

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 22ND, 2015 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  
MR. DAN LANZER  
MR. DARRIN LAUTENSCHLEGER  
MR. ROB MAURER  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

- MR. LANZER MADE A MOTION TO ADD TO TONIGHT’S AGENDA RESOLUTION 15-2015.  
(TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015 FAA GRANT.)  
MR. MAURER SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. LANZER SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, JUNE 8TH, 2015  
MRS. RAMOS SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor’s Report to Council for June 22nd, 2015
2. A letter from the Tuscarawas County General Health District, Katie Seward MPH CHES CTTS, Health Commissioner  
To all Council Members;  
Urging Council to adopt a City Ordinance that raises the legal minimum age for sale of all tobacco and nicotine products to age 21.
3. Finance Committee Meeting Minutes from Monday, June 8th, 2015
4. City of New Philadelphia Police Monthly Activity Report for the Month of May 2015
5. City of New Philadelphia Fire Department May 2015 Month End Summary dated June 2, 2015
6. City of New Philadelphia Airport Commission Meeting Minutes from:  
May 12th, 2015, April 14th, 2015  
March 2015 meeting was cancelled,  
February 10th, 2015  
December 2014 meeting was cancelled,  
November 11th, 2014, October 14th, 2014, September 9th 2014,  
August 12th, 2014, July 8th 2014, and June 10th 2014

Comment from Ms. Cox:

Ms. Cox suggested a copy of the letter from the Tuscarawas County General Health District, Katie Seward MPH, CHES, CTTS, Health Commissioner (item 2 under correspondence) be given to our City of New Philadelphia Health Department Health Commissioner Vickie Ionno, before Council takes any action.

***A copy of the letter was given to Ms. Ionno, City of New Philadelphia Health Department Health Commissioner, following the Council Meeting.***

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

In lieu of a day by day report the Mayor touched on a few things going on in the City.

First Item:

- **Monthly Housing Committee Meeting**

At the last Housing Committee Meetings six properties were reviewed

Four people each month go out and inspect every property.

We can issue tear down orders for every house in violation but at a cost of \$5,000 to \$8,000 per unit, we don't have the money to do them all so as Council allows us, we tear down one or two each year.

This has been an ongoing process.

Second Item:

- **High Grass**

In a letter today compiled by our Assistant Service Director Amy Gilland:

Thirty-one high grass letters were sent out in May

Twelve were taken care of by the property owners.

Fourteen were not and had to be contracted out.

The bills were then forwarded to the Auditor to place a lien on the Property Taxes per the City Ordinance.

- In June so far:

Seven high grass letters were sent and of those seven only one had to be contracted out.

High grass problems are always at their worse throughout May.

According to ordinance, the grass must be twelve inches high before the owners are notified.

Third Item:

- **The Abandoned Gas Station at 202 South Broadway**

➤ The Mayor reported that he has discussed this property with the County Treasurer, Jeff Mamarella and our Fire Chief Jim Parrish. The problem with this property is the tanks that are still in the ground. Foreclosure on this property exposes many liabilities.

➤ The City's position is to wait right now for the State Budget. As of now, there is 20,000,000 line item or grants to remove the tanks. This will save the City money. After disposal we can proceed.

➤ Mayor Johnson requested the President of Council assign to a Committee a Nuisance Ordinance to cover this problem.

Comment from Mayor Johnson:

The Mayor attended the Mayors' Conference a week or so ago.

He was informed that it is not proper to whisper to one another or pass a note during Council.

To do so we would be in violation of a law.

President of Council, Sam Hitchcock:

The President of Council assigned the Mayors request "Nuisance Ordinance" (The problem with this property is the tanks that are still in the ground at gas station) to the Public Works and Economic Development Committee.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported the following:

1. As the weather allows and the man power is available, We are still patching pot holes.

Two crews are out most every day Monday through Friday.

2. The Gas Company:

Most of the work you see in the area around North Broadway, Fair Avenue, and Ray that is the Gas Company their follow up crews are pouring concrete every day.

The Service Director and the Mayor met with the Foreman and the Superintendent.

They continue to put pressure on them to restore their work areas as quick as they are tearing up new areas. That doesn't happen but they are putting pressure on them every day.

3. The crews in the City are doing an excellent job.

4. Head of the Wastewater Ed Wilson informed him  
 They are getting and cleaning lines every day  
 They are upgrading the plant.  
 They have a number of leaks throughout the town; Fifth and West High, and the North West part of town. They are repairing every day. The aging infrastructure is a problem in New Philadelphia and throughout the country.  
 The 319 Funds (Sewer Improvement funds) they are putting catch basins on Mill Ave. SW., 6th Drive NW, Bowers Ave NW. There are 5 projects in the City. We are doing this currently before our paving crews come to town. We think we are doing logistically planning; putting in new catch basins and paving as quickly as we can.  
 There are many improvements in New Philadelphia as far as storm sewers. This week we are putting cameras up in Franklyn Square NW, Fourth NW, and West High. We are looking at some diametric issues as far as the size of the pipe we want to alleviate the flooding in that area. We are doing the best we can to improve our storm water issues.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy requested Council suspend the rules and pass Ordinance 11-2015 tonight.  
 Ms. Gundy requested an Executive Session be held for the purpose of an Audit Conference

Mr. Lanzer made that motion

Ms. Cox seconded the motion mentioning it would be held between Old and New Business.

Mr. Lautenschleger clarified for the record the reason for the Executive Session would be reason #5.

Matters that must be kept confidential according to federal or state law if a public body is considering any matter that has been deemed private or confidential by federal or state law, the public body may enter into an executive session to consider and discuss such matters. The Open Meetings Act cannot override any other state or federal law that demands secrecy.

Law Director replied:

“Matters that would be confidential by law.”

Roll call 7 -0

Motion was approved

Comment from President of Council Mr. Sam Hitchcock

The reason for the Executive Session would be Reason #5

We would recess from our Council Meeting for 10 minutes

After Old Business

Go back into the regular session of Council.

And then go into the Executive Session

After the Executive Session reconvene into the regular session of Council.

SAFETY DIRECTOR.....MR. GREG POPHAM.....NO REPORT

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

LAW DIRECTOR . . . . .MR. MARVIN FETE

Mr. Fete reported the following:

- Had a conference call with Matt Baker from Clemans, Nelson and Associates in regard to upcoming labor negotiations.  
 Mr. Fete met with the Mayor on Labor issue earlier today.
- Legal opinion and correspondence with Police Chief Mike Goodwin, Detective Shawn Nelson  
 We are trading in old vehicles for new vehicles in terms of the Police Department.

- Reviewed an issue with regard to sewage in the basement for one of our local residents.
- Prepared a letter request from the Auditor regarding a legal issue confronting the City in 2014.
- Corresponded with the Mayor with regard to moving tanks from what the Mayor addressed earlier.

The Law Director mentioned the batman red, white, and blue shirt he was wearing which was a gift from his children for Father’s Day. His three and half year old asked him to wear it to work.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

The Mayor announced the next Planning Commission meeting is tentatively, set for Tuesday, July 14th, 2015 at 1:00 PM in Council Chambers.

**BOARD OF ZONING APPEAL**

Mr. Zucal announced, providing there is an agenda, the Board of Zoning Appeals will meet Tuesday, July 14th, 2015 at 5:00 PM in Council Chambers.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL....NO REPORT**

**PARK BOARD.....MR. DARRIN LAUTENSCHLEGER**

Mr. Lautenschleger reported the City Park Board met last Wednesday June 17th, 2015 at noon at the Tuscora Park Office.

- A couple of items that were discussed that might be of general interest to everyone; To date some of the Park Administrative Staff have met with the two companies to look at potential solutions to the failing tennis courts and now those could be remedied. Proposals are expected to be prepared and delivered in time for the July Meeting. So at that point my hope is you will have some updated information.
- Park Board unanimously passed a resolution to work with Marsh Industries for some sound control issues inside the pavilion. They will be installing a product that Marsh Produces. That should help with the acoustics inside the pavilion. (If any of you have been in there for a meeting a family event you know it is very difficult to hear sometimes the person right beside you.) So some of the folks there were able to come over and provided a potential solution.
- At the pool one of the biggest issues is the shortage of life guards. Apparently some of the research the staff has done, the City is not alone, Life Guards are being sought throughout our communities and other facilities that have public swimming pools. They will be able to get through the season okay. It will stress the staff that is there because they will be working some additional hours.
- Most of you hopefully have been by the Park and seen some of the additional signage and been out on Wabash NW and seen the bill board that is promoting the lower prices through the Week Monday through Thursday on the rides which will spur some local additional business. Of course with the weather that is holding that down.
- Question to Council from Mr. Lautenschleger:  
How many have heard of Pickle Ball?  
Pickle ball is a game utilizing a wiffleball and playing tennis on a little different size court. You can utilize the tennis court.  
There is a local group of people that came to the Park Staff and are using one of the tennis courts a couple of hours, a couple of days each week they set aside and come out an measure and play this.  
It is something they expect to grow.  
It is another utilization of probably one of our City’s greatest assets, “Tuscora Park.”
- The next meeting of the Park Board will be Wednesday, July 22nd, 2015 at noon at the Tuscora Park Office

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, July 8th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported

Requested the rules be suspended for resolution 14-2015 which is the project from Beaver Avenue to 445 Fair Avenue NE the dead line for submitting this is June 26th, 2015.

And also for the suspension of rules for Ordinance 11-2015

The Auditor has asked for this too. The Auditor is in need-of-part-time help.

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

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER

Mr. Maurer reported that The Safety Health & Service Committee met this evening at 6:50 PM

In Council Chambers with three things on the agenda.

1. Police Auction which is going to be held August 24th, 2015 at 6:00 PM at the City Garage. Officer Jennifer Horner is going to gather the items and hold it. Rick Keffer is going to be our Auctioneer. The Committee has recommended that we go through with this. The Committee is asking for Councils Blessing at the next Council meeting.
2. Land Reutilization which basically lets the Sheriff Department auction off Tax Delinquent Properties within the City of New Philadelphia. The Service Director is going to provide Mr. Maurer with more information in the near future. We did not take any action on that.
3. Excess Trash our trash ordinance more specifically Special Pickups we are looking to curb the abuse of mainly landlords who are cleaning out apartments and putting them on the curb strip. We are looking to put some more teeth into our ordinance. The Service Director and I are going to get together and kind of narrow this down kind of give us a rough draft as to what he would like to see. There was no action taken on that either.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE ...MR. DARRIN LAUTENSCHLEGER ....NO REPORT

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER

Mr. Lanzer reported that the Special & Contact Committee met this evening at 6:15 PM in Council Chambers to discuss two items.

1. Offsite storage for our computer recovery program the committee had some discussion but no action was taken on that tonight.
2. Proposed Resolution 15-2015

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015 FAA GRANT AND DECLARING AN EMERGENCY.

It was voted 2-1 (Ms. Walker was the no vote on that).

The Committee moved Resolution 15-2015 forward and had it added to the agenda for tonight for 1ST READING.

The President of Council, Mr. Sam Hitchcock, assigned to the Special & Contact Committee the replacement pages for the Codified Ordinance from the Walter Draine Company.

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

**NONE**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

11-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS

ORDINANCE FOR THE YEAR 2015 AND DECLARING AN EMERGENCY.  
(1ST READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Mr. Lanzer  
Roll call, 7 yeas  
Rules for Ordinance 11-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Lanzer  
Roll call, 7 yeas  
Ordinance 11-2015 has passed.

RESOLUTIONS:

14-2015 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. (2ND READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Rules for Resolution 14-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Resolution 14-2015 has passed.

15-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015  
FAA GRANT AND DECLARING AN EMERGENCY.  
(1ST READING)

**UNFINISHED OR OLD BUSINESS:**

NONE

***7:58 PM COUNCIL RECESSED FOR TEN MINUTES  
COUNCIL RECONVENED AT 8:08 PM AND IMMEDIATELY WENT INTO AN  
EXECUTIVE SESSION COUNCIL RECONVENED AT 9:00 PM***

**NEW BUSINESS:**

Comment from Mayor Johnson:

1. Before Council meets again we will have our annual  
38th FIRST TOWN DAYS FESTIVAL.  
Mayor Johnson hopes everybody is prepared to have a safe and wonderful time.
2. The Mayor would like Council to consider a Proclamation in the name of Sam Hitchcock  
Mr. Hitchcock does the entertainment at the Park.  
He takes care of the kids at the park.  
He does this festival and the parade.  
The Mayor thinks it is time Council recognizes him  
The Mayor is asking Council to get behind him on this.

Comment from the President:

Mr. Hitchcock thanked Mayor Johnson.

Comment from Mr. Lautenschleger:

The First Issue Mr. Lautenschleger followed up on the Mayor:

“I would like to see some type of formal proclamation or legislation  
Recognizing the creation of the fund by the New Philadelphia Rotary that invests with our business  
owners in our downtown area. What a fantastic idea and what a great gift!

When you think about what all the Rotary has done:

The Rotary basically rescued the concessions and rides at Tuscora Park a number of years ago.  
They took that on in 1985.

RTY has turned back to the City of New Philadelphia over  
One Million Dollars for use of updates, up keep and investment back into the park.  
“ That is a phenomenal figure.”

The second issue Correspondence that you probably received from the Ohio Municipal League about the current  
State of the State Budget.

Mr. Lautenschleger stated it is deplorable when it comes to local government funds.  
All of us should be empowered to contact State Representative Al Landis and 'Ohio State Senator  
Tim Schaffer and rattle their cage

Those Local Government Funds that keep being taken and the  
The bragging that is being done at the State Level about balancing the State Budget and etc.  
Back in time, our State leaders came to the Municipalities to create the State Income Tax Fund and  
provided for their support local government funds. That promise is being reneged on. And that is  
your Governor at work and you State Legislator at work.  
Mr. Lautenschleger felt it is the most irritating thing he has seen in a long time.  
He suggested you write to your legislator and voice your opinion.

Comment from the President:

“I’ve been a proud Rotarian for 17 or 18 years it is a great organization  
It has been my pleasure to be able to be present when things were done like,  
the downtown the revolving funds and contributions to The Quaker Cinema.  
I’m a proud producer of the Summer Showcase Series  
which is part of the RTY program.  
It is a labor of love.  
It is a great Community and that is why all of us are here

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 9:04 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

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