

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 8TH, 2014 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. LAUTENSCHLEGER  
MR. ROB MAURER  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

AGENDA:

MR. MAURER REQUESTED THE SAFETY HEALTH AND SERVICE COMMITTEE REPORT ON PAGE 4 OF AUGUST 25TH, 2014 OF THE COUNCIL MEETING MINUTES BE REVIEWED AND REVISED. COUNCILPERSON ROB MAURER REQUESTED THE FOLLOWING SENTENCE BE REMOVED FROM THE AUGUST 25TH, 2014 COUNCIL MEETING MINUTES (FIRE CHIEF PARISH STATED THE YORK TOWNSHIP DOES NOT HAVE A FIRE DEPARTMENT AND CAN'T AFFORD ONE.) REVISED AND CORRECTED TO SAY FIRE CHIEF PARRISH STATED THE YORK TOWNSHIP HAS A FIRE DEPARTMENT BUT WILL ADD AN EXTRA LAYER OF PROTECTION.

PRESIDENT HITCHCOCK:

ASKED MR. MAURER IF HIS COMMITTEE MEETING MINUTES HAD BEEN CORRECTED/ REVISED TO REFLECT THE CHANGE AND GIVEN TO THE CLERK.

MR. MAURER REPLIED THAT THEY HAD AND THE CLERK CONFIRMED.

ADDITIONS TO THE AGENDA

COUNCIL PERSON JOHN ZUCAL MADE A MOTION TO ADD ORDINANCE 19-2014 TO TONIGHT'S AGENDA (AN ORDINANCE ACCEPTING THE OAK SHADOWS PHASE V PLAT.) MS. COX SECONDED THE MOTION.

ROLL CALL 7-0

ORDINANCE 19-2014 WAS ADDED TO TONIGHT'S AGENDA.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S CORRECTED AGENDA WITH THE ADDITION MR. LANZER SECONDED THE MOTION.

ROLL CALL 7 YEAS

MOTION PASSED

PRESIDENT ASKED FOR CORRECTIONS OR ADDITIONS TO THE MINUTES FROM AUGUST 25TH, 2014. (MR. HITCHCOCK ANNOUNCED THAT IS WHERE MR. MAURER'S CORRECTIONS WOULD BE IN THE MINUTES.)

MS. COX MADE A MOTION TO ACCEPT THE CHANGES THAT WE HAVE

MR. MAURER SECONDED THE MOTION

ROLL CALL, 7 YEAS

AUGUST 25th, 2014 MINUTES WERE APPROVED AS AMENDED.

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

1. Amended September 8th, 2014 Safety Health and Service August 25th, 2014 Committee Meeting Minutes
2. Original Safety Health and Service August 25th, 2014 Committee Meeting Minutes
3. A letter to the President of New Philadelphia Council from Ben and Suzanne Wherley. Dated September 3rd, 2014.

“We have lived on Pleasant Valley Road for 43 years and our family has ridden bikes on the old rail road bed to get to town.

We are very much in favor of the new proposed Hiking and Bike Trail.

Please be aware that the Trail crosses Hillandale Road NE and Pleasant Valley Road NE and there is limited view of approaching cars due to a curve in the road and corn fields.

There is no posted speed limit on either road and cars commonly speed by at 60 miles per hour besides marking the crossings with signs, it would be a good idea to get a lower speed limit on those two roads for safety.

Thank you for your consideration.”

4. Mayors Report to Council dated September 8th , 2014
5. Special and Contact Committee Meeting Minutes from August 25th , 2014
6. Finance Committee Meeting Minutes from Monday, August 25th, 2014
7. Press Release Trick or Treat  
City of New Philadelphia announces trick or treat night will be held Tuesday, October 28th, 2014 from 6:00 PM-8:00 PM.
8. Press Release from the Fire Department Fire Chief Jim Parrish  
Received a generous approval of a grant from the Reeves Foundation  
Have received a new rescue boat and a storage building to house the boat.

The total cost of the project funded by the Reeves Foundation was \$32,000.

9. Mayor’s Monthly Statement to Council for August 2014
10. Notice from the Ohio Municipal League of the 63rd Annual Conference October 8th, 9th, & 10th
11. The NPBCA (New Philadelphia Business and Community Association) update to Council on the Activities and events that have taken place this summer and the upcoming events for this fall and winter
12. Notice from the Ohio Department of Transportation Traffic Advisory - West High Avenue Road Closure To begin next week Monday, September 15th through November 15th, 2014
13. City of New Philadelphia Statement of Cash Position with Month to Date August 29th, 2014
14. City of New Philadelphia Budget Reports with encumbrance details as of August 29th, 2014
15. Auditor’s Financial Statement for the Month of August 2014
16. Auditor’s Monthly Statement of 2014 Revenue for the General Fund for the Month of August 2014
17. City of New Philadelphia Income Tax Department August 2014 Report Month End Tax Revenue by Year dated September 4th, 2014 from Joel Day Income Tax Administrator.

#### ADMINISTRATIVE REPORTS:

#### MAYOR’S REPORT/REQUESTS....MAYOR DAVID JOHNSON

The Mayor addressed the following:

1. The Mayor reported he represented the City of New Philadelphia at the Union Hospital Ground Breaking Ceremony for their new Emergency Unit.
2. Mayor Johnson attended the Annual Police Auction.
3. The Mayor reported that he attended several Committee Meetings and Council Meeting.
4. The Mayor reported he held the first of two yearly required Records Commissions Meetings.
5. Mayor Johnson conducted a grievance hearing.
6. Attended the Monthly NPBCA Meeting and Board Meeting.
7. Mayor Johnson met with Bruce Tague of Congressman Bob Gibb’s Office to discuss any major concerns of our City.
8. Mayor Johnson has met off and on all last week with various employees and union officials.
9. Mayor Johnson reported that Mr. Aaron Hixenbaugh has resigned his position with the City of New Philadelphia.
10. Mayor Johnson reported :  
Mayor Johnson and Terry Culbertson, Mayor of Uhrichsville are pleased to announce that their partnership application for the Community Housing Impact and Preservation Program, or CHIP, has been approved by the Ohio Department of Service Agency, Office of Community Development.  
The Chip Program will assist qualifying homeowners in each of the Cities to make health, safety, and energy conservation improvements to their homes. The partnership Application was funded in the amount of \$575,000 of which \$400,000 is targeted to New Philadelphia and \$175,000 is targeted for Uhrichsville. The funds will be available for distribution to local homeowners in the next 60 days.

Municipal Service Corporation of New Philadelphia prepared the application for the partnership and will administer the CHIP Program on its behalf. Interested homeowners are to contact Tony Danzo at 330-343-4052 to obtain eligibility requirements and an information and application package.

11. This is from John.Saunders@development.ohio.gov. Prepared by the Office of Community.  
This is to Tony Danzo

“I thought I would let you know that your application once again scored the highest of all submitted for the 2014 funding round. Way to go Mr. Danzo.”

The Mayor said he thinks that is a terrific testimony as to what Mr. Danzo has done for the City.

Comment from Councilperson Ms. Cox:

“That went through the Finance Committee and I would like to thank Tony Danzo very much for bringing that to our attention. If we would not have went with Uhrichsville I don’t think we would have got the grant because he said there was a possibility that we would not have gotten the grant.”

Thank Mr. Danzo from Council.

Comment from the Mayor:

We definitely wouldn’t have gotten as much.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported on the following:

Service Director reported:

- The Street Department continues to patch potholes.
- The Water Department has been actively involved in some waterline breaks and repair issues.
- Sewer Department whether it is Wastewater the Sanitary/Sewer or Storm/Sewer they are actively involved in doing everything they should to continue to provide the quality service that needs to be there.
- The Mayor and the Service Director have spent time walking downtown looking around the area at the square.  
Our crews were out weed eating, pulling and spraying weeds, and cleaned up the downtown  
We walked and talked with new people and continue to offer a helping hand.  
We have met some new business on the square.  
It is very receptive to the business owners.
- Reported the West High Widening Project (the Clerk received the notice from ODOT) is on schedule  
They did bring another crew in that is starting today.  
The ODOT Official Road Closure Notification that they put out has went out to the media  
(September 15th, 2014 through November 15th 2014 the 60 day closure.)  
They hope to wrap that project up it should be about 90 % complete.  
The Mayor and the Service Director continue to work with the contractor and ODOT to expedite this project as much as they can.
- Our Cemetery and Parks continue to mow grass and continue to get rid of weeds.
- The Service Director reported that he spoke with Mr. Lee Finely from the City Health Department today.  
Mr. Lee Finely actively pursued the mosquitoes for another round.  
They are spraying again and we hopefully will get that addressed, too.

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

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported that he receive a report from Officer Jen Horner, who oversaw the Auction for the City of New Philadelphia August 25th 2014.

The grand total for the Auction was \$6,029.

Mr. Popham announced that he will get everyone a copy of the breakdown of that report from Officer Horner.

President Sam Hitchcock’s request for confirmation:

Mr. Popham confirmed receipt of the letter Mr. Hitchcock gave to him regarding the complaint from Ben and Suzanne Wherley

2025 Pleasant Valley Road NE.

New Philadelphia, Ohio 44663

Comment from Councilperson Ramos:

Requested the Report for August 2014 from the Fire Chief.

Fire Chief Parrish said the report would be distributed next week. (The reason for the delay; he was waiting for the Information that he needed from the Ambulance Billing Agency to complete his report.)

TREASURER . . . . .MR. AARON HILLYER . . . . .NO REPORT

The Treasurer apologized for his attendance he has been on vacation and is overwhelmed at work.

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director reported the following:

- The Law Director, requested Council amend, change or get rid of 39-97  
He has been asked a number of times to make rulings on whether or not certain things can be paid and what can't be paid.  
39-97 is inconsistent and has become very problematic on a number of occasions.  
The Law Director is currently researching vacation pay out.  
39-97 says to use it or lose it standard.  
(Sometimes that has been applied in the past and sometimes it has not.)
- He did a lot of cleanup work on the West High Widening Project,  
Filed some additional things with the Court. That were based upon things we had already settled  
We also settled with the last outstanding holdout and are waiting for the money from the State so we can pay that and get the final entry signed.

Comment from Councilperson John Zucal:

Would you mind taking 39-97 and pull it apart for Council  
The elements that would be important to in some context or some form for the City  
Areas that need to be tweaked  
Areas that need to be removed all together.  
Would you mind doing that?

The Law Director said he would be happy to do that.  
I'm not trying to fault Council because the new hand book replaces that but in the meantime real lives are being affected by it.  
And that is becoming a real problem  
We can make sure it is consistent with the hand book  
That those elements are present or not present or in conflict.  
Thank you for your time and energy on that.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mayor Johnson announced the Planning Commission Meeting will be meeting Tuesday September 9th, 2014 at 1:00 PM in in Council Chambers. There is one item on the agenda.

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

Mr. James Zucal announced for the September Board of Zoning Appeals Meeting has been cancelled due to a lack of any variance requests.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the Airport Commission will meet Tuesday, September 9th, 2014 at 6:00 PM.

Please note there is a change of location it will be held in Council Chamber and not the Airport Meeting Room.

Mr. Zucal presumes a discussion will be taking place  
At our last Council Meeting Attorney Anderson was present talking about the fixed base operator's position,  
Which is now up for discussion as to whether or not we want to maintain the present fixed base operator or do we want to move in another direction.  
Council or any members of administration are welcome to attend.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER....NO REPORT

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, September 10th, 2014 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX....NO REPORT

SALARY COMMITTEE .....MR. JOHN ZUCAL

Mr. Zucal reported that the Salary Committee met this evening at 6:30 PM here in Council Chambers to discuss 3 items

1. Commendations for Ms. Baker  
Her number of years of service working for the City of New Philadelphia in the Income Tax Department.  
The Committee recommended that we include potential commendations for her  
And Look forward to recognizing her for all she has done for the City of New Philadelphia. We heard glowing reports from those that spoke on her behalf.
2. The same was true of Mr. Nemitz, City Prosecutor, and Assistant Prosecutor for a long number of years. The Law Director said Mr. Nemitz certainly did a yeoman’s work in a lot of different ways when jury trials were being held.  
Council joins with Mr. Zucal to be able to recognize them.
3. The purchase of property for the potential Fire Station  
While discussing, Councilperson Lanzer addressed some good questions as to whether or not any purchase agreement that we did sign states specifically for the Fire Department we might be able to intercalate to a different use if the situations warrants such. We received great direction form the Law Director we are encouraged by the fact we are moving forward to have on the agenda for September 22nd, 2014 and be able to purchase some property that has been a long waiting to potential look at a new Fire Station.

They Committee adjourned at 6:57 PM

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

Mr. Maurer pointed out to Council that he distributed to Council the Amended Safety Health & Service Committee Meeting Minutes from August 25th, 2014 dated September 8th, 2014 prior to the Council Meeting.

In reference to his Safety Health & Service Committee Meeting Minutes

The change would be second paragraph Chief Parrish stated York Township does have a Fire Department and will Add an extra layer of protection.

Mr. Maurer requested Joe Mizer make that correction in the newspaper.

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

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

Mrs. Ramos reported the Zoning & Annexation Committee met tonight with two items to discuss.

The first matter of business was to post agendas on line after a discussion

The Committee agreed that Council can resolve to agree to put the agendas on line.

Mrs. Ramos made a motion for full council have the Clerk put the Agendas on line

Mr. Lautenschleger seconded the motion

Roll call

7-0

Motion to put the agendas on line has passed

The second item that was discussed was

The Oak Shadows Plat V - Ordinance 19-2014

Which has been added to the agenda tonight this is accepting the Oak Shadows Phase V Plat

The Committee recommends in addition to it being added to the agenda tonight, that the rules be suspended and passed on First Reading.

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT

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

VISITOR’S COMMENTS:

NONE:

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

13-2014 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA TO ADOPT THE OHIO ATTORNEY GENERAL'S MODEL PUBLIC RECORDS REQUEST POLICY FOR PURPOSES OF ADDRESSING PUBLIC RECORDS REQUESTS FOR THE CITY OF NEW PHILADELPHIA AND DECLARING AN EMERGENCY. (3<sup>RD</sup> READING)

Motion to vote on passage by Mr. Lautenschleger  
Seconded by Ms. Cox  
Roll call, 7 yeas  
Ordinance 13-2014 has been passed

18-2014 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY. (2<sup>ND</sup> READING)

19-2014 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO ACCEPTING THE OAK SHADOWS PHASE V PLAT. (1<sup>ST</sup> READING)

Motion to suspend the rules made by Mr. Zucal  
Seconded by Mr. Lautenschleger,  
Roll call, 7 yeas  
Suspension of the rules has passed for Ordinance 19-2014

Motion to vote on passage by Ms. Cox  
Seconded by Mrs. Ramos  
Roll call, 7 yeas  
Ordinance 19-2014 has been passed

21-2014 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE THE SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NEW PHILADELPHIA AND YORK TOWNSHIP FIRE DEPARTMENT AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

Motion to suspend the rules made by Mr. Maurer  
Seconded by Mr. Lanzer,  
Roll call, 7 yeas  
Suspension of the rules has passed for Ordinance 21-2014

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Zucal  
Roll call, 7 yeas  
Ordinance 21-2014 has been passed

**RESOLUTIONS:**

27-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO FOR SUPPORTING THE DEVELOPMENT OF NP2R TRAIL. (1<sup>ST</sup> READING)

28-2014 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

**UNFINISHED OR OLD BUSINESS:**

**NONE**

**NEW BUSINESS:**

Comments from Mayor Johnson:

Thanked Council for their due diligence on the agendas  
The Administration does accept and will try to have them on line.  
Any Committee Meeting Minutes or Agendas that you wish to be put on line  
Please get them to us in a timely manner so the IT Department will have time to put them on.

**COMMENTS FROM COUNCILPERSON JOHN ZUCAL:**

Councilperson John Zucal reported that he had the pleasure of, last week, attending a training session held at the McDonald Marlite Center with many of our New Philadelphia Firemen as well as Firemen from throughout the area. “The reason I bring that up again, it just further demonstrates the high quality work that many of our employees of the City of New Philadelphia and our safety forces go through on a regular basis. They were down there in an evening learning about CO2 and the hazards and dangers of that of training session that was being sponsored. We had the opportunity to hear from Randolph Mantooth from the show of Emergency. He had come in to the area and was speaking about carbon dioxide issues. The reason he was sharing that is; he almost passed away because of that when he was filming the show. He shared many of his experiences and how dangerous that could be. Many of them face that battle and challenge themselves when they are going into the buildings that are burning. Just recognizing the extra steps that go forward by many of the members of our Safety Forces. To continue their training, to continue their education so they are ready to handle any hazards that we have in the City. We are Blessed, and very fortunate.

Councilperson John Zucal Thanked Aaron Hixenbaugh  
He has done great work for us and I’m saddened to hear that he is leaving us.  
I am concerned when we see the number of Department Heads and the people that we count on day in and day out that are no longer going to be a part of the City Staff. I know with them we lose great quality people, Twinsburg is going to benefit but it will definitely be New Philadelphia’s loss.  
Thank you Aaron for all you did for the City I appreciate it.”

Comment from President Sam Hitchcock:

“Your comments on the program that was put on by the Fire Department was well taken.  
And President Sam Hitchcock also agrees with your comments on Mr. Hixenbaugh.”

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:06 PM.

CLERK OF COUNCIL\_\_\_\_\_

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL\_\_\_\_\_