

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 25TH, 2013 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

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

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA
MR. LAUTENSCHLEGER SECONDED THE MOTION.

ROLL CALL 7 YEAS
MOTION PASSED.

MS. WALKER MADE A MOTION TO APPROVE THE MINUTES FROM PREVIOUS REGULAR SESSION OF COUNCIL HELD ON MONDAY, NOVEMBER 11TH, 2013.
MR. LANZER SECONDED THE MOTION

ROLL CALL, 7 YEAS
MOTION PASSED

CORRESPONDENCE CLERK, PATRICIA A. MCKAY

1. The Mayor's Report/Requests to Council dated November 25th, 2013
2. Request dated November 25th, 2013 to the President of Council Sam Hitchcock, John R. Zucal, Salary Committee Chairman and Sandy Cox, Chair of the Finance Committee
Re: Pay Increase for Non-Bargaining Employees Tiers A, B, & D from the eighteen (18) members of the New Philadelphia Management Group (third request from August 2nd, 2013 original letter)
3. A letter dated November 21st, 2013 from Molly Regan Director of Finance City of Broadview Heights to Mr. Charles B. Hawk, Marketing Specialist for R.I.T.A. Mr. Hawk forwarded the letter of recommendation to the Auditor Beth Gundy.
4. An e-mail from Shirley Robinson dated November 22nd, 2013 to the President of Council Sam Hitchcock from Chek's Tax Service her concern was about the possibility of the City using R.I.T.A.
5. Minutes of the New Philadelphia Airport Commission from October 8th, 2013
6. Special/Contact Committee Meeting Minutes from October 28th, 2013
7. A Notice to Council from the Ohio Division of Liquor Control Dated November 8th, 2013 from Chris Knettlter, Chief Licensing with regard to permit renewal objections, all permits to sell alcoholic beverages in our political subdivision will expire on February 1st, 2014 every permit holder must file a renewal application, objections must be postmarked no later January 2nd, 2014.
8. Finance Committee Meeting Minutes from Monday, November 11th, 2013.
9. Flyer from the New Philadelphia Business and Community Association announcing the annual New Philadelphia Christmas Parade to be held Friday, December 6th, 2013 at 6:00 PM

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

The Mayor addressed the following:

The Mayor reported:

- The Joint Solid Waste District Policy Committee:
It is in the final stages of approving their next operating plan which will eventually come to Council next year for ratification.
A representative from the EPA was in attendance at the last meeting and said that after their review, it was the presented plan with their fewest comments ever and commended the district and the Policy Committee for putting together such a solid plan.

- The NPBCA held its annual downtown Christmas Lighting Ceremony last Friday night. The Mayor thanked: All who work so hard to decorate the downtown and to the New Philadelphia students for their participation.
- The Annual Christmas Parade will be held Friday, December 6th , 2013 and will start at Tuscora Park at 6:00 PM and come down Broadway to the Square and then right on Second Street and then right to Fair NW.
- John Schaar, Head Mechanic at the Wastewater Plant retired earlier this month with (23) years of service. The Mayor thanked John for his dedication and time serving the citizens of New Philadelphia. His position has been posted for bid to within the union and will be awarded soon.

Mayor Taylor wished everyone a Happy Thanksgiving and reminded all that the City Hall will be closed this Friday.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported on the following:

- The Housing Review Team met on November 15th, 2013
Reviewed eleven structures
Received four quotes for the tear down of the property 1118 College Ave. NW
Amy Gilland and the Service Director have been working with the Law Director, Mr. Fete is going to issue a final notice to the current owner that we will be moving in to demolish that structure. Currently, the low bidder is Bill Marino Inc. We will proceed with that tear down.
- The Paving Project in the City that was in conjunction with ODOT is about 90 % complete
ODOT officials have informed the Service Director, due to the weather, there may be some wrap up in the spring of the year. The City is obligated our own crews are going to stripe parking spaces. Thermoplastic and a lot of the radius repairs that need to be done will be corrected in the spring. It is an acceptable project at this point. We are relying on our folks at ODOT to work with us on that to finish it up.
- Five Point Storm Sewer Project is progressing well. We received an update on the construction in a meeting this morning at Diversified Engineering. The contractor Tucson, Inc. is progressing well and doing a fantastic job. They still hope to finish that this year.

AUDITORMS. BETH GUNDY.....NO REPORT

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

TREASURERMS. LORI STATLER.....NO REPORT
ABSENT

LAW DIRECTORMR. MARVIN FETE

The Law Director is requesting the following:

The Law director requested President of Council Sam Hitchcock refer to a committee for consideration of legislation a request from Police Chief Goodwin to modify our local Ordinance 509.03 Disorderly Conduct to allow a \$50 fee to be tacked on for anyone who is convicted of Disorderly Conduct.

The funds will help with the purchasing of Tasers and Taser Equipment as well as save the Taxpayer a tremendous amount of money by defraying the cost of the Tasers.

Law Director requested an Executive Session tonight with regards to a Potential Litigation issue.

Mr. Lanzer made a motion to go into an Executive Session this evening following legislation and a five minute recess.

Ms. Cox seconded the motion

Roll call 7 yeas motion passed.

President of Council Sam Hitchcock announced be advised we will have an Executive Session after legislation following a brief five minute recess.

President of Council Sam Hitchcock commended the Police Department, in particular, Captain Rossi for his quick thinking in taking care of a very dangerous problem that seems to be growing in our communities cross country. (Methamphetamine Laboratories) Mr. Popham said he would pass Mr. Hitchcock's comments along. Mr. Popham informed Mr. Hitchcock it was brought about because a concerned citizen noticed that something was different and reported it.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The Mayor announced the Planning Commission is scheduled to meet Tuesday, December 10th, 2013 at 1:00 PM in Council Chambers pending an agenda.

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

Mr. James Zucal announced providing there is an agenda; the Board of Zoning Appeals will meet Tuesday, December 10th, 2013 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... MR. JOHN ZUCAL

Mr. John Zucal announced the Airport Commission did meet Tuesday, November 12th, 2013 at 6:00 PM at the Airport meeting room. The Commission did approve the Airport Beacon Lease that was presented this evening as part of the Special and Contact Committee Meeting.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced that the Park Board did meet last Wednesday November 20th, 2013 and the minutes from that meeting will be forth coming.

HEALTH BOARD.....MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, December 18th, 2013 at 12:00 Noon.

Ms. Cox reported on some highlights and accomplishments of the City Health Department.

- Certified copies of death and birth certificates issued as of October 31st, 2013 number issued in 2012 (511) Number issued in 2013 (1092) a difference of +581 or 114% primarily due to the opening of the Hospice House in New Philadelphia the number of deaths have increase from 100 per year to an estimated 300 this year and most request multiple certified copies.
- As of this morning, we have tested 193 clients for HIV that does exceed the projected 175 number projected for the HIV funding from Canton City »ODH» CDC.
- Additional funds were offered to us from Canton City for fiscal year 2013 that has to be spent by December 31st, 2013 was received in the amount of \$11,303.78. of that \$7,073; 55 was budgeted for salaries and fringes. (There was an article in the newspaper Saturday)
- New Philadelphia City Health Department received an award of distinction from the Ohio Department of Health at the Statewide Immunization Conference in Cleveland on October 18th, 2013 for "Vaccinations Coverage Improvement Award".

It was determined by an outside surveyor that looked at our vaccination rates from 2012 to 2013 and noticed an improvement in the number of kids 24-36 months old that were up-to-date on their vaccinations. Our current rate is 96% of kids that come to NPCHD are up-to-date. That is big because in the ideal world the State would like Health Departments to hit 90%. Thanks to our Nurse Ann Proctor!

Ms. Cox stated that she was sure the Health Commissioner, Vickie Ionno, will be updating Council with her report the first of the year.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMS. SANDY COX

Ms. Cox reminded all of the Finance Committee met November 11th, 2013 following the Regular Council Session.

Reviewed the Temporary Appropriations for 2014

The Auditor’s recommendation is to pass on December 9th, 2013 which is the second reading.

Updated information on the SIB Loan for the West High Widening Project

The Mayor said the decision did not have to be made this evening, not until after the first of the year when we zero in on the exact dollar amount. The Project will not be sold until June. Since the Mayor will be stepping down from office at the end of the year, the Service Director will be the individual who will keep the Committee apprised of the progress of this project and when to make the decision about possibly borrowing the money.

Ordinance 8-2013

Ordinance 8-2013 has a typo in Section 4 (2012 should be 2013)

The Law director said it was alright to correct it in Committee.

President of Council Sam Hitchcock assigned to the Finance Committee the feasibility of investigation of the City being involved with the R.I.T.A. organization.

SALARY COMMITTEEMR. JOHN ZUCAL....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT
President of Council Sam Hitchcock assigned to the Safety Health & Service Committee the request to modify our local Ordinance 509.03 Disorderly Conduct.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE ...MR. DARRIN LAUTENSCHLEGER
Mr. Lautenschleger announced that the Committee will meet at 7:00 PM Monday, December 9th, 2013 to discuss Rescinding the legislation granting an Enterprise Zone Agreement for GE Mobile Water Inc.

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIED
Ms Espenschied reported the Zoning & Annexation Committee met November 25th, 2013 at 6:42 PM
With three items to discuss:

The Final Plat for Oak Shadows Phase VI

It is ready for the people to sell the property and the City is okay with the final plat.

Motion was made to put it on the Agenda for December 9th, 2013 and to suspend the rules and pass.

Motion was made by Mr. Darrin Lautenschleger and seconded by Mr. John Zucal motion passed.

The Rosenberry Trust Annexation Agreement the first one was not approved by the Township Trustees

The Process was started all over again and the Township Trustees and the City have agreed with everything
With the City getting 40% of the income and the Township getting 60% for the first fifteen years and then 100 % will come to the City.

Motion was made by Mr. John Zucal to have the proper legislation be drawn up and suspend the rules

Motion was seconded by Mr. Darrin Lautenschleger. Motion passed

Ordinance 13-2013

The request for Ordinance for Campers to be modified to include all Zoning in the City of New Philadelphia.

It was noted that the ordinance did not include All Zoning of the City.

Motion was made by Mr. Darrin Lautenschleger to modify the ordinance

to include all Zoning in the area meaning (Commercial and everything.) in the City of New Philadelphia.

Motion was seconded by Mr. John Zucal. Motion was passed

Meeting was adjourned by Mr. John Zucal at 6:47 PM

CONTACT & SPECIAL COMMITTEE MR. DAN LANZER

Mr. Lanzer announced that the Special/Contact Committee met Monday November 25th, 2013 at 7:00 PM in Council Chambers to discuss

The new Beacon Lease Agreement (which has been expired for fifty years)

The Special/Contact Committee reviewed the new Agreement.

The Contact & Special Committee recommends it be put on the agenda and brought before full Council for the first reading at the next meeting.

Mr. Lanzer reported that the Mayor requested that it be passed on the second meeting in December.

The replacement windows with adverting screens at the Airport.

Mr. Lanzer reported that this is the third meeting on this

the motion was made and seconded (passed 2 to 1) to get the proper legislation drawn up to proceed further to have Council vote on for the First Reading at the next Council Meeting.

PARKS & CEMETERY COMMITTEEMS. WINNIE WALKER....NO REPORT

AD HOC COMMITTEEMR. JOHN ZUCAL....NO REPORT

Mr. Zucal announced that he wishes to abstain.

VISITOR'S COMMENTS:

Comments from Debbie Aubihl Knisely

New Philadelphia Business and Community Association, 126 East High Avenue, New Philadelphia, Ohio 44663
Debbie Aubihl Knisely, Administrative Director, of New Philadelphia Business and Community Association

Ms. Knisely reported on the following:

That the Christmas Lighting Ceremony this past Friday was very successful

The NPBCA is preparing for the Christmas Parade for Friday December 6th, 2013 at 6:00 PM.

Ms. Knisely expressed her appreciation:

By thanking City Council, the City of New Philadelphia, and Mayor Taylor for all their assistance with the Association and all the events NPBCA has had this past year.

Ms. Knisely then wished everyone a Happy Thanksgiving.

President of Council, Sam Hitchcock thanked Ms. Knisely for her comments.

Presentation:

Mr. Scott Belcastro
4067 Treeline Court
Westerville, Ohio 43082

Mr. Belcastro Principal of Trebel LLC from the Columbus, Ohio area. Trebel LLC was started in September 2010.

Mr. Belcastro distributed to some Council Members a written presentation introducing his company and what they do and what they could do for the City of New Philadelphia.

Trebel LLC is a national energy broker and consultancies helping residential and commercial clients in 15 states lower their energy supply costs, increase site efficiency and leverage State and Federal incentive opportunities.

Mr. Belcastro purpose for tonight is to talk about Energy Aggregation for the Community.

The Electric Aggregation was what Mr. Belcastro focused on tonight.

He explained that there are 2 kind of programs Opt-in and Opt-out

What he talked about was the Opt-out where all resident and small businesses are automatically enrolled. Individual members may choose to Opt-out if the decide not to participate. An Opt-out program must first be placed on a Primary of General Election Ballot and approved by a majority of voters before an aggregation can be implemented. (That is why he was here today because of have a February dead line with the Board of Elections.)

(Opt-in the second program is one where residents and small business can choose to Opt-in. Once the local government has negotiated a program an individual can begin signing up to participate.)

Mr. Belcastro stated there is very little risk to the community they can leave whenever they want.

Their rates have always been 50 to 100 % better than the market.

Every single person in the community will benefit.

Mayor's comment to President Sam Hitchcock:

Electric Aggregation is something to the City needs to look at.

Next year, the Mayor suggested the City should get a proposal from this Company on what kind of programs they can offer. It is something the City should consider. Mayor reported he has had citizens asking if the City is going to have Electric Aggregation Program.

Council Member John Zucal asked if Mr. Belcastro would consider writing the plan both ways.

Mr. Belcastro said yes.

Mr. Dean Holland
335 Springbrook Drive SE
New Philadelphia, OH 44663

Comments from Dean Holland regarding the Airport Beacon Lease Agreement.

That is a FAA requirement and it is based on the number of take offs and landings of the Airport.

Comments from Dean Holland regarding the Fire Chief.

If you are going to maintain a continuing service level that is high and acceptable to our taxpayers we have to pay the people that run those programs. To lose our Fire Chief means we are going to lose our current investment I don't think we will recreate that wheel and have to invest the same amount of money that we have already invested in someone else.

Irregardless of what we do invest we are going to lose, the experience, the certification levels that he holds and the abilities that he brings to the table as a part of the Executive Management Team of this City.

Mr. Dean Holland thanked President of Council for giving him the opportunity to speak.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

19-2013 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, 2014, AND DECLARING AN EMERGENCY. (1ST READING)

21-2013 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO MODIFY ORDINANCE NO. 7-2011 WHICH CATEGORIZED AND LISTED THE DEPARTMENT HEADS, ASSISTANT DEPARTMENT HEADS AND OTHER NON UNION EMPLOYEES AND DECLARING AN EMERGENCY. (1ST READING)

Comment from Council Member John Zucal:

“Given the fact that the vote has already taken place in the Committee of the Whole we requested this for legislative purposes and I ask that the rules be suspended for the passage of Ordinance No. 21-2013.”

Motion to suspend the rules made by Mr. John Zucal, seconded by Mr. Lautenschleger
Roll call, 4 yeas and 3 nays (Ms. Cox, Ms. Walker, and Mr. Lanzer)
Suspension of the rules has failed on Ordinance 21-2013

RESOLUTIONS:

31-2013 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE RATE INCREASE FOR AMBULANCE SERVICES PROVIDED BY THE NEW PHILADELPHIA FIRE DEPARTMENT FOR THE CALENDAR YEAR 2014 AND DECLARING AN EMERGENCY. (1ST READING)

8:10 PM COUNCIL RECESSED FOR 5 MINUTES
RECONVENED INTO REGULAR SESSION AT 8:16 PM
8:16 PM COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION REQUESTED BY THE LAW DIRECTOR, TO DISCUSS A POTENTIAL LITIGATION ISSUE.
COUNCIL RECONVENED INTO REGULAR SESSION AT 8:29 PM

UNFINISHED OR OLD BUSINESS:

First Issue: Council President Sam Hitchcock introduced a new Council Member Mrs. Cheryl Ramos
Council President Sam Hitchcock and Ms. Ramos met last week in Council Chambers and reviewed the Administrative Code for Rules and Procedures of Council,
Council President Sam Hitchcock gave Mrs. Ramos a book that deals with the Ohio Sunshine Law and Public Records Law and explained what the implication of an Executive Session was, and the function of Council.

Second Issue:

Council President Sam Hitchcock Requested Councils Approval for the following Committee:
“Approval of the Ad Hoc Committee as a Whole to continue to work and to approve any work that has been done to date”

Mr. Lautenschleger made the motion as was requested and that motion was seconded by Mr. Maurer

Roll call

4 yeas and 3 nays (Ms. Cox, Ms. Walker, and Mr. Lanzer)

The Committee has been approved by Council

NEW BUSINESS:

Council President Mr. Sam Hitchcock requested Mr. Lautenschleger be the Chair of the Committee of Council as a Whole to update the Codified Ordinance SECTION 121 RULES OF PROCEDURE and to have meetings on that after the first of the year with the new Council Member.

Ms. Espenschied suggested the request be held until after the first of the year so Mrs. Ramos could vote on it;
Council President Sam Hitchcock announced that he would put the request on hold until after the first of the year

MS. COX MADE A MOTION TO ADJOURN THE MEETING AT 8:35 PM.

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____