service Director McAbier had the following report:

- I'd like to thank R&J Cylinder with Ron Sandy and Jeff Shepard being a personal friend of mine. I'm glad that they decided to move to New Philadelphia also. It's a great move for them. Also leaf pickup on the Southside, they've got the southwest section to do yet, and then the whole city would have been hit one time. Right now General Services is also patching so if anybody sees anything that we don't see let somebody know and we'll get out there and get it patched. The Water Department had two leaks this weekend, one on Sunday and another one today, so everybody's out there busy. Park and Cemetery is also working on leaves.

President of New Philadelphia City Council Sam Hitchcock had the following question for Mr. McAbier:

How effective is the patching in freezing conditions?

Mr. McAbier had the following reply:

With the DuraPatcher machine it's not too bad. Any of them is about 65 percent effective to be honest with you.

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

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

TREASURER . . . . MR. TOM GERBER

Mr. Gerber had the following report:

- On a deposit sheet that I make out monthly we have 2 new additions, lines. That has to do with the Water Department. Now when the bill goes out a person can make an option at their home to pay it by the credit card or a check free. Right now it's generated approximately \$22,000 and I think that's going to ease the burden on the checks of the deposits because that has been a burden with all these different checks. So, I can see that this is probably going to expand where they can pay in their home, go online, log on and make their payment. I think that's a good thing.

Mr. Ricklic had the following question for Mr. Gerber:

Is there a percent charge for them using a credit card for the City?

Mr. McAbier had the following response:

There is, Mr. Ricklic, and I can get that for you so you know what it is.

Ms. Gundy had the following response:

We (the City) don't get that. If they opt to pay that way they pay the company that's servicing this. They're paying the fee.

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

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will not meet this month. The next meeting will be February 14, 2017 at 2:00pm in Council Chambers.

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

The next meeting is Tuesday, January 10, 2017 at 5:00pm here in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet Tuesday, January 10, 2017 at 6:00pm at the Harry Clever Meeting Room. We do have a set agenda. It is noted earlier in the Clerk's correspondence from Mayor Day that we do have

two return appointees to positions, Brian Marsh II and Don Kennedy, both have served on the Airport Commission. I do realize that has been assigned to Mr. Ricklic's Committee in Special and Contact for ratification of that appointment. We do have 90 days to do that which would take us through March 31, 2017, however in lieu of that ratification taking place I'm confident that both gentlemen will be in attendance at our meeting tomorrow evening.

*\*President of New Philadelphia City Council Sam Hitchcock advised Mr. Zucal that those ratifications are being assigned to the Salary Committee, which he chairs.*

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

The next meeting is Thursday, January 19, 2017 at noon at the Tuscora Park Office. Just a reminder that that is a different date than usual, it's a Thursday instead of a Wednesday.

HEALTH BOARD..... MR. KELLY RICKLIC

The next meeting is Wednesday, January 11, 2017 at noon in the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

The Finance Committee met this evening at 6:15 in Council Chambers. We had several items on the Agenda. First was to review a piece of Legislation that will be required by the City to receive an airport matching grant from the Ohio Department of Transportation's Aviation Department. We were informed that the City must pass Legislation to actually accept the dollars. So, as a result, on a 3-0 vote we requested that the Law Director prepare the appropriate Legislation and have it ready for 1<sup>st</sup> Reading at the January 23, 2017 Meeting. The Committee will recommend suspension of the rules and approval on 1<sup>st</sup> Reading so that we can keep that moving along. We also had two policies that were presented to us by the Auditor's Office. One was the Use of a Credit Card Policy, the other was a Travel Reimbursement Policy. Obviously these are for City Employees. In consultation with reviewing the materials with the Law Director, Legislation is not required as this will be a day-to-day administrative policy that's followed by employees, but the State Auditor does ask that the legislative body has reviewed the information as well.

MR. LAUTENSCHLEGER MOTIONED THAT CITY COUNCIL ACKNOWLEDGES RECEIPT OF BOTH THE USE OF A CREDIT CARD POLICY AND TRAVEL REIMBURSEMENT POLICY AND APPROVES THEM AS PRESENTED.  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
CITY COUNCIL HAS ACKNOWLEDGED THE RECEIPT OF BOTH POLICIES

We also discussed the City Lodging Tax. Some of you may recall that last year the President of Council asked that we review the City's Lodging Tax that's been collected for a couple of years now, and determine if it's being used to its highest and best use and its intent. I went ahead and distributed to all Committee Members and all Members of Council and Administration a copy of the collections through November of 2016 on a month-by-month basis covering the years of 2015 and up through November of 2016, as well as a presentation that was originally presented as a proposal to Council back in 2013 by a collaboration of students at Kent State Tuscarawas working with the Tuscarawas County Convention and Visitor's Bureau. It's some food for thought, and we agreed as a Committee that we'll get back together in the coming months to discuss it further to determine if any changes, suggestions, or recommendations need to be done. The final item this evening was a follow-up to a piece of legislation that was originally passed earlier this year. Council will remember it as Amended Resolution 34-2016. Members of the public will remember that that was the item that dealt with pay increases for certain non-bargaining employees and elected Officials. One of the follow-up caveats from that piece of legislation is that no further increases would occur in 2016, 2017, or beyond, without a City wage study being done. So, in the months that followed the approval of that Legislation, Mary Kurtz the Director of Human Resources for the City has put together a wage study. We had her come in this evening to explain the study. Each member of Council and Administration received a copy of it. There's a lot of material there. She explained how she compiled the data, what the data means, and the recommendations for potential approval if we would choose then to address that as presented. The Committee took that under advisement and has agreed to meet again on Monday, February 13, 2017 at 7:00pm to further discuss that and determine if anything can occur at that point or if we need to discuss it further and make some recommendations from there.

**SALARY COMMITTEE .....MR. JOHN ZUCAL**

Mr. Zucal had the following report:

In lieu of any formal report since the Committee has not met to take any action, I would like to thank Mr. Lautenschleger and the work of the Finance Committee, of which I'm a Member. Especially in Darrin's role and capacity as the Chair of that group, to further us with that salary study and taking us in the right direction. As the Salary Chair that's been a long time coming and we have consistently urged for that to take place. I sit here tonight very pleased that that has been able to be accomplished and further work on that I think will solidify our position and allow us to have a more consistent positional study taking place and allow for salaries to be more competitive as we recruit the best and brightest to lead the City of New Philadelphia.

*\*President of New Philadelphia City Council Sam Hitchcock said Mr. Zucal's comments were well taken and reminded Mr. Zucal that the reappointments of Brian Marsh II and Don Kennedy to the Airport Commission have been placed in his Committee.*

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

**SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER**

Mr. Maurer had the following report:

I am respectfully asking Council to pass as an emergency Ordinance 22-2016 tonight per the Service Director's request. That's the Route 416 Paving Project and ODOT needs commitment from the City soon. That's just a reminder that I will ask for Suspension of the Rules.

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS**

Mrs. Ramos had the following report:

The Zoning and Annexation Committee did meet this evening at 7:00pm. The Committee did decide to amend Chapter 521 of the Codified Ordinances, which is health, safety, and sanitation to include an amendment suggested by Mike Scolati our Building and Zoning Code Administrator, so we're going to add that to Chapter 521. Also, the Committee decided that no further action would be taken on changing the Ordinance for household pets specifically on fowls.

**SPECIAL & CONTACT COMMITTEE .....MR KELLY RICKLIC**

Mr. Ricklic had the following report:

I would like to ask the Law Director to prepare the Resolution for the approval of Dr. Maureen May to the Health Board. I will have a Meeting on January 23, 2017 at 6:00pm to discuss the approval of Dr. May to our Health Board.

**PARKS & CEMETERY COMMITTEE .....MRS. AIMEE MAY**

Mrs. May had the following report:

The Parks and Cemetery Committee met this evening at 6:00pm and we reviewed a couple of Ordinances and a Resolution. We reviewed Ordinance 1-2017 to enter into a purchase agreement for the Carlisle Property located at 1567 State Route 416. We reviewed Ordinance 2-2017, to enter into an agreement for the Coniglio Property donation at 530 South Broadway, and we reviewed Resolution 2-2017 to allow the Mayor to apply for grant funding for the Coniglio Property donation. Motions were made on all three of those to add them to tonight's Agenda and all of those motions passed 3-0. We will have a Meeting on January 23, 2017 to discuss the grant funding for the Carlisle Property as well.

**VISITOR'S COMMENTS: NONE**

**COUNCIL COMMENTS:**

Mr. Holland had the following comment:

Certainly we all hated to see McDonald's close. It's a long standing business here and many families enjoy their restaurant business. I did want to acknowledge the Mayor's efforts to seek another restaurant firm to acquire that property. He has diligently worked to contact a number of chain and privately owned restaurants. Mayor Day, I just wanted to commend you for your efforts there. I also would like to acknowledge the Mayor's efforts regarding the Howden property and the hours that he has spent trying to secure a firm to take over that facility also. I think the Mayor's efforts we'll see some fruit from that in the very near future.

President of New Philadelphia City Council Sam Hitchcock had the following response:

Also, on the West High situation with the restaurant closing due to heavy traffic. The traffic

situation is an indication that that west end is growing very rapidly. That's a good thing. Hopefully with some of the proposals that are in place, specifically the Bluebell turning lane, that will alleviate some of that traffic problem so that things will operate a little bit smoother and better for all the businesses in that area.

Mr. Zucal had the following comment:

I would like to acknowledge the students that are on hand tonight from Mr. Sundheimer's AP Class. Glad to have you here and glad that you're able to see City Government in operation. Hopefully you walk away feeling more confident in the leadership that you see here tonight. I would also like to take this opportunity to recognize our safety forces. Last night I had the occasion of calling upon a few of them to help with an issue in the neighborhood. It was freezing cold with subzero wind chills late at night and two of our firemen responded and met with me and we had an opportunity to take a look at a few things and help one of our local citizens to feel more comfortable an odor in the area and it was not smoke in the home. The professionalism at which the firefighters conducted the investigation and the quick response on a very cold evening is deeply appreciated. I think it goes without saying but I do want to say that we're very fortunate in New Philadelphia to have the safety forces we do and their response to our concerns that in maybe more major Cities would be overlooked, they consider something important and again it just makes New Philadelphia a special place to live and raise children and call home.

President of New Philadelphia City Council Sam Hitchcock had the following response:

Safety forces are important to every community and of course this is Law Enforcement Appreciation Day.

### **READING OF ORDINANCES AND RESOLUTIONS**

#### ORDINANCES:

22-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED PROJECT DESCRIBED HEREIN.

1<sup>st</sup> Reading

MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 22-2016  
MR. ZUCAL SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 22-2016

MR. MAURER MOTIONED FOR PASSAGE OF ORDINANCE 22-2016

MR. LAUTENSCHLEGER SECONDED THE MOTION

7 YEAS

ORDINANCE 22-2016 HAS BEEN APPROVED

1-2017 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO ENTER INTO A PURCHASE AGREEMENT FOR THE CARLISLE PROPERTY ACQUISITION AND IMPROVEMENT PROJECT.

1<sup>st</sup> Reading

2-2017 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO ENTER INTO A DONATION AGREEMENT FOR THE CONIGLIO PROPERTY ACQUISITION AND TRAIL PROJECT.

1<sup>st</sup> Reading

#### RESOLUTIONS:

2-2017 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO APPLY AND EXECUTE AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE CLEAN OHIO WORKS COMMISSION FOR THE CLEAN OHIO CONSERVATION FUND AND TO PROVIDE ALL INFORMATION AND

DOCUMENTATION REQUIRED TO BECOME ELIGIBLE FOR THE POSSIBLE FUNDING ASSISTANCE FOR THE CONIGLIO PROPERTY ACQUISITION AND TRAIL PROJECT.  
1<sup>st</sup> Reading

3-2017

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE A RATE INCREASE FOR AMBULANCE SERVICES PROVIDED BY THE NEW PHILADELPHIA FIRE DEPARTMENT FOR THE CALENDAR YEAR 2017.  
1<sup>st</sup> Reading

**UNFINISHED OR OLD BUSINESS: NONE**

**NEW BUSINESS: NONE**

MR. MAURER MADE A MOTION TO ADJOURN AT 8:00 PM

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

APPROVED \_\_\_\_\_

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