

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 23, 2019 WITH PRESIDENT OF NEW PHILADELPHIA CITY COUNCIL SAM HITCHCOCK PRESIDING. PRESIDENT HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDENCE MR. DEAN HOLLAND
 MR. DAN LANZER
 MR. ROB MAURER
 MR. KELLY RICKLIC
 MR. JOHN ZUCAL

EXCUSED ABSENCE: MRS. AIMEE MAY
 MRS. CHERYL RAMOS

- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT’S AGENDA
MR. RICKLIC SECONDED THE MOTION
5 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED

- MR. LANZER MOTIONED TO ACCEPT THE MINUTES FROM THE DECEMBER 9, 2019
REGULAR SESSION OF CITY COUNCIL
MR. HOLLAND SECONDED THE MOTION
5 YEAS
MINUTES FROM THE DECEMBER 9, 2019 REGULAR SESSION OF COUNCIL HAVE BEEN
APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from Treasurer Tom Gerber, dated December 10, 2019. This is the City of New Philadelphia November 2019 Investment and Savings Report*
2. *To Council and Administration from Mayor Day, dated December 11, 2019. This is an email with the subject FWD: Annual Report and it contains the annual report for the Health Department for 2018*
3. *To Council and Administration from President Hitchcock dated December 18, 2019. This has the subject Ordinance 939 with changes 31813 Codified Ordinance 939. It says Kelly, Please take the forwarded request from the Law Director into your Committee for Consideration.*
4. *To Council and Administration from Maureen Wenger, Secretary for the Service Director, dated December 19, 2019. This is an email. The subject is Report on Foreclosure, Demolition, and Violations. It has that as the attachment.*
5. *To Council and Administration from Mayor Day, dated December 23, 2019. The Mayor’s Report.*

Administrative Reports.....

MAYOR’S REPORT/REQUESTS ...MAYOR JOEL B. DAY
Mayor Day had the following report:

- If You Haven't Notified NPPD of your Vehicle Being Vandalized, Do So ASAP: New Philadelphia Police are continuing to investigate the weekend vandalism of nearly 50 vehicles in the City. Two teenagers have confessed to driving around town to smash the side view mirrors on the vehicles. But before charges can be filed, the department needs to make sure all owners of the vandalized vehicles have filed police reports. Contact Officer Tessa Pohovey if you haven't. If the damage total exceeds one thousand dollars, the teens could face felony charges.

- Honoring James and Lisa Lam and Lam's Oriental Cuisine: James and Lisa Lam will be ending nearly four decades in the restaurant business when they close Lam's Oriental Cuisine on December 31st. The Lam's business brought people from far and wide to New Philadelphia to enjoy their food and hospitality. Recently I presented them with a proclamation declaring December 31st as the "James and Lisa Lam and Lam's Oriental Cuisine Appreciation Day" in the City. We wish them all the best in their retirement.

- 2019 was Another Year of Growth for the City of New Philadelphia: The long awaited opening of Menard's, the State Route 416 paving project and the opening of the Kent State-Tuscarawas gateway roadway were just a few of the events that highlighted the growth of New Philadelphia in 2019. The artistic movement in the downtown area continued with new murals, the parklet on South Broadway and the opening of Alley Cats Marketplace and The Gift Shop. Using state grant money, construction of boat ramps at the Waterworks Fields Park and on State Route 416 restored the Tuscarawas River as a recreational asset that will have economic as well as lifestyle benefits. But we also had our share of challenges. The rupture of the fourteen inch water main that supplies City reservoirs was a clear warning that it's time to invest in upgrading the City's water distribution system. Many employers had a difficult time filling job openings. The opiate addiction rate dropped but the abuse of the equally deadly methamphetamine increased. Those challenges will continue into the New Year. However, because we are a City that relies on the strength of its residents and businesses, and because my Administration and City Council members are committed to moving the City forward, I am confident that 2020 will be another year of positive growth for New Philadelphia. I'm really looking forward to it. And I hope you are too.

- Presenting Retiring City Council President Sam Hitchcock with a Key to the City: Tonight (Monday) is the final Council meeting presided over by president Sam Hitchcock. He has shown exemplary leadership during his tenure as Council president. Often I relied on his experience and wisdom to gain the support of Council. But more importantly we developed a friendship that is ever lasting. While this is a sad occasion, it is also a time to celebrate Sam Hitchcock's contributions to City government and his love of New Philadelphia. To show the City's appreciation of his service to our local government, I would like to present president Hitchcock with this Key to the City plaque and wish him well in his retirement on behalf of all New Philadelphians.
 - Mayor Day presented the Key to the City plaque to President Hitchcock.

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

Regarding the email that went out Thursday, December 19th I'd like to yield my time to Mike Scolati.

Mr. Scolati had the following report:

The foreclosures and demolitions that we did over the past four years on two properties, one of which was a gas station on South Broadway and the other a house on 4th Street NW. Once we took it over we turned it over to Habitat for Humanity. The second two properties we foreclosed on were auctioned. We received back the \$5,000 we had tied up in that. One property we foreclosed and demoed, for a total of \$4416 that we recovered after auction. One property we demoed was a fire. The bank that owned it reimbursed us for a deposit \$6597. So we did have a total of \$16,013 that we did recover from all of our expenses. We ordered one commercial property on West High Ave. that was done by the owner, and another residential property that was done by the owner. In the year of 2019 we had 18 approved demolition permits

that were filed by the owners to do that themselves. Violations, we had a total of 96 letters that went out. 49 of them were high grass and bushes. We sent out three bills for mowing grass at \$1,065.00 that was paid. Two bills that went out unpaid at \$1,910 which we had to lien on properties that were unpaid. Twelve violation letters with brush and tree encroachments near sidewalks or alleyways, eleven property cleanup letters, and twelve building code violations.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

A couple months ago I brought up that we had suspended the use of the police auxiliary based on the fact that unbeknownst to us there was a law that had been passed in 2016. Upon becoming aware of this law and extensive research by the Law Director we have realized that the City needs to establish a volunteer peace officer's dependent fund board. This board consists of a total of five people, two which are on the legislative group, two are from the auxiliary, and a fifth person is nominated as elected by the four that are from the legislative and auxiliary. The Law Director has come up with basically how we're going to accomplish this issue. We do have two individuals on the auxiliary for the board and we need to pick two from the legislative group. I have two people that were graciously volunteer drafted, but the Law Director will go into how we're going to accomplish that. The auxiliary then will be reinstated after the first of the year.

Law Director Fete had the following comment:

The reason for this board is in case someone gets hurt or killed on the job while they're a volunteer police officer, the funds come out of a trust to take care of their family with medical and funeral expenses in the event that something should happen. The board oversees who that goes to and whether or not it should be done. The City has to contribute \$500.00, a one time fee to the State Treasurer's Office. That's a perpetual fund that they maintain for purposes of if an auxiliary police officer gets injured on the job or dies on the job. Then it will be up to our local board to determine what should be done about that and to report back to the State Treasurer's Office. The legislative body gets to select two members to be on that board. What I had suggested to the Council President is that he open it up and just have a roll call vote on that.

President Hitchcock had the following comment:

At the last meeting Councilmen Holland and Zucal had volunteered to be on that board, so unless any other Council would be interested in serving in one of their places we will affirm them by a roll call vote.

ROLL CALL
5 YEAS
MR. HOLLAND AND MR. ZUCAL WILL SERVE ON THE BOARD

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I will waive based upon what I already said and I know that this is going to be a short meeting. I would invite Mr. Hitchcock's family to come back because I think a lot of people are saving their goodbyes for Sam at his final meeting.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The next meeting of the Planning Commission will be on Tuesday, January 14 at 1:00 PM. We're developing an Agenda.

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

The Board of Zoning Appeals met December 10, 2019 at 5:00 PM in Council Chambers with two variance requests to consider. An address at 1297 West High Ave. a noncompliance with 1167.05 which was not having the number of parking spaces required. It was tabled on a vote of 5-0. Since then they fell into compliance, they have the needed parking spots and the building permit was signed. Secondly an address at 1035 Front Ave. SW. It's an Industrial Zone noncompliance with 1169.08 signage. The variance was read, requested, and approved 5-0 to allow that variance.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission did not meet in December but will reconvene for regular meetings on Tuesday, January 14 at 6:00 PM at Harry Clever Field Meeting Room.

PARK BOARD.....MRS. AIMEE MAY.....EXCUSED ABSENSE

CEMETERY BOARD.....MRS. AIMEE MAY.....EXCUSED ABSENSE

HEALTH BOARD..... MR. KELLY RICKLIC

The next Health Board Meeting is Wednesday, January 8 at 12:00 Noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER.....NO REPORT

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

I did want to remind Council that we will be scheduling a Meeting in early January to consider an honorary notation for one of our City streets in memory of Jim Locker. I've spoken with his family and they're very open to lots of different options and understand the rationale for an honorarium, so we'll be looking to include the family as part of that process and hopefully get that through the early part of 2020.

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

SAFETY HEALTH & SERVICE COMMITTEE... .MR. KELLY RICKLIC

Mr. Ricklic had the following report:

On January 13 we'll be holding a Meeting at 7:00 PM.

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

SPECIAL & CONTACT COMMITTEEMR DAN LANZER.....NO REPORT

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY.....EXCUSED ABSENCE

VISITOR'S COMMENTS:

Mr. Steve Slentz of 1158 Miller Ave. NW had the following comment:

I had the opportunity to read over the Proposed Ordinance regarding my concerns on the feral cat issue. Frankly you're putting a Bandaid on an artery that's badly bleeding. The fact that you're picking up the cats, fixing them, and taking them back to the same neighborhood doesn't correct the problem, and it will continue to get worse, so hopefully you guys will send the issue back to the Committee and put some teeth in it. Obviously the police can't do anything with what you've done, and when I've talked to them before about the problem they said Council needs to do something where they can sink teeth into this and actually fine people for doing the things that they've been trying to fine people for. So I just ask Council do something about this. It's not getting any better. Over the weekend I had to spend one hour out behind my garage counting cats. I counted 12 just running around. It's out of control. The neighbor lady keeps feeding them and they keep coming back.

President Hitchcock asked Mr. Slentz the following question:
Did you get a notice of the Committee meeting?

Mr. Slentz had the following reply:

I did, I was unable to attend. Miss Courtright forwarded the Ordinance to me and I read it.

President Hitchcock had the following reply:

Okay, there's two more readings before this passes. The Ordinance is on the Agenda. I would ask Mr. Ricklic to reconsider or consider this further into his Committee and send an invitation to you so that you can put some input, and maybe see if there's any other solutions that can maybe be done before this actually passes.

Mr. Ricklic had the following comment:

Mr. President I'm going to consult with the Police Chief and the Safety Director and see what the Police Chief would like to see done.

COUNCIL COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

18-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE LOTS ABUTTING THE AREA AROUND THE OLD ZIMMER BUILDING LOCATED ON KADERLY ST. NW, SOUTH TO AN UNNAMED ALLEY, EAST TO 4th CR. NW, SOUTH TO PARK AVENUE NW, EAST TO 4th NW, SOUTH TO MINNICH AVE NW, WEST THROUGH KADERLY ST. NW ONTO AN UNNAMED ALLEY TO 5th DR. NW, NORTH ON 5th DR. NW TO PARK AVE NW, EAST ON PARK AVE. NW TO 5th ST. NW, NORTH ON 5th ST. NW TO HARCATUS OWNED PROPERTY, WEST TO KELLY ST NW AND THEN NORTH ON KELLY ST. NW IN THE CITY OF NEW PHILADELPHIA, OHIO FROM INDUSTRIAL TO BUSINESS ZONE.
4th Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 18-2019
MR. MAURER SECONDED THE MOTION
5 YEAS
ORDINANCE 18-2019 HAS BEEN APPROVED

19-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO CREATE THE NEW PHILADELPHIA SAFER GRANT FUND #224 FOR THE PURPOSES OF MANAGING ALL FUNDS RECEIVED FROM FEMA PURSUANT TO THE CITY'S AWARD UNDER THE SAFER GRANT PROGRAM.
3rd Reading

MR. ZUCAL MOTIONED FOR PASSAGE OF ORDINANCE 19-2019
MR. RICKLIC SECONDED THE MOTION
5 YEAS
ORDINANCE 19-2019 HAS BEEN APPROVED

21-2019 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, 2020.
3rd Reading

MR. MAURER MOTIONED FOR APPROVAL OF ORDINANCE 21-2019
MR. ZUCAL SECONDED THE MOTION
5 YEAS
ORDINANCE 21-2019 HAS BEEN APPROVED

22-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ENACT SALARY RATE INCREASES FOR DESIGNATED NON-BARGAINING UNIT EMPLOYEES AND ELECTED OFFICIALS FOR 2020, 2021, 2022, AND 2023 IN ACCORDANCE WITH ATTACHED EXHIBIT A AS LISTED THEREIN, AND SUBJECT TO THE TERMS AND CONDITIONS LISTED THEREIN.
2nd Reading

23-2019 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, BY ADDING SECTION 505.18 MANAGEMENT OF CAT POPULATION.
1st Reading

RESOLUTIONS: NONE

UNFINISHED OR OLD BUSINESS:

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

Monday night, you've all received an invitation to the Swearing In Ceremonies for the re-elected Council Members and also for the Newly Elected President of Council and good friend Mr. Don Kemp. At

6:00 when that Meeting was going to begin we'll have a Special Council Meeting that will be called for the purpose of considering the last two pieces of Legislation that are on the Agenda.

NEW BUSINESS:

Mr. Zucal had the following comment:

I'd just like to wish everyone a very Merry Christmas.

Mr. Maurer motioned to adjourn at 8:01 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp