

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 29, 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:

MAYOR JOEL DAY

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

- MR. LAUTENSCHLEGER MOTIONED TO ACCEPT THE MINUTES FROM THE DECEMBER 12, 2016 REGULAR SESSION OF COUNCIL
MRS. MAY SECONDED THE MOTION
7 YEAS
MINUTES FROM THE DECEMBER 12, 2016 REGULAR SESSION OF COUNCIL ARE ACCEPTED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council Julie Courtright from Treasurer Tom Gerber, dated December 19, 2016. The Investments and Savings Program for November 2016.*
2. *To Councilman Darrin Lautenschleger from President of New Philadelphia City Council Sam Hitchcock, dated December 20, 2016. President Hitchcock wrote the following: "Please take the attached proposed credit card policy into the Finance Committee for consideration. Thank you!" Attached is the Credit Card Policy.*
3. *To Council, Administration and City of New Philadelphia Employees, from Mayor Joel Day, dated December 22, 2016. Mayor Day wrote the following: "Fellow City Employees, I'll be out of the office December 27, 2016 to January 2, 2017. Thank you for all your hard work in making 2016 an awesome year. I'll see you next on January 3, 2017."*
4. *To Council and Administration, forwarded to Council Clerk Julie Courtright, from Auditor Beth Gundy, dated December 29, 2016. This is an email regarding Travel Expense Reimbursement Policy.*
5. *To Council and Administration from Mayor Joel Day, dated December 29, 2016. The Mayor's Report. Mayor Day wrote the following:*
 - *It's Official! The City has Reached Its Community Energy Savers Program Goal: Yesterday AEP officials confirmed that New Philadelphia has reached its Community Energy Savers Program goal of 773 points. It would not have been possible without the hard work and commitment of our Community Energy Savers team members: Tom Farbizo, Julie Leavengood Stephon, Dean Holland, Ron McAbier, Dave Heck, Dave Wheeler, Al Ledrich, Scott Robinson and Allison Kerns. I would also like to thank all members of the Administration and City Council for helping to promote the program. AEP representatives will attend an upcoming City Council meeting to make a formal presentation of the \$35,000 award for reaching the goal. Energy efficient LED lights have already been installed on street lights in the House of Stones quadrant and also by the*

Daily Grind and Cinzia's on West High Avenue. You can see the difference they will make in our downtown.

- *Encourage Passage of Ordinance 23-2016 Permanent Appropriations Budget for 2017: I urge Council to suspend the rules and pass Ordinance 23-2016 tonight to give the City a new permanent appropriations budget for 2017. I want to thank Chairman Lautenschleger and the members of the Finance Committee for supporting Auditor Gundy's recommendation that we adopt an annual spending plan and eliminate the need for temporary appropriations. To me this is a more efficient means of operating the City. The process went smoothly, in part because of the monthly budget meetings we held this year. I wish to continue those monthly meetings in the New Year.*
- *Thank You for Helping New Philadelphia in 2016 : Thank you to fellow Administrators, City Council members and members of the community for helping to move New Philadelphia forward in 2016. Together I feel we have accomplished a lot over the past year, from the start of construction of the new fire station, to successfully negotiating four bargaining unit contracts, improving our downtown and bringing our community together with Second Saturday celebrations, addressing infrastructure issues and helping new business construction get underway in several areas of the City. We are moving in the right direction. And I look forward to carrying this momentum into 2017 and continuing on our path of improvement.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY.....EXCUSED ABSENSE

SERVICE DIRECTORMR. RON MCABIER.....EXCUSED ABSENSE

Service Director McAber had the following report:

➤ I want to update everyone on the Crider Avenue Land Acquisition that we are partnering with the New Philadelphia City Schools. As I reported last month we received a grant from Clean Ohio in the amount of \$159,932.00 but did not receive the \$24,868.00. We were able to go back to Clean Ohio and apply for up to 75 percent of that money that we did not get from Natureworks. I'm happy to report they did come back with another \$20,068.00 to take that total grant for that to \$180,000.00. I met with the school officials yesterday to go over their commitment and we will be receiving \$25,000.00 from the school with \$5,000.00 payments, one of them in June of 2017, one in July of 2017, and then \$5,000.00 payments each July for the following three years, 2018, 2019, and 2020. So that project will take off with the path we have located there so that the schools could all use it for their classrooms. Also on the grant funding , December 13, 2016 we were awarded a \$45,000.00 grant through OPWC for the new sanitary line at the water treatment plant, with that project starting in spring to mid-summer. Last, trash is running regular this week and next week. Also, in Mayor Day's absence he would like to request a Public Hearing for ODOT's TAP Fund for Lakeview Project, lasting about 45 minutes, for the January 9, 2017 Council Meeting.

Mr. Zucal had the following question:

How long in advance do we have to have that Public Hearing posted?

President of New Philadelphia City Council Sam Hitchcock had the following response:

30 days

Service Director McAber had the following response:

I'll let Mayor Day know.

Mrs. Ramos had the following question:

What is our current water loss?

Service Director McAbier had the following response:

I'm going to say 21 percent.

Mrs. Ramos had the following response:

Okay, I'm just looking at a letter from the Ohio EPA from 2014 and it says it should be less than 15 percent so it sounds like we're moving in the right direction.

Service Director McAbier had the following response:

Well, we have so many places that are unmetered in town.

Mrs. Ramos had the following response:

Everything should be metered even if they aren't charged for it so we can keep track of it.

Mr. Zucal had the following question:

Are we putting out a calendar for residents about trash collection or is there a way they could get that on the City website as to what pick-up will be throughout the course of the year? Such as because of a holiday they would expect us to be behind.

Service Director McAbier had the following response:

The trash collection schedule is on the water bill I know. It's really generated by what Kimble's does though. Jeff Erb also has the trash collection schedule on the City Website.

Mr. Zucal had the following response:

I just know that a lot of older folks probably don't look at the website or they're in autopay with their water bill so they don't see it. I just was wondering if there was a way to help them out so they don't miss trash collection. Anything that you guys could work out would be appreciated.

President of New Philadelphia City Council Sam Hitchcock had the following question for Mr. McAbier:

Right now if we stay with standard regular Council Meetings the first opportunity that we would have for a Public Hearing past the 30 day limit would be February 13, 2017. Will that pose a problem?

Mr. McAbier had the following response:

I'll say something to Mayor Day and let you know.

President Hitchcock had the following response:

If it is a problem let us know and we'll try to work it out.

AUDITORMS. BETH GUNDY

Ms. Gundy had the following report:

- I have printed out a full new copy of the attachment that goes with the permanent appropriations ordinance which is Ordinance 23-2016. There seemed to be a page missing on the original attachment. I don't know if that was original printing or copying or what happened, but you've got a full copy that should be the attachment now. I'm requesting suspension of the rules and passage of both Ordinance 21-2016 and Ordinance 23-2016.

****President of New Philadelphia City Council Sam Hitchcock said he would like to commend the Auditor and the Finance Committee for completing the Budget Hearings in a very efficient manner and eliminating the need for temporary appropriations.***

SAFETY DIRECTORGREG POPHAM.....NO REPORT

TREASURER MR. TOM GERBER.....NO REPORT

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

- I previously sent some proposed legislation to President Hitchcock. I'd like to formally request on the floor to have it assigned to a committee. As many of you are aware, I am now here once a week to meet with officials, administration, anybody that wants to come in. Out of that meeting we have come up with some legislation that I'd like to propose that it's on the floor. One is to update Chapter 521 with regards to deposit, storage maintenance, or collection of used building materials, motor vehicles in inoperative condition, automobile parts, junk, rubbish, or official materials. Mike Scolati has asked that that be updated and provided me with sample legislation that I put into form for that. I also am requesting that a resolution of authorization be passed for both the Carlisle Property Acquisition and Improvement Project as well as the Coniglio Property Acquisition and Trail Project that would allow us to consider doing it and authorizing it and allow us to apply for the Clean Ohio Conservation Fund Program. I would like for those two pieces of legislation, at least for the ability to apply for the Clean Ohio Conservation Fund Program to have a 3rd Reading by February 13, 2017. In addition to that I also drafted an agreement for the donation of the Coniglio Property to the City and that's pending approval by the Committee.

Mrs. Ramos had the following statement:

The legislation we did for 521, that's been assigned to my Committee so, you've already got that written, just hand it over. I'll be scheduling a meeting.

Mr. Fete had the following question:

Has Ordinance 22-2016 been passed out of Committee?

Mr. Maurer had the following reply:

That has been passed out of Committee. I was going to add it to tonight's Agenda but I'll give a report of my Committee.

**President of Council Sam Hitchcock asked Mrs. May to take the trail legislation into her Committee.*

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY.....EXCUSED ABSENSE

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

The Board of Zoning Appeals met on December 13, 2016 at 5:00pm in Council Chambers. We had one variance request from Alliance Construction Management doing business on West High and Bluebell Dr. The request was concerning a sign in noncompliance with 11167.09 in the business zone off premise, sited, variance requested. It was approved 5-0, and that was the only thing to come before us. Our next meeting is January 10, 2017 at 5pm here in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will convene for it's first meeting of the year on Tuesday, January 10, 2017 at the Harry Clever Field Meeting Room.

President of New Philadelphia City Council Sam Hitchcock had the following question:

Any further information on the proposed John Glenn statue?

Mr. Zucal had the following comment:

Right now there is a great deal of discussion. Hopefully in our organizational meeting on January 10th we'll be able to get together a subcommittee just as we did with some of the other work

we've done at the airport to begin to look for a request for qualifications and a proposal to look at that new statue that would honor Mr. Glenn. A lot of questions are out there about that but that's one of those things that we'll be looking at to discuss.

President of New Philadelphia City Council Sam Hitchcock had the following reply:

I think it's a very worthwhile effort.

Mr. Zucal had the following reply:

Right now the informal conversations have been about what we want that statue to look like. Is it going to be from his early days, is it going to be from his days as an astronaut? Just to make sure we're all on the same page because in order to move forward with that we would need to have that taken care of, and then there's some questions about how we would handle donations. Do we want a commemorative plaque with certain standards set, contributions of \$5,000.00 or more how would your name be left for posterity's sake? If some little kid wants to send in \$5.00 because he thought John Glenn was a great astronaut how do we handle that? So we want to have all those measures in place and we look forward to working with Adam Sackowitz, the graduate student who's studied the life of Mr. Glenn pretty thoroughly, and I'm sure it will be an interesting process. The public is welcome to attend those meetings if you're interested.

President of New Philadelphia City Council Sam Hitchcock had the following reply:

It's just a shame that this effort couldn't have been underway when Senator Glenn was still with us.

Mr. Zucal had the following reply:

Unfortunately so many times we wait until somebody's gone to give them the appropriate honor.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

The Park Board met on December 15, 2016 at the Tuscora Park Office. A few items that came up heard originally from the Mayor, currently the funding status for the project to improve and replace the tennis courts stands at total tally now of \$150,000.00 which includes \$50,000.00 each from the Reeves Foundation. The City Budget and New Philadelphia City Schools have pledged \$50,000.00. Of course the larger grant is still out there for the \$392,000.00 project. Hope to hear from the State of Ohio by the middle part of the year at the latest, and hopefully we'll be doing some construction this year. As many of you recall, a master plan process is underway also for the Southside Community Park. Some community and stakeholder meetings are being scheduled at the end of January. Meetings will be January 11, 19, and 26, 2017 with more details to come. Park staff are taking some time here during the winter to identify the priority needs for maintenance projects in the near and long-term future, and starting to set up some planning for funding and so on for those. One other item that's of note, there's never been, outside of the City's budget, a vehicle for park improvements. We do have a line item in the City Budget, of course one of the members of the Park Board is Mike Earnest, Assistant County Prosecutor. He had reviewed that and he made a suggestion and the Park Board did adopt a resolution to move forward with setting up a separate 501C3 to allow for charitable contributions to be made with a number of options in it for both the donors and the City as a recipient for use at Tuscora Park and the entire city recreation system. So, a piece of information will be coming on that the upcoming months. The next meeting is Noon on Thursday, January 19, 2017 at the Tuscora Park Pavilion.

President of New Philadelphia City Council Sam Hitchcock had the following question:

That line item that you mentioned, would that funding be appropriate to be spent for property acquisition for parking?

Mr. Lautenschleger had the following reply:

Potentially, that's a question that we'd have to get answered for sure by legal professionals, I would imagine the answer is yes.

President of New Philadelphia City Council Sam Hitchcock had the following question:

I'm assuming there will be a meeting coming up soon of what I assigned to the Park Committee?

Mr. Lautenschleger had the following reply:

I've got an update on that too that I can provide to you and talk with the Park Board Members.

President of New Philadelphia City Council Sam Hitchcock had the following reply:
I'm just saying that we need to start a dialogue on this so that it doesn't get forgotten.

President of New Philadelphia City Council Sam Hitchcock had the following reply:
Please inform the Park Board that the fundraising effort with the goal of \$192,000.00 for the Boardwalk Project now stands at \$128,000.00.

HEALTH BOARD..... MR. KELLY RICKLIC
The Health Board met on December 14, 2017 at noon at the Brickyard Dining for the Christmas get-together on Commercial Ave. SE. Just a few notes from that meeting, Mr. Finley reported the average bites for a year is 35-40 which is something I didn't realize. One question that came up that may need to be looked at with the Law Director is that there is no ordinance about no shoes in restaurants. Also, they're checking on the venom for the different snakes in our area so that we have some of that on hand here in our Health Department. The only other thing that came up was the \$5,000.00 grant that was awarded for the ORASURE HCV Grant Program which was to check for Hepatitis C and was given 300 test kits for that with a check for \$5,000.00 to be included for that.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

Ordinance 23-2016 is on the Agenda for 1st Reading this evening, as is Ordinance 21-2016. The Committee is recommending suspension of the rules and approval of both pieces of legislation. The Committee held a meeting to wrap up a review of the proposed budget for Ordinance 23-2016 on December 20, 2016. It was an off date from the regular council meeting. We actually conducted that work and completed it in a little over an hour. So we spent a total of about four meetings and about two and a half hours total time in public session. I would like to commend everybody who was involved in the budget process from council and for the time they spent in doing their homework before they came to the meetings, because the questions were concise, to the point, and you could tell people

had reviewed the piece of legislation and had questions that were hitting to the point. Obviously when the Mayor and the Auditor proposed switching to a calendar year budget and trying to avoid temporary appropriation a number of us were surprised by that probably in thinking about it, but in theory it does make a lot of sense. I think it's going to create a much better working environment for the Auditor's Office, the Treasurer's Office and Council as well because there always seemed to be confusion going back and forth between temporary and permanent appropriations. The best thing though that we all need to keep in mind is that while we have a permanent budget in front of us tonight that is a living document, it changes all the time. All you have to do is look at on tonight's Agenda at Ordinance 21-2016 and see that there are changes that need to be made from time to time. So if something is identified and you believe a change needs to be made or the information needs to be reviewed, please bring it forward because that's what that entire process allows for. In the monthly budget meetings that we've had, which includes myself as Finance Chair, in the Mayor's office each month, we have identified some issues throughout the year that were then addressed and either legislation or in items that didn't have to be addressed by legislation, I think that set up for a more streamlined budget, so I commend everybody for that process. I appreciate the input throughout and look forward to seeing this continue. I know I have some ideas on how I think it can be improved next year and I think everybody around the table does.

**President of New Philadelphia City Council Sam Hitchcock asked Mr. Lautenschleger to take the Travel Reimbursement Policy and Credit Card Policy into his 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:

The Ambulance Committee met tonight at 6:45 to discuss Chief Parrish's request for a rate increase in life support one, advanced life support two and basic life support. It essentially keeps us on par with what other communities are charging for their ambulance rates. So our committee did recommend that this come out of committee and we're recommending passage to the full body of Council after 3 Readings. So, we're most likely looking at March 1st before the rates go into effect. The Safety, Health, and Service Committee met at 7:10 tonight. We

discussed the International Property Maintenance Code. Basically it's a book that would supplement the Ohio Fire Code. It gives Chief Parrish and fire fighters more tools when it comes to matters such as code violations. Some of the book, I'm sure, is going to be very useful to them. We did vote that out of Committee. We will have future meetings during the next weeks if needed. The Chief says he's available for power point presentations on some things that he's seen while on duty. We adjourned that Meeting at 7:29pm.

ZONING & ANNEXATION COMMITTEEMRS. CHERYL RAMOS.....NO REPORT

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

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY.....NO REPORT

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS:

Mr. Maurer had the following comment:

Ordinance 22-2016, that was in my Committee in November that we passed out, that's the paving for Route 416 and up through Seven Mile Drive. I'm going to need that added to the Agenda for the January 9, 2017 meeting and hopefully recommend passage by Council because ODOT needs to get that project started as soon as possible.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

17-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING CODIFIED ORDINANCE 935.02 TO INCREASE WATER AND SEWER RATES FOR CONSUMERS OUTSIDE THE CITY LIMITS.

3rd Reading

MR. MAURER MOTIONED FOR PASSAGE OF ORDINANCE 17-2016
MR. RICKLIC SECONDED THE MOTION

Mr. Zucal had the following comment before the final vote:

Just to clarify for Ordinance 17-2016 with the Law Director, am I understanding correctly that any change in rates outside the City limits requires the Council to act legislatively to approve that? The rates can't be established outside without Council's action on that.

Mr. Fete had the following response:

Yes, that's correct.

7 YEAS

ORDINANCE 17-2016 HAS BEEN APPROVED

18-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING CODIFIED ORDINANCE 935.01.

3rd Reading

MR. MAURER MOTIONED FOR PASSAGE OF ORDINANCE 18-2016
MR. RICKLIC SECONDED THE MOTION

7 YEAS

ORDINANCE 18-2016 HAS BEEN APPROVED

21-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2016.

1st Reading

MR. LAUTENSCHLEGER MOTIONED TO SUSPEND THE RULES ON ORDINANCE 21-2016
MR. ZUCAL SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON ORDINANCE 21-2016

MR. LAUTENSCHLEGER MOTIONED FOR APPROVAL OF ORDINANCE 21-2016
MR. ZUCAL SECONDED THE MOTION
7 YEAS
ORDINANCE 21-2016 HAS BEEN APPROVED

23-2016

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW PHILADELPHIA, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2017.
1st Reading

MR. LAUTENSCHLEGER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 23-2016
MRS. MAY SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON ORDINANCE 23-2016

MR. LAUTENSCHLEGER MOTIONED FOR PASSAGE OF ORDINANCE 23-2016
MR. ZUCAL SECONDED THE MOTION
7 YEAS
ORDINANCE 23-2016 HAS BEEN APPROVED

RESOLUTIONS:

50-2016

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE THE SERVICE DIRECTOR TO INCREASE WATER AND SEWER RATES CHARGED BY THE CITY OF NEW PHILADELPHIA COMMENCING JANUARY 1, 2017.
3rd Reading

MR. MAURER MOTIONED FOR PASSAGE OF RESOLUTION 50-2016
MR. RICKLIC SECONDED THE MOTION
6 YEAS, 1 NAY
RESOLUTION 50-2016 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

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

I would like to commend the three new Council at Large that we've had with us this year. I think they've worked very hard and very effectively with their own respected Committees. It's been a real pleasure working with all three of them and I look forward to working with them next year. I also enjoy working with everyone in the Administration and Council and wish all of you a very safe and successful 2017 and look forward to seeing you next year.

MR. MAURER MADE A MOTION TO ADJOURN AT 8:09 PM

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock