

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 10TH, 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
MR. JOHN ZUCAL

PRESIDENT OF COUNCIL, SAM HITCHCOCK, ANNOUNCED COUNCIL MEMBER, MS. WINNIE WALKER, IS EXCUSED FROM TONIGHT'S COUNCIL MEETING.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA
MR. LAUTENSCHLEGER SECONDED THE MOTION
ROLL CALL, 6 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON NOVEMBER 26TH, 2012
MR. LANZER SECONDED THE MOTION
ROLL CALL, 6 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Mayor's Report/ Requests to Council dated December 10th, 2012
2. Notice dated December 3rd, 2012 from the Ohio Ethics Commission; Financial Disclosure Information Session to be held December 14, 2012 9:30 AM-10:30 AM at the New Philadelphia City Hall Council Chambers 150 East High Avenue New Philadelphia, Ohio 44663
3. A request to Council President from James Zucal, Service Director, dated November 29th 2012. In regard to the rate increase proposals for Water, Wastewater and Sanitation.
4. Notice from Dominion East Ohio of filing New PIR Adjustment Case; PUCO Case No. to be assigned on November 30th, 2012.
5. November 2012 New Philadelphia Fire Department Month End Summary
6. Salary Committee Meeting Minutes from November 26th, 2012
7. Mayor's Monthly Statement to Council for November 2012
8. City of New Philadelphia Statement of Cash Position Month to date as of November 30th, 2012.
9. City of New Philadelphia Statement of Auditor's Financial Statement for the Month of November 2012.
10. City of New Philadelphia Auditor's Monthly Statement of 2012 Revenue for the General Fund for November 2012.
11. New Philadelphia Police Monthly Activity Report for the Month of November 2012.
12. Amended Ambulance Committee Meeting Minutes from November 12th 2012 amended November 27th, 2012
13. Public Works & Economic Development Committee Meeting Minutes from November 26th, 2012 the Electric Sales Agreement with AEP Energy.
14. Public Works & Economic Development Committee Meeting Minutes from November 26th, 2012 on Oil/Gas Leasing of City Owned Property.
15. Info on State Electric Supply Co. Industrial Capabilities from Huntington, WVA.

ADMINISTRATIVE REPORTS:

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

Mayor Taylor addressed the following:

- Mayor Taylor requested an Executive Session tonight to allow Matt Baker from Clemans-Nelson to update Council on Labor Negotiations. His request is for after the legislative portion of the Council Meeting.
- The Mayor congratulated NPBCA for a successful Christmas Parade and Lighting Contest.
- The Mayor announced the following Board re-appointments:
 1. Jill Lengler to the Tuscarawas Metropolitan Housing Authority Board for a new 5 year term beginning January 1st, 2013.

2. Phil Tidrick and Bill Morgan will be re-appointed to the Park Board for a three year term beginning January 1st, 2013.
3. The following three people will again serve on the Board of Zoning Appeals:
 - Ed Breehl, long-time chairman will continue in the role.
 - Tom Strickling will also be re-appointed.
 - Carla Barker, who just came on in 2012, will be starting her first full three year term.
 The Board of Zoning Appeals spend much of their time dealing with variance requests.
4. R. Scott Deedrick will be re-appointed to the Civil Service Commission. (He served in this position for many years) As we work to draft Civil Service Rules for the City and with the anticipated retirements in 2013 that will trigger Civil Service Tests, the Mayor announced that it is good to have experience continue on that Commission.

Ms. Cox made a motion to go into an Executive Session after the legislative portion of the meeting to discuss the update on Labor Negotiations.

Mr. Maurer Seconded the motion.

Roll Call 6 yeas. Motion passed.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported the following:

- The Service Director distributed a copy of the letter drafted to President of Council, Hitchcock, referencing rate increase proposals for Water, Wastewater and Sanitation to Council. Annually, the Service Director is required to makes a recommendation to City Council whether rate increases are needed for Water, Wastewater and Sanitation. The Service Director reviewed the current 2012 Revenues and Expenditures for the Water, Wastewater and Sanitation and currently there is no need for any rate increase for 2013. The Service Director reported the 2012 Revenues were up for both Water and Wastewater as the result of higher use due to the summer drought. The City reproduced a lot of water in our wells. We sold a lot of water last year that also brought up Wastewater Revenue that was a plus for the City. Expenditures were reduced as the result of cost saving measures and improvement in spending. We did not purchase a new garbage truck in the Sanitation Department this year. The Service Director reported he met with the Mayor and Superintendent of each Department. The current income and Expenditures Projections for next year are stable however operating cost including utilities and personal expenses are projected to increase and this may be the last year that the Service Director will be able to recommend no rate increases. The numbers are monitored monthly the Service Director announced that some point in the future, rates will need to be increased again.
- The Service Director thanked the Street Department Employees and the Park Employees for cleaning the downtown prior to the parade they did a great job in making the downtown look great.
- The Service Director reported on the Ohio EPA Licensing:
 - Ron McAbier in the Wastewater Department obtained a Class III Wastewater License.
 - Ed Woodring received a Class I License in Wastewater
 - Tom Reed received a Class I License in Sewer Collection.
 - The Service Director congratulated all.
 - The Service Director reported some employees are doing very well with the licensing they are not easy.

Comment from Council Member Ms. Cox:

Mr.Zucal “are you considering buying a garbage truck in 2013?”

The Service Director replied “not in 2013 but possibly in 2014”. (Subject to change)

AUDITORMS. BETH GUNDY NO REPORT

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported in the Police Department in anticipating retirement in March 2013. The Civil Service Commission has posted notice for a Civil Service Test for Police Chief, Police Captain and Police Sergeant those tests will take place in Council Chamber January 11th, 2013.

TREASURERMR. DAVE JOHNSON

The Treasurer reported that he passed out to Council the last 2 pages of the September 2012 treasurers report as he promised and informed Council October and November Treasurer’s report are forthcoming.

LAW DIRECTORMR. MARVIN FETE..... ..NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

Mayor Taylor announced the Planning Commission did not meet in the Month of December. Pending an agenda, the Planning Commission will meet Tuesday, January 8th, 2013 at 1:00 PM in Council Chambers.

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

Mr. Zucal announced pending an agenda the Board of Zoning Appeals will meet Tuesday, January 8th, 2013 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... MR. JOHN ZUCAL

Mr. Zucal announced that due to a lack of a quorum, the Airport Commission did not have a meeting in November. There will not be a meeting in December 2012. The Airport Commission is looking to reconvene in January 2013.

Mr. Zucal reported that he has been in contact with Alan Welch in regards to the Mayor’s Request for re-appointment of Alan Welch to the Airport Commission. Mr. Zucal is waiting for his response back as to whether or not he accepts.

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

HEALTH BOARD.....MS. SANDY COX

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

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.MS. SANDY COX NO REPORT

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal reported that the Salary Committee met this evening at 6:15 PM in Council Chambers. Mr. Zucal reported that we did hear from a representative from State Electric as well as the Mayor in regard to the State Electric’s commitment to the City of New Philadelphia on the services they will be providing.

SAFETY HEALTH & SERVICE COMMITTEEMR. ROB MAURER

- Mr. Maurer reported that the Safety Health & Service Committee met tonight at 6:00 PM in Council Chambers. The Committee discussed the Annual Contract with Tuscarawas County Sheriff to House Prisoners at the County Jail. Mr. Maurer reported it was no different than last year’s contract of \$55.00 per day. Mr. Maurer reported that the Committee gave its Blessing and is asking Council to do the same and for the Resolution to be put on the agenda for the December 27th, 2012 meeting and for it to be passed that evening.
- The Committee discussed Chapter 947 which deals with Water Wells/Test Wells, Soil Borings/Geothermal /Heating and Cooling Systems. Mr. Maurer reported the Committee did not have any questions on the subject that needed to be addressed.

President of Council, Mr. Hitchcock assigned to the Safety Health & Service Committee the Service Director’s rate increase proposals for Water, Wastewater and Sanitation.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE ...MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that the Public Works & Economic Development Committee met this evening in the Council Chambers at 7:15 PM for the final review of Resolution 30-2012. Resolution 30-2012 will authorize administration to enter into a contract with AEP Energy. The previous meeting the committee voted to place the legislation on tonight’s agenda suspend the rules and pass on first reading. Tonight’s meeting was held in case there were any follow up questions. After the Committee had a chance to further review the contract, (there were questions prior to the meeting those were addressed.) Public Works & Economic Development Committee members are satisfied there is no deed for any further action. Mr. Lautenschleger reported the recommendation stands for passage this evening.

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIEDNO REPORT

CONTACT & SPECIAL COMMITTEE MR. DAN LANZERNO REPORT

President of Council, Sam Hitchcock assigned to the Contact & Special Committee the NP2R Recreational Trail.

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

VISITOR’S COMMENTS:

Diane Lautenschleger, 250 Lewis Avenue NW, New Philadelphia, OH 44663
New Philadelphia Business and Community Association, 126 East High Avenue, New Philadelphia, Ohio 44663
Diane Lautenschleger, Administrative Director, of New Philadelphia Business and Community Association

Ms. Lautenschleger distributed to all Council a December 10th, 2012 Written Report on NPBCA’s Recent Activities, Copy of a Front Page Article in the November 16th, 2012 Bargain Hunter “Shop Local” and an Invitation for Holiday Open House:

Ms. Lautenschleger addressed Council on the following:

- Expression of appreciation to the City Employees for their help and support.
- Banners- Installation on South Broadway
- 2012 Christmas Decorating, Lighting, and Parade
- NPBCA list of 2012 Corporate Sponsors/Donors for the Christmas Parade
Members of the Christmas Parade Committee: Jim Marks-Chair Carol Dawson, Heather Milburn, Lisa Porter, Michelle Ramsell, Josh McDonald, Kay Barnett and Diane Lautenschleger.
- Holiday lights Contest - Judged by Barnett Realtors- 2012 Winner 923 North Broadway
- New NPBCA Members - Hampton Inn and Knights Inn.
- Board of Trustees - Heather Milburn elected to serve a two year term –
John Zucal of New Philadelphia City Schools to fill the unexpired term vacated by Steve Shillig and
Kris Cardani of Hampton Inn appointed to the Board to fill the unexpired term vacated by Darla Carlisle
- Holiday Open House Wednesday December 19th, 2012 4:00 – 6:00 PM at the Welcome Center.
- Submitted a grant to the Zimmerman Foundation Trust for funding for a Small Business Educational Program;
Ms. Lautenschleger announced that she will be completing the NPBCA 2013 Budget and Work Plan before year end.
(Ms. Lautenschleger informed all that additional sustainable funding from the lodging tax is needed to allow this program to facilitate the growth and health of the City.)

Ms. Lautenschleger wished all a Merry Christmas and a safe Holiday.

President of Council, Sam Hitchcock recognized Ms Lautenschleger for doing an outstanding job and requested she keep up the good work.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

- 15-2012 An ordinance to make temporary appropriations for current expenses and other expenditures of the City of New Philadelphia State of Ohio during the fiscal year ending December 31st, 2013, and declaring an emergency. (3rd Reading)
- Motion to vote on passage made by Ms. Cox
Seconded by Ms. Espenschied
Roll call, 6 yeas, Ordinance passed
- 17-2012 An ordinance to amend and replace Codified Ordinance Chapter 947 Water Wells and Ground Water Protection, and enact the current replacement pages to the Codified Ordinances and declaring an emergency. (1st Reading)

RESOLUTIONS:

- 26-2012 A resolution by the Council of the City of New Philadelphia authorizing the Chief of Police to receive bids from federally licensed firearms dealers for the purposes of selling off firearms and dangerous ordnance. Placed in the custody of the New Philadelphia Police Department for disposal by order of any court of record that has territorial jurisdiction over the City of New Philadelphia, for the purposes selling said weapons to the highest bidder and then using the funds from the sale to purchase any and all firearms needed for the New Philadelphia Police Department. (3rd Reading)
- Motion to vote on passage made by Ms. Cox
Seconded by Mr. Maurer

Roll call, 6 yeas, Resolution passed.

30-2012 A resolution authorizing the Mayor of the City of New Philadelphia, Ohio, to enter into a service contract with AEP Energy to provide electric for City owned facilities and to execute contract as required, and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Mr. Lautenschleger
Seconded by Ms. Cox
Roll call, 6 yeas, rules suspended

Motion to vote on passage made by Mr. Lautenschleger
Seconded by Ms. Cox
Roll call, 6 yeas, Resolution passed.

31-2012 A resolution by the Council of the City of New Philadelphia, Ohio to authorize the rate increase for ambulance services provided by the New Philadelphia Fire Department for the calendar year 2013, and to adopt changes in the ambulance service fees charged by the City of New Philadelphia for 2012, and declaring an emergency. (1st Reading)

33-2012 A resolution by the Council of the City on New Philadelphia, Ohio to enact a pay increase for all Elected Officials and the Clerk of Council, excluding the Judge of Municipal Court and the New Philadelphia City Law Director, to be the amount of 3.0% increase retroactive to January 1, 2012 and declaring an emergency. (1st Reading)

Motion to Amend Resolution 33-2012 made by Mr. Zucal to exclude the 7 members of City Council as well
Seconded by Mr. Maurer
Roll call, 4 yeas, 2 nays (Ms. Cox and Mr. Lanzer)
Resolution 33-2012 Amended.

Motion to suspend the rules made by Mr. Zucal
Seconded by Ms. Espenschied
Roll call, 4 yeas, 2 nays (Ms. Cox and Mr. Lanzer)
No action taken

AT 7:59 PM COUNCIL TOOK A FIVE MINUTE RECESS RETURNING AT 8:04 PM

AT 8:05 COUNCIL ADJOURNED FROM REGULAR SESSION INTO EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS.

COUNCIL RECONVENED INTO REGULAR SESSION AT 8:20 P.M

UNFINISHED OR OLD BUSINESS:NONE

NEW BUSINESS:

Treasurer, Dave Johnson announced as of December 31st, 2012 he will be retiring from the City of New Philadelphia and the Treasurers' Job.

President of Council, Sam Hitchcock assigned to the Contact & Special Committee Commendations for Dan Risinger from the Police Department and Ted Wenger from Water Filtration recently both have retired.

MERRY CHRISTMAS TO ALL!

MOTION TO ADJOURN MADE BY MS. COX AT 8:22 PM

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____