

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 14, 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  
MR. ROB MAURER  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC  
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MRS. AIMEE MAY  
SAFETY DIRECTOR GREG POPHAM

- MR. LAUTENSCHLEGER MOTIONED TO ADD ORDINANCE 15-2017 AND RESOLUTION 33-2017 TO TONIGHT’S AGENDA  
MR. ZUCAL SECONDED THE MOTION  
6 YEAS  
ORDINANCE 15-2017 AND RESOLUTION 33-2017 HAVE BEEN ADDED TO TONIGHT’S AGENDA
  
- MR. LAUTENSCHLEGER MOTIONED TO ACCEPT THE AGENDA FOR TONIGHT’S MEETING  
MR. RICKLIC SECONDED THE MOTION  
6 YEAS  
TONIGHT’S AGENDA HAS BEEN ACCEPTED
  
- MR. ZUCAL MOTIONED TO ACCEPT THE MINUTES FROM THE JULY 24, 2017 REGULAR SESSION OF COUNCIL.  
MR. RICKLIC SECONDED THE MOTION  
6 YEAS  
MINUTES FROM THE JULY 24, 2017 REGULAR SESSION OF COUNCIL HAVE BEEN ACCEPTED.

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

1. *To Council and Administration from Mayor Joel Day dated July 28, 2017. This is the Mayor’s Monthly Statement to Council.*
2. *To Clerk of Council from Treasurer Tom Gerber dated August 2, 2017. The City of New Philadelphia July 2017 Deposits.*
3. *To Councilman Kelly Ricklic from President of New Philadelphia City Council Sam Hitchcock, dated August 11, 2017. This is a forwarded email from Mayor Day titled “Please Assign the County Hazard Mitigation Plan to the Appropriate Council Committee”*
4. *To Council and Administration from Mayor Joel Day, dated August 14, 2017. The Mayor’s Report.*
5. *To Clerk of Council from Treasurer Tom Gerber dated August 14, 2017. The City of New Philadelphia 2017 Investment and Savings Report.*

**Administrative Reports.....**

**MAYOR’S REPORT/REQUESTS ...MAYOR JOEL B. DAY**

Mayor Day had the following report:

- Lucas Moreland Appointed to City Planning Commission: Last week Jackie Triplett informed me that she could no longer serve on the City Planning Commission because of a work conflict. That created a vacancy on the Commission that I filled with the appointment of Lucas Moreland of New Philadelphia. Mr. Moreland is a sales representative for ChemSpec, and a Walsh University and New Philadelphia High School graduate. He represents the generation of young business professionals in New Philadelphia that must have a voice in the city’s future planning.

➤ Exploring the Use of Solar Energy to Power the Waste Water Treatment Plant: On July 31st Service Director McAbier and I traveled to Newcomerstown to meet with Mayor Pat Cadle to learn about his plan to use solar power to provide electricity to the village's waste water treatment plant. His research has shown that the village could substantially reduce the plant's electrical costs with solar power. So the village is proceeding with its plan to have solar panels installed at the plant this fall. When he was principal at Newcomerstown's West Elementary School, Mayor Cadle had a successful experience with solar power. Service Director McAbier and I want to learn if it would be a cost effective means for New Philadelphia to power our waste water treatment plant.

➤ 2018 Budget Process is Underway: Department heads are finalizing their 2018 appropriations budgets. August 31st is their deadline for having them submitted to Auditor Gundy and myself. We will then use them to craft the 2018 City budget, which we plan to submit to the Finance Committee by early October. Even though City income tax collections seems to be lagging slightly behind last year's pace, I anticipate we will end the year ahead of last year's revenue total. New Philadelphia has added more new businesses this year than have closed. And many of our existing businesses have increased employment and are growing. The changes made by the Ohio Legislature to income tax law have affected the way revenue is collected from businesses. The result is, to us, abnormal fluctuations in monthly tax collection amounts.

➤ Today's Review Meeting with Federal Aviation Administration Officials: City administrators, Airport Operator Eric Hubbard and several Airport Commission members met with FAA officials this morning at the Harry Clever Field conference room. The meeting was requested by the FAA Detroit office for fiscal year 2018 planning purposes. The status of the airport master plan was discussed, as well as property acquisition, removing runway obstructions and airport projects. The officials also wanted to learn of the airport's future priorities.

SERVICE DIRECTOR .....MR. RON MCABIER

Mr. McAbier had the following report:

The CDBG Project is finished on Fair Avenue at East Elementary. We did a final walk through two weeks ago and everything that was on the punch list has been done and that project is completed. I'd like to go over the Crider Avenue Trail Project. We will open bids on that Thursday at 10 o'clock here in Council Chambers so that's moving forward. Once we award the bid out we still look to get something going on that here in September, so that project's moving along. Also with projects, the backwash effluent from the water plant we need to do, the manholes finally got delivered on Friday, and Bridge's is supposed to be in there Wednesday or Thursday to get that project started and we will be done by the end of September. Also, some good news, today we got the paperwork back from ODOT for the TAP funds we had submitted for (Transportation Alternative Program) . The Lakeview Road Sidewalk Improvement Project was granted for us so they will pick up \$467,800.00 on that project with us coming up with the other \$77,000.00. So that project will move forward.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy had the following report:

Two Council Meetings ago I announced that Rey and Associates wanted to know whether or not we wanted an exit conference. Before the next Council Meeting I sent an email reminding you of that, I have heard nothing, so today I have a memo back to them, a few of us need to sign it, that says we do not wish to attend a Post Audit Review.

SAFETY DIRECTOR .....MR. GREG POPHAM.....EXCUSED ABSENSE

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

LAW DIRECTOR . . . MR. MARVIN FETE

Mr. Fete had the following report:

I am working on a process, my office manager keeps a rolling log of everything I'm doing related to the City. I'm working on a process to try and synthesize that information so that I can send it out to you so that you don't have to hear me talk every other Monday at length. Unfortunately I get so busy that I never have time to synthesize it and go through and put it in a format that would be acceptable to my taste. So what I'm going to do is hit the highlights. Since last meeting I completed a lease for Buckeye Career Center for leasing our old fire station for EMT Training. That should be presented this Thursday to the Buckeye Board of Education by Superintendent Alsept. I also researched at the request of Municipal Court, I was asked to look at what liability exists for persons who are on probation and ordered to do community service if they're doing it at the park, in the Municipal Building, or here, what liability is there for the City of New Philadelphia? As well as what liability, there's apparently a lot of students that also come in as volunteers, whether it's in their civics class or what have you to do community service as well. I was asked if we need to purchase a new liability insurance specifically worker's comp insurance to cover those persons. Working conjunction with our

insurance carrier my research found that persons doing community service or on probation, we are exempt from liability for those individuals, because they're essentially serving out a sentence. For volunteers, we're already covered by our existing carrier. Our current insurance only covers volunteers in that aspect. I also had a conference with Attorney Pringle. He's going to be preparing a proposed ground release that I know the Mayor's anxiously waiting on. We also are examining the issue of whether or not we want to have legislation to prohibit wind turbines in the City of New Philadelphia for whether that's even necessary considering it's not addressed in our current Ordinance and our current Zoning Code. That's something I'll be meeting with the Mayor to discuss during our weekly meeting. In addition, I'm happy to report that I have completely revamped how we go about tearing down unsafe structures in the City of New Philadelphia. There were some recent 5<sup>th</sup> District Court of Appeals decisions that caused me some concern for how we have done it in the past. To make sure that we are on solid legal footing and not subject to subsequent court challenges, we have completely revamped how we're going to be doing our tear down orders going forward. I'm going to be briefing the Mayor on that tomorrow and I think we can look forward to some very exciting news in the near future on that front. I'd be happy to take questions on how we've changed that and what we've done to revamp it. Given the changes in the law I thought it was necessary to change how we do these tear downs.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR JOEL DAY**

The Planning Commission will be meeting on Tuesday, September 12, 2017 at 1:00 PM in Council Chambers. We didn't have a quorum in our past meeting it was just an informational session. Hopefully we'll have a quorum on the 12<sup>th</sup> and we'll be looking at annexing City owned township land that's within the footprint of the airport. It's more or less a housekeeping thing that should have been done, I feel, a number of years ago. So that's something we'll have to have Legislation for Council.

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

The Board of Zoning Appeals met on August 8, 2017 at 5:00 PM here in Council Chambers. We had two variance requests. One was with the side setback 1161.05, that was brought forward and denied from the Board. The second one that came through was the Saber Healthcare Group, 245 South Broadway. The monument sign in the Central Business Zone was applying for 1166.06 B. The variance was requested and approved in a 4-0 vote.

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

The Airport Commission met last Tuesday, August 8, 2017 at 6:00 PM at the Harry Clever Field Meeting Room. Representatives from the Federal Aviation Administration were in town today and the Mayor included that as part of his report. Mr. Holland was also an attendee. If anyone would like more information we can fill you in on what the FAA had to say in regards to some of their thoughts about Harry Clever Field.

**PARK BOARD.....MR. DARRIN LAUTENSCHLEGER**

The next Meeting of the City Park Board is this Wednesday, August 16, 2017 noon at the Tuscora Park Office.

**HEALTH BOARD..... MR. KELLY RICKLIC.....NO REPORT**

**STANDING COMMITTEE REPORTS:**

**FINANCE COMMITTEE .....MR. DARRIN LAUTENSCHLEGER**

Mr. Lautenschleger had the following report:

The Finance Committee met this evening at Council Chambers at 6:30 PM. We had a few items on the Agenda. One is two pieces of Legislation that you have added to the Agenda this evening, Ordinance 15-2017 and Resolution 33-2017. Those are being recommended by the Committee for Suspension of the Rules and Approval on 1<sup>st</sup> Reading this evening. In addition we picked up our discussion of development of a salary scale for certain non-bargaining positions, certain elected positions have been identified, and that frankly we probably struggled with through the years on how to properly address those. We think we've developed a pretty good plan going forward. We're going to work on developing Legislation that creates more of a staffing plan approach. A request that the Administration and the Human Resources Department will develop position descriptions, salary scales, and more of that type of work. Any changes will be brought forward as the annual budget discussion prior to January 1 of each year, and would be considered as part of the annual budget. In addition the Committee did approve a recommendation request that the Law Director prepare the appropriate Legislation to grant a 3 % pay increase retroactive to January 1, 2017 to those certain non-bargaining and elected positions with the thought that if Council does approve that, the phase in period for some of the other positions that need to be addressed as part of the salary scale structure can begin with the 2018 budget and will be included as part of the 2018 budget discussion and recommendations from the administration. The Meeting ended at about 7:15 PM.

SALARY COMMITTEE .....MR. JOHN ZUCAL

Mr. Zucal had the following report:

I have no formal report on the activity of the Salary Committee, however I would like to bring you up to speed. Mr. Day and I had met with the constituents who had expressed a concern about the noise ordinance that we had discussed in Salary Committee. I am happy to report I think we came to a resolution as to how to move forward with that. It truly does exist as a Civil Matter and again I'm very thankful to Mr. Fete for his expertise and time in directing those individuals in the proper procedures to handle their concerns.

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

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

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

Mrs. Ramos had the following report:

The Committee will be meeting at 6:45 PM on August 28, 2017 to discuss changes in the fence height around swimming pools and a fee change and possibly annexing township land near the airport that the Mayor mentioned.

SPECIAL & CONTACT COMMITTEE .....MR KELLY RICKLIC.....NO REPORT

PARKS & CEMETERY COMMITTEE .....MRS. AIMEE MAY.....EXCUSED ABSENSE

**VISITOR'S COMMENTS:**

Julie Levensgood Stephan of 440 3<sup>rd</sup> Street NW had the following comment:

Last Saturday we had our final Second Saturday and I believe it was probably one of the best ones we've ever had. It was a great turnout, it was a great night, you couldn't ask for better weather. I know it's not always popular to shut down the Square and I appreciate the City's cooperation on that, specifically Scott and Kevin at General Services, they were responsible for getting it closed and getting it back open so I really appreciate that department and those two in particular. I also appreciate all the help in setting up and tearing down. I just appreciate the City's support and continued support. We have one more event downtown and that's the Classic Car Show coming up on the 26<sup>th</sup>. Then we're going to be quiet for a little while and we're starting the Christmas Parade this week.

*\*President of New Philadelphia City Council Sam Hitchcock said he would like to personally thank Ms. Levensgood Stephan for all the efforts she put in to the Downtown program this past summer. He said he was fortunate enough to be there for all four Second Saturday events and they were well organized and very entertaining.*

**COUNCIL COMMENTS:**

Mr. Zucal had the following comment:

Before our next regularly scheduled Meeting of City Council it will be back to school in the New Philadelphia City Schools with Buckeye Career Center starting even before that so we'll have a number of our schools including the parochial in town heading back to school, so you'll see kids and school busses out on the road again.

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

I would like to comment on the recent passing of someone who is well known in the area, Tim Tarulli. I was probably as much shocked as anyone. I had no idea that he was having medical problems. I certainly didn't know Tim as well as others in the Community, certainly not as well as the Mayor, but I did know him well enough to call him a friend. I always enjoyed seeing and talking to Tim. He always had positive comments, a pleasant smile and a firm handshake. I remember when he first started, the first time I saw him he was just a young man at TV 2. He had a little bit of a look of nervousness at the same time a look of confidence. It didn't surprise me that he was able to build a business that he did, a very successful business. Later on when we built the Teen Center, Tim's company put the video system in and did a first class job of that. At some later point in time his company did a video production of two seasons of Scholar Challenge. The Mayor was present on that. So Tim was a big success in business. I think the final thing that I remember about Tim is whenever I was elected to this post President of Council I attended a couple Meetings of Dover City Council to learn from the master, maybe pick up a few tips of how it was supposed to be

done. I was impressed. Tim ran a very orderly Meeting and I gained a lot in talking to Tim and watching Tim. It's always sad when someone so young is taken away from us and I think it's fair to say that Tim's passing leaves the Community at a very big loss. He's someone who has contributed so much to the Community. I would like to join with others in extending my condolences and offering my prayers to his friends and family.

Mr. Zucal had the following comment:

Along those same lines I would like to echo the loss of Steve Long. Steve was a long-time journalist in the Community and a very active member in a lot of organizations including his leadership in the Little Theater and Historic Schoenbrunn Village.

## **READING OF ORDINANCES AND RESOLUTIONS**

### ORDINANCES:

- 11-2017                    AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE QDA EDUCATIONAL FOUNDATION FOR THE PURPOSES OF SOLICITING ADVERTISING AND GENERATING REVENUE FOR THE CITY SANITATION DEPARTMENT.  
3<sup>rd</sup> Reading
- MR. RICKLIC MOTIONED FOR PASSAGE OF ORDINANCE 11-2017  
MR. ZUCAL SECONDED THE MOTION  
6 YEAS  
ORDINANCE 11-2017 HAS BEEN APPROVED
- 12-2017                    AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA TO ENACT CODIFIED ORDINANCE CHAPTER 948 FOR COMPREHENSIVE STORMWATER MANAGEMENT.  
1<sup>st</sup> Reading
- 13-2017                    AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA TO ENACT CODIFIED ORDINANCE CHAPTER 949 FOR EROSION AND SEDIMENT CONTROL.  
1<sup>st</sup> Reading
- 14-2017                    AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA TO ENACT CODIFIED ORDINANCE CHAPTER 950 FOR ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL.  
1<sup>st</sup> Reading
- 15-2017                    AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2017.  
1<sup>st</sup> Reading
- MR. LAUTENSCHLEGER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 15-2017  
MR. ZUCAL SECONDED THE MOTION  
6 YEAS  
RULES HAVE BEEN SUSPENDED ON ORDINANCE 15-2017
- MR. LAUTENSCHLEGER MOTIONED FOR PASSAGE OF ORDINANCE 15-2017  
MR. MAURER SECONDED THE MOTION  
6 YEAS  
ORDINANCE 15-2017 HAS BEEN APPROVED

### RESOLUTIONS:

- 33-2017                    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 UP TO \$15,000.00 FROM THE GENERAL FUND #101 TO THE SIDEWALK PROGRAM FUND #285.  
1<sup>st</sup> Reading

MR. LAUTENSCHLEGER MOTIONED FOR SUSPENSION OF RULES ON  
RESOLUTION 33-2017  
MR. ZUCAL SECONDED THE MOTION  
6 YEAS  
RULES HAVE BEEN SUSPENDED ON RESOLUTION 33-2017

MR. LAUTENSCHLEGER MOTIONED FOR APPROVAL OF RESOLUTION 33-2017  
MR. MAURER SECONDED THE MOTION  
6 YEAS  
RESOLUTION 33-2017 HAS BEEN APPROVED

**UNFINISHED OR OLD BUSINESS:** NONE

**NEW BUSINESS:** NONE

Mr. Maurer motioned to adjourn at 8:01 pm

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

APPROVED \_\_\_\_\_

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