

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 13, 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. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MR. KELLY RICKLIC
MR. DARRIN LAUTENSCHLEGER
SERVICE DIRECTOR RON MCABIER

- MRS RAMOS MOTIONED TO ADD ORDINANCE 7-2016 TO TONIGHT’S AGENDA
MR. MAURER SECONDED THE MOTION
5 YEAS
ORDINANCE 7-2016 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. ZUCAL MOTIONED TO ADD RESOLUTION 31-2016 TO TONIGHT’S AGENDA
MR. HOLLAND SECONDED THE MOTION
5 YEAS
RESOLUTION 31-2016 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MRS. RAMOS MOTIONED TO ACCEPT THE AGENDA AS AMENDED
MR. ZUCAL SECONDED THE MOTION
5 YEAS
THE AGENDA HAS BEEN ACCEPTED
- MRS. RAMOS MOTIONED TO ACCEPT THE MINUTES FROM THE REGULAR
COUNCIL MEETING MONDAY, MAY 23, 2016.
MRS. MAY SECONDED THE MOTION
5 YEAS
THE MINUTES WERE ACCEPTED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from the Ohio EPA. Dated May 24, 2016. This is a Public Notice for an NPDES Permit to discharge to State waters.*
2. *To New Philadelphia City Council from Mayor Joel Day. Dated May 31, 2016. This is the Mayor’s Monthly Statement to Council.*
3. *To President of New Philadelphia City Council Sam Hitchcock from Jodi Salvo, the TTS Coordinator for Personal and Family Counseling. She wrote the following:
“ Here are some talking points about House Bill 523, also attached is an Ordinance from Hamilton County to ban medical marijuana sales in all zoning districts in the city of Hamilton, Ohio. Is this something you would want to discuss?”
President of New Philadelphia City Council Sam Hitchcock communicated by email with Zoning Committee Chair Cheryl Ramos about putting this in Committee.*
4. *To President of Council Sam Hitchcock and Council Clerk Julie Courtright from Councilman Darrin Lautenschleger. Dated Monday, June 6, 2016. Mr. Lautenschleger wrote the following:
“Sam and Julie,
Since I won’t be at the City Council meeting on Monday, June 13th for the Park Board report to Council, can one of you please announce*

for me on the portion of the Council's Agenda that the next meeting of the Park Board is Wednesday, June 15th at noon at the Tuscora Park Pavilion."

5. *To Mayor Joel Day, Council, and Administration from Linda Hoetger, an Advocate for the group "Zero Out Prostate Cancer in Ohio". Mrs. Hoetger sent a lengthy letter. She has a husband who is battling the disease and she wrote to us to inform us that the month of September will be National Prostate Cancer Awareness Month in all cities, villages, and townships.*
6. *To New Philadelphia City Council and Administration from Auditor Beth Gundy dated May 31, 2016. The Auditor's Monthly Statement of 2016 Revenue for the General Fund.*
7. *To New Philadelphia City Council and Administration from Auditor Beth Gundy dated May 31, 2016. A Statement of Cash Position with MTD.*
8. *To New Philadelphia City Council and Administration from Auditor Beth Gundy dated May 31, 2016. A Budget Report with Encumbrance Details.*
9. *To New Philadelphia City Council and Administration from City of New Philadelphia Income Tax Administrator Vicki Daniels dated May 31, 2016. A Report of Month End Tax Revenue by Year.*
10. *To New Philadelphia City Council, Mayor Joel Day, and Safety Director Greg Popham from Fire Chief Jim Parrish dated May 31, 2016. A Fire Incident Report for the month of May 2016.*
11. *To Mayor Joel Day, Administration, and members of the Zoning and Annexation Committee from President of New Philadelphia City Council Sam Hitchcock dated June 8, 2016. An email from Jodi Salvo regarding House Bill 523.*
12. *To Mayor Joel Day, New Philadelphia City Council, and Administration from Jill Lengler, director of the Tuscarawas County Regional Planning Commission dated June 7, 2016. Ms. Lengler's letter states the following:
"ODOT is proposing marked bike routes throughout the State. They're not proposing constructing any new bike routes or trails just marking existing roads as bike routes. This route is going through your community as shown on the attached map. ODOT needs each community to pass a Resolution for support of this. A sample Resolution is attached."
President of Council Sam Hitchcock contacted Councilman Dean Holland via email on June 8, 2016 and asked him to take this into Committee.*
13. *To Chairman of the Special and Contact Committee Kelly Ricklic from President of New Philadelphia City Council Sam Hitchcock dated June 3, 2016. President Hitchcock wrote the following in this email:
"Kelly,
As per our previous conversation including today's phone call, please accept into your Committee a request by the owners of Shoenbrunn Inn for a name change of McDonald Drive. The request was made during Visitor's Comments during last Council Meeting."*
14. *To New Philadelphia City Council and Administration from Treasurer Tom Gerber dated June 6, 2016. The City of New Philadelphia's May 2016 Deposit.*
15. *To New Philadelphia City Council and Administration from Treasurer Tom Gerber dated June 6, 2016. The Investments and Savings Program for May 2016.*
16. *To New Philadelphia City Council and Administration from Mayor Joel Day dated June 13, 2016. The Mayor's Report.*

**President of New Philadelphia City Council Sam Hitchcock asked Mrs. Ramos to take into her Committee the talking points that were emailed to us regarding House Bill and also the sample legislation for further consideration and investigation.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

The Mayor reported the following:

- **Successful Second Saturday Downtown Event** :I would like to congratulate Director Julie Levengood Stephon and the New Philadelphia Business and Community Association for the success of this past weekend's Second Saturday downtown event. It was wonderful to see so many community members gather downtown to enjoy the music, the Art Walk, the food and spending time together.
- **Guest Server at the 18th Annual Hospice Benefit** :Yesterday I had the honor of being a guest server at the 18th Annual Hospice Benefit at the New Philadelphia Elks Club. Hospice provides a valuable service to our community. And the memory of Betty Drabik and her spirit of giving was evident by the large turnout.
- **The Need to Remain Watchful in Light of the Orlando Florida Tragedy** :I want to address any concerns residents may have about the safety of New Philadelphia, in light of the tragic event that occurred over the weekend in Orlando, Florida. The members of the New Philadelphia Police Department are well-trained and equipped to respond to any threat in our community. But if you see or learn of any suspicious activity in our neighborhoods, don't hesitate to report it to the police department. In addition, Mary Kurtz, the city's director of Human Resources, is developing a program to educate city workers on how they should respond to active shooters and other threats. Sadly this has become a different world. And it has become more important that we look after each other.
- **Marketing the Howden Buffalo and Morgantown Machine facilities** :I have been actively searching for new businesses to locate in the former Howden Buffalo and Morgantown Machine plants. Service Director McAbier and I toured the closed Morgantown plant last Thursday. Morgantown's parent company, Swanson Industries, was forced to close the plant on April 29th and consolidate its operations because of the downturn in the oil and gas business. At its peak about six years ago Morgantown had employed 80 people. Both the Morgantown and Howden plants are equipped with multiple high capacity overhead cranes that could accommodate many types of manufacturing. There is a party interested in the Howden plant. Service Director McAbier toured the plant two weeks ago with the prospective buyer. And I'm hoping to learn soon if they've negotiated its purchase.
- **Tuscarawas County Heritage Home Association's Interest in the Lockport City Hall Building**: Last Friday members of the Tuscarawas County Heritage Home Association toured the Lockport city hall building on Commercial Avenue SE. The members are interested in restoring the building to create a New Philadelphia museum. Right now the building is full of old city documents, some of which date back to the late 1800's. We have to determine what to do with the documents. Once the building is cleared, I would like the law director and council to consider donating the property to the Association.
- **Remembering Former U.S. Senator and Governor George Voinovich** : Ohio lost a champion on Sunday when former Governor and U.S. Senator George Voinovich died in his sleep. The governor was a model public servant, who strived to make decisions that were fair and to the benefit of all Ohioans. Please keep his family in your prayers.
- **Attending the Mayor's Association of Ohio Conference Annual Conference** : I will be in Dublin this Wednesday through Friday attending the Mayor's Association of Ohio's annual conference. Among the agenda topics are the use of drones, the affect House Bill 5 is having on the collection of municipal income tax, and how to handle dilapidated and vacant properties.

**Per Mayor Day's request President of New Philadelphia City Council Sam Hitchcock asked Chair of the Public Works and Economic Development Committee Dean Holland to accept Resolution 30-2016 into his committee.*

SERVICE DIRECTORMR. RON MCABIER..... EXCUSED ABSENSE.....NO REPORT

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORGREG POPHAM

Mr. Popham had the following report:

- Good news in the Fire Department. The New Philadelphia City Fire Department is the recipient of a grant from the Bureau of Workman’s Compensation in the Amount of \$40,000. This grant is for the purchase and the retrofitting of squad that the City has for power lift cots. Over my years of being here one of the major issues I’ve had with the guys that work at the fire department is they develop back injuries over time because of all the lifting . Once again, approximately 75 percent of the calls that are run out of the Fire Department are EMS calls. So if you can imagine the number of times that they bend over and lift somebody up. These cots are all power, and basically once the patient is on the cot it operates just at the push of a button. So, hopefully in the long run it will be a reduction in Workman’s Comp back injuries. The grant is for \$40,000, the entire cost to do this renovation is \$80,000 so it’s picking up 50 percent of the cost.

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 on Tuesday, June 14th at 1pm in Council Chambers.

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

The Board of Zoning Appeals will meet on Tuesday, June 14th at 5:30pm in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet Tuesday June 14th at 6pm at the Airport Meeting Room at Harry Clever Field.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGEREXCUSED ABSENSE

HEALTH BOARD..... MRS. AIMEE MAY

The Health Board met on Wednesday, June 8th. There was growing discussion regarding the Ohio Department of Health’s mandate that all health departments be accredited by 2020. This accreditation, from what I understand, is very costly and requires a ton of man hours to submit all the documentation that is required. Right now the majority of health departments across Ohio including our health department are against the mandate. The Mayor and Commissioner Ionno have met with several State Officials and are working every day against the mandate. I’ll have more updates in the future on this and we’ll most likely bring Commissioner Ionno to Council to give a more indepth presentation on what the accreditation means to the Health Department and why there’s so much opposition. The next meeting will be July 13th at noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. DARRIN LAUTENSCHLEGER.....EXCUSED ABSENSE

Mr. Zucal had the following report:

The Finance Committee met this evening to discuss the AFSME Service Union agreement. Further discussion will be held on that as it goes through the proper legislative process.

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 this evening at 6pm in Council Chambers. The purpose was to review a request by the Tuscarawas County Regional Planning Commission requesting that Council pass a supporting Resolution designating a bike route extending through New Philadelphia. The route is part of the Ohio long-range plan designated "Access Ohio 2040" and ties into the State bike route network. Roxanne Kane with the Ohio Department of Transportation provided an explanation of the actual route to be followed and the signage designating the route would be at the expense of ODOT and no expense to the City. Ms. Kane explained that the route is intended for use by long distance commuters rather than local bike riders but it is accessible by local bike riders and it will connect the community points of interest. The route will be a combination of trails and on-road facilities and will use existing facilities. This is not a State construction project. Ms. Kane provided detailed maps of the bike route and copies for the media. Anyone that might be interested they can be picked up through Ms. Courtright, Council Clerk. The Committee voted to send the Resolution request to full Council for the next Council meeting on June 27, 2016.

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

Mr Maurer made the following statement:

I will be scheduling a 7pm meeting on June 27th to discuss two issues; Citizens who make right-hand turns into businesses to avoid red lights and the New Philadelphia Police Department's auction.

ZONING & ANNEXATION COMMITTEEMRS. CHERYL RAMOS

Mrs. Ramos had the following report:

The Committee met tonight at 7:02 to discuss the rezoning of 233 Fair Ave. NW from Residential to Central Business. It is currently operating as the Olde House Inn Bed and Breakfast. So, we went over all the information that had been emailed to Committee members ahead of time. If anyone else wants copies of that I can get that to you as well. Law Director Fete confirmed that that was a proper zoning distinction of Central Business. The Committee voted to approve Ordinance 7-2016 and place that on the agenda tonight. That will be read at least three times. We will also be having a public hearing as per our Codified Ordinances when we rezone something. We are going to have another meeting on June 27th in Council Chambers starting at 6 o'clock to discuss signage, because there were concerns about signage that were brought up during the Committee meeting today, and also possible rezoning of that whole block to even out the Central Business District. The meeting will also be to discuss House Bill 523, the talking points of it. If you don't know House Bill 523 that was signed into law by the Governor regarding medical marijuana in the State of Ohio. We'll be discussing that and the status of dispensaries in our community.

SPECIAL & CONTACT COMMITTEEMR KELLY RICKLIC.....EXCUSED ABSENSE

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY....

Mrs. May had the following report:

The Cemetery Board met on Thursday, June 9th. Kelly Herron reviewed the balances and devised a plan to send out letters to those individuals requesting payment. He also reported that he's still working on getting a quote for computer software upgrades and should have that information and will provide it by the July meeting. The next meeting will be Thursday, July 14th at 9am.

VISITOR'S COMMENTS:

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

As the Mayor stated we held our 1st Second Saturday this past weekend and I felt that it being the first event of the year it was a good turnout. I was pleased with it. We didn't get the rain that was predicted all week. It was a little warm but overall I felt like it was a very nice evening and it was a very nice way to promote New Philadelphia and the downtown and the businesses. We are looking forward to our 2nd one which will be on July 9th and it's going to focus on history. So it will be a little bit different. New entertainment, a little bit different format, but we're very excited about it. Also we have our sidewalk sales coming up at the end of July, which is a very long-standing tradition for the downtown. We're very excited

to keep that tradition going. We also are still utilizing community service workers from the municipal court to help keep our downtown clean. We're working in conjunction with the probation department and we do have those workers out there at least 3 days a week cleaning and pulling weeds and just trying to help maintain the downtown.

President of New Philadelphia City Council Sam Hitchcock had the following response to Ms. Levensgood's statement:

I'd like to congratulate you for your first big event downtown. It looks like it was very well planned and I'm sure you put a lot of hard work into it. I hope that the other 2 Second Saturdays will be equally as successful. I think we all appreciate everything that you're doing for the downtown business district. It is also a huge benefit to the entire community.

Rodney Miller who resides at 305 East High Avenue New Philadelphia had the following comment:

I'm here tonight on behalf of WBTC Radio in Uhrichsville, 1540am. Many of you probably read in the paper on Sunday that we are going to begin broadcasting at 101.9fm our daily program, 24 hours a day, 7 days a week. This is part of what the government terms the "AM Revitalization Program". What they are trying to do is promote and make am stations like ours, a small market 250 watt station more useful for the community. Many of you know we sign off at 9pm and sign on at 6am. That kind of limits what we can and can't do. When we do stay on past 9pm we're down to 5 watts, which means you might get us in Midvale, you might not depending on the clouds. So, this is going to really enhance our frequency. The reason I'm here tonight is there have been some comments on social media that we may or may not be in compliance with FCC regulations. I assure you there's no way you can get a frequency assigned without going through the FCC. The fact we got 101.9 assures you that we went through the FCC. In fact we've got a paper trail about the size of 5 catalogs. This is all done through our FCC attorney in Washington and our engineering firm in Washington. So, what you heard is not true. There is no point of contention. What the point of contention was from another area media outlet was that we may interfere with their signal. That's a valid point, I guess, but according to our attorneys and our engineers we are responsible for adjacent frequencies on each side of us. That would be 101.8 and 102.0, those are the only ones we're accountable for. Other than that, the rest of them are on their own. So, I just wanted to clarify. Our fm signal should be on the air on or about July 4th. We're looking forward to that and WBTC Tuscarawas Broadcasting Company is moving forward despite some people who are throwing their arms up and throwing a fit. Also, July 4th is our owner's 98th birthday.

President of New Philadelphia City Council Sam Hitchcock had the following question for Mr. Miller:
Will you be changing your format for the fm station?

Mr. Miller had the following response:

No, according to the FCC we have to maintain our format for three years.

COUNCIL COMMENTS:

Mrs. Ramos had the following comment:

At Buckeye Career Center on May 26th we had 81 graduating adults who for whatever reason, many from different companies that have closed, have gone back to school and have been retrained for a completely different job. We had 81 graduating adults 18 and above. We also had 28 individuals who also gathered up the courage to come back to school and complete their GED. We have tremendous services at Buckeye. We had 109 individuals graduate from our Adult Education Programs.

Mr. Zucal had the following comment:

I'd like to take the opportunity again to thank the New Philadelphia Business and Community Association. Julie Levensgood Stephon works extremely hard and her efforts for Second Saturday are duly noted by those including Mr. Hitchcock. One of the things that Julie and I have worked on, as well as the leadership in the organization, which we're proud of, and I'd like to again encourage across the City is a Beautification Award. You may have noticed some of those appear in our downtown businesses. We created a certificate along with a frame for that to highlight those businesses that made a commitment to beautifying and making their storefront something attractive for all of us. We had 4 recipients for the very first Beautification Award. That included Rodriguez's House of Stones, The Daily Grind, Quaker Theater, and also Coffman Optical and their new façade and entryway. I'm very proud of those organizations and we want to encourage individuals to join and become a member of our organization. Remember, we do a lot of great work down there. You don't want to count the volunteer hours we put in this past weekend because there are very very many and no one truly is doing this for

any reason other than to make our City a better place. Ms. Stephon is not getting rich in her part-time position, as a matter of fact it's probably a very nice tax deduction for her in the long run. We also want to continue to remember as the Mayor goes about recruiting new businesses that are critical to our economic development, also supporting and sustaining those that are present here in New Philadelphia. We want to keep those storefronts filled and attract new businesses as well. I'm very thankful for all those efforts, and also the efforts of the New Philadelphia High School Steel Drum Band. Those students are out of school and they were right in the square front and center doing their great work. That band has been very active in a lot of our community events so we're very thankful. They also perform at our Christmas Tree Lighting Ceremony almost annually. The commitment and partnership between the community and the schools is so highly critical so I just wanted to thank Julie for all of her leadership and efforts on behalf of the organization to promote downtown New Philadelphia and make it a great place to own a business.

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

I'd like to mention for those who couldn't make it to hear the Steel Drum Band they're going to be at the Tusky Days Festival this coming weekend. They are amazingly talented musicians and their Director Jeff Phillips does an amazing job of developing that talent and bringing it out.

Mr. Zucal had the following response:

Mr. Phillips does an awesome job and the kids are fabulous. There aren't many districts across the State of Ohio that can say they have a Steel Drum Band as high performing as ours.

Mr. Holland made the following statement:

To echo the weekend, what a great Saturday downtown. Good food, Julie Levensgood Stephon did such a yeoman job of putting everything together. I can't say enough about the talent of our school system related to music. To follow up with what the Mayor was talking about, if you see something say something. How critical that is to safety throughout our community. We need our citizens involved. If you see something that's out of order, looks strange, appears strange, whatever it might be call 911. They'd be glad to send someone out to take a look.

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

Periodically assignments are made to Committees for investigation to be brought back to the floor of Council. Nothing that I can ever find in Robert's Rules and nothing that I believe in is an issue that was brought to me to assign to Council or that comes to Council for investigation should die in Committee. I don't believe that. I know it happens on a National level, on a higher level, but I don't think a small government community, whether it's a city or a village, I don't think that that's the purpose of a City Council Committee. I know that has happened here. Even if the Committee people are not in favor of the issue I think that that Committee owes it to the other people of Council to be able to at least give their vote on what the issue is. I think you're shortchanging the rest of your fellow Councilmembers by not allowing them to issue a vote. When it comes to the floor out of Committee it can come to the floor as we've heard many times with a recommendation to be passed on 3rd Reading or to be passed as an emergency. That happens quite often. It can also be sent to the floor with a recommendation that it go down. Of course those Committee

(cont.) people who are against it can vote against it if they choose to, but at least it affords the other members of Council the opportunity to vote whichever way they feel they should vote. Or it could be sent to the floor with no recommendation at all which often times that happens, but I really believe that the purpose of the Council Committees is to investigate and to bring that information back to Council floor so that all seven members of Council can vote their feelings on it.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

7-2016

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE 233 FAIR AVENUE FROM RESIDENTIAL TO CENTRAL BUSINESS.
1ST Reading

RESOLUTIONS:

- 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.
2ND 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.
2ND Reading
- 31-2016 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 THE OHIO COUNCIL 8 AFSCME,
AFL CIO TO BE EFFECTIVE JANUARY 1, 2016 THROUGH DECEMBER 31, 2018.
1ST Reading

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

President of New Philadelphia City Council Sam Hitchcock made the following statement:
I received a request by Safety Director Popham to assign to a Committee the need to
replace a 1990 tanker at the Fire Department. I will assign this to the Finance Committee.

MR. MAURER MADE A MOTION TO ADJOURN AT 8:11 PM

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock