

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 11, 2019 WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING. COUNCILMAN ZUCAL OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DAN LANZER
MR. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MR. DEAN HOLLAND
MAYOR DAY (ARRIVING LATE DUE TO PRIOR ENGAGEMENT)

- MRS. MAY MOTIONED TO ACCEPT TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED

- MR. MAURER MOTIONED TO ACCEPT THE MINUTES FROM THE FEBRUARY 25, 2019 REGULAR SESSION OF CITY COUNCIL
MR. ZUCAL SECONDED THE MOTION
6 YEAS
MINUTES FROM THE FEBRUARY 25, 2019 REGULAR SESSION HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Mayor Day, dated February 26, 2019. This is the Mayor’s State of the City Report*
2. *To Council and Administration from Mayor Day, dated March 1, 2019. This is an email with the subject Mayor’s Report, and it has the attachment February 2019 End of Month Report.*
3. *To Council and Administration from Mayor Day, Dated March 1, 2019. This is the February 2019 End of Month Report.*
4. *To Council and Administration from Income Tax Administrator for the City Vickie Daniels, dated March 4, 2019. This is an email and it has the subject February 2019 Income Tax Report with that as the attachment.*
5. *To Council and Administration from Tanya Dickey, dated March 4, 2019. This is an email with the attachments Expense Report with Encumbrance for Feb 2019, Cash Position Month to Date Totals for February 2019, Cash Position Revenue and Expense for February*

- 2019, Check Report for February 2019, and Check Report by Fund for February 2019.
6. *To Council and Administration from the Mayor's Executive Assistant Mary Ann Otte, dated March 6, 2019. This is an email with the subject and the attachment 2019 City Auction Notice.*
 7. *To Council and Administration from Mayor Day, Dated March 6, 2019. This is an email with the subject "The Mayor Will Be Late to the March 11, 2019 Council Meeting" and it states the following: "President Hitchcock and Councilmembers, on Monday I've been asked to speak at the annual Shoенbrunn Village Historic Dennison Railroad Depot Volunteer's Banquet at 6:00 PM, so there's a good chance I won't be here on time for the start of the Council Meeting.*
 8. *To Councilman Holland from President of New Philadelphia City Council Sam Hitchcock, dated March 6, 2019. This is an email titled "Crane Kimble" and it states the following" Dean, please take the attached documents for the Enterprise Zone Agreement for Crane Carrier Company into your Committee for consideration."*
 9. *To Members of City Council from Brian Mertes, dated March 8, 2019. This is an email titled "AFSCME Agreements"*
 10. *To Council and Administration from President Hitchcock, dated March 9, 2019. This is an email to Mr. Zucal. The subject is Resolution of Honor and it states "John, based on our phone conversation of today please take into your Committee preparation of a Resolution to honor three individuals whose quick actions saved the life of an individual at the Little Caesar's Pizza in New Philadelphia last Tuesday after he suffered cardiac arrest. I've attached a link to the article.*
 11. *To Councilmembers from President of Council Hitchcock, dated March 10, 2019. This is a text message that states the following: Due to the problems we've been experiencing with the email server it appears as though the AFSCME contract has not been received by Councilmembers and therefore a Meeting of the Special and Contact Committee has not been able to be scheduled. I've advised the Mayor of this problem, and he's going to see to it that Councilmembers receive a hard copy of the contract on Monday.*
 12. *To Council Clerk from Treasurer Tom Gerber, dated March 11, 2019. This is the City of New Philadelphia February 2019 Deposits.*
 13. *To Council Clerk from the Ohio Division of Liquor Control, dated March 6, 2019. This is a DI Liquor Permit Request to Craft Bistro and Lounge DBA Craft Bistro and Lounge 104 Fair Ave NE 1st Foyer 2nd Floor Basement New Philadelphia, mailed March 6, 2019. Responses must be postmarked no later than April 8, 2019. "Important Notice please complete and return this form to the Division of Liquor Control Whether or Not there is a request for a Hearing."*
 14. *To Council and Administration from Mayor Day, dated March 11, 2019. The Mayor's Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Council Clerk Julie Courtright read the following report due to Mayor Day's Absense:

- **The County's Anti-Drug Coalition Gathers Data on Youth Drug Use:** Last week mayors from across the county were asked to participate in a focus group discussion with members of the county's Anti-Drug Coalition. The purpose of the gathering was to gather the mayors' thoughts on the causes and effects of substance abuse among young people in their communities. Among the substances discussed by the group, alcohol and marijuana were voted as the top two most affecting the health and behavior of middle and high school aged kids. Vaping products were a close third. The coalition is surveying community members to determine where it should be targeting its efforts this year. The Anti-Drug Coalition is led by Jodi Salvo of Personal and Family Counseling Services and retired Tuscarawas County Commission Kerry Metzger. We are fortunate to have such an active organization advocating for the health and welfare of our youth.

- **Fire Chief Parrish Creates a Task Force to Help Clarify Ordinance 1-2019:** Fire Chief Jim Parrish is assembling a task force that includes members of the business community to help clarify the purpose of Ordinance 1-2019. To remove confusion, the task force will help the chief define the permit categories in the legislation and offer other revisions. I would ask Council to postpone action on the ordinance until the task force completes its work.

- **Ohio Dept of Natural Resources Helps the City Prepare for the Opening of its New Boat Ramps :** Tom Arbour, ODNR's Land and Water Trail Coordinator, met with Service Director McAbier and I last Thursday to view the progress being made on the construction of the City's Tuscarawas River boat ramps at the Waterworks and State Route 416 locations. Also joining us on the tour was Marissa Lautzenheiser, Rural Ohio's Middle Tuscarawas Watershed Coordinator and Kara Musser of the Muskingum Watershed Conservancy District. We also discussed portage locations and the signage necessary to direct canoeists and kayakers on the river. Construction of the boat ramps will be completed by the end of May.

- **The Rainbow Connection Telethon's Record-Breaking Effort:** I would like to thank the New Philadelphia residents and businesses whose contributions helped set a new fundraising record for the Rainbow Connection Telethon. Yesterday's grand total of \$260, 182.76 far surpassed last year's Telethon amount by nearly \$35,000.00 dollars. As Executive Director Carmel Haueter stated in today's Times Reporter story: "... the community's generosity has allowed the Rainbow Connection to grow beyond helping people with catastrophic illnesses into addressing quality-of-

life issues to improve the community.” Included in the list of quality-of-life issues funded by the Rainbow Connection is the handicap fishing pier that will be built at Tuscora Park later this year.

SERVICE DIRECTORMR. RON MCABIER:

Mr. McAbier had the following report:

The complete structure of the new airport hangar is up. We'll probably be finished up in two weeks. I'll let you know in two weeks how that project is moving forward. Very quick and very well done. Two months ago we applied for a \$75,000 grant for the purchase of a recycled truck in the Stark-Tusc-Wayne Joint Solid Waste District. Just less than two weeks ago we found out that we were successful in receiving the grant so that's good news and we'll purchase a recycled truck in the near future.

AUDITORMS. BETH GUNDY

Ms. Gundy had the following report:

I just want to clarify from earlier in the Finance Committee. It has been three years since we put twenty percent of our income tax revenue in Master Capital, but in 2016 and 2017 we're still putting in 10 percent and in 2018, and now this year it's zero.

SAFETY DIRECTORMR. GREG POPHAM.....NO REPORT

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

The Law Director's office has officially moved. We're moved into our new offices above the old fire station. We're now in the 1950s part. I want to give a special thanks to the Mayor for allowing us to utilize that space, and especially to Mike Scolati, who took it upon himself to do a lot of the work personally to get us moved in there which saved the City a lot of money. He definitely deserves our thanks and applause for what he did in helping us get moved in there in as quick of fashion as we did. My staff is incredibly happy with the new space they have, and it's very important to our new hire. Now she has the privacy to do her job in the best way possible.

I also want to request on behalf of the Mayor that we go into Executive Session after legislation for Purposes of discussing bargaining negotiations.

MR. RICKLIC MOTIONED FOR AN EXECUTIVE SESSION BASED ON THE LAW DIRECTOR'S REQUEST
MR. MAURER SECONDED THE MOTION
6 YEAS
AN EXECUTIVE SESSION WILL BE HELD DURING TONIGHT'S COUNCIL MEETING AFTER THE READING OF LEGISLATION AND A 5 MINUTE RECESS

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY.....EXCUSED ABSENCE

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

The Board of Zoning Appeals will meet tomorrow night at 5:00 PM here in Council Chambers with five variance requests to be heard.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet tomorrow evening at 6:00 PM at Harry Clever Field in the meeting room. Just piggybacking off the Service Director's report, we're very pleased with how the new hangar project is going and we do plan a ribbon cutting ceremony when it's all said and done. Strait Line Structures has done a fabulous job with that project, and there are no issues with tenants, and we're looking forward to some improvements in older hangars to make those more enticing to those who already want to come in with the new hangars being occupied. We continue to work with Michael Baker Junior's associates and Kevin Siig to manage the situation with the FAA and the runway safety zones. We continue to take the position that we are not prepared to close Delaware Dr. in any capacity, and we are certainly not about moving graves, that continues to be our stance. How it impacts us as we move forward with the FAA is to be determined but there is going to be further discussion with the Detroit office in regard to that.

Mrs. Ramos had the following question:

Do you have any tenants for the old hangars.

Mr. Zucal had the following reply:

Right now Don believes he has a couple who have shown interest in those, so we should be full with those as well.

Mrs. May had the following comment:

Concerning the fence around the airport, when we had that high wind and the power outage there was a lot of that fencing down. I don't know what they did, they got it up very quickly. They did a really good job on that.

PARK BOARD.....MRS. AIMEE MAY
There is a Park Board Meeting on March 20, 2019 at Noon at Tuscora Park.

CEMETERY BOARD.....MRS. AIMEE MAY
The Cemetery Board will meet this Thursday, March 14, 2019 at 8:00 AM in the Service Director's Office.

HEALTH BOARD..... MR. KELLY RICKLIC
The Health Board will meet Wednesday, March 13, 2019 at Noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER

Mr. Maurer had the following report:

The Finance Committee met tonight at 6:15 PM to wrap up talks on the 2019 Budget. I'd like to thank the Department heads, Council, Administration, for all their help in that. We kept the talks I thought very informal. I listened to everybody's ideas. Keep in mind that when you're passing a budget this thick that every person won't get every single thing that they want. You have to look at the overall picture. This does need to be passed by March 31st. We'll have the Law Director draw up the appropriate legislation. We'll ask for passage as an emergency on March 25, 2019.

SALARY COMMITTEEMR. JOHN ZUCAL.....NO REPORT

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND.....EXCUSED ABSENSE

SAFETY HEALTH & SERVICE COMMITTEE.....MR. KELLY RICKLIC.....NO REPORT

Mr. Ricklic had the following comment:

We'll be trying to schedule a meeting at the March 25, 2019 Council date.

ZONING & ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS.....NO REPORT

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

Mr. Lanzer had the following comment:

We will be scheduling a Meeting on March 14, 2019 at 6:00 PM to discuss the AFSCME collective bargaining agreement with the service and the clerical. We'll also be having a meeting on March 25 regarding a Liquor License Variance Request from Craft Bistro.

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY.....NO REPORT

VISITOR'S COMMENTS:

Don DeVore of 256 Kent Circle NE had the following comment:

I'm here to discuss the Fire Department's wish on these permits. Now, Mr. President, you and the Safety Director both know me and my background. I do not come here with no knowledge of the business of first responders. In 1973 I started as an EMT and ran squad for a number of years. In 1981 I went into Law Enforcement and started as a corrections officer, retired as an Executive Lt. I currently work part time as a police officer. As I look at this ordinance I have some concerns. I think it's very open ended. I was just informed tonight that there's now a Task Force. In a statement off the Fire Department's website, I spoke to Inspector Pearch briefly. Some of this, I can understand, is needed. Some I don't. It's very open ended on who this applies to. My question was, you're telling me I need a \$125 permit to burn a little patio fire that probably half of the town has? When it refers to "open burning" does that mean a charcoal grill? Does that mean these little patio fire places? Open flames and candles in assembly areas. What about churches and their candle lighting? They need to go and receive a permit? I'm not here to throw anyone under the bus, but I have some real issues with Chief Parrish who I do not know. I have never carried on a real conversation with him and I have no idea what the gentleman even looks like. I know a number of years ago he addressed Council and insisted on a huge raise or he was going to go back as a firefighter. Had I been on this Council, he would have been on his way back to being a firefighter. We had over five firefighters who in 2018 made over \$100,000. One made \$169,000. I don't know if Council knows that, and I feel pretty confident the public does not know we had a firefighter in this community making over \$169,000. This is the newspaper article that was after the last Council meeting. I'm just simply quoting some things from it. The comments that we have 12 people a shift we will always have overtime of some sort. Nature of the business. I don't buy that. I've been in this business way too long to buy that. Since January 1st they paid out over

\$72,000 in overtime. I think Mr. Parrish needs to be held more accountable for the overtime he's costing this Community. I find it very odd that we have firefighters spending this kind of money.

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

It was mentioned in the Mayor's Report that the fire department will be forming a task force. The task force is going to be studying the schedule for the permit process. It is also going to be continually considered by the Safety, Health, and Service Committee. The intent of course is to clarify those definitions that you mentioned. We're well aware that there's a lot of vagueness in that and the intent will be to straighten that out so that everything is very clear and understandable.

Mr. Zucal had the following comment:

Mr. Devore I would encourage you, since you don't know Chief Parrish to begin the process by sitting down with him and talking with him directly. I think that's only fair given the concerns you expressed tonight. The issue of overtime I think we have discussed as a Council for years and years. The overtime is a direct result of previous Council's decision not to staff at the highest rate they possibly could meeting the national requirements and standards set forth for fire departments but rather to fund that as overtime. When I first came on to City Council we consistently discussed the same issue again. In regard to the overtime, the one individual I know you're speaking about. He responded to every chance he was provided to overtime. He basically lived at the fire station, and realistically Chief Parrish is only following through with what City Council has directed him to do. The SAFER Grant and the opportunity to go to a more fully staffed fire department will decrease the amount of overtime that we have. We can't tell you by how much yet because obviously we haven't spent a whole year with it.

Mrs. Ramos had the following comment:

Thank you for coming in. I've heard on the phone many citizens express the same concerns that you have, and these are some of the same questions I've asked over my 5 year tenure on City Council, so thank you.

*Law Director Fete made a recommendation to Table Ordinance 1-2019 since it's back in Committee.

MRS. RAMOS MOTIONED TO TABLE ORDINANCE 1-2019
MRS. MAY SECONDED THE MOTION
3 YEAS 3 NAYS, PRESIDENT HITCHCOCK VOTED NAY
THE MOTION TO TABLE ORDINANCE 1-2019 WAS NOT APPROVED

COUNCIL COMMENTS:

Mr. Zucal had the following comment:

I'm glad we have Superintendent Brand here this evening because he's the man who's in charge behind all of it. I just want to recognize the Lady Quakers Basketball Team on what was a fabulous season and a heartbreaking loss. One game away from the State again. Congratulations to Kevin Cornell the Head Coach, and all the girls for just a fabulous undefeated regular season and wish them the best of luck as they prepare for a new season in 2019-2020. Thank you!

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

1-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ENACT AN OPERATIONAL PERMIT PROCESS THROUGH THE NEW PHILADELPHIA CITY FIRE DEPARTMENT FOR ITEMS RELATED TO PUBLIC HEALTH AND SAFETY.
4th Reading

3-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO REZONE THE 15 PARCELS LISTED IN THE ATTACHED DOCUMENTATION IDENTIFIED AS EXHIBIT A, QUAKER DOME AREA REZONING 2019, AS RECOMMENDED BY THE NEW PHILADELPHIA PLANNING COMMISSION FROM INDUSTRIAL TO BUSINESS ZONING.
3rd Reading

MRS. RAMOS MOTIONED FOR PASSAGE OF ORDINANCE 3-2019
MR. MAURER SECONDED THE MOTION
6 YEAS
ORDINANCE 3-2019 HAS BEEN APPROVED

5-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CODIFIED ORDINANCE CHAPTER 1167 BUSINESS DISTRICT TO INCLUDE SECTION 1167.14 FOR PURPOSES OF ALLOWING EDUCATION AS A CONDITIONAL USE IN BUSINESS ZONES.
3rd Reading

MRS. RAMOS MOTIONED FOR APPROVAL OF ORDINANCE 5-2019
MR. LANZER SECONDED THE MOTION
6 YEAS
ORDINANCE 5-2019 HAS BEEN APPROVED

RESOLUTIONS: NONE

**COUNCIL ADJOURNED INTO A 5 MINUTE RECESS AT 8:08 AND
RECONVENED BEFORE GOING INTO EXECUTIVE SESSION AT 8:15.
AT 8:28 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL**

UNFINISHED OR OLD BUSINESS:

Law Director Fete had the following comment:

I just want to clarify that when I said “tabled” during my comments that was not what I meant. What I was indicating was I thought that legislation should be amended in Committee and then brought back to the floor.

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

That could have been done that way but I just don’t think it’s necessary.

NEW BUSINESS:

Mrs. Ramos had the following question:

Is the schedule part of the Ordinance?

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

It’s referred to in the Ordinance.

Mr. Maurer motioned to adjourn at 8:29 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock