

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 12TH, 2011 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

MS. SANDY COX  
MS. COLLEEN ESPENSCHIED  
MR. DARRIN LAUTENSCHLEGER  
MR. JAMES LOCKER  
MR. ROB MAURER  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

MS. COX REQUESTED ORDINANCE 19-2011, RESOLUTION 39-2011, RESOLUTION 45-2011 AND AMENDED RESOLUTION 29-2011 BE ADDED TO TONIGHT'S AGENDA.

MR. LOCKER MADE A MOTION TO ACCEPT TONIGHT'S AGENDA AS AMENDED.

MR. ZUCAL SECONDED THE MOTION.

ROLL CALL, 7 YEAS, MOTION PASSED

MS. COX MADE A MOTION TO APPROVE THE MINUTES OF THE PREVIOUS SESSION HELD NOVEMBER 28TH, 2011 AND MS. WALKER SECONDED THE MOTION.

ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE AMENDED MINUTES OF THE FEBRUARY 28TH, 2011 SESSION. AND MS. WALKER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED

THE MINUTES WERE AMENDED BECAUSE ON PAGE 4 OF THE FEBRUARY 28TH, 2011 MINUTES, RESOLUTION 58-2010 WAS WRITTEN ON PAGE 4 UNDER READING OF ORDINANCES AND RESOLUTIONS AS RESOLUTION 58-2011 AND IT SHOULD HAVE BEEN WRITTEN AS RESOLUTION 58-2010.

CORRESPONDENCE . . . . . CLERK, PATRICIA MCKAY

1. The Service Director's, James Zucal, report to City Council, Auditor, Law Director, Water, General Services and Wastewater, to review utility rates and recommend adjustments to council as stipulated by ordinance at this time of year.
2. Mayor's Report/ Requests to Council dated December 12th, 2011.
3. City of New Philadelphia Treasurer's Report for October and November 2011
  - a. The reconciliation for the period ending October 2011, and November 2011
  - b. The Summary of Transactions for the General Checking Account for the Month of October 2011, and November 2011.
4. Finance Committee Meeting Minutes from Monday, November 28th, 2011
5. Mayor's Monthly Statement to Council for the Month of November 2011
6. Auditor's Monthly Statement of 2011 Revenue for the General Fund for November 2011.
7. Auditor's Financial Statement for the month of November 2011
8. New Philadelphia Police Monthly Activity Report for the Month of November 2011.
9. Tuscora Park Board Meeting Minutes from November 9th, 2011

ADMINISTRATIVE REPORTS:

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

- The Mayor congratulated the New Philadelphia Business and Community Association for putting on this year's Christmas Parade and thanked Rick Recco and the other faithful long time volunteers for assisting with PPBCA's first time in doing the parade. The Mayor reported the Parade was well done and the turnout of entrants and spectators was good.
- The Mayor reported the Records Commission held their second required meeting of the year last week and Amended RC-2 was approved for the Auditor's Office and has been forwarded to the Ohio Historical Society and Auditor of State for approval. The Mayor announced Dan Fait was appointed as a Citizen Representative for 2012

- The Mayor announced Ellen Wallace has been appointed to fill the unexpired term vacancy on the New Philadelphia Board of Health. Ellen is Dental Hygienist and has worked for former Dr. Ernie Murray and currently for Dr. Dan Weininger for over 38 years.
- The Mayor reported the annual employees' holiday luncheon was held last Friday and was well attended. All expenses for this event are borne by the employees.
- The Mayor reported he has been corresponding with Tom Bellish from Buckeye Energy. The Mayor announced we are getting close to setting the City's natural gas fixed aggregation rate that will go into effect in June 2012 for one year. The Mayor anticipates it will be below \$5.40 per Mcf. The Mayor stated that when he locks this in he will advise Council and the media.
- The Mayor announced we will soon internally post the vacant Assistant Wastewater Superintendent's position. The Mayor stated that "we have two employees on staff that can meet the Class III Wastewater License requirement. If neither of those employees shows interest in the position, we will advertise as we did for the Water Superintendent."

**SERVICE DIRECTOR.....MR. JAMES ZUCAL**

The Service Director reported the following:

- Oil/gas drilling on Kendall Bick property is complete. The rig has been moved off the site.
- Final Engineering Design is near completion on this year's OPWC Project which is the Robinson Avenue Lift Station upgrade in Knisely Industrial Park.
- Engineers are compiling the storm sewer data currently on West High Avenue there are surveyors out in the field which you will see on West High and the Five Point area.
- The Street Department leaf crew is cleaning up in the Northwest part of the city and is nearing completion.
- The Water department is doing a great job completing service related projects and has completed several recently.
- The Service Director requested all to read his recommendations on water, sewer and sanitation rates and asked the Council President, Joel Day to assign it to the proper committee.

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

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

**TREASURER . . . . .MR. DAVE JOHNSON.....NO REPORT**

**LAW DIRECTOR . . . . .MR. MICHAEL JOHNSON .....NO REPORT**

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR**

Mayor Taylor announced the next Planning Commission Meeting will be held January 10th, 2012 at 1:00 PM in Council Chambers pending an agenda.

**BOARD OF ZONING APPEALS.....MR. JAMES ZUCAL.....NO REPORT**

Mr. Zucal announced the Board of Zoning Appeals Meeting will be held Tuesday, December 13th, 2011, at 5:00 PM in Council Chambers.

**AIRPORT COMMISSION.....MR. JAMES Locker**

Mr. Locker announced there is no Airport Commission Meeting in the month of December and that the next Airport Commission Meeting will be held in January 2012.

**PARK BOARD.....MR. DARRIN LAUTENSCHLEGER**

Mr. Lautenschleger announced the Park Board will meet on December 14th, 2011 at 7:00 PM at the Tuscora Park Office.

**HEALTH BOARD.....MS. SANDY COX**

Ms. Cox announced that the Health Board will meet Wednesday, December 21st, 2011 at 12:00 noon

**STANDING COMMITTEE REPORTS:**

**FINANCE COMMITTEE. . . . .MS. SANDY COX**

Ms. Cox reported the Finance Committee met this evening at 7:15 PM in Council Chambers with several items on the agenda. Ms. Cox reported the following:

FIRST ITEM to discuss was Ordinance 19-2011 amending and adjusting the permanent appropriations for the year 2011 that is on the agenda tonight, and requested the rules be suspended and it be passed this evening. The Auditor would like Ordinance 19-2011 passed as an emergency this evening to meet the budget needs through the end of the year.

SECOND ITEM Ordinance 18-2011 to create a permanent part time position to be known as the Safety Forces Clerk which will remain a non-union position and to set compensation for part time employees working more than 30 hours per week. The committee moved to add ordinance 18-2011 to the December 27th, 2011 agenda and pass as an emergency that evening

THIRD ITEM: the Auditor made a recommendation in regard to the Income Tax Formula. Cemetery Fund 7%, Street Fund 16%, Police/Fire Pension 10%, Master Capital 20%, General Fund 47%. The Committee moved to have the Law Director draw up the proper legislation place on the December 27th, 2011 agenda and read for three readings.

ITEM 4: Resolution 45-2011 to rescind in part and Amend Resolution 19-2011 for New Philadelphia non-bargaining court employees. On November 28th, 2011 the Finance Committee agreed to amend Resolution 19-2011 Resolution 45-2011 is that amendment. This resolution is a housekeeping resolution. The committee moved to add Resolution 45-2011 to tonight's agenda and pass.

ITEM 5- Amended Resolution 29-2011 to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$135,000 from the General Fund #101 to the Cemetery Operating Fund #209. The committee moved to add Amended Resolution 29-2011 to tonight's agenda and pass

ITEM 6-The Mayor informed the committee O.D.O.T. has several paving projects in the works for the City of New Philadelphia over the next couple of years and the total estimated cost is \$500,000.00 all projects at the present are 80/20. (20% City's share) the Mayor asked that the committee schedule another meeting for more detail.

Ms. Cox informed all she would schedule a meeting for Tuesday, December 27th, 2011 at 7:00 PM in Council Chambers for the purpose to discuss the O.D.O.T. Paving Projects; and any other matter that comes before the committee. The meeting adjourned at 7:29 PM.

**SALARY COMMITTEE .....JAMES LOCKER**

Mr. Locker reminded all of his Salary Committee Meeting immediately following the regular session of Council tonight.

**SAFETY, HEALTH, AND SERVICE COMMITTEE ... MR. ROB MAURER .....NO REPORT**

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

President of Council, Joel Day, assigned to Public works & Economic Development Committee the Service Directors proposed water, sewer and sanitation rates.

**ZONING & ANNEXATION COMMITTEE .....MS. COLLEEN ESPENSCHIED ...NO REPORT**

**CONTACT & SPECIAL COMMITTEE ..... MR. JOHN ZUCAL**

Mr. Zucal reported that the Contact & Special Committee met tonight at 6:30 PM in Council Chambers to discuss: A notices to Council from the Ohio Division of Liquor Control mailed November 22nd, 2011

1. to Speedway , LLC dba Speedway 6246, 1260 West High, New Philadelphia, Ohio 44663 from Speedway Beverage LLC dba Speedway 6246, 1260 West High, New Philadelphia, Ohio 44663 for type TRFO C1 C2 permit asking objections be made no later than December 23rd, 2011.
2. A notice to Council from the Ohio Division of Liquor Control mailed November 22nd, 2011 to Speedway, LLC dba Speedway 6242, 243 North Broadway, New Philadelphia, Ohio 44663 from Speedway Beverage LLC, dba Speedway 6242, 243 North Broadway, New Philadelphia, Ohio 44663 for type TRFO C1 C2 permit asking objections be made no later than December 23rd, 2011.

Mr. Zucal reported that the committee did not have any objections to the permits and did not request a hearing for these notices and for them to be put before full council and voted on so the clerk could sign and return the notices to the Ohio Division of Liquor Control before December 23rd, 2011.

Mr. Zucal reported the Fire Chief gave a report regarding the progress of the exploration of possible sites and financing, should we consider moving forward with a new Fire Station.

The Fire Chief did report all the initial repairs have been completed for the Fire Station as it exists right now.

- It is part of the Fire Chief's intent to continue to look for the acquisition of property. A letter was sent to the Tuscarawas County Board of Realtors. One Realtor did respond, Mr. Barnett of Barnett Realtors.
- Fire Chief Parrish emphasized the first step is to look at the purchase of land and then determine what kind of station we can buy once that purchase is done.
- Requests from Council to look at the acquisitions of land and then again he did entertain to discuss some of the issues with the Ohio Fire Chief Department whether or not we needed them to provide any service to us as to a location. Based on the cost, it would not be a wise use of City Funds the cost is about \$ 8,000.

- The Fire Chief did entertain questions and comments.  
Mr. Lautenschleger had asked about the possibility of looking into the future of a Fire District to include Dover and some of the other surrounding communities.  
The Fire Chief did answer several of those question with comments in regard to that.
- Mr. Maurer did ask whether or not there was a Contingency Plan (disaster plan) should something require us to move to a different location. For the record, currently, there is no existing disaster plan in place.
- Ms. Cox did note the future of the Fire Station should be a central location even if we did move forward with a Fire District Plan.
- The Mayor did say he has talked and has been involved with this process and is working with the Fire Chief with the consideration of location right now. This is confidential and there is no other information at this time.

Meeting adjourned at 6:51 PM

Mr. Zucal made a motion to approve the request for transfer of permits so the clerk could sign and return the notices to the Ohio Division of Liquor Control before December 23rd, 2011.

Mr. Maurer seconded the motion. Roll Call, 7 Yeas, Motion Passed

PARKS & CEMETERY COMMITTEE .....MS. 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 addressed Council and distributed a December 12th, 2011 written report to Council on NPBCA’s:

- Accomplishments over the past 12 months.
- Funding
- Advertising
- NPBCA list of 2011 partners
- Note of gratitude for the generosity and support NPBCA has received.
- 2012 vision of continued improvement and growth of the City of New Philadelphia.

Ms. Lautenschleger also distributed a tea light to each Council Member to represent how bright the City of New Philadelphia has become.

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

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCE:

- 14-2011 An Ordinance by the Council of the City of New Philadelphia, Ohio to create and authorize a Special Police Officer Unit, and declaring an emergency. (3rd Reading)  
  
Motion to vote on passage made by Mr. Maurer, seconded by Ms. Espenschied.  
Roll call, 7 yeas Ordinance passed.
- 17-2011 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 31, 2012 and declaring an emergency. (2<sup>nd</sup> Reading)
- 19-2011 An Ordinance amending and adjusting the Permanent Appropriations Ordinance for the year 2011 and declaring an emergency. (1<sup>st</sup> 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 Ms. Walker.  
Roll call, 7 yeas Ordinance passed

RESOLUTION:

Amended

- 29-2011 A resolution by the Council of the City of New Philadelphia, Ohio to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$135,000.00 from the General Fund #101 to the Cemetery Operating fund #209 and declaring an emergency (1<sup>st</sup>Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Ms. Espenschied.  
Roll call, 7 yeas, rules suspended.  
(Ms. Cox reminded all only 30, 000.00 is being added to the resolution. Because \$105,000. 00 has already been passed)  
Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied.  
Roll call, 7 yeas Resolution passed
- 32-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Lawrence J. Kopp. Jr. for his years of service and dedication to the City of New Philadelphia during his 30 years serving the City of New Philadelphia as Police Officer including 17 years serving as Captain with the New Philadelphia Police Department. (2<sup>nd</sup> Reading)
- 36-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Guido A. Civiello for his 31 years of Service as Health Board Member for the City of New Philadelphia. (2<sup>nd</sup> Reading)
- 38-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Michael A. Scolati for his years of service and dedication to the City of New Philadelphia during his 37 years serving the City of New Philadelphia including 3 years serving as Assistant Superintendent for the Wastewater Treatment Plant. (2<sup>nd</sup> Reading)
- 39-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize the Mayor to enter into an agreement with the Goshen Township Trustees for Fire Protection Services from the City of New Philadelphia within Goshen Township, Ohio for the Calendar years 2012, 2013, 2014, 2015, & 2016, and declaring an emergency. (1<sup>st</sup>Reading)
- AMENDED
- 40-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize the rate increase for services provided by Smith Ambulance Billing for the Calendar year 2012 and to adopt changes in the Ambulance Service Fees charged by the City of New Philadelphia for 2012, and declaring an emergency. (2<sup>nd</sup> Reading)
- 41-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend James Locker for his service of over twenty nine (29) years in the Police Department including nineteen (19) years as Police Chief and Twenty (20) years as Councilman for the City of Ne Philadelphia. (2<sup>nd</sup> Reading)
- 42-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Joel B. Day for his four (4) years of service and dedications as Council President and eight (8) plus years as Councilman for the City of New Philadelphia. (2<sup>nd</sup> Reading)
- 43-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Michael C. Johnson for his twenty four (24) years of service and dedication as Law Director for the City of New Philadelphia. (2<sup>nd</sup> Reading)
- 45-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to rescind in part and amend Resolution 19-2011 for New Philadelphia Non-bargaining Court Employees and declaring an emergency. (1<sup>st</sup> Reading)
- Motion to suspend the rules made by Ms. Cox, seconded by Mr. Lautenschleger  
Roll call, 7 yeas, rules suspended.
- Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger.  
Roll call, 7 yeas Resolution passed

UNFINISHED OR OLD BUSINESS:

NONE

NEW BUSINESS:

Ms. Cox announced that the Law Director, Michael Johnson's Birthday was Sunday December 11th, 2011.

Everyone wished him a Happy Birthday.

The President of Council also wished everyone a Merry Christmas.

MOTION TO ADJOURN MADE BY MS COX, MEETING ADJOURNED AT 8:03 PM

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

APPROVED \_\_\_\_\_

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