

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 27TH, 2012 WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING. MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

MS. SANDY COX
MS. COLLEEN ESPENSCHIED
MR. DAN LANZER
MR. DARRIN LAUTENSCHLEGER
MR. ROB MAURER
MS. WINNIE WALKER
MR. JOHN ZUCAL

PRESIDENT OF COUNCIL, SAM HITCHCOCK REMINDED ALL VISITORS TO SIGN-IN. THE SIGN-IN SHEET IS LOCATED ON THE PODIUM BY THE DOOR AS YOU ENTER THE COUNCIL CHAMBERS.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA.

MR. ZUCAL SECONDED THE MOTION.

ROLL CALL, 7 YEAS, MOTION PASSED.

MS. ESPENSCHIED MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON AUGUST 13TH, 2012.

MR. LANZER SECONDED THE MOTION.

ROLL CALL, 7 YEAS, MOTION PASSED.

PRESIDENT OF COUNCIL, SAM HITCHCOCK ANNOUNCED AUDITOR, BETH GUNDY AND THE TREASURER, DAVE JOHNSON ARE EXCUSED FROM TONIGHT'S COUNCIL MEETING.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Mayor's Report/ Request to Council dated August 27th, 2012
2. Special and Contacts Committee Meeting Minutes from July 23rd, 2012
3. News Release dated August 14th, 2012 from Mayor Taylor; the City has been awarded a 2012 Community Housing Improvement Program by the Ohio Department of Development. The Grant is for \$500,000.
4. Memo from Jim Parrish, Fire Chief, dated August 22nd, 2012; the Annual Safety Forces Open House will be held Thursday, October 11th, 2012 from 5:00 PM to 8:00 PM.
5. Finance Committee Meeting Minutes from Monday, August 13th, 2012

ADMINISTRATIVE REPORTS:

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

Mayor Taylor addressed the following:

- Mayor Taylor requested a short Executive Session after the Legislation to update Council on Collective Bargaining with AFSCME and to also discuss potential Land Acquisition.
- Mayor Taylor reported the Tuscarawas County Chamber of Commerce co- sponsored with the City an informational session on our Airport held August 14th, 2012. Mayor Taylor thanked Scott Robinson and the Chamber for being willing to work with us to invite their membership base to this event. Mayor Taylor reported there were approximate 40 people in attendance. The City Airport Consultant gave a presentation on issues at the Airport and answered follow –up questions.
- Mayor Taylor reported he recently met with officials from ODOT to discuss the proposed West High Widening Project scheduled for 2014. The meeting was an opportunity to get everyone up to date on issues on what needs done to move this project forward. There was discussion about the paving for 2013 on State Routes in the City. ODOT is compiling additional information on estimated costs that are 100% of the City's. When an accurate estimate is received; we will be able to determine how much paving that we will be able to do from our budget. Mayor Taylor announced that one major issue affecting this program is what amount of curb radius work will be required which is all paid for from City Funds.
- Mayor Taylor reported that last week there was a meeting regarding the traffic study on the University Drive/East High Avenue area. The Mayor announced that "TMS Engineering will prepare some preliminary estimates of costs to do some Engineering Plans as a first step and depending upon those numbers, we will determine what and when that

might occur.” The Mayor’s goal is to slowly get in front of projected growth in that area and to be ready as it comes rather than react to it after the fact.

Question: Council Member John Zucal was curious as to whether or not we had heard anything in regard to the NRG (Neighborhood Revitalization Grant.)

Mayor Taylor replied the NRG was declined but the CDBG (Community Development Block Grant) Program on Maple Avenue will move forward.

Ms. Cox made a motion to have a short Executive Session after the Legislation to discuss Collective Bargaining with AFSCME and to also discuss potential Land Acquisition as the Mayor’s requested.

Ms. Walker seconded the motion

Roll call, 7 yeas, motion passed.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported on the following:

- The Service Director reported the NRG Program for the West School for next year was not funded. The Director of the program told Mr. Zucal it was decided based on a scoring system. They will post in November on how we finished out in that application. There were 16 applying state wide for that program.
- There was one application for the Airport Consulting Services and that is from the Baker Company who is our current Airport Consultant. It is a five year contract.
- The Service Director has been involved with union negotiations the last several weeks with AFSCME Service Union
- In regard to the Moving Ohio Forward Demolition Program; the Service Director reported that he was contacted by the Ohio Regional Development Corp in Coshocton with our application and was told that program is not for commercial or business structures but for residential only. The key is structures, on our Housing Review Team they use the word identify we have identified those structures but none of the commercial (two commercial) business type structures are not allowable under the program through the Attorney General’s Office.

Question from Council Member Winnie Walker “will you replace these with somebody else?”

Mr. Zucal replied “I don’t think so at this point; the 6 structures that are left may not all get funded. We do have to front the money and then get reimbursed.”

**AUDITORMS. BETH GUNDY NO REPORT
EXCUSED ABSENCE**

SAFETY DIRECTOR.....MR. GREG POPHAM

The Safety Director reported on the following:

- Civil Service Entrance Exam for the New Philadelphia Police Department was administered Wednesday to 26 applicants. Mr. Popham announced that is just the beginning of the process; there are seven more testing phases to go through.
- The Safety Director reported the Fire Department is almost completed with all the school inspections there are only (2) that are remaining and they were going to do them tomorrow.
- Mr. Popham reported that Thursday of last week, Officer David Cimperman submitted a retirement resignation letter effective noon August 23rd, 2012. After 17 years of service, Dave is no longer with us.
- A Veterinary from the Town and Country Veterinary Clinic has informed us that K-9 Striker has a medical condition and that he should not be a work dog anymore. Striker has gone back to the people that originally gave him to us. He was actually given to us; traded -in for Ruger who was before him. Sergeant Rossi, K-9 handler, is in the process and has a pretty good handle on the possibility of a donation for another work dog. The Safety Director announced there should not be any cost to the City but if there is it should be minimal. (There is a K-9 Fund established for that purpose.)

**TREASURERMR. DAVE JOHNSON NO REPORT
EXCUSED ABSENCE**

LAW DIRECTORMR. MARVIN FETE

The Law Director reported he has been in contact with Honorable Judge DeGarmo VonAllman, from the Municipal Court. The Court is in the process of entering into a contract with Capital Recovery for the purposes of a collection agency. The Judge has worked extensively in drafting the contract. The Law Director informed Council that he has already read through it and gave his preliminary approval to it.

The Law Director reported the Court is authorized to do this under Ohio Revised Code 2335.24 which also requires City Council approval. The Law Director is requesting that the President assign that to a Committee and the Law Director will draft appropriate legislation and include a copy of the contract. Honorable Judge DeGarmo VonAllman requested that she be notified when the Committee meets so she will be able to attend the meeting to answer any questions. The Law Director informed Council that this is the same company the Common Pleas Court is associated with. The Law Director informed Council that it doesn't cost the tax payers anything. All of their money is derived from a percentage of that what they collect.

President Sam Hitchcock assigned the Law Director's request the Municipal Court contract with Capital Recovery Collection Agency under Ohio Rev. Code 2335.24" to the Finance Committee.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

Mayor Taylor announced the Planning Commission did not meet in the month of August and the next meeting will be Tuesday, September 11th, 2012 at 1:00 PM in Council Chambers pending an agenda.

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

Mr. Zucal announced providing an agenda the Board of Zoning Appeals will meet Tuesday, September 11th, 2012 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... MR. JOHN ZUCAL

Mr. Zucal announced the Airport Commission will meet Tuesday, September 11th, 2012 at 6:00 PM in the Airport Meeting Room.

PARK BOARD..... MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that the Park Board met Wednesday, August 15th, 2012 at 6:00 PM at the Tuscora Park Office. The Park Board did vote to release \$15,000.00 from RTY Improvement Fund for curb work as part of the paving project That will be coming up in a few weeks on Al Maloney Drive. That will allow for better drainage in that vicinity. The City has been approached to consider installation of a Verizon Cell Tower in the vicinity of the Water Works Fields. Some of the Park Board folks and the Park & Recreation Director will continue the discussion with them in the future. Next meeting is scheduled for September 26th, 2012 at 7:00 PM in the Tuscora Park Office

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the Health Board will meet Wednesday, September 19th, 2012 at 12:00 Noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDY COX

Ms. Cox announced that the Finance Committee is requesting passage of the following tonight: Ordinance 8-2012 Police Cruisers, Ordinance 11-2012 amending and adjusting permanent appropriations, and Resolution 20-2012 - A resolution supporting the Ohio Attorneys General's Office Program, Moving Ohio Forward Grant Program. "We are holding Resolution 19-2012."

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal announced that the Salary Committee will meet September 10th, 2012 at 6:30 PM in Council Chambers. The Council Clerk will be sending out a notice in the very near future in regard to the upcoming meeting.

SAFETY HEALTH & SERVICE COMMITTEEMR. ROB MAURERNO REPORT

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEEMR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that the Public Works & Economic Development Committee had a scheduled meeting tonight at 7:00 PM in Council Chambers to receive an update from the administration on Oil/Gas leasing of City owned parcels. The City has talked with Attorney Brad Hillyer about providing some guidance. Attorney Hillyer was scheduled to join us to give us an overview of the process unfortunately he did not make the meeting so we will look to rescheduling at a later time and receive that update at that time.

ZONING & ANNEXATION COMMITTEEMS. COLLEENNO REPORT

CONTACT & SPECIAL COMMITTEE MR. DAN LANZER

Mr. Lanzer reported that the Special and Contacts met tonight at 6:30PM to discuss the endorsement of a Transfer Exempt Permit Application to an Economic Development Project (TRES) on Wabash Lanes. Mr. Lanzer announced that there is going to be a transfer of a license from Columbus to here to open up the new bowling alley, Wabash Lanes LLC DBA Wabash Lanes there's no objection from the Police Chief Urban or anybody on the Committee.

Mr. Lanzer made a motion for a vote from Council to have the clerk sign and date this to be moved forward to Columbus.
Seconded by Ms. Cox

Roll call, 7 yeas motion passed.

Mr. Lanzer thanked Aaron Shanklin for taking time out of his busy schedule to come in and inform Council the progress of the Wabash Lanes and to thank him for bring the Bowling Alley back to life.

President of Council, Sam Hitchcock added "we wish you much success with your venture."

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

VISITOR'S COMMENTS:

Carl Russo, President of the American Council of the Blind of Tuscarawas Valley
630 Jordan Drive NW
New Philadelphia

Mr. Carl Russo asked the President of Council if he could distribute flyers to all in regard to the White Cane Walk to be held on Sunday, September 9th, 2012 from 1 to 3 PM

At the Tuscarawas County Senior Center, 425 Prospect Street, Dover, Ohio

Mr. Carl Russo informed Council that the purpose of the walk is one is educational.

The event will teach people what it is to have a visual impairment and to try to have mobility with it.

The event is a fund raiser.

All are invited to participate. Mr. Carl Russo announced that " there is no cost; we do ask if you would like you can have someone sponsor you." You'll only be walking roughly two blocks.

You will be wearing a blindfold and using a white cane. Carl Russo thanked the Akron Blind Center who provided the blindfolds and the white canes. Judy Harpley, Mobility Specialist will be instructing on the use of the White Cane. This is set up as a two person team so you have someone with you. This event will be held rain or shine. If the weather is bad the Senior Center underground track will be used. The prescribed route will be Prospect over to Wills over to Reeves and back to the Senior Center.

Mr. Russo thanked Council for their time.

President of Council, Sam Hitchcock thanked Mr. Russo for coming in and for addressing Council and distributing the flyers/ Official Entry Form in regard to the White Cane Walk. President of Council, Sam Hitchcock wished Mr. Russo much success with the event.

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCES:

8-2012 An ordinance by the Council of the City of New Philadelphia, Ohio, to purchase three(3) additional new 2012 Dodge Police Chargers 5.7L V-8 Hemi through the State Cooperative Purchasing Program for a price not to exceed \$90,000.00, and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Ms. Cox seconded by Ms. Espenschied
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox seconded by Mr. Zucal
Roll call, 7 yeas ordinance passed

11-2012 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2012 and declaring an emergency. (2nd Reading)

Motion to suspend the rules made by Ms. Cox seconded by Ms. Walker
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox seconded by Mr. Lanzer
Roll call, 7 yeas ordinance passed

12-2012 An ordinance to approve, adopt and enact the current replacement pages to the codified ordinances, and declaring an emergency. (2nd Reading)

RESOLUTIONS:

18-2012 A resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Service Director to advertise for bids, receive bids, and award a contract for the sale of two (2) used heavy trucks in the Sanitation/Recycle Department to be advertised on govdeals.com., and declaring an emergency. (3rd Reading)

Motion to vote on passage made by Mr. Lautenschleger, seconded by Mr. .Maurer
Roll call, 7 yeas resolution passed

19-2012 A resolution by the Council of the City of New Philadelphia, Ohio, to create a new fund to be known as Payment Plan Program Fund #253 , and declaring an emergency. (1st Reading)
(NP Municipal Court)

20-2012 A resolution supporting the Ohio Attorney General’s Office Program, Moving Ohio Forward Grant Program. (1st Reading)

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

Motion to vote on passage made by Ms. Cox seconded by Ms. Walker
Roll call, 7 yeas resolution passed

COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION AT 8:00 PM
AS REQUESTED BY MAYOR, MICHAEL TAYLOR TO DISCUSS COLLECTIVE BARGAINING
WITH AFSCME AND TO DISCUSS POTENTIAL LAND ACQUISITION.
COUNCIL RECONVENED INTO REGULAR SESSION AT 8:10 PM

UNFINISHED OR OLD BUSINESS:NONE

NEW BUSINESS:NONE

MOTION TO ADJOURN MADE BY MS. COX AT 8:11 PM

CLERK OF COUNCIL_____

APPROVED _____

PRESIDENT OF COUNCIL_____