

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 23, 2016 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:

MR. DEAN HOLLAND  
MR. DARRIN LAUTENSCHLEGER  
MR. ROB MAURER  
MRS. AIMEE MAY  
MRS. CHERYL RAMOS  
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MR. KELLY RICKLIC

➤ MR. LAUTENSCHLEGER MOTIONED TO ADD RESOLUTION 27-2016, RESOLUTION 28-2016, AND RESOLUTION 29-2016 TO TONIGHT'S AGENDA  
MR. ZUCAL SECONDED THE MOTION  
6 YEAS  
RESOLUTIONS 27-2016, 28-2016, AND 29-2016 ARE ADDED TO THE AGENDA

➤ MRS. MAY MOTIONED TO ACCEPT THE MINUTES FROM THE REGULAR COUNCIL MEETING MONDAY, MAY 9, 2016.  
MRS. RAMOS SECONDED THE MOTION  
6 YEAS  
THE MINUTES WERE ACCEPTED

*\*Mrs. Ramos had notified the Clerk by email regarding typographical errors in the Minutes from the Special Council Meeting held Wednesday May 11, 2016. Those errors were corrected prior to tonight's meeting.*

➤ MRS. RAMOS MOTIONED TO ACCEPT THE MINUTES FROM THE SPECIAL COUNCIL MEETING WEDNESDAY, MAY 11, 2016  
MRS. MAY SECONDED THE MOTION  
6 YEAS  
THE MINUTES WERE ACCEPTED

**CORRESPONDENCE** . . . . . CLERK, JULIE COURTRIGHT

1. *To Clerk of New Philadelphia City Council Julie Courtright from the Ohio Division of Liquor Control, dated May 13, 2016. This is a notice of Legislative Authority to Backyard Hospitality Group LLC dba Smoke the Burger Joint, which will be located at 131 Bluebell Drive in New Philadelphia. The deadline to respond is June 13, 2016. I contacted President of New Philadelphia City Council Sam Hitchcock by phone on May 16 and he contacted Chairman of the Special and Contact Committee Kelly Ricklic by phone regarding this matter.*
2. *To Mayor Joel Day, New Philadelphia City Council and Administration from Toni Butler, a concerned citizen, dated May 17, 2016. This is a letter that Ms. Butler sent communicating a need to resolve a problem concerning a neighbor's backyard pool. She has been communicating with City Officials to resolve this matter.*
3. *To Mayor Day, New Philadelphia City Council and Administration, from Clay Morris, Managing Partner at Edgewater Solutions, dated May 10, 2016. The subject: Dates of Ratification by Bargaining Units.*
4. *To President of New Philadelphia City Council Sam Hitchcock, dated May 23, 2016, a thank you note from Jessica Haney, the owner of My Museum Tattoo Studio located in the former Tuscarawas Avenue Elementary School. Ms. Haney thanked President Hitchcock for attending the Open House.*
5. *To New Philadelphia City Council and Administration from Mayor Joel Day, dated May 23, 2016. The Mayor's Report.*

## Administrative Reports.....

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

The Mayor reported the following:

- **Bids Awarded for Fire Station Construction:** There's late breaking news that occurred this afternoon that wasn't part of the report that I sent you. The Board of Control met earlier today and awarded bids for construction of the new fire station. To give you details on this I'd like to yield some time to Chief Jim Parrish. He can talk about the contractors and the project timeline.

Chief Parrish had the following report:

We met this afternoon and awarded the bids for the new Fire Station. Under the recommendation of our architects and engineers the bids go like this:

1. General Trades Construction: Colaianni Construction, Dillondale, Ohio
2. Plumbing: R.T. Hampton Plumbing, Massillon, Ohio
3. HVAC: All Comfort Heating and Cooling, Canton, Ohio
4. Electrical: Wood Electric, New Philadelphia, Ohio

Initially, the Engineer's estimate was \$4.6 million. As we worked through the design process we got that down to \$4.2 million. The total contract as of today is \$4,078, 484. So that's about \$120,000 under the architect and engineer's estimates. Hopefully we'll be starting very soon. I don't have a start date yet, as I said the contracts were just signed today. The Engineer and Project Manager is delivering those contracts to the appropriate contractors. When they're signed we'll have a pre-construction meeting, which is an open meeting, anyone is able to attend. We had a total of 12 bidders and we did a multiple prime, meaning the contractor, if he had all of the trades on staff he could bid himself 100 percent, or he could just bid the general contract part and allow the heating, plumbing, air conditioning, and electrical trades to bid on their own. None of the general contractors (we had 5) did it completely, they just did the general trades.

Mrs. Ramos had the following question:

I'm just curious as to why there is only one local contractor?

Chief Parrish had the following response:

It was advertised in the newspaper and media and Wood Electric and Peterman Plumbing out of Dover were the only ones that applied.

Mr. Zucal had the following comment:

Jim, I'm just glad we came in under budget. There's good news there. I applaud the efforts of Wood Electric. I'm glad to see a local business doing well.

- **Thank you to the Rotary Club for the Flags Downtown and at Tuscora Park:** I would like to publicly thank the New Philadelphia Rotary Club members for their patriotism and donation of the America flags now flying downtown and along North Broadway at Tuscora Park. The Rotary Club does so much to instill pride in New Philadelphia and America throughout our community. I would encourage everyone that, if you know a Rotary Club member, thank them. And if you are inspired by their efforts, join the club or make a donation to the club. The Rotary Club's Heritage Fund program is spearheading the revitalization of our downtown. And their donation of America flags has set the tone that, this summer, we will celebrate our pride in New Philadelphia and in our country.
- **Thank you to the NPBCA for the Hanging Baskets and Second Saturday Celebrations:** I would also like to thank the New Philadelphia Business and Community Association for putting the beautiful hanging baskets on the street light posts throughout the downtown area. It's inspiring to see the efforts of the NPBCA transforming the downtown quadrants. And I encourage everyone to mark June 11th on your calendar. That's the date of the Association's first Second Saturday celebration downtown.
- **The Need for Lifeguards at the Tuscora Park Pool:** The Tuscora Park pool is in need of additional lifeguards for the upcoming summer season. Candidates have to be 15 years of age or older. If the candidate is not a Red Cross certified life guard, they can attend the Red Cross Lifeguard training course June 1st through the 15th at the Tuscora Park pool. Applicants who pass the course and apply to

work at Tuscora Park will have the Red Cross \$100 fee reimbursed if they commit to working at the pool the entire summer. Call the city hall switchboard at 364-4491 and enter extension 1224 Cathy Casebeer for more information.

- The **AFSCME Service Unit Votes this Evening to Ratify the Tentative Agreement:** The city's AFSCME Service unit is scheduled to vote this evening on the tentative contract agreement reached on April 28th. If ratified, council will have 30 days to act on it.
- **Anna Lee Brenda's Last Column:** If you did not read Ann Lee Brenda's last column in Sunday's Times-Reporter, I encourage you to do so. Nowhere have I read a more heartfelt and accurate description of why it is a blessing to live and work in the Tuscarawas Valley. I thank God for bringing Anna Lee to live with us, for her journalism and for giving her the time to write one last column to remind us why we should appreciate where we live: in her words, "There is no other place on this earth that I would rather have as my final resting place than right here."

SERVICE DIRECTOR .....MR. RON MCABIER

Mr. McAbier had the following report:

- On May 17<sup>th</sup> we opened bids for the upcoming CDBG project on Fair Avenue. We'll award that tomorrow to Mushrush Utility Contracting Inc. out of New Philadelphia. I'd like to add that it came in under the Engineer's budget by \$13,000 which is great, plus it's a local company which is another bonus.
- I'd also like to publicly talk about the sidewalk improvement project. We have won the 50/50 share. We have 13 applicants right now and the deadline is June 1, 2016. I believe we still have time. I'd like to get as many people involved in that as I can.

AUDITOR .....MS. BETH GUNDY.....NO REPORT

SAFETY DIRECTOR .....GREG POPHAM

Mr. Popham had the following report:

- In the Police Department on Friday we received a resignation letter from our part-time Parking Control Officer Diane Kinsey. She will finish up on the 31<sup>st</sup> of this month. We've turned that over to our HR person and hopefully we'll have a replacement soon.

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

LAW DIRECTOR . . . . . MR. MARVIN FETE

Mr. Fete made the following statement:

- I approved a few projects on behalf of the Service Director's Department this past week which I turned over to him today. I'll send that with the Fire Chief. I reviewed all the contracts that are involved in the new fire station.
- I also had to cover in Municipal Court this morning for a criminal case as a prosecutor.
- I did some research for Aimee and told her what the results were with those, and she's going to hopefully help with trying to find the information that we're looking for in regards to the Cemetery Endowment Fund.
- People are charged for garbage collection and people say "I don't put garbage out I don't have to pay it." Well, you can't discriminate when it comes to taxes, otherwise you violate equal protection and due process. If you have a tax it has to apply to everybody. It's the same as saying "I'm retiring, why am I still paying property taxes for schools when I don't have any kids or grandkids in the school system." It's the same argument. You can't tell X, Y, and Z that you don't have to pay taxes because it goes for the betterment of the entire community. If they have property and they're not putting any garbage out that's fine. I'm sure they wouldn't want neighbors to have garbage piled up on their lawn because they don't want to pay garbage taxes. That's the rationale behind that and I'm just saying that publicly because I seem to get that question at least once a month.

Auditor Beth Gundy had the following question:  
But since it's not a tax that still applies?

Mr. Fete had the following response:  
Well it's a fee, and a fee is interpreted by the law as being a tax.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY  
The Planning Commission will meet on Tuesday, June 14<sup>th</sup> at 1pm in Council Chambers. The agenda is still being compiled.

BOARD OF ZONING APPEALS.....MR. RON MCABIER  
The Board of Zoning Appeals will meet on Tuesday, June 14<sup>th</sup> at 5pm in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL  
You heard the presentation earlier this evening which will be addressed as part of the Special and Contact Committee report from Don Kennedy regarding potential for an additional 12 bay hangar at Harry Clever Field. I also want to remind members of Council, administration, and guests that it is coming up on Memorial Day weekend, which means another tradition is taking place in the City of New Philadelphia. Once again the Experimental Aircraft Association (EAA) will be sponsoring their pancake breakfast. I'm sure they would love to see folks come down to the airport and participate in having breakfast with the EAA and supporting them. That's always held Memorial Day at Harry Clever Field.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER  
The Park Board met last Wednesday in the Tuscora Park Pavilion. The season begins at Tuscora Park on Wednesday, May 25. As the Mayor eluded to, there is an extreme shortage in lifeguards. That may impact eventually the hours that the pool can be operated and open to the public. We'll be monitoring that closely. I know that park staff is very concerned as is working hard to try and fill those positions. One of the things that Park Superintendent Rod Miller and Assistant Superintendent Chase Hostetler are looking at is the fountain in the lagoon pond area. That area is outside of Woody Hayes Quaker Stadium off of Wabash Avenue. The fountain inside there is thought to be in very poor to irreplaceable condition. It's important for an aeration and oxygen production standpoint so we expect to hear more about that in the next weeks and months here. In addition, the cracks in the tennis courts. If we all go out together as a group and try to count them we probably won't be done before the Cavs start at 8:30. The staff is working on and the Park Board has approved contracting with Vasco, a firm that's worked on filling those in the past. That will be done toward the latter part of summer, as funds are being sought for the overhaul of those courts in future years. More on that as it happens as the grant funding is put into application in upcoming weeks and months. In addition, many of you recall the annual Fall Festival. The 1<sup>st</sup> Fall Festival was held last year, the 2<sup>nd</sup> annual Fall Festival at Tuscora Park will be held on Sunday, October 16<sup>th</sup> with a rain date of October 23<sup>rd</sup>. The next meeting of the Park Board will be on June 15<sup>th</sup> at noon in the Tuscora Park Office.

HEALTH BOARD..... MRS. AIMEE MAY  
The Health Board met on Wednesday, May 11<sup>th</sup>. During the last four meetings in April and May the Board spent significant time under the direction of Mr. Finley updating the sewage program policies due to recent changes in regulations. He also stated that he recently completed in New Philadelphia Schools and Tuscarawas Central Catholic Schools inspections, and he did note that both school systems had great inspections and said he's always amazed at how clean our schools are. The Director of Nursing reported that there were 29 Vivitrol clients for April with more coming and that she was also doing a planning presentation to the Municipal Court to meet their OSHA regulations. The next meeting is on June 8<sup>th</sup> at Noon at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

The Finance Committee met this evening at 6:15 in Council Chambers. We had three items on the agenda, all three of which are on tonight’s Legislative Agenda for 1<sup>st</sup> Reading. Resolutions 27-2016 and 28-2016 are for the purchase of a new garbage truck and a new dump truck. Those were approved as part of the 2016 budget. This is enabling legislation to go ahead and start that process. Ray Grewell who is our City Service’s General Superintendent was on hand and explained the current need for the trucks. The most recent plow truck is a 1998 model. That’s the newest one. The newest sanitation truck that we have in our fleet is a 2012 model, so it’s been a period of years. We had quite a bit of discussion about the condition as well as preparing and starting to follow a vehicle replacement plan. Mr. McAbier reported that we will look at putting a vehicle replacement plan into place and that he would enthusiastically recommend the need for the new trucks. On a motion by Mr. Maurer seconded by Mr. Zucal the Committee did approve placing Resolutions 27-2016 and 28-2016 on the agenda for 1<sup>st</sup> reading this evening and passing after a 3<sup>rd</sup> reading. In addition, Resolution 29-2016, the new 3 year contract agreement with the AFSCME Clerical Union. It was prepared and provided to the Committee. The deadline for Council to take action on this piece of Legislation would be by June 3<sup>rd</sup>. We’re not sure why we received this info later, but again, we had a Special Session as many of you would recall to deal with 2 earlier contracts from the Fire and Police Department with one remaining. We did hear from Ms. Gundy. She reported to the Committee that after her review of the budget and the estimated costs of all of the contracts, she does not anticipate that there will be an overall major increase, overall because of the aggressive expense spending for the year. In addition, Mrs. Ramos wanted it stated for the record that she believes that future contracts should involve more contribution from employees for their benefits including health benefits and some retirement benefits, and that other types of plans and options be looked at to help lessen the employer burden and share the overall burden with employees at a greater level. With no other discussion, the Committee voted 3-0 to recommend that Resolution 29-2016 be placed on the agenda for 1<sup>st</sup> Reading this evening, the rules be suspended and the Resolution be passed on 1<sup>st</sup> Reading.

*\*President of New Philadelphia City Council Sam Hitchcock asked Mr. Lautenschleger to take into his Committee The AFSCME Service Contract. I understand that that is to be voted on tonight.*

SALARY COMMITTEE .....MR. JOHN ZUCAL.....NO REPORT

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

Mr. Holland had the following report:

From an economic development standpoint a new business is in town. Mayor Day, Council President Hitchcock and myself attended the grand opening of My Museum Tattoo Studio. They are located in the former Tuscarawas Avenue Elementary School at the corner of Tuscarawas and Wabash. You just can’t imagine how they have remodeled through paint and floor coverings and wall coverings, lighting, heating and air conditioning. What a beautiful building. There were hundreds of people that showed up for this grand opening, extremely well attended. I also spoke with Mr. Greg Bartlow, the owner of Smoke the Burger Joint. He confirmed that Smoke the Burger Joint, Chipotle, and Starbucks will be building a new facility at 131 Bluebell Dr. Construction is to begin early summer with a grand opening in winter.

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

*\*President of New Philadelphia City Council Sam Hitchcock asked Mr. Maurer to take into his Committee a request from the Safety Director for the annual auction.*

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS

Mrs. Ramos had the following report:

I just wanted to announce that on June 13, 2016 at 7pm we are going to have a meeting to change the zoning at 233 Fair Avenue NW from residential to business. It is currently operating as the Olde House Inn. It’s a beautiful facility.

**SPECIAL & CONTACT COMMITTEE .....MR KELLY RICKLIC**

Mr. Zucal (acting on behalf of Mr. Ricklic who was absent) had the following report:

The Committee met this evening at 6:45 in Council Chambers. I represented our Chairperson Mr. Kelly Ricklic in his absence. I was joined this evening by Committee members Mrs. May and Mrs. Ramos. We had two specific items on the agenda. The first was the discussion of a potential for financing a 12 bay hangar at Harry Clever Field. We heard from Airport Commission Member Mr. Don Kennedy who provided insights and details into that. It has been agreed upon that we will have further discussion in regard to potential for that improvement to our fine airport. As Mr. Holland had also mentioned, one of the issues on the Special and Contact Committee agenda was the approval of a new B liquor permit for Backyard Hospitality Group also known as Smoke the Burger Joint. During the Committee meeting it was agreed upon by a vote of 3-0 that there would not be any recommendation request to the Ohio Division of Liquor Control for a public hearing. I would request also at this time Mr. President that the Clerk please call the roll of all of Council for affirmation of that arraignment.

**ROLL CALL**

**6 YEAS**

**THE LIQUOR LICENSE REQUEST IS APPROVE**

**PARKS & CEMETERY COMMITTEE .....MRS. AIMEE MAY....**

Mrs. May had the following report:

The Cemetery Board met on Thursday, May 12. As I previously reported there are currently 2 cemetery funds. At the last board meeting it was proposed that we combine the 2 funds and shop for the best return. Based on Mr. Gerber's recommendation the board would like to combine the two funds into a high yield savings account for now and then come back with recommendations later on what to do with the money from that account. There were also more discussions on potential land within the City for cemetery use. The Mayor is checking into different avenues that the City might be able to pursue with the airport as well. The next meeting for the Cemetery Board is June 9, 2016 at 9am. The Cemetery Committee met tonight for discussion regarding the Board's recommendation of combining the Cemetery Endowment Funds. The Committee reviewed the interest rates and funds available and after much discussion the Committee decided to review the current CD Rates and different rates that are out there and the possibility of splitting the funds into different increments with different maturity dates. It was decided that myself and Mr. Maurer and Mr. Gerber would look into the rates further and take it back to the Board. Another meeting will be held at a later date.

**VISITOR'S COMMENTS:**

Julie Levengood Stephon, Director of the New Philadelphia Business and Community Association had the following comment:

As Mayor Day had mentioned earlier, we have hanging baskets. I think they compliment the flags from the Rotary quite nicely. We had a lot of volunteers come down Friday to haul them from Buckeye Career Center. The Horticulture students at Buckeye planted them. We brought them downtown And dodged some raindrops on Saturday morning and got them all hung up. I think that they look really nice downtown. I think it adds to our revitalization and beautification of our downtown. Also coming up is our Second Saturday on June 11<sup>th</sup>. We have advertised with press releases. We talked about it before but now we're in full swing. We have some entertainment lined up, food, art. We're incorporating our Art Walk in at this time for June. We've had a tremendous response. It's really been put out there on social media and in the newspaper and on the radio. We couldn't be more pleased with the response from the public. They're very excited to come downtown and we're just praying for good weather.

Mr. Zucal had the following comment:

As the President of the New Philadelphia Business and Community Association I have a vested interest in it. I'd like to thank Julie for the outstanding leadership she continues to provide. I would like to tag on a little bit to what she had said about the hanging basket project downtown. I was joined in helping hang those baskets by Mr. Holland. We're very grateful to Buckeye Career Center for their contribution. They do look very nice but I did want to let the members of the Council and Administration, guests, and general public know that just that Saturday morning alone there were 36 volunteer hours provided by the Committee that was there. The group that decided to volunteer on a rainy Saturday to hang those baskets. That's a \$900 contribution to the City of New Philadelphia by that organization to ensure that we have a nice looking downtown. Kudos to the organization and the leadership that Julie (Levengood Stephon) has provided.

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

Thank you Ms. Stephon for all the work that you do. There are a lot of things going on in the downtown and as I mentioned before that's our "front room". That's a very important effort.

Linda Riffle, 1186 West High Avenue had the following comment:

We are with the Shoenbrunn Inn and Conference Center. We are looking to change the name of McDonald Drive to Garland Drive. We've had several brides that didn't want to put McDonald Drive on their wedding invitations so we did lose a little bit of business. We'd like to propose that we get a street name change as we are completing \$1.3 million dollars worth of renovations to the Shoenbrunn Inn and Conference Center and merging those businesses, and also we'll be breaking away June 1<sup>st</sup> with our own hospitality in that complex as well. So, if Council will approve we would like to move forward in trying to do a street name change.

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

Thank you for your comments and your efforts in business.

Law Director Marvin Fete had the following comment:

I'd like to see that assigned to a committee because that has to go through formal procedures.

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

We will put that into Special and Contact Committee.

#### **COUNCIL COMMENTS:**

Mr. Holland had the following comment:

At our last meeting I made some comments about the school system. I've got some further comments about our great school system. On May 17<sup>th</sup> Mrs. May and I attended the 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> grade Spring Band Concert. There were over 200 students participating in that program. I can't say enough about the talent that we have in our school system especially related to the bands. On May 18<sup>th</sup> Council President Sam Hitchcock and I attended the Night at the Movies, the 2016 Concert in the Park with combined choirs from New Philadelphia High School. If you weren't there you really missed a great treat. Tremendous voices collectively and individually and what a great opportunity to recognize students in our school system. As my last comment, congratulations to Union Hospital. They keep bubbling to the surface. They recently were designated as a great community hospital again in 2016. This is two years in a row where they've received that designation from Becker's Hospital Review. The award was based on clinical performance, patient safety record, patient satisfaction, and patient outcomes. They also were recognized with the Workplace of the Year Award for 2016. When you've got satisfied employees they're going to bring awards and recognition to your business or industry. What a great community we have.

Mrs. Ramos had the following comment:

I just wanted to say the downtown looks gorgeous and I'm very patriotic. The flags are just wonderful, they just make the downtown area pop. When the hanging baskets grow out a little more they'll be beautiful too. I just really, really appreciate the Rotary putting the flags up.

Mr. Zucal had the following comment:

I would like to take the opportunity as we are on the theme this evening of highlighting our schools. It won't be long, just a couple days and the little ones will be out enjoying the pools and summer activities. High school kids will be out getting ready for fall activities such as football. Summer break is upon us, and I did want to share an article that we get as members of Council from The Ohio Municipal League. On pages 28 and 29 it is entitled the "New Education Playbook" from the National League of Cities. It encourages city officials to take the lead in promoting learning. I did want to share with you just a paragraph so please bear with me but I think it really encapsulates the thought that we are truly a community and we do have a sense of interdependence between our community, our City and it's success in that of our local schools. The following is a paragraph from the article:

"Mayors and other city leaders have a tremendous opportunity toward learning in their communities, said Clarence E Anthony, CEO and Executive Director of the National League of Cities. Even though just a handful of mayors and city councils play a role in the governance of their public schools. Every mayor, councilmember, and city administrator can take concrete steps to strengthen the foundations for early learning, provide more and better learning time, and help all children succeed.

The payoffs for this leadership are visible. Not only in better prospects for all children and families, but also in stronger and healthier communities including more vibrant economies that compete and thrive in the global marketplace.”

With that being said I would like to highlight this past Saturday evening at 7:30 we had over 200 new graduates of the New Philadelphia City School Systems entering into the world of reality whether it’s college, a career, or whatever it may be. Also, I had the great opportunity last Thursday to travel to Columbus with the 4<sup>th</sup> grade students from Central Elementary and East Elementary to the Ohio Statehouse. Those young people were provided a great opportunity to experience what the government is like at the state level and how that operates. They were given a very unique opportunity in that they were able to tour the Governor’s office, which usually doesn’t happen. I’ve been going on those tours for a long time now. We had the opportunity to see the very same desk where Abraham Lincoln once sat. What a thrill that was for those kids. I also would like to acknowledge a State Senator who’s not from our local area, but State Senator Bill Beagle from Ohio’s 5<sup>th</sup> District was so kind as to invite all the students from Central Elementary, 60 of them, into his office. He gave them a great presentation on what happens as a member of the State Senate and encouraged them to take on great leadership in their schools. He just did a fabulous job. If Senator Beagle, who’s a banker by trade, a politician, but if he wanted a future in the schools I would hire him, because he did a great job with the young people. So again, just recognizing we are on summer break but we are blessed with an outstanding school system and people who continue to support this community.

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

First of all I would like to commend Central Elementary School Principal Mr. Zucal for his efforts in historical preservation of the front of the school. I think that was very important to the history of the school. Secondly, I would like to mention, since you heard a couple things about Rotary this evening, the New Philadelphia Rotary created the not-for-profit organization RTY. RTY is the entity that operates all the amusements other than the swimming pool at Tuscora Park. One of these amusements that will be going into it’s 19<sup>th</sup> year is a free concert series at Tuscora Park. It will kick off this upcoming weekend with a concert on Sunday by the New Philadelphia High School Steel Drum and Jazz Band, also a former high school student Scott Miller. Then on Monday we have a band that even though it’s a Dover band basically has come to call Tuscora Park their home and we call them the house band. They perform 4 times a year. That would be the very popular and entertaining “Dominic Greco Band”. So if you don’t have plans on Sunday or Monday evening, stop out and hear some great entertainment.

### **READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES: NON

RESOLUTIONS:

22-2016                    A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE RATE INCREASE FOR AMBULANCE SERVICES PROVIDED BY THE NEW PHILADELPHIA FIRE DEPARTMENT FOR THE CALENDER YEAR 2016.  
3<sup>RD</sup> READING

MR. MAURER MOTIONED FOR PASSAGE OF RESOLUTION 22-2016  
MR. ZUCAL SECONDED THE MOTION  
5 YEAS 1 NAY FROM MRS. RAMOS  
RESOLUTION 22-2016 HAS PASSED

26-2016                    A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO AUTHORIZING AND DIRECTING THE MAYOR OF THE SAID CITY OF NEW PHILADELPHIA TO ACT AS THE SIGNATURE DESIGNEE AND TO FILE AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER TITLE 1 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PL 93-383) TO THE OFFICE OF COMMUNITY DEVELOPMENT, DIVISION OF THE



OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF LOCAL GOVERNMENT SERVICES.

1<sup>ST</sup> Reading

27-2016 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PURCHASE A NEW GARBAGE TRUCK.

1<sup>ST</sup> Reading

28-2016 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PURCHASE A NEW PLOW TRUCK.

1<sup>ST</sup> Reading

29-2016 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT THE TENTATIVE AGREEMENT BETWEEN THE CITY OF NEW PHILADELPHIA, OHIO AND LOCAL 1958 AND OHIO COUNCIL 8 AFSCME , AFL CIO TO BE EFFECTIVE JANUARY 1, 2016 THROUGH DECEMBER 31, 2018.

1<sup>ST</sup> Reading

MR. LAUTENSCHLEGER MOTIONED TO SUSPEND THE RULES ON RESOLUTION 29-2016

MR. ZUCAL SECONDED THE MOTION

6 YEAS

RULES ARE SUSPENDED

MR. LAUTENSCHLEGER MOTIONED FOR PASSAGE OF RESOLUTION 29-2016

MR. ZUCAL SECONDED THE MOTION

5 YEAS, 1 NAY FROM MRS. RAMOS

*\*Mr. Lautenschleger made the following comment before the vote to suspend the rules.*

Mr. Lautenschleger made the following comment:

I will be asking for the rules to be suspended by vote. There is a potential that if we would not act on this piece of legislation this evening, we could potentially either ask for a Special Session to deal with it, or if it did lapse past the 30 day time period which is listed as June 3<sup>rd</sup>, we could be looking at a potentially greater cost overall, through an unfair labor practice charge and/or going to fact finding, which could involve a greater cost to be absorbed by the City not only from legal process but in the contract itself.

*\*Mrs. Ramos and Mr. Zucal made the following comments before the vote to approve Resolution 29-2016.*

Mrs. Ramos made the following comment:

I want to express my extreme displeasure once again over the union contract process, and once again here we are with our backs against the wall regarding this process, which as Mr. Lautenschleger has already laid out we're kind of under threat, even though it is all perfectly legal. The problem is here, again we're looking at contracts and there are four of them, the combination of which is going to result in unsustainable and unsupportable budget concerns. We've heard from Mrs. Gundy that we're covered for this year but for the next years we're not. We're looking at severe budget deficits and problems at current tax receipts. So, the raises contained in all the contracts are very generous and the benefits are generous. I've been elected by the residents of Ward 1 of course to serve them and to advocate for sound fiscal policy that will best serve the 17,000 residents of New Philadelphia first and foremost. However I feel that these contracts are very generous. Raises and benefits, which most of our residents are not seeing, have been granted, although they are unsustainable at current tax receipts. So, in the future we must take a look at the employees as is common in most businesses, must pay more for their healthcare and more for their retirement benefits and other things. We have to look at this. So, the problem is, would I want to see services cut for

our residents in order to pay for these contracts? Do I want to see employees laid off to pay for someone's wages? Do I want to see the good things that are beginning to happen for our City halted due to unsustainable union contracts? In these hard economic times, and yes they still are hard, it cannot remain business or union demands as usual. The taxpayers and residents must be first.

Mr. Zucal had the following comment:

This is neither a statement of affirmation or opposition to the contracts that are part of the presentation this evening to the legislative agenda. I just feel like I need to voice my displeasure with the fact that we as a Council continue to receive the late notices as far as our action as required to either pass or not pass the legislation that's in front of us and we do know the implications for non-passage of that, but the current HR firm that's headed by Clay Morris, again I've been part of a large number of contracts, both here and working for the school systems in the past. I have never found a year where we've been so late in our notifications of how we need to respond to those. I don't think that's fair not just to Council, but I don't think it's fair to the citizens of New Philadelphia that we have to continually vote for suspension of rules and passage on 1<sup>st</sup> reading. If we understand that law, and I know all of us do so I'm "preaching to the choir" just for the public comment the fact that typically they're reserved for 3 readings and the reason is so that we can get public input and people have the opportunity to have their voices heard. It's the taxpayer's dollars that are being spent. They should have an opportunity to express their thoughts and concerns or support for any of those contracts, and given the current way in which it's being done, how Mr. Morris is handling that, we're never given that opportunity. If we do extend it to a 3<sup>rd</sup> reading, as Mr. Lautenschleger and Mrs. Ramos have both shared, we face the potential for an unfair labor practice, which would be spending taxpayer dollars in a very frivolous way. It's my hope that those issues that we're facing now, whether I'm a member of Council or not down the road, that those could be handled in a more efficient and practical manner to allow the voice of the citizens of New Philadelphia to be heard.

Mr. Lautenschleger had the following comment:

My concerns are two-fold. One, from a communications standpoint that Mr. Zucal expressed. This is the 3<sup>rd</sup> contract we dealt with. We have four unions so we have one last chance to get it right. What I would suggest is that we know that our General Services covered employees are voting this evening on a tentative contract agreement. There should be a deadline put into place for the time period that Council had received that information. I would think that depending on what Mr. Morris does that maybe we were going to have to go beyond that. I would encourage the Mayor and the Law Director to get their heads together to determine what that calendar is, prepare the proper legislation, to write the memo to the Council President requesting it be placed into committee, giving the deadline, having legislation ready to go by determining what the final date for the legislation to be approved is. I think that's not only reasonable it's prudent. The other thing is my comments are well documented from our Special Session on May 11<sup>th</sup>. I won't read them again. I am very concerned for the future because our expenses continue to grow at a faster rate than our revenue. A lot of that is due to the cut-backs enacted by the General Assembly over the past few years without those funds being replaced. Of course, chief of that would be local government funds which were created through the General Assembly coming to municipalities and asking for their support. We will be adding additional expenses this year, \$160,000 to \$200,000 in each of the next two years with an excess of \$200,000. I do have concerns about what that could mean in terms of services and potentially staffing levels and if we're going to have to see some right sizing.

Mrs. May had the following comment:

I also want to echo the comments of Mrs. Ramos, Mr. Zucal and Mr. Lautenschleger about the entire process with the contracts. It's a little disappointing to see the way that it happened and the way that everything took place. I just want to say that I'm disappointed with the HR consultant and we were basically backed into the corner.

## **UNFINISHED OR OLD BUSINESS: NONE**

### **NEW BUSINESS:**

Mr. Zucal made the following comment:

Happy Memorial Day to all.

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

The Memorial Day Service will be on the Courthouse Plaza for the Citizens of New Philadelphia at 11am on Memorial Day.

MR. MAURER MADE A MOTION TO ADJOURN AT 8:24 PM

CLERK OF COUNCIL \_\_\_\_\_  
Julie Courtright

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock