

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 8, 2018 WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING. PRESIDENT HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

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

EXCUSED ABSENCES

NONE

➤ MR. LANZER MOTIONED TO ACCEPT TONIGHT’S AGENDA
MR. ZUCAL SECONDED THE MOTION
7 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED

➤ MRS. RAMOS MOTIONED TO ACCEPT THE MINUTES FROM THE SEPTEMBER 24, 2018
REGULAR SESSION OF CITY COUNCIL
MRS. MAY SECONDED THE MOTION
7 YEAS
MINUTES FROM THE SEPTEMBER 24, 2018 REGULAR SESSION OF COUNCIL HAVE BEEN
APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Auditor Beth Gundy, dated September 26, 2018. This is an email titled “Adjustment to 2018 Fire Department Budget”. This was replied to by Councilman Zucal, Councilwoman Ramos, and Councilwoman May.*
2. *To Councilmembers from Administrative Assistant to the Mayor Mary Ann Otte, dated September 26, 2018. This is an email titled “Food Trucks”. It has the attachments “City of Avon”, “City of Independence”, “City of Kent”, “Local Food Truck List”, “Misc Findings”, “New Phila Codified Ordinance 753.10” and “Ohio Department of Commerce Summit County”. It says “Good Rainy Morning, Marvin asked that I email these documents to you. All relative to food truck legislation”.*
3. *To Councilmembers from Mayor Day, dated September 28, 2018. This is an email titled Resolution 27-2018 MWCD Rip Rap Grant Update.”*
4. *To Clerk of Council from AI Developers Sy Dignan, a member, dated September 28, 2018. This is a letter that states the following: “This is to inform you of our intention to develop market rate apartments in Goshen*

Township. Plans are to build one or two bedroom apartments and/or condos, and possibly three bedroom units depending on the market demand. We're expecting to develop up to 150 individual apartments and single duplex, triplex, and/ or fourplex buildings. Preliminary plans are attached along with a vicinity map.

5. To Council Clerk from Treasurer Tom Gerber, dated October 1, 2018. This is the City of New Philadelphia 2018 deposits.
6. To Council and Administration from Vickie Daniels, Income Tax Administrator for the City, Dated October 1, 2018. This is the September 2018 Income Tax Report.
7. To Council, Administration, Police Chief, and Fire Chief, from Mayor Day, dated October 2, 2018. This is a forwarded email titled "Politicom Micropolitan Rankings" and it states "All your support of New Philadelphia's Economic Development is being acknowledged. Click on the PDF Link below that's included in Bill Beisel's email. It's great news as we continue to plan for our City's growth and future prosperity."
8. To Council and Administration from Auditor Gundy, dated October 2, 2018. This is an email titled "Legislative Requests".
9. To Council and Administration from President of Council Sam Hitchcock, dated October 2, 2018. This is an email titled "FWD Legislation" and it states the following: "Rob, please take the attached request from the Auditor into your Committee for consideration."
10. To Council and Administration from Tanya Dickey, dated October 3, 2018. This is an email "Check Report September 2018" "Cash Position MTD Totals September 2018", "Expense Report with Encumbrance Details September 2018".
11. To Council and Administration from Auditor Gundy, dated October 4, 2018. This is an email titled "September 2018" and this has the attachment "Auditor's Financial Statement for September"
12. To Council and Administration from John Zucal, dated October 8, 2018. This is an email titled "Legislation".
13. To Council and Administration from President of New Philadelphia City Council Sam Hitchcock. This is an email titled "FWD: Safety Committee Meeting" and it states: "Kelly, please take this forwarded request from the Fire Chief into your Committee for consideration."
14. To Council and Administration from Mayor Joel Day, dated September 8, 2018. This is the Mayor's Report.

Administrative Reports.....

MAYOR'S REPORT/REQUESTS ...MAYOR JOEL B. DAY

Mayor Day had the following report:

- Railroad Task Force sends an Executive Summary of its proposal to Washington: Last Friday my Dennison to New Philadelphia/Dover Rail Corridor Task Force put the finishing touches on an Executive Summary of its objectives and sent it to U.S. Congressmen Gibbs and Johnson in Washington. The Congressmen will use the summary to prepare for a meeting with CSX railroad officials in November. The task force is proposing that R.J. Corman take ownership of the CSX rail line that runs from Uhrichsville through New Philadelphia and Dover. That is necessary in order to build a connecting line to the Historic Dennison Railroad Depot Museum.

- Negligent Property Owners are put on notice: I have instructed the City's Fire, Health, Police and Service departments to do a better job of enforcing the City's Health, Safety and Sanitation and Junk Vehicle laws in order to clean up eyesore properties in our neighborhoods. Citations will be issued. We all have a vested interest in making our City as attractive as it can be. If you have rubbish or junk on your property that needs picked up, please call the Mayor's office or the City garage.

- Preparing for Upcoming Contract Negotiations with the City's Bargaining Units: The City's team is preparing for upcoming contract negotiations with the City's Service, Clerical, Fire and Police bargaining units. The current three year contracts expire on December 31st. Our goal is to have all four contracts approved by the units and City Council before that date.

- 2019 City Budget Preparation is also underway: All City department heads have submitted their 2019 budgets to me to review. Later this week I'll be sending them onto Auditor Gundy, so she can prepare the first draft of next year's budget. Sticking to the timeline I've created, that first draft should be submitted to the Finance committee prior to the October 22nd Council meeting.

- The County Library's Renovation Project to start this Month: The \$5.2 million renovation of the Tuscarawas County's main library building downtown will begin this month. The project will be done in phases to allow the library to remain open during the yearlong construction period. Motorists should expect occasional traffic disruptions in the area of 1st Drive and Ashwood Lane NW.

Mayor Day had the following request for President of Council Hitchcock:

I request an Executive Session this evening to discuss the upcoming bargaining negotiations with the City's Bargaining Units.

MR. LANZER MOTIONED FOR AN EXECUTIVE SESSION AT THE MAYOR'S REQUEST

MR. HOLLAND SECONDED THE MOTION
7 YEAS

AN EXECUTIVE SESSION WILL BE HELD DURING TONIGHT'S COUNCIL MEETING FOLLOWING THE LEGISLATIVE AGENDA AND A BRIEF RECESS

SERVICE DIRECTORMR. RON MCABIER

Mr. McAbier had the following report:

On September 25 Mike Scolati and two representatives from Diversified Engineering went to Columbus to lay the Appeals case for the hangar restrooms. We were successful in getting our variance with one stipulation of having to have a port-a-john at that site. Also, as I reported last month Buckeye Career Center has been working on preparing the site. That is complete, so we'll be ready to go out for bids on Wednesday. Hopefully with the work that was done that's enough to bring it under that \$500,000 and you know we had a pre-approval loan. So, hoping Wednesday for the bids to come under that \$500,000 to get that project started. Also, this Thursday at 10:00 the Mayor and I will be travelling across the street to the Courthouse for the last and final reading for our Clean Ohio. As you all know we have a \$1.6 million dollar grant in for the Phase 1 of Southside Park. So, let's keep our fingers crossed on that also, and I'll keep everybody updated on those at the next Meeting. Also, Council, I urge you to pass Resolution 28-2018 tonight on 2nd Reading.

Mrs. Ramos had the following comment:

I just want to clarify at Buckeye Career Center it was the Adult Education students in heavy equipment that did that work, and they were glad to do it.

Mr. Holland had the following question:

Mr. McAbier, can you give us a start date for the repaving on Commercial?

Mr. McAbier had the following response:

I cannot. The last I spoke to them was Wednesday. It was supposed to begin two weeks ago but he was behind and they're trying to catch up.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

Thursday night from 5:00 to 8:00 is Safety Forces Open House at both the Police and Fire Departments. Secondly, in the fire department there was a Civil Service test a couple weeks ago. 34 people had submitted applications but only 21 showed up. The good thing is all 21 of them did pass. The results are now in the hands of the Civil Service Commission and they are calculating military points and we should get certified results in the next week or two. In the police department the Attorney General's Office awarded the police department a \$6,497 grant for bullet proof vests purchased for this year.

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I've been asked by the Administration and the Chief of Police to request that legislation be assigned to a Committee. The first one is preventing grass clippings and foliage from being washed into municipal storm drains. That's a problem that needs to be addressed. The other one is to update our legislation in regards to parking meter fines. We're not changing the amounts. If that's outdated with what we currently have in our legislation it needs to be addressed. That's specifically Codified Ordinance 353.09. Lastly, I have been asked by the Ohio Auditor's Office for a legal opinion on the Cemetery Endowment Legislation that Council passed and that's what I'm working on now. If you have questions on it I'll be happy to tell you what my legal arguments are going to be. I would prefer to wait until it's written out and give it to you in the whole form.

**President of New Philadelphia City Council Sam Hitchcock asked Mr. Ricklic to take the two issues presented by the Law Director into his Committee.*

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will meet in Council Chambers tomorrow at 1:00 pm. On the Agenda is a proposed annexation and also we'll be discussing trucks and our housing code.

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

The Board of Zoning Appeals will meet tomorrow evening at 5:00 pm here in Council Chambers with four variances to be heard.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission is scheduled to meet tomorrow evening at 6:00 in the Harry Clever Field Meeting Room.

PARK BOARD.....MRS. AIMEE MAY

The Park Board will meet next Wednesday, October 17 at noon at the Park Pavilion.

CEMETERY BOARD.....MRS. AIMEE MAY

The Cemetery Board will meet this Thursday, October 11 at 8:00 am in the Service Director's Meeting Room.

HEALTH BOARD..... MR. KELLY RICKLIC

The Health Board Meeting is scheduled Wednesday, October 10 at 12 noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER

Mr. Maurer had the following report:

It's October which means preparations for budget hearings. Probably the next meeting on through mid-December we'll be holding budget meetings.

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

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND

Mr. Holland had the following report:

I'd like to ask if the Council Clerk has the correspondence regarding the condo construction project electronically.

Council Clerk Julie Courtright had the following reply:

I'll scan it and send it to you and all Council members.

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

Mr. Ricklic had the following report:

The Safety Health and Service Committee will meet October 22, 2018 at 7:00 PM to discuss the International Property Maintenance Code and the two issues that the Law Director will be forwarding to me.

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

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

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

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

20-2018 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,
OHIO FOR PURPOSES OF MAINTAINING THE 18TH STREET BRIDGE BY
CONTRIBUTIONS FROM NEW DEVELOPMENTS THAT UTILIZE THE SAME.
3rd Reading

MR. HOLLAND MOTIONED FOR APPROVAL OF ORDINANCE 20-2018
MR. RICKLIC SECONDED THE MOTION
7 YEAS
ORDINANCE 20-2018 HAS BEEN APPROVED

21-2018 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NEW PHILADELPHIA OHIO, TO ENTER INTO AN AGREEMENT WITH THE TUSCARAWAS COUNTY PUBLIC DEFENDER’S OFFICE FOR THE PROVISION OF LEGAL REPRESENTATION FOR INDIGENTS CHARGED WITH VIOLATIONS OF NEW PHILADELPHIA CITY ORDINANCES IN THE MUNICIPAL COURT WHERE SUCH OFFENSES CARRY A POSSIBLE LOSS OF LIBERTY, ESTABLISHING COMPENSATION AND TERMS THEREOF.

1st Reading

22-2018 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT SECTIONS 555.01-555.05 OF CHAPTER 555 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA FOR PURPOSES OF REGULATING FALSE ALARMS IN THE CITY OF NEW PHILADELPHIA, OHIO.

1st Reading

RESOLUTIONS:

26-2018 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO THE LAND AND WATER CONSERVATION FUND FOR RECREATIONAL IMPROVEMENTS AT THE SOUTH SIDE PARK- RESTROOM/ CONCESSION STAND.

2nd Reading

27-2018 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO EXECUTE AND FILE AN APPLICATION WITH THE MUSKINGUM WATERSHED CONSERVANCY DISTRICT AND TO PROVIDE ALL INFORMATION AND DOCUMENTATION REQUIRED TO BECOME ELIGIBLE FOR POSSIBLE FUNDING ASSISTANCE.

2nd Reading

28-2018 THE FOLLOWING FINAL RESOLUTION ENACTED BY THE CITY OF NEW PHILADELPHIA, HERINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY OR LOCAL PUBLIC AGENCY (LPA) IN THE MATTER OF THE DESCRIBED PROJECT. THE PROJECT CONSISTS OF INTERSECTION IMPROVEMENTS AT THE INTERSECTION OF SR 39 AND BLUEBELL DR., LYING WITH THE CITY OF NEW PHILADELPHIA.

2nd Reading

MR. HOLLAND MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 28-2018

MR. RICKLIC SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 28-2018

MR. HOLLAND MOTIONED FOR APPROVAL OF RESOLUTION 28-2018
MR. RICKLIC SECONDED THE MOTION
7 YEAS
RESOLUTION 28-2018 HAS BEEN APPROVED

**COUNCIL ADJOURNED INTO A 5 MINUTE RECESS AT 7:56 AND
RECONVENED BEFORE GOING INTO EXECUTIVE SESSION AT 8:00.
AT 8:28 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL**

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

Mr. Maurer motioned to adjourn at 8:29 pm

CLERK OF COUNCIL _____

Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____

Sam R. Hitchcock