

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 24, 2017 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING. PASTOR RICK VANARS DALEN, CHAPLAIN AT THE TUSCARAWAS COUNTY JAIL, OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND
MR. DARRIN LAUTENSCHLEGER
MR. ROB MAURER
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MRS. AIMEE MAY
AUDITOR BETH GUNDY

- MR. HOLLAND MOTIONED TO ADD ORDINANCE 7-2017 AND RESOLUTION 23-2017 TO TONIGHT’S AGENDA
MR. ZUCAL SECONDED THE MOTION
6 YEAS
ORDINANCE 7-2017 AND RESOLUTION 23-2017 HAVE BEEN ADDED TO TONIGHT’S AGENDA
- MR. LAUTENSCHLEGER MOTIONED TO ACCEPT THE AGENDA AS AMENDED
MRS. RAMOS SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED.
- MR. MAURER MOTIONED TO ACCEPT THE MINUTES FROM THE APRIL 10, 2017 REGULAR SESSION OF COUNCIL.
MR. RICKLIC SECONDED THE MOTION
5 YEAS, MRS. RAMOS ABSTAINED
MINUTES FROM THE APRIL 10, 2017 REGULAR SESSION OF COUNCIL HAVE BEEN ACCEPTED.

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Councilman Lautenschleger from President of New Philadelphia City Council Sam Hitchcock, dated April 11, 2017. This is an email titled “Committee Assignment”.*
2. *To Council, Administration, and Chief of Police from Fire Chief Jim Parrish, dated April 21, 2017. This is a memo titled “Out of Town” Chief Parrish writes the following: “I’ll be in Indianapolis from Sunday afternoon April 23rd until Friday evening April 28th at the annual FDIC Fire Department Instructor Conference. Captain Jim Shultz will be acting Chief in my absence.*
3. *To President of Council Sam Hitchcock from Veronica Spidell, Executive Director of Leadership Tuscarawas, dated April 18, 2017. This is a thank you letter that reads: “Thank you for being a panel member for our Leadership Tuscarawas Government Module. Your input on the panel was extremely beneficial, and your passion for the work you do in your position was evident.”*
4. *To Clerk of Council from Treasurer Tom Gerber, dated April 21, 2017. This is the City of New Philadelphia Deposits for March 2017, and Investment and Savings Report for March 2017.*
5. *To New Philadelphia City Council and Administration from Mayor Joel Day, dated April 24, 2017. This is the Mayor’s Report.*

Administrative Reports.....

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

Mayor Day had the following report:

- Request to Table Resolution 24-2017 to Allow Time to Correct Misleading Language in the City's Annual Audited Financial Statements: A paragraph that I've learned has been in every annual City audited financial statement since 1999 has caused local lenders to hesitate to offer a loan to fund construction of a new hangar at Harry Clever Field. The paragraph reads: *"New Philadelphia Airport and New Philadelphia City School District have been excluded from the accompanying basic financial statements. Both are legally separate from the City. Neither imposes a financial burden nor provides a financial benefit to the City. The City cannot significantly influence the operations of these entities."* When we began the process of seeking a loan to finance the hangar construction, all the interested lenders said that paragraph was problematic because they interpreted it to mean that the City did not own the airport. Therefore, there was no way to collateralize a loan. During a meeting last week with Citizens Bank, its representative indicated that the paragraph was still making the banks' underwriters hesitant. As a result, I am asking Council to table Resolution 24-2017. In my opinion, we cannot proceed with the hangar project until corrections are made in the annual financial statement to clearly state that the City does indeed own the airport. A representative of Rea and Associates, which conducts audits of the City, told me this morning that the troublesome paragraph was apparently written by City officials in 1999 and included in the audited financial statement prepared that year by the State Auditor's office. And it has been included in every annual financial statement to date. Now that it has been brought to light, I have asked Rea and Associates to issue a letter explaining the error and clarifying the City's ownership of the airport. I have also asked our airport consultant Michael Baker International, to write a letter documenting that the Federal Aviation Administration considers the City of New Philadelphia as the owner of Harry Clever Field. With these letters in hand, we can then re-bid the project and seek a local lender to provide a construction loan.
- Encouraged by the Turnout at the Tusc Talk Event at Welty Auditorium: A reported 200 people attended last Thursday's Tusc Talk event at the Welty Middle School auditorium. It was encouraging to see that many concerned adults and young people come to learn about the opiate addiction epidemic in our community and to hear ways we can defeat it from Ohio Attorney General Mike Dewine and local law enforcement officials. The City will continue to use its resources from the Health Department, Municipal Court and safety forces to help victims overcome their addictions and arrest and jail drug dealers.
- Planting Buckeye Trees in Celebration of Arbor Day: Service Director McAbier and I will be planting buckeye trees outside Woody Hayes Quaker Stadium on Thursday morning. Several students from New Philadelphia High School will be joining us in the Arbor Day celebration. The trees will symbolize our appreciation of Coach Hayes contributions to New Philadelphia's history and the pride we have in the great state of Ohio. O-H....

MR. RICKLIC MADE A MOTION TO TABLE RESOLUTION 24-2017
MRS. RAMOS SECONDED THE MOTION

Mr. Zucal made the following statement:

The concept that we've engaged in and the process that we examined Resolution 24-2017 for a hangar project is note-worthy. I believe that it's something that would allow our airport to move forward, allows for some progress and growth. As you know we've been very limited in the decisions we made in the past as a Council with the expansion of the current airport, but the hangar space would be something that would allow us to do what we believe would be in good interest of pilots who expressed an interest to have additional hangar space. From the study and the work we've done I believe we'll be able to fill those. So again with the tabling of that I do not want it to be dismissed as a project that's not very worthy. I believe it truly is. As I agree with Mayor Day we just need to get our ducks in a row and make sure we have everything right whenever we do the financing, but I would hate to see such a noteworthy project be put on a backburner or go away, because I do believe it would enhance the City of New Philadelphia from an economic development standpoint, and from some commitments we could make to the pilots.

Mr. Ricklic made the following statement:

This was originally in my Committee and I do ask you that when the Mayor resolves the issue with the language in the Financial Report that it be placed back in my Committee to move

forward on. I do also agree that it's a very worthy project to move forward on, and very important to the growth of our City, showing the airport, and showing the pilots and the companies that utilize the airport, which is not a lot, but they still realize we are supporting the airport and we're going to move forward with updating where they keep their planes, which I think is very important to protect those planes which are flying in the air, bringing the business. I just really want to make sure this doesn't get lost and we move forward with it.

**President of New Philadelphia City Council Sam Hitchcock informed Mr. Ricklic that the legislation will not be reassigned after it's tabled and will be placed back in his Committee once it's ready.*

6 YEAS
RESOLUTION 24-2017 HAS BEEN TABLED

SERVICE DIRECTORMR. RON MCABIER

Mr. McAbier had the following report:

I know we've had some talk about the salting season and light this year and Council Has asked me to give an update on maybe some possible savings we've had there. So I went back, and we used just under 1,000 tons this season. Typically we are around 3,000 tons, so with that savings alone at \$42, 500 a ton we saved \$85,000 just in salt. So I went back through and figured out what it would be on overtime and straight time also considered there, and you've got salt, so I added those numbers up plus wear and tear on the vehicles, I came up with about \$49,000 there, for a total savings of \$134,000.00 because of the light winter season that we did. Hopefully we continue to have those. It is good for the budget. Secondly, today we had the Boarding Control Meeting. We were able to award the paving contract to Newton Asphalt out of Dover. Ray and I will be finalizing that soon. We will do the bulk in the northwest section this year. One street we know for sure is Ray Avenue from Tuscarawas Avenue to North Broadway. Also, I brought up the sidewalk program. We have until June 1st. There's been a steady flow of them coming weekly but we still have some time and I'd like everybody to try to see if they can encourage people to come in and fill out the sidewalk forms.

UDITORMS. BETH GUNDY.....EXCUSED ABSENSE

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

I would just like to commend the police department. We talk about safety forces quite a bit. A week ago tonight at around 10:00pm there was an armed robbery at the East Side Market and Drive Thru on Beaver Avenue and basically within about 48 hours there was one suspect in jail. By the third day there were two or three people who had been questioned. This was all heroin driven, but the quick response and the dedication of all the officers, to have something like that resolved in such a short period of time is just a credit to the department and the people that work there.

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

LAW DIRECTOR . . . MR. MARVIN FETE.....NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will meet in Council Chambers on May 9, 2017 at 1:00pm. The agenda is still being developed.

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

The Board of Zoning Appeals met on April 11, 2017 at 5pm here in Council Chambers. We had one item in front of us. Sacred Heart Catholic Church is doing a social hall behind the church and they are over on lot coverage and with parking they are like two or three parking stalls short of what's allowable, but if anybody's got a chance to see the drawings I've got them. They look like great projects. Long story short, lot coverage and the parking, the variance request at hand was approved. We will meet again May 9, 2017 at 5:00pm in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission is scheduled to meet on Tuesday, May 9, 2017 at 6:00pm at Harry Clever Airport Meeting Room. I would ask that either the Mayor or the Service Director contact Straitline Structures. The last time they had submitted a letter saying that their bid would not be honored after April 30, 2017. So I think we'll probably not have a decision made by then on something that would be available for us. Out of courtesy let them know that we'll be looking at the project but won't be about to move forward as quickly.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

The next meeting is this Wednesday, April 26, 2017 at noon at Tuscora Park.

HEALTH BOARD..... MR. KELLY RICKLIC.....NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

The Committee last met on April 12, 2017 here in Council Chambers and we had three items on the Agenda, one of which you'll see as a part of Resolution 26-2017, the Water Treatment Plant Project, and the Committee is recommending suspension of the rules and passage of that resolution this evening to meet construction and funding requirements. In addition we also briefly discussed an electronic document management system in the City. A couple of different proposals have been developed and presented to the City. There are some concerns about if we need a program that's City-wide. Do we need to focus on just one department or how would they all work together? I think we need to work some of those facts and figures out to move forward, but the bulk of the time that evening was spent on discussion of the non-bargaining elected officials wage study with an update. We had the City's new legal counsel for Human Resources Brian Mertes from the law firm of Black, McCuskey, Soures, and Arbaugh. Mr. Mertes had reviewed the previously information that was provided and proposals that were provided to the Committee and to all of Council and had made some suggestions. One of the items that has continued to come up with the Law Director Marvin Fete and Mr. Mertes identified as an item to be dealt with is a previously approved Ordinance which is Ordinance 39-1997 so there is development and an Ordinance, a piece of legislation, something that will be drafted in upcoming weeks. When that is developed for draft review we'll go ahead and schedule a Meeting, we'll sit down as a Committee and discuss that and start to look at the wage proposals on it position by position.

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

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

Mr. Holland had the following report:

The Public Works and Economic Development Committee met tonight here in Council Chambers at 6:45 to review Resolutions 22-2017 and 23-2017 and also Proposed Ordinance 7-2017. The Ohio Department of Transportation had requested a consent legislation be placed on the Agenda and it was successfully passed as Ordinance 7-2017 and placed on tonight's Agenda for 1st Reading for passage on May 8, 2017 at Second Reading. We also reviewed Resolution 22-2017. A number of citizens spoke in regards to this resolution. It's for application for funding the Lakeview and Parklane Sidewalk Project. Many citizens expressed safety concerns for traffic speed, paving of Parklane, and requested speedbumps on the roadway be considered. Mr. Zucal informed us of speedbumps in Dublin, Ohio on Tuttle Rd. which will be reviewed for and considered for future legislation in Council. They also discussed Resolution 23-2017 which was a sidewalk improvement project for Bluebell Dr. It was also added to tonight's agenda to be passed on 2nd Reading on May 8, 2017. The Committee adjourned at 7:20.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT

ZONING & ANNEXATION COMMITTEEMRS. CHERYL RAMOS.....NO REPORT

SPECIAL & CONTACT COMMITTEEMR KELLY RICKLIC.....NO REPORT

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

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS:

Mr. Lautenschleger had the following comment:

As you may recall the City has been made aware of through the Ohio Municipal League the State of Ohio Budget Proposal that was presented by governor Kasich included centralized income tax collection. This Council passed a resolution in opposition to that, and I want to re-emphasize the point now that I learned thanks to the Auditor who on Friday informed me that she had been in touch with the Municipal League officials and they explained to her that once implemented, if that is approved, that becomes labeled and will be an official state tax. What that means is we will lose all control, we lose all of our municipal rights or our home rule related to that, and if you think we're only going to have 1 percent or whatever is the administrative fee taken out, we're going to get 1 percent back, my prediction. So, once again your fine Kasich administration and mine is balancing it's budget on the backs of municipalities.

Mr. Zucal had the following comment:

To echo some of the point that Mayor Day had in the Mayor's Report with the meeting that we had at Welty Middle School last week that involved Attorney General Mike DeWine, Representative Al Landis and Senator Jay Hottinger. As an educator again, children who are impacted by drugs and drug lifestyles in our community, it was very, very rewarding to see the turnout. It was very rewarding to see the cooperation that existed. Mr. Popham talked about law enforcement. It was great to see law enforcement turn out from throughout Tuscarawas County and be present there. Senator Hottinger in particular gave what I thought was a very moving address at the very beginning of the program that brought to light how very simply someone dealing with a pain issue can become addicted, and one of the great lines that he used at the individual that he knew, he said "although he died at age 53 his life ended at age 25". I think that's so clearly what we see with so many of those people that are impacted by that in our community and yet I applaud the efforts of so many who continue to work to eradicate such a terrible issue in our community and to support young families and children so they don't have to live in a world that's filled with drugs and potential violence.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

7-2017

AN ORDINANCE ENACTED BY THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT. WHEREAS, THE STATE HAS IDENTIFIED THE NEED FOR THE DESCRIBED PROJECT: ADD A TURN LANE TO THE US 250 WB/ IR 77 NB OFF RAMP, THE IR 77 SB OFF RAMP AND ON THE SR 39 APPROACH AT THE CR 21 INTERSECTION AT THE INTERCHANGE OF IR 77, US 250 AND SR 39 NEAR NEW PHILADELPHIA. OPTIMIZE TRAFFIC SIGNAL TIMING AND PHASING AT THE INTERSECTION OF THE SOUTHBOUND IR 77 EXIT RAMP AND SR 39.

1st Reading

RESOLUTIONS:

22-2017

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA AUTHORIZING THE MAYOR TO PREPARE AND EXECUTE AN APPLICATION FOR THE TRANSPORTATION ALTERNATIVE PROGRAM THROUGH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION FOR THE LAKEVIEW ROAD AND PARK LANE DRIVE IMPROVEMENT PROJECT.

2nd Reading

Mr. Zucal had the following comment:

Just a point of order, there has been a request that Resolution 22-2017 reflect a change in the total project cost to \$544,900.00 as the removal of the parking has taken place from that project.

Mr. Lautenschleger had the following comment:

If that's not the appropriate I would move for reconsideration of Resolution 22-2017.

Mr. Holland had the following comment:

I might also point out that the local share changes from \$109,500.00 to \$77,100.00.

MR. ZUCAL MOTIONED TO AMEND RESOLUTION 22-2017

MR. LAUTENSCHLEGER SECONDED THE MOTION

6 YEAS

RESOLUTION 22-2017 WILL BE AMENDED WITH THE NOTED CHANGES

23-2017

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA AUTHORIZING THE MAYOR TO PREPARE AND EXECUTE AN APPLICATION FOR THE TRANSPORTATION ALTERNATIVE PROGRAM THROUGH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION FOR THE BLUEBELL DRIVE SIDEWALK IMPROVEMENT PROJECT.

1st Reading

26-2017

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO BID AND AWARD BIDS FOR THE WATER TREATMENT PLANT BACKWASH EFFLUENT TO SANITARY SEWER.

1st Reading

MR. LAUTENSCHLEGER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 26-2017

MR. RICKLIC SECONDED THE MOTION

6 YEAS

RULES ARE SUSPENDED ON RESOLUTION 26-2017

MR. LAUTENSCHLEGER MOTIONED FOR PASSAGE OF RESOLUTION 26-2017

MR. RICKLIC SECONDED THE MOTION

6 YEAS

RESOLUTION 26-2017 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

MR. MAURER MADE A MOTION TO ADJOURN AT 8:03 PM

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock