

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 10TH, 2013 WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING. MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

PRESIDENT OF COUNCIL SAM HITCHCOCK THANKED MS. COX FOR PRESIDING OVER THE MAY 30TH, 2013 REGULAR SESION OF COUNCIL IN HIS ABSENCE.

COUNCIL MEMBERS IN ATTENDANCE:

MS. SANDY COX  
MS. COLLEEN ESPENSCHIED  
MR. DAN LANZER  
MR. DARRIN LAUTENSCHLEGER  
MR. ROB MAURER  
MR. JOHN ZUCAL

PRESIDENT OF COUNCIL SAM HITCHCOCK ANNOUNCED COUNCIL MEMBER MS. WINNIE WALKER AND SERVICE DIRECTOR MR. JAMES ZUCAL ARE EXCUSED FROM TONIGHT'S MEETING.

MS. COX MADE A MOTION TO ADD RESOLUTION 19-2013 TO TONIGHT'S AGENDA  
MR. LAUTENSCHLEGER SECONDED THE MOTION  
ROLL CALL, 6 YEAS, MOTION PASSED

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA AS AMENDED  
MR. LANZER SECONDED THE MOTION  
ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON THURSDAY, MAY 30TH, 2013  
MR. ZUCAL SECONDED THE MOTION  
ROLL CALL, 6 YEAS, MOTION PASSED.

**CORRESPONDENCE . . . . . CLERK, PATRICIA MCKAY**

1. Mayor's Report/Requests to Council June 10th, 2013
2. The 36th Annual First Town Days Festival will be held July 4th,5th,6th and7th, 2013 at Tuscora Park
3. New Philadelphia Airport Commission Meeting Minutes from April 9th, 2013, March 12th, 2013, February 12th, 2013, January 8th, 2013, October 9th, 2012 and August 14th, 2012; Notice of Airport Commission Meeting for Tuesday December 11th, 2012 was cancelled; and New Philadelphia Airport Commission Agenda for November 13th, 2012 this meeting was cancelled due to a lack of Quorum
4. Finance Committee Meeting Minutes dated Thursday, May 30th ,2013
5. Finance Committee Meeting Minutes dated Monday, June 3rd, 2013
6. City of New Philadelphia, Tuscarawas County, Ohio Basic Financial Statements for the year ended December 31st, 2012 from Rea & Associates dated April 10th, 2013
7. New Philadelphia Police/Monthly Activity Report for the Month of May 2013
8. Press Release Noticed date June 6th, 2013 12th Annual Farmers Market to be held Tuesday Mornings from 7:30 AM to 11:00 AM beginning July 9th, 2013 through September 24th, 2013 at main parking lot of Tuscora Park
9. Notice of Public Hearing dated June 6th, 2013 for the rezoning of certain land located at 655 Wabash from Residential to Business July 8th, 2013 7:00 PM in Council Chambers
10. Mayor's Monthly Statement to Council dated May 31st, 2013
11. Auditor's Monthly Statement of 2013 Revenue for the General Fund for May 2013
12. Auditor's Financial Statement for the Month of May 2013
13. City of New Philadelphia Statement of Cash Position with Month to Date as of May 31st, 2013
14. Notice of sign up for the Clash of the Titans City Slickers vs. County Terminators and New Philadelphia City Slickers vs Dover City Sluggers games held July 6th, 2013 at 9:00 AM at Tuscora Park Field #2.

**ADMINISTRATIVE REPORTS:**

**MAYOR'S REPORT/REQUESTS.....MAYOR MICHAEL TAYLOR**

The Mayor ceded some of his report time to Vickie Ionno, New Philadelphia City Health Commissioner who would like to make a report to Council.

Vickie Ionno, New Philadelphia City Health Commissioner  
Completed the 2012 Annual Report for the Health Department  
Distributed to Council a copy of the Annual Report.

Pointed out:

This is her first full year as City Health Commissioner

The summary of some of the accomplishments the department has done this year

She is Proud that she was able to increase revenue that means less out of the General Fund and the Budget.

(Revenue increased \$48,310.95 from 2011)

The amount of services provided this year were up 1826 over 2011.

She reported that the City Health Department has a small hardworking staff that takes pride in what they are doing.

Ms. Ionno reported that the Health Department had HIV testing for the first time last year, 2012.

13,859 was the total number of services from all programs provided to our community by the staff of the New Philadelphia City Health Department in 2012.

She mentioned a couple of programs:

Received the okay from the Ohio Department of Health to start doing free Hepatitis C testing to anyone who wants to come in.

Free vaccine to immunize adults for Hepatitis A and B.

Those things are not generating money but are bringing people in and raises awareness to the area of what we can do.

Council Member Zucal congratulated Ms. Ionno and her staff for a job well done.

Comment from Mr. Zucal:

“From the City Schools prospective we lean on the Health Department quite a bit: the visits to oversee how we are doing with our cafeteria services to the large number of immunizations you provide for students who attend school in the New Philadelphia City schools as well as our private schools.”

“Thank you very much for your efforts on behalf of so many.”

Ms. Ionno thanked Mayor Taylor for the support that he gives to her and the Board of Health for the help he has given to her in allowing her a little more leeway in the budget this year.

Mayor thanked Ms. Ionno and announced that the “Health Department is doing a good job progressing, with the change of leadership always comes a change of ideas and viewpoints.”

“We added some services and done some new things and people that are interested in those that know have taken advantage of them as Ms. Ionno’s number shows.”

The Mayor stated that he is looking forward to seeing what comes from the Health Department in the future.

Mayor Taylor addressed the following:

The Mayor requested an Executive Session:

Prior to legislation to discuss the AFSCME Clerical Fact Finder’s Report.

Request a recess of the Executive Session and

Request that it reconvene after the legislative portion of the agenda to discuss the status of the AFSCME Service Unit Fact Finder’s Report.

The Mayor did not anticipate any action tonight on the AFSCME Service Unit Fact Finder’s Report.

Mayor reported:

- Our increased portion for the ODOT shared STR 39 Paving Project is going to be \$33,538.00 rather than \$82,530.00 that was first told to us.  
Eligibility for funding of certain portions of the project that in the past were 100% cost to the City now our eligible for the 80/20 split.  
Thanked ODOT and Scott Warner for working to get our portion of the project reduced.  
We will provide this additional project amount out of Funds 205 and 206 that we use for paving related expenses.
- Last Tuesday the Mayor attended and spoke at the official ground breaking for the new Tolloty Incubator Building that Kent State and the CIC are working to build at our Tech Park.  
This will be a great addition to our City in terms of opening the door for the Tech Park and providing an opportunity for new entrepreneurial businesses to go into this incubator building and grow and provide new jobs. The Mayor thanked Kent State, the CIC and all those involved in making this a reality.
- Last Thursday and Friday the Mayor attended the Annual Mayors of Ohio Conference in Canton.  
The Mayor reported that much is going on that has impacts on local governments.

- The Mayor reported that last week we opened the bids for the Five Points Storm Sewer Project and the low bid was for \$878,080.25. (Roughly \$5,000. 00 under the Engineers Estimate.) this was the construction estimate.
- Diversified Engineering has reviewed the low bid submitted by Tucson, Inc. of New Philadelphia and recommended the City accept it. This will go to the Board of Control to act on.
- The low bid for this year’s CDBG Project also came in under the engineer’s budget and will be awarded to the Mid Ohio Concrete of Holmesville.

Ms. Cox made a motion to go into a split Executive Session this evening as the Mayor requested  
 Mr. Zucal seconded the motion  
 Roll call 6 yeas motion passed.

The President of Council Sam Hitchcock announced “Immediately following the Visitors Comments we will go into an Executive Session to discuss the Fact Finders Report after we will go back on the record complete the Legislation Agenda after legislation we will take a brief five minute recess after which we will go back into an Executive Session.”

SERVICE DIRECTOR.....MR. JAMES ZUCAL..... ..NO REPORT  
 EXCUSED ABSENCE

AUDITOR .....MS. BETH GUNDY

Ms. Gundy reported she placed in everyone’s mail box a Notice of the 2012 Audit.  
 The conference for that will be held Thursday June 13th, 2013 at 10:00 AM in Council Chambers with Rea & Associates.

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

TREASURER . . . . .MS. LORI STATLER

Ms. Statler gave a brief update on the Bond Refunding.  
 June 5th, 2013 the portion of the City’s 2002 City Improvement Bonds were refinanced saving the City a little over \$170,000.00 over the life of the bond.  
 We went from 4.95% to 2.46 % interest rate.  
 She thanked Council for their support and especially the Auditor for all her help with the issue.

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

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

Mayor Taylor reported there was no Planning Commission Meeting in the month of June there was no agenda.  
 Mayor Taylor announced that the Planning Commission Meeting is scheduled for Tuesday, July 9th, 2013 at 1:00 PM in Council Chambers pending an agenda.

BOARD OF ZONING APPEALS.....MR. JAMES ZUCAL..... EXCUSED ABSENCE

Mayor Taylor announced the Board of Zoning Appeals next scheduled meeting is Tuesday, July 9th, 2013 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... .MR. JOHN ZUCAL

Mr. John Zucal announced the Airport Commission is scheduled to meet Tuesday, June 11th, 2013 at 6:00 PM at the Airport meeting room.

PARK BOARD..... MR. DARRIN LAUTENSCHLEGER.....NO REPORT

HEALTH BOARD..... .MS. SANDY COX

Ms. Cox announced that the Health Board will meet Wednesday, June 19th, 2013 at 12:00 Noon at the Health Department.

President of Council Sam Hitchcock thanked Ms. Ionno for the very professional looking report and for all she does for the City.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE. . . . . MS. SANDY COX

Ms. Cox reported the Finance Committee met Monday June 3rd, 2013 at 6:30 PM.

The first item to discuss: the Mayor informed the Finance Committee on May 30th, 2013 the ODOT Paving Project came in at a higher cost. The estimate cost was \$82,530 and will be paid out of Funds 205 and 206.

The Mayor updated the Committee tonight on the ODOT Paving Project for SR 39 the amount is actually going to be \$33,538.00. (for traffic signals loops) The City is eligible for funding certain portions of the project that in the past were 100% cost to the City and now our split is 80/20.

The second item: Challenges Faced by General Fund Revenue

On November 5th 2012 the Council President called the Meeting of the Whole to have the Auditor explain to Council a Finance Projection for Major Operating Funds for the next four years. The concerns at that time were loss of revenue such as Estate Tax, reduction of Local Government Funds and reduction of other revenues.

The Mayor expressed his concern about the Budget in the 2012 State of the City. The Mayor made it known in his report that Administration and Council need to address possible other sources of revenue.

Our last meeting April 8th, 2013 the Auditor suggested several recommendations.

one of the suggestions was

(#9) To divert the Income Tax Revenue in the Master Capital, (20%) into the General Fund and this was accomplished on May 30th, 2013 by Ordinance 8-2013.

Ms. Cox turned the floor over to the Auditor and she presented a Power Point Presentation in regard to projections for the General Fund, Street Funds, Cemetery Fund, Safety Forces Fund, Master Capital, Ambulance Fund, Police/ Fire Pension through 2016.

Auditor also showed examples of the status quo, 1/2 % Income Tax Increase and 3/4 % Income Tax Increase.

Auditor expressed concerns about Medical Insurance Costs Projection

40% increases 2013 and 2014

25% increase 2015

25% increase 2016

The Auditor reviewed several other suggestions presented to everyone in April.

She wanted us to look at SIB loan for the West High Widening Project.

The Goshen Township Revenue, she would likes to keep the revenue in the General Found about \$26,500 per quarter.

And ask the court to pay for more of its operations but she did not know if this was possible.

Keep revenue from the 3% Bed Tax in the General Fund that would be between 16 to 17 thousand dollars a month. The only other idea she had was to cut back on fixed costs.

There were no decisions made that evening.

The Finance Committee held a meeting this evening.

First Item was proposed Resolution 19-2013 which is to vote on the Fact Finder Report dated June 10th, 2013 for the Clerical tonight which is on the agenda.

Second Item: Mayor Taylor informed the Finance Committee that the estimated cost for the ODOT of \$82,530.00 was reduced to \$33,538.00 for the traffic loop controls.

Third Item: Challenges faced by the General Fund Revenue: The Committee reviewed five more options that the Auditor had presented and the recommendation from the Auditor and the Mayor were both option three 3/4 %Income Tax Increase in the General Operating Funds only. It is on earned income. The Committee is asking that the proper legislation be prepared and passage after three readings.

Fourth Item: Resolution 9-2007 fund #420 Fire Equipment and Capital Fund.

We are asking to rescind that resolution and put the money in the General Fund. (Recommendation by Auditor)

Ms. Espenschied adjourned the meeting at 7:30 PM.

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

Mr. Zucal reminded Council Resolution 15-2013 is part of our Legislative Agenda we will be recommending passage of that.

**SAFETY HEALTH & SERVICE COMMITTEE . . . . .MR. ROB MAURER....NO REPORT**

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

Mr. Lautenschleger reported the Public Works & Economic Development Committee met this evening in Council Chambers with one item on the agenda. A request to change Section 767.05(d) (additional requirements for tattoo services) that resulted from a request made by Ms. Jessica Haney who operates My Museum LLC. What we have learned from some folks it is a popular business outside of New Philadelphia. Ms. Haney is looking to locate inside New Philadelphia. She has quite a reputation for her talent in this area. She has requested that the City's Ordinance Section be amended to allow tattoos to be performed over scar tissue, on hands below the wrist line, on feet below the ankle, and on the head, neck and face above the collar line.

With this information that we received we did talk with folks from the Health Department Ms. Ionno and Mr. Finley who joined us and reported that they compared, researched and reviewed the State Code and our City Code was a little more

stringent than State Codes. They recommended to the Committee that we consider making the change for the City Code to match the State Code.

Ms. Cox made that motion, Mr. Maurer seconded that motion and the committee voted 3-0 to prepare the legislation to update City Code to match State Code in this area and to read the legislation three times and pass on the third reading .

The Committee adjourned at 6:40 PM.

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

CONTACT & SPECIAL COMMITTEE ..... MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT  
EXCUSED ABSENCE

**VISITOR’S COMMENTS:**

Ron McAbier  
350 21st Drive NE  
New Philadelphia, Ohio 44663

Comment from Mr. McAbier, President of Local 1958 AFSCME Union.

Mr. McAbier informed Council that they understand the Fact Finder Report was inadequate. “We feel as if we did something wrong. We did nothing wrong with the report. We feel like we are on the outside looking in at this. We’ve had no contact with City’s Attorney on it.

Thank you.”

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 7:57 PM  
AS REQUESTED BY THE MAYOR, TO DISCUSS THE FACT FINDERS REPORT.  
COUNCIL RECONVENED INTO REGULAR SESSION AT 8:10 PM

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

6-2013 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 655 WABASH AVENUE NW FROM  
RESIDENTIAL TO BUSINESS, AND DECLARING AN EMERGENCY. (3<sup>RD</sup> READING)

**RESOLUTIONS:**

15-2013 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO REQUEST THE AIRPORT LAYOUT PLAN UPDATE FOR THE NEW PHILADELPHIA MUNICIPAL  
AIRPORT (HARRY CLEVER FIELD) BE SUBMITTED TO THE FEDERAL AVIATION ADMINISTRATION  
(FAA) FOR REVIEW AND CONDITIONAL APPROVAL AND DECLARING AN EMERGENCY.  
(3<sup>RD</sup> READING)

Motion to vote on passage made by Mr. Zucal, seconded by Ms. Cox

Comment from Council Member Mr. Lautenschleger

“I’ve seen a lot of public hearings on this and there has been a lot of great public discussion but one of the goals I see of the change that is being proposed here would be to maintain what we have. I would encourage the Airport Commission and eventually this Council to dust off a plan that was presented a few years ago by many of the Airport Users who were very encouraged by the opportunity at no tax payer expense to construct new hangars. I’ve been a constant critic of the shape of the hangars in certain locations not all of them but many of them. There are opportunities that are there for construction of those, infrastructure for the most part is in place from what I recall. I would like to see that plan resurrected and some research done by the appropriate folks and perhaps that can be presented to this Council on another opportunity.”

Roll call, 6 yeas resolution passed

19-2013 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ACCEPT  
THE FACT FINDER REPORT DATED JUNE 10, 2013 CONCERNING THE AFSCME  
LOCAL 1958 CLERICAL CHAPTER, NEW PHILADELPHIA, OHIO, AND DECLARING  
AN EMERGENCY. (1<sup>ST</sup> READING)

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

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

20-2013 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO PAY FORMER NEW PHILADELPHIA POLICE CHIEF JEFFREY L. URBAN  
FOR UNUSED VACATION EXISTING AT THE TIME OF HIS RETIREMENT ON  
MARCH 22ND, 2013 AND DECLARING AN EMERGENCY. (2<sup>ND</sup> READING)

At 8:16 PM COUNCIL TOOK A FIVE MINUTE RECESS  
AND THEN RECONVENED INTO REGULAR SESSION  
COUNCIL THEN ADJOURNED FROM THE REGULAR SESSION INTO EXECUTIVE SESSION AT 8:21 PM,  
AS REQUESTED BY THE MAYOR, TO DISCUSS THE FACT FINDERS REPORT.  
COUNCIL RECONVENED INTO REGULAR SESSION AT 8:50 PM.

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

NONE

MS. COX MADE A MOTION TO ADJOURN THE MEETING AT 8:51 PM.

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

APPROVED \_\_\_\_\_

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