

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 26, 2017 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING. NEW PHILADELPHIA FIRE DEPARTMENT CHAPLAIN DAVID CARRICK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND  
MR. DARRIN LAUTENSCHLEGER  
MRS. AIMEE MAY  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC

EXCUSED ABSENCE

MR. ROB MAURER  
MR. JOHN ZUCAL

- MR. RICKLIC MOTIONED TO ADD ORDINANCE 9-2017 TO TONIGHT’S AGENDA. MRS. RAMOS SECONDED THE MOTION  
5 YEAS  
ORDINANCE 9-2017 HAS BEEN ADDED TO THE AGENDA
  
- MR. RICKLIC MOTIONED TO ACCEPT THE AGENDA FOR TONIGHT’S MEETING MR. LAUTENSCHLEGER SECONDED THE MOTION  
5 YEAS  
TONIGHT’S AGENDA HAS BEEN ACCEPTED
  
- MR. LAUTENSCHLEGER MOTIONED TO ACCEPT THE MINUTES FROM THE JUNE 12, 2017 REGULAR SESSION OF COUNCIL. MRS. RAMOS SECONDED THE MOTION  
5 YEAS  
MINUTES FROM THE JUNE 12, 2017 REGULAR SESSION OF COUNCIL HAVE BEEN ACCEPTED.

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

1. *To Council Clerk from Treasurer Tom Gerber dated June 19, 2017. This is the City of New Philadelphia May 2017 Investment and Savings Program.*
2. *To Council and Administration from Officer Jennifer Horner dated June 26, 2017. This is an email titled “City Auction” and it states the following: “We’re having an auction this year on Monday, August 28, 2017 at 5:00pm at the old fire station located at 108 2<sup>nd</sup> St. SE. Rick Keffer has agreed to be the auctioneer once again. Please get a list of items to me soon. The better the list the better the crowd in addition to more money.”*
3. *To Council and Administration from Mayor Day, dated June 26, 2017. The Mayor’s Report.*
4. *To Clerk of Council from Treasurer Tom Gerber, dated June 26, 2017. The City of New Philadelphia May 2017 deposits.*

**Administrative Reports.....**

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

Mayor Day had the following report:

- The Transition into the New Fire Station is Underway: I would like to thank everyone who attended the new fire station dedication ceremony this past Saturday. The unofficial count put the crowd at well over 1000 people. I think the biggest smile of the day was worn by Fire Chief Jim Parrish, who we all know poured his heart and soul into the project once he was given the green light by the New Philadelphia community. This week Chief Parrish will oversee the final steps in the transition into the new station. I have asked Service Director McAbier to arrange for a structural engineer to thoroughly inspect the old station before deciding what its new purpose will be.
  
- The Timken Foundation Grants \$25,000 Toward the Tuscora Park Tennis Courts Project : Last Friday Park Board president Don Kemp received the welcomed news that the Timken Foundation had awarded a \$25,000 grant to help fund construction of the new tennis courts at Tuscora Park. This amount assures that all the goals of the project will be met. Last week the board also learned that the electrical service to the tennis courts extends to other areas along Al Maloney Drive. Therefore, the start of the construction project will be delayed until after the First Town Days Festival.

➤ Dedication of The Rotary Club’s Boardwalk and Pavilion: Construction of the New Philadelphia Rotary Club’s boardwalk and pavilion at Tuscora Park has been completed. A public dedication ceremony is set for 5pm this Wednesday June 28th. Please attend if you can because the Rotary Club deserves our thanks. The club members are committed to keeping Tuscora Park the star attraction in our community. Their gift of the boardwalk project commemorates the club’s 100th year anniversary.

➤ Celebrating the 40th First Town Days Festival: I want to applaud the efforts of the members of the First Town Days Festival committee. Because of their hard work and commitment, we will celebrate the opening of the 40th annual festival this Friday. Congratulations to newly crown festival queen Ashley Dickey. I look forward to joining her and members of her court in welcoming the community along the midway and at the family events scheduled during the five day celebration

Mayor Day made the following statement:

Now to conclude, Mr. President, it is my honor to introduce Rylie Meese, a soon-to-be 9<sup>th</sup> grader at New Philadelphia High School. Rylie was the winner of the Canton Repository Regional Spelling Bee this past March while an 8<sup>th</sup> grader at Welty Middle School. She went on to compete in the National Spelling Bee in Washington D.C. She was the first New Philadelphia student to reach the National competition. Rylie, we want to congratulate you for achieving such a high honor and being an economic ambassador for New Philadelphia City Schools and also the City of New Philadelphia. Some other facts, there were 11 million contestants and you made it down to the final 291, made it into the second round. What was the word that caught you? We just wanted to bring you to City Council to give you special recognition. A proclamation will be on its way and we just wanted to say congratulations and we’re very proud of your achievement and look for even better things in the future.

SERVICE DIRECTOR .....MR. RON MCABIER

Mr. McAbier had the following report:

A few things I’d like to go over tonight. The 2017 Sidewalk Replacement Program has received 21 applicants. We approved 17 of those with a total of about 29,292.30. So, very happy with the amount we’re going to do and reach out to 17 people. Also, last Council meeting we talked about the new cemetery land proposal so Cemetery Superintendent Herron and I were able to go door to door to the houses and just tell them what we’re going to do. Everybody was very supportive. Some were ecstatic about it. There are two more houses we’ve got to reach out to that weren’t there and Kelly Herron will continue to try to reach out to those. Once we do I’ll report back with the couple there, but everybody so far has been very supportive. Also, last Friday, we opened bids for the runway repair project at the airport and once Kevin Sigg takes that back to Michael Baker they make sure that everything is up to what the specs were, they’ll get that back to us by the end of the week and we’ll have more control and award the contract.

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

SAFETY DIRECTOR .....MR. GREG POPHAM

Mr. Popham had the following report:

Officially today if you go to the old fire station no one’s home. They basically completed the move this afternoon and everything is over there and they’ve basically run five calls as of me coming here out of the new station today. Secondly, on the 21<sup>st</sup> we gave a civil service entrance exam for the police department and we had 19 applicants take the test.

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

LAW DIRECTOR . . . . . MR. MARVIN FETE

Mr. Fete had the following report:

I want to ask for an Executive Session just to brief Council on our litigation regarding Goshen Township and it’s status. In addition to that I’m happy to report that we are very close to closing on the Coniglio Property, which has been a long term goal in the Administration to develop along the banks of the Tuscarawas River for tourists purposes. I anticipate hopefully that we’re going to close on that this week. In addition to that I just received this afternoon at about 1:50 the purchase agreement for the additional cemetery land, and I have approved that, and that will be on the Agenda for Council at the next meeting. Lastly, I just want to piggyback on something the Mayor said about First Town Days coming up. The Junior Parade Marshall this year, the winner, happens to be somebody who shares my name. Marvin E. Fete, my son, known in our family as Buddy, won the Junior Parade Marshall contest this year by raising the most money for the Big Kids Helping Little Kids Scholarship Program so he’ll get to ride on a parade float and I guess it helped that he had two grandparents, two aunts, two uncles, two grandmas, two grandpas, and a great grandpa when it came to raising the money, and the fact that there’s only one other nephew or grandson in the entire family and the other one is not

competing in that contest, so that helped tremendously. He raised \$549.00 for the scholarship program that goes out to high school seniors each year, which is a really good program.

MR. LAUTENSCHLEGER MOTIONED FOR AN EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AT THE LAW DIRECTOR'S REQUEST AND ALSO THE POTENTIAL SALE OR LEASE OF PROPERTY.  
MR. RICKLIC SECONDED THE MOTION  
5 YEAS  
COUNCIL WILL GO INTO AN EXECUTIVE SESSION FOLLOWING A FIVE MINUTE RECESS AFTER THE READING OF LEGISLATION.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY  
The Planning Commission will meet on Tuesday, July 11, 2017 at 1:00pm in Council Chambers. The agenda is still being formed.

BOARD OF ZONING APPEALS.....MR. RON MCABIER  
The Board of Zoning Appeals met on June 13, 2017 at 5:00pm in Council Chambers. There were three variance requests. The first one at 807 Union Avenue. That was approved 5-0. Number two was Tuscarawas County Board of DD at 610 Commercial Avenue Southwest. That was on the over allowed signage and took roll call and that was defeated 5-0. Also, number three was Martinelli Pools and Spas at 237 Commercial Avenue SE over allowable signage again. The sign was then above the sidewalk and public right-of-way. The variance was requested and denied.

AIRPORT COMMISSION.....MR. JOHN ZUCAL.....EXCUSED ABSENSE

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER.....EXCUSED ABSENSE  
The regular session the Park Board scheduled last week on June 21, 2017 was cancelled due to lack of a quorum but a meeting will be scheduled in July.

HEALTH BOARD..... MR. KELLY RICKLIC  
The Health Board met on June 14, 2017 at noon in the Health Department. Lee Finley from the Health Department did a presentation on mosquitos. They've been setting traps throughout the area that was given to them by the State for West Nile, they take them back and grind them up and check for what type of diseases they have. He also said that the traps would begin on June 14, 2017. Spraying has been done so far with their new spray machine you don't even hear it. The old one used to go down the street you could hear it coming a mile away. Right now the new one you can't even hear. Lee says that he's been treating still water like catch basins throughout the City and in some places where the still water is with tablets so that helps prevent the mosquitos. Also some extra money was given to the Health Department for social media advertising. \$4300.00 was given to them. Tonight on the agenda will be the two Board Members, this will be the 3<sup>rd</sup> Reading. I notified them but I don't see them in the audience to recognize them.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

Councilmembers may recall that a few weeks ago President Hitchcock presented an item for the Committee to review regarding police cruisers. That item now is going to be handled as part of a 2018 budget, so there won't be any meetings related to that. Speaking of the Police Department, I think after appropriate period of exhale regarding the immediate needs we have at the Fire Department the time is right now and the process should begin and I would encourage the folks that need to be beginning the process to start looking at the Police Department's space and determine if it's adequate, if there's any needs for the future, what those may be and we can start to look at those for long-term solutions if there's anything that needs to be done. In addition, the Committee will be scheduling another meeting to discuss the non-bargaining pay scale here in the next couple weeks, and one other item last but not least, on your Agenda this evening is Resolution 29-2017 and the Committee has recommended approval of that Resolution this evening.

SALARY COMMITTEE .....MR. JOHN ZUCAL.....EXCUSED ABSENSE

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND.....NO REPORT

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

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

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

Mr. Ricklic had the following report:

The Special and Contact Committee met tonight in Council Chambers at 6:45. The topics on the Agenda tonight were the advertising of the City Garbage Trucks added on to them in partnership with the QDA Foundation Scholarships. After a lengthy discussion the Committee members, Mr. Fete, the Law Director, and Mr. Farbizo will get together and agree on a language on legislation and bring it back to the Committee for us to review and to bring forward to the full body of Council. The second topic was the replacement pages of Codified Ordinances. A motion was made to add it to the Agenda tonight, it was voted 3-0. The final item on our meeting tonight was the liquor permit for Chipotle, a D-1, D-3 permit. A motion was made to take a roll call at the end of my report. It was passed 3-0.

COUNCIL HAD A ROLL CALL VOTE FOR A LIQUOR PERMIT FOR CHIPOTLE  
5 YEAS  
THE D-1, D-3 LIQUOR PERMIT HAS BEEN APPROVED

PARKS & CEMETERY COMMITTEE .....MRS. AIMEE MAY.....NO REPORT

**VISITOR’S COMMENTS:**

Julie Levengood Stephen 440 3<sup>rd</sup> St. NW, Director of the New Philadelphia Business and Community Association made the following comment:

I just wanted to take a minute to thank the City for their continued support of our Second Saturday series. We had our last one on June 10, 2017. We had over 20 artists ask to participate and we heard a lot of positive comments about our downtown. Speaking to the merchants who were housing these artists they also saw an increase in traffic in their store, which is great for them, there’s a lot of new visitors and customers. Our next Second Saturday is coming up on July 8, 2017. It’s going to be a History Walk which is a very popular event last year so we’ll continue that for this year. We’ll have a cool evening of entertainment and also a lot of historical societies really here to display the area to encourage people to come down and learn about the history of not just New Philadelphia but Tuscarawas County as well. The 62<sup>nd</sup> Annual Sidewalk Sale which NPBCA is very proud of will be happening on July 27<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup>. Traditionally it will rain that week so we’re preparing for that. So, it’s another event to encourage people to visit the Square Downtown and to shop the merchants and support the small businesses and support the local businesses. If you notice our flower baskets are up and they look just beautiful complementing the Rotary flags. We’d like to publicly thank Buckeye Career Center for watering the flower baskets three mornings a week, very early.

Paula Fawcett 471 Fair Ave. NE had the following comment:

I have a comment about the sidewalk program. I had sidewalks installed through the sidewalk program 10 years ago. They are doing work on Fair Avenue NE and ripped up sidewalks that are only 10 years old. To say that I was upset would put it mildly. The thing that upset me was when I got home the pad, because I live across the street from East Elementary they put a pad in two years after they installed my sidewalk for the crosswalk they left that, and they left the two houses on the corner and the one was done way before mine was done. So I feel as though I put money in and the City put money in and it was thrown away in a dump truck. Now they’re going to put more money in that is also my taxpayer dollars and I feel as though somewhere along the line someone dropped the ball. You can’t do anything about what’s already been done. The new sidewalks are in, mine are gone. I don’t want this to happen to somebody else, to spend that kind of money when you’re in that situation. In the situation I was in I had been a widow for four years. We bought the house 14 months before my husband passed away. These are low and moderate income people, I was very low at that time, and my choice was to either fix my driveway, which is asphalt, or put in new sidewalk being that kids went across the street. That’s what I chose to do. So I just feel as though the money that I spent and the City spent ended up in a dump truck after 10 years and was foolishly done. I don’t know where the mistake was made, I know it cannot be corrected I understand that. I just don’t want it to happen again. The sidewalk program is a wonderful thing. Without it I would not have been able to do it, but please, please, please,

when you're doing it again, grant money, your money, whoever's money your spending, please make sure that you go down the street and make sure that what you're ripping up really should be ripped up, because mine should not have been. When I went out and asked the young man that was ripping it up I said "you're not ripping it up are you?" and he says "yes I am" and I said "seriously?" He says "this doesn't look that old", I said "it's not but you have to do what you have to do and I've got to do what I've got to do." I called the City, I had phone calls returned that very day. I spoke with Mr. McAbier. Please, please, please when you're doing these projects I hope someone comes out and checks it a little closer because I was infuriated to say the least and disheartened when I thought about how much money was thrown away.

**COUNCIL COMMENTS:**

Mr. Holland had the following comment:

AARP has a showcase on aarp.com concerning New Philadelphia and what's happening in New Philadelphia. It's a very professionally done effort that reflects all of the programs that are going on in the City of New Philadelphia, all of the opportunities for entertainment that we have, and I would certainly recommend that everyone look in to that.

Mr. Lautenschleger had the following comment:

I would like to thank Mrs. Fawcett for her comments and just a follow-up question, probably for Mr. McAbair, the sidewalk that she's referencing by her property, has that now been replaced? Is there sidewalk there now at all?

Mr. McAbair had the following reply:

Yes, and just to follow-up with Mrs. Fawcett, the last sidewalk was replaced 12 years ago. It cost them \$900.00 in total and the City paid the \$450.00. Matt Miller, Chip, and I walk every project, we left the two on the end that had some raise a little bit and some cracks we felt we were going to be back there.

Mr. Lautenschleger had the following comment:

To clarify, we removed sidewalk as part of the CDBG project, and we replaced sidewalk in that same spot.

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

9-2017 AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES.  
1<sup>st</sup> Reading

**RESOLUTIONS:**

27-2017 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT BY THE MAYOR OF LISA SPEICHER TO COMPLETE THE FIVE YEAR UNEXPIRED TERM OF FRAN FANTIN, TO THE NEW PHILADELPHIA BOARD OF HEALTH.  
3<sup>rd</sup> Reading

MR. RICKLIC MOTIONED FOR PASSAGE OF RESOLUTION 27-2017  
MRS. RAMOS SECONDED THE MOTION  
5 YEAS  
RESOLUTION 27-2017 HAS BEEN APPROVED

28-2017 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT BY THE MAYOR OF JUDITH DZIGIEL TO COMPLETE THE FIVE YEAR TERM OF THE LATE DR. MAUREEN MAY, MD TO THE NEW PHILADELPHIA BOARD OF HEALTH.  
3<sup>rd</sup> Reading

MRS. RAMOS MOTIONED FOR PASSAGE OF RESOLUTION 28-2017  
MR. RICKLIC SECONDED THE MOTION  
5 YEAS  
RESOLUTION 28-2017 HAS BEEN APPROVED

29-2017

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 FILE AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER TITLE 1 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (9PL 93-383) TO THE OFFICE OF COMMUNITY DEVELOPMENT, DIVISION OF THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF LOCAL GOVERNMENT SERVICES.

3<sup>rd</sup> Reading

MR. LAUTENSCHLEGER MOTIONED FOR APPROVAL OF RESOLUTION 29-2017  
MRS. MAY SECONDED THE MOTION  
5 YEAS  
RESOLUTION 29-2017 HAS BEEN APPROVED

**COUNCIL OBSERVED A 5 MINUTE RECESS AT 8:04 BEFORE THEY ADJOURNED INTO EXECUTIVE SESSION AT 8:09. AT 8:16 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL.**

**UNFINISHED OR OLD BUSINESS:**

Law Director Fete had the following comment:

If you haven't gotten out to see the new turf at the stadium it's pretty remarkable. It just really catches your eye. It's really nice and they did a super job with that. One thing that I would like to see personally down the road, is while that was being worked on I worked out in Dover, and their stadium while it's nowhere near as nice as ours did have one advantage that ours doesn't. Right when you walk in they have a public restroom that's opened every time that that thing is opened. You can go in, it's a very small restroom. There's a stall and and there's a commode. I would love to see us have something like that.

**NEW BUSINESS:**

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

There's about three good reasons to come out to Tuscora Park. One is of course the new turf, Wednesday we'd like to have everyone come out at 5:00pm and see the dedication of the new boardwalk in celebration with the New Philadelphia Rotary Centennial Celebration, and also the First Town Days Festival begins this coming weekend. We will have the Grand Parade Friday at 6:30pm. The Mayor will be officially opening the festival and welcoming everyone at 8:00 o'clock during the opening ceremonies, then we have the plate auction at 8:30, which is dedicated to the Dominic Greco band. It's a beautiful souvenir plate. If you're watching the parade the director, conductor Fred Delphia is going to be riding on a float with the Dixieland band. So a lot of things are going to be coming along this weekend. Keep your fingers crossed for good weather.

Mr. Lautenschleger motioned to adjourn at 8:19pm

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

APPROVED \_\_\_\_\_

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