

**SALARY COMMITTEE
MEETING MINUTES
September 8TH, 2014**

The Salary Committee met Monday, September 8th, 2014 at 6:30 PM in the Council Chambers at the Knisely Centre. In attendance were Salary Committeepersons: Dan Lanzer, Winnie Walker, Chairperson John Zucal and Alternate Committeeperson, Sandy Cox.

Guests were Mayor David Johnson, Law Director Marvin Fete, Service Director James Zucal, Safety Director Greg Popham, Auditor Beth Gundy, Treasurer Aaron Hillyer, President of Council Sam Hitchcock, Council Clerk Patti McKay, Councilpersons Darrin Lautenschleger, Rob Maurer and Mrs. Ramos, Fire Chief Jim Parrish, Nathan Cozart of WTUZ Radio and City Residents Mark Cox and Ethan Zucal and Sandy Parrish.

THE PURPOSE OF THE MEETING IS TO DISCUSS THREE ITEMS:
COMMENDATIONS FOR JUDITH BAKER AND EUGENE H. NEMITZ
LAND ACQUISITION, WHAT COULD POTENTIAL BE THE LOCATION OF THE NEW
FIRE DEPARTMENT.

Salary Committee Chairperson, John Zucal called the meeting to order.

The Law Director had recommended that we recognize Eugene H. Nemitz for his many years of dedicated service for the City of New Philadelphia in a variety of capacities that utilized his legal expertise.

The Law Director reported:

Mr. Nemitz was a phenomenal prosecutor for a number of years.

Mr. Nemitz was the prosecutor back when Judge O'Farrell was in there.

(Judge O'Farrell made quite a name for himself on DUI Cases imposing first offense penalties, which is a standard today.)

As a result, they were literally having jury trials on a daily basis including Saturdays.

(Mr. Fete stated that back in the 80s, Mr. Nemitz wasn't getting paid very much when he was doing all those jury trials)

The Law Director informed all that preparing for a jury trial was time consuming and you have to be on your feet(mentally and physically.)

Mr. Fete stated he could not imagine it.

Mr. Nemitz was a mentor to Jim Range.

Mr. Fete reported that Mike Johnson and Mr. Fete both used Mr. Nemitz to prosecute cases.

He has now retired spending time with his wife.

Mr. Nemitz has given a lot of dedicated time and service for the City of New Philadelphia.

President of Council, Sam Hitchcock:

Informed all that Mr. Nemitz was an excellent prosecutor,

He did his job well and was a source of information for Law Enforcement.

Proposed Resolution 30-2014 commends Mr. Nemitz for his 30+ years of service to the City of New Philadelphia as both prosecutor and assistant prosecutor.

A motion by Mr. Lanzer was made to include Resolution 30-2014 as part of the agenda for the September 22nd, 2014 Council Meeting. Ms. Walker seconded the motion.

The Committee voted 3-0

Resolution 30-2014 will be put on the agenda for the September 22nd, 2014 Council Meeting.

Proposed Resolution 29-2014 a resolution recognizing Judith Baker for her 21 years of service and dedication for the City of New Philadelphia as a Data Processing Clerk in the City's Income Tax Department.

The Auditor:

Beth Gundy informed everyone "Judy was a great employee (I don't use that term lightly) Judy was pretty much the history of the Income Tax Department.

She knew everything inside and out she was very well liked and was a great asset to the City."

Councilperson Ms. Sandy Cox:

Ms. Sandy Cox stated Judy was very precise in her job she was particular and was very informative.

Mr. Lanzer entertained a motion to include Resolution 29-1014 as part of our September 22nd, read for three Readings. The Committee voted 3-0.

The third item on the agenda is the authorization of proposed Ordinance 22-2014, that is tied to the potential land acquisition for the area we have for the proposed fire station.

We did attach Addendum #6 (Seller Financing) which is a copy of the agreement that has been signed.

It requires \$62,500 payment over four years totaling \$250,000.

The first payment will be due October 1st, 2014 there is no prepayment penalty with the last coming up in 2017.

We did note there is money in the Master Capital for the Land Acquisition.

We will be able to cover that with the funds that have been set aside or previously budgeted.

Comment from Committeeperson Lanzer.

I'm definitely in favor of it. I see it for the future of the fire station.

Just so we don't get locked into land acquisition, the whereas, the last line for the purpose of construction of a new fire station does that have to be in there.

We put a levy on and it fails we are stuck with the land.

Comment from the Law Director:

It doesn't bind you in that regards if the levy fails.

Comment from Committeeperso Lanzer:

Could you use the land for other purposes?

Comment from the Law Director:

If the levy fails I would suggest if you put a levy on the reason it is being purchased is for the Fire Station.

Comment from Committeeperson: Lanzer:

It doesn't bind you to use that land for that purpose.

Comment from Mayor Johnson:

You can park cars on it until we build a fire station. Or whatever we want as long as our goal is to build a Fire Station.

Salary Committee Chairperson, John Zucal:

Did not think we should omit because it says what the intent is for purchasing it.

I understand where Dan is coming from there is a legal entanglement because that is what it was purchased for. You said it is good to go on that.

Comment from Committeeperson Lanzer:

We can use it for whatever we want until the fire station is built.

Comment from the Law Director:

I think you have to be forthright in why you are purchasing the land otherwise there is no reason to purchase this land.

Comment from Ms. Cox:

If you look at the third line estate is spelled wrong. (In the preamble)

Question from Ms. Cox

In regard to the Commercial/Industrial Real Estate Purchase Agreement.

Below line 52 it does not have the number for 142 listed

It is also not listed in the addendum #6

Are we purchasing 142 or not.

Service Director:

Spoke with the Law Director today

142 is to be included we could just add those and initial it

And that would be acceptable.

Comment from the Law Director:

Mr. Fete spoke with Councilperson Cox today

Called the Service Director.

Ms. Cox at the top it says SW rather than SE

Mr. Fete said he went over the entire thing Ms. Cox emailed him.

Mr. Fete called the Service Director and the realtor Mr. Barnett

Bottom number parcel is wrong. Service Director will make sure all the parcel numbers are correct. The ordinance said 43-00622 000 and it should say 43-00672 000

Committee Chairperson Zucal:

Basically there is some clean up to do.

We need to move forward on this

We have a tentative agreement that the first payment is due October 1st, 2014.

Comment from Mayor Johnson:

The Grover's have been very agreeable to whatever we do.

Mr. Zucal informed all the ordinance needs cleaned up.

We would like to get it on the agenda.

Fire Chief Jim Parrish:

Phase 1 EPA study completed and was part of the purchase agreement

It came back clear.

He has three copies of that.

He has a file in the drop box address. (That is available)

Ms. Cox requested one of the copies to review.

Fire Chief Jim Parrish said there is a map that shows the area very clearly.

The only negative thing is, because of the date of the building, there could be some Asbestos however it is not in the scope of the study

Mayor Johnson:

We will have a year to check that out because all personal property is to be removed from the property within a year of closing.

There are three buildings that will be removed by the City.

The Chief said the big building the roof is caved in and is not safe to go in.

Question for the Auditor from Mrs. Ramos:

We have a \$100,000 in the budget for land acquisition this year.

The property is \$250,000

How are we going to pay for years 2, 3, and 4?

The Auditor said that was her question for the Committee.

Mayor suggested the Ambulance Fund.

Chief Parrish if we earmarked the funds out of Ambulance Fund for the land

If we should use it for something else it would have to be paid back.
Mrs. Ramos wanted to know if we would have to have a Tax Levy.
Law Director:

There is no way to build a fire station without a levy or bond issue.
It is a nice parcel of ground and ideal spot to support a fire station. (This is step one.)

A motion was made by Mr. Lanzer and seconded by Ms Walker to clean up ordinance 22-2014 and the seller finance agreement.

Vote was 3-0 to have the Law Director clean up Ordinance 22-2014.

A motion was made by Mr. Lanzer and seconded by Mr. Zucal to put Ordinance 22-2014 on the agenda for first reading September 22, 2014 3-0 vote.

As there was no other matter to come before the Committee
The meeting was adjourned at 6:57 PM.

Respectfully Submitted,

John Zucal, Chairperson
Salary Committee

Revised September 22,2014