

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 10, 2016 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING. PRESIDENT HITCHCOCK 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
MR. ROB MAURER
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCE:

LAW DIRECTOR MARVIN FETE

- MR. ZUCAL MOTIONED TO ACCEPT THE AGENDA
MRS. RAMOS SECONDED THE MOTION
7 YEAS
TONIGHT'S AGENDA HAS BEEN ACCEPTED

- MR. LAUTENSCHLEGER MOTIONED TO APPROVE THE MINUTES FROM THE SEPTEMBER 7, 2016 SPECIAL SESSION OF COUNCIL AND SEPTEMBER 26, 2016 REGULAR SESSION OF COUNCIL
MRS. RAMOS SECONDED THE MOTION
7 YEAS
MINUTES FROM THE SEPTEMBER 7, 2016 SPECIAL SESSION OF COUNCIL AND SEPTEMBER 26, 2016 REGULAR SESSION OF COUNCIL ARE ACCEPTED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To New Philadelphia City Council from Mayor Joel Day, dated September 30, 2016. This is the Mayor's Monthly Statement to Council.*
2. *To Council Clerk Julie Courtright from Auditor Beth Gundy, dated October 1, 2016. This is the Auditor's Monthly Statement of 2016 Revenue for the General Fund.*
3. *To New Philadelphia City Council and Administration from Vicki Daniels, Income Tax Administrator for the City of New Philadelphia, dated October 1, 2016. This is the City of New Philadelphia September 2016 Report Month End Tax Revenue by Year.*
4. *To New Philadelphia City Council and Administration from Auditor Beth Gundy, dated September 30, 2016. This is a correspondence regarding budget revenue as of September 30, 2016.*
5. *To New Philadelphia City Council from Auditor Beth Gundy, dated October 7, 2016. This is an email in response to an email from Councilman Zucal dated September 26, 2016 requesting information on salary increases for new hires.*
6. *To New Philadelphia City Council and Administration from President of New Philadelphia City Council Sam Hitchcock, dated October 10, 2016. This is a forwarded invitation to attend a ribbon cutting ceremony for Dick's Sporting Goods which will be held at 4:30pm on Tuesday, October 25, 2016.*
7. *To New Philadelphia City Council and Administration from Mayor Joel Day, dated October 10, 2016. The Mayor's Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

The Mayor reported the following:

- A Successful Go Shred Event October 1st at Tuscora Park: According to Executive Assistant Mary Ann Otte, the October 1st Go Shred event at Tuscora Park recycled 16,200 pounds of paper, the equivalent of 138 trees. I would like to thank everyone who participated and look forward to increasing that amount at next year's event.

- Construction Projects Planned for Next Spring on West High Avenue and Bluebell Drive : Today was contacted by realtor Kathy Pietro who confirmed that construction of two new motels behind BW3s is now planned to take place next spring. The developer is still working on financing details. Also, last week I received an email from Greg Bartlow, the vice-president of restaurant operations for the Old Carolina Barbeque Company. He said his company plans to open its Smoke the Burger Joint restaurant next May when construction of the building on Bluebell Drive is complete. I will be reaching out to officials at Chipotle and Starbucks to confirm that those businesses will also be in the building.
- City Safety Forces Open House on Thursday October 13th : The annual Safety Forces Open House is this Thursday from 5-8pm. I encourage all residents and families to attend to enjoy the food and fellowship with our safety forces, visit the police station and to take one last tour of our 110 year old fire station.
- Annual Fall Festival at Tuscora Park is this Sunday: The annual New Philadelphia Fall Festival will be held this coming Sunday October 16th at Tuscora Park, between the hours of 3pm and 7pm. There will be great family fun including a pumpkin carving or painting contest, a display of police and fire vehicles, a movie at dusk at the amphitheatre, and, you can ride the rides for free. I would like to thank First Federal Community Bank for its sponsorship of the event and assistant parks superintendent Chase Hostetler for his hard work in organizing this event.
- Halloween Trick or Treat Night is Saturday October 29th : A reminder that New Philadelphia's Halloween Trick or Treat Night will be on Saturday October 29th from 6-8 pm.
- Welcome Metro PC to the Downtown New Philadelphia Business Community : After last Saturdays ribbon cutting ceremony, Metro PC is now open for business on South Broadway downtown. I would like to thank Council members Maurer and Holland, and Service Director McAbier for standing in for me while I was on vacation. The storefront's unique lighting scheme follows the trend set by the Quaker Theatre and the House of Stones. We thank the ownership for making an investment in downtown New Philadelphia and joining our growing business community.

SERVICE DIRECTORMR. RON MCABIER

Mr. McAbier had the following report:

- This morning I met with Chris Bower from Diversified to go over the Airport Hangar bid sheets, so it will be in the newspaper on October 14, 2016 which is Thursday, again on October 21, and we'll have bid opening on October 27, 2016. Once that goes out we'll bring it back to Council to see if we want to move forward with that project. Secondly, the waterline project on Crider Ave. Rear started today and will approximately run 6 weeks. Tucson Construction out of New Philadelphia is doing that. I'd like to also announce that on the front lot next to Buffalo Wild Wings on Marketplace a car wash had bought that lot and they will start construction plans by the end of this month.

AUDITORMS. BETH GUNDY

Ms. Gundy had the following report:

- I did give everyone a budget review as of September 30, 2016. Nothing had really changed since my last one in July or August, but I really think that we're going to maintain that 7 % increase in income tax over last year. It sure looks that way. It's been 9 months that way now. The original projection for the entire general fund was \$5.1 million. I'm confident that we will exceed that. Everything else is within the parameters that are expected. We're at 75% of our year and we have spent 75% of our budget. So we're doing pretty well holding our own.

Mrs. Ramos had the following question for Ms. Gundy:
On your report it says “ahead of 2014 collections”?

Ms. Gundy had the following response:
That was comparing 2015 to 2014. This time last year in 2015 we were 5% ahead of 2014. Now in 2016 we’re 7% ahead of 2015.

SAFETY DIRECTORGREG POPHAM

Mr. Popham had the following report:

- I’d like to turn a portion of my report over to Chief Jim Parrish with the New Philadelphia Fire Department on an update on the new fire station.

Chief Parrish gave the following report:

The fire station is ahead of schedule partly due to our weather. We’re very thankful for that. They have most of the structural steel set for the apparatus base. The rest of the structural steel for the 2nd floor of the administration and living quarters is coming in a week. You may notice if you look at the camera or if you drive by they’re in the process now of honing the floors on the apparatus base that’s facing Front Avenue. So, it’s going well. The brick work is almost up to bearing on the 1st Drive side which also includes 301 engraved bricks that the Quaker Club graciously sold for us. That gave people in this room as well as the community the opportunity to purchase the bricks which will be on the side between windows. You can’t really see it right now because there’s plastic covering it as well with scaffolding, but that soon will be moved and we’ll acid wash that wall and we’ll see that. Many of you have seen the sign that Sherry Crilow from Belden Brick has carved and that has been fired and it has been put back together. The Safety Director and I went out today and approved that and that will be going into the wall within the next 2 or 3 weeks and she’ll stain that. So, it’s coming along well. Let’s just pray for nice weather and maybe we can get it done sooner than later.

Mr. Popham continued his report:

October 9th through the 15th is Fire Prevention Week. The Fire Department during that week facilitates numerous educational events with the schools, the safety day on Thursday, and there are several people that they partner with to help put that all together; Lowe’s, WTUZ, and many other businesses that made the Safety Day a success that it is. Now, in the past year these firefighters run a ton of calls. I mean it used to be when I started if you run three calls you went home and thought you had the worst day they ever did. These guys sometimes do three calls before the 1st hour sometimes. What they handle, the life and death issues that they handle on a daily basis. Unless you’re really in the business and you’re there to see that you don’t realize what they handle on a daily basis. To them it’s just another day on the job. However there are on occasion the calls that these guys go above and beyond. It’s just not the ordinary go to a house and somebody’s unresponsive or there’s an auto accident and you’re trying to get somebody out. It’s not what you would call typical, there are circumstances that make it more hazardous. On occasion these individuals are put in that situation and once again that’s why they’re trained, that’s why they like to do the job that they do. I’m going to turn it back over to Chief Parrish, he’s going to explain the 2 incidents that happened and we’re going to publically commend them for their efforts in those two calls.

Chief Parrish made the following statement:

Many times our calls aren’t too complex as the ones you’re about to see, but these are the things that we train for. We spend a lot of money and we spend a lot of time training our firefighters and what you’re going to see tonight is the fruit of that labor. This is the real stuff. This is what our fire department is about. This is what the fire service is about. I couldn’t be more proud to work with these guys. Most of the time they make my job really easy and it’s about commitment. You heard me talking in June when we started with the first shovel of dirt to build a new fire station about commitment. That’s what this is about today. This is another example of commitment on the part of our staff in the fire department. We have two videos here with two different calls. We’re going to recognize 18 people tonight. 15 of them are firefighters, some are on both of those calls because they were off duty and assisted with another shift. We also have three citizens went above and beyond as good Samaritans and assisted with a house fire prior to the

fire department arriving.

Chief Parrish proceeded to show a video taken November 11, 2015. The video was taken of the rescue of a male driver from an auto accident with entrapment.

Chief Parrish gave this presentation while the video was playing:

The New Philadelphia Fire Department was assisting the Uhrichsville Fire Department. The accident had a semi trailer that rolled over. The semi had 4000 gallons of hydrochloric acid in it. The driver of this truck was pinned in the truck. It was upside down. This was pretty complex because not only is it more difficult to take someone out of a heavy vehicle like a semi, a school bus, something like that, but they had to do it while wearing full personal protective equipment including a self-contained breathing apparatus, so they were breathing air out of a bottle while they were extricating the individual. This is a picture of it (pointing a laser pointer at the video on the overhead screen). As you can see here the truck is upside down. Not only did they extricate the victim, but as they extricated the victim he went into cardiac arrest. Our paramedics assisted Smith Ambulance in successfully resuscitating him and taking him to Trinity Twin City Hospital where he was soon lifeflighted to Akron. Although the individual three days later succumbed to his injuries they gave him every chance. We have a statement in the fire department that we kind of live by: "We risk a little to save a little, we risk a lot to save a lot" We really risked a lot. In there, underneath that hydrochloric acid and doing an auto extrication, so that's the first call. Captain Jim Sholtz was the Commander that night, why don't we recognize these guys first.

The following firefighters were called up to the front of Council Chambers where they received a certificate and a commendation pin for their dress uniforms:

Captain James Sholtz

Lieutenant Robert Snyder III

Jeffrey Parks FF/ Paramedic

Brandon Winnie FF/ Paramedic

Scott Torchik FF/ Paramedic *Mr. Torchik's wife accepted the award for him as he was in training in Toledo.

Chief Parrish continued his presentation:

The next call is a house fire that happened February 22, 2016 at 8:26 in the morning. We're very fortunate that we not only had staff on duty, but we had some folks from the other crew that hadn't gotten home yet so they were able to assist. So we arrived on scene with about 9 to 10 people right off the bat. When you have a house fire and someone's been trapped you need people and you need them now. You don't need them in 15 minutes, you don't need them in 20 minutes you need them right now. These guys did an excellent job. Captain Wes Tucke was the Shift Commander that day. You're going to see some video that was on the helmet of Lt. Robert Smith and so we responded. I responded, our Shift Leader responded, and with our guys off-duty brought up we had a total of 10 to assist as well.

**Chief Parrish proceeds to show the video as he narrates it for the audience.*

Chief Parrish continues his presentation:

We'll begin by recognizing the good Samaritans who helped at the scene of the fire before rescue crews arrived. Two of them are here. (Chief Parrish called them to the front of Council Chambers)

**Dakota McFarland works at Valvoline Service Center. Dakota was presented with a certificate. Chad Hilty was called to the front next and was presented a certificate. Justin Williamson was not present to receive his award.*

Chief Parrish continues his presentation:

Now we will honor the crew that went into the building and rescued the individual. (Chief Parrish calls them to the front of Council Chambers)

**Captain Wesley Tucke is presented with a commendation pin and certificate, Lt. Robert G Smith is presented with a commendation pin and certificate. FF/ Paramedic Brock Burris is called up front next and receives his commendation pin and certificate. FF/ Paramedic Zachary Campbell is presented a commendation pin and certificate and FF/ Paramedic Jarod Lawver receives a commendation pin*

and certificate.

Chief Parrish continues his presentation:

We also need to recognize the guys that came on the ladder as well. A couple of these individuals were on both of those calls.

Chief Parrish called the names of the following individuals and they were presented certificates:

- Lt. Robert Snyder
- FF/ Paramedic Matthew Graham
- FF/ Paramedic Wesley Halter
- FF/ Paramedic Zachary Geib
- FF/ Paramedic Brandon Winnie

Chief Parrish continues his presentation:

We appreciate everyone coming out to celebrate this with us. You guys did a great job and I'm very blessed to be working with all of these guys so, thank you.

President of New Philadelphia City Council Sam Hitchcock made the following statement:

Me, as a citizen, I'm sure it gives us all an amazing amount of pleasure and comfort knowing that these people are on the job in our community 24/7.

TREASURER MR. TOM GERBER

Mr. Gerber had the following report:

- Last Wednesday, Thursday, and Friday I attended the Ohio Association of Public Treasurers 2016 Conference which was at Salt Fork Lodge. I received my credits as the Treasurer. It was very informing. I gave a copy of my certificate to Ms. Courtright and also gave it to HR so it's all on record.

LAW DIRECTOR MR. MARVIN FETE.....EXCUSED ABSENSE

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will meet on Tuesday, October 11, 2016 at 1:00pm in Council Chambers. We will be discussing the proposed rezoning to a Central Business District that I requested to be tabled for further study by the Planning Commission. We will also start a discussion of creating a master zoning plan.

BOARD OF ZONING APPEALS.....MR. RON MCABIER

We will meet Tuesday, October 11, 2016 at 5:00pm in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The next regularly scheduled meeting of the Airport Commission is Tuesday, October 11, 2016 at 6:00pm in the Harry Clever Field Meeting Room. We will be discussing the need to crack seal some of the areas around the airport that are right now a little problematic. We will be entertaining a discussion on two bids that have been completed by Vasco and Tusco and making a decision on that tomorrow evening hopefully to allow us to get that taken care of in a timely fashion.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

The next meeting of the Park Board will be on Wednesday, October 19, 2016 at noon at the Tuscora Park Pavilion. I would like to inform City Council members that Don Kemp, President this year of the Park Board, along with some other members of the Park Board have identified a potential source of funding for the tennis court replacements through the Department of Natural Resources Land and Water Conservation Fund. As a reminder the replacement of tennis courts is the number 1 priority identified by the Park Board, some of that process is underway. The Park Board is going to be under kind of a tight time constraint. The initial application will be due November 15th. Some of those wheels are already in motion. What's significant about it is that grant can provide up to half of the nearly \$200,000 cost. So that could be a very significant piece of grant funding when it's approved. That

can get some of the work started and we could see then work underway in 2017. I'll keep you posted but it's pretty exciting.

HEALTH BOARD..... MR. KELLY RICKLIC

The next meeting of the Health Board will be on Wednesday, October 12, 2016 at noon in the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

I have no formal report this evening. I would encourage everyone to check the Auditor's report and I appreciate that she provided that to us. That's my segue into the 2017 Budget is coming. We anticipate the initial draft sometime in the next few weeks. I'll be looking at scheduling a meeting. I would anticipate we'll hold a meeting that will mainly be for the Administration to provide the budget and highlight some of those items to us. So, we'll keep you posted on that. In addition to that as you may recall the President of Council did ask that we review and look at the Bed Tax that was enacted a couple years ago now and potential uses of that. We'll start that process in review of the 2017 Budget and on another note the Fire Chief, as Council may recall whenever a member of our staff goes to an overnight destination where the per diem is greater than the parameter set forth by the IRS, so when the cost of the overnight stay itself is greater than the IRS recommendation for that the Finance Committee has to review that. The Auditor and Administration are looking at a different type of procedure. The Fire Chief, you heard him say that one member of his staff was on an overnight educational seminar and another member is going soon, the total overall cost of those two over the recommended IRS allowance is \$15 total. Rather than to convene a meeting of that I gave the Fire Chief my voice recommendation to go ahead and proceed. They didn't need to wait on that for any type of a meeting. Given what we just saw, if anyone has a problem with that I'll pay you the \$15 difference, but I felt it was in the best interest of the City to keep that process moving so I did authorize that on behalf of the Finance Committee.

SALARY COMMITTEEMR. JOHN ZUCAL.....NO REPORT

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

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

Mr. Maurer had the following report:

No formal report this evening. The Committee met at 6:45 this evening to talk about three things. The first was an OPWC, it wasn't necessarily a grant it's a program, it's a 20 year loan, 0% interest. We're giving the Service Director the green light to apply for it for upgrades to backwash lines at the Wastewater Treatment Plant. So we did approve that. The second thing we talked about was a supplement to Ohio Fire Codes by the International Property Maintenance Code. This more or less supplements Ohio Fire Codes and kind of strengthens some things. We passed out some books to Council members we'll get some more books and meet on that in the future. The third topic of discussion, we're in the very preliminary stages of negotiating with Goshen Twp for a fire contract this year. The Committee heard from the Fire Chief and got input from essentially all Council members and we are asking that the Mayor and the Fire Chief in Goshen Twp sit down and iron some things out and come back with maybe some recommendations and go from there. The contract is up at the end of this year.

ZONING & ANNEXATION COMMITTEEMRS. CHERYL RAMOS

Mrs. Ramos had the following report:

The Zoning and Annexation Committee did meet tonight to discuss Proposed Ordinance 14-2016 which was a rezoning from Residential to Central Business District. We did have two residents, property owners, who came. We had a very good discussion on this zoning issue and we will be going back to the Planning Commission and research this and look at this again.

SPECIAL & CONTACT COMMITTEEMR KELLY RICKLIC.....NO REPORT

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY

Mrs. May had the following report:

The Cemetery Board meeting is this Thursday, October 13, 2016 at 9am in the Service Director's Meeting Room.

VISITOR'S COMMENTS:

Nora Davies who resides at 10356 Lawrence Drive in Bolivar and 885 3rd St. SE New Philadelphia made the following statement:

Thank you ladies and gentlemen for giving us this opportunity to speak to you. We are here regarding the type of pets allowed in the City of New Philadelphia. The particular area of concern for us is pet chickens, a guinea, and 2 small ducks. With permission from the former Service Director (a resident) was given permission to have animals, excluding roosters who start crowing very early in the morning. We are now told we cannot have said pets. These small fowl do not, and probably cannot harm or cause injury to others. One large white husky who sprang loose in one neighborhood entered a secure area our pets were in and killed and ate 5 pet chickens, one duck, a pet, and later the remaining duck died. I told City police who came out and the Dog Warden was also present. Instead of sending the dog to the Dog Pound they released it to the owner. Police gave the owner a citation for an unlicensed dog running loose. The owner was allowed to plea down to not having a dog license. Dogs can be very vicious, bite people and small children. I've heard reports of dogs killing people. Cats can be a very big nuisance. People let them out of their house after dark hoping people won't see them running loose in the neighborhood. One cat has taken one of my mulch flowerbeds for its own personal bathroom. Cats also kill songbirds. As for monkeys listed in the list of allowed pets, they can be very dangerous. It was reported that in New Jersey a monkey got loose, went outside and so badly mugged a neighbor lady that she had to go to the Cleveland Clinic and have a face transplant. The above may be extreme examples but it can happen. Just last week while I was in the area I discovered other people, one

woman told me a neighbor lady had been bitten by their dog and had to have medical treatment and sued her for the expenses. She said she wasn't going to pay the expenses. Small fowl do not do any of these things. Just like any other animal fowl have to be properly cared for. We are not asking that you change any of your required laws, only amend the list of pets allowed to include small fowl. Chickens are very friendly and are a good pet and companion for small children. Thank you for your time and attention.

**President of New Philadelphia City Council Sam Hitchcock advised Mrs. Davies that during a Council meeting Administration or Council are not required to answer or comment unless they wish to. He welcomed Mrs. Davies to stay after the meeting if she desired to discuss the issue further with any members of Administration or Council.*

COUNCIL COMMENTS:

Mr. Lautenschleger made the following comment:

The next time we gather here will be on October 24, 2016. That will be a kick-off to a big week in our Community for our school district and our Community in general as we prepare for the annual football game against the team whose name shall not be spoken in this chamber. I just want to remind everybody that on Thursday of that week, October 27, 2016 at 7:30pm the Quaker Club will put on its annual Rally in the Alley. The new location will be Wabash Lanes, the former Kinser Lanes on Wabash Avenue.

Mr. Zucal made the following comment:

I would like to recognize 3rd Grade Student Peyton Miller at Central Elementary. He is the winner of this year's New Philadelphia Fire Department Fire Safety Poster Contest. Peyton did an outstanding job with that and because of that he'll be treated as well as his classmates to a pizza party. So, they're all looking forward to it and Peyton's pretty popular with the guys and girls in his class right now, and courtesy of the New Philadelphia Fire Department he will get a special ride home in a fire truck on October 19th. Thank you to our Safety Forces for a job well done as always.

Mr. Holland made the following comment:

Ms. Davies, thank you for coming in this evening and thank you for bringing your concerns to our attention.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

20-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO CHANGE THE NAME OF MCDONALD DRIVE TO GARLAND DRIVE.
1st Reading

MR. RICKLIC MOTIONED TO SUSPEND THE RULES ON ORDINANCE 20-2016
MR. ZUCAL SECONDED THE MOTION

Mrs. Ramos had the following question before the vote to suspend the rules:
Why suspend the rules?

Mr. Ricklic had the following response:
As stated by Mrs. Riffle and Mrs. Sciarini the ADAHMS Board that is moving in there has requested to get their address correct on all their letterhead.

7 YEAS
RULES HAVE BEEN SUSPENDED ON ORDINANCE 20-2016

MR. RICKLIC MOTIONED FOR PASSAGE OF ORDINANCE 20-2016
MR. MAURER SECONDED THE MOTION

Mr. Ricklic had the following question for Mrs. Riffle before the final vote on passage:
Recently some back taxes were stated in the paper on your property, I think that is your property; 43-08266-002, would that be your property?

Mrs. Riffle had the following reply:
Yes it is and I have it taken care of.

5 YEAS
ORDINANCE 20-2016 HAS BEEN APPROVED

RESOLUTIONS: NONE

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

President of New Philadelphia City Council Sam Hitchcock had the following comment:
I would just like to echo the Mayor’s comments a reminder about the 2nd Annual Fall Festival for the City of New Philadelphia. We’ve ordered good weather and it should be a great time for everyone. Please feel free to come on out.

MR. MAURER MADE A MOTION TO ADJOURN AT 8:25 PM

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock