

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 13TH, 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

PRESIDENT OF COUNCIL SAM HITCHCOCK MENTIONED OUR TREASURER TONIGHT IS INVOLVED IN ANOTHER MEETING SHE MAY BE HERE BUT WILL BE LATE.

MS. COX MADE A MOTION TO ADD THE FOLLOWING TO TONIGHT'S AGENDA
RESOLUTION 18-2013 (THE FACT FINDER'S REPORT)
MR. LANZER SECONDED THE MOTION
ROLL CALL, 7 YEAS, MOTION PASSED

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

MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON MONDAY, APRIL 22ND, 2013
MS. WALKER SECONDED THE MOTION
ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Mayor's Report/Requests to Council May 13th, 2013
2. Letter dated May 14th, 2013 from the New Philadelphia Fire Chief Jim Parrish; the New Philadelphia Fire Department in conjunction with the Tuscarawas County Emergency Management Agency and the Tuscarawas County Sheriff's 911 Dispatch Center have developed a Special Needs Registry. This registry was created for residents with special functional needs, disabilities, chronic conditions and other healthcare needs who may require assistance before, during or after and emergency.
3. A letter dated May 13th, 2013 to Council from the President of Council Sam Hitchcock in regard to the meeting with Dan Rice President and CEO of the Ohio & Erie Canalway Coalition held April 15th, 2013 purpose was an update of the Towpath Trail Project.
4. A reminder from Ohio Ethics Commission dated May 10th, 2013; the financial disclosure filing deadline for City Elected Officials who served in 2012 or serve in 2013 is Wednesday, May 15th, 2013.
5. An invitation to the Mayor and Council to attend the Grand Opening Ceremony of the New Philadelphia Auto Parts NAPA Store May 18th, 2013.
6. Salary Committee Meeting Minutes April 22nd, 2013.
7. Letter dated May 7th, 2013 from Dave Yost Auditor of State of Ohio regarding Accuracy in Financial Reporting.
8. Finance Committee Meeting Minutes dated Monday April 22nd, 2013.
9. New Philadelphia Police/Monthly Activity Report for the Month of April, 2013.
10. Auditor's Monthly Statement of 2013 Revenue for the General Fund for April 2013.
11. Auditor's Financial Statement for the Month of April 2013.
12. City of New Philadelphia Statement of Cash Position with Month to Date as of April 30th, 2013.
13. Mayor's Monthly Statement to Council for April, 2013.
14. News Release to Council Members, Elected Officials, Department Heads, and all Media from Mayor Michael Taylor and Safety Director Greg Popham dated May 1st, 2013 Subject New Philadelphia Police Department Personnel Changes/Hire.
15. Notice of Second Public Hearing dated May 3rd, 2013, held May 13th, 2013 at 6:45 PM in Council Chambers to Give Citizens an adequate opportunity to review and comment on the City's proposed CDBG application including the proposed activities summarized.

ADMINISTRATIVE REPORTS:

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

Mayor Taylor addressed the following:

- The Mayor requested an Executive Session this evening after Visitor's Comments and before the Legislative Agenda to discuss the Fact Finder's Report with regarding the AFSCME Service Unit.
- The Mayor announced that Select Energy, which located to the City last fall as a new oil and gas related business, has already employed thirty-one people from its location in the west-end.
- The Mayor reported the volume of calls that Vickie Daniels, the receptionist, handles in her part-time capacity. Through April our part-time receptionist has answered the phone 5,800. (400 more calls than last year) The value in this is to correctly direct callers to the right department and reduce the citizens' frustration waiting to listen to a menu.
- The Mayor reported the City's website:
 - Through the first four months of 2013 there were over 20,000 diffident visits to the site
 - And a total of over 29,000 different page views.
 - The Mayor reported his updated Economic Development Video on our website has been viewed 184 times just this year.
 - The Mayor congratulated Jeff Erb and all our staff who work so hard to keep this information up to date and fresh for the benefit of the public.
 - The Mayor reported we have an App for the City that people can download to their smart phones or ipads. It is promoted monthly with the QRS code on the utility bills.
 - In the last year, we have had our City App downloaded 970 times and it has been viewed 1669 times.

Ms. Cox made a motion to go into an Executive Session this evening immediately after the Visitor's Comments to discuss the Fact Finder's Report.

Mr. Lautenschleger seconded the motion

Roll call 7yeas motion passed.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director Mr. James Zucal reported the following:

- April 25th, 2013, opened the material bids; we are compiling that data, and going to get together with the Safety Director and Mayor to have a Board of Control and award those contracts this year.
- Amy Gilland and the Service Director did attend the Tree City USA Program held in Wayne County at West Salem. The Service Director reported the City did receive recognition for 26 years as a Tree City USA Community.
- The Mayor, Ms. Gilland and the Service Director attended a 15 to 20 minute program at New Philadelphia High School for Arbor Day on April 26th, 2013. The Service Director reported they planted a Maple tree at the site on Ray Avenue where an old large Maple Tree was taken down by the school. The Science Class did participate in that.
- The Service Director reported he attended a meeting hosted by the County along with the County Commissioners and CIC regarding RVs and Campers in the Tuscarawas County Area. A lot of that pertains to the Cities related to the Oil and Gas Industry Business. (The Service Director reported the Law Director and he are working on our issues here with campers in the City.) The Service Director reported this was also about RV Parks. We are seeing a lot of tow behinds for living purposes which are folks that live in Oklahoma and Texas and such we are trying to be prepared for that as we know that is coming in the near future.
- The Service Director reported he attended three meeting recently with the folks and friends at ODOT in regard to the Paving; there is going to be a lot of paving this year, which he already reported on, the Five Point Storm Sewer Project and the Widening of West High for next year.
- The Service Director reported they attended the Steering Committee meeting last week Amy is very busy last week she sent out 18 letters to Property Owners in the City regarding high grass, we are getting about 6 to 8 calls a day on high grass. We think it is going to be a problem this year a lot of properties that are vacant. We are working with that following City Code and following procedure.

President Sam Hitchcock congratulated the Service Director on the accomplishments with the Tree Program.

AUDITORMS. BETH GUNDY..... NO REPORT

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported:

- At the end of April, we received the certified results of the promotional examines in the Police Department. Those people that were promoted are Sergeant Paul Rossi promoted to Captain, Officer Ty Norris was promoted to Sergeant. Mr. Popham announced that in the Police Department they are all up to speed, full staff and everything is going fine.
- The Safety Director reported that the Special Needs Registry letter that he passed out to Council tonight was dated May 14th, 2013 which is tomorrow. This is going to be the official Press Release that will be going out tomorrow morning. We just wanted to let Council know in advance that the New Philadelphia Fire Department in conjunction with the Emergency Management and the 911 System is setting up the City of New Philadelphia and Goshen Township. They are going to be the first to Participate in this Registry. This Registry will be kind of a test to get things started. This type of thing is being used in other Cities in Ohio already. Once again officially tomorrow there will be a Press Release where this is going to go into effect and it will be a worthwhile item that will be available when someone calls in or when there is an emergency situation in the area. When it is complete it will be all of Tuscarawas County.

TREASURERMS. LORI STATLER..... NO REPORT

The Treasurer was present but did not have a report.

LAW DIRECTORMR. MARVIN FETE

The Law Director reported he attended his second meeting with Goshen Township since becoming Law Director regarding the Rosenberry Property Annexation. As was reported to you previously, Council had passed Ordinance 43-2010 before he became Law Director and in that they had agreed to annex the Rosenberry Property. The problem was the Township Trustees had not agreed to the terms of the annexation, which is a prerequisite.

When I met with them last fall they had asked for a 15 year tax reduction. Taxes would be split between New Philadelphia and them on a gradual basis. Prior legislation said ten years they were not in agreement with that. Mr. Rosenberry they thought they might be able to persuade them to go along with the previous legislation and agree with the 10 year gradual tax rundown but the Law Director went there this morning and the Rosenberry family were there and had not been successful with their efforts. We need to go back to the table with this and ask the President Sam Hitchcock to reassign this to the Zoning and Annexation Committee to take a look at and see if Council wants to agree to a 60/40 split on taxes for a period of 15 years. If that is done I will give my input on the appropriate time. The legality of doing that and what we have to do in terms that we have already passed legislation. We probably will have amend that I do think this is going to have to go back for the County Commissioners for approval because it is a different forum from the agreement that was agreed to previously. Regrettably we are going to have to start the process over again.

- Tomorrow I'm scheduled for Mediation in Common Pleas representing the City of New Philadelphia there in a personal injury case involving the Police Department. Mediation for those that don't know in Common Pleas Court have their own Mediation Department that is where they have a third person attorney acts as a mediator between both parties. They start off in the same room, put you in different rooms and literally go back and forth between the two rooms to try to reach an agreement. I will be involved in that procedure tomorrow at 11:00 AM. If we can reach that it would avoid future litigation that is the purpose of mediation.
- In addition to that I want to report that our Chief Prosecutor Doug Jackson had to undergo emergency surgery about 1½ weeks ago. He is doing very well. He had a detached retina. As a result of that he now has to lay face down in a dark room for the next three weeks.

As you know I was able to cut a lot from the budget for the Prosecutor's Office; because I have taken on an additional role of prosecuting cases myself, something we have not done previously to date I have prosecuted a 124 cases personally the past week I've done 16 of these cases.

We are finding that is cutting in substantially to our ability to function effectively as a Law Director and a Prosecuting Unit; considering when Judge Von Allman came in she is running three court rooms consistently which was not done previously. As a result I had discussions with the Mayor and the Auditor on hiring somebody on a part time basis to fill in for Chief Prosecutor Doug Jackson. I'll still be doing the prosecution from time to time to keep our costs down but I can't afford to be over there 24/7.

I am happy to report that we have hired Heidi Sanner a resident of New Philadelphia. She and her husband live here with their 2 children.

She was born and raised in Tuscarawas County she is a graduate of Claymont High School.

She graduated Magna Cum Laude with a Bachelor of Arts in Justice Studies and a Minor in Psychology She worked for Community Mental Health Care in a Crisis Department prior to going to Law School at the University of Akron.

At the University of Akron Law School, she was on the Dean's List and also spent two years on Law Review which is really a significant honor to have during Law School to be a member the Law Review.

She received her law Degree in 2009 graduated with honors Cum Laude from Law School
She worked as a Contract Attorney for Law Firms in Akron and Cleveland and
Took court appointed Criminal Cases in Tuscarawas County.
and since Doug has been off she has been shadowing the Law Director and the other Prosecutors in the New
Philadelphia Municipal Court to get an idea what it is like from a prosecution stand point. But a defense
attorney has a pretty good working knowledge of what the Prosecutor does and that is what she has been
doing in the meantime.

We feel she is ready to step up and take on additional roles.

She is very excited doing this as her goal was to be a Prosecutor when she graduated from Law School. This is her
first opportunity to do this. One of the ways we are keeping cost down by hiring her on a part time as an independent
Contract Prosecutor for City of New Philadelphia won't have to pay Workers Comp for her, no Health Insurance or
Retirement Benefits.

She is paid a total of \$385.00 a week a flat fee no taxes will be taken out and at the end of the year she will receive a
1099 and she will have to pay taxes accordingly.

The plan is to have her for those three weeks.

The Public Defender's Office recently hired an additional attorney because the demand is so high with the three Court
Rooms going; the Judge wanted another attorney there. Actually three attorneys; each attorney is assigned to one
Court Room. Right now our attorneys cover different Court Rooms on different days.

In that Independent Contract role the very least to cover any time there is a conflict for example if myself or any of the
other prosecutors ever represented somebody who is now being prosecuted by the New Philadelphia Prosecutors
Office we have to recuse; the whole team has to recuse and we have to bring in and pay a special prosecutor.

So I may continue to use her in that capacity at the very least cover conflicts and to fill in as needed. If we find our
self with a short fall make sure that everything is running smoothly and there is never a time when a court date and or
a Judge or Magistrate is waiting for prosecutor to show up. That is the one thing we don't want to happen. For the
time being she is only going to be in there to fill in for the next 3 weeks while Doug Jackson is off and to help us
cover it. I've been doing a lot of the Prosecutorial Duties myself along with Tara Wright-Timberlake the Assistant
Prosecutor in terms of what charges to initiate against people after we get Police Reports. She is not going to playing
a role in that she is mostly a body or attorney who can cover cases that is whether or not we continue along with her
after the 3 weeks I'm not going to make that decision until Doug Jackson is back on the Job and allow his input on
that and really that is his function to make that decision I give him a lot of leeway as he is my Chief Prosecutor. To
summarize we are going to have someone there for the next three weeks to be filling in as an Independent Contractor.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

Mayor Taylor announced that the Planning Commission did meet in the month of May there was no agenda and the next
Planning Commission Meeting will be held Tuesday, June 11th, 2013 at 1:00 PM in Council Chambers pending an agenda.

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

Mr. James Zucal announced the Board of Zoning Appeals will meet May 14th, 2013 at 5:00 PM in Council Chambers there are
two variance requests.

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.

PARK BOARD..... MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board met May 1st, 2013 at 7:00 PM at Tuscora Park Office and there are a couple of
items to note from that.

Preparations for the upcoming season are under way and everything is set.

The Park Board Members took a tour of the Park Facilities.

Rod Miller Park Superintendent was able to answer questions and pointed out some of the projects that will be under
way this year as well.

A Park Board item has been assigned to the Public Works Committee it has been undergoing some work and has a
potential proposal for strategic planning for the Southside Community Park and the Park System in General.

The Park Board Members will be scheduling a time to come in and brief the Public Work Committee and of course
Members of Council that are available. The next meeting has not been scheduled but will be announced soon.

HEALTH BOARD.....MS. SANDY COX

Ms. Cox announced that the Health Board will meet Wednesday, May 15th, 2013 at 12:00 Noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMS. SANDY COX

Ms. Cox reported the Finance Committee met this evening at 7:00 PM.

- The first item to discuss was Ordinance 9-2013 An ordinance, authorizing the cooperative agreement for the planning and construction of the Five Point Storm Sewer Project between the City of New Philadelphia and the Ohio Water Development Authority.
We are asking that it put on the Agenda for May 30th, 2013 and for the rules to be suspended and passage as an emergency on the first reading.
- The second item to discuss was Resolution 17-2013- The CDBG /Grant application FY 2013 (construction year 2014) The public hearing was held this evening at 6:45 PM for Tuscarawas Avenue Curb and Side Walk Project -local funds \$17,830.
We are asking that it put on the Agenda for May 30th, 2013 and for the rules to be suspended and passage as an emergency on the first reading.
- The third item to discuss was Resolution 18-2013 to accept the Fact Finder Report dated May 7th, 2013 concerning the AFSCME Ohio Council 8, Local 1958, New Philadelphia, Ohio.
We are going to have an Executive Session right before Legislation to discuss that.
- The fourth item to discuss was Ordinance 7-2013 Providing for the issuance and sale of bonds in the maximum principal amount of \$1,545,000 for the purpose of refunding at a lower interest cost certain of the City’s outstanding City improvement and refunding Bonds, Series 2002 dated as of April 15th, 2002.
This is on the agenda for tonight; we are asking the rules be suspended and passage as an emergency this evening.
- The fifth item to discuss was ordinance 8-2013 an ordinance to allocate funds collected under the City of New Philadelphia Income Tax Ordinance. We are going to change the percentage to the General Fund to 67%. We are asking that it put on the Agenda for May 30th, 2013 and for the rules be suspended and passage as an emergency on that evening.

Ms Cox announced she is scheduling a meeting for Monday, June 3rd, 2013 for 6:30 PM to discuss Challenges Faced by our General Fund and Operating Expenses.

Meeting adjourned at 7:20 PM

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal reported the Salary Committee met this evening at 6:15 PM with one issue to address the unused vacation time previously accrued by our former Chief of Police Jeff Urban.

The Committee did vote to unanimously to seek potential legislation authorizing the payment of those funds to Chief Urban and we will be asking the Law Director to draft the appropriate legislation have that ready for us for our next regular scheduled Council meeting.

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

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

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

President of Council Sam Hitchcock requested the Zoning & Annexation Committee take back into their Committee the issue involving the Rosenberry Property.

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

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

VISITOR’S COMMENTS:

Ron McAbier
350 21st Drive NE
New Philadelphia, Ohio 44663

Mr. McAbier spoke earlier tonight at the Finance Committee Meeting held at 7:00 PM and stated he would like to add to his comments "We are a 53 Member Unit and earlier tonight we voted to accept the Fact Finder's Report."

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 8:01 PM
AS REQUESTED BY THE MAYOR, TO DISCUSS THE FACT FINDERS REPORT.
COUNCIL RECONVENED INTO REGULAR SESSION AT 8:19 PM

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

- 6-2013 An ordinance by the Council of the City of New Philadelphia, Ohio to permanently rezone certain land located at 655 Wabash Avenue NW from Residential to Business, and declaring an emergency. (1st Reading)
- 7-2013 An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,545,000 for the purpose of refunding at a lower interest cost certain of the City's outstanding City Improvement and Refunding Bonds, Series 2002, dated as of April 15, 2002, 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 ordinance passed

RESOLUTIONS:

- 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 a Police Officer, twelve (12) years as Captain, and for the past eleven (11) years as Chief of Police with the New Philadelphia Police Department. (3rd Reading)
- Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied
- President of Council asked if there were any comments or discussion from the Administration

Comments from Mayor Taylor

"I've been Mayor for 5 ½ years I always said how well Jeff knew his budget as far as a Department Heads goes I felt he did an excellent job. Jeff and I had plenty of discussions. Once in while we did not agree but he was always very respectful and I felt he did an excellent job as Chief. I never worried about the Police Department and how it operated."
The Mayor thanked Jeff for the services to the City.

Comments from the Safety Director Greg Popham

"I think I've known Jeff for almost ever and as the Police Officer as the Police Captain and as the Police Chief he was probably one of best Chiefs that the City has had to date in the Police Department. You always knew when Jeff tackled a situation that it got his full and upmost attention from beginning to the end. So those Shoes are definitely going to be hard to fill." Mr. Popham wished Jeff Good Luck and thanked Jeff for everything.

Comments from Service Director Jim Zucal

"Thank you, I learned a lot from Jeff over the years he taught me a lot of things we became friends and we will always be friends. I think he was very professional and as Greg mentioned when he believe in something he gave it his best and I always appreciate that." I admire and respect him and thank him

President of Council asked if there were any comments or discussion from the Council.

Comments from Council Member Sandy Cox

"I would like to thank you for the work you have done on your budget over the years. I could always count on once your budget was set I never saw you again plus I would like thank you for the grants you went after. You always looked for things besides what the money you had and I will miss working with you. Take Care."

Comments from Council Member Rob Maurer

"I wish you the best in your retirement and as Chair of the Safety Health and Service Committee it has been a very enjoyable experience working with you. I've learned a lot from you. You are always easy to get along with. Thank You"

Comments from Council Member Darrin Lautenschleger

"I would echo everyone else's comments Chief but I would also have to say that I would describe you as Responsive and Respectful no matter what the question was or issue from this level you got us the answer or pointed us to the person who could help us out and I always appreciated that I want to thank you and I wish you all the best."

Comments from Council Member John Zucal

"Chief, I would like to thank you from all the schools for all the hard work you put in for always being willing to come by and help us with our safety plans being very considerate of the students and staff responding to us in a very affirmative way as to what we were doing right and providing some great suggestions on how we can better the safety of our students faculty and staff members. I know that New Philadelphia Schools and I as a member of Council appreciate your efforts on behalf of all the children. Thank you very much"

Comments from Council Member Winnie Walker

"I would like to wish you the very best you and your family. The complaints I have ever heard about you I can't think of any. So to me that is a compliment so I have not heard any complaints. I wish you well and we will miss you."

Comments from Council Member Colleen Espenschied

"I just want to wish you well and hope you enjoy your retirement Jeff."

Roll call, 7 yeas resolution passed

Mr. Hitchcock expressed how special this presentation was for him.

The President informed Council that the Retired Chief and he have some parallel.

"We were both hired off the same Civil Service Examination, as young officers we worked the streets together many times.

I remember some mid-night shifts we rode together things were a little slow we engaged in a conversation to keep each other awake. We received training together we went down to London for training to become instructors at the same time.

For the Ohio Peace Officer Training Council. We both attended a Homicide Investigation Seminar in Columbus and we had the opportunity to receive instruction from a world famous Forensic Scientist Dr. Henry Lee. Both became Captains both became Detectives Mr. Hitchcock retired in April of 2000. Jeff eventually went on to become Chief. The President of

Council stated he echoed what the Service Director and the Safety Director said I think Jeff is probably is one of the best Chiefs the City has had possibly will ever have. Jeff raised the bar very High and I think that is very commendable. Before I became a Police Officer I worked at the County Auditor's Office Jeff was working at Gnadenuhthen at that time Gnadenuhthen Police Department. I knew Jeff previously. One time at the top floor of the Elks in Uhrichsville I was playing in a band as a musician and Jeff was a Magician. Jeff was pulling rabbits out his hat while I was playing music. I think he has probably pulled some rabbits out of his hat as Police Chief. When I met him back behind the Court House one day we got to talking about career goals Jeff had mentioned to me at that time his goal was to become Chief of the New Philadelphia Police Department. I think have to appreciate a man who is able to make his dreams and ambitions come true.

One of the best benefits of his job is right here it is being able to present the resolution to people that retire. This is extra special for me being able to present this one to my friend Jeff Urban" (a framed copy of Resolution 10-2013.))

President of Council Sam Hitchcock requested retired Chief Urban to come forward for the Presentation.

The President of Council read the resolution out loud and then presented the framed resolution to Jeff and wished him a long and prosperous retirement.

Every one applauded.

Chief Urban stated that he felt very humble and thanked everyone

Chief Urban reminded all that the President of Council the Fire Chief and the retiring Police Chief were all from Gnadenuhthen.

Chief Urban expressed his appreciation to the City; to the Mayor and to the Council that hired the young man from

Gnadenuhthen and gave him an opportunity to come to the big City and do well.

He then stated that he was sure "Mike will do an excellent job as Police Chief."

15-2013 A resolution by the Council of the City of New Philadelphia, Ohio to request the Airport Layout Plan Update for the New Philadelphia Municipal Airport (Harry Clever Field) be submitted to the Federal Aviation Administration (FAA) for review and conditional approval and declaring an emergency. (1st Reading)

18-2013 A resolution by the Council of the City of New Philadelphia, Ohio to accept the Fact Finder Report dated May 7, 2013 concerning the AFSCME Ohio Council 8, local 1958, New Philadelphia, Ohio, and declaring an emergency. (1st Reading)

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

Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. Zucal

Comment from Council Member Lautenschleger

"I'm going to address this resolution not only as a Member of Council but as a Resident. I have no issue with the Union on this matter what so ever based on the advice of Legal Counsel and the incomplete report especially when it comes to items that were asked to be addressed in this report I'm going to be voting to reject this report it is my hope that the fact finder does follow up and amends the report. So that can be taken care of so there will be no need to start the whole process over and it also my hope as a member of the Council and Resident that there will be no additional cost because this fact finder has completely failed his duties in this report."

Comment from Council Member John Zucal

"I would just like to reiterate what Mr. Lautenschler said I believe that the Union has come to the table we have an Agreement that in principal is something that is very worthwhile there is no object to what has been found other than the shoddy work that was presented by the Fact Finder. I don't use that term very often but it really is, given the fact that two of the major elements in there including Salary and Insurance are not found in that report; so until that can be completed in good conscience I don't think I as well as other Council Members can agree to that."

Roll call, 7 nays

(Mr. Lautenschleger, Mr. Zucal, Ms. Cox, Ms. Espenschied, Mr. Lanzer, Mr. Maurer and Ms. Walker)

Resolution failed 0-7 the Fact Finder report has been rejected.

UNFINISHED OR OLD BUSINESS:

NONE

NEW BUSINESS:

- REMINDER: MAY 27th, 2013 IS MEMORIAL DAY
THE NEXT REGULAR SESSION OF COUNCIL WILL BE HELD IN COUNCIL CHAMBERS THURSDAY, MAY 30th, 2013 AT 7:30 PM.
- Council Member John Zucal has requested an Executive Session for Purposes of Discussion of Employment of Personnel for the May 30th, 2013 Council Meeting following the Legislative Agenda.
- The Employment Hand Book has been completed.
As was previously requested earlier in the year by the Mayor, the President of Council Sam Hitchcock announced this week he will be putting together a Committee to preliminary screen the Hand book in an aggressive manner before it is assigned to a Council Committee. The Committee to preliminary screen the Hand book would include someone from Administration, possibly a Member of Council and whoever else we might feel would be beneficial to contribute to this.

MS. COX MADE A MOTION TO ADJOURN THE MEETING AT 8:40 PM.

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____