

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 28TH, 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

EXCUSED ABSENCE:

SERVICE DIRECTOR, MR. JAMES ZUCAL
SAFETY DIRECTOR, MR. GREG POPHAM

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA
MS. WALKER SECONDED THE MOTION
ROLL CALL 7 YEAS
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 14TH, 2015
MR. ZUCAL SECONDED THE MOTION
ROLL CALL, 7 YEAS
THE MINUTES WERE APPROVED

CORRESPONDENCE CLERK, PATRICIA A. MCKAY

1. Tuscarawas County Public Library System Report
From Michelle McMorrow Ramsell, Director
Dated September 2015
(Five locations Bolivar, Main Library New Philadelphia, Strasburg, Sugarcreek, and the Tuscarawas Branch)
Summer Reading Report
The Summer 198 Programs were offered in the eight weeks across the five locations, Some 5,885 children, teens, and adults attended those programs.
The most impressive statistic from this summer is that preschool and elementary aged children logged some 11,569 reading hours across our system during the Library's Eight Week Summer Program.
Also received was the fall installment of Between the Lines, which lists the classes and events being offered at the five locations through December.
2. Mayor's Report to Council September 28th, 2015
3. Special and Contact Committee Meeting Minutes from September 14th, 2015
4. Treasurer's Report
From Tom Gerber, Treasurer
For January, February, and March 2015
General Ledger account balances
RSA investments Bank Reconciliations
For January, February, and March 2015
City of New Philadelphia Bank Reconciliations for the
For the Payroll account
For January, February, and March 2015
5. A Notice the City will be flushing the Fire Hydrants to clear the water mains 10:00 PM to 6:00 AM beginning Sunday September 27th, 2015 through October 4th, 2015.
6. A request dated September 25th, 2015 to President of Council Sam Hitchcock. to assign to Committee the request to apply for an OPWC Grant from Amy Gilland, Assistant Service Director.
A grant to upgrade the headwork's system at the Wastewater Treatment Plant this upgrade is for the safety of our employees.

- 7. A Notice to Council from the Ohio Division of Liquor Control
Notice dated September 16th, 2015:
BE M2 LLC
DBA EASTSIDE DRIVE THRU
260 BEAVER AVE. NE
NEW PHILADELPHIA, OHIO 44663
- 8. Airport Commission Meeting Minutes from July 14th, 2015
- 9. Finance Committee Meeting Minutes from September 14th, 2015

MAYOR’S REPORT/REQUESTSMAYOR DAVID JOHNSON

Mayor Johnson announced he will give:

- The Mayor’s Report
- Amy Gilland, Assistant Service Director’s Report
- And have a Guest during his report time.

1. The Mayor’s Report:

September 15th, 2015	Attended CIC Meeting in Dover
September 16th, 2015	Met with the Fire Chief. Attended Ohio Mid-Eastern Government Association Board Meeting. (OMEGA)
September 17th, 2015	Participated in a Fire Drill in City Hall. (Working on resolving a few small problems that will make for a smoother drill next time.) Attended phone training on the recently installed phone system. (The new system is saving the City money.)
September 18th, 2015	Participated in a Ribbon Cutting Ceremony for Century National Bank at 1255 Monroe Ave, NW in Monroe Mall Phase II. The Mayor said he enjoys welcoming new businesses in New Philadelphia.
September 22nd, 2015	Attended the Medical Marijuana Legislative Luncheon at the Schoenbrunn Conference Center.
September 23rd, 2015	Met with Dan Rice, President & CEO of Ohio Erie and Canal way Coalition to discuss trails coming through New Philadelphia.
September 24th, 2015	Met with the Law Director, Marvin Fete and City Health Commissioner, Vickie Ionno.
September 25th, 2015	Attended a meeting at Quicksall & Associates with Assistant Service Director, Amy Gilland, Utilities Superintendent, Ed Wilson and Assistant Utilities Superintendent, Brian Myers.

SERVICE DIRECTOR.....MR. JAMES ZUCAL
EXCUSED ABSENCE

2. Assistant Service Director Amy Gilland had a written report, Council Update for September 28th, 2015 to the Mayor and the Mayor reported the following:

- Ms. Gilland attended a FEMA Discovery meeting earlier this month for the Muskingum Watershed District. The meeting was to start working more closely with the local entities for better local flood risk and flood hazard areas.

The information gathered will be added to a program they are working on called Risk MAP.

Risk MAP is a program that will provide more accurate Flood Maps, Public Awareness, Risk Assessment, Storm Water Management, etc.

- We are finishing up the Sidewalk Replacement Program.
- Ms. Gilland submitted a request to the President of Council, Sam Hitchcock for a Committee Assignment to discuss and approve applying for OPWC Grant. With Councils approval this grant will be used to upgrade the headwork at the Waste Water Treatment Plant. This upgrade is very important for the safety of our employees. When this gets into a Committee Mr. Wilson is going to come and explain to Council just how dangerous this really is.

The Mayor reported there was a 10 inch water main break from our main reservoir the repair is in the works. He thinks this is going to cost quite a bit. It should be under \$100,000. It will be handled within the Water Department.

3. ***The Mayor deferred some of his time to the Fire Chief.***

The Fire Chief gave an update of the progress of the Fire Station Design.

Showed Architect's rendition of what we came up with.

Everyone had copies of that on a smaller scale.

We are going to be well within budget.

This is a steel structure that is expandable.

Has pre stand so there is no tolerance or anything like that to limit the size of our equipment. The theme of this Fire Station is for the future and it is set up for training.

That is the proposed design it is all steel with brick veneer all the way around it.

The estimate right now from the architect is 4.3 million and does not include

Furnishings and equipment (not for fire equipment) but equipment to operate inside the Fire Station initially when we talked about it the engineers estimate was 4.6 million.

Chief Parrish believes we are going to be in that area.

We already passed the Phase #1 EPA Study prior to signing the Purchase Agreement on the property.

This was a group effort; many hours in September were put into this.

We traveled to several Fire Stations and looked at them, some would not fit our community; some would not fit our needs this is what we had to show you.

Comment from Councilperson Zucal:

Mr. Zucal requested the Chief expand upon that bay area it is going to be the steel that would allow for future expansion if need be.

Chief Parrish:

It is very easily done by just adding more bays in this direction, it is an L shaped building you can see the three bays going out the back.

It can be expanded in that direction as well.

Interior walls of the administration and living quarters are also expandable.

Mayor said:

The Chief showed him the first one it had a lot more landscaping and etc. The Chief went to them and said we do not want that we want to keep it as cost effective as we can.

Council person Ms. Cox:

Tell us about the Architect McCall Sharp, we have not been told who was actually doing it.

This is the first time we heard it was McCall Sharp and Diversified Engineer.

Chief Parrish:

We did the Qualification Based Selection Process before we narrowed it down from 13 to four. We spent about six hours allowing them to come in and give their back ground on their firm as well as any experience.

We came up unanimously with McCall Sharp of Springfield, Ohio /Diversified Engineering of New Philadelphia, Ohio because of their commitment to the community.

(all four were good) they rose to the top because of the quality of design they were into sustainability we were looking for something that was easy to take care of and easy to sustain for the future. They shined through.

It is a 50/50 partnership and that is a good situation for us.

Mayor Johnson:

Diversified Engineering will be here to oversee the project inspect it and make sure everything is done correctly.

Comment from Councilperson Zucal:

Diversified Engineering is a key partner helping us to mediate some of the issues we have had in the current Fire Station.

There understanding of that is even better

Chris and his crew are right on top as to where we need to go with that down the road.

Great opportunity to utilize their experience and expertise.

Chief Parrish:

They know how we operate.

Ed McCall from McCall Sharp

Brian Stull from Diversified Engineering:

They came and set with the crews spent time with them just to see our culture and how we operate.

They are very easy to work with and communicate with.

Comment from Councilperson Zucal:

He is looking forward to seeing the completed Fire Station.

It a great source of community pride.

Chief Parrish:

There is red and black in this and that was not by accident.

It will be a neat project for our community

Comment from the Law Director:

It looks like a lot of frontage.

Will you be able to pull those trucks out without closing the street?

Chief Parrish:

A ladder truck is 45 feet long there is 80 feet from the front door to the edge of the street.

It will go either way on Front Street.

Comment from Councilperson Zucal:

Fire Safety Week coming up

October 8th, 2015 from 5:00PM to 8:00 PM is the

Safety Forces Open House this is the tenth year he expects this to be the biggest year.

We have a lot of activities going on that evening.

Lauren Mfg and Lowe's are doing a lot of funding and participating with their employees as well

Refreshments will be provided.

Chief Parrish:

The Fire Safety Program will be working with the schools:

The Smoke Alarms Program every child in Kindergarten in New Philadelphia School District takes home a smoke detector.

Every Third Grade Class in the New Philadelphia district we go in and put on a 30 minutes Fire Safety Demonstration.

We provide a Pizza Party and have a Fire Safety Drawing contest. The winner of the contest gets a pizza party for their entire class and the child that wins will be picked up and taken home in the Fire Engine which is usually a pretty big deal.

The Fire Chief invited everyone to attend Safety Forces Open House.

He mentioned "WTUZ will be doing a live broad cast and said it is a neat time for the Community to see their Fire Department, the Fire Equipment, what we do, and a lot of demonstrations going on as well."

Comment from Councilperson Zucal:

Mr. Zucal applauded the Mayor and the Fire Chief for what the proposed Fire Station looks like And praised their efforts.

Fire Chief:

The Chief said we have a lot to be proud of.

Mayor Johnson:

Sunday, October 18th, 2015 there will be a lot of activity in the Park. Face Painting for kids, A Carved Pumpkin Contest, all the schools in the City of New Philadelphia have been given snow plows to paint that will be judged.

Sam Hitchcock will provide a spooky movie in the amphitheater.
If you have any questions please call the Mayor's office.

AUDITORMS. BETH GUNDY

Resolution 23-2015 is on the agenda the copy that was passed out tonight was a correction in some wording and now it is fine. However she noticed in section one it also includes super blanket fiscal officer certificates. I thought this was just blanket and super was separate.

I'm going to investigate see if we have another super blanket resolution from a decade ago either way that word is going to have to be removed from this resolution and a separate one be for super blankets.

Because super blankets need to be a lot higher we use those for utilities, salt purchases, and things like that.

I ask Council not to act on that tonight until I get that figured out.

Ms. Cox made a motion to take Resolution 23-2015 off of tonight's agenda

Mr. Lautenschleger seconded the motion

Roll call

7-0

Resolution 23-2015 has been removed from the agenda.

Request from Mr. Lautenschleger to Ms. Gundy.

Now that we are entering the final quarter and we have a couple things coming up like recommendations on utility rates and etc.

Could you give us a summary that goes along your overview as the Chief Fiscal Officer for the City to explain what you are watching and your concern based on certain funds that may need to be changed where we may have an issue early on in 2016;

Kind of on a monthly basis as we finish out the rest of the year that comes with that Financial Report as I think that will help us, as we are reviewing that too.

We all have our own summary when we review that, but it would help to have yours as well.

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

EXCUSED ABSENCE

TREASURERTOM GERBER

Mr. Gerber reported Council received Bank Reconciliation for January, February, and March 2015.

It was very professionally done by Rea & Associates who have specialists that deal with government agencies.

As you can see this is very complex.

When you receive the 2014 report Mr. Maurer said we have never received anything like this before.

It is very professionally done.

The Ohio Association of Public Treasurers is going to have its Fall Conference at the McKinley Grand Hotel

in Canton, Ohio September 30th to October 2nd 2015 Mr. Gerber will be attending along with our

Auditor, Beth Gundy. We will attend all three Sessions we will gain knowledge from that.

LAW DIRECTORMR. MARVIN FETE

The Law Director reported since his last meeting:

- He reviewed and approved an Equipment Lease for our Human Resource Director from Frontier and wrote the requisite requirements proving that.
- He received a call from Mr. Dale Pierce, corresponded with the county in regarding Mr. Dale Pierce who was complaining about sewer charges on his property where he is not living. The county did an effective job pointing out that legally he was wrong.
- Spoke with on the phone and met with Captain Rossi of the New Philadelphia Police Department the Law Director reviewed with him and approved the language for our City Jail Strip Search and Body Cavity Search Procedures.
- Met with Fire Chief and Mr. Craig Barnett to try to get some language done to allow for the transfer of the land for the Fire Station to the City of New Philadelphia.
- He briefed and had several conversations with Dean Holland in regard to amending our Dog Ordinance section. He also briefed him on our CRA requirement as to what tax loopholes are available for businesses that wanted to come here and that included our CRA and Enterprise Zone.
- He is corresponding with two attorneys regarding a business that had not paid taxes for some time.

We are trying to reach a final settlement they had self reported to us we have been going back and forth for a couple of months we are about to reach a final resolution.

Because they self reported we are going to charge them for the full amount of taxes along with the interest and forego the penalty.

- As the Mayor indicated, Mr. Fete met with him and Vicki Ionno on issues concerning the City Health Department and County Health Department. The Law Director is going to be calling the head of the County Health Department to discuss some of these matters with her personally.
- On the 23rd of September, Mr. Fete was in Municipal Court all morning He covered for one of our prosecutors who was attending a Continuing Education Seminar. We have to get 24 hours of Continuing Education every two years as an attorney one of the prosecutors had to go so he covered for them.
- Received a phone call from Gene Nemitz, who wanted to discuss with him the issue of wanting to donate some land to real estate to the City of New Philadelphia.
- The Law Director was supposed to receive a call from Dan Rice in regard to the easement for the tow path behind Gradall. The Law Director was supposed to report to the Mayor when he heard from him. Mr. Rice has has not called him yet. Mr. Fete told the Mayor he has pulled up all the things he has on file for the easement.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced the Planning Commission meeting is tentatively set for Tuesday, October 13th, 2015 at 1:00 PM in Council Chambers pending any agenda

**BOARD OF ZONING APPEALS.....MR. JAMES ZUCAL
EXCUSED ABSENCE**

The Mayor announced the Board of Zoning Appeals will meet Tuesday, October 13th, 2015 at 5:00 PM in Council Chambers pending any items.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced that the Airport Commission Meeting will meet Tuesday, October 13th, 2015 at 6:00 PM at the Harry Clever Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced that the next Park Board Meeting will be held Wednesday, September 30th, 2015 at noon at the Tuscora Park Office.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next meeting for the Health Board is scheduled for Wednesday, October 14th, 2015 at 12:00 (Noon) at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMS. SANDY COX

Ms. Cox asked for passage of Ordinance 14-2015 tonight.

Announced the Finance Committee has a meeting scheduled for October 12th, 2015 at 7:15 PM in Council Chambers in regard to the Law Director's request for expenditures above the IRS per diem.

SALARY COMMITTEEMr. John Zucal

Mr. Zucal reported the Salary Committee met tonight immediately following the Safety Health & Service Committee Meeting. (6:36 PM) We had an Education Session with Income Tax Administrator Joel Day and City Auditor Beth Gundy. Mr. Zucal reported they shared with us some of the implications of the revisions taking place to the Ohio Revised Code 718 and what that means to Municipal Income Tax.

It was interesting and beneficial. We will keep you apprised as the Law Director crafts the appropriate legislation for us to be compliant with the January 1st, 2016 due date.

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

Mr. Maurer reported that the Safety Health & Service Committee met tonight at 6:15 PM

In regard to the request made by Councilperson Mrs. Cheryl Ramos asking City Council oppose State issue #3, the marijuana legalization.

Mrs. Ramos presented many negative consequences on our community if the legislation should pass.
Mr. Zucal and Mr. Hitchcock also mentioned negative consequences it would have on kids, students, and the community.
Mr. Maurer had reservations on imposing a recommendation on the citizens when we represent people on both sides of the issue.
Mrs. Ramos made a motion to have the the sample resolution put on Council's Agenda.
Motion died for lack of a second
Meeting adjourned at 6:35 PM.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE DARRIN LAUTENSCHLEGER .NO REPORT

President of Council, Sam Hitchcock, assigned to the Public Works & Economic Development Committee
OPWC Grant Issue for the Waste Water Treatment Plant request.

ZONING & ANNEXATION COMMITTEEMRS. CHERYL RAMOSNO REPORT

SPECIAL & CONTACT COMMITTEEMR. DAN LANZER

Mr. Lanzer reported that the Special & Contact Committee met this evening at 6:10 PM
To discuss one item the Notice to Council from the Ohio Division of Liquor Control

***BE M2 LLC
DBA EASTSIDE DRIVE THRU
260 BEAVER AVE. NE
NEW PHILADELPHIA, OHIO 44663***

Notice dated 9/16/2015 responses must be postmarked no later than 10/19/2015
Type Stck
C1 C2 Permit Classes

After a brief discussion the Committee recommended, by a 3-0 vote to move forward, to have this brought before full Council for a vote to authorize the Clerk of Council to date, sign and to immediately forward the notice to the Ohio Division of Liquor Control designating we do not request a hearing.

Mr. Lanzer Made the Motion and
Mr. Maurer Seconded the Motion
Roll Call 7-0
Motion Passed.

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

**VISITOR'S COMMENTS:
NONE**

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

14-2015 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 14-2015 have been suspended

Motion to vote on passage by Ms. Cox
Seconded by Mr. Lanzer

Roll call, 7 yeas
Ordinance 14-2015 has been passed.

RESOLUTIONS:

22-2015 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. (2ND READING)

UNFINISHED OR OLD BUSINESS:

NONE

NEW BUSINESS:

Councilperson Zucal:

Reported that there was a horrific accident Wednesday slightly before 6:00 AM
In front of his home.
Mr. Zucal thanked and commended the Fire, Police, and Street Services.
They addressed the issue very professionally. They were prompt and very efficient.

Comment from Mayor Johnson:

He had shared with us earlier the City of New Philadelphia is going have a
Fall Festival
Sunday, October 18th 2015
From 2:00 PM -7:00 PM
At Tuscora Park.

Pumpkin Carving Contest

Age groups:

3-6 year old, 7-10 year old, and 11-14 year old

Prizes will be awarded for each age group 1st, 2nd, and 3rd place

Police and fire vehicles will be there.

The Mayor invited everyone to attend and added, "It will be a fun time."

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:10 PM

CLERK OF COUNCIL _____

Patricia A. McKay

APPROVED _____

PRESIDENT OF COUNCIL _____

Sam R. Hitchcock