

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 8TH, 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 ADD THE FOLLOWING RESOLUTIONS
RESOLUTION 9-2013 (STRONGLY OPPOSING THE PASSAGE OF HB 5),
RESOLUTION 11-2013 (REQUESTING CONGRESS REJECT EFFORTS TO TAX INTEREST ON MUNICIPAL BONDS OR OTHERWISE ALTER THE FEDERAL TAX TREATMENT OR FUNDAMENTAL STRUCTURE OF MUNICIPAL BONDS) AND
RESOLUTION 12-2013 (TO ADOPT AN AGREEMENT BETWEEN THE CITY OF NEW PHILADELPHIA AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTER, LOCAL #1501) TO TONIGHT'S AGENDA.)
MR. MAURER SECONDED THE MOTION
ROLL CALL, 7 YEAS, MOTION PASSED

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA AS AMENDED
MS. WALKER SECONDED THE MOTION
ROLL CALL, 7 YEAS, MOTION PASSED.

MS. ESPENSCHIED MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON MONDAY, MARCH 25TH, 2013
MS. COX SECONDED THE MOTION
ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Mayor's Report/Request to Council April 8th, 2013
2. New Philadelphia Municipal Court 2012 Annual Report prepared and submitted by Judge Nanette DeGarmo VonAllman dated March 28th, 2013.
3. Salary Committee Meeting Minutes from March 11th, 2013
4. March 2013 Month End Summary for the New Philadelphia Fire Department
5. Special and Contact Committee Meeting Minutes from March 11th, 2013
6. Special and Contact Committee Meeting Minutes from March 25th, 2013
7. Finance Committee Meeting Minutes from March 25th, 2013
8. Request dated April 3rd, 2013, to Sam Hitchcock, President of City Council from the Service Director James Zucal for assignment to committee, regarding the 2013 Five Points Storm Sewer Project
9. Notice from Jennifer Horner regarding the City Auction to be held June 24th, 2013
10. New Philadelphia Police /Monthly Activity Report for March 2013
11. Mayor's Monthly Statement to Council for March 2013
12. Auditor's Monthly Statement of 2013 Revenue for the General Fund for March 2013
13. Auditor's Financial Statement for the Month of March 2013
14. City of New Philadelphia Statement of Cash Position Month to Date as of March 31st, 2013

ADMINISTRATIVE REPORTS:

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

Mayor Taylor addressed the following:

The Mayor requested:

- An Executive Session this evening after the Visitor's Comments for Personnel so that the Fire Chief can review the tentative contract agreement.

- The Council President assign to the Salary Committee the update to the Airport’s ALP and the potential formal request to the Federal Aviation Administration to review and consider changing the airport from a B-II to a B-I classification. The Salary Committee had this reclassification issue previously for review.
- The Mayor announced that the utility bills that just went out will also have the notice to our residents that in the City of New Philadelphia there are no candidate or issues to vote on in this year’s May Primary Election. (that means there will be no polls open) We were happy to support the local Board of Elections to assist communicating this information to our residents.
- The Mayor reported the City will be making a necessary purchase of a new server for this location. This will replace an existing older server which is at the end of its contract service life as will as provide better performance and service within this building the fire and police departments.

Mr. Lanzer made a motion to go into an Executive Session this evening immediately after the Visitor’s Comments for Personnel Matters.

Ms. Cox seconded the motion

Roll call 7yeas motion passed.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director Mr. James Zucal reported the following:

- The Service Director passed around a Certificate of Recognition he received for the City from AEP (American Electric Power) for projects. Mr. Zucal thanked the department heads for working with him and also the Mayor. The Service Director announced that we trimmed our energy efficiency quite a bit last year which saved tens of thousands of dollars.
- The Service Director mentioned:
That he did do weekly meetings on the Five Point Storm Sewer Project
Met with ODOT on the paving that is going to happen in the City and did some field work with them walking around to review the project.
- The Service Director reported at the Water Work Fields there were some issues.
Several complaints last year, and an accident
There was large slag that was donated to the City in the parking lots. (The area was by the ball fields and back by the skate park)
- The Service Director reported Jim Demuth President of Tucson Inc.
Worked with us brought a lot of equipment in at a minimal cost for fuel and such.
Had three employees five pieces of equipment removed the slag and put in finer lime stone.
The Service Director reported they took out the speed bumps and hope to put back some temporary speed bumps.
The Service Director thanked Mr. Demuth and in Mr. Demuth’s words to Mr. Zucal “he is at a point in his life that he knows where his roots are at and wants to give something back to the community.”
The Service Director Zucal expressed his appreciation.
- The Service Director reported
Mr. Neff and Mr. Zucal will be attending a seminar doing some good things on asphalt preservation.
The City and ODOT are hosting a seminar in Newark Ohio. Mr. Neff and the Service Director will be going to that also.
The Service Director reported we are keeping our streets in good shape without doing any more than we have to.
We are doing a lot more crack sealing and asphalt preservation.

President of Council congratulated the Service Director for the Certificate of Recognition from AEP.

AUDITORMS. BETH GUNDY NO REPORT

SAFETY DIRECTOR.....MR. GREG POPHAM

The Safety Director reported in the Police Department this year Officer Jennifer Horner is going to head up the City Auction which will take place June 24th, 2013 at 5:00 PM at the City Garage. Jennifer’s brother Rick Keffer will be the auctioneer for the auction.

The Safety Director announced that today, in the Police Department, Mitchell Gobely was sworn in as Patrolman.

TREASURER MS. LORI STATLER..... NO REPORT

LAW DIRECTORMR. MARVIN FETE

The Law Director reported a typo on Resolution 5-2013 that Council passed on Health Care Benefits for Non Bargaining on March 25th, 2013. The Law Director informed Council that should have read Resolution 8-2013. (We already had a Resolution 5-2013 which was used for Constellation Energy that Council passed February 25th, 2013.) The Law Director informed Council that we don't have to amend Resolution 5-2013 all we are required to do is to have a voice vote by Council to correct the typo changing the five to an eight.

Council Member Lautenschleger acknowledged the clerical change and made a motion to change the Resolution 5-2013 to Resolution 8-2013. Council Member Zucal seconded the motion
Roll call 7-0 motion passed.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

Mayor Taylor announced that the next Planning Commission Meeting will be held Tuesday, April 9th, 2013 at 1:00 PM in Council Chambers there is one agenda item. The rezoning of Wabash Lanes formerly Kinser Lanes from residential to business

Mayor Taylor informed council that it was closed for over a year when that happened it reverted back to the original zoning which was residential. The owner wants it officially zoned business and he has reason for that. It is surrounded by businesses so the Mayor doesn't anticipate any issue with that.

The Planning Commission will hear it. It will be passed on to the Zoning and Annexation Committee through the Council President for their assignment to deal with.

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

Mr. James Zucal announced the Board of Zoning Appeals will not meet in the month of April 2013. There were no variance request.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. John Zucal announced:

The Airport Commission will meet tomorrow evening at 6:00 PM in the Airport meeting room.

To reiterate what the Mayor had addressed. We will need to move forward on Harry Clever Field classification change from a B-II to a B-I.

It has already been discussed and handled in Committee.

This is just a formalization of the plan to the FAA.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board met April 3rd, 2013 in the pavilion at the park.

The Park Board did approve a list of pricing for food items at the concession stands for the upcoming season summer of 2013. There were some slight adjustments.

Mr. Hitchcock was in attendance with a couple folks that presented an idea of a concept for a Board Walk to be constructed near the Park Entrance. A general discussion was held and a Power Point was presented it is in the concept phases and the idea is there would be no cost to the City this would be funds that would be generated through donations and grant funds etc. The estimated cost for that would be between \$90,000 and \$110,000. That is something that will be discussed by the Park Board in the upcoming months.

In addition Mr. Lautenschleger reported the Park Board spent time discussing Southside Community Park and the Master Planning Process. For about 1½ years Park Board Members have been looking at a concept of a Master Plan to look at what all could be conceptualized at that location. It is already in use for a number of items. The belief among Park Board Members and folks that have contacted the Park Board Friendly Community there is a lot more that could occur there. When there is more information it will be forth coming in the upcoming weeks. The next Park Board Meeting will be held May 1st, 2013 at 7:00 PM at Tuscora Park Office.

HEALTH BOARD.....MS. SANDY COX

Ms. Cox announced that the Health Board will meet Wednesday, April 17th, 2013 at 12:00 Noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.....MS. SANDY COX

Ms. Cox reported the Finance Committee met tonight at 6:45 PM in Council Chambers with the following items to discuss:

- First item to discuss Resolution 12-2013 to adopt an agreement with the City of New Philadelphia the International Association of Fire Fighter, Local #1501. The Committee asked that this be put on the agenda and voted on tonight Ms. Cox announced that we will have and Executive Sessions, as the Mayor requested right before legislation this evening to discuss the firefighter’s contract. Before we vote on it.
- Second item to discuss was Resolution 9-2013 strongly opposing the passage of HB 5 which proposes uniformity measures for Municipal Income Tax in the form of funded mandates and a substantial loss of revenue. We added this to the agenda we are going to suspended the rules this evening and forward it to Columbus.
- Ordinance 5-2013 is on hold the Law Director will get more information for the Committee.
- Fourth Item Emergency Resolution 11-2013 to request Congress reject efforts to tax the interest on Municipal Bonds or otherwise alter the Federal Tax Treatment or fundamental structure of Municipal Bonds, and put on the agenda and pass as an emergency this evening.
- Fifth Item was the Storm Sewer Project from Five Points on West High Avenue southward on Seventh Street SW to the Tuscarawas River. Actual project should be done by July 1st, 2013 requested the Law Director give the Committee an ordinance for the next meeting.
- An update in regard to the challenges faced by General Fund Revenue and Operating Expenses. We will be having Updates and more meetings.

Adjourned at 7:17 PM

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

President of Council assigned to the Salary Committee the update to the Airport’s ALP

SAFETY HEALTH & SERVICE COMMITTEEMR. ROB MAURER.....NO REPORT

President of Council assigned to the Safety Health & Service Committee the Annual Police Auction.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE ...MR. DARRIN LAUTENSCHLEGERNO REPORT

President of Council assigned to the Public Works & Economic Development Committee the Processing of developing a Master Plan for the use and development of the Southside Community Park inclusive of the overall park system.

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIED....NO REPORT

CONTACT & SPECIAL COMMITTEE MR. DAN LANZER....NO REPORT

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

VISITOR’S COMMENTS:

NONE

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 7:51 PM
 AS REQUESTED BY THE MAYOR, TO DISCUSS PERSONNEL.
 COUNCIL RECONVENED INTO REGULAR SESSION AT 8:03 PM.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

NONE

RESOLUTIONS:

9-2013 A resolution of the City of New Philadelphia strongly opposing the passage of HB 5 by the Ohio General Assembly which proposes uniformity measures for Municipal Income Tax in the form of unfunded mandates and a substantial loss of revenue, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger, seconded by Ms. Cox
Roll call, 7 yeas rules suspended.

Motion to vote on passage made by Mr. Lautenschleger, seconded by Ms. Cox
Roll call, 7 yeas resolution passed

10-2013 A resolution by the Council of the City of New Philadelphia, Ohio to commend Jeffrey L. Urban for his thirty three (33) years of service and dedication to the City of New Philadelphia including ten (10) years as Police Officer, twelve (12) years as Captain, and for the past eleven (11) years as Chief of Police with the New Philadelphia Police Department. (1st Reading)

Emergency Resolution

11-2013 A resolution of the City of New Philadelphia, Ohio requesting that Congress reject efforts to tax the interest on Municipal Bonds or otherwise alter the Federal Tax Treatment or fundamental structure of Municipal Bonds, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Lautenschleger
Roll call, 7 yeas rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger.
Roll call, 7 yeas resolution passed

12-2013 A resolution by the Council of the City of New Philadelphia, Ohio to adopt an agreement between the City of New Philadelphia, Ohio and the International Association of Firefighter, Local #1501 to be effective January 1, 2013 through December 31, 2015 and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Ms. Walker
Roll call, 7 yeas rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Zucal.
Roll call, 7 yeas resolution passed

UNFINISHED OR OLD BUSINESS:

NONE

NEW BUSINESS:

NONE

MS. COX MADE A MOTION TO ADJOURN THE MEETING AT 8:10 PM.

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____