

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 12TH, 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

COUNCIL MEMBERS MS. WINNIE WALKER AND MR. JOHN ZUCAL HAVE AN EXCUSED ABSENCE FROM TONIGHT'S COUNCIL MEETING.

PRESIDENT OF COUNCIL, SAM HITCHCOCK ANNOUNCED MAYOR DAVID JOHNSON ALSO HAD AN EXCUSED ABSENCE FROM TONIGHT'S COUNCIL MEETING.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA.  
MR. LANZER SECONDED THE MOTION.

ROLL CALL 5 YEAS  
MOTION PASSED

MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL MEETING HELD ON MONDAY, DECEMBER 22ND, 2014.  
MR. LAUTENSCHLEGER SECONDED THE MOTION.

ROLL CALL, 5 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Salary Committee Meeting Minutes from Monday December 8th, 2014
2. Planning Commission Meeting Minutes from December 9th, 2014
3. Public Works and Economic Development Committee Meeting Minutes from Monday December 22nd, 2014
4. Zoning and Annexation Committee Meeting Minutes from Monday December 22nd, 2014
5. Notice from the IRS announcing January 1, 2015 the Standard Mileage Rate for a car, van, Pickup or panel truck will increase to 57.5 cents for business miles driven, up from 56 cents for 2014
6. Mayor's Monthly Statement to Council for the Month of December 2014
7. Auditor's Monthly Statement of 2014 Revenue for the General Fund for December 2014
8. Auditor's Financial Statement for the Month of December 2014
9. City of New Philadelphia Statement of Cash Position with Month To Date as of December 31st, 2014
10. City of New Philadelphia Budget Report with Encumbrance Details as of December 31st, 2014
11. City of New Philadelphia Month-End Summary for the Fire Department for December 2014 and the New Philadelphia Fire Department Annual Report for 2014

**ADMINISTRATIVE REPORTS:**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON.....NO REPORT  
EXCUSED ABSENCE

SERVICE DIRECTOR.....MR. JAMES ZUCAL .....NO REPORT

AUDITOR .....MS. BETH GUNDY  
THE AUDITOR DID NOT HAVE A REPORT BUT DID SAY

***"O-H"***

***WITH THAT THE ADMINISTRATION VISITORS AND COUNCIL ENTHUSIASTICALLY REPLIED***

***“I-O”***

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

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

LAW DIRECTOR . . . . .MR. MARVIN FETE.....NO REPORT

Mr. Fete announced that he was going to forego his report for tonight.

Mr. Fete did wish Ethan Zucal (who is related to a number of members of our family here) “HAPPY BIRTHDAY.”

The Law Director did say our Hopes and Dreams go with him and his family this evening.

Mr. Fete mentioned we have a long connection with Ohio State:

Ed Breehl was on the front page the Times Reporter today, a former member of this Council, was on the Ohio State Team that won the last time we played Oregon in the Rose Bowl, and of course, Cie Grant, Dave Leggett and now the Zucal Family.

It seems like when they have a New Philadelphia boy with them they do pretty good.

Go Buckeyes!

Mr. Fete than Commended the Zucal Family for allowing us to live though their dream.

***President of Council Sam Hitchcock:***

Mr. Hitchcock thanked the Law Director,

The President commented:

“What a great Birthday Present it would be for Ethan tonight to have a win.”

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

EXCUSED ABSENCE

Service Director announced that the Planning Commission Meeting

Will be held Tuesday January 13th, 2015 at 1:00 PM in Council Chambers there are two items on the agenda.

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

Service Director announced that the Board of Zoning Appeals will meet Tuesday, January 13th, 2015 at 5:00 PM in Council Chambers there are three variance requests.

AIRPORT COMMISSION.....MR. JOHN ZUCAL.....NO REPORT

EXCUSED ABSENCE

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board Meeting will be held at noon January 14th, 2015 at The Pro’s Table.

HEALTH BOARD..... MS. SANDY COX

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

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX.....NO REPORT

SALARY COMMITTEE .....MR. JOHN ZUCAL.....NO REPORT

EXCUSED ABSENCE

Mr. Lanzer, member of the Salary Committee, announced there was no report.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT

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

Mr. Darrin Lautenschleger reported that the Public Works & Economic Development Committee held a brief meeting this evening at 7:15 PM with one item on the agenda. A required resolution from the State of Ohio for participation by the City in the State of Ohio Cooperative Purchasing Program.

The Service Director's Office recently received some correspondence from the State that indicated that the resolution needed to be placed on file. The City has participated in the program in the past and has done quite well with it. A model resolution was prepared for the City, as it is for all municipalities, the Law Director reviewed it presented it to the Committee.

The Committee voted 3-0 to recommend to City Council that Resolution 1-2015 which involves the State of Ohio Cooperative Purchasing Program be added to the agenda for the January 26th, 2015, regular session of City Council, and that it be approved on the third reading.

With no further business to be discussed by the Committee, the meeting was adjourned at 7:20 PM

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS.....NO REPORT

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER.....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER.....NO REPORT  
EXCUSED ABSENCE

VISITOR'S COMMENTS:  
NONE

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

29-2014 AN ORDINANCE TO ALLOCATE FUNDS COLLECTED UNDER THE CITY OF NEW PHILADELPHIA INCOME TAX ORDINANCE, AND DECLARING AN EMERGENCY.  
(2<sup>ND</sup> READING)

31-2014 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO INCREASE ALL SANITATION ACCOUNTS BY ONE (1) DOLLAR PER MONTH. SANITATION ACCOUNT BILLS MAILED IN THE MONTH OF FEBRUARY 2015 SHALL REFLECT THE RATE INCREASE, AND DECLARING AN EMERGENCY.  
(3<sup>RD</sup> READING)

Motion to vote on passage by Mr. Maurer  
Seconded by Mr. Lanzer  
Roll call, 4 yeas, 1 nay (Mrs. Ramos)  
Ordinance 31-2014 has been passed

**RESOLUTIONS:**

38-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND WILLIAM L. ("BILLY") MARTIN FOR HIS 35 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA IN WATER DISTRIBUTION AS A PIPE FITTER, METER INSTALLER, SERVICEMAN, AND METER READER FOR THE CITY FROM OCTOBER 22, 1979 TO OCTOBER 31, 2014. (2<sup>ND</sup> READING)

39-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND JACKIE DRAHER FOR HER 12 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA, OHIO, FROM JANUARY 14, 2002 THROUGH NOVEMBER 28, 2014. (2<sup>ND</sup> READING)

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from the President Mr. Sam Hitchcock:

Mr. Hitchcock stated that:

Normally he wears a suit and tie out of respect for the people, the Council Chambers, and Council; however, tonight (he had on an Ohio State shirt)

**“The respect and well wishes need to go to Dallas for the greatest Collegiate Football Team in the history of this Nation.”**

**With that Mr. Hitchcock said in a very loud voice**

**“O-H”**

**And all present replied**

**“I-O”.**

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 7:42 PM.

CLERK OF COUNCIL \_\_\_\_\_  
PATRICIA A. MCKAY

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
SAM R. HITCHCOCK

NEW PHILADELPHIA CITY COUNCIL MET IN COUNCIL CHAMBERS  
ON JANUARY 26TH, 2015 AT 7:30 PM.

PRESIDENT OF COUNCIL, SAM HITCHCOCK, CALLED THE MEETING TO ORDER.  
(THE PRESIDENT REQUESTED ALL TO REMAIN SEATED.)

PRESIDENT HITCHCOCK ANNOUNCED THE FOLLOWING:  
THE PRESIDENT RECOGNIZED THAT THERE WAS NOT A QUORUM.

(THE PRESIDENT DID RECEIVE 4 NOTICES FROM THE FOLLOWING FOUR COUNCIL  
MEMBERS STATING THEY WERE NOT GOING TO BE AT COUNCIL TONIGHT AND  
ASKING TO BE EXCUSED.)

MS. SANDY COX  
MS. WINNIE WALKER  
MRS. CHERYL RAMOS  
MR. ROB MAURER

THE LAW DIRECTOR REQUESTED A ROLL CALL.

COUNCIL MEMBERS PRESENT FOR ROLL CALL:

MR. DARRIN LAUTENSCHLEGER  
MR. JOHN ZUCAL

***ALSO IN ATTENDANCE WERE: MAYOR DAVID JOHNSON, LAW DIRECTOR MARVIN  
FETE, SERVICE DIRECTOR JAMES ZUCAL, SAFETY DIRECTOR GREG POPHAM,  
AUDITOR BETH GUNDY, TREASURER TOM GERBER, PRESIDENT OF COUNCIL SAM  
HITCHCOCK, COUNCIL CLERK PATTI MCKAY AND THE MEDIA.***

COMMENT FROM PRESIDENT OF COUNCIL, SAM HITCHCOCK:

*“UNFORTUNATELY, WE DO NOT HAVE A QUORUM TO HAVE AN OFFICIAL  
MEETING.”*

***IT IS THE OPINION OF MAYOR JOHNSON AND PRESIDENT HITCHCOCK,  
THE BUSINESS OF THE CITIZENS OF NEW PHILADELPHIA IS IMPORTANT  
ENOUGH THAT THIS MEETING BE RESCHEDULED FOR MONDAY,  
FEBRUARY 2ND, 2015 AT 7:30 PM IN COUNCIL CHAMBER.***

MR. JOHN ZUCAL MADE A MOTION TO ADJOURN THE MEETING AT 7:32 PM.

CLERK OF COUNCIL \_\_\_\_\_  
PATRICIA A. MCKAY

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
SAM R. HITCHCOCK

NEW PHILADELPHIA CITY COUNCIL MET IN COUNCIL CHAMBERS  
ON FEBRUARY 2ND, 2015 (RESCHEDULED REGULAR SESSION OF NEW PHILADELPHIA CITY COUNCIL  
FOR JANUARY 26TH, 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:

SAFETY DIRECTOR GREG POPHAM  
AUDITOR BETH GUNDY

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA.

MRS. RAMOS SECONDED THE MOTION.

ROLL CALL 7 YEAS

MOTION PASSED

MS. COX MADE A MOTION TO APPROVE

- THE MINUTES FROM THE REGULAR SESSION OF COUNCIL MEETING HELD ON  
MONDAY, JANUARY 12TH, 2015.
- THE MINUTES FROM THE PREVIOUS COUNCIL MEETING HELD ON MONDAY,  
JANUARY 26TH, 2015. (JANUARY 26TH, 2015 REGULAR SESSION OF COUNCIL  
RESCHEDULED TO FEBRUARY 2ND, 2015)

MR. LAUTENSCHLEGER SECONDED THE MOTION.

ROLL CALL, 7 YEAS

BOTH SETS OF MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council dated January 26th, 2015
2. Candidate Financial Disclosure Notification-2015 (Online Filing Available)
3. Tuscora Park Board Meeting Minutes dated October 22nd, 2014
4. New Philadelphia Police Monthly Activity Report for the Month of December 2014
5. City of New Philadelphia Budget Report with Encumbrance Details as of January 12th, 2015
6. City of New Philadelphia Public Works and Economic Development Committee Meeting Minutes  
From January 12th, 2015
7. Planning Commission Meeting Minutes from January 13th, 2015
8. Rezoning requests for the Zoning and Annexation Committee dated January 23rd, 2015  
419 Tuscarawas Avenue NW submitted by Christopher J. Wagner, Esq., of 162 North Broadway on  
behalf of David E. Moreland, property owner  
1121 Tuscarawas Avenue NW Presented by Brian Bauer, Architect, MKC Associates for Frontier  
Communications.
9. Commendation Request for outgoing Park Board Member dated January 23rd, 2015  
Mr. William Bichsel III who served six years on the New Philadelphia Park Board
10. City of New Philadelphia Public Works and Economic Development Committee Meeting Minutes  
From January 26th, 2015
11. Request for assignment dated February 2nd, 2015 from the Service Director  
CDBG FY2014 (Construction 2015)
12. Request for assignment dated February 2nd, 2015 from the Service Director  
2015 CDBG and Materials Bids
13. Request for assignment dated February 2nd, 2015 from the Service Director  
In regard to Sanitary Landfill Services.

14. New Philadelphia Fire Department Lifenet Monthly Transmission Summary Report for 1/1/15 – 2/1/15
15. New Philadelphia Fire Department Month-End Summary for the Month of January 2015

**ADMINISTRATIVE REPORTS:**

**MAYOR’S REPORT/REQUESTS ...MAYOR DAVID JOHNSON**

The Mayor reported the following:

- Attended the Steering Committee Meeting (Union People and the Administration working together to get things done)
- Attended the monthly Health Board Meeting
- Met with a local business owner to discuss a liquor license
- Conducted a Monthly Staff Meeting and immediately following had a budget training in Council Chambers
- Met with the Law Director Marvin Fete, to discuss various items
- Attended a S-T-W Policy Meeting in Bolivar and met with the Director of the Tuscarawas County Water and Sewer District
- Held a Board of Control Meeting to award the Engineering Services for CDBG (Community Development Block Grant) & NRG (Neighborhood Revitalization Grant)
- Attended the monthly Park Board Meeting
- Participated in a Press Conference at Tuscora Park Pavilion announcing improvements to the Health Insurance Marketplace and Enrollments (It was quite an enlightening experience to see how easy it is to enroll.)
- Met with Tony Danzo of Municipal Services to discuss the CDBG Projects
- Attended festivities honoring the inductees to the New Philadelphia High School Athletic Hall of Fame Class of 2015
- Went to the PAC (Performing Arts Center) to see "Sister Act " what a wonderful asset to the City of New Philadelphia! It draws new people into our City.
- Friday at 5:00 PM after weeks of dealing with our Health Insurance Company, good news.  
(Several weeks ago they came to us with a 9% increase; we ended up our negotiations with no increase for 2015.)

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

Since our last meeting he reported on the following:

- Passed out the FYI Income Comparison for Water Sewer and Sanitation Income from 2014  
Mr. Zucal would appreciate it if everyone would take a look at those.  
We are fairly solvent in the Enterprise Funds we had a slight decrease in the Sanitation Fund. We are seeing some tear downs and demolitions of different structures that have been taken off properties that do take away from the number of accounts. Please look at that and compare the numbers.
- Complimented our team of City Workers, Administration and the hourly personnel;  
This is tough time we have consolidated some forces.  
we had crews out for the last snow that were not just the Street Department but Water Services, Park, Cemeteries and various dept all working together as a team. Mr. Zucal feels our streets are in very good shape. All the guys are chipping in it is tough under the condition we’ve had freezing and thawing snow and ice. I appreciate all they do.
- He had many calls today on the conditions they are treacherous; off the streets and on the sidewalks.  
There is not much the City can do about that.  
He encouraged everyone to be careful and safe we don’t want anyone getting hurt.  
“We will continue to provide the quality service that we always give to our constituents.”

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

EXCUSED ABSENCE

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

EXCUSED ABSENCE

**TREASURER . . . . . TOM GERBER .....NO REPORT**

Mr. Gerber announced that he is working hard on reconciliation, striving ahead and making progress.

**LAW DIRECTOR . . . . .MR. MARVIN FETE**

Mr. Fete reported he has talked with a lot of attorneys over the last several days

- Mr. Fete had phone conference with Matt Baker on a couple of legal opinions he is working on on the 27<sup>th</sup>.
- A phone conference with Attorney Ed Mack in relation to a possible litigation issue.

That he has briefed Council before, it makes reference to a restaurant; there really has not been much of a change from what he briefed Council on previously. When he has something he will call for an executive session before we move forward on any type of settlement or we decide on what we are going to do with those issues.

- Multiple conferences with Doug Jackson in relation to Mr. Mark Sturm who previously addressed Council about his little dog that was attacked. We are working with that issue; charges have been drawn up. Mr. Fete wants to consult with the Safety Director before he moves forward.
- Mr. Fete had a meeting with the Mayor and the Service Director; they discussed multitude issues that are facing the City.
- On Resolution 1-2015 Authorizing Political Subdivision to Participate in the State of Ohio Cooperative Purchasing Program. The Ohio Revised Code requires that they have a resolution of file from us. This has been the case since 1985.

Only has to be done one time they looked they didn't have one on file for us it can go two readings The auditor did inform Mr. Fete you have to participate in the program every year. There is a fee of \$100 so we can participate there have been purchases for police cruisers and etc. at discounted rates.

- The Law Director talked with Ms. Jennifer Syx, inSight Advisory Group, We agreed we do have to get the schools permission on this Normally the Statue does not require it unless it is over 50% for the Tax Abatement that would go for the Company that is coming in here. Because Menard Inc. have estimated they are going to make over a million dollars in profit we do have to get their permission. The Law Director pointed out in his letter from last October we would do that anyway even if we were not required to. We have a very good partnership with our school system.

**Mr. Fete informed Council the he has already started on contacting the schools.**

**Question from Mrs. Ramos:**

**Considering they estimated a \$1,000,000 profit, would that affect our Income Tax Revenue?**

**The Law Director:**

**Tax Abatement is Property Tax Abatement it will have no effect on our Income Tax Revenue.**

**The Service Director brought to everyone's attention:**

*"It is actually \$1,000,000 payroll."*

*It won't affect us as much as it will the schools.*

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced that the next scheduled Planning Commission meeting will be Tuesday, February 10th, 2015, at 1:00 PM in Council Chambers pending an agenda.

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

Mr. Zucal announced the Board of Zoning Appeals will meet Tuesday, February 10th, 2015, at 5:00 PM in Council Chambers pending an agenda. (at this time there are no variance requests)

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the Airport Commission will meet at 6:00 PM, Tuesday, February 10th, 2015 in the Harry Clever Field Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the next Park Board Meeting will be held at noon Monday February 23rd, 2015 at The Pro's Table Restaurant.

HEALTH BOARD.....MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, February 11th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported that she wanted to amend Ordinance 29-2014

Council has not reviewed the budget yet and we do not know if there is a real need to bring the estimated \$800,000 from Master Capital to the General Fund and placing Master Capital into the General Fund is not a true reflection of the budget as we enter into negotiations this year.

Ms. Cox made a motion to amend ordinance 29-2015 to read as follows, which returns the distribution to the former allocations

d. 47% of the net available income tax receipts received annually shall be used to defray the general operating expenses of the City.

And add the following:

e. 20% of the net available income tax receipts received annually shall be used to defray the Master Capital Expenses of the City.

As we go on through the year, if there seems to be a need later we will look at this.

Mr. Lautenschleger seconded the motion

Roll call

7 yeas

Ordinance 29-2014 has been amended

President of Council Sam Hitchcock assigned the following requests to the Finance Committee:

1. Request dated February 2nd, 2015 from the Service Director  
CDBG FY2014 (Construction 2015)
2. Request dated February 2nd, 2015 from the Service Director  
2015 CDBG and Materials Bids

SALARY COMMITTEE .....MR. JOHN ZUCAL.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT

President of Council Sam Hitchcock assigned the following request to the Safety Health & Service Committee

1. Request dated February 2nd, 2015 from the Service Director in regard to Sanitary Landfill Services

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

Mr. Darrin Lautenschleger reported that the Public Works & Economic Development Committee held a meeting this evening at 6:45 PM with one item on the agenda. We had Jennifer Syx who represents inSight Advisory Group from Fairlawn who the City has contacted to work on the CRA for the City. The Program identified by the Mayor potential Economic Development Tool to attract the Menard store to the former Kmart Property.

Ms. Syx determined that the entire city could benefit by being designated as a CRA except for primary residential areas.

Her work in working with administration is to put that together

A preliminary draft was prepared by the Law Director to kind of get a look at that

Copies of the hand out of her presentation, which you have already received the draft piece of legislation, in a previous packet, the details of that will be coming forward.

We expect to see Ms. Syx in upcoming meetings.

We expect to see a final presentation and a CRA proposal in upcoming weeks.

This could be very beneficial for New Philadelphia and the Community in general. Some of our locations throughout the City could really benefit from this type of reinvestment.

No action to be taken at that meeting.

“With Mr. Lanzer and I able to conduct the meeting this evening we adjourned it at 7:20 PM.”

Comment from Councilperson John Zucal:

Commending Mayor Johnson for his efforts in getting the Community Reinvestment Area going

At the Chamber Banquet, Mr. Zucal talked with Gary Little from CIC and shared with him a few thoughts. They are very appreciative as to what Mr. Johnson has established. It is good news and hopefully we can drive some economic growth in the City of New Philadelphia.

Comment from the President:

Commended the Mayor on his aggressive attitude in pushing forward with this and also Mr. Lautenschleger for his very productive meeting.

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

President of Council Sam Hitchcock assigned the following requests to the Zoning & Annexation Committee

1. Rezoning requests for the Zoning and Annexation Committee dated January 23rd, 2015  
419 Tuscarawas Avenue NW submitted by Christopher J. Wagner, Esq., of 162 North Broadway on behalf of David E. Moreland, property owner.
2. 1121Tuscarawas Avenue NW Presented by Brian Bauer, Architect, MKC Associates for Frontier Communications.

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

VISITOR’S COMMENTS:

NONE

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

AMENDED

29-2014

AN ORDINANCE TO ALLOCATE FUNDS COLLECTED UNDER THE CITY OF NEW PHILADELPHIA INCOME TAX ORDINANCE, AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage made by Ms. Cox, seconded by Mrs Ramos.  
Roll call, 7 yeas,  
Amended Ordinance 29-2014 Passed

RESOLUTIONS:

38-2014

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND WILLIAM L. ("BILLY") MARTIN FOR HIS 35 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA IN WATER DISTRIBUTION AS A PIPE FITTER, METER INSTALLER, SERVICEMAN, AND METER READER FOR THE CITY FROM OCTOBER 22, 1979 TO OCTOBER 31, 2014. (3RD READING)

Motion to vote on passage made by Ms. Cox, seconded by Ms Walker.  
Roll call, 7 yeas,  
Resolution 38-2014 passed.

President Sam Hitchcock announced:

Mr. Martin was not present to receive the famed copy of the commendation resolution but it will be forwarded to him.

39-2014

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND JACKIE DRAHER FOR HER 12 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA, OHIO, FROM JANUARY 14, 2002 THROUGH NOVEMBER 28, 2014. (3RD READING)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lanzer.

Comments from Council Person Ms. Cox:

“I’ve known Jackie for quite a while. I do wish you all the best you will be missed. Thank you for all the jobs you have done in the City, it has been more than one department you have been with, I wish you the best.”

Comments from Council Person Mr. Lautenschleger:

“Thanked Jackie for her years of service thank you for being an outstanding representative of the City whenever anyone came up, and sometimes they might come up with an attitude with the most recent department you worked in they might be frustrated or upset they were always greeted with a smile, a hello and I can help you. You can’t do any better than that in my opinion thank you very much.”

Comments from Council Person Mr. John Zucal:

“Congratulations thank you for your years of service for the City of New Philadelphia and again for working on the front line of that department, it is not always easy. You were there to lend a hand even for myself for my kid’s income tax when they were out of town. Thank you very much.”

Comments from President Sam Hitchcock:

“Congratulation Jackie on your retirement, I’ve known her for a long time maybe even longer than Ms. Cox as well as her husband Carl Draher. They are my neighbors, they are my good friends. Jackie’s service to the City is something that has been very valuable to the citizens of New Philadelphia. Congratulation to her again on her retirement and I wish her all the joy and satisfaction that can give her as being a public servant for the City of New Philadelphia.”

Roll Call 7 yeas  
Resolution 39-2014 has passed.

The President asked Ms. Draher to come forward

The President read the framed copy of the Resolution 39-2014 in its entirety,  
And then presented it to Jackie.  
Everyone applauded and Ms. Draher expressed her appreciation.

1-2015

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO,  
AUTHORIZING POLITICAL SUBDIVISION TO PARTICIPATE  
IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN  
EMERGENCY. (1ST READING)

**UNFINISHED OR OLD BUSINESS:**

Comment from the President Mr. Sam Hitchcock:

“Last Monday something happened that I have never witnessed happening here in my two terms at Council at Large or my three year term as President of Council that is failing to reach a quorum for a City Council Meeting.” Ms. Cox said she had not ever witnessed this either. Due to one of Mr. Lanzers meetings we updated our bylaws for City Council. The most important thing that came out of that was to make reference to the most recent version of Robert’s Rules of Order.

Mr. Hitchcock stated:

Right before we were going to start the January 26th, 2015 Council meeting  
We received the 4th excused absence request which dropped us below quorum.  
The President referred to most recent version of Robert’s Rules of Order.

**Proceedings in the Absence of a Quorum.**

“If a quorum fails to appear at a regularly or properly called meeting the inability to transact business does not detract from the fact that the society’s rules requiring the meeting to be held were complied with and the meeting was convened-even though it had to adjourn immediately.”

If that happens we still have to stick around and call the meeting to order  
Even though we are just going to call an adjournment.

Our bylaws require that we have two meetings a month and that satisfies that requirement. The other point I want to read

If a quorum is not present the chair waits until there is one in some cases don’t show up for a different reason other than sickness it would be the President’s responsibility to call up members in order to have a quorum.

“I was under the impression everyone was under the flu bug so I wasn’t going to attempt to do that besides they were excused absences.”

***“If it appears there is no prospect of a quorum will assemble the chair calls the meeting to order announces the absence of a quorum and entertains a motion to adjourn the meeting which was done.”***

The President said that updated him on that and thought everyone would like to know that as well. The January 26th, 2015 Regular Session of Council was rescheduled for tonight, February 2nd, 2015.

**NEW BUSINESS:**

NONE

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:06 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 9TH, 2015 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING. MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

PRESIDENT OF COUNCIL, MR. HITCHCOCK WELCOMED BILL STEFFEN AND SCOUT TROOP #84 THEY MEET REGULARLY AT THE BROADWAY UNITED METHODIST CHURCH. THEIR SCOUTMASTER IS MR. DOUG CARPENTER. THE SCOUTS ARE CURRENTLY WORKING ON THEIR CITIZEN MERIT BADGE WHICH ENCOMPASSES LOCAL AND STATE GOVERNMENT. MR. HITCHCOCK SAID WE ARE VERY HAPPY TO HAVE THE SCOUTS WITH US TONIGHT. MR. HITCHCOCK ENCOURAGED THE SCOUTS TO STICK AROUND TILL AFTER THE COUNCIL MEETING TO QUIZ SOME OF THE COUNCIL MEMBERS.

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

- MS. COX MADE A MOTION TO ADD TO TONIGHT'S AGENDA  
ORDINANCE 2-2015

MR. LAUTENSCHLEGER SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED

- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, FEBRUARY 2ND, 2015.

MRS. WALKER SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. New Philadelphia Police Monthly Activity Report for the Month of January 2015
2. Mayor's Monthly Statement to Council for January 2015
3. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of January 2015
4. Auditor's Financial Statement for the Month of January 2015
5. City of New Philadelphia Budget Report with Encumbrance Details as of January 31st, 2015
6. City of New Philadelphia Statement of Cash Position with Month to Date as of January 31st, 2015

**ADMINISTRATIVE REPORTS:**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

The Mayor announced that he did not have a written report for tonight his hopes are to have The State of The City Address for Council next week.

Mayor Johnson welcomed Scout Troop #84 and mentioned that he has two Eagle Scouts.

The Mayor reported:

- There was a fire in a duplex the Mayor was able to listen on his police radio in his office as to what was actually happening.

The Mayor reported the Fire Department was so efficient.  
The Police Department, Street Department, and the Fire Captain all working together  
The Mayor said, "It made me proud to live New Philadelphia."  
The Fire Chief had a video and was going to try to bring it but there wasn't time for it tonight.

- Mayor Johnson requested the President of Council assign the Geese Problem at the New Philadelphia Parks to a Committee.

Comment from Councilperson John Zucal:

The Mayor brought up a great point as to how our Police, Fire, Street Department and City Services all working in coordination for the good of the citizens in handling a catastrophic event.  
"We should be proud."

New Philadelphia is ranked as one of our safest Cities in Ohio year in and year out.

Mr. Zucal suggested a banner be put somewhere in the City saying New Philadelphia is ranked as one of the safest Cities to live.

We are fortunate we have an environment our kids/young adults don't have to worry about some of the issues other parts of Ohio do.

Let's not take the quality of life we have in New Philadelphia for granted.

Comment from President of Council:

"Mr. Zucal that was well stated." Mr. Popham would testify the professionalism does not come without extensive and continual training.

#### SERVICE DIRECTOR.....MR. JAMES ZUCAL

Since our last meeting he reported on the following:

- The Service Director thanked our teams out there in the field doing the service work. Whether it is a water leak or the park, cemetery, or street crews they are all doing an outstanding job. We have had a tough winter this year a lot of snow and ice. We are out there treating the roads the best we can keeping cost to a minimal. We are patching potholes every day. It is the freezing and thawing cycle; the crews are working diligently and performing their tasks very well. The Service Director shared with Council that they have used 400 tons of salt already this year at roughly \$70 a ton. We are doing our best to keep our traveling public safe.
- As the Mayor mentioned we had quite a few complaints about the local resident Canada Geese population we have. The Service Director met with Bryan Kay, Private lands Biologist with the Ohio Division of Wildlife that deals with goose problems all over northeast Ohio. We do recognize that we have a problem and they have extended a helping hand to help the City through this problem. We have geese at Tuscora Park, Waterworks Field, and Community Field they are on City property. We have a lot of complaints from young mothers with children in strollers; Not only are the geese a threat to the Children but what they leave behind. We would like to have a Council Committee study that. There are ways of harassing the geese to make them leave the park areas. We have no intention of getting rid of the ducks we just want to get rid of the geese. Everyone loves to go out and feed the ducks in the summer and that is a good thing.

Comment from President Hitchcock That is our mascot. (The ducks)

The Service Director stated we want to educate the public.

We have issues now where straw is being brought in for bedding; people are buying 50 pound bags of shelled corn. We are creating a society of lazy lethargic geese.

We have to do something about it we want to clean up the park

The Mayor met with Rod Miller, Park Superintendent today. We want to keep the Park Board informed. We do want to study this and alleviate the problems especially at Tuscora Park.

The Mayor mentioned there is a lot that can come out of this:

We want to educate the public;

If you are going to give the geese food and a place to stay they are not going to leave;

Some Cities have stringent ordinances on not feeding the geese. We could look at a time frame, possibly fall to spring. They do leave later in the year.

We do not have any intentions to force away the ducks.

We have to control the goose problem.

Comment from the Mayor:

We will not harm the geese we have ways that have been successful we can scare them away. There is no intention of harming the geese there are ways of making them leave.  
Comment from Council person Mrs. Ramos:

Besides not feeding them and making them comfortable, did the Biologist give any other suggestions?

Reply from Service Director:

We have a resident population of the geese and ducks at the park.  
The water is open in that small area the ducks are treading water and they keep it open.  
If it were to freeze the Mallard Ducks and the geese can fly away.  
We have a small group of ducks that are resident ducks (the white ducks) they can't.  
We would have to put them in a pen and keep them.  
If the water was to freeze the ducks and geese are gone.  
As long as the water is open and the food is there they have comfort they are not going any where. We are going to work on all this.  
It is a project about informing the public, it would require some harassment techniques by our employees to keep them away. It would be on going. We have generations now that are bringing their young back.

Comment from the President:

Mr. Hitchcock said he will assign that to the proper committee.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy reported that there is something new in the Income Tax Department.

Joel Day is the one who works with that intimately and he will be the one to explain that to everybody.  
Mr. Day distributed a handout to everyone that explains the new Online City Income Tax Payment that began on Friday. We had the service up on the website in the morning and had the first payment in the afternoon. It was a delinquent taxpayer from 2013. It is already starting to work for us. Mr. Day gave a walk through on how it works. When you land on on the income tax page you will see on the bottom of the page.

I have a highlighted explanation of what you can use. You can use smart phones or tablets by scanning the QR Code. Before you do that we recommend you go on line and create your own account. That way it will work seamlessly with your smart phone or tablet.  
The next page is the log in page where you can create your account or coming back to make a payment that is where you log in.  
There are two methods of payment; set up an account or make a onetime payment.  
The onetime payment screen is the screen with dollar sign; this is used if you have an account already set up.

Mr. Day gave a brief explanation/history of Payment Services Network Inc.  
They are very reputable company fully compliant with credit card industry, with multiple levels of security. Paying by credit/debit card or E-check is really a safe way.  
Also included with the hand out was a sample of the posters that will be put up around town to inform the people of the service.  
We will receive a daily report on payments made by email.  
Once payments are approved the money is sent right to the Income Tax Department Bank Account.  
This is only another payment option that people have; you can still pay by personal check, money order, or cash.  
This option should reduce the number of delinquent taxpayers.  
Particular those whose employers don't withhold New Philadelphia Income Tax or people who are self employed.  
We are hoping that businesses and individuals can also use this payment option to make monthly or quarterly withholding and estimated Income Tax payments.  
As far as the Cost to the City:  
\$299.00 was paid to implement the service and integrate it with the City website.  
There is an annual PCI security compliance fee \$89.00.  
Please encourage everyone to use it, it is up and running on the website.

Comment from the Mayor:

Is it going to cost the Taxpayer? (He just wanted to let the people know there is a fee.)

Reply from Mr. Day:

Payment online or by mobile device  
\$1.00 fee for checking/savings payment  
2.75 % debit/credit card user (\$.50 if payment is less than a \$100.00) is applied to debit/credit card payment.  
You don't have to use it.

Comment from councilperson Zucal

This is an option not a requirement.  
They treating checks as an ETF they have to have money in the account when they come in.  
You have to enter the account number and the routing number.

The Auditor thanked Mr. Day and announced that opens this option up for other payments to the City.  
It is not going to take much time to integrate other departments. That is something that can be looked at.

Comment from President Hitchcock:

Thank you Mr. Day for your forward thinking on this.

**SAFETY DIRECTOR.....MR. GREG POPHAM**

Mr. Propham echoed the Mayor's comments on the Police, Fire, and City Services when there is an emergency going on.

The Safety Director highlighted the Fire Department and reported that in the news the big thing is Body Cam.

The Fire Department now has a Helmet Cam.

If you have the opportunity you need to let the Fire Chief show you that.

It is amazing.

The Helmet Cam it is going right into the house and the apartment and the fire as the Fireman are spraying the water and actually battling the fire in different levels, to the point of being extinguished.

It is amazing to watch that as it is actually happening and not like after the fact.

Mr. Propham stated "Great job by all the Services of the City."

**TREASURER . . . . . TOM GERBER .....NO REPORT**

**LAW DIRECTOR . . . . .MR. MARVIN FETE**

Mr. Fete reported the following:

- On February 4th, 2015 Mr. Fete had a meeting at his office with the Mayor, Service Director and Assistant Service Director Amy Gilland; on some issues that are before the City.
- On February 5th, 2015 Mr. Fete responded to a written request regarding unused vacation time. Also had a phone conference with Committee Chairman John Zucal on that issue and it is my understanding Mr. Zucal is going to have a Committee Meeting on the Amended Ordinance 23-2014 on February 23rd, 2015 for one hour. The Law Director encouraged everybody to read Amended Ordinance 23-2014 again and call him if you have any questions.
- The Law Director had a meeting with Doug Jackson to discuss a pending criminal case as well as budget issues.
- The Law Director had a phone conference with Jennifer Syx from inSight as you recall the Law Director sent out the sample ordinance had that all filled in except for one portion, the boundary description. That ordinance will be all ready to roll by your meeting Mr. Lautenschleger.
- On February 7th, 2015 Mr. Fete corresponded with an attorney regarding payment for unused sick time for a past employee.
- Drafted an answer to a Workers Comp claim in the City that will be filed tomorrow morning.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

The Mayor announced that there is no Planning Commission Meeting for February  
And that the next scheduled Planning Commission meeting is Tuesday, March 10th, 2015, at 1:00 PM in Council Chambers pending an agenda.

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

Mr. Zucal announced the Board of Zoning Appeals next scheduled meeting is Tuesday, March 10th, 2015, at 5:00 PM in Council Chambers pending an agenda.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

Mr. Zucal announced the Airport Commission will be meeting at 6:00 PM, Tuesday, February 10th, 2015 in the Airport Meeting Room, at Harry Clever Field.

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

Mr. Lautenschleger announced the next Park Board Meeting will be held at noon February 23rd, 2015 at The Pro’s Table Restaurant.

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

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, February 11th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

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

- Ms. Cox reported that the Finance Committee met tonight at 7:05 PM in the Council Chambers with one item on the agenda:  
Ordinance 2- 2015  
The amending and adjusting of the temporary appropriation Ordinance for 2015.
- Ms. Cox stated as a Committee, we decided to put this on the agenda tonight.  
This is to increase the Treasurer’s Fund of Profession Services \$5,000.  
The Meeting was adjourned at 7:07 PM.

**SALARY COMMITTEE .....MR. JOHN ZUCAL**

- Mr. Zucal reminded members of Council and Administration as well that the Salary Committee will be addressing as Mr. Fete our Law Director proposed this evening we will be meeting on February 23rd, 2015 to discuss again the vacation pay that has been somewhat up in the air in regard as to how Council would like to handle that. We do need to make some resolution with that so again Mr. Zucal is encouraging the Law Director to make sure we all have a clear understanding of what is being proposed and where we want to go with that we need to move sooner than later on that and have that resolved. Please take some time to review the proposed ordinance and to understand what the law director is asking of us in regard to handling the vacation pay.
- Mayor Johnson proposed a while back some various position moves within the City that he Feels could streamline operations in the City and also maybe potentially save the City some money. Mr. Zucal said he applauds the Mayor for taking that initiative and we do not want to lose an opportunity to at least explore that, for the members of the Committee to voice their opinion, and potentially to have that proposed in front of all of Council.
- We will also be looking at some efforts to recognize Bill Bichsel III for his service to the Park Board.
- **Down the Road:**  
Chief Parrish and Mr. Zucal have been in conversation;  
“We have been moving along nicely with paying off the property that we acquired For what potentially would be a new fire station.  
In March we would like the opportunity again to have another meeting, but to move a little bit forward, again not making a firm decision but begin to look for some RFQ (request for qualifications) and RFP (request for proposal) about what that fire station might look like and to get some community input, which Mr. Zucal thinks is very important.  
The more we engage the community in this process there are opportunities to allow them to have Access to these facilities for different uses. I think we would get more public buy-in and that is something we have to be very visionary and forward thinking about.  
These are just some issues that the Salary Committee is going to be addressing in the very near future.”

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

Mr. Maurer reported that Safety Health & Service Committee met tonight at 7:15 PM with two topics of discussion:

1. The 2015 Annual Contract with the Tuscarawas County Sheriff to House Prisoners at the County Jail at the rate of \$60.00 per day.  
Mr. Maurer reported the Committee is recommending that it be read for three readings and passed on the third reading.
2. A piece of legislation that would authorize the Service Director to advertise for bids, receive bids

and award a contract for three years of Sanitary Landfill Services.  
The Committee is asking the Law Director draw up an ordinance and we are asking passage on that also.

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

Mr. Darrin Lautenschleger did not have a formal report but did remind Committee Members and Members of Council that the Public Works & Economic Development Committee will meet February 16th, 2015 at 7:30 PM or immediately following the 7:00 PM Zoning and Annexation Committee Meeting in Council Chambers with one item on the agenda.

Discussion of the Community Reinvestment Area designation in the City with our representative Jennifer Syx from the inSight Advisory Group.

Comment from the Mayor:

February 16th, 2015 is an official day off for the City.

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS**

Mrs Ramos announced that the Zoning & Annexation Committee will meet February 16th, 2015 7:00 PM in Council Chambers we have 2 items of business on the Agenda.

1. Rezoning requests for the Zoning and Annexation Committee dated January 23rd, 2015  
419 Tuscarawas Avenue NW submitted by Christopher J. Wagner, Esq., of 162 North Broadway on behalf of David E. Moreland, property owner.
2. 1121 Tuscarawas Avenue NW Presented by Brian Bauer, Architect, MKC Associates for Frontier Communications.

Comment from the President of Council:

Mrs Ramos, what is the status of the issue that was in your Committee on the relocation of the Social Security Office. You had one meeting on it and do you have another meeting scheduled any time soon?

Reply from Mrs. Ramos:

Mrs. Ramos informed the President that she plans to have another meeting but she is still researching The issue but added the office is not moving.  
At her meeting on this issue she requested all the Committee and committee members look into this issue.

Concerns from Mrs. Ramos:

We don't even know what the 2025 Plan is.

The Federal Government Employees sent us a request to pass a resolution to support bills that are at the Federal level. We have to see where those bills are at.

Mrs. Ramos said she went on the Social Security Website and completed a survey that is offered to the public in regard to the Vision 2025.

Mrs. Ramos reported that she is going to call the person in charge of that to get a written copy of the results of the survey.

Mrs. Ramos announced that the office is not leaving and informed Council that there are things you have to get on line.

Some people need to have a print out of their wages/benefits so you have to get that on line now.

If you lose your Social Security Card you have to apply for that on line.

Concerns from Ms. Cox and Mr. John Zucal:

All that is asked that we support the resolution and request that the office remain in the City of New Philadelphia. We need to do this we are the City where the office is located and it does generate income for the City.

They want are support because in 2025 they are going down to four Social Security Offices across the state.

We don't need to lose any business at any level.

This is an important service for our Community as well as Carroll County.

That is something they are expecting to happen they wanted us to be on board to support the office which the majority of Council wants.

This is an opportunity to be proactive out on the front end.

A number of people that utilize that office don't have access to online or feel comfortable using it.

They depend upon the person to person interaction that can only take place in one of those offices.  
Mr. Zucal requested that a meeting be held sooner not later stating we don't want to see a reduction in Social Security offices.  
We are the County Seat and we should support this.  
Everyone locally has supported this except for the City that the Office is located.  
A union initiative to try to get citizens to do something.  
All we are being asked is to do is say we don't want to see it happen. We want the Social Security Administration office to stay here.  
All it is saying we support our Social Security Administration office.

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

VISITOR'S COMMENTS:  
NONE

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

2-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AMENDING AND ADJUSTING THE TEMPORARY APPROPRIATIONS ORDINANCE FOR THE YEAR OF 2015, AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox Seconded by Mr. Lautenschleger  
Roll call, 7 yeas  
Rules for Ordinance 2-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas  
Ordinance 2-2015 has been passed

**RESOLUTIONS:**

1-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AUTHORIZING POLITICAL SUBDIVISION TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY. (2nd READING)

**UNFINISHED OR OLD BUSINESS:**

Councilperson Mrs. Ramos:

She wanted to know the status of the new Employee Handbook.

Councilperson Ms. Cox:

Informed Mrs. Ramos that it was turned over to the Law Director and the Mayor.

Reply from the Mayor:

The Mayor told Mrs. Ramos that they are working on that.

**NEW BUSINESS:**

Comment from the Law Director:

Mr. Fete welcomed the young men that we have here tonight and commended them on the wonderful example they show as representatives of our community by being members of this troop organization. "I think that is terrific it is really important that you are here this is where you get to act locally. This is where we try to do what is best for our local community. You are a wonderful example of that and I want to thank you for being here this evening."

Comment from the President:

“Well Spoken Mr. Fete.”

Mr.Hitchcock than encouraged the Scout Troop to stick around and ask Council Members questions.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:13 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 23RD, 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  
MR. JOHN ZUCAL

EXCUSED ABSENCE:

AUDITOR BETH GUNDY  
COUNCILPERSON MS. WINNIE WALKER

PRESIDENT OF COUNCIL, MR. HITCHCOCK ADVISED: CLERICAL ERROR ON THE AGENDA RESOLUTION 1-2015 **IT IS THE 3RD READING** NOT THE 2ND READING PLEASE MAKE THE CHANGE ON YOUR AGENDA

MS. COX MADE A MOTION TO AMEND THE AGENDA FOR TONIGHT TO REFLECT THE CLERICAL ERROR CORRECTION.  
MR. LAUTENSCHLEGER SECONDED THE MOTION.  
ROLL CALL 6 YEAS  
MOTION PASSED

MR. ZUCAL MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. LANZER SECONDED THE MOTION.  
ROLL CALL 6 YEAS  
MOTION PASSED

MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, FEBRUARY 9TH, 2015.  
MR. MAURER SECONDED THE MOTION.  
ROLL CALL, 6 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Safety Health and Service Committee Meeting Minutes from February 9th, 2015
2. Mayor's 2014 State of the City dated February 23rd, 2015
3. Finance Committee Meeting Minutes from February 9th, 2015
4. Public Works and Economic Development Committee Meeting Minutes from February 16th, 2015
5. Zoning and Annexation Committee Meeting Minutes from February 16th, 2015
6. Request from the Mayor dated February 10th, 2015 to Council President to assign the Airport Commission appointment of Mr. Christopher Bower and the reappointment Of Dr. Rich Varrati to a Committee for their consideration and recommendation.

**ADMINISTRATIVE REPORTS:**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

The Mayor David Johnson presented:

**State of the City**

Dated February 23rd, 2015

(Copies were distributed to council members)

Mr. Johnson mentioned he took over the position of Mayor of New Philadelphia, January 9th, 2014 He said he has spent a good portion of his life serving the citizens of New Philadelphia with the goal of making it a safer cleaner and more wholesome place to live. The Mayor said he will always be a positive spokesman

for our town.

The Mayor's stated:

1. 2014 was both challenging and rewarding with a Predicted deficit looming at the end of 2014 and a Major project to finish.
2. First on the agenda was money, or the lack of it. His plan was to cut expenses by using the Teamwork approach. He changed the way business was done by cutting costs and streamlining all operations. All excess was cut. With the much slimmer budget in place Policies and spending were examined.

A snow storm before he took office there were 70 hours of overtime by adjusting schedules the next storm was 5 hours over time.

His team is doing an excellent job of updating procedures and smarter spending.

The Mayor's reported:

We have stayed within our budget money and returned unused funds to help create a \$1,600,000 carryover in to 2015.

When we had the money to purchase a vehicle, the one that was replaced went to another department. Where we could, used vehicles were purchased.

A previously owned heavy truck was purchase through ODOT.

We've partnered with AEP to save money which resulted in \$7,630 in savings coming back to us per month.

We reworked our cell phone contract with a new company we are presently working with Frontier to lower the cost of our landline service.

Negotiated a small increase in health insurance from double digit to a single digit in 2014 and already negotiated a zero increase for 2015.

### **PROJECTS:**

The Mayor reported:

- The paving of the downtown area. The project originally was completed in the late fall of 2013. The outcome of the paving project was poor, and with further inspection we found the thickness was less that the bid specifications. Through his insistence and the hard work of our Service Director Mr. Zucal the bad pavement was taken up and properly replaced. We now check and double check all contractors work.
- One of the largest projects in our history the West High Avenue Expansion came to construction in 2014. It is 90% done. This spring a top coat of asphalt, new sidewalks landscaping, and additional street lighting will complete this project.
- With the opening of Market Place Commons, construction of a Buffalo Wild Wings began a rapid pace. An atmosphere of of cooperation was created. A hotel on the same property is to follow along with other retail.

Included in the area of growth:

- Kimble companies expanded this year bringing many new jobs.
- Oak Shadows-Phase 5 got approved with five new Residential lots.
- Infrastructure additions include Union Avenue storm sewer, new catch basin lids on South Broadway and Mill Avenue and water line improvements at North Broadway and Wabash.
- The Tolloty Incubator at the Tuscarawas Technology Park has added more companies.

The Mayor's reported:

- The feather in his cap is the coming of Menards. When he first started as Mayor, he inquired about the old K-mart building on Bluebell Drive NW. After checking the laws, he decided to have the building condemned the Mayor put the owners in contact with Menards. The result of his actions; Menard Inc. hopes to begin construction in 2015. This will be a huge asset to our City with nearly 200 jobs and a \$1,000,000 payroll.

Other businesses:

- Planet fitness,
- Off Broadway Antiques,
- Lauren Innovations,
- Aqua Blue and others,

We have lost business with two major manufacturers

The Mayor's reported:

He has established himself and the City with County, CIC, Team Neo and Jobs Ohio. All organizations are committed to bringing and maintaining industry in our area.

The Mayor thanked several individuals:

Gary Little of the CIC, Harry Eadon/Team Neo, Scott Reynolds/Tuscarawas County Economic Development Office and Scott Robinson Chamber of Commerce for their outstanding efforts on behalf of the City.

We are presently applying for a new tool to give us the edge. The Community Reinvestment Area program CRA is a tax incentive offered to businesses constructing new buildings or reworking a present building.

We will use the CRA with Menards. We are creating a district to include the whole City, leaving out residential areas. We are the first in this part of the state to have this tool.

This has been accomplished through team work,

The Mayor's reported:

When the Mayor first came in office, he appraised his people and asked them if and where change was needed the most common answer was they wanted a voice.

By using the team approach we have a lot of new ideas and cost savings.

No one knows the City better than these Managers: (they were present and stood as their name was called)

Service Director Jim Zucal, Assistant Service Director Amy Gilland, Mayor's Assistant Mary Jo Fragasse, Safety Director Greg Popham, Fire Chief Jim Parrish, Police Chief Mike Goodwin, Health Commissioner Vickie Ionno, Utilities Superintendent Ed Wilson, and his new Assistant Brian Myers, Park Superintendent Rod Miller and recently appointed Street Superintendent Ray Grewell and his assistant Rick Marcaletti, also new to his position as Cemetery Superintendent is Kelly Herron, who has twenty years with the City formerly as the Assistant Superintended of the Parks and Recreation Department.

The Mayor announced:

His mission in 2015:

Listen to every idea, weigh all sides, share, discuss and make a plan.

His goal:

To provide high quality services utilizing the people we employ without adding expense to our streamlined efficient budget.

### **PLANNED PROJECTS/OBJECTIVES FOR 2015**

Community Development Block Grant (CDBG) & Neighborhood Revitalization Grant (NRG)

(This is on Tuscarawas Avenue NW and the bus lane at West Elementary School)

Complete the West High Avenue Widening Project -10% remains to be completed

Mill Avenue storm sewer project

Storm sewer project on Church Ave SW

Storm sewer project on Bowers Avenue NW

Storm sewer repairs on Tech Park Drive NE

Complete GIS mapping

Finalize the plans to increase cemetery land

Demolition of a home at 368 Fourth Street NW

Bid landfill contract

General paving/ crack sealing and chip/ seal Delaware Drive and/or Goshen Ave

Proposed composting site

Apply for natureworks grant

Apply for grants to relocate water and sewer on Mill Avenue on the Howden Buffalo property to the City's right of way

Airport Master Plan Update

Frontier/Dish Competition

Secure the City building and all other facilities

The managers and all non bargaining employees are a hard working group of men and women under his direction his staff has saved the City hundreds of thousands of dollars.

They are the reason we came in under budget. These people need to be rewarded we can no longer ignore them. In the 2015 budget I have included a raise, I urge Council to make it happen

"It has been and will continue to be my privilege to serve as the Mayor of my hometown, the City I love."

Councilperson Mr. John Zucal thanked all the managers that were present and all the employees that work on the streets that are not present.

Councilperson Ms. Cox also thanked all the managers for their hard work, expressed appreciation for their presence, and stated it was nice to be able to put a name with a face.

Mr. Zucal suggested Council express appreciation by a round of applause.

**All applauded.**

President of Council Mr. Sam Hitchcock commended all the department heads, their assistants, the Mayor for the team approach and for a job well done.

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

Since our last meeting he reported on the following:

The Service Director thanked the Mayor and announced all of our employees do a fantastic job.

The Service Director referred to Mrs. Ramos's question asking about structure of the City and how we manage.

The Service Director reported that he has four department head, three assistants, various maintenance personnel and 55 service employees.

The Service Director distributed to Council a copy of his 2014 Service Director's Office Accomplishments and informed all that he could not have done it without those people he mentioned.

Mr. Zucal mentioned that Amy Gilland is not his assistant she is "The Assistant" Ms. Gilland does a fantastic job.

All these people meet with the Service Director daily.

They share ideas, meet with the Mayor; they all care, and love New Philadelphia.

Mr. Zucal thanked the employees on his behalf and mentioned it is nice to see past employees here. (Mr. Lipinski)

Bob Lipinski worked with us a long time.

Jeff Evans and Ted Polka who keep the building clean. There is a lot of work to do this time of the year I want to thank our guys that are plowing snow, salting streets we have managers that are out there all night long, there are so many things that go on. It is a 24 hour a day operation. I really appreciate that we are doing our best and hearing some good compliments.

We've had some tough storms but we are dealing with them well.

Keeping our water leaks repaired and keeping all the services we provide.

I think our services here are our commodity.

We see that when people come to town.

We entertain the folks from Menards we work with a lot of other business people, engineers, marketing people, and such, and they all like New Philadelphia. That is a tribute to us and what are people do.

Comment from President Hitchcock:

"The best product we can give to our citizens is service."

Our Department Heads are responsible for that with the guidance coming from the Service Director the key word here is service I think that is evident in what we see in this community."

Question from Councilperson Ms. Cox:

When we had the bridge inspection, were all are bridges okay?

Reply from the Service Director:

Yes, all of our bridges were in compliance.

We worked with ODOT; we passed legislation to allow that to happen.

I have that on file and that is a very important safety factor that is another thing the Mayor and I talked about today. The bridges that we have we have to make sure they are safe and secure and they do pass.

I will keep Council informed, that is a new yearly event.

Comment from Mayor Johnson:

"We know there are potholes out there and we are getting to them as quickly as possible."

Please keep us informed of any major potholes. (Call the City and give the location)

We will be happy to get to them as quickly as we can.

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

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

**TREASURER . . . . .TOM GERBER .....NO REPORT**

Mr. Gerber informed all that he is working with Rea and Associates almost daily to reconcile 2014.

**LAW DIRECTOR . . . . .MR. MARVIN FETE**

Mr. Fete reported the following:

- The Law Director had multi conversations with Jennifer Syx from inSight regarding the CRA. The next big step is negotiation in terms of an agreement between the schools and us for revenue sharing.
- Reviewed and approved a public hearing notice the clerk had written.
- Communicated by e-mail multiple times with Matt Baker regarding unused sick leave
- Drafted the legislation that is before you.
- Received and reviewed a letter from our Prosecutor Doug Jackson in regard to the case load that is being handled in Municipal Court.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

The Mayor announced that the next scheduled Planning Commission meeting is Tuesday, March 10th, 2015, at 1:00 PM in Council Chambers pending an agenda.

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

Mr. Zucal announced the Board of Zoning Appeals will meet Tuesday, March 10th, 2015, at 5:00 PM in Council Chambers providing there is an agenda.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

Mr. Zucal announced the Airport Commission will be meeting at 6:00 PM, Tuesday, March 10th, 2015 in the Airport Meeting Room, at Harry Clever Field.

Mr. Zucal announced that the Airport Commission will have a change in leadership.

Tom Farbizo who has served as Chair for a long time is stepping down.

Mr. Christopher Bower from Diversified Engineering is replacing the vacant position. We are happy to have Chris on board.

Mr. Zucal reminded all that Mr. Farbizo was the driving force behind the QDA Foundation with the Window Replacement Project at the airport with some of the advertising. The project is doing well.

The windows are enhancing the appearance and helping us with the efficiency at the airport.

The money does go the the 501c3 foundation established by QDA to assist young people with dollars to enhance their post secondary options.

Mr. Zucal reported Mr. Lanzer and Mrs. Ramos do attend the Airport Commission meetings.

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

Mr. Lautenschleger announced the next Park Board Meeting will be held at noon Wednesday February 25th, 2015 at The Pro's Table Restaurant.

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

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, March 11th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

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

Ms. Cox announced and reminded all February 25th and 26th, 2015

Starting at 5:30 PM in Council Chambers is the Budget Hearings and other items.

**SALARY COMMITTEE .....MR. JOHN ZUCAL**

Mr. Zucal reported the Salary Committee met at 6:30 PM in Council Chambers present were

Committee members Mr. Lanzer, Alternate Ms. Cox, and Chair Mr. John Zucal. (Committee Member Ms. Walker was absent)

We spoke on three separate agenda items.

We came to an agreement and would like to move forward on the resolution commending William Bichsel III for his years of service to the Park Board.

We discussed vacation time, sick leave, and how we wanted to handle that.

We have moved forward with the discussion and cooperation with administration and are asking the Law Director to draft the appropriate legislation to address the issues of both vacation time and sick leave time.

We also asked him to look separately maybe potentially for at least two different employee issues in regard to the payment of vacation time, with one of those being Mr. Hixenbaugh we will be looking forward to the Law Director having that prepared for the March 23rd, 2015 meeting.

we would like to move and enact all pieces of legislation that evening we will be looking to suspend rules and move forward with that.

One of the issues that came up at the very end of the meeting was the Mayor has been asking for some Proposed personnel moves and ways to do that.

Mr. Lanzer requested the Mayor include that in the Annual Budget.

Mayor as the administrative lead assured us that is what he will do.

Include those types of things like the raise into the annual budget during the Budget Hearings;

That is where we will discuss those matters

That is where we have the opportunity to vent that out and decide

what way we want to go.

We look forward to having that included in the budget and moving forward based on the

Budget Hearings as to where we need to go with that.

Chair John Zucal thanked the Mayor for taking that administrative lead.

The meeting Adjourned at 7:26 PM

#### **SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT**

President Sam Hitchcock:

The President Asked the Safety Health & Service Committee Chair Rob Maurer what the status of the geese problem issue that was recently assigned to his committee.

Mr. Maurer said he is still looking into that. His immediate plan is to speak with Mr. Rod Miller.

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

Mr. Darrin Lautenschleger reported that the Public Works & Economic Development Committee did meet February 16th, 2015 immediately following the 7:00 PM Zoning and Annexation Committee Meeting in Council Chambers with one item on the agenda.

To discuss the proposal to establish a Community Reinvestment Area in the City according to the Ohio Revised Code. On our agenda tonight is Ordinance 1-2015 the Committee has recommend rules be suspended this evening and this ordinance be passed on the first reading.

Mr. Lautenschleger announced that Jennifer Syx with the inSight Advisory Group (the firm the City contracted who initially discussed the aspect and the potential for a Community Reinvestment Area CRA) in the City was present.

Mr. Lautenschleger announced if it does pass we could see a number of properties that could be revitalized in the City of New Philadelphia.

Mr. Lautenschleger thanked Ms Syx for her vision thanked the Mayor for reaching out to her and inSight Advisory and inviting them to come see us.

Mr. Fete and Ms Syx were able to determine it does work and we were given a list of parameters and the understanding according to the ORC.

“What higher visibility for a project for the implementation of this program for this to be passed.

Lautenschleger encourage all Council to approve this

To be able revitalize the former K-Mart property and turn it into something valuable and less of an eye sore than it has been in the past decade and a half .”

Lautenschleger thanked everyone and mentioned Ms. Syx was present to answer any questions.

Question from Mrs. Ramos:

The revenue sharing how will that work?

Reply from Ms. Syx:

The revenue sharing is only when the payroll is expected to exceed a million dollars

And then it becomes an agreement between the State, the school district, and the business.

The formal document that is created and negotiated so that the City will generate new income tax because of the jobs that are going to be created at that point when that

payroll reaches a million dollars the City will work with the school district and will share that income tax for a period of time the abatement is placed but there is also on the back of the business also is a gift in place.

We will be working with them to negotiate that, there is nothing required to be done immediately, or even discussed tonight that will come at another date once the Menards agreement is approved.

Comment from Mrs. Ramos

So once you reach the one million dollars in payroll then it is the income tax that will be given to the schools.

Reply from Ms. Syx:

That is correct. It is all based on income tax. It has nothing to do with real estate property tax which is what the abatement is for; it is based on income tax generated on new jobs with payroll in excess of one million dollars.

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS**

Mrs Ramos reported that the Zoning & Annexation Committee met February 16th, 2015 7:00 PM in Council Chambers with 2 items of business.

You will see on your agendas for tonight we did agree to permanently rezone certain land located at 419 Tuscarawas Avenue Northwest and certain land located at 1121 Tuscarawas Avenue Northwest.

You will see that as Ordinance 4-2015 and Ordinance 5-2015.

Mrs Ramos announced that the Zoning & Annexation Committee will be scheduling a meeting in March regarding The American Federation of Government Employees request about the Social Security Office.

**SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT**

President of Council assigned to Special & Contact Committee the Mayor’s request for Airport Commission Appointment of Christopher Bower and the Airport Commission reappointment of Dr. Rich Varrati.

**PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT**

**EXCUSED ABSENCE**

Comment from Councilperson Mr. John Zucal:

Mr. Zucal encouraged all of us as members of council to continue to think about the potential, as the Mayor addressed in his State of the City some issues with the cemetery and the amount of land acquisition we may potentially need.

“I hate to see that not being discussed on the floor of Council so if we could look forward in restructuring that Committee or allow 2/3 membership to call a meeting I would appreciate that.

President of Council:

That was taken from her committee and was put in Public Works & Economic Development Committee.

Comment from Councilperson Mr. John Zucal:

“Any issues down the road, in light of her potential absences, maybe those could be divvied out not just to Mr. Lautenschleger, but on a case by case basis. I would be willing to assist in any way.”

I do know we have pressing issues that need to be discussed.

President of Council:

Your comments are well taken.

Comment from Councilperson Mrs. Ramos:

Reminded Mr. Zucal that issue was taken out of Ms. Walker’s Committee and is currently in the Public Works & Economic Development Committee

**VISITOR’S COMMENTS:**

NONE

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

- 1-2015 AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE (ORC), ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF NEW PHILADELPHIA, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL, AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Mr. Lautenschleger

Seconded by Ms. Cox

Roll call, 6 yeas

Rules for Ordinance 1-2015 have been suspended

Motion to vote on passage by Mr. Lautenschleger  
Seconded by Ms. Cox  
Roll call, 6 yeas  
Ordinance 1-2015 has been passed

- 3-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY LANDFILL SERVICES, AND DECLARING AN EMERGENCY. (1ST READING)
- 4-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 419 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO OFFICE, AND DECLARING AN EMERGENCY. (1ST READING)
- 5-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 1121 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO BUSINESS, AND DECLARING AN EMERGENCY. (1ST READING)

**RESOLUTIONS:**

- 1-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AUTHORIZING POLITICAL SUBDIVISION TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY. (3rd READING)

Motion to vote on passage by Mr. Lautenschleger  
Seconded by Mr. Lanzer  
Roll call, 6 yeas  
Resolution 1-2015 has been passed

- 2-2015 A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO AND CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY (1ST READING)

**UNFINISHED OR OLD BUSINESS:**

Comment from the Mayor:

1. We failed to mention our Health Department and how it provides a very important function for the City. Our Health Department does a lot for this community and the Mayor commended them for their service.
2. The Mayor announced that Mr. Tom Farbizo was appointed to the Park Board so he has not left us. The Mayor requested the President, Mr. Hitchcock assign to a committee Commendations for Mr. Tom Farbizo years of service on the Airport Commission.

The Mayor mentioned that Ms. Ionno, Health Commissioner probably saved more in her budget than anyone else.

Comment from the President:

The President assigned to the Salary Committee the request for Commendations for Mr. Tom Farbizo for his years of service.

The President stated that Ms. Ionno s efforts falls under Service to Our Community.

Comment from the Service Director:

"I talk with Ms. Ionno on a daily basis  
I think Our Health Department, for the size of Our City is outstanding  
They make money and they save money.  
They do a great job for the City."

Ms. Ionno thanked everyone for their comments.

Councilperson John Zucal:

We have had a lot of time invested in the Fire Station  
It is important that we recognize that we are purchasing the property on front Avenue.  
We have to think about requests for proposals and qualifications.  
As we look to move forward; examining what type of facility we need to construct,  
A long term vision to serve the citizens not just now but in the future.  
We had great life out of the existing fire station.

The Fire Chief and the Committee are looking at April to have another Committee Meeting  
We need to have some thoughts to construct in our minds as to what we want to do in regard to the facility.

Comment from the President:

When the Committee Meeting was being held for the renewal of the Contract for the Prisoners, with the Tuscarawas County Commissioners and the Tuscarawas County Sheriff’s Office for the housing of inmates in the Tuscarawas County Jail, at one point it looked like it was going to go on the agenda because we were passed the first of the year.

I encourage Council to try to adhere to the three reading principal.  
It is set up for three readings to not only give Council but anyone else an opportunity to do some individual research.  
We don’t always have control of this. Things get to us in an emergency situation or a situation where we need to act quickly. Anytime we can let it go for 2 or 3 readings the whole community will benefit.

Comment from the Safety Director:

Mr. Popham said he contacted the Sheriff’s office to let them know the resolution was scheduled for three readings and they were alright with that.

Comment from the Councilperson Rob Maurer:

Mr. Maurer said it was assigned to his Committee the first of second meeting of December. The contract was to take affect January 1st, 2015. We were looking for direction as to whether it needed to be passed as in emergency.  
Mr. Popham pointed out it was not an emergency for this to be done.

**NEW BUSINESS:**

Comment from the Council person John Zucal:

Mr. Zucal pointed out that Gary Little with CIC has an article in the Times Reporter twice a month. In his most recent article he highlighted the opportunity and need to revitalize our downtowns. We are blessed to have some revitalization taking place at the west end of town. We still need to make that commitment to our downtown area. The square is the focal point in the City where people gather. NPBCA continues to work very hard to try to promote that I’m thankful to the Mayor for his leadership in helping with a lot of the projects. Let us keep that focus to keep, especially, the square looking tip; top attracting new business

Comment from the President:

“I agree 100% the square is the front room of the City I think we should keep it as attractive and inviting as we can.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:20 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 9TH, 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:

MAYOR DAVID JOHNSON

- MR. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT'S MEETING  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
  
- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, FEBRUARY 23RD,  
2015.  
MR. LANZER SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. New Philadelphia Fire Department February 2015 Month End Summary dated March 3rd, 2015
2. City of New Philadelphia Income Tax Department February 2015 Report, Month End Tax Revenue by Year from Joel B. Day Income Tax Administrator dated March 2nd, 2015
3. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of February 2015
4. Auditor's Financial Statement for the Month of February 2015
5. New Philadelphia Budget Report with Encumbrance Details as of February 28th, 2015
6. New Philadelphia Statement of Cash Position with Month to Date as of February 28th, 2015
7. New Philadelphia Police Monthly Activity Report for Februarys 2015
8. Finance Committee Meeting Minutes from February 25th, 2015
9. Finance Committee Meeting Minutes from February 26th, 2015
10. Notice of filing of extension of approval for PIR Program  
PUCO Case No. 15-0362-GA-ALT dated February 19th, 2015 from Dominion East Ohio

**ADMINISTRATIVE REPORTS**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON.....NO REPORT  
EXCUSED ABSENCE

SERVICE DIRECTOR.....MR. JAMES ZUCAL .....NO REPORT  
The Service Director announced that he did not have a formal report  
The Service Director did have (2) requests for grant applications for the President to assign to Committee  
1. Nature Works  
2. Land and Water

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

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

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

Mr. Gerber informed all that he is still working with Rea and Associates to reconcile 2014. They have completed January, February, March, April, and May we are currently working on June.

LAW DIRECTOR . . . . . MR. MARVIN FETE

Mr. Fete reported the following:

- The Law Director reported that most of what he is working on is for our next Council meeting He is finishing up everything for our Community Reinvestment Area (CRA) He has had meetings with the Service Director, called in our rep that has been helping us with it. The Law Director said he has been working closely with her to get this done at the next Council Meeting.
- In addition to that he is going to be preparing a resolution for Council regarding One of America’s Best Communities. Mr. Fete thanked Ms. Grossman for the work she has done on promoting the area and making us a focal point for people around the nation. The Law Director said he will have the resolution for the next Council meeting.

The Law Director announced there will be:

A Public Hearing will be held Monday, April 13, 2015 at 7:00 PM in Council Chambers City Hall 150 East High Avenue New Philadelphia, Ohio to give citizens an adequate opportunity to review and comment on the following:

THE CITY OF NEW PHILADELPHIA, OHIO INTENDS TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 419 TUSCARAWAS AVENUE NW FROM RESIDENTIAL TO OFFICE; AND ALSO INTENDS TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 1121 TUSCARAWAS AVENUE NW, FROM RESIDENTIAL TO BUSINESS.

CITIZENS ARE ENCOURAGED TO ATTEND THIS MEETING ON MONDAY, APRIL 13, 2015 TO EXPRESS THEIR VIEWS AND COMMENTS ON THE CITY’S PROPOSED REZONING.

- The Law director announced that he will be prosecuting this Wednesday.

Question from the Councilperson Mr. John Zucal:

Mr. Zucal asked the Law Director if he would be ready for the March 23rd, 2015 Meeting with the issue that is in Salary Committee right now regarding the the vacation time .

The Law Director replied:

Yes it is ready.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON  
EXCUSED ABSENCE

The Service Director announced that the Planning Commission Meeting for the month of March has been cancelled,

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

Mr. Zucal announced the Board of Zoning Appeals will meet Tuesday, March 10th, 2015, at 5:00 PM in Council Chambers there are two variance requests.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the Airport Commission Meeting for the month of March has been cancelled.

The next scheduled Airport Commission Meeting will be held at 6:00 PM, Tuesday, April 14, 2015 at the Airport Meeting Room.

At that time we will be discussing some other matters

One of the things that we will be working on is the fine tuning the signage around Harry Clever Field with some fresh paint and options like that. We are looking forward to that as well.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board Meeting that was scheduled for Wednesday February 25th, 2015 at The Pro’s Table Restaurant was cancelled due to a lack of quorum. A March meeting is being scheduled.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is this Wednesday, March 11th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox thanked everyone who participated in the hearings this year and especially our Auditor for plugging in all the final results. Otherwise we wouldn't have a completed budget.

Ms. Cox reported the following:

Last Year 2014 Budget	General Fund \$6,043,000	Total Budget \$ 23,300,000
2015 Budget	General Fund \$5,917,000	Total Budget \$ 28,500,000
Difference	General Fund \$120,000 less	Total Budget is up over a million dollars.

Some items in the budget this year are:

Police cruisers, Storm Sewer/Water Line Project down at Howden Buffalo, new automatic meter readers, two used pickup trucks for water distribution, program to secure all City buildings, and grounds, and 1 ton truck/plow for Street Department.

For additional details of The Finance Committee Meetings you can view the minutes on line at [www.newphilaoh.com](http://www.newphilaoh.com) under Council minutes for February 25th and 26th, 2015.

SALARY COMMITTEE .....MR. JOHN ZUCAL

Mr. Zucal announced that March 23rd , 2015 Salary Committee Meeting will focus on the vacation pay and the sick leave pay that we have been working on .

We have been assured by the Law Director that we will be able to move on that.

Mr. Zucal encouraged all members of Council to be there.

It would Mr. Zucal's hope that night out of the committee we would be able to make a strong recommendation to get that finalized.

President Sam Hitchcock assigned to the Salary Committee commendations for Mr. Tom Farbizo for his years of service on the Airport Commission.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT

Mr. Rob Maurer announced that he did not have A Formal Report

Mr. Rob Maurer announced that he did schedule A Safety Health & Service Committee Meeting for March 23rd, 2015 at 6:00 PM in reference to the Geese Population.

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

Mr. Darrin Lautenschleger announced he did not have a formal report for this evening.

President of Council assigned to Public Works & Economic Development Committee the Service Director's (2) requests for grant applications for Nature Works and Land and Water.

Question from the President:

Mr. Hitchcock wanted to know if Mr. Lautenscheleger

Had any date set for a meeting or information regarding the cemetery land acquisition.

Reply from Mr. Darrin Lautenschleger:

As many people may be aware, there is a new Superintendent of the Cemetery Department that recently started his duties. Mr. Lautenschleger reported that he has been in contact with him.

Mr. Lautenschleger and the Superintendent are going to put together, at the Superintendent's direction, a date for the Cemetery Board Meeting which will be held for the first time in many years. They will keep Council posted on that.

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

Mrs. Ramos announced she did not have a formal report for this evening

Mrs Ramos announced that the Zoning & Annexation Committee will meet March 23rd, 2015 at 6:30 PM to discuss the American Federation of Government Employees request in regard to the Social Security Administration Vision 2025 Plan.

And also a reminder:

The Public Hearing the Law Director mentioned about the rezoning, Ordinance 4-2015 and Ordinance 5-2015, will be held over for a fourth reading to coincide with the Public Hearing.

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER

Mr. Lanzer reported that the Special & Contact Committee had a brief meeting tonight at 7:11 PM in Council Chambers with 2 items to discuss:

To discuss the Appointment of Mr. Christopher Bower to the Airport Commission and the Reappointment of Dr. Rich Varrati to the Airport Commission.

The committee voted 3-0 to move it along for Council to vote to ratify the Appointment of Mr. Christopher Bower to the Airport Commission and the Reappointment of Dr. Rich Varrati to the Airport Commission.

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER

Councilperson Ms. Winnie Walker addressed Councilperson Mr. John Zucal regarding the minutes from last meeting. under Parks & Cemetery Committee:

Councilperson. Mr. Zucal said,  
“Any issues down the road in light of her potential absences”

Councilperson Ms. Winnie Walker  
“I do not appreciate you saying this, we all have the potential of not attending a meeting no one knows the future.”

Councilperson. Mr. Zucal said, “You know we have pressing issues that need to be discussed”

Councilperson Ms. Winnie Walker:  
“If this is in regard to Cemetery Lands, you need to talk to Mr. Lautenschleger this was put in his Committee a year ago.

Councilperson Ms. Winnie Walker said, “I don’t deserve that remark.”

Councilperson Mr. John Zucal: did not have any comment.

VISITOR’S COMMENTS:

Dee Grossman / Dianne Lautenschleger  
Tuscarawas County Convention and Visitors Bureau  
124 East High Avenue  
New Philadelphia, Ohio 44663

Ms. Grossman presented a draft of the detailed application to Council.

Ms. Grossman reported the Mayor and Councilperson John Zucal invited us to do a small presentation regarding the America’s Best Communities Application. We have been working on this since November.

The following was taken from the fact sheet America’s Best Communities dated March 9th, 2015

- Frontier and Dish have teamed up to support the revitalization of small towns and cities across America with the America’s Best Communities prize competition. America’s Best Communities is a ten million competition to stimulate growth and revitalization in small cities and towns across Frontier’s 27 state footprint.
- America’s Best Communities is a multi-stage three year contest that provides 4 million in seed money and other support to assist communities as the develop growth and revitalization plans. The top three of those communities will receive additional prize money of three million for first place two million for second place and one million for third place.

It is an application for a contest it is not a grant. The contest involves us putting to paper partially what the vision is for this community.

If we are fortunately enough to win this contest we will receive \$35,000.

We will have to match that with \$15,000 for a total of \$50,000.

That \$50,000 will go for a vision for the community

If we win that we are put into another pool for a \$100,000 if we go that much further it will be a million and eventually there will be a couple of communities for 3 million.

Ms. Grossman reported that she put some of the website information into a one page document.

Ms. Grossman reported that they are at crunch time that is why they are here.

We have a few holes in the application that we need your help on those have been outlines as well.

We have probably spent between the Committee and myself and Diane 60 to 80 hours on the application.

There are 27 states in the Frontier district there are already 26 applications from Ohio we are going to be one of 621.

There will be only 50 winners.

Ms. Gilland had Jeff Erb, the City's IT person, to take the old New Philadelphia video, scale it down, take out the former Mayor and put in the new Mayor.

We are going to be doing some photographs and will be putting them in a power point.

We categorized things in to the community, the residents, education, industry, and recreation.

This has to be in the hands of Frontier by the March 25th, 2015.

Ms. Lautenschleger and Ms. Grossman are both going to be in DC that week. They will be uploading the week prior.

Council has 5 to 7 days to make comments to give us some ideas before we upload it.

The NPBCA is the author of; this they will be the recipient of the dollars if we win.  
it cannot come from the City.

It is a nongovernmental it has to come from a 501 C3 which the NPBCA is.

Question from Councilperson Mrs. Ramos:

What are you looking for from us?

Have you said what the vision is or are you trying to get what the vision is?

Comment from Ms. Grossman:

That is a good clarification question what we talked about is

What are we today, what do we want to be, and what are some of the areas are we focused on

What are some of the things do we do well as a community

If we get the \$50,000 that will go toward a vision for the community.

Comment from Councilperson Mr. John Zucal

The Mayor has been actively looking at ways to secure the \$15,000 it would **not** come from the City's General Fund

We can put that to rest if there is a concern. It will come from outside sources.

I hope the Law Director can include that in the Resolution that we were recently named No. 2 nationwide among Metropolitan Areas.

Comment from Ms. Grossman

One of the requirements is a letter from the Mayor which he has already provided. (It is a letter of support.)

We also have five others; manufacturing and service retail businesses that are partners in this as well.

They will make decisions four to six weeks.

Comment from Councilperson Mr. John Zucal

Even if we don't get it, the process and the information that was put together is really helpful it does give us an idea of what we do well our strengths and the areas that we need to improve on and potentially where we can go with this

Even if it does not materialize, it has been productive work.

Comment from Ms. Grossman

It has allowed us to focus on the partnerships that we have developed as a community.

Question from Councilperson Mrs. Ramos:

You have asked for suggestions do you have an email where we can send them.

Comment from Ms. Grossman

It is the NPBCA address.

[info@npbca.org](mailto:info@npbca.org)

President of Council:

Mr. Sam Hitchcock commended Ms. Grossman and everyone else that had a part in this prestigious award that took place a week ago. I think it is a big deal for our community.

Comment from Ms. Grossman

It is a big deal for the county, the State of Ohio to be named No. 2 nationwide among Micropolitan Areas. This is a national award. We are pretty proud of ourselves.

(775 jobs were created 24 million dollars in New Construction in 2014 that is something to be proud of.)

Comment from President of Council:

“Hopefully it will be a springboard for future development.”

Ms Grossman thanked everyone for their time.

## **READING OF ORDINANCES AND RESOLUTIONS**

### **ORDINANCES:**

- 3-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY LANDFILL SERVICES, AND DECLARING AN EMERGENCY. (2ND READING)
- 4-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 419 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO OFFICE, AND DECLARING AN EMERGENCY. (2ND READING)
- 5-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 1121 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO BUSINESS, AND DECLARING AN EMERGENCY. (2ND READING)
- 6-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA DIRECTING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTACTS WITH THE LOWEST AND BEST BIDDER FOR THE CITY’S REQUIREMENTS OF VARIOUS MATERIALS AND SUPPLIES FOR 2015, AND DECLARING AN EMERGENCY. (1ST READING)
- 7-2015 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, 2015 AND DECLARING AN EMERGENCY. (1ST READING)

### **RESOLUTIONS:**

- 2-2015 A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF’S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY. (2ND READING)
- 3-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO COMMEND WILLIAM BICHSEL III FOR HIS SIX YEARS OF SERVICE AS A PARK BOARD MEMBER FOR THE CITY OF NEW PHILADELPHIA, OHIO, AND DECLARING AN EMERGENCY. (1ST READING)
- 4-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS, RECEIVE BIDS, AND AWARD FOR THE 2015 PROJECT YEAR THE CDBG CONTRACT, AND DECLARING AN EMERGENCY. (1ST READING)

### **UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from Council person John Zucal:

Mr Zucal stated that he just wanted to take the opportunity; he knows that there are many businesses in New Philadelphia that have a long and proud history, to take the opportunity on the floor of Council to recognize the Tuscarawas Insurance Agency.

This past Friday the present owner, Mr. Weisgarber announced that the Tuscarawas Insurance Agency. was celebrating its 130 years of service to the citizens of New Philadelphia through its operations.

Mr Zucal congratulated them and all who made this possible here in the City of New Philadelphia.

We appreciate that sustainable business for that amount of years.

Comment from the President of Council, Mr. Sam Hitchcock:

“Good business and good comments.”

Comment from Council person Rob Maurer:

Mr. Maurer just wanted to give a plug for the

SIXTH ANNUAL NPBCA SHAMROCK RUN

which will be held next Wednesday March 18th, 2015 at 6:30 PM.

Normally we do it on a Saturday in the Donahey and Oak Shadows area (a pretty tough course)

This will be all flat.

Proceeds will benefit New Philadelphia reinvest the money for the planters, flowers, and Christmas decorations

A lot of people think that it is the City that foots the bill but it is the organization that does that.

We have a 2 mile course, and a three mile course. \$15 will get you a shirt

Mr. Maurer announced that he needs (6 or 7) volunteers about an hour of your time to work a street corner to direct the runners.

Comment from the President of Council, Mr. Sam Hitchcock:

This is another good event for the community.

Council person Rob Maurer is in charge of The Sixth Annual NPBCA Shamrock Run.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:00 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 23RD, 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

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT’S MEETING  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, MARCH 9TH, 2015.  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor’s Report to Council for March 23rd, 2015
2. Salary Committee Meeting Minutes from Monday February 23rd, 2015
3. New Philadelphia Fire Department Report
4. Special and Contact Committee Meeting Minutes from March 9th, 2015

**ADMINISTRATIVE REPORTS**

MAYOR’S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported the following:

- March 16th, 2015 attended a meeting for insurance with employees.  
Through our Labor Management Meeting we had a request for the people who have been here two years or less and others to explain our insurance program and benefits.
- March 17th, 2015 attended a CIC meeting.
- March 18th, 2015 the Mayor and the Service Director attended OMEGA Meeting  
The Mayor also attended Business Afterhours event.
- March 19th, 2015 The Mayor attended Breakfast at the Park for the Tuscarawas Board of Developmental Disabilities.  
They are coming up with a new program you will be hearing more about this in the near future  
They are trying to make their people more independent and they are asking for mentors  
Throughout the community to help make that happen.
- The Mayor reported Councilperson Mr. Rob Maurer should be recognized for his work on the Shamrock Run last week (this is a function of the downtown business organization) with all his duties at work and Council, he found the time to put together a stellar run, (which is one of the best we have ever had) along with help from others. “Thank you Rob.”
- Mayor Johnson announced that he wanted to give a special thanks to Dianne Lautenschleger and Dee Grossman. Who took on the America’s Best Communities Application (which was put in last Friday) and did an outstanding job. Win or lose with people like this in our City will continues to become greater.
- I would like to say to the New Philadelphia Girls Basketball Team “WOW” what a season.  
“You all have a lot to be proud of and I want you to know we are all proud of you.”
- “I would like to proclaim Thursday March 26th, 2015 New Philadelphia Tuscarawas Central Catholic Day. This will be a day all of our community will have you in our hearts.

- Hoping you are triumphant at the State Level. Go Saints! Thursday will be Saints Day.”
- Not being here at the last Council Meeting I was unable to congratulate an old friend, Bill Weisgarber on Tuscarawas Insurance Agency’s 130th Birthday. That large of a footprint has helped to keep New Philadelphia together. (The Mayor mentioned there are some other businesses that are almost as old.)

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported the following:

The Service Director reported the Street Department has done an exceptional job patching pot holes everyday it has been a tough year for this.

- We have three crews out almost every day, if the sun is shining. We are getting caught up. It has been a difficult task but they are doing a fine job. We are using our new hot box machine along with our durapatcher and using a third crew with cold mix we are getting there. Hopefully the weather will get better we will keep patching pot holes and that will all soon be forgotten. Although Councilperson Dan Lanzer did mention it is snowing a little bit right now.
- “Talked with Auditor Ms. Gundy and talked with Ms. Cox, Finance Chair about in the Master Capital #437 7700 5203 which is our paving allocation which is a \$100,000. Upon the recommendation from the Mayor, the Service Director is requesting that we increase that this year to \$200,000. There are some places in town where we’ve patched and patched, we can’t continue to do that, we are going to have to mill that out and put new paving in. I am requesting that, to allow for additional asphalt paving. We meet as a group and we take recommendations from various departments (Department Heads and Employees) we want to hit these areas that are a key this year to us and want to do additional paving. I also mentioned to the Law Director. ODOT would like to see in the legislation that we have for materials just the mention of allowing (it does mention salt) but they would like it to say State Purchasing of Salt with ODOT. The Service Director requested that he would like to see that in the legislation if he could.”

Question from Councilperson Mrs. Ramos:

“Do you have a paving list or plan for the summer?”

Reply from the Service Director:

“We have a preliminary list that the Department Heads have put together.

Mr. Jim Demuth who owns Tucson Inc. a local Company has volunteered his time he has no interest in it, he works with us to actually put this list together. Every year when it is finalized I make sure everybody gets a copy of it; All Council Members, all Administration, and all Departments. I will get that to everyone real soon.”

Question from Councilperson Ms. Cox:

Do you want me to make a motion right now to change that?

The Auditor announced that she had something to add and requested Ms. Cox wait to make the motion until she made her request.

Comment from the President of Council Mr. Sam Hitchcock:

The President mentioned that he recognized some of the progress that is being made on the pot holes.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy announced the Auditors will be in starting April 13th, 2015.

Ms. Gundy reported when the budget numbers were being entered into the computer system we found an error in addition.

What happened in the Cemetery Fund #209 (page four on your attachment to your ordinance) there was \$900 listed for uniform allowance that didn’t get captured in the total for personnel.

That total for personnel services would change to \$315,029 the total for the fund would be \$379,179.

Ms. Gundy requested for that change to be included in this ordinance.

MS. COX MADE A MOTION TO APPROVE THE AUDITOR’S REQUEST AND THE SERVICE DIRECTOR’S REQUEST OF THE INCREASES.

MR. LAUTENSCHLEGER SECONDED THE MOTION.

ROLL CALL 7 YEAS

MOTION PASSED

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

The Safety director did not have a report

1. Mr. Popham did request an Executive Session in reference to Personnel.
2. The Law Director requested an Executive Session to discuss personnel matters as well as a possible litigation
3. Councilperson John Zucal requested an Executive Session for matters of personnel (compensation of personnel)

MR. LANZER MADE A MOTION TO HAVE AN EXECUTIVE SESSION PER THE ABOVE REQUESTS AFTER LEGISLATION

MS. COX SECONDED THE MOTIONS.

ROLL CALL 7 YEAS

MOTION PASSED

Comment from the President Sam Hitchcock:

“Be advised we will have a 10 minutes recess after legislation before going into (3) consecutive Executive Sessions.”

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

Mr. Gerber informed all that with the help of Rea and Associates we have completed 2014 reconciliation on the General Fund on a positive note. Now we are going to start the 2014 reconciliation of the Payroll Fund.

LAW DIRECTOR . . . . .MR. MARVIN FETE

Mr. Fete reported the following:

- The Law Director reported he gave three letters to Council on what he has been working on for the last couple of weeks. The letters gave his opinion on the vast majority of things that he has been working on the last couple of weeks. The Law Director asked if there were any questions on the letters. There were no questions.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced that the Planning Commission Meeting will be held April 14th, 2015 at 5:00 PM in Council Chambers pending an agenda.

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

Mr. Zucal announced pending an agenda; the Board of Zoning Appeals will meet Tuesday, April 14th, 2015 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the next scheduled Airport Commission Meeting will be held at 6:00 PM, Tuesday, April 14th, 2015 at the Airport Meeting Room at Harry Clever Field.

During that meeting we will be looking for a motion to accept the resignation of Mrs. Ramos as Secretary of the Airport Commission and also at that same time Mr. Zucal will be asking for nominations and the acceptance of a nomination to have Dean Holland to become the new secretary of the Airport Commission.

Mr. Holland was in attendance this evening Mr. Zucal graciously thanked him for his willingness to step forward. Those are two items that will affect City Council in regard to the Airport Commission.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that the City Park Board met Wednesday March 18th, 2015 at the Tuscora Park Pavilion with two items of interest.

Item #1 our former Assistant Park Superintendent Kelly Heron transferred over to become the Superintendent of the Cemetery Department.

As replaced an applications have been received for the position Assistant Park Superintendent

The Staff and Administration are reviewing the applications and hope to begin interviews soon to have someone in place by the summer season.

Item #2 the Staff at the Park along with the Park Board Members are looking at potential options for improvement of the tennis courts. The tennis courts are starting to show some severe signs of wear and tear.

They are looking at various options more information to come  
Mr. Lautenschleger said he will keep Council updated.  
The next meeting of the Park Board will be April 22nd, 2015 at noon at a location to be determined.

Comment from Councilperson Winnie Walker.

Ms. Walker said she would like copies of the Park Board Meeting Minutes for the past year  
Mr. Lautenschleger said he is going to check into this as to why she has not received copies of the Park Board Meeting Minutes.

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

Ms. Cox announced that the next scheduled meeting for the Health Board is this Wednesday, April 8th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

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

Ms. Cox announced the following:

Tonight is the second reading for Ordinance 7-2015

This is our budget for 2015 that needs to be passed this evening as an emergency due to the fact it has to be passed by April 1st, 2015. (The next meeting of Council is April 13th, 2015.) Ms. Cox is asking that this be passed tonight.

**SALARY COMMITTEE .....MR. JOHN ZUCAL**

Mr. Zucal reported that the Salary met briefly this evening at 6:47 PM.

There was discussion again regarding both the sick leave and vacation pay.

The meeting was concluded at 7:01 PM during that time brief discussions were held and we look to meet again and to have further discussions on those two important issues.

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

Mr. Rob Maurer reported that the Safety Health & Service Committee met tonight March 23rd, 2015 at 6:00 PM in reference to the Geese Population at Tuscora Park.

The request was made by the Mayor and Service Director to review the situation.

In attendance for tonight's meeting was Park Superintendent Rod Miller and Mr. Thomas Contini, Owner/Operator of Nuisance Wild Animal Control and Recovery.

There was a good discussion about straw and feeding at the Park was the biggest problem.

Mr. Miller felt that 90% of geese are gone now but will be back in August. In August there will be approximately 300 geese.

The Committee reviewed an ordinance from Canton from Mr. Zucal and we concluded we would have appropriate legislation drawn up put signage at the park to tell the public by feeding the geese from October thru April the different health issues it is attracting and leaving a mess.

So we did decide we are going to make it a first degree minor misdemeanor as far as the first offense

The second offense would be a fourth degree misdemeanor.

Law Director will draw up some Legislature and the committee has recommended approval on that.

Mr. Rob Maurer announced that he did schedule

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

Mr. Lautenschleger announced Public Works & Economic Development Committee will have a meeting April 13<sup>th</sup> 2015 at 6:00 PM on Proposed Ordinance 8-2015

Legislation for the City's proposed CRA agreement with Menards Inc. for the property on Bluebell Drive and to discuss two applications to the Ohio Department Natural Resources for Project Funding Assistance.

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS**

Mrs. Ramos reminded all that the Zoning & Annexation Committee

Ordinance 4-2015 and Ordinance 5-2015, will be held over for a fourth reading to coincide with the Public Hearing which will be held April 13th, 2015 at 7:00 PM.

Mrs. Ramos reported that the Zoning & Annexation Committee did meet tonight to discuss Resolution 8-2015.

The Committee recommended it be placed on the agenda for the April 13th, 2015 meeting and read for three readings.

**SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT**

**PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT**

**VISITOR'S COMMENTS:**

NONE

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

3-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY LANDFILL SERVICES AND DECLARING AN EMERGENCY. (3RD READING)

Mr. Maurer made a motion to pass Ordinance 3-2015  
Mr. Lanzer seconded the motion

Roll Call 7 yeas  
Ordinance 3-2015 has passed

4-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 419 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO OFFICE, AND DECLARING AN EMERGENCY. (3RD READING)  
(It will be held for the 4th Reading to coincide with the Public Hearing.)

5-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 1121 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO BUSINESS. AND DECLARING AN EMERGENCY. (3RD READING)  
(It will be held for the 4th Reading to coincide with the Public Hearing.)

6-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA DIRECTING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTACTS WITH THE LOWEST AND BEST BIDDER FOR THE CITY'S REQUIREMENTS OF VARIOUS MATERIALS AND SUPPLIES FOR 2015, AND DECLARING AN EMERGENCY. (2ND READING)

7-2015 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, 2015 AND DECLARING AN EMERGENCY. (2ND 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, 6 yeas and one nay (Mrs. Ramos) Ordinance 7-2015 passed

**RESOLUTIONS:**

2-2015 A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY. (3RD READING)

Mr. Maurer made a motion to pass Resolution 2-2015  
Mr. Lanzer seconded the motion

Roll Call 7 yeas

Resolution 2-2015 has passed

- 3-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO COMMEND WILLIAM BICHSEL III FOR HIS SIX YEARS OF SERVICE AS A PARK BOARD MEMBER FOR THE CITY OF NEW PHILADELPHIA, OHIO, AND DECLARING AN EMERGENCY. (2ND READING)
- 4-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS, RECEIVE BIDS, AND AWARD FOR THE 2015 PROJECT YEAR THE CDBG CONTRACT, AND DECLARING AN EMERGENCY. (2ND READING)
- 5-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF MR. CHRISTOPHER BOWER BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS, AND DECLARING AN EMERGENCY. (1ST READING)
- 6-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE REAPPOINTMENT OF DR. RICHARD VARRATI BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS, AND DECLARING AN EMERGENCY. (1ST READING)

COUNCIL RECESSED AT 8:00 PM FOR A 10 MINUTES BEFORE GOING INTO AN EXECUTIVE SESSION  
COUNCIL RECONVENED AT 8:10 PM  
COUNCIL ADJOURNED FROM REGULAR SESSION AND WENT INTO AN EXECUTIVE SESSION AT 8:10 PM FOR THE FOLLOWING:

1. THE SAFETY DIRECTOR, MR. POPHAM REQUESTED AN EXECUTIVE SESSION IN REFERENCE TO PERSONNEL.
2. THE LAW DIRECTOR, MARVIN FETE REQUESTED AN EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AS WELL AS A POSSIBLE LITIGATION
3. COUNCILPERSON JOHN ZUCAL REQUESTED AN EXECUTIVE SESSION FOR MATTERS OF PERSONNEL COMPENSATION OF PERSONNEL

COUNCIL RECONVENED INTO REGULAR SESSION AT 8:50 PM.

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from Councilperson Darrin Lautenschleger:

“I think we would be remiss without mentioning

The City and City Council lost one of the Best Public Servants that we’ve had in a lot of years last week with the passing of Diane Roudebush. Council signed a card expressing their Sympathy which will be mailed to her family.

Mr. Lautenschleger felt Council should publicly mention her dedication and years of service she provided to the City. And stated “Diane was an outstanding resource for anybody that came in contact with her.” All was in agreement.

Comment from President Sam Hitchcock:

“Well said Mr. Lautenschleger.” Mr. Hitchcock thanked Mr. Lautenschleger for his comments.

President Sam Hitchcock said he only had the opportunity to work with Dianne for the four years he was Council at Large and stated that there are people here that worked with her much longer.

Mr. Hitchcock mentioned that she did her job well, was very efficient, and she will be missed by many people.

Request from the Mayor:

The Mayor Requested to be assigned to Committee the following:

A letter from Council awarding raises for the non-bargaining and raises for the Public Officials the Mayor mentioned that this has to be done by Council.

Comment from Councilperson Ms. Cox:

What about the H-R person?

Comment from the Mayor:

The Mayor reported that he had already hired the HR person, and said “the Mayor is allowed to create a position he just needs the funding.”

Comment from Councilperson Cox:

This should be put in Committee and be a recommendation and go to full Council.

The Mayor replied:

“I’ve asked for this for three months I’m going to put her in and I have the money to do it.”

He reminded everyone that the Law Director gave him a ruling several months ago.

Comment from Councilperson John Zucal:

The Mayor has the right to authorize and create a position the question is do we fund them?

***PRESIDENT OF COUNCIL SAM HITCHCOCK ASSIGNED THE MAYOR’S REQUEST TO THE SALARY COMMITTEE.***

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:52 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 13TH, 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  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

COUNCIL MEMBER ABSENT:  
EXCUSED ABSENCE:

COUNCILPERSON MR. ROB MAURER  
SAFETY DIRECTOR MR. GREG POPHAM

MR. LAUTENSCHLEGER MADE A MOTION TO ADD TO TONIGHT’S AGENDA THE FOLLOWING FOR FIRST READING TONIGHT.

ORDINANCE 8-2015  
RESOLUTION 10-2015  
RESOLUTION 11-2015

MR. LAUTENSCHLEGER POINTED OUT IN THE PREAMBLE OF RESOLUTION 10-2015 AND 11-2015 THE CORRECTION OF THE SPELLING OF APPLICATION SHOULD BE MADE ADD ANOTHER “P” IT SHOULD READ APPLICATION.

MS. COX SECONDED THE MOTION.  
ROLL CALL 6 YEAS  
MOTION PASSED

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 6 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT’S MEETING  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 6 YEAS  
MOTION PASSED

THE CLERK ANNOUNCED ON THE FIRST PAGE OF THE MARCH 23RD, 2015 MINUTES UNDER THE SERVICE DIRECTOR TO THE RIGHT OF HIS NAME IT SAYS **NO REPORT** AND OBVIOUSLY HE DID HAVE A REPORT. PLEASE CROSS OUT THE WORDS NO REPORT FROM THE MINUTES.

- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, MARCH 23RD, 2015 AS CORRECTED BY THE CLERK  
MR. LANZER SECONDED THE MOTION.  
ROLL CALL, 6 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Meeting Notice to City of New Philadelphia Community Members  
From Service Director, James Zucal  
Community Development Implementation Strategy (CDIS)

- Identify local needs and increase awareness of Ohio Community Development Funding Opportunities  
April 15th, 2015 at 4:00 PM in Council Chambers.
2. Mayor's Report to Council for April 13th, 2015
  3. Feeding the geese face book message from Kari Ryan, Parral Ohio dated March 28th, 2015  
Better methods then fining people for feeding the geese at the park and rules out the plan at hand.
  4. Request for assignment from Greg Popham to Sam Hitchcock Council President  
The 2015 Police Auction Dated April 9th, 2015 to be held Monday August 24th, 2015  
at the City Garage with Rick Keffer, Auctioneer at 6:00 PM call Officer Jennifer Horner with questions.  
At 330-343-4488.
  5. Ohio EPA dated April 9th, 2015 to the Mayor and Council Copy of the Public Notice, Draft Permit  
and Fact Sheet Permit no OPD00012\*QD  
New Philadelphia WWTP  
From ED Swindal, Supervisor, Permit Processing Unit,  
Division of Surface Water
  6. Tuscora Park Board Meeting Minutes:  
January 14th, 2015  
February 13th, May 28th, July 23rd, October 22nd, 2014  
January 27th, April 3rd, October 9th, November 20th, 2013.
  7. New Philadelphia Municipal Court 2014 Annual Report  
Prepared and submitted by Judge Nanette DeGarmo VonAllman
  8. Salary Committee Meeting Minutes from March 23rd, 2015
  9. City of New Philadelphia Income Tax Department March 2015 Report Month-End Tax Revenue  
by Year submitted by Joel B. Day Income Tax Administrator.
  10. Bulletin 2015-001 date issued March 9th, 2015 from Dave Yost, Ohio Auditor of State  
Clarification of eligibility requirements presented in Auditor of State Bulletins 2009-012 and  
2012- 007 and modifications to eligibility requirements for reduced services for small  
Government Clients.
  11. Zoning and Annexation Committee Meeting Minutes from March 23rd, 2015
  12. March 2015 Month End Summary for the New Philadelphia Fire Department
  13. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month Of March 2015
  14. Auditor's Financial Statement for the Month of March 2015
  15. Cash Position with Month to Date as of March 31st, 2015
  16. Budget Report with encumbrance details as of March 31st, 2015.
  17. A notice to Council from the from the  
Ohio Division of Liquor Control,  
Dated March 26th 2015,  
To Garland Real Estate LLC. DBA Schoebrunn Inn Pub,  
1186 West High Avenue.  
From Schoebrunn Inn by Christopher LTD DBA Schoenbrunn Inn by Christopher,  
1186 West High Avenue.  
For Type TRFO  
D5A AND D6 Permit Class  
And asking that objections be made no later than April 27th, 2015

### **ADMINISTRATIVE REPORTS**

#### **MAYOR'S REPORT/REQUESTS ...MAYOR DAVID JOHNSON**

The Mayor pointed out the letter head paper that was used for his report tonight

The letter head paper read City of New Philadelphia

Population 13,500

Soft Water, Hard Surface Streets, Fine Buildings, and Factory Sites

The letter head paper that was used for the Mayors Report was from 1971.

(Somebody brought it in and the Mayor thought it would be fun for everybody to see.)

Mayor Johnson reported the following:

- 4/1/2015. Attended the New Philadelphia Business and Community Association Monthly Meeting  
The group will be interviewing candidates for the Part-Time Director's Position.

(Which I believe was filled today)

- 4/6/2015 Purchased a new copier. The lowest bid came in from Graphic Enterprises saving \$900. Met with the Union.
- 4/7/2015 Met with O.D.O.T. To view future projects for New Philadelphia.
- 4/8/2015 Chaired the Monthly Health Board Meeting.
- Held several personnel meetings
- Accepted the proposal for a New Phone System for all City Departments, on and offsite. We were outgrowing our current system. The cost for the system will be less than what we currently pay.
- Conducted interviews for the Assistant Park Superintendents position
- Attended a meeting in Bolivar at the Solid Waste District working and discussing plans for a grass and leaf drop off site. The district informed us that they are giving the City recycling bins and trash containers at our City Parks.

The Mayor reported that we recently received the ISO Report which the Fire Chief Parrish will explain.

The Mayor reported that the Fire Chief did a lot of work and pre preparation for this.

The Fire Chief Reported:

As the Mayor said we haven't had an ISO rating analyzes since 1999.

It was our turn to have a protection classification evaluated.

Basically that is your Fire Fighting Delivery System

Which includes dispatching, our water supply, as well as the Fire Department.

We currently have a Class 4 in the City of New Philadelphia and a Class 9 in Goshen Township.

Because as you know we provide protection in Goshen Township.

After the survey with a lot of work from our officers like Captain Tucke and several others, we spent the day with the guy evaluating every aspect of the Fire Department he could. He was there for 8½ hours. We went through the equipment our delivery system and etc.

The good news with all the support you folks have given to the Fire Department as well as the Water Department we now, effective July 1st, 2015, will have a public protection classification in the City of a 3 and a classification of Goshen township from a 9 to a 8B .

We had 71.47 points out of 105.5.

The Fire Chief's goal is a class 2. We are about 8½ points from that.

This will save a lot of money for at least our manufacturer companies that would be interested in coming to New Philadelphia.

My goal is work with the office and administration in the next two or three months come up with a plan that we can implement.

In about a year we can ask them to come back and redo the survey and achieve a 2.

We have the ability to do that it just takes some organizational changes.

Comment from Council person John Zucal:

Mr. Zucal thanked the Fire Chief Parrish and Captain Tucke for their hard work to insure that certification.

Comment from the Mayor:

You all received the report from the EPA for you to review our hope is to have a report for you by the next Council meeting on this.

Comment from Council person Mrs. Ramos:

In the Mayors report you said you got with ODOT to view future projects. What do you have in mind?

The Mayor replied:

It is what they have in mind.

Paving State Routes in the City.

Comment from the President:

The President thanked the Fire Chief and Captain for being here.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported the following:

The Mayor and Service Director are continuing to look AEP Energy to save electrical costs for the City.

We are continuing on a monthly basis to talk and meet with the folks in Columbus and want to continue that program. We are seeing extensive savings monthly and it is a great program.

Our crews are out patching pot holes every day.

We are sweeping the streets.

We had three crews out today.

We are using a variety of techniques we are using our hot mix the durapatcher and cold mix.

We are tackling the areas where we figure are the worst.

Anywhere we have a pot hole that is reported we immediately take care of those.

It is sad to say, we are going to continue to patch pot holes for a long time.

The Service Director requested Ordinance 6-2015

To include the wording “allowing participation in any ODOT Salt Purchase Agreements.”

They have a summer bid and a winter bid where we can buy salt at the State ODOT Cooperative Purchase Price.

MS. COX MADE A MOTION TO AMEND ORDINANCE 6-2015 TO INCLUDE THE WORDING ALLOWING PARTICIPATION IN ANY ODOT SALT PURCHASE AGREEMENTS.

MR. LANZER SECONDED THE MOTION.

ROLL CALL 6 YEAS

MOTION PASSED

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

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

EXCUSED ABSENCE

TREASURER . . . . .TOM GERBER

Mr. Gerber announced that he did not have a Formal Report.

Mr. Gerber reminded and informed all the

2014 General Fund has been reconciled

He was working on the Payroll Fund and just finished that up.

We are currently going through an audit so we are aggressively doing our part.

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director requested an Executive Session after legislation pending a possible litigation against the City.

The Law Director reported that is most of what he has been working on for the past couple of weeks.

MR. LANZER MADE A MOTION TO HAVE AN EXECUTIVE SESSION AFTER LEGISLATION

MR. LAUTENSCHLEGER SECONDED THE MOTIONS.

ROLL CALL 6 YEAS

MOTION PASSED

President Hitchcock announced that we will have an executive session at the Law Directors request immediately following legislation.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced that there are no submissions from the Planning Commission therefore the meeting for the month of April as been cancelled. The next Planning Commission Meeting is tentatively set for May 12th, 2015.

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

Mr. Zucal announced there will be a Board of Zoning Appeals Meeting Tuesday, April 14th, 2015 at 5:00 PM in Council Chambers

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

Mr. Zucal announced the Airport Commission Meeting will be held at 6:00 PM, Tuesday, April 14th, 2015 at the Airport Meeting Room at Harry Clever Field.

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

Mr. Lautenschleger announced that the Park Board will meet Wednesday April 22nd, 2015 at the Tuscora Park Pavilion at noon.

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

Ms. Cox announced that the next scheduled meeting for the Health Board is this Wednesday, May 13th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

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

Ms. Cox announced the following:

The Finance Committee will be scheduling a meeting April 27th, 2015 at 7:15 PM in Council Chambers to discuss something the Auditor is going to give us. Updating the budget.

**SALARY COMMITTEE .....MR. JOHN ZUCAL**

Mr. Zucal reported that the Salary met briefly this evening at 6:30 PM in Council Chambers. Members of the Committee were fully in attendance. We had two items to discuss.

First item was commending Mr. Tom Farbizo past Chair of the Airport Commission for his many years of service to that group. The Committee agreed by a vote 3-0 to place legislation on the next agenda for the regular scheduled meeting of Council to allow that for a third reading.

Additionally, we did have in attendance this evening, Fire Chief Jim Parrish and one of our Captains from the Fire Department, Wesley Tucke.

The Fire Chief presented some thoughts about the potential process that we are moving through as we try our very best to secure the new Fire Station for the citizens of the City of New Philadelphia.

He did note that we had 14 requests for qualifications that came through the City. The Chief is working along with the Mayor, the Service Director, and the Board of Control. They will be doing their due diligence to pare that down to a more manageable group, maybe three to four and then again to continue with Request for Proposal.

With the hope down the road we can make sure that we have done all we can to insure that the Fire Station that is built will last the Citizens of New Philadelphia for many years to come.

The meeting did conclude with adjournment at 6:58 PM

Councilperson Mr. John Zucal reminded the Members of Council as well as our Elected Officials and Administration there will be another Salary Committee Meeting Wednesday, April 15th, 2015 at 6:00 PM in Council Chambers.

Comment from Councilperson Mr. John Zucal:

“I do respectfully request, since the discussion is topic for the evening is the payment of City Elected Officials and their salaries that those members elected to those positions please be in attendance.

**SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT**

MR. MAURER WAS ABSENT

*President of Council Mr. Sam Hitchcock Assigned to Mr. Maurer the request from Mr. Greg Popham , Safety Director, the Police Auction that will be taking place in August. The President said he will contact Mr. Maurer and let him know about the assignment.*

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

Mr. Lautenschleger reported that the Public Works & Economic Development Committee met this evening in Council Chambers with two primary topics on the agenda.

First item to discuss was proposed Resolution 10-2015 and 11-2015 which deal with authorizing the City to apply to the Ohio Department of Natural Resources and different grant programs there for funds to potentially purchase property that the City would be interested in on Crider Avenue with potential partnering with New Philadelphia City School District for the development of a potential learning lab and science center This is primary due to City’s interest in that property is because of the two large water lines that are in place near there. And will provide a buffer area and protection for that area. It is also possible the funds could be considered if grant funding is approved for purchase of property off of South Broadway Avenue near the water plant near the Water Works Park on the site of the former Riverview Welding Company there is some potential there.

At this point the legislation will allow the City to apply for funds. Those are on the agenda for this evening. The Committee by a vote of 3-0 agreed to add both pieces of legislation to the agenda for first reading tonight suspend the rules and pass on the second reading at Councils next regular session on April 27th, 2015.

The second item was ordinance 8-2015 which is the Community Reinvestment Area Agreement between the City of New Philadelphia and Menards Inc. for the Tax Incentive for the eventual construction of a Menard Inc. Store at the site of the former K-Mart Building.

A Public Hearing was held prior to the last Council Meeting on this and this was long discussed, long anticipated and a very much welcomed agreement.

One that will eventually lead to the, we all hope, the over hall of that property for Economic Development jobs and etc.

The Committee also voted unanimously to add this piece of legislation to the agenda for this evening suspend the rules and the committee recommends passing on first reading tonight.

With no other business to come before the Committee we

Adjourned at 6:20 PM

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS**

Mrs. Ramos announced that she did not have a formal report

Mrs. Ramos reminded everyone that there was a Public Hearing at 7:00 PM tonight about permanently rezoning certain land at 419 Tuscarawas Ave NW and 1121 Tuscarawas Ave NW. no one raised any objections.

The Committee is recommending passage tonight on the 4TH READING.

**SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER**

MR. Lanzer reported that the Special & Contact Committee met this evening at 7:05 PM

To discuss one item liquor the transfer from from Schoebunn Inn by Christopher LTD DBA Schoenbrunn Inn by Christopher, to To Garland Real Estate LLC. DBA Schoebrunn Inn Pub, 1186 West High Avenue.

New Philadelphia Ohio 44663

For Type TRFO

D5A AND D6 Permit Class

And asking that objections be made no later than April 27th, 2015

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 postmark no later than April 27th, 2015

MR. LANZER MADE THE MOTION AND

MR. ZUCAL SECONDED THE MOTION

ROLL CALL 6-0

MOTION PASSED.

**PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT**

**Visitor's Comments:**

Mr. Gregory A. Weber

1139 Tuscarawas Avenue NW

New Philadelphia, Ohio 44663

**Comment/Concern**

Had a question about the rezoning of certain property at 1121 Tuscarawas NW.

Mr. Weber's concern was in regard to the alley between 1121 Tuscarawas NW and his property at 1139.

The possibility of more traffic if that is rezoned business.

President of Council Mr. Sam Hitchcock asked Mr. Weber if he was aware of the Public Hearing that was held at 7:00 PM tonight. The President said that was the time we were inviting comments/concerns about that.

Mr. Weber said he was not aware of that.

**Comment/Concern about the Ducks:**

Ms. Julie Tripodi  
437 Esther Court  
New Philadelphia, Ohio 44663

Ms. Julie Tripodi, President of Operations Warm and Cozy/ Rosemary Haflinger, Rehabilitation Specialist.  
OWC is registered under 1717 of the Ohio Revised Code.

Ms. Tripodi has been hearing complaints and concerned residents around the Park about the stop feeding Law  
Probably caused some problems as to what I read in the paper wanting to pen the ducks up.

Are expert here, who has worked with ducks over ten years realize that those ducks are domesticated to that area.  
They have relied on humans to feed them since they have been born there. There is a very easy solution for this.  
This other than draining the pond:

That is why the geese are coming they can hunt any where they go.

But ducks can't find any food elsewhere.

We want to make sure no one called in PETA Humane Society if these ducks are penned up they are going kill each other and they are going to starve. They can't survive on cracked corn.

**Comment/Concern about the Ducks:**

Rosemary Haflinger, Rehabilitation Specialist  
132 North Broadway  
New Philadelphia, Ohio 44663

We agree the geese can be a problem at certain times at the park.

Ms. Haflinger was contacted by several people in the community in regard to the ban on feeding all ducks at the park they feel it would be in humans and will result the starving to death of about 30 Mallard Ducks. Not including the white ducks.

These ducks are generations that have been born at the park and do not have a wild instinct to find food elsewhere when it becomes scarce.

Over the years the Mallard Ducks believes the only food comes from humans as humans have domesticated them.

We feel at OWC, which is our organization, may be able to help you.

Over the last four years we at OWC have offered our services to the City of New Philadelphia to Rod Miller and the Tuscora Park our services including relocating ducks outside the park to farms. Removing fishing line and hooks, providing medical care with no charge to the City of New Philadelphia every spring we gather up the Easter ducklings that people purchase from the stores as pets for their children. They are discarded abandoned as young as three to six weeks old and dropped off at the park. A lot of these ducks won't survive.

We pick them up, relocate them, and find homes for them.

Over the years we have become familiar with the habits of the geese and ducks at the park

We are familiar with patterns of the geese it is based on the time of year and the time of day. We feel if we schedule feeds at certain times of the month these Mallard Ducks that are domesticated will not starve and we will not be encouraging the geese to return to the park for a free food handout. The feeding will occur at night time when the geese have left the park to return to their resting area.

*We would like you to exempt us from a no feeding law so we can feed the residential Mallards we do have marked vehicles with our name on it.*

*We are willing to work under the guidance of Rod Miller and the City of New Philadelphia with their approval.*

President of Council thanked Ms. Tripodi and Ms. Haflinger for their comments/ concerns.

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

4-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT 419 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO OFFICE, AND DECLARING AN EMERGENCY. (4TH READING)

Mrs. Ramos made a motion to pass Ordinance 4-2015  
Mr. Lautenschleger seconded the motion  
Roll Call 6 yeas

Ordinance 4-2015 has passed

5-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO,  
TO PERMANENTLY REZONE CERTAIN LAND LOCATED AT  
1121 TUSCARAWAS AVENUE NORTHWEST IN NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL  
TO BUSINESS, AND DECLARING AN EMERGENCY. (4TH READING)

Mrs. Ramos made a motion to pass Ordinance 5-2015  
Mr. Lautenschleger seconded the motion  
Roll Call 6 yeas

Ordinance 5-2015 has passed

#### AMENDED

6-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA DIRECTING THE  
SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTACTS WITH THE  
LOWEST AND BEST BIDDER FOR THE CITY'S REQUIREMENTS OF VARIOUS MATERIALS  
AND SUPPLIES FOR 2015, AND DECLARING AN EMERGENCY. (3RD READING)

Ms. Cox made a motion to pass Amended Ordinance 6-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas

Amended Ordinance 6-2015 has passed

8-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT  
AREA (CRA) TAX EXEMPTION AGREEMENT WITH MENARDS INC., AND DECLARING  
AN EMERGENCY IN ORDER TO FACILITATE CONSTRUCTION AS EARLY AS POSSIBLE.  
(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

Comment from councilperson Mr. Lautenschleger:

"I just want to say briefly, that is not usual that someone would stand up and congratulate the Mayor for doing their job number #1

and number #2 for creating a tax incentive or tax break. But in this case

I want to Congratulate Mayor Johnson and everybody who worked with him and the work that they did putting into w identifying what could be done with this "eye sore."

Not only solving the problem, but creating economic opportunities for the residence of the City of New Philadelphia and our tax base, Congratulation to you and to all of us."

The Mayor thanked Mr. Lautenschleger for his comment.

Roll call, 6 yeas Ordinance 8-2015 passed

#### RESOLUTIONS:

3-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO COMMEND WILLIAM BICHSEL III FOR HIS SIX YEARS OF SERVICE AS  
A PARK BOARD MEMBER FOR THE CITY OF NEW PHILADELPHIA, OHIO,  
AND DECLARING AN EMERGENCY (3RD READING)

Councilperson Mr. John Zucal requested this resolution be held for the (4TH READING)

4-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS, RECEIVE BIDS, AND AWARD FOR THE 2015 PROJECT YEAR THE CDBG CONTRACT, AND DECLARING AN EMERGENCY. (3RD READING)

Ms. Cox made a motion to pass Resolution 4-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas  
Resolution 4-2015 has passed

5-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF MR. CHRISTOPHER BOWER BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS, AND DECLARING AN EMERGENCY. (2ND READING)

6-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE REAPPOINTMENT OF DR. RICHARD VARRATI BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS, AND DECLARING AN EMERGENCY. (2ND READING)

8-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA IN SUPPORT OF MAINTAINING THE REGIONAL SOCIAL SECURITY ADMINISTRATION FIELD OFFICE IN NEW PHILADELPHIA, OHIO. (1ST READING)

9-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AUTHORIZING THE CITY AUDITOR TO PAY NON-BARGAINING EMPLOYEE SALARIES AS SET FORTH IN THE 2015 BUDGET, AND DECLARING AN EMERGENCY. (1ST READING)

Comment from the Auditor:

It is not clear when those raises would start.  
I'm assuming since the budget it is for the whole year that maybe it should say January 1st, if that is the intention.

Comment from Council Person John Zucal:

I believed it was cleared up in our last Salary Committee Meeting; we did say it would begin January 1st, of the year and run through December 31st we are doing it for the fiscal year.

Comment from the Auditor:

Doesn't it have to say that in the resolution?

Comment from Council Person John Zucal:

I defer that to the Law Director he is our legal expert.  
It is clear in my mind; it is for the budget year.

Comment from the Law Director:

I don't feel it was necessary to put it in there, it does reference fiscal year 2015 and it also references budget for Fiscal Year 2015. They are specified in the budget exactly how they are supposed be be.  
This is just authorization to pay in accordance to what the budget has already said to do.

10-2015 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO THE NATURWORKS PROGRAM FOR RECREATIONAL IMPROVEMENTS AT CRIDER AVENUE FOR LAND ACQUISITION AND DECLARING AN EMERGENCY. (1ST READING)

11-2015 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO THE LAND AND WATER CONSERVATION FUND FOR RECREATIONAL IMPROVEMENTS AT CRIDER AVENUE FOR LAND ACQUISITION, AND DECLARING AN EMERGENCY. (1ST READING)

COUNCIL ADJOURNED FROM REGULAR SESSION AND WENT INTO AN EXECUTIVE SESSION AT 8:16 PM FOR THE FOLLOWING:  
THE LAW DIRECTOR, MARVIN FETE REQUESTED AN EXECUTIVE SESSION TO DISCUSS A POSSIBLE LITIGATION.

COUNCIL RECONVENED INTO REGULAR SESSION AT 8:31 PM.

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from the President Sam Hitchcock:

President made copies and underlined some points of interest from the City/Villages January/February 2015 publication And he made copies of RC 121.22.

The President distributed those to Council Members before the meeting.

The President pointed out the first story had a lot interesting situations.

Expensive lessons in Opening and Closing Executive Sessions.

The Greene County Children Service Board of Directors abusing executive sessions.

They got themselves into a tight expensive situation by not following the rules that are spelled out in revised code 121.22.

Two main areas they were in violation of

1. Going in or out of executive sessions properly
2. Not using the proper reasons to go into executive sessions.
3. The most abused reason was personnel matter.

The President promised he will make sure we go in and out of executive sessions properly.

In return for that he is requesting Council use the seven points.

To enter into executive session, the public body must state which (one or more) of the approved matters is to be considered.

The president said unless those approved matters are used he will not entertain a motion to go into an executive session.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:36PM.

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

Patricia A. McKay

APPROVED \_\_\_\_\_

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

Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 27TH, 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  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

EXCUSED ABSENCE

COUNCILPERSON MRS. CHERYL RAMOS

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT'S MEETING  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL 6 YEAS  
MOTION PASSED

THE CLERK ANNOUNCED SHE GAVE EVERYONE A REPLACEMENT PAGE FOR PAGE 3 AND 4. (IT WAS DOUBLE SIDED THE CHANGE WAS ON PAGE 4) ON PAGE 4 UNDER PUBLIC WORKS AND ECONOMIC DEVELOPMENT PARDONING WAS CHANGED TO PARTNERING AND LEANING TO LEARNING.

- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, APRIL 13TH, 2015 AS CORRECTED BY THE CLERK  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL, 6 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council for April 27th, 2015
2. Ohio Environmental Protection Agency dated April 15th, 2015 National Pollutant Discharge Elimination System (NPDES) Permit Program  
Public Notice NPDES permit to discharge to State Waters
3. Flyer from Tuscarawas County Public Library, 121 Fair Avenue NW, New Philadelphia, OH on Saturday April 25th, 2015 the Tuscarawas County Public Library hosted the eleventh annual (Day of Children, Day of Books) celebration from 12:00 PM to 3:00 PM. the multicultural event was sponsored in part by a grant through (ALSC) Association for Library Service to Children and Commercial and Savings Bank
4. Safety, Health and Service Minutes from March 23rd, 2015.
5. Salary Committee Meeting Minutes Wednesday, April 8th, 2015
6. Public Works & Economic Development Committee Meeting Minutes from April 13th, 2015
7. Special and Contact Committee Meeting Minutes for April 13th, 2015
8. Salary Committee Meeting Minutes Wednesday, April 15th, 2015

**ADMINISTRATIVE REPORTS**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

- 4/13/2015 Hired the new Assistant Park Superintendent, Mr. Chase Hostetler.
- 4/14/2015 Held the Monthly Staff Meeting
- 4/15/2015 Swore Ms. Mary Chenevey in as a Special Auxiliary Officer and Mr. Brian Hanner as the Police Chaplain

- Attended the monthly OMEGA Meeting in Wintersville  
 Attended the CDIS Meeting which has to do with grants; a new requirement we had to do as of this year
- 4/16/2015 Met and welcomed the new director of the New Philadelphia Business & Community Association, Ms. Tricia Hicks  
 Held several personnel meetings
- 4/17/2015 Attended the Tuscarawas County Public Library s Community Breakfast.
- 4/21/2015 Attended the monthly CIC Meeting
- 4/22/2015 Attended the monthly Park Board Meeting at the Park Pavilion
- 4/23/2015 Met with the Law Director Marvin Fete and Service Director Jim Zucal
- 4/24/2015 Interviewed and hired a new Mayor’s Executive Assistant, Ms. Mary Ann Otte  
 The Mayor informed everyone there were several other interviews, but that particular night they did the final interview and hired Ms. Otte.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported the following:

The Service Director did meet with the East Ohio Dominion Gas Company Officials.  
 Mr. Zucal said he wants the public to know they are working in the area of North Broadway and Beech Lane they will be proceeding west as part of their yearly construction upgrade. They will be putting new gas lines in the ground. The area being affected is the area around North Broadway, Beech Lane, and Ray Avenue proceeding west all the way down to 6th Drive.

In that area almost every alley and street will be involved in some fashion.  
 They are not doing a lot of open cutting there is a lot of boring going on, they are using boring machines to enter, exist, and put the pipe in.  
 We will see minimal impact on our infrastructure.  
 They will be working on this most of the summer.

Mr. Zucal announced the NRG project CDBG project has been finalized. It is on Tuscarawas Avenue in the area of north to Miller Avenue. The main portion of that project this year is the Bus Turn-in Lane at West Elementary School.

Mr. Zucal had the Finalized Sketch from the Engineer which he passed around for everyone to look at. We hope to have that out to bid next week the project is to be completed by August 15th, 2015. It will alleviate some traffic problems in that area and allow for safety for the students of the school.

It is an exciting project and a nice partnership between New Philadelphia Schools and the City of New Philadelphia.

AUDITOR .....MS. BETH GUNDY

The Auditor announced FYI  
 Ms. Gundy reported she has produced a companion to Resolution 12-2015.  
 So if and whenever Resolution 12-2015 is passed, the salaries for the Elected Officials and the Clerk of Council are laid out for 2015.

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

TREASURER . . . . . TOM GERBER

Mr. Gerber Announced:  
 He did not have a Formal Report.  
 The Audit is still going on  
 We are working closely with the Auditors.  
 He attended a very informative all day seminar last Wednesday in Gahanna The Ohio Government Finance Officers Association.  
 Some of the topics that were covered in the seminal were  
 Ethics, Public Records, Human Resources, Accounting Principals,  
 Revenues, Expenditures, Budgets, and Banking Investments, Debt-Issuance, Internal Controls.  
 and Audits.

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director stated that he was happy to report that the City of New Philadelphia has received their certificate for the Ohio Community Reinvestment Area that we applied for. (CRA)  
We were approved by the State of Ohio on April 22nd, 2015.

Mr. Fete announced that the City of New Philadelphia is a good place to invest, good place for businesses we are the first in the county to do this.

The Law Director commended the Administration for getting the ball rolling on this.

Mr. Fete reported that he has done a lot of correspondence the last couple of weeks with Jennifer Syx with inSIGHT Agency Group we have finished up everything with them.

The Contracts from Menards has been signed and finished.

We are ready to roll with our first business that is going to take advantage of the CRA.

Mr. Fete has had a lot of correspondence with Water/Sewer Superintendent over the last couple of weeks on how they want to handle some delinquent water bills.

The Law Director got with the Service Director who was very helpful getting those issues resolved with him.

Met with the Mayor and Service Director last week to catch up on a number of different issues.

Had a phone conference this morning with Water/Sewer Superintendent regarding insurance issues.

The Law Director stated that Drafting Canadian Geese Ordinance was a challenge which required a lot of research.

The Law Director reported that he didn't really find any that were directly on point throughout the State of Ohio

Mr. Fete drew on all the legal actions that he had available at his resources.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced that the Planning Commission is scheduled to meet May 12th, 2015 at this time we have no submissions.

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

Mr. Zucal announced the Board of Zoning Appeals Meeting is scheduled for Tuesday, May 12th, 2015 at 5:00 PM in Council Chambers providing there is an agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the Airport Commission Meeting will be held at 6:00 PM, Tuesday, May 12th, 2015 at the Harry Clever Field Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that the Park Board met Wednesday April 22nd, 2015 at the Tuscora Park Pavilion at noon. The most interesting item that came from this meeting was a report from RTY.

Carey Gardner, the executive director of RTY Inc., the nonprofit independent group which operates the rides and concessions at Tuscora Park.

RTY introduced the updated price structure for the rides for this summer that will encourage week day use.

On the weekends which is the highest demand and highest attendance at the park.

The rides for the summer will be a single ride \$1.00 or a book of 10 for \$7.00.

The prices will apply Friday, Saturday, and Sunday and the three major holidays during the summer Memorial Day, Fourth of July, and Labor Day.

Week day prices Monday through Thursday only those prices will be 60 cents per ticket with a book of 10 for \$5.00.

In order to keep them separate they will be different colors for the tickets that are issued.

The staff will be trained as to how to explain that to the folks when they are buying the tickets.

A couple ways they are looking at that and marketing that you'll see some marketing information sent out by RTY. They want to encourage week day use that will encourage more local folks to use the park during the week days.

We are looking forward to see how that turns out.

Park Rides and Concessions open Memorial Day weekend.

Next Park Board Meeting will be held on May 20, 2015 at noon at Tuscora Park Pavilion.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is this Wednesday, May 13th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported the following:

The Finance Committee met this evening April 27th, 2015 at 7:15 PM in Council Chambers with two items on the agenda;

To increase the appropriations of the Law Director for Medical Insurance to \$6,000.00 and Cemetery Maintenance to \$16,000.00.

The Committee moved to place the Ordinance on the next agenda and recommended suspension of the rules on the first reading at the May 11th, 2015 meeting.

Meeting adjourned at 7:16 PM

SALARY COMMITTEE .....MR. JOHN ZUCAL

Mr. Zucal announced that there are two pieces of legislation Resolution 9-2015 and Resolution 12-2015 the Committee is asking for suspension of rules and recommending passage on tonight’s readings.

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

Mr. Maurer stated that he just wanted to clarify some things from the geese meeting he had.

Mr. Maurer announced that nowhere in the Ordinance 10-2015 is the word duck used.

It is an Ordinance that deals with geese.

The public can feed the ducks year round not the geese.

The period of time October 1st through April 1st through any given year, no person shall be permitted to feed, harbor, maintain or provide bedding of any kind to any Canadian Geese on any public property located within the City of New Philadelphia.

The purpose of the ordinance is not to site people it is to allow park officials if they see someone feeding the geese to go over and say “feeding the geese is not allowed.” Right now park officials cannot say don’t feed the geese because there is nothing to back it up.

This ordinance deals with geese not ducks.

President of Council Sam Hitchcock:

For the record you have been assigned the Police Auction which is in August.

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

Mr. Lautenschleger reminded all Council the Committee had recommended at our previous meeting Resolution 10-2015 and Resolution 11-2015 to have rules suspended and passed on 2nd reading this evening.

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT  
EXCUSED ABSENCE

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR’S COMMENTS:**

Ms. Rosemary Hafliger  
Operations Warm and Cozy  
132 North Broadway  
New Philadelphia, Ohio

Ms. Hafliger Concerns/Comments:

We understand there is no real quick fix that will resolve the human and geese conflict at the park

The Ordinance alone will not resolve the problems we might have.

Education is our best choice while Anti -Feeding Ordinance will help raise the public awareness and

Limit casual feeding. People that care about the animals will respond more positively to explanations of the potential harm of feeding the geese can cause rather than the negative message about the birds or the fine.

“We need an ordinance that will prohibit the dumping of the Easter ducklings”

Strict fines should be given to people who abandon animals at the park with no concern for their well being or welfare.

People should be taught Easter ducklings are not a toy.

Children learn from the actions of the parents.

Ms. Hafliger stated that she would be happy to meet with anyone with concerns for the geese at the park.

Ms. Connie Weber  
136 Tuscora Ave NW  
New Philadelphia, Ohio

Ms. Connie Weber Concerns/Comments:  
She felt it would be cruel not to feed the geese.  
Ms. Weber stated she has lived in the area for twelve years  
Geese are not there all year around.  
There are different ways of getting rid of the geese.  
The geese don't like laser pointers.  
You just shine them on the ground and they will fly away.

## **READING OF ORDINANCES AND RESOLUTIONS**

### ORDINANCES:

10-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF THE NEW PHILADELPHIA, OHIO, TO INCLUDE A PROHIBITION AGAINST FEEDING AND MAINTAINING CANADIAN GEESE ON PUBLIC PROPERTY WITHIN THE CITY OF NEW PHILADELPHIA, AND DECLARING AN EMERGENCY. (1ST READING)

### RESOLUTIONS:

3-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO COMMEND WILLIAM BICHSEL III FOR HIS 6 YEARS OF SERVICE AS A PARK BOARD MEMBER FOR THE CITY OF NEW PHILADELPHIA, OHIO, AND DECLARING AN EMERGENCY (4th READING)

Mr. Zucal made a motion to pass Resolution 3-2015  
Mr. Lautenschleger seconded the motion  
Roll Call 6 yeas

Resolution 3-2015 has passed

5-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF MR. CHRISTOPHER BOWER BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS, AND DECLARING AN EMERGENCY. (3RD READING)

Mr. Zucal made a motion to pass Resolution 5-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas

Resolution 5-2015 has passed

6-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE REAPPOINTMENT OF DR. RICHARD VARRATI BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS, AND DECLARING AN EMERGENCY. (3RD READING)

Mr. Lanzer made a motion to pass Resolution 6-2015  
Ms. Cox seconded the motion  
Roll Call 6 yeas

Resolution 6-2015 has passed

8-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, IN SUPPORT OF MAINTAINING THE REGIONAL SOCIAL SECURITY ADMINISTRATION FIELD OFFICE IN NEW PHILADELPHIA, OHIO. (2ND READING)

9-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AUTHORIZING THE CITY AUDITOR TO PAY NON-BARGAINING EMPLOYEE SALARIES AS SET FORTH IN THE 2015 BUDGET, AND DECLARING AN EMERGENCY. (2ND READING)

Mr. Zucal made a motion to suspend the rules on Resolution 9-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas  
Rules have been suspended on Resolution 9-2015

Mr. Zucal made a motion to pass Resolution 9-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas

Resolution 9-2015 has passed

10-2015 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO THE NATUREWORKS PROGRAM FOR RECREATIONAL IMPROVEMENTS AT CRIDER AVENUE FOR LAND ACQUISITION AND DECLARING AN EMERGENCY. (2ND READING)

Mr. Lautenschleger made a motion to suspend the rules on Resolution 10-2015  
Ms. Cox seconded the motion  
Roll Call 6 yeas  
Rules have been suspended on Resolution 10-2015

Mr. Lautenschleger made a motion to pass Resolution 10-2015  
Ms. Cox seconded the motion  
Roll Call 6 yeas

Resolution 10-2015 has passed

11-2015 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO THE LAND AND WATER CONSERVATION FUND FOR RECREATIONAL IMPROVEMENTS AT CRIDER AVENUE FOR LAND ACQUISITION, AND DECLARING AN EMERGENCY. (2ND READING)

Mr. Lautenschleger made a motion to suspend the rules on Resolution 11-2015  
Ms. Cox seconded the motion  
Roll Call 6 yeas  
Rules have been suspended on Resolution 11-2015

Ms. Cox made a motion to pass Resolution 11-2015  
Mr. Lautenschleger seconded the motion  
Roll Call 6 yeas

Resolution 11-2015 has passed

12-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AUTHORIZING THE CITY AUDITOR TO PAY THE CLERK OF COUNCIL AND ELECTED OFFICIALS SALARIES AS SET FORTH IN THE 2015 BUDGET, AND DECLARING AN EMERGENCY. (1ST READING)

Mr. Zucal made a motion to suspend the rules on Resolution 12-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas  
Rules have been suspended on Resolution 12-2015

Mr. Zucal made a motion to pass Resolution 12-2015  
Mr. Lanzer seconded the motion  
Roll Call 6 yeas

Resolution 12-2015 has passed

13-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO  
COMMEND TOM FARBIZO FOR HIS 14 YEARS OF SERVICE AS AIRPORT MEMBER  
AND CHAIRMAN TO THE NEW PHILADELPHIA AIRPORT COMMISSION FOR THE CITY OF  
NEW PHILADELPHIA. (1ST READING)

**UNFINISHED OR OLD BUSINESS:**

Comment from Mayor Johnson:

The Mayor mentioned:

Earlier this evening Mr. Lautenschleger gave a report on RTY;  
At one time the City of New Philadelphia could not get any insurance for the Park.  
The laws changed we didn't know what we were going to do.  
The Rotarians of New Philadelphia stepped up  
They formed a Corporation they paid the insurance that kept the park going.  
The RTY is in charge of all the rides and the concessions.  
They have been an outstanding citizen to the City of New Philadelphia.  
This is something that has gone over and above what most groups ever do.  
The Mayor thanked RTY and applauded them.

Comment from the President of Council:

Mr. Hitchcock thanked the Mayor for the recognition he gave to RTY.

**NEW BUSINESS:**

NONE

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:04 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 11TH, 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 JAMES ZUCAL

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT'S MEETING  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, APRIL 27TH, 2015  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council for May 11th, 2015
2. April 2015 Month End Summary Report for the New Philadelphia Fire Department  
Dated May 5th, 2015
3. Salary Committee Meeting Minutes from Monday, April 13th, 2015
4. Finance Committee Meeting Minutes from Monday, April 27th, 2015
5. City of New Philadelphia Income Tax Department April 2015 Report Month-End Tax Revenue  
by Year submitted by Joel B. Day Income Tax Administrator
6. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of April 2015
7. Auditor's Financial Statement for the Month of April 2015
8. City of New Philadelphia Statement of Cash Position with Month to Date as of April 30th, 2015
9. Budget Report with Encumbrance Details as of April 30th, 2015
10. A notice to Council from the  
Ohio Division of Liquor Control,  
Dated May 8th 2015,  
To 5DUBCO DBA Brickyard Dining Co.  
140 Commercial Ave SE  
New Philadelphia, Ohio 44663  
For Type new  
D1 Permit Class  
To Strykers Drive thru LLC  
729 South Broadway  
New Philadelphia, Ohio 44663  
For Type TRFO  
C2 and C2X Permit Class  
And asking that objections be made no later June 8th, 2015
11. A notice to Council from the from the  
Ohio Division of Liquor Control,  
Dated April 28th 2015,  
To B2 Management LLC  
601 W. High Av  
New Philadelphia, Ohio 44663  
For Type New  
D1 and D3 Permit Class  
And asking that objections be made no later May 29th, 2015
12. City of New Philadelphia Listing Non-Bargaining rates corresponding to Resolution 9-2015

**ADMINISTRATIVE REPORTS**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

- 4/29/2015 Attended the 25th Anniversary Celebration of WTUZ at the PAC
- 4/30/2015 Planted a tree at the Schoenbrunn Village Park in observance of Arbor Day.  
(It was attended by special guests; Lucy and Bryce Posey the Mayor's Grandchildren.)
- 5/04/2015 The Mayor was the guest speaker for the May New Philadelphia Lions Club Meeting.  
The Mayor reported on what was happening in the City New Philadelphia.
- 5/05/2015 Mayor Johnson opened the Material and Landfill Bids

- 5/06/2015 Attended the monthly New Philadelphia Business & Community Association Board Meeting. The Mayor was a guest at the Buckeye Career Center Foundation Recognition Banquet.
- 5/07/2015 Attended the National Tourism Week with Mr. Lee Fisher and the Tuscarawas County Convention & Visitors Bureau at Kent State University - Tuscarawas Campus.

Mayor Johnson introduced Ms. Mary Ann Otte, his new Executive Assistant and reported that today was her first day.

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

Mayor Johnson reported for the Service Director the following:

- Bids for CDBG and NRG Projects are due Thursday, May 14th, 2015 at 11:00 AM
- Bids were opened on the Material and Landfill Service May 5th, 2015 at 2:00 PM (Bids that were received are being reviewed.)
- Housing Review Committee met on May 5th, 2015 evaluated seven structures that are need of repair or demolished. Letters were sent to the owners of the properties. They will be evaluated again next month.
- The City has been approved for \$25,000 yard waste startup grant through the Stark, Tuscarawas ,Wayne Recycling District. The grant money will be used to prepare the site at the General Service facility including excavation, fence, and security cameras. We will let constituents know when the site is available. We will be able to take everybody’s yard waste there. They will come in and dump it as often as we need it and it doesn’t cost us anything.
- In the last couple of weeks, approximately 30 building permits have been submitted and reviewed. The Mayor announced that the report was signed by Amy Gilland the Assistant Service Director.

**AUDITOR .....MS. BETH GUNDY**

The Auditor announced as the Clerk mentioned

1. Ms. Gundy reported she prepared the Non-Bargaining rates corresponding to Resolution 9-2015.
2. The Audit is wrapping-up; the Auditors are now back in their own offices. We should be hearing about an Exit Review sometime soon.

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

**TREASURER . . . . .TOM GERBER**

Mr. Gerber reported:

1. The Audit is very detailed. The Auditors review everything that we have done. Mr. Gerber commended the Auditors saying they were polite, they were demanding but very respectful.
2. Mr. Gerber met last Tuesday with Chase Banking Senior Representative and Auditor Ms. Gundy. We have experienced very good working relationship with Chase Bank. We will be extending the contract with Chase Bank for another two years this will be one more year additional option and it will be to our benefit.

**LAW DIRECTOR . . . . .MR. MARVIN FETE**

- The Law Director reported among the things he has been working on: Vacation Pay Issue with past employee. The Law Director reported that he has touched base with our HR person on the issue.
- Reviewing a Lease Agreement for approval on behalf of New Philadelphia City Schools.
- For our Audit: write a Pending Litigation Letter that is due by May 14th, 2015 It deals with any Pending Litigation Issues that may be affecting the City in the coming year and his analysis of those things.
- Finished a letter by the Housing Review Committee so he can issue a demolition order for the business that they have ordered to be demolished.
- Talked to Joe Skinner: The Law Director reported he is working on a General Liability Release Document for when our Police and Firefighters do their training. Mr. Fete reported that he has a rough draft done right now and it should be finished by tomorrow; Whenever they do their training any liability for injury is assumed by the City and won’t be expected on behalf of where they are doing their training.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

The Mayor announced there were no submissions for the Planning Commission therefore the meeting for the month of May has been canceled. The next Planning Commission is tentatively set for June 9th, 2015 pending items for the agenda.

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

The Mayor announced the Board of Zoning Appeals will meet Tuesday, May 12th, 2015 at 5:00 PM in Council Chambers there are several items on the agenda.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

Mr. Zucal announced the Airport Commission Meeting will be held at 6:00 PM, Tuesday, May 12th, 2015 at the Harry Clever Field Meeting Room.

Mr. Zucal reminded everyone of the Annual EAA Fly-In Pancake Breakfast, A tradition for the Experimental Aircraft Association is always held Memorial Day weekend.

If your schedule allows, if you feel so inclined to support this group it would be appreciated.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER  
Mr. Lautenschleger reported the next Park Board Meeting will be held on Wednesday, May 20, 2015 at noon at Tuscora Park Pavilion.

HEALTH BOARD..... MS. SANDY COX  
Ms. Cox announced that the next scheduled meeting for the Health Board is this Wednesday, May 13th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX  
Ms. Cox reminded all that the Finance Committee is requesting Ordinance 9-2015 be passed this evening.

The Auditor at the last meeting we had, requested Ordinance 9-2015 be passed this evening.

President of Council Mr. Sam Hitchcock assigned to the Finance Committee the CDBG request.

SALARY COMMITTEE .....MR. JOHN ZUCAL  
Mr. Zucal mentioned to Council and Administration that we will continue to move forward with the determination on the vacation pay. (That has been a while, still coming to resolution.)  
Mr. Zucal thanked the Law Director for his efforts working with HR to make sure that we have our T's crossed and our I's are dotted. Look forward to an upcoming Salary Committee Meeting to finalize what we need to do there.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER

Mr Lanzer reported the Special & Contact Committee met this evening at 7:15 PM briefly.  
All Committee Members were present Mr. Maurer, Ms. Walker, alternate Mr. John Zucal and Mr. Dan Lanzer, Chair with one item to discuss:

To: A notice to Council from the from the  
Ohio Division of Liquor Control,  
Dated April 28th 2015,  
B2 Management LLC  
601 W. High Av  
New Philadelphia, Ohio 44663  
For Type New  
D1 and D3 Permit Class  
And asking that objections be made no later May 29th, 2015

New license for Bud and Tooties at 601 West High Ave.  
They are going to be doing business as B2 Management LLC

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 tonight.  
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 postmark no later than May 29th, 2015

MR. LANZER MADE THE MOTION AND  
MR. MAURER SECONDED THE MOTION  
ROLL CALL 7-0  
MOTION PASSED.

President of Council Sam Hitchcock assigned the following to the Special & Contact Committee:

A notice to Council from the  
Ohio Division of Liquor Control,  
Dated May 8th 2015,  
To 5DUBCO DBA Brickyard Dining Co. and  
Strykers Drive thru LLC  
and asking that objections be made no later June 8th, 2015

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

Mr. Kyle Sundheimer  
510 6th Street NW (Between Baker and Miller Avenue)  
New Philadelphia, Ohio  
Mr. Sundheimer is employed by the New Philadelphia City Schools  
Mr. Sunheimer Concerns/Comments:  
When they purchased their house the alley was a grass alley.  
Last week the alley was opened.  
The alley impacts five houses three of those five houses have children;

This grass alley has been a play area for the kids in the neighborhood.  
 We were not talked to by anyone within the City.  
 We were never asked our opinion; we found out they don't have to,  
 (but sometimes that is just a common courtesy)  
 They don't have much of a reason it is based on request.  
 Mr. Sundheimer expressed his concern with the alley being open  
 It could be a safety issue.  
 The five houses that run along the alley, not one of those home owners want that gravel put down.  
 It was requested from a home owner who lived further down the street.  
 Mr. Sundheimer thanked Mr. Fete for his time.  
 Mr. Sundheimer did mention that Mayor Johnson immediately met with him and they did have a  
 good conversation.  
 Mr. Sundheimer did voice his concern over the issue which he knows is still unresolved.  
 He would like to see the City do what is right.  
 Mr. Sundheimer requests City Council take into consideration in the future  
 When an alley needs to open up the homeowners along the alley be consulted with and asked  
 their opinion.  
 At the end of the day, if you have small children that are used to playing in a grass alley and you  
 open that up to stone, it becomes a safety concern.  
 Mr. Sundheimer thanked everyone for their time.

Roger Russell  
 1045 Clearview SE  
 New Philadelphia, Ohio

Mr. Russell Concerns/Comments are the Tennis Courts at Tuscora Park  
 Mr. Russell reported the Tennis Courts at Tuscora Park are a safety issue.  
 Sectional tournaments have not been able to be held here the last four years because they would not approve the courts.  
 We still play on them we take our chances.  
 Mr. Russell invited Council to look at them and they will see that they are in bad shape.  
 Money is a problem you could look at others sources lake a Grant.  
 Maybe there are other groups out there that would be interested in helping out with something like that.  
 Mr. Russell thanked everyone for their time.

Comment from Councilperson Mr. Lautenschleger:

Mr. Lautenschleger thanked Mr. Russell for coming  
 Mr. Lautenschleger informed Mr. Russell that he attends the Park Board Meetings on behalf of Council and reports  
 back to them. For the past two years the tennis courts have been a topic at nearly every meeting.  
 Mr. Rod Miller who is the Park Superintendent as well as one of our new members, Mr. Tom Farbizo, former athletic  
 director for the City of New Philadelphia Schools, has been looking into alternative methods for financing and the  
 courts themselves; all the way from total resurfacing, to taking them out, and total replacing them, to a cover of some  
 sort.  
 No decision has been made. Part of it is financing.

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

9-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,  
 OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE  
 FOR THE YEAR OF 2015 AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox  
 Seconded by Mr. Lautenschleger  
 Roll call, 7 yeas  
 Rules for Ordinance 9-2015 have been suspended

Motion to vote on passage by Ms. Cox  
 Seconded by Mr. Lautenschleger  
 Roll call, 7 yeas  
 Ordinance 9-2015 has passed

10-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS  
 AND FOWL, OF THE CITY OF THE NEW PHILADELPHIA, OHIO, TO INCLUDE A  
 PROHIBITION AGAINST FEEDING AND MAINTAINING CANADIAN GEESE ON  
 PUBLIC PROPERTY WITHIN THE CITY OF NEW PHILADELPHIA, AND DECLARING  
 AN EMERGENCY. (2ND READING)

RESOLUTIONS:

8-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA IN  
 SUPPORT OF MAINTAINING THE REGIONAL SOCIAL SECURITY ADMINISTRATION  
 FIELD OFFICE IN NEW PHILADELPHIA, OHIO. (3RD READING)

Ms. Cox made a motion to pass Resolution 8-2015  
 Ms. Walker seconded the motion  
 Roll Call 7 yeas

Resolution 8-2015 has passed

13-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO  
COMMEND TOM FARBIZO FOR HIS 14 YEARS OF SERVICE AS AIRPORT MEMBER AND  
CHAIRMAN TO THE NEW PHILADELPHIA AIRPORT COMMISSION FOR THE CITY OF  
NEW PHILADELPHIA. (2ND READING)

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from John Zucal, Salary Committee Chairperson:

Reported that there is a great little read in the March/April  
Cities & Villages from the Ohio Municipal League on Collective Bargaining and  
some Case Study Law.

John Zucal reported that the article was very informative and well done.

Mr. Zucal said hopefully it will help us be more informed, better educated to make  
better decisions.

Comment from Rob Maurer, Safety Health and Service Committee Chairperson

Monday, May 25th is Memorial Day

The President of Council, Sam Hitchcock thanked Mr. Maurer for reminding everyone.

The next scheduled Council Meeting has been moved to Thursday, May 28th, 2015 because of the Holiday.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 7:59 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 28TH, 2015 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND MENTIONED THAT COUNCIL IS MEETING ON AN ALTERNATE DAY WHICH HAS BEEN SET ASIDE THROUGH LEGISLATION TO SHOW RESPECT AND HONOR THE MEMORY OF THOSE WHO HAVE UNSELFISHLY GIVEN THEIR LIVES IN BATTLE SO THAT WE MAY ENJOY THE FREEDOMS THAT WE HAVE TODAY. HE SAID WE ASK IN PRAYER THAT YOU CONTINUE TO BLESS THE SOULS OF THESE BRAVE SOLDIERS AND TO KEEP SAFE THOSE WHO ARE STILL IN SERVICE OF THIS GREAT COUNTRY.

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:

AUDITOR BETH GUNDY  
LAW DIRECTOR MARVIN FETE

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT'S MEETING  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, MAY 11TH, 2015  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council for May 28th, 2015
2. Special & Contact Committee Meeting Minutes from Monday, May 11th, 2015
3. City of New Philadelphia Police Monthly Activity Report for the Month of April 2015
4. Dave Yost, Auditor of the State Bulletin 2015-005  
Date issued May 18th, 2015, to all Public Offices and Independent Public Accountants,  
From Dave Yost Ohio Auditor of the State, Subject: Abuse Standards.

**ADMINISTRATIVE REPORTS**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

- May 9th, 2015 Held the Monthly Staff Meeting discussed was upcoming events and projects that are being worked on.
- May 13th, 2015 met with the Board of Control to award material bids.
- May 14th, 2015 opened the CDBG/NRG bids for Tuscarawas Avenue.
- May 15th, 2015 Mayor Johnson attended "Leader In Me" luncheon at West Elementary. Mayor Johnson publicly thanked Principal Christina Ziga Budd and the teaching staff for the wonderful job they are doing with our youth.
- May 19th, 2015 Attended the monthly CIC Meeting at Union Hospital. Interviewed With Derek From Rea & Associates to Review The Current Audit. The City Was Prompted To Make Needed Changes (Mayor Will Cite an Example.)
- May 21st, 2015 Met With Brandon Bartell with Verizon to Discuss and Rework Our Cell Phone Plan and Current Monthly Costs to save money.
- May 25th, 2015 Participated in the Annual Memorial Day Parade and Service on the Square.

One of the things that the Auditor brought to the Mayor's attention:

We do not have any offsite storage for our computer.  
They recommend two miles or more.  
So in other words, if this City should be destroyed by fire we would not be able to reconstruct our records. The Mayor has a proposal from Pioneer-360 for \$3,500.  
The Mayor requested that President Hitchcock assign this to a Committee for review.  
We need extra money to do this.  
They will take care of everything we need to do.  
The Mayor mentioned they have not answered his question yet as to whether or not we have to pay separate for setup.

We opened our Landfill Bid and awarded it today to the Kimble Company.  
Three year price is \$703,092 from May 2015 through May 2017  
This year the price went down. (We are going to save at least \$60,000 this year.)  
By going for the Three Year Contract we now can take our Recyclables to Dover and we no longer have drive to Canton, this is another savings which we did not figure into this.

**President Hitchcock assigned the Mayor's Request, offsite storage for our computer (Proposal from Pioneer-360 for \$3,500) to the Special and Contact Committee.**

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported the following:

- Mr. Zucal distributed to Council a paving list for this year. Mr. Zucal said we did have a favorable interest in the paving. We received only one bid from Newton Asphalt, a local contractor from Strasburg. They have been successful in the past and have done an excellent job for us. That bid was awarded to them so they will be our paving contract this year. Mr. Zucal requested that everyone take the time to look at the list. Mr. Zucal thinks we are doing a very progressive milling/paving for positive drainage. We are working in phases in certain areas we are trying to do the most we can with the amount of money we have. Our paving this year will exceed a little over \$300,000.
- Mr. Zucal had an Industrial Appraisal Company review and update our list of assets. The Service Director worked with the Auditor and Don Kennedy, from Kennedy Insurance our insurance provider, on that. So we now currently have an updated list of valuables that are insured; buildings, monumental vehicles, structures and such that we carry on the rooster, so if there would be a reason, we do have a current list.
- The Service Director requested that the President assign to Committee a new section of the Ohio Revised Code Chapter 5722 of the Land Reutilization Program. The Service Director, the Mayor, and the Team of Building Officials are looking at several structures in the City and we would like this new program to be studied and possibly be used; as the purpose of the program is to foster the Return of Non Productive Tax Delinquent Land to Tax Revenue Generating Status for public use. The Service Director said that he would like to pursue that program if you would please assign that.

**President Hitchcock assigned the Service Director's Request, Ohio Revised Code Chapter 5722 of the Land Reutilization Program to the Safety Health and Service Committee.**

AUDITOR .....MS. BETH GUNDY .....NO REPORT  
EXCUSED ABSENCE

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

TREASURER . . . . .TOM GERBER

Mr. Gerber reported as the Mayor indicated the Audit is complete. Derek has met with us met with the Mayor and has gone over some things. We are waiting for the final report. Next meeting you will be receiving the 2014 Bank Reconciliation, it goes by months. We have not been able to go into 2015 because we had to wait until everything was done on the Audit. The Audit is done now we can start going into January and clearing these checks. Mr. Gerber announced, "Each one of you will be receiving this report at the next meeting." Mr. Gerber felt the Audit was definitely a learning experience.

LAW DIRECTOR . . . . .MR. MARVIN FETE .....NO REPORT  
EXCUSED ABSENCE

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced the next Planning Commission meeting is tentatively set for Tuesday, June 9th, 2015 pending items for the agenda.

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

Mr. Zucal announced the Board of Zoning Appeals is scheduled for Tuesday, June 9th, 2015 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the next regular scheduled Airport Commission Meeting will be held at 6:00 PM, Tuesday, June 9th, 2015 at the Harry Clever Field Meeting Room.

Mr. Zucal reported that he is very pleased with what has transpired:

Our Airport Commission and the new membership are working very well together.

Announced they have had great discussions, some thoughtful discussions about the future of the Airport.

Mr. Zucal said he is excited about the direction the Commission is headed.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported the Park Board Meeting met Wednesday, May 20th, 2015 at noon at Tuscora Park Pavilion.

- Our new Assistant Park Superintendent Chase Hostetler was introduced. He started in the last couple of weeks he hit the ground running most people will recognize him as a smiling friendly face. I think in a few weeks and months just like with our Park Superintendent Rod Miller when people see Chase the first thing they are going to think of is Tuscora Park, so that is a good thing.
- The Park reported they had an outstanding opening weekend over the Memorial Day Holiday. Weather was ideal; the crowd was large and there were no major issues. Both RTY and the Park Concessions and Operations reported revenues for the year.
- The swimming pool they are short on life guards. They are looking for life guards. Any life guards that needs training or are interested in employment contact Cathy Casebeer at the park pool for more information.
- RTY, as most people are aware of, operates the rides and concession through an agreement with the City at

the Park. You will see, as most of you recall we updated you a few weeks ago about the new price structure, discounted ride rates Monday through Thursday there will be some aggressive marketing that will be started here in the next couple of weeks.

A bill board will go up on Wabash Avenue NW by the Times Reporter Building. There will be some signage in and around the Park area. Eventually there will be some other items that RTY is planning to help market. That an including some social media.

Aggressive marketing on their part hopefully that will draw in some larger crowds during the week days from the local community.

- Most of you are aware that the tennis courts are in poor condition. The Park Board Members and the leadership out at the Park have been looking at alternatives. They have spoken to a few potential companies and gathered some ideas they are still looking at that process. Mr. Lautenschleger hopes in the next few months to bring back some information on the direction they are looking at.
- The next Meeting of the City Park Board will be June 17th, 2015 at noon at the Tuscora Park Office.

Comment from the President, Mr. Sam Hitchcock:

Mr. Hitchcock said he had the opportunity to meet Mr. Chase Hostetler.

He is a very energetic young man; he is not afraid to work, is also very friendly, and is a people person.

Mr. Hitchcock said, "We will do very well with him as the Assistant Park Superintendent."

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, June 10th, 2015 at 12:00 (Noon) at the Health Department.

### **STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported that the Finance Committee met immediately following the Public Hearing this evening at 7:00 PM which was in regards to the CDBG Grant for next year. The application is filed for this year.

The propose is to replace the curbs, sidewalk, and curb ramps on both sides of Fair Avenue NE (from the intersection of Beaver Avenue at Fair to 445 Fair Avenue NE). This is a 2016 Project. The Resolution will be put on the Agenda for the next meeting. The Committee is requesting that it be passed so we can get on with the Project.

The meeting was adjourned at 7:06 PM.

SALARY COMMITTEE .....MR. JOHN ZUCAL....NO REPORT

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

Mr. Maurer announced that the second meeting in June he is looking to call a Safety Health & Service Committee Meeting in reference to the excess trash, we are going to revisit that since we are looking at a several year contract. Reminded everyone we do have the Animal and Fowl Ordinance pertaining to the Canadian Geese on the Agenda tonight for Third Reading. The Committee is asking for passage on that. (It deals with feeding geese only, not ducks, for a period from October through April to try to help eliminate the geese from frequenting the Park and maybe they will look for other sources of food.

Mr. Maurer thanked Ms. Rosemary Hafliger for her expertise and advice through this process.

Mr. Maurer said he read an article in the paper a year or so ago and had no idea the things she does,

It is really a thankless job and he doesn't think people realize what she does do.

For example if there is an issue, Rod Miller said he will call her and she will be there within five minutes.

Mr. Maurer reported that Ms. Hafliger has offered to feed the ducks in the winter when the geese go away at night to nest she is willing to take the time to do that. She does need about \$40 dollars a week for food to do so. (This is about \$1,100 to \$1,200 dollars needed for that 6 month period.)

If anyone has any fund raising ideas or can help out that would be appreciated.

Mr. Maurer thanked Mr. Hitchcock for allowing her to have a booth at First Town Days where she possibly will receive some donations for the project.

*The President echoed Mr. Maurer's comments and said,*

*"We are very fortunate to have Ms. Hafliger as a member of our Community."*

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER

Mr Lanzer reported the Special & Contact Committee met this evening at 6:50 PM with two items to discuss.

All Committee Members were present Mr. Maurer, Ms. Walker, and Mr. Lanzer, Chair.

Alternate Mr. John Zucal was also present.

- A Notice to Council from the Ohio Division of Liquor Control, Dated May 8th 2015, From: South Philly Drive thru LLC 729 South Broadway New Philadelphia, Ohio 44663 To: Strykers Drive thru LLC 729 South Broadway New Philadelphia, Ohio 44663 For Type TRFO C2 and C2X Permit Class And asking that objections be made no later June 8th, 2015
- A Notice to Council from the Ohio Division of Liquor Control, Dated May 8th 2015,

To: 5DUBCO DBA Brickyard Dining Co.  
140 Commercial Ave SE  
New Philadelphia, Ohio 44663  
For Type New  
D1 Permit Class  
And asking that objections be made no later June 8th, 2015

After a brief discussion the committee recommended, by a 3-0 vote to move forward, to have both brought before full Council for a vote tonight.

"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 postmark no later than June 8th, 2015."

MR. LANZER MADE THE MOTION AND  
MR. MAURER SECONDED THE MOTION  
ROLL CALL 7-0  
MOTION PASSED.

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

Concerns and Comments from  
Mr. Paul Beitzel  
3616 Crooked Run Road  
New Philadelphia Ohio 44663

Paul Beitzel said he was born and raised in New Philadelphia for the first ten years of his life. His parents moved to his Grandparent's farm about five miles out of town and that is where he has lived ever since.

At one time our town was the number two place to do business for a town our size.

The thought occurred to him what would these outsiders think if they would drive down one of the main streets of our town today. Some of the houses are in total disrepair. The case and point is West High Avenue Between Five Points and the Railroad Tracks.

"The City and State are putting the finishing touches on a job we can all be proud of did you know there are house there that haven't been lived in for three years. According to the neighbors one of these is at 902 and the other one is beside it and on the corner of 9th and Front is a house with the doors and windows all boarded up he was told nobody has been living there for a year. I've talked to Mayor Johnson several times I feel he is open to any idea you have to improve the City. Yesterday I handed him a copy of an ordinance which was designed as a tool to clean up a town.

I would hope that all the Council Members would go on on their computers to see how other Cities are handling these same problems we have.

Most Cities have the same problem but it is how you handle these things that make a difference."

He has had several discussions with Mayor Johnson.

He requested Council Members to think outside the box walk around their district and see if someone is living in the houses or what is going on there.

"I'm an outsider but I have a big desire to see the City improved and you are the people that can do it.

I hope you will do your best to come up with some ideas and pass them on to the Mayor so our town will look better."

**Comment from the President Sam Hitchcock:**

**Thanked Mr. Beitzel for coming to Council and expressing his concerns.**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

10-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF THE NEW PHILADELPHIA, OHIO, TO INCLUDE A PROHIBITION AGAINST FEEDING AND MAINTAINING CANADIAN GEESE ON PUBLIC PROPERTY WITHIN THE CITY OF NEW PHILADELPHIA, AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Mr. Maurer  
Seconded by Mr. Lanzer  
Roll call, 6 yeas and 1 nay (Mrs. Cheryl Ramos)  
Ordinance 10-2015 has passed

**RESOLUTIONS:**

13-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO COMMEND TOM FARBIZO FOR HIS 14 YEARS OF SERVICE AS AIRPORT MEMBER AND CHAIRMAN TO THE NEW PHILADELPHIA AIRPORT COMMISSION FOR THE CITY OF NEW PHILADELPHIA. (3RD READING)

Mr. Zucal made a motion to pass Resolution 13-2015  
Ms. Cox seconded the motion

**Comment from Councilperson John Zucal**

Mr. Zucal serving as chair of the Airport Commission this year recognized Mr. Farbizo for his leadership thoughtful and intentional way of directing the Airport Commission for fulfilling the potential it potentially has each and every year.

Mr. Farbizo loved being a member of the Airport Commission and was truly and asset to that group as well as the City of New Philadelphia in numerous ways.

“I am very pleased we are able to recognize him this evening.”

Comment from President of Council Mr. Sam Hitchcock:

I heard your comments Mr. Zucal I've known Tom Farbizo for many years.  
I think he has been a very big asset to our community in many different ways whether it be as Athletic Director or service on the Airport Commission or just supporting of the many things that go on in our community, we are very fortunate to have him as a resident.

Comment from the Mayor:

Mr. Farbizo has done a marvelous job and he is an asset to our City  
He didn't walk away he is on the Park Board now and is working hard for the tennis courts and different things and continuing his service to our community.

Roll Call 7 yeas  
Resolution 13-2015 has passed

**UNFINISHED OR OLD BUSINESS:**

Comment from Mr. James Zucal:

As Service Director, I would like to thank Mr. Beitzel for his comments.  
“I've talked with Mr. Beitzel in the past and he has some very good ideas. Mr. Zucal reminded Council that the Housing Review Team meets monthly, which is the Fire Chief Jim Parrish, Lee Finley Director of Environment Health, Assistant Service Director Amy Gilland and himself and we go out and look at structures. I encourage Council; as Mr. Maurer looks into the new Ohio Law Land Reutilization Program. It will give us a little more teeth, power, and ability by law to look at some of these vacant structures. I think it is going to be a wonderful tool for us to take some of this structures that have been razed.

The President agreed the legislation is going to take care of some those concerns

The Service Director and the Mayor talked with other communities, Mr. Stephenson from the County Prosecutors Office, and to a lot of people. The Service Director is very positive about this new law.

Comment from Councilperson John Zucal:

John thanked all who were involved with the Memorial Day Celebration down on the City Square.  
It was well attended; he mentioned how proud he was of all the membership that showed up and the participation from our area students with something that honors those Veterans.  
We can't say thank you enough to those who served in the past, present and future to protect the freedoms we all enjoy.  
Mr. Zucal said he is pleased to be a citizen of New Philadelphia for those events.  
“We do have that care and concern for those who have dedicated their lives for our freedom.”

**NEW BUSINESS:**

A Comment from Mayor Johnson:

The Mayor and his wife frequently visit Tuscora Park they love to watch the ducks.  
Mayor Johnson reported that a couple of months ago they spotted 2 brown ducks and a white duck.  
One of the brown ducks and the white duck became friends.  
They have become inseparable; they are always together every single day.  
The Mayor's Wife, Nancy named them Lucy and Desi.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:03 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 8TH, 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  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER

EXCUSED ABSENCE:

COUNCILPERSON MR. ROB MAURER  
COUNCILPERSON MR. JOHN ZUCAL

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA FOR TONIGHT'S MEETING  
MRS. RAMOS SECONDED THE MOTION.  
ROLL CALL, 5 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE  
THE MINUTES FROM THE COUNCIL MEETING HELD ON THURSDAY, MAY 28TH, 2015  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL, 5 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. City of New Philadelphia 2014 Bank Reconciliation Produced By Rea & Associates and E.T. Gerber, City of New Philadelphia Treasurer.
2. Mayor's Report to Council for June 8th, 2015
3. Special and Contact Committee Meeting Minutes from Thursday, May 28th, 2015
4. Finance Committee Meeting Minutes from Thursday, May 28th, 2015
5. City of New Philadelphia Statement of Cash Position with Month to Date as of May 29th, 2015
6. City of New Philadelphia Budget Report with Encumbrance Details as of May 29th, 2015
7. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of May 2015
8. Auditor's Financial Statement for the Month of May 2015
9. Mayor's Monthly Statement to Council for May 2015

**ADMINISTRATIVE REPORTS**

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

- June 2nd, 2015 Mayor Johnson held the Monthly Staff Meeting  
The main topic was the Fourth of July Parade  
(There will be at least two more meetings held on the parade)
- June 3rd, 2015 met with Met Matt Baker of Clemans Nelson, we had some upcoming grievances.  
Attended the monthly New Philadelphia Business and Community Association Board Meeting. They are still looking for someone take over the organization as a leader and to assume the day to day responsibilities. (This is a part-time position)  
Attended the Steering Committee Meeting held at Park Place Teen Center.
- June 4th, 2015 Attended the 10th Anniversary Celebration of the Senior Center with Mary Ann Otte, his Executive Assistant.
- June 5th, 2015 Mayor Johnson met with concerned citizens about various topics around town  
The striping will begin on West High Avenue so you may notice some lanes closings. Summer help is in full force. Mowing, sweeping, and cleaning up the downtown area are some of things you will see our summer help working on.

This past Sunday evening at Tuscora Park the Mayor helped Sam Hitchcock welcome everyone to this Weeks Summer Showcase Performance. The Mayor did mention and recommended that everyone should hear Mr. Hitchcock's rap that he normally does before Summer Showcase Performance.

Mayor Johnson requested that the **President Hitchcock** put into Committee the High Grass Ordinance.

The Mayor wants to have a stiff penalty and enforce it for the habitual violators. We have out of town landlords that we have to write one or two letters yearly, mow their lawn, and then put it on their taxes. If they get fined once and the fine is high enough they are going to definitely come and mow it. The Mayor suggested \$400 but he said the Committee can do as they wish. Most of the violators are rental properties.

Mayor Johnson introduced Bret Ricklic a student at New Philadelphia High School, who is the Grandson of Kelly and Sharon Ricklic. Bret will be attending Boys State at Bowling Green State University as a delegate sponsored and selected by the American legion Post 139.

Bret also has been nominated and will attend the Future Physicians Conference in Boston, Massachusetts. The Mayor said, "We have a lot to be proud of and we are proud of you."

**President Hitchcock announced that he will assign the Mayor's Request, the High Grass Ordinance to the Safety Health and Service Committee when the Chair of the Committee, Mr. Rob Maurer, is back.**

Comment from **President Hitchcock:**

**Mr. Hitchcock congratulated Bret Ricklic and wished him best wishes.**

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported the following:

- Mr. Zucal assured Council that our Service Employees are doing an outstanding job. Mr. Zucal reported the Water Department continues to deal with breaks in the water lines and do Service Projects on a regular basis. As many Cities in Ohio and the Country, we continue to deal with aging infrastructure. We are working diligently at the wastewater plant to improve and do a lot of upgrades that EPA has asked us to do.
- We are getting about two crews out a day to Patch Pot Holes. We are making Progress. We had a severe winter last year and a lot of pot holes in town. As you drive around town you will see Major Improvement We Are Getting Caught Up.
- Mr. Zucal thanked Council for the additional moneys. Mr. Zucal announced that we are going to put down a lot of asphalt this year. We have an up to date progressive schedule for our paving which will be done by the end of June. We met with the Contractor and you will see a lot of new asphalt in every quadrant, every portion of the City. Some places are so bad they will have to be milled. We will mill out the old asphalt and put down new asphalt and we are doing crack sealing. We are going to be doing a comprehensive plan to continue in those areas. you will see a lot of improvement in the month of June.
- We also continue to deal with the extra trash pickups. We are photographing the clean outs that are occurring around town by the land lords. Extra trash issue is In Councilpersons Rob Maurer's Committee. Mr. Jim Zucal is going to work with Mr. Maurer closely to try to alleviate some of the problems. Our Crews are out there every day picking up with back hoe and dump trucks

The tonnage is immense.

There are some areas around town we might see three to six tons on a section of a lawn strip.

We are going to deal with that and with Council's help we can improve that.

- Mr. Zucal reminded everyone of the Projects that are going on around town.

The Traffic Control Workers and the Excavation from the area around North Broadway, Fair and Ray Avenue proceeding west:

The contractor is H.M. Miller who is working for the Dominion East Ohio Gas Company. (Those are not City Workers those are Dominion East Ohio Employees.)

What they are basically doing all over the State of Ohio is replacing the pipe in the ground that held gas with new plastic pipe. (They use a lot of modern technology.) You see a lot of numerous holes around the street, that is where they set up a boring machine and push that line through to the next section of town.

(So big areas of town it is some time 5 to 6 blocks.)

They are allowed to work within the public right a ways.

They are commissioned by the Public Utilities Organization.

The Mayor and the Service Director have met with them every week twice a week.

We have given them a tough schedule to meet because of First Town Days they are to be pouring concrete and fixing things this week.

They are to be out of the core of the City moving west on a daily bases. So they will be out around the Tuscarawas Avenue real soon. They are doing a good job. We do work with them to finish up.

- The Service Director thanked our young attendant Mr. Bret Ricklic for taking the time to come tonight. Mr. Ricklic is an outstanding young man he is a senior at New Philadelphia High School and part of the football team.

As the Mayor mentioned, "he is going to Buckeye Boys State and the Future Physicians Conference in Boston Massachusetts.

Bret talked with Mr. Zucal about coming to the Council Meeting to see how the Council operates. Bret is very civic minded and very public service oriented.

Someday Bret will be a Doctor.

- As the Mayor mentioned we do get piles that are put out throughout the City. We will talk with the media to remind the constituents they need to call the City for the pickups. We do a good job continuing to work to make our City cleaner.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy reported:

The Auditors from Rea & Associates have finished. They have a draft report they would like to discuss that with Council at our next Council meeting they are asking it be done in an Executive Session.

It is a report that has not been released to the public, yet.

A copy of the draft will be given to all Council members for review prior to the meeting.

That will be confidential until it gets released.

A time has not been determined Ms. Gundy will get back with President Hitchcock as soon as she finds out what time they can be here.

President of Council Mr. Sam Hitchcock:

The reason for the Executive Session would be #5 reason

The Executive Session will be considered as long as you can provide the Revised Code Section that authorizes that confidentiality.

Ms. Gundy said she will get that from Rea & Associates.

Comment from Ms. Cox:

She does not think the Executive Session should be in our regular session of Council. She suggested a meeting be called and go into it from there.

Comment from the Law Director:

You can call a Special Session of Council and then make a motion to go into an Executive Session

Comment from President of Council:

We have to go into a meeting and then into an Executive Session then back out into the meeting.  
Ms. Gundy said she will get with Rea & Associates and get back with the President.

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

**TREASURER . . . . . TOM GERBER**

Mr. Gerber reported a copy of the Bank Reconciliation 2014  
(Month by Month, General Account, Proof, and Payroll Account)

It is all reconciled.

He gave a copy to the Clerk and to all Council Members for review.

**LAW DIRECTOR . . . . .MR. MARVIN FETE**

Mr. Fete reported the following:

- Corresponded with Lee Finley with regards to some dumping that was done at the old K-Mart Building He had wanted us to prosecute under regulations they are not a criminal regulation and we don't have the authority to prosecute somebody under the regulation that he wanted us to proceed under. We corresponded with the Prosecutors to what the problem was with regards to prosecuting.
- Approved a Lease Agreement on behalf of the New Philadelphia City School System for Computer Equipment at the High School and Middle School.
- Drafted and prepared a Waiver of Liability Form for the New Philadelphia Police Department for the Police Department to do Special Response Training.  
Mr. Fete said he did one size fits all:  
To take the liability off of whoever is allowing us to do the training and put the liability on the City;  
The facility where they are doing the training will not be liable.
- Corresponded with somebody from Colorado who was saying we were in violation to the Section 504 of the American Disability Act. Mr. Fete said if he finds we are in violation, he will inform Council of that.
- Reviewed a Memorandum of Understanding from the Court regarding a Holding Cell Project that the Court is doing.
- Assisted in adopting a new local rule change with regard to local rules for New Philadelphia Municipal Court.
- Corresponded with a Law Firm regarding a pending Workers Compensation Case that the City has going on. Received and reviewed a notice of identification of expert witnesses for the same Workers Compensation.
- Received a call from Kelly Herron, Cemetery Superintendent, regarding an issue at the cemetery.
- Corresponded with ODOT, they wanted certified copies of the judgement entries on behalf of the City he did to complete the West High Widening Project which Mr. Fete provided.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

The Mayor announced the next Planning Commission Meeting scheduled for Tuesday, June 9th, 2015 was cancelled due to no agenda.

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

Mr. Zucal announced the Board of Zoning Appeals is scheduled for Tuesday, June 9th, 2015 at 5:00 PM in Council Chambers.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

EXCUSED ABSENCE

Mr. Lanzer announced the next regular scheduled Airport Commission Meeting will be held at 6:00 PM, Tuesday, June 9th, 2015 at the Harry Clever Field Meeting Room.

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

Mr. Lautenschleger announced the next Meeting of the City Park Board will be June 17th, 2015 at noon at the Tuscora Park Office.

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

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, June 10th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported that the Finance Committee met immediately following the Public Hearing this evening at 7:05 PM.

First Item: Request from the Mayor:

For approval of overage of \$23.52 for the Mayor’s two night’s hotel stay.

The City is under the ordinance for IRS Standards which only pay \$83 per night.

The Mayor will be staying for for two nights the conference cost is \$94.76 per night.

The Committee did agree to do this.

Second Item:

Ordinance 11-2015 Amending and Adjusting the permanent Appropriation Ordinance for 2015

The Auditor is in need-of-part-time help. \$8,500 General Wages is for the rest of the year.

Part time wages ordinance will be put on the agenda for the next Council meeting.

The meeting was adjourned at 7:11 PM.

SALARY COMMITTEE .....MR. JOHN ZUCAL....NO REPORT

EXCUSED ABSENCE

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT

EXCUSED ABSENCE

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER.....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR’S COMMENTS:**

**NONE**

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

**NONE**

RESOLUTIONS:

14-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,  
TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE MAYOR OF THE  
SAID CITY OF NEW PHILADELPHIA TO ACT AS THE SIGNATURE DESIGNEE AND TO  
FILE AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER TITLE 1 OF THE  
HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PL 93-383) TO THE OFFICE  
OF COMMUNITY DEVELOPMENT, DIVISION OF THE OHIO DEVELOPMENT SERVICES  
AGENCY, OFFICE OF LOCAL GOVERNMENT SERVICES. (1<sup>ST</sup> READING)

**UNFINISHED OR OLD BUSINESS:**

**NONE**

**NEW BUSINESS:**

**NONE**

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 7:56 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_  
PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 22ND, 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

- MR. LANZER MADE A MOTION TO ADD TO TONIGHT’S AGENDA RESOLUTION 15-2015.  
(TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015 FAA GRANT.)  
MR. MAURER SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. LANZER SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE COUNCIL MEETING HELD ON MONDAY, JUNE 8TH, 2015  
MRS. RAMOS SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor’s Report to Council for June 22nd, 2015
2. A letter from the Tuscarawas County General Health District, Katie Seward MPH CHES CTTS, Health Commissioner  
To all Council Members;  
Urging Council to adopt a City Ordinance that raises the legal minimum age for sale of all tobacco and nicotine products to age 21.
3. Finance Committee Meeting Minutes from Monday, June 8th, 2015
4. City of New Philadelphia Police Monthly Activity Report for the Month of May 2015
5. City of New Philadelphia Fire Department May 2015 Month End Summary dated June 2, 2015
6. City of New Philadelphia Airport Commission Meeting Minutes from:  
May 12th, 2015, April 14th, 2015  
March 2015 meeting was cancelled,  
February 10th, 2015  
December 2014 meeting was cancelled,  
November 11th, 2014, October 14th, 2014, September 9th 2014,  
August 12th, 2014, July 8th 2014, and June 10th 2014

Comment from Ms. Cox:

Ms. Cox suggested a copy of the letter from the Tuscarawas County General Health District, Katie Seward MPH, CHES, CTTS, Health Commissioner (item 2 under correspondence) be given to our City of New Philadelphia Health Department Health Commissioner Vickie Ionno, before Council takes any action.

***A copy of the letter was given to Ms. Ionno, City of New Philadelphia Health Department Health Commissioner, following the Council Meeting.***

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

In lieu of a day by day report the Mayor touched on a few things going on in the City.

First Item:

- **Monthly Housing Committee Meeting**

At the last Housing Committee Meetings six properties were reviewed

Four people each month go out and inspect every property.

We can issue tear down orders for every house in violation but at a cost of \$5,000 to \$8,000 per unit, we don't have the money to do them all so as Council allows us, we tear down one or two each year.

This has been an ongoing process.

Second Item:

- **High Grass**

In a letter today compiled by our Assistant Service Director Amy Gilland:

Thirty-one high grass letters were sent out in May

Twelve were taken care of by the property owners.

Fourteen were not and had to be contracted out.

The bills were then forwarded to the Auditor to place a lien on the Property Taxes per the City Ordinance.

- In June so far:

Seven high grass letters were sent and of those seven only one had to be contracted out.

High grass problems are always at their worse throughout May.

According to ordinance, the grass must be twelve inches high before the owners are notified.

Third Item:

- **The Abandoned Gas Station at 202 South Broadway**

➤ The Mayor reported that he has discussed this property with the County Treasurer, Jeff Mamarella and our Fire Chief Jim Parrish. The problem with this property is the tanks that are still in the ground. Foreclosure on this property exposes many liabilities.

➤ The City's position is to wait right now for the State Budget. As of now, there is 20,000,000 line item or grants to remove the tanks. This will save the City money. After disposal we can proceed.

➤ Mayor Johnson requested the President of Council assign to a Committee a Nuisance Ordinance to cover this problem.

Comment from Mayor Johnson:

The Mayor attended the Mayors' Conference a week or so ago.

He was informed that it is not proper to whisper to one another or pass a note during Council.

To do so we would be in violation of a law.

President of Council, Sam Hitchcock:

The President of Council assigned the Mayors request "Nuisance Ordinance" (The problem with this property is the tanks that are still in the ground at gas station) to the Public Works and Economic Development Committee.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported the following:

1. As the weather allows and the man power is available, We are still patching pot holes.

Two crews are out most every day Monday through Friday.

2. The Gas Company:

Most of the work you see in the area around North Broadway, Fair Avenue, and Ray that is the Gas Company their follow up crews are pouring concrete every day.

The Service Director and the Mayor met with the Foreman and the Superintendent.

They continue to put pressure on them to restore their work areas as quick as they are tearing up new areas. That doesn't happen but they are putting pressure on them every day.

3. The crews in the City are doing an excellent job.

4. Head of the Wastewater Ed Wilson informed him  
 They are getting and cleaning lines every day  
 They are upgrading the plant.  
 They have a number of leaks throughout the town; Fifth and West High, and the North West part of town. They are repairing every day. The aging infrastructure is a problem in New Philadelphia and throughout the country.  
 The 319 Funds (Sewer Improvement funds) they are putting catch basins on Mill Ave. SW., 6th Drive NW, Bowers Ave NW. There are 5 projects in the City. We are doing this currently before our paving crews come to town. We think we are doing logistically planning; putting in new catch basins and paving as quickly as we can.  
 There are many improvements in New Philadelphia as far as storm sewers. This week we are putting cameras up in Franklyn Square NW, Fourth NW, and West High. We are looking at some diametric issues as far as the size of the pipe we want to alleviate the flooding in that area. We are doing the best we can to improve our storm water issues.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy requested Council suspend the rules and pass Ordinance 11-2015 tonight.  
 Ms. Gundy requested an Executive Session be held for the purpose of an Audit Conference

Mr. Lanzer made that motion  
 Ms. Cox seconded the motion mentioning it would be held between Old and New Business.

Mr. Lautenschleger clarified for the record the reason for the Executive Session would be reason #5.  
 Matters that must be kept confidential according to federal or state law if a public body is considering any matter that has been deemed private or confidential by federal or state law, the public body may enter into an executive session to consider and discuss such matters. The Open Meetings Act cannot override any other state or federal law that demands secrecy.

Law Director replied:  
 "Matters that would be confidential by law."

Roll call 7 -0  
 Motion was approved

Comment from President of Council Mr. Sam Hitchcock  
 The reason for the Executive Session would be Reason #5

We would recess from our Council Meeting for 10 minutes  
 After Old Business  
 Go back into the regular session of Council.  
 And then go into the Executive Session  
 After the Executive Session reconvene into the regular session of Council.

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

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

LAW DIRECTOR . . . . .MR. MARVIN FETE

Mr. Fete reported the following:

- Had a conference call with Matt Baker from Clemans, Nelson and Associates in regard to upcoming labor negotiations.  
 Mr. Fete met with the Mayor on Labor issue earlier today.
- Legal opinion and correspondence with Police Chief Mike Goodwin, Detective Shawn Nelson  
 We are trading in old vehicles for new vehicles in terms of the Police Department.

- Reviewed an issue with regard to sewage in the basement for one of our local residents.
- Prepared a letter request from the Auditor regarding a legal issue confronting the City in 2014.
- Corresponded with the Mayor with regard to moving tanks from what the Mayor addressed earlier.

The Law Director mentioned the batman red, white, and blue shirt he was wearing which was a gift from his children for Father's Day. His three and half year old asked him to wear it to work.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

The Mayor announced the next Planning Commission meeting is tentatively, set for Tuesday, July 14th, 2015 at 1:00 PM in Council Chambers.

**BOARD OF ZONING APPEAL**

Mr. Zucal announced, providing there is an agenda, the Board of Zoning Appeals will meet Tuesday, July 14th, 2015 at 5:00 PM in Council Chambers.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL....NO REPORT**

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

Mr. Lautenschleger reported the City Park Board met last Wednesday June 17th, 2015 at noon at the Tuscora Park Office.

- A couple of items that were discussed that might be of general interest to everyone; To date some of the Park Administrative Staff have met with the two companies to look at potential solutions to the failing tennis courts and now those could be remedied. Proposals are expected to be prepared and delivered in time for the July Meeting. So at that point my hope is you will have some updated information.
- Park Board unanimously passed a resolution to work with Marsh Industries for some sound control issues inside the pavilion. They will be installing a product that Marsh Produces. That should help with the acoustics inside the pavilion. (If any of you have been in there for a meeting a family event you know it is very difficult to hear sometimes the person right beside you.) So some of the folks there were able to come over and provided a potential solution.
- At the pool one of the biggest issues is the shortage of life guards. Apparently some of the research the staff has done, the City is not alone, Life Guards are being sought throughout our communities and other facilities that have public swimming pools. They will be able to get through the season okay. It will stress the staff that is there because they will be working some additional hours.
- Most of you hopefully have been by the Park and seen some of the additional signage and been out on Wabash NW and seen the bill board that is promoting the lower prices through the Week Monday through Thursday on the rides which will spur some local additional business. Of course with the weather that is holding that down.
- Question to Council from Mr. Lautenschleger:  
How many have heard of Pickle Ball?  
Pickle ball is a game utilizing a wiffleball and playing tennis on a little different size court. You can utilize the tennis court.  
There is a local group of people that came to the Park Staff and are using one of the tennis courts a couple of hours, a couple of days each week they set aside and come out an measure and play this.  
It is something they expect to grow.  
It is another utilization of probably one of our City's greatest assets, "Tuscora Park."
- The next meeting of the Park Board will be Wednesday, July 22nd, 2015 at noon at the Tuscora Park Office

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, July 8th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported

Requested the rules be suspended for resolution 14-2015 which is the project from Beaver Avenue to 445 Fair Avenue NE the dead line for submitting this is June 26th, 2015.

And also for the suspension of rules for Ordinance 11-2015

The Auditor has asked for this too. The Auditor is in need-of-part-time help.

SALARY COMMITTEE .....MR. JOHN ZUCAL....NO REPORT

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

Mr. Maurer reported that The Safety Health & Service Committee met this evening at 6:50 PM

In Council Chambers with three things on the agenda.

1. Police Auction which is going to be held August 24th, 2015 at 6:00 PM at the City Garage. Officer Jennifer Horner is going to gather the items and hold it. Rick Keffer is going to be our Auctioneer. The Committee has recommended that we go through with this. The Committee is asking for Councils Blessing at the next Council meeting.
2. Land Reutilization which basically lets the Sheriff Department auction off Tax Delinquent Properties within the City of New Philadelphia. The Service Director is going to provide Mr. Maurer with more information in the near future. We did not take any action on that.
3. Excess Trash our trash ordinance more specifically Special Pickups we are looking to curb the abuse of mainly landlords who are cleaning out apartments and putting them on the curb strip. We are looking to put some more teeth into our ordinance. The Service Director and I are going to get together and kind of narrow this down kind of give us a rough draft as to what he would like to see. There was no action taken on that either.

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER

Mr. Lanzer reported that the Special & Contact Committee met this evening at 6:15 PM in Council Chambers to discuss two items.

1. Offsite storage for our computer recovery program the committee had some discussion but no action was taken on that tonight.
2. Proposed Resolution 15-2015

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015 FAA GRANT AND DECLARING AN EMERGENCY.

It was voted 2-1 (Ms. Walker was the no vote on that).

The Committee moved Resolution 15-2015 forward and had it added to the agenda for tonight for 1ST READING.

The President of Council, Mr. Sam Hitchcock, assigned to the Special & Contact Committee the replacement pages for the Codified Ordinance from the Walter Draine Company.

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

**NONE**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

11-2015 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 11-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Lanzer  
Roll call, 7 yeas  
Ordinance 11-2015 has passed.

RESOLUTIONS:

14-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,  
TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE MAYOR OF THE  
SAID CITY OF NEW PHILADELPHIA TO ACT AS THE SIGNATURE DESIGNEE AND TO  
FILE AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER TITLE 1 OF THE  
HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PL 93-383) TO THE OFFICE  
OF COMMUNITY DEVELOPMENT, DIVISION OF THE OHIO DEVELOPMENT SERVICES  
AGENCY, OFFICE OF LOCAL GOVERNMENT SERVICES. (2ND READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Rules for Resolution 14-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Resolution 14-2015 has passed.

15-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015  
FAA GRANT AND DECLARING AN EMERGENCY.  
(1ST READING)

**UNFINISHED OR OLD BUSINESS:**

NONE

***7:58 PM COUNCIL RECESSED FOR TEN MINUTES  
COUNCIL RECONVENED AT 8:08 PM AND IMMEDIATELY WENT INTO AN  
EXECUTIVE SESSION COUNCIL RECONVENED AT 9:00 PM***

**NEW BUSINESS:**

Comment from Mayor Johnson:

1. Before Council meets again we will have our annual  
38th FIRST TOWN DAYS FESTIVAL.  
Mayor Johnson hopes everybody is prepared to have a safe and wonderful time.
2. The Mayor would like Council to consider a Proclamation in the name of Sam Hitchcock  
Mr. Hitchcock does the entertainment at the Park.  
He takes care of the kids at the park.  
He does this festival and the parade.  
The Mayor thinks it is time Council recognizes him  
The Mayor is asking Council to get behind him on this.

Comment from the President:

Mr. Hitchcock thanked Mayor Johnson.

Comment from Mr. Lautenschleger:

The First Issue Mr. Lautenschleger followed up on the Mayor:

“I would like to see some type of formal proclamation or legislation  
Recognizing the creation of the fund by the New Philadelphia Rotary that invests with our business  
owners in our downtown area. What a fantastic idea and what a great gift!

When you think about what all the Rotary has done:

The Rotary basically rescued the concessions and rides at Tuscora Park a number of years ago.  
They took that on in 1985.  
RTY has turned back to the City of New Philadelphia over  
One Million Dollars for use of updates, up keep and investment back into the park.  
“ That is a phenomenal figure.”

The second issue Correspondence that you probably received from the Ohio Municipal League about the current  
State of the State Budget.

Mr. Lautenschleger stated it is deplorable when it comes to local government funds.  
All of us should be empowered to contact State Representative Al Landis and 'Ohio State Senator  
Tim Schaffer and rattle their cage

Those Local Government Funds that keep being taken and the  
The bragging that is being done at the State Level about balancing the State Budget and etc.  
Back in time, our State leaders came to the Municipalities to create the State Income Tax Fund and  
provided for their support local government funds. That promise is being reneged on. And that is  
your Governor at work and you State Legislator at work.  
Mr. Lautenschleger felt it is the most irritating thing he has seen in a long time.  
He suggested you write to your legislator and voice your opinion.

Comment from the President:

“I’ve been a proud Rotarian for 17 or 18 years it is a great organization  
It has been my pleasure to be able to be present when things were done like,  
the downtown the revolving funds and contributions to The Quaker Cinema.  
I’m a proud producer of the Summer Showcase Series  
which is part of the RTY program.  
It is a labor of love.  
It is a great Community and that is why all of us are here

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 9:04 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 13TH, 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

- COMMENT FROM MS. COX:  
***MS. COX BROUGHT UP A POINT OF ORDER***

DUE TO THE COMMITTEE NOT HAVING ANY LEGISLATION IN FRONT OF THEM LAST MONDAY, MY MOTION WAS TO PLACE LEGISLATION ON THE FLOOR FOR THE WHOLE COUNCIL TO DETERMINE IF THE FIRE STATION ISSUE WOULD GO ON THE BALLOT. (*DON'T KNOW IF THAT IS EXACTLY WHAT I SAID BUT IT IS ALONG THAT LINE.*)

*The legislation on the floor this evening is for the County Auditor to certify the tax valuation, maturity of the bonds, to pay the debt charges and etc.*

*This legislation was not approved by the committee, as the committee did not see it.*

*I did not know it was coming until I got it in Friday's packet.*

*My thing is it needs to come off the floor.*

- PRESIDENT OF COUNCIL, SAM HITCHCOCK:  
***Resolution 20-2015 will be removed from tonight's agenda***

COMMENT FROM MR. JOHN ZUCAL:

For *what purposes?*

*Don't we have to have a motion?*

*We had it approved 3-0 out of committee.*

MS. COX:

That was not the motion.

COMMENT FROM MR. JOHN ZUCAL:

This is a matter of procedure

You can't get to where the motion was asked without doing this.

Is that correct Mr. Fete?

The Law Director replied yes.

The day after Council voted to place before Full Council the opportunity of whether or not it would be placed on the ballot the Bond Issue for the new Fire Station.

I contacted Squire, Sanders & Dempsey and spoke with the Attorney there that specializes in type of legislation

He informed me this is a two step process.

The first one that you have before us which is just asking the County Auditors to certify the numbers for the Bond

Issue. If you do just that step and no other steps: it never goes before the Committee never goes before Full Council and never goes on a ballot. You can't get there without doing this first.

I interpreted the action that was taken by the Committee.

My job is to affect the will of the Legislative Body or the Legislative Committee

The Legislative Committee voted to have legislation put before the Full Council for the purposes of determining whether or not there would be a Bond Issue placed on the ballot for November with regards to a new Fire Station.

The very next morning I got on that.

I learned you cannot do these two things simultaneously.

You first have to have it certified by the County Auditor. (That is what this legislation does)

The second step would be to have the actual ballot initiative which would decide whether or not Full Council would have to decide whether or not it is going to go before the voters.

In my mind this is just a distinction without a difference.

PRESIDENT OF COUNCIL, SAM HITCHCOCK:

In section 1 Pursuant to section 133.18 of the Revised Code

The question of issuance of those bonds and the levy of that tax shall be submitted to the electors of the City

On an election to be held in the City on November 3, 2015.

Isn't that what Resolution 20-2015 is calling for?

The Law Director replied no.

It is asking that the Auditor of the County to certify the numbers and for us to move on to the next step.

Which would be the ballot language.

There is no ballot language in this just authorizing the Auditor to give us the correct numbers and correct certification. So we can put it on before the Full Council as to whether or not it will be a Bond Issue.

I believe this is a distinction without a difference.

COMMENT FROM MR. JOHN ZUCAL:

We can't put a ballot initiative on without first doing this

The Auditor has to certify the millage. If you never do step one you can't do step 2.

COMMENT FROM THE LAW DIRECTOR:

Mr. Fete said that is correct and you can't do them simultaneously either.

There is no way to prepare the legislation without knowing what the millage is.

COMMENT FROM MR. JOHN ZUCAL:

The Auditor for the County will certify the millage is appropriate. It has been factored correctly and that is with determination.

Then you move to Step Two as to whether you want the citizens to have a democratic voice with what happens with the fire station.

COMMENT FROM MS. COX:

I was the one who made the motion and I know what the intent was

To have the ballot issue in front of us.

There was no discussion of this piece of legislation nobody mentioned it and nobody knew about it.

It is like all of a sudden we are presented with this there are a couple of questions in that legislation that I have questions about.

Really when he had his meeting we should have had that legislation in front of us. We shouldn't have to keep guessing as to what we are voting on.

Now you come in here and say you want to change the whole thing.

You gave it to us on Friday I did not have it the other night and I made my motion, which put it in front of Full Council to see if they wanted to put it on the ballot; nothing to do with a piece of legislation to certify anything.

COMMENT FROM MRS. RAMOS:

She was at the meeting last Monday night and she said there was no discussion about this type of resolution.

What was talked about was putting something on the ballot

It was a two step process this is step number one

What we talked about at the Salary Committee Meeting was step two.

This was not discussed therefore I agree it should be removed from the agenda.

COMMENT FROM MR. JOHN ZUCAL:

You can't do step two until you do step one.

The Fire Chief talked about the millage and how it was factored on the average price of a home

Was about \$110,000 and that would amount to about \$40 a year.

PRESIDENT OF COUNCIL, SAM HITCHCOCK:

Mr. Hitchcock referred this back to The Salary Committee for another meeting.

COMMENT FROM the Mayor:

Requested a Special Council Meeting for Monday, July 20th, 2015.

COMMENT FROM MR. JOHN ZUCAL:

From what I understand we don't have any legislation because Resolution 20-2015 has been taken off the floor. I can't prepare legislation other than what the County Auditor has just done

COMMENT FROM MS. RAMOS:

THE DELAY IS IN THE COUNCIL RULES ITSELF  
A CODIFIED ORDINANCE THAT EVERYTHING HAS TO COME OUT OF A STANDING COMMITTEE.

PRESIDENT OF COUNCIL, SAM HITCHCOCK:

I don't think we need any more discussion on Resolution 20-2015 it is coming off the agenda.

COMMENT FROM THE LAW DIRECTOR:

In the future we will have to have two committee meetings on an issue  
One Committee Meeting that decides what is wanted in the legislation  
The second Committee Meeting on the legislation.  
It is my job to draft legislation that reflects the will of the Committee.

COMMENT FROM MS. COX:

In order for a Council Committee to do their job they need to have that legislation in front of them. A Committee should not be voting on anything that they don't have a copy of the legislation to review first. It should not be coming to the floor without the Committee reviewing it. It was that way in the past.

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MRS. RAMOS SECONDED THE MOTION.  
ROLL CALL 5 YEAS 2 NAYS (MR. DARRIN LAUTENSCHLEGER AND MR. JOHN ZUCAL )  
MOTION PASSED
  
- MS. COX MADE A MOTION TO APPROVE THE MINUTES  
FROM THE COUNCIL MEETING HELD ON MONDAY, JUNE 22nd, 2015  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council for July 13th, 2015
2. Press Release dated July 1st, 2015 from the Mayors Office Annual Farmers Market to be held every Tuesday morning from 7:30 AM through 11:00 AM beginning July 7th, 2015 through September 29th, 2015. The market will be located in the main parking lot of Tuscora Park
3. Special and Contact Committee Meeting Minutes from Monday June 22nd, 2015
4. Auditor's Financial Statement for the Month of June 2015
5. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of June, 2015
6. City of New Philadelphia Statement of Cash Position with Month to Date as of June 30th, 2015
7. City of New Philadelphia Budget Report with Encumbrance Details as of June 30th, 2015
8. City of New Philadelphia Income Tax Department June 2015 Report Month End Tax Revenue by Year by Joel Day Income Tax Administrator.
9. Tuscora Park Board Meeting Minutes from March 18th, 2015, April 22nd, 2015 and May 27th, 2015
10. City of New Philadelphia Police Monthly Activity Report for the Month of June 2015

MAYOR'S REPORT/REQUESTS ...MAYOR DAVID JOHNSON

Mayor Johnson reported on the following:

- June 30th, 2015 The Service Director and the Mayor met with Dean Holland about housing project he had some good ideas about cleaning up.
- July 1st, 2015 Attended What's Cooking Cafes Soft opening
- July 2nd, 2015 Held a swearing in of Diana F. Kinsey as the City's Parking Control Officer who was hired to help Larry Kopp who has been dealing with some medical issues
- July 6th 2015 Attended Salary Committee Meeting with regard to the new Fire Station.
- July 7th 2015 Held the Monthly Staff Meeting
- July 7th-9th 2015 Met with various City Business Leaders to discuss improving the City.
- July 9th, 2015 Met with the Law Director
- July 10th, 2015 Compiled Press Release regarding junk cars within the City.

Installed new LED lights in front of City Hall with an energy savings of approximately \$648.00 per year

The City is continuing to save money on its electricity at \$7,630 per month at a savings of 23.4% over the standard tariff offering. This amounts to \$91,560 per year.

***MAYOR JOHNSON REQUESTED A SPECIAL COUNCIL MEETING TO BE HELD MONDAY JULY 20 2015 AT 7:30 PM TO CONSIDER RESOLUTION 20-2015 IN COUNCIL CHAMBERS.***

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported the following:

He issued a list of the paving program this year.  
 The Contractor did start. It is Newton Asphalt out of Strasburg  
 They are currently doing milling on the Southside area on South Broadway  
 Mr. Zucal wanted the public to know we are doing a better job of milling every street we pave. We take a 1½ inch of asphalt out we put a 1½ inch of asphalt back down.  
 We mill for positive water drainage and a smoother course of asphalt. It is more expensive but we do get a better product.  
 As I mentioned there are some areas in town that we refer as our country roads within The City. One is Delaware Drive we are going to try a new process a chip & seal process This is a Chip & Seal Rubber Base Tar Emulsion  
 With an aggregate that they use in Pneumatic rollers, pack that road and it will look a lot like asphalt.  
 It is a cost saving measure 30 to 40% cheaper a typically asphalt. We are going to do the best job we can. We are going to put down smooth asphalt and thank Council for the extra monies to do that. We are looking to spend 325 thousand dollars this year.  
 It was a rough winter we are still patching pot holes  
 We are pursuing high grass complaints  
 Last month the month of June we had 15 high grass letters sent out.  
 We were fortunate that 14 of the owners took care of the high grass and did mow.  
 We only had one that we had to mow and put a lien on the taxes.  
 We continue to meet and look at housing  
 We are looking at all sources of funding for demolition  
 Spoke with Mr. Maurer and we are pursuing the Land Reutilization Program  
 We will continue to do that.

Mentioned through a program at the Attorney General Mike DeWine said today that he has pursued an antitrust lawsuit against Cargill, Inc. and Morton Salt, Inc.  
 It was actually started here in Tuscarawas County March 21st, 2012  
 It was alleged that the two companies agreed not to compete in an attempt to drive up rock salt prices. That practice lasted nearly two years.  
 ODOT, Tuscarawas County, and the City of New Philadelphia were all a part of that.  
 I think it is safe to say we were gouged by the supplier.

That was proven in a court case the City is a part of that we will be recouping some monies.

For the entitlement portion based on the tonnage of the salt that we used and dollars spent. As soon as the Mayor and I received the information on that we contacted the County Engineer and several other people the Director of ODOT pursued that immediately filled out our paper work and had it in the next day. I will have good news for Council where the City will be getting some monies back. We are waiting to hear from that. We are continuing to patch pot holes and do our daily work Repairing Infrastructure.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy informed Council that there will be changes necessary to our Income Tax Ordinance. It is something we have to act on. And we have to act on it before the end of the year. I will have details the Law Director, the Income Administration and I we will work together and to explain to you. I just want to let you know it is coming because of what the State Legislature has passed.

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham wanted to expand on the Mayor's swearing in of Diana F. Kinsey as the City's Parking Control Officer who was hired to help Larry Kopp who has been dealing with some medical issues. Diana F. Kinsey her previous last name was Erdman, was a previous City's Parking Control Officer And because of Larry's issue with his medical condition that is going on right now Diana was happy to come back and help us out through Larry's treatment. Diana is not new she is just back out of retirement and back at it again.

Comment from the President, Mr. Sam Hitchcock:

Our Prayers go out to Larry.

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

LAW DIRECTOR . . . . .MR. MARVIN FETE

Mr. Fete reported the following:

Spent the last week educating myself on bond issues  
There hasn't been a day go by that I did not deal with the bond issue legislation  
There is a huge misconception with everybody involved with it with the exception of myself.  
And I did not know the answer until the day after the Committee Meeting.  
It required two pieces of legislation to put a bond issue on the ballot.  
The first one is certification which is done in the form of Resolution 20-2015  
The second one is the actual one with ballot language that will go before the voters.  
I am happy to work with any committee members or anyone oh how to get legislation done,  
It is very easy for me to prepare legislation in advance of the Committee Meeting on legislation we have done before.

For example the three pieces of legislation that came out of Ms. Cox's Committee.  
The legislation is identical every year that I have done it since 2012.

When it comes to something new when the Committee is going to make a decision  
For example Mr. Maurer's legislation in regards to feeding geese.  
There was no way to prepare that before the committee met  
The committee had to decide how they wanted to do legislation  
My role is to put in legal language the will of the Committee and the will of Council.  
If you want to have more than one meeting on that I'm fine with that.  
I would appreciate if you do have questions on things that let me know in advance so I can research them.  
Some people have asked me questions on the floor and if I don't have the answer I can find it as soon as I can.  
If you have questions on Resolution 20-2015 please get them to me within the next 24 hours so I can get working on it.

The law Director requested the President assign to Committee the changes we have to change legislatively  
For the purpose of income tax before the next meeting.  
Anyone that would like to look at these changes just stop by Mr. Fete's office and he will give you a hard copy.

Spent a lot of time working on cases where people wanted money from the City.  
Generally Past Employees.

In my private law practice I never schedule anything in December because people don't spend their money on attorneys they spend it on Christmas for their families.

He is working on at least three cases where people think the City owes them money from past administrations.  
He is trying to negotiate that and to determine whether they are owed money or not.

Mrs. Ramos asked:

In regard to what you just mentioned I think that is 39-97 that you recommend that we repeal.  
We are going to have replacement legislation and a new hand book where do we stand for that.

Comment from the Law Director:

39-97 is still stands the law of the land.

Comment from the Mayor:

We have been done with the new handbook for 6 weeks.

We were supposed to look at it and revise it we did.

I don't have any direction as what to do now.

A copy was requested by the Law Director

Ms. Cox requested 4 copies.

Comment from Mr. John Zucal

39-97 remains in the Salary Committee

Until such time the completed handbook is approved.

Comment from the President:

***I would appreciate not having any 11th hour challenges to any legislation. Five minutes before Council if possible.***

#### **BOARD/COMMISSION REPORTS:**

##### PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor reported the meeting for this month was cancelled due to lack of activity.

The Mayor announced the next Planning Commission meeting is tentatively set for Tuesday, August 11th, 2015 at 1:00 PM in Council Chambers.

##### BOARD OF ZONING APPEAL

Mr. Zucal announced the Board of Zoning Appeals will meet Tuesday, July 14th, 2015 at 5:00 PM in Council Chambers. There are three variance requests.

##### AIRPORT COMMISSION.....MR. JOHN ZUCAL....

Mr. Zucal announced that the Airport Commission will meet tomorrow evening at 6:00 PM in the Harry Clever Meeting Room.

##### PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced that the next meeting of the City Park Board is Wednesday, July 22nd, 2015 at noon at the Tuscora Park Office.

##### HEALTH BOARD..... MS. SANDY COX

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

#### **STANDING COMMITTEE REPORTS:**

##### FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported the Finance Committee met this evening at 7:00 PM we had 4 items on the agenda

The first item was

Resolution 17-2015 to authorize and direct the City Auditor to transfer up to \$10,000 from the General Fund to the Sidewalk Replacement Program this is something we do every year with matching funds from the citizens.

Resolution 18-2015

To approve the transfer of \$50,000.00 from the Sanitation Fund to be transferred \$25,000.00 to the Water Operating Fund and \$25,000.00 to the Sewer Operating Fund for the 2015 fiscal year. (The City has incurred expenses in the water and sewer funds for billing of sanitation pickup in 2015)

Resolution 19- 2015

To approve the transfer of up to \$3,500.00 from the Cemetery Endowment Fund to the Cemetery Operating Fund for the 2015 fiscal year. (Said funds will come from the interest on the Cemetery Endowment Fund and not the actual fund itself.)

The Auditor had given us projections at June 30th, 2015

There are a few assumptions that were made:

3% raises across the board 2016-2018

3% Income Tax Revenue Increase 2016-2018

No projection for changes in Medical Insurance Premiums

Ms. Gundy did not attempt to fix any deficits.

Ms. Cox said she appreciated Ms. Gundy's Report.

The meeting was adjourned at 7:06 PM

SALARY COMMITTEE .....MR. JOHN ZUCAL....

Mr. Zucal announced given the circumstances of the issue tonight with Resolution 20-2015

He called a meeting of the Salary Committee for Wednesday July 15, 2015 at 7:30 PM here in Council Chambers for the purpose of addressing Resolution 20-2015.

Mr. Zucal referred the rest of his report time over to the Fire Chief.

*CHIEF PARRISH GAVE A RECAP AS TO WHERE WE CAME FROM AND WHERE WE ARE NOW IN REGARDS TO THE FIRE STATION*

April 2011 we noticed the floor moving vertically in the old part of the Fire Station

There is a basement under the front half of the old part where we had the horses.

May 2011 we had the floor evaluation conducted by Diversified Engineering, (the engineering firm the City contracted with.)

September through October a little bit in to November we had a contractor repairing the front wall

And trying to stabilize that.

As they were doing that they also recognized the problems in the back wall

November 2011 Mayor Taylor and I were directed by Council to look for land to seek a financial plan to build a new Fire Station.

I had been working with Mayor Taylor and now Mayor Johnson

Under Mayor Johnson's leadership in October 2014 we purchased land making four annual payments of \$62,500

April 10 2015 we put out the request for qualifications for an architect

We had 14 submitted August 12th, 2015

We will be narrowing the selected list of four down to one.

July 6th, 2015 we sat and talked about the Fire Station we had many questions I answered every question the best I could. I did research and emailed each and every one of you a recap on all of that.

One of the questions Mrs. Ramos brought up, a good point did we look into any grants

And we had

We checked into the AFG Grant as well as several local grants. I included that in their email.

I have a list before me of 22 different grants.

The Assisted Firefighter Grant. We found that grant is no longer offered. I can read all of those off to you I would be glad to get you copy of the list

Some things we did to the fire station the front wall around \$70,000.  
The researching for the apparatus base floor \$ 25,000  
We made that one bathroom we had into two smaller bathrooms.  
We spent approximately \$30,000 to do that.  
We did redid the roof on the old side  
That cost approximately \$30,000  
Painting down stairs. And a few things upstairs cost us about \$5,000.  
Kitchen floor upstairs where they threw the hay down for the horses there was a door there that sunk in our kitchen we spent about \$24,000 repairing that.

2015 our maintenance of the facility budget is \$42,289. That comes out of fund # 101-225 and 715

Grants t since 2009 when I accepted the position of Fire Chief  
Grants up to today we received \$458, 000 in grants.

2009

We had a problem with the Ladder Truck  
We were spending about 12 to \$15,000 a year to keep that on the road.  
Both the manufacturer of the ladder and the manufacturer of the chastity were out of business  
The cost of a new Ladder Truck was about 1.2 million Dollars  
We had it refurbished for \$595,000 saving the tax payer \$605,000

Our 1995 Fire Engine

A new Fire Engine will cost you between \$450 and \$500,000.  
We had it refurbished for \$195,000  
We saved the tax payer \$255,000

2008

The Ambulance Fund brought in around \$200,000 a year  
We worked together and adjusted those rates  
2012 we brought in \$265,602.

After that we looked into how we can affect the people who utilize the EMS the most.  
And can afford it the least.  
40% of those folks are on Medicare and have private insurance.  
We adjusted the rates to make that affordable for those people we serve.

2014

Our Ambulance Fund brought in \$460,985

***You could tell The Fire Chief is passionate for what they have accomplished in the last nine years.***

He believes in working together with the people we represent and the people we serve.  
He thinks it is time to take a step forward and let democracy take its place and let the voters decide

***Do we want to build a Fire Station or not.***

Comment from Ms. Cox

I received your letter you sent yesterday.AFG grant is available but we must be shovel read to apply

***IN ORDER TO BE SHOVEL READY WE WOULD HAVE TO SPEND BETWEEN 300 TO 400 THOUSAND DOLLARS TO GET PRINTS PERMITS AND BUILDING PROCESS DONE***

Comment from Ms. Cox

***SHOULDN'T WE HAVE THAT DONE BEFORE WE PUT IT ON THE BALLOT?***

WE PASSED OUT FOUR PAPERS TO YOU.  
THOSE ARE ESTIMATES THOSE ARE DOLLAR RANGES PER SQUARE FOOT  
AS YOU CAN SEE MOST OF THEM ARE AROUND 4.3 TO 4.6 IT HAS TO FIT ON THE LAND WE HAVE  
AVAILABLE.

I THINK WE ARE HEADED IN THE RIGHT DIRECTION TO APPLY FOR AS MANY GRANTS AS WE CAN.  
TO HELP PAY DOWN THE LOAN QUICKER.

Comment from John Zucal:

We are not assured of any grants

Comment from the Mayor:

The way we are doing it the City puts out very little money  
It is up to the voters we all agree on that.

Comment from the Fire Chief:

The cap is 5 million dollars not a penny over.

Comment from Mrs. Ramos:

I just want to clarify without any money we are picking an archetic and working with them ahead of time.  
They are going to give us price without the \$300,000.

MR. LAUTENSCHLEGER SUGGESTED THAT THE QUESTIONS BE HELD FOR THE UP COMING SCHEDULED  
SALARY COMMITTEE MEETING ON THIS ISSUE.

***THE PRESIDENT ASSIGNED TO THE SALARY COMMITTEE  
THE REQUEST FROM THE LAW DIRECTOR THE UPDATE FOR THE INCOME TAX ORDINANCE.***

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT

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

Mr. Darrin Lautenschleger Announced that the committee will be scheduling a meeting in the near future for  
Adding to the Nuisance City Ordinance (abandoned and closed fuel stations.)

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER

Mr. Lanzer reported that the Special & Contact Committee met this evening at 7:15 PM in Council Chambers to  
discuss one item.

TO APPROVE, ADOPT AND ENACT THE CURRENT  
REPLACEMENT PAGES TO THE CODIFIED ORDINANCES.

After a discussion:

By a vote of 3-0 the Committee:  
Asked for the Law Director to prepare the proper legislation  
To put it on the Agenda for the July 27th, 2015 meeting for the first reading.

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

Comments and Concerns from:

Mr. Kelly Ricklic  
819 North Broadway  
New Philadelphia, Ohio 44663

Mr. Kelly Ricklic is in support of a new Fire Station he feels the current station is unsafe.

His request is for council to expedite Resolution 20-2015 as soon as possible so we are not behind and give that to the  
taxpayers.

He is definitely for the taxpayer to have their voice heard.

His suggestion is to get the paper work in line, and get it done.

Get the legislation prepared, get it to Council floor, get it voted on and passed so it can get to the public.

Let the Citizens tell you what they want.

Comments and Concerns from:

Mr. Steve Rippeth  
1720 Hicks Ave. NE  
New Philadelphia, Ohio 44663

Mr. Rippeth echoed Mr. Kelly Ricklic's comments and concerns  
That we put this issue before the voters so we can make this happen.

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

NONE

RESOLUTIONS:

15-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO  
TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO PARTICIPATE IN THE FY 2015  
FAA GRANT AND DECLARING AN EMERGENCY.  
(2ND READING)

Motion to suspend the rules made by Mr. Lanzer  
Seconded by Mr. Zucal  
Roll call, 6 yeas, and 1 nay (Mrs. Ramos)  
Rules for Resolution 15-2015 have been suspended

Motion to vote on passage by Mr. Zucal  
Seconded by Mr. Lanzer  
Roll call, 7 yeas  
Resolution 15-2015 has passed.

16-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TO  
AUTHORIZE THE NEW PHILADELPHIA POLICE DEPARTMENT TO HOLD THE  
ANNUAL POLICE AUCTION ON MONDAY, AUGUST 24, 2015 AT 6:00 PM, AND DECLARING  
AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Mr. Maurer  
Seconded by Ms. Cox

Comment from Mr. Maurer:

He requested the rules to be suspended so Officer Horner can get the advertisement out there quicker  
therefore increasing participation.

Roll call, 7 yeas,  
Rules for Resolution 16-2015 have been suspended

Motion to vote on passage by Mr. Maurer  
Seconded by Ms. Cox  
Roll call, 7 yeas,  
Resolution 16-2015 has passed.

**UNFINISHED OR OLD BUSINESS:**

The Law Director Marvin Fete along with the Mayor Johnson Service Director Jim Zucal  
Safety Director Greg Popham and the President of Council Sam Hitchcock  
Commended the Fire Chief and his department for the outstanding  
job they are doing to move this forward.

The Law Director stated the Fire Station falls under the realm of protecting the public and to let the voters decide.

President of Council:  
The Fire Station belongs to the people and they have a right to make that choice.

**NEW BUSINESS:**

**NONE**

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:45 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN A SPECIAL MEETING MEETING IN COUNCIL CHAMBERS ON JULY 20TH, 2015 AT 7:30 PM WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

THIS SPECIAL MEETING OF COUNCIL WAS CALLED BY MAYOR JOHNSON  
THE PURPOSE OF THE MEETING WAS RESOLUTION 20-2015.

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

ABSENT FOR TONIGHT'S MEETING WERE THE SAFETY DIRECTOR, GREG POPHAM,  
AUDITOR BETH GUNDY AND TREASURER TOM GERBER.

MR. ZUCAL MADE A MOTION TO ACCEPT THE JULY 20TH, 2015 AGENDA  
MS. COX SECONDED THE MOTION

ROLL CALL  
7 YEAS  
MOTION PASSED.

THE PRESIDENT OF COUNCIL MR. SAM HITCHCOCK ASKED FOR A MOTION  
TO FORGO THE SECTION MINUTES FROM THE PREVIOUS SESSION, CORRESPONDENCE,  
ADMINISTRATIVE REPORTS, BOARD/COMMISSION REPORTS AND STANDING COMMITTEE  
REPORTS AS THIS IS NOT A REGULAR MEETING.

THE MOTION WAS MADE BY MR. LANZER AND WAS SECONDED BY MR. LAUTENSCHLEGER  
ROLL CALL  
7 YEAS MOTION PASSED.

VISITORS COMMENT:

DAVID CARRICK  
801 TUSCARAWAS AVE. NW  
NEW PHILADELPHIA, OHIO 44663

I live in New Philadelphia and work in Canton  
I like it here.  
I have always participated in the voting process I have always considered it not just a privilege by my  
civic duty.  
I also participated when you all were elected and thought that was important as I'm sure you did.  
I hope you give us the opportunity to vote on this.

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:  
NONE

Request from Ms. Ramos:

For Resolution 20-2015 be read in its Entirety  
The Clerk of Council read Resolution 20-2015 as was requested.

RESOLUTIONS:

20-2015

A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING THE QUESTION OF THE ISSUANCE OF FIRE STATION CONSTRUCTION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the City of New Philadelphia, County of Tuscarawas, Ohio, that:

SECTION 1. Declaration of Necessity of Fire Station Construction Bonds. This Council finds, determines and declares that it is necessary to issue general obligation bonds of the City in the aggregate principal amount of \$5,000,000 for the purpose of constructing, furnishing, equipping and otherwise improving a new fire station and clearing, improving and equipping the site thereof, and to levy a tax outside of the ten-mill limitation imposed by Section 2 of Article XII of the Ohio Constitution to pay the debt charges on those bonds and any anticipatory securities. Pursuant to Section 133.18 of the Revised Code, the question of the issuance of those bonds and the levy of that tax shall be submitted to the electors of the City at an election to be held in the City on November 3, 2015. The approximate date of the bonds will be February 1, 2016, and the first collection of the tax is expected to occur in calendar year 2016 (tax year 2015). The maximum number of years over which the principal of the bonds may be paid is 25, and the bonds will bear an estimated net average rate of interest of 4.50% per year, payable semiannually.

SECTION 2. Certification and Delivery of Resolution to County Auditor. The Clerk of Council is directed to certify a copy of this Resolution to the Tuscarawas County Auditor, and, in accordance with Sections 133.18(C) and 5705.03(B) of the Revised Code, this Council hereby requests the County Auditor to certify to it (i) the total current tax valuation of the City and (ii) the estimated average annual property tax levy, expressed in cents or dollars and cents for each one hundred dollars of tax valuation and in mills for each one dollar of tax valuation, that the County Auditor estimates to be required throughout the stated maturity of the bonds to pay debt charges on the bonds, assuming that the bonds are issued in one series bearing interest and maturing in substantially equal principal amounts in each year over the maximum number of years over which the principal of the bonds may be paid, both as stated in Section 1, and that the amount of the tax valuation of the City for the current year (or, if that amount is not determined, the estimated amount of that tax valuation submitted by the County Auditor to the County Budget Commission) remains the same throughout the maturity of the bonds (except as otherwise provided in Section 133.18(C)(2) of the Revised Code).

SECTION 3. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 4. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

SECTION 5. Declaration of Emergency; Effective Date. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City, and for the further reason that this Resolution is required to be immediately effective so that it can be filed with the Tuscarawas County Auditor and thereby enable the City to proceed timely with the filing of the materials necessary for the submission of the question of the bond issue to the electors at an election to be held on November 3, 2015; wherefore, this Resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor. (1ST READING)

Motion to suspend the rules made by Mr. Dan Lanzer,

Seconded by Mr. Zucal

Matthew Graham , President of Local 1501  
6211 Gowins Rd SW  
New Philadelphia, Ohio

Comment from Matthew Graham:

He was present to support the Fire Chief and to request the rules be suspended on Resolution 20-2015 and for it to be passed as an emergency measure. So we can move forward with the process.

Jim Sholtz, Captian  
612 Kaderly  
Strasburg, Ohio

Comment from Jim Sholtz:

He has been a firefighter for 19 years I have watched while the station is under a constant state of repair I know everyone here is trying their best to do what they feel is the right thing to do. Our station is falling apart I'm hoping you consider something long term He mentioned a bad smell that was in the station today.

Kelly Ricklic  
819 N. Boadway  
New Philadelphia, Ohio

Comment from Kelly Ricklic

Council needs to allow the citizens to vote yes or no and not be dictated to by Council. To voice their opinion on this important topic.

Nick McCoy  
2006 Kevin Court  
New Philadelphia, Ohio

Comment from Nick McCoy

He is a new hire at the fire department. I love the city I want everyone in the city to Have a chance to vote and have their voices heard.

Brian Marsh  
2301 East High Avenue  
New Philadelphia, Ohio

Comment from Brian Marsh:

I love the Fire Department and what they do and they deserve the best. I agree with Mr. Ricklic it needs to be put to the voters. They need a new fire Station.

Mark Yarnell  
353 Schoenbrunn Drive  
New Philadelphia, Ohio

Comment from Mark Yarnell

A resident of New Philadelphia all his life He agrees with Mr. Marsh and Mr. Ricklic that we need to bring this issue to the voters in regard to a new Fire Station.

Comment from Marvin Fete:

*Absence of legislation being voted on an emergency bases.*

*It is my estimate it is going to take seven meetings counting tonight*

*In order to get this on the ballot by August 5th, 2015.*

*One of those meetings can be held on the same day.*

*One of those will have to be the Committee Meeting to place the secondary portion*

*Which will be Resolution 21-2015 which will include the ballot language.*

*Mr. Fete just wanted to let everyone know that is the deadline we are under.*

*Keep in mind it takes 2 pieces of legislation Resolution 20- 2015*

*After Resolution 20-2015 is passed.*

*It goes to the Auditor for Certification*

*Than legislation (Resolution 21-2015) is proposed for putting it on the ballot with the ballot language.*

Mr. Fete stated his family loves and appreciates the New Philadelphia Fire Department. He also said he appreciated the comment in regard that they know everyone here is trying their best to do what they feel is the right.

Comment from Mrs. Cheryl Ramos:

I am voting against suspending the rules on Resolution 20-2015. This is such a critical issue and should not be rushed. In a salary committee meeting on April 13th, we heard that planning for a new fire station was going to be slow and well thought through as the chief wanted to do it right. A request for architect qualifications had been issued and we were told that the number of applicants would be narrowed to four. I agreed with that well planned approach. At that meeting I asked if private money, grant money, or other donations had been pursued. According to those on-line minutes, Chairman Zucal said "I don't want to go the down that road to fast we don't want to put the cart before the horse." On July 6, an unplanned Salary Committee was called. I was surprised that the well planned approach had been abandoned with an urgent push to ask the taxpayers for 5 million dollars in increased property tax, not including interest. Truly, the cart before the horse.

Sadly, there is no plan except to ask the taxpayers for an exorbitant credit card limit of 5 million dollars plus interest to be paid back over 25 years ... 25 years! This is a massive project and the whole community should be involved. An architect won't be chosen until August 12th. Then plans can be drawn. With a plan in place, private money should be pursued for a more reasonably priced station. Then, if there is a need, the taxpayers can be asked if they want to be taxed more. There must be a plan and questions answered, not just a request for more taxes.

Some questions to be answered:

1. What are the specific NFPA requirements the Chief references as needing to be met?
2. What material can be used to lessen the cost? Steel buildings?
3. Should a limit be set so the architect can aim for the functional fire station within reason?
4. What is the plan? Where are the drawings?
5. How many city employees, including fire department employees, do not own property in New Philadelphia and therefore would not be affected by the tax increase?
6. For at least 18 months, I have asked for private money to be pursued. Has a foundation been established for donations? Has private money been explored? The need has been since 2011, what has happened with requests for private funding? There is none. This would be impossible to do without plans, yet some of Council and the Administration is fine with asking the taxpayers the same question with no plan.
7. The total bill for the home owner will not be determined until they get the bill as told me by the County Auditor. So a specific cost to the homeowner cannot be stated. Additionally, if more businesses fail, the tax will go up.
8. What does furnishing mean? What is the list?
9. What does equipping mean? What is the list?
10. What are possible insurance costs for a \$5 million building? We have been given utility estimates only.
11. We want business to come to our wonderful city, increased property taxes deter business. I talked to a business owner who said they don't have to have their business in New Phila, they can locate elsewhere.

12. According to the City Auditor, the general fund has a deficit projected in the amount of~ million by end of 2016, 1.5 million by the end of 2017, and over 2.5 million at the end of 2018. How will that be managed? More taxes driving more businesses and residents away?

These are some critical questions that must be answered by a diligent Administration and Council. More questions and solutions will surface as the community is involved and private funding sources pursued. Together, we can develop a plan that will answer this community need.

Cheryl L. Ramos  
Ward One

Comment from Mr. John Zucal:

The New Philadelphia City Council has been afforded an amazing opportunity; to take on an initiative that has not been addressed in over 100 years-the construction of a new fire department.

We as a council entrusted our administration and department heads to secure property for a new fire station. That leadership acted judiciously. Ultimately, we were able to acquire property at a cost savings of \$800,000. over other offers.

Now, this leadership has taken the next steps to gain financial support for the construction of a new facility. Research, community input, and study have led our leadership to propose a 1 mill ballot issue. The approximate cost of this new building was based on data and information from a number of experts in the field. Yes, we could build a fire station for \$3 million dollars. This facility would not meet our current needs let alone the needs of a highly functioning department fifty years from now. We could also attempt to construct a \$10 million station. This would be excessive and unfair to the citizens. Truly, neither of these options would be wise, prudent, or responsible. Just as we trusted our administration to be financially considerate in securing property, I ask that you place your trust in these individuals to present a plan that will allow us to build a fire station that meets our needs not only for today, but well into the future.

Let's not forget how we arrived at this moment. For well over five years, we have been told and provided evidence of a deteriorating facility that has become a financial burden, but more importantly, a safety issue for those who work and live in that building on a daily basis. If we do nothing more, please remember these are people with spouses, children, and family who deserve the right to work in a safe and secure facility.

Lastly, I encourage this body to allow the citizens of New Philadelphia to determine the fate of a ballot initiative. Leadership requires action. We have discussed this matter for years. Let's now act as a body, put aside party politics and personal agendas, and allow our constituents' voices be heard. I respectfully request your support of the democratic process.

Councilperson Mr. John Zuca thanked everyone.

Roll call, 4 yeas and 3 nays (Ms. Cox, Ms. Walker, and Mrs. Ramos)  
Suspension of the rules has failed for Resolution 20-2015

### **UNFINISHED OR OLD BUSINESS:**

The Mayor requested a Special Council Meeting for Tuesday, July 21, 2015, at 7:00 PM  
And also for Thursday, July 23, 2015 at 7:00 PM in Council Meeting to take care of this matter.

### **NEW BUSINESS:**

The Mayor requested a Special Council Meeting for Tuesday, July 21, 2015, at 7:00 PM  
And also for Thursday, July 23, 2015 at 7:00 PM in Council Meeting to take care of this matter.

The Law Director will not be present for the Thursday meeting.

MOTION BY MS. COX TO ADJOURN AT 8:05 PM

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

APPROVED \_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET IN A SPECIAL MEETING MEETING IN COUNCIL CHAMBERS ON JULY 21ST, 2015 AT 7:00 PM WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

THIS SPECIAL MEETING OF COUNCIL WAS CALLED BY MAYOR JOHNSON  
THE PURPOSE OF THE MEETING WAS RESOLUTION 20-2015.

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

MR. ZUCAL MADE A MOTION TO ACCEPT THE JULY 21ST 2015 AGENDA  
MS. COX SECONDED THE MOTION

ROLL CALL  
7 YEAS  
MOTION PASSED.

THE PRESIDENT OF COUNCIL MR. SAM HITCHCOCK ASKED FOR A MOTION TO FORGO THE SECTION MINUTES FROM THE PREVIOUS SESSION, CORRESPONDENCE, ADMINISTRATIVE REPORTS, BOARD/COMMISSION REPORTS AND STANDING COMMITTEE REPORTS AS THIS IS NOT A REGULAR MEETING.

THE MOTION WAS MADE BY MR. LAUTENSCHLEGER AND WAS SECONDED BY MRS. RAMOS  
ROLL CALL  
7 YEAS MOTION PASSED.

VISITORS COMMENT:  
**NONE**

### **READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:  
NONE

RESOLUTIONS:

#### **Resolution 20-2015**

A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING THE QUESTION OF THE ISSUANCE OF FIRE STATION CONSTRUCTION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY. (2<sup>ND</sup> READING)

Motion to suspend the rules made by Mr. Dan Lanzer,  
Seconded by Mr. Zucal

Roll call, 4 yeas and 3 nays (Ms. Cox, Ms. Walker, and Mrs. Ramos)  
Suspension of the rules has failed for Resolution 20-2015

**UNFINISHED OR OLD BUSINESS:**

The Mayor announced that a Special Council Meeting will be held  
Thursday, July 23, 2015 at 7:00 PM in Council Meeting to take care of this matter.

**NEW BUSINESS:**

The Mayor announced that a Special Council Meeting will be held  
Thursday, July 23, 2015 at 7:00 PM in Council Meeting to take care of this matter

The Law Director will not be present for the Thursday meeting.

MOTION BY MS. COX TO ADJOURN AT 7:05 PM

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

APPROVED \_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET IN A SPECIAL MEETING MEETING IN COUNCIL CHAMBERS ON JULY 23RD, 2015 AT 7:00 PM WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

THIS SPECIAL MEETING OF COUNCIL WAS CALLED BY MAYOR JOHNSON  
THE PURPOSE OF THE MEETING WAS RESOLUTION 20-2015.

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

MR. ZUCAL MADE A MOTION TO ACCEPT THE JULY 23RD, 2015 AGENDA  
MR. DARRIN LAUTENSCHLEGER SECONDED THE MOTION

ROLL CALL  
7 YEAS  
MOTION PASSED.

THE PRESIDENT OF COUNCIL MR. SAM HITCHCOCK ASKED FOR A MOTION TO FORGO THE SECTION MINUTES FROM THE PREVIOUS SESSION, CORRESPONDENCE, ADMINISTRATIVE REPORTS, BOARD/COMMISSION REPORTS AND STANDING COMMITTEE REPORTS AND GO DIRECTLY TO THE LEGISLATIVE AGENDA.

THE MOTION WAS MADE BY MRS. RAMOS AND WAS SECONDED BY MS. COX  
ROLL CALL  
7 YEAS MOTION PASSED.

MRS. RAMOS MADE A MOTION FOR RESOLUTION 20-2015 BE READ IN ITS ENTIRETY  
MS. COX SECONDED THE MOTION  
ROLL CALL  
3 YEAS, 4 NAY (MR. LANZER, MR. LAUTENSCHLEGER, MR. MAURER, MR. ZUCAL)  
MOTION FAILED

### **READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:  
NONE

RESOLUTIONS:

RESOLUTION 20-2015

A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING THE QUESTION OF THE ISSUANCE OF FIRE STATION CONSTRUCTION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY. (3RD READING)

MOTION TO VOTE ON PASSAGE BY MR. LANZER  
SECONDED BY MR. ZUCAL

COMMENT FROM MR. JOEL DAY:

Joel Day  
714 Oak Street NW,  
New Philadelphia

Thank you Mr. President for allowing me the time to address council....

First I want to commend Chief Parrish for his determination and passion in pursuing the construction of a new fire station. During a lunchtime tour on Tuesday, I saw for myself the structural cracks, deterioration and twisted basement I-beam that the chief has described. It was clear to see that our station has reached its end life. The crack on one of the second floor support columns is particularly concerning to me, because those columns hold up our firefighters living quarters.

We have heard arguments from both sides of the room over the need to put a 25 year bond issue before voters in November, and arguments over the cost of a new station. Apparently there is no common ground or no time to discover it in the haste to put the issue on the November ballot. So I urge you to put your differences aside and finish the process to let the voters decide whose argument is best for the future of our fire and EMS city services.

Personally I don't like the idea of our taxpayers carrying the bond issue's 25-year debt. And to me there has not been enough research into the actual design and cost of building a fire station that fits the future needs of our city. I look forward to sharing those thoughts with our citizens and the business community. But the need now is to restore decorum to city council discussions and give voters their turn to speak. As their representatives, and employers of our firefighters, you have an obligation to do that.

COMMENT FROM CHERYL RAMOS

I urge Council to vote against Resolution 20-2015. This is such a critical issue and should not be rushed. A costly and disastrous mistake must be avoided. A well planned approach must be used. In this case, the old saying, "Haste makes waste" rings true. Although this issue has been talked about for years, no plans have been made and no funds have been obtained.

After the architects are chosen and requests for bids are received, the Administration, Council and residents will know what needs to happen. Those who fail to plan, plan to fail. Now, it is unwise for the Administration and some in Council to ask for a \$5 million credit card limit plus interest for an unplanned project made on assumptions and stabs in the dark.

We have heard voices in this chamber asking that they be given on chance to vote on a property tax increase. Rest assured this will happen. Meanwhile, you can make donations to the new fire station construction fund. Several have said they are ready to write checks now, please do.

Together, together, we can develop a plan that will answer this question that involves the whole community. The best deal can be obtained for the tax payer and still have enough money to run the city.

Cheryl L. Ramos

Ward One

**COMMENT FROM COUNCIL AT LARGE WINNIE WALKER:**

I've never said I am against a new fire station. But I am against the way it has been presented to me. The time limit on information or the lack of. Yes, I see the picture of a fire station. It's only a picture. It doesn't tell me what the building construction material is, not to mention is explained. The cost seems out of reason and not being included in most of the planning is very disappointing. I wish for the voters to know what they are voting for. And ask. Is this the best and only choice we have. Thank you.

P.S. Interviewing for an architect is not until August 12, 2015.

**Comment from COUNCIL AT LARGE Ms. Cox**

The position of council person is certainly an important position in municipal government. The pay is small, the hours long, but very few other positions offer a better opportunity for serving our residents.

When I mention service to our residents, it also includes co-operation from the administration and council members. When someone breaks that bond many things occur and it is not for the betterment of our community.

Where is the idea of working together on a project for the best of our citizens and having round table discussions among all of us? Right now I am in contact with our Fire Chief through e-mails to have my questions answered in regards to the fire station.

It is really problematic these resolutions have to be at the County Auditor's office by August 5<sup>th</sup> and our architect will not be named until after August 12<sup>th</sup>. The City will have no actual bid on the fire station's cost when we go to ballot, we are hoping the estimates are close enough for this \$5 million dollar station (with interest - total project is estimated at \$7,900,000). Even FEMA requires prints, permits and bidding process done prior to application for a grant.

We are moving too fast and we are on a collision course with November's election. I believe we need to know the actual cost of the fire station before presenting this issue to the citizens for a vote. What is wrong with continuing to look for grants, donations and showing the community a sincere effort on the City's part before we place this issue on the ballot? I am not against building a new fire station, but this is a major investment and right now I do not feel comfortable without having accurate costs.

Roll call, 4 yeas and 3 nays (Ms. Cox, Ms. Walker, and Mrs. Ramos)

Resolution 20-2015 has passed

**UNFINISHED OR OLD BUSINESS:**

The Mayor thanked Council.

**NEW BUSINESS:**

MOTION BY MS. COX TO ADJOURN AT 7:12 PM

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

APPROVED \_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 27TH, 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

- MR. ZUCAL MADE A MOTION TO ADD RESOLUTION 21-2015 TO TONIGHT'S AGENDA  
MR. LANZER SECONDED THE MOTION.  
ROLL CALL 4 YEAS 3 NAYS (MS. COX, MRS. RAMOS, AND MS. WALKER)  
MOTION PASSED  
RESOLUTION 21-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO APPROVE THE MINUTES  
FROM THE SPECIAL COUNCIL MEETING HELD ON MONDAY, JULY 20TH, 2015;  
FROM THE SPECIAL COUNCIL MEETING HELD ON TUESDAY, JULY 21ST, 2015;  
FROM THE SPECIAL COUNCIL MEETING HELD ON THURSDAY, JULY 23RD, 2015 AND  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, JULY 13TH, 2015  
MRS. RAMOS SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council for July 27th, 2015
2. An email to the President of Council, Sam Hitchcock dated July 24th, 2015 for all Council Members from Thomas Nightengale with regard to the New Firehouse.
3. Tuscora Park Board Meeting Minutes from Monday June 17th, 2015
4. June 2015 Month End Summary New Philadelphia Fire Department dated July 17th, 2015
5. Salary Committee Meeting Minutes from Monday July 6th, 2015
6. A notice to Council from the Ohio Division of Liquor Control,  
Dated July 13th 2015,  
To Garland N P LLC  
DBA Schoenbrunn Catering  
Executive Conference Center  
143-49 MCDONALD S DR SW  
New Philadelphia, OH 44663  
Type TRFO  
Permit Classes D1 D2 D3 D3A  
From F & L REALTY INVESTMENTS LTD  
MCDONALDS MARLITE  
Executive Conference Center  
143-49 MCDONALD S DR SW  
New Philadelphia, OH 44663  
And asking that objections be made no later August 13h, 2015
7. Finance Committee Meeting Minutes from Monday July 13th, 2015

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON  
Mayor Johnson reported on the following:

Report On Time Frame For Demolition of Kmart.

Met with representative today  
Thursday, they are suppose to bring in the equipment  
Starting next week should be the actual deconstruction.

West High and Fourth Street with work to begin in about two weeks.

We have had problems with all the hard rain we have been having and flooding.  
We have been working on this for over a month.  
We have checked all different angles.  
We had come up with plans to cut the road.  
Put in new catch basins or direct catch basins  
at this point it looks like we might have a blockage.

ARM (American Road Machinery) took Class on Brine and Beet Juice for de-icing.

The Mayor reported that he, Ms. Gilland, Mr. Zucal and Mr. Grewell  
Went to an Open-House, American Road Machinery in Canton, Ohio.  
We took a class while we were there on Brine and Beet Juice (a de-icer)  
(We are looking into a program to use that).  
It is a preemptive and also works as well as salt in some situations.  
It is a lot less money. We are looking for another huge hike in salt.  
We are looking to save money and in keeping the roads safer for everyone.

We are proceeding after talking with the Law Director of the Demolition on Two Properties in the City.  
Attended class on Interest Based Bargaining:

We learned and discussed Interest Based Bargaining and we will see how that comes in the future.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported the following:

- Our paving contractor the Newton Asphalt Company out of Strasburg has been paving in the City. There is a lot of new asphalt down on Mill Avenue and the area around Buehlers, around the New Town Mall and have paved a portion of South Broadway and a portion of Goshen Avenue. That was all in our plans.  
We are milling every street that we pave for positive drainage. We are getting down to the base asphalt and we feel it is doing a better job.
- One of the key areas that you can see today that was finished is on Front Avenue SE.  
(South Broadway to Fourth Street)  
A lot of communities is what they are doing today  
In this era of saving money with the cost of asphalt which is a petroleum product  
We did the full area from the curb to curb to Second Street  
On Second Street to Fourth Street we did just the travel lanes. And then used the new asphalt sealer along the edges.  
The Mayor and I were out there daily.  
The contractor thinks it is a great idea  
We are saving money  
The parking lane is not getting as torn up in the winter as the travel lane  
Milling down to that full depth we have a better base. We think this will eliminate our pot holes in the future.
- We have the media's attention on the West School Project with the Bus Turn Lane  
The Mayor and I were out there today and talked to the contractor

Mr. Zucal encouraged everyone to take a look at that. It was a great project and a wonderful partnership with the schools. What a safety issue that has always been. We were lucky We have had a student hit by a car but several near misses over the years. This will allow all that traffic to be off the right away, into the area of the school what used to be the front yard we are very proud about that.

➤ We are looking at some demolitions; our building permits are up this year.

New Philadelphia is a great place to live and work and a lot of positive things going on.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy did not have a formal report.

President of Council Sam Hitchcock mentioned that Council was aware of the recent training in the Income Tax Department. The past regular meeting Mr. Hitchcock placed the revision of Ordinance 191 into the Salary Committee “Do you have any information as to what that training was?”

Ms. Gundy suggested Joel Day our Income Tax Administrator explain it directly to Council because he was there. “I don’t know if we have to get with the Law Director before hand or when we might want to schedule that I think we want to do that in August or September.”

President of Council Sam Hitchcock suggested Ms. Gundy get with him to see what would be better.

SAFETY DIRECTOR.....MR. GREG POPHAM

- Mr. Popham reported today in the Police Department the Mayor swore-in a new Police officer, Andrew Boyd.  
This young man comes to us from the Summa Health Care System in Akron.  
He was a Hospital Police Officer.  
He resides south of New Philadelphia on 416.  
He brings the Police Department back up to full strength.
- Mr. Popham thanked Fire Chief Parrish:  
One of Popham’s concerns was the beam that was twisting underneath the Fire Station.  
The Fire Chief and the other men in the Fire Department not only did they coordinate and have the engineers come in and have it temporarily fixed also there is a projected plan to temporarily hold this at least keep this in there for the next few years. They rearranged some of the equipment  
They weighed the vehicles last week and kind of strategically placed lighter vehicles over the area where the beam is twisting.  
“We are doing everything we can to try to keep this building in good condition.”

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

LAW DIRECTOR . . . . .MR. MARVIN FETE

Mr. Fete reported the following:

Everything he has done has been on display for the last week and has been discussed at length.  
His time has been dominated with the Fire Station.  
He has answered a lot of questions on the bond issue and if there are any questions he has not answered he said he would take them now.  
Moving forward on having the two structures demolished by giving a tear down order from Mr. Fete.  
The Law Director announced that he has two meetings coming up that he will report on at the next Regular Council Meeting.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced the next Planning Commission meeting is tentatively set for Tuesday, August 11th, 2015 at 1:00 PM in Council Chambers pending any agenda.

BOARD OF ZONING APPEAL

Mr. Zucal announced providing there is an agenda; the Board of Zoning Appeals will meet Tuesday, August 11th, 2015 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL....

Mr. Zucal announced that the Airport Commission agreed to forego the August Meeting, our next regular scheduled meeting will be held September 8th, 2015 at 6:00 PM in the Harry Clever Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that City Park Board met Wednesday, July 22nd, 2015 at noon at the Tuscora Park Office.

A couple of items to note to bring everybody up to date:

1. Regarding the Tennis Courts the Park Board had sought estimates on repairs to all eight of the courts. They received bids that ranged from two companies from about \$190,000 to about \$382,000. That would be for a range of work in various phases. Members are taking those bids under advisement and looking for funding sources and determining what would be the best approach. So I anticipate that upcoming meetings I will be discussing that with you.
2. Work inside the pavilion will be done late fall by Marsh Industries to improve the sound and acoustics. They are installing a product that they have. That would help reduce the noise. If you have been in there for any events it can be very difficult to sometime hear the person next to you. We thank Marsh Industries for their expertise on that. The next meeting will be August 19th, 2015 at noon at the Tuscora Park Office.

Question from Mrs. Ramos:

In the Park Board Meeting Minutes we received they said something about A Board Walk Project. Could you please explain what that is and where and etc?

Mr. Lautenschleger replied:

In the long-short of it: A presentation was made several months to a year ago for construction of a Board Walk type of structure located outside the pavilion area leading on to the lake side of that building. Funding options are being sought for Private Funding Sources. The Park Board has committed up to \$25,000 for planning and development of that. There has been no final plan established at this point until some of the dollars have been put into place and the final drawings are done that will take a while.

Question from Mrs. Ramos:

Kind of walk out on the Lake?

Mr. Lautenschleger replied:

It would be a portion of the lake, but not the entire thing, a portion would be utilized by having tables, and benches and all of that would be placed along there according to the plan.

Question from Mrs. Ramos:

Like trying to get Private Funding?

Mr. Lautenschleger replied:

We are looking at Private Funding Sources.

HEALTH BOARD..... MS. SANDY COX

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

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reminded everyone that Resolution 17-2015, Resolution 18-2015, and Resolution 19- 2015, we want them read for three readings.

SALARY COMMITTEE .....MR. JOHN ZUCAL

Mr Zucal referred some of his time to Gary Little, Executive Director of the Tuscarawas County CIC. (Community Improvement Corporation). .

Mr. Little passed out some materials

Mr. Little thanked Councilperson Zucal for giving him an opportunity by inviting him to talk to Council tonight.

Mr. Little thanked the President of Council, Mr. Sam Hitchcock for allowing him to give his presentation.

Mr. Little gave an explanation of his relationship with the City of New Philadelphia.

CIC has been around for over fifty years.

The Mayor of each of our agency communities that are part of the CIC serves on our board as a voting member.

Mayor Johnson is a very active member of the CIC Board.

We appreciate his involvement he often will involve Jim Zucal the Service Director and the two of them work very closely with us on various Economical Development Activities on the provision of information to any leads that we may be involved with.

We have had a long experience with the City of New Philadelphia one of our first Projects began in the mid to late 1960's with the Knisely Industrial Park we have been involved with the the companies and the facilities of the Knisely Industrial Park for that long time.

The City is an intimate partner of ours on the Tech Park Project. Has provided 1.2 million dollars for that project.

Things have been going well there we just completed the Tolloty Technology Incubator.

We are in the final stages now of wrapping up the EDA Grant close-out along with Kent State University and Kent Tuscarawas and we also have an Ohio Development Services Grant; nearly all those funds went into the development of the incubator we are in the final stage of wrapping up that grant and closing it out.

We work with our County Commissioners for many years we have been trying to come up with another location for the Dog Pound. It is a requirement of that grant that we find another location for the Dog Pound. So the twenty acre track where the Dog Pound is located at the beginning of the Tech Park will be freed up for us to develop and to encourage someone to locate a facility there.

If any of you know of a nice acre or two that would be close to New Philadelphia or Dover not to close to somebody's neighborhood please come forward. We are still looking and anxious.

There is a possibility of a combined project with Kent Tuscarawas and the County Commissioners so we can facilitate that we are anxious to move that forward.

Mr. Little provided new materials we just had printed new picture new address and contact Information.

Tolloty Technology Incubator the addressed is **1776** Tech Park.

We feel that is a real beginning and we hope to do some revolution things with that facility with the rest of the Tech Park. That facility is complete People can see what a building might look like in Tech Park. And those are the kind of buildings we want to put in the rest of the Tech Park and that is what we are shooting for.

Other things going around town talking in previous committee meeting that we have an interest in bettering of infrastructure. The more attraction the better looking streets and sidewalk and curbs. The better chance we gave of attracting companies to our community those kinds of improvements also get our businesses and resident excited about our community.

Lam's Restaurant has upgraded and improved their parking lot. They have a new side walk new curbs going passed their business.

I think you will see a lot of other things happening on West High for instance. Things seem to be smooth sailing down in that part of town.

We are excited about the things that can happen.

The oil and gas has given; us a shot in the arm.

We had some highs and lows over the last year or year and a half.

We just enjoyed the the designation as the number two micropolitan community in the United States with all the economical development going on in the county and we are taking advantage of that free press to do even more marketing.

The County Commissioners have helped us and the area businesses have helped us with matched funds. So we are going to be spending about \$55,000 on marketing efforts.

You are going to see a new website for Economic Development each one of our member communities will have a page in that website so we can feature quality of life things about those communities and also properties Industrial properties that are currently available will be featured on each of those community pages and we well be starting that project in another month. We are excited about upgrading the website and having a website that is truly focused on economic development for the county and each of our communities.

Committees:

The Ideas Committee, they may come up with another name, someone suggested the Visions Committee.

We've been working on the Tech Park for a quite a few years now finished the Incubator the primary job is to get companies into the Incubator and get it out into the Tech Park.

What we wanted to see if the CIC could come up some other projects. Kicking around a lot of different ideas that committee is still working on a full presentation for the full the CIC Board.

They may be small projects they may be vision projects that could inspire our next generation we are looking at all kind of things.

Where the CIC could take one by themselves or we might encourage another group to take one.

Some input from Leadership Tuscarawas.

That group wants to take two or three of those ideas. That they feel their class could work on as Community Development Projects. Probably seeing more about that before too long

The Revenue Committee is looking for ways to expand our revenue and come up with new revenue streams.

**Money makes the world go round.** More of our surrounding counties and communities are spending more money on marketing activity. We want to compete with that to keep up with some our neighbor communities seeking funds from the business community from foundations.

We are nearly at 75% of our minimal goal the minimal was \$200,000 for this fiscal year and raise another 50 to 100 Thousand Dollars so we can go into the next fiscal year in a much better position

The Committees are very active doing a lot of things. It is those people on the CIC Board that have for fifty years made a difference. It is the people we want to keep involved and we are looking for ways to inspire others outside our Board such as the Leadership Tusc. so we can have a new generation that can help us march on down the road.

We are excited and we hope you are too we think a lot is going to happen in our area in the next 10 years.

The sky is the limit.

All we have to do is get involved together and work hard.

The President Sam Hitchcock, Council person Mr. John Zucal and Mayor Johnson thanked Mr. Little for coming and sharing. The community is better place because of Mr. Little.

Thank you Mr. Little for your hard work and leadership and everything you do.

Mr. Zucal reminded everyone that Resolution 21-2015 was added to tonight’s agenda for the first reading tonight. The Committee recommends the rules be suspended and passage this evening.

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

Mr. Maurer reported the Safety Health and Service Committee met tonight at 7:00 PM. to discuss a Land Reutilization Program. This allows the City to disclose on tax delinquent unoccupied properties within the City of New Philadelphia.

The goal is restore the properties to income generating status.

And clean up neighborhoods by tearing down or rehabbing blighted properties.

A motion was made by Mr. Lanzer

to have the Law Director draw up the appropriate legislation to take advantage of this tool

The motion was seconded by Mrs. Ramos. The motion passed 3-0.

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

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT**

**SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER ....NO REPORT**

President of Council Sam Hitchcock assigned to the Special and Contact Committee

The request for **Garland N P LLC DBA Schoenbrunn Catering** from the Ohio division of Liquor Control

**PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT**

**VISITOR’S COMMENTS:**

**Comments and Concerns from Eric Reif:**

Eric Reip  
1103 Baltzley Valley Road SE  
New Philadelphia, OH  
Resident of Goshen Township

Mr. Reip’s concern was the Architectural Street Lights are on often times during the day.

They are high pressured sodium light bulbs Eric feels this is wasteful.

The lights should not be on.

Reply from the Service Director:

Mr. Zucal said he appreciated Mr. Reip's comments they are well taken.  
We had an electrical problem, two breakers were blown, and we are getting them fixed  
There is cross connection, the sensors are not working.  
The lights should only come on at night.  
It was a week-end problem we are going to get it fixed this week.  
The Service Director thanked Eric for his comments.

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

12-2015 AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.  
(1ST READING)

**RESOLUTIONS:**

17-2015 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 \$10,000.00 FROM THE GENERAL FUND #101 TO THE SIDEWALK PROGRAM FUND #285, AND DECLARING AN EMERGENCY.  
(1ST READING)

18-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF \$50,000.00 FROM THE SANITATION FUND (#219) TO BE TRANSFERRED \$25,000.00 TO THE WATER OPERATING FUND (#711) AND \$25,000.00 TO THE SEWER OPERATING FUND (#713) FOR THE 2015 FISCAL YEAR.  
(1ST READING)

19-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF UP TO \$3,500.00 FROM THE CEMETERY ENDOWMENT FUND (#812) TO THE CEMETERY OPERATING FUND (#209) FOR THE 2015 FISCAL YEAR.  
(1ST READING)

21-2015 A RESOLUTION DETERMINING TO PROCEED WITH SUBMITTING THE QUESTION OF THE ISSUANCE OF FIRE STATION CONSTRUCTION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Mr. Lanzer  
Seconded by Mr. Zucal  
Roll call, 4 yeas, and 3 nays (Ms. Cox, Mrs. Ramos and Ms. Walker)  
Motion has failed.

**UNFINISHED OR OLD BUSINESS:**

Mayor Johnson reported:

1. Junk Cars  
So far the total is forty.  
We are waiting for the ten day deadline.  
Some have responded before the deadline by putting the proper license plates on their vehicle or by just moving the vehicle.
2. Mayor Johnson called a Special Council Meeting to be held:  
Tuesday July 28th, 2015 at 7:00 PM in Council Chambers for the purpose of Resolution 21-2015  
and Thursday July 30th, 2015 at 7:00 PM in Council Chambers for the purpose of Resolution 21-2015.

Comment from Mrs. Ramos

Mrs. Ramos announced that she will be out of town for the Special Council Meeting for Tuesday July 28th, 2015 at 7:00 PM in Council Chambers for the purpose of Resolution 21-2015.

Comment from Mr. Fete:

The Law Director expressed appreciation for all the work his Office Manager did in regard to Resolution 20-2015.

**NEW BUSINESS:**

**Comment from the Service Director:**

“Mr. Little did mention synergy (where new businesses attract other businesses):  
The Community Development Block Grant Project of Tuscarawas Avenue.  
The Mayor and I need to send a thank you to James and Lisa Lam.  
The Lam Restaurant was not part of the project they hired a private contractor they are spending \$70,000 of their own money in partnering with us on that project.  
There is a good example of synergy.

We are moving North on Tuscarawas Avenue.  
and next year we want to focus on East School Area.  
The Service Director thanked Council for their support.  
Mr. Jim Zucal also thanked Gary “he is a partner he is part of our team.  
He is very professional person and works very close with us.”

The Mayor and I meet with Mr. Little regularly.  
What he does is an excellent addition and good team player for the community. I encourage everyone to look at the area on Tuscarawas Avenue the school and Lam’s .

We have a lot of interest a lot of phone calls about the area that was widened on West High.  
We see some great new things coming on Blue Bell Avenue both on the South portion and the North portion  
We are seeing a lot development in that area. I appreciate Councils support and all those that are working with us.”

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:13 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET FOR A SPECIAL COUNCIL MEETING IN COUNCIL CHAMBERS ON TUESDAY, JULY 28TH, 2015 AT 7:00 PM WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

***THIS SPECIAL MEETING OF COUNCIL WAS CALLED BY MAYOR JOHNSON  
THE PURPOSE OF THE MEETING WAS RESOLUTION 21-2015.***

COUNCIL MEMBERS IN ATTENDANCE:

MS. SANDY COX  
MR. DAN LANZER  
MR. DARRIN LAUTENSCHLEGER  
MR. ROB MAURER  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

COUNCIL MEMBER WITH EXCUSED ABSENCE:

MRS. CHERYL RAMOS

MS. COX MADE A MOTION TO ACCEPT THE JULY 28TH 2015 AGENDA

MR. ZUCAL SECONDED THE MOTION

ROLL CALL

6 YEAS

MOTION PASSED.

THE PRESIDENT OF COUNCIL MR. SAM HITCHCOCK ASKED FOR A MOTION TO FORGO WITH THE ADMINISTRATIVE REPORTS EVERYTHING BASICALLY BETWEEN THE AGENDA AND THE LEGISLATIVE AGENDA.

THE MOTION WAS MADE BY MS. COX  
AND WAS SECONDED BY MS. WALKER

ROLL CALL

6YEAS MOTION PASSED.

### **READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

NONE

RESOLUTIONS:

***21-2015 A RESOLUTION DETERMINING TO PROCEED WITH SUBMITTING THE QUESTION OF THE ISSUANCE OF FIRE STATION CONSTRUCTION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY. (2<sup>ND</sup> READING)***

Motion to suspend the rules made by Mr. Lanzer

Seconded by Mr. Zucal

Roll call, 4 yeas, and 2 nays (Ms. Cox, and Ms. Walker)

***SUSPENSION OF THE RULES HAS FAILED FOR RESOLUTION 21-2015***

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

NONE

MOTION BY MS. COX TO ADJOURN AT 7:03 PM

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

APPROVED \_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET FOR A SPECIAL COUNCIL MEETING IN COUNCIL CHAMBERS ON THURSDAY, JULY 30TH, 2015 AT 7:00 PM WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING.

MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

***THIS SPECIAL MEETING OF COUNCIL WAS CALLED BY MAYOR JOHNSON  
THE PURPOSE OF THE MEETING WAS RESOLUTION 21-2015.***

COUNCIL MEMBERS IN ATTENDANCE:

MS. SANDY COX  
MR. DAN LANZER  
MR. ROB MAURER  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

***PRESIDENT OF COUNCIL SAM HITCHCOCK ANNOUNCED THAT  
MR. DARRIN LAUTENSCHLEGER WAS RUNNING LATE BUT WOULD BE IN ATTENDANCE.***

***MR. HITCHCOCK ANNOUNCED THAT THE LAW DIRECTOR ADVISED HIM THAT HE  
WOULD NOT BE ABLE TO MAKE TONIGHT'S SPECIAL COUNCIL MEETING.***

MS. COX MADE A MOTION TO ACCEPT THE JULY 30TH 2015 AGENDA  
MR. ZUCAL SECONDED THE MOTION

ROLL CALL  
6 YEAS  
MOTION PASSED.

THE PRESIDENT OF COUNCIL MR. SAM HITCHCOCK ASKED FOR A MOTION  
TO FORGO WITH THE REPORT SECTIONS AND ANYTHING FROM THE AGENDA UP TO THE  
LEGISLATIVE AGENDA.

MOTION WAS MADE BY MS. COX  
MR. ZUCAL SECONDED THE MOTION

ROLL CALL  
6 YEAS  
MOTION PASSED

### **READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:  
NONE

RESOLUTIONS:

***21-2015 A RESOLUTION DETERMINING TO PROCEED WITH SUBMITTING THE  
QUESTION OF THE ISSUANCE OF FIRE STATION CONSTRUCTION  
BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO  
THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE  
REVISED CODE, AND DECLARING AN EMERGENCY. (3RD READING)***

***Motion by Mr. Lanzer for passage of Resolution 21-2015***

*Seconded by Mr. Zucal*

***COMMENT FROM COUNCILPERSON MR. JOHN ZUCAL, THE CHAIR OF THE SALARY COMMITTEE SPONSORING THE LEGISLATION FOR TONIGHT'S MEETING.***

Mr. Zucal thanked the members of City Council, each and every one of them for their undying commitment to taking us through the process.

Making sure that we were able to look at and examine all the different issues, even though we have differences of opinion, that the democratic process be upheld.

I truly believe that was evident with the members of Council.

They exercised their rights entirely to share their thoughts and opinions an important part of the process as well as those who visited us for those meetings whether they are vested individuals such as our fireman to the members of the general public.

It is encouraging to see that level of participation and the concern they have. Everybody wanting to believe what they desire to be done right is being done right.

To all those who have been involved along with our Administration who has been supportive I just want to say thank you. I think that process has been upheld.

***COMMENT FROM COUNCILPERSON. MRS. RAMOS:***

I was glad to hear on Monday night Safety Director Greg Popham report that the fire station floor had been stabilized (with more reinforcement to be completed immediately) and the equipment moved around to ease the weight on the newly reinforced problem areas. Good job Chief Parrish.

Mr. Popham noted that this would last for a few years. Although this appears to be a temporary solution, it grants time for a well-planned approach to a new station and time to solicit donations from individuals, companies, foundations, and public/private grants.

I urge Council to vote against Resolution 21-2015. It is irresponsible of Council to advance a \$5 million property tax increase for a new fire station that has no plan and no cost. As we know, government always spends more than it gets; you can check the city revenues/expenditures projections for that. It is irresponsible to ask property owners, who work hard, for a \$5 million credit card limit. After the architects are chosen on August 19th and requests for proposals are received, a cost will be known. If a \$5 million credit limit for the ballot is passed tonight; the cost will certainly be \$5 million or more. What if a functional new station can be built for less than \$3 million? Sadly, I am pretty sure the voice of reason will not be heeded tonight and the \$5 million property tax increase ballot question passed tonight, therefore the target cost will now be \$5 million.

However, I urge Council to be responsible and defeat this very premature and irresponsible request for a \$5 million property tax increase to go on the November ballot. Let the voice of reason not be ignored. Rest assured the voters will get a chance to vote on a tax increase, but it should be after a plan is made, a cost has been set, and all other possible funding sources have been tapped. This is a community issue; let the community be involved and not just by giving a chance to vote on a property tax increase that will last 25 years.

Cheryl L. Ramos  
Ward One Council Representative and Resident  
759 Ray Ave NW, New Philadelphia, Ohio 44663  
330.364.7695

**COMMENT FROM MAYOR JOHNSON:**

I thank everyone for doing their due diligence. We have had disagreements we always will have, that is the *American Way*. As far as not having any ideas or plans I don't think some have been listening to what has been going on.

It was said the other day the Administration didn't have a plan; this plan is in implementation right now. We have figures, ideas, we've had private citizens go and look at one of the stations we are using as a model and they seemed to be happy with that model.

That model was less than \$5 million.

The Mayor stated that, he kind of resented the fact that Mrs. Ramos would think that this Administration is going to give them a blank check because we never have and we never will. The Mayor thanked everyone.

**COMMENT FROM COUNCILPERSON MR. JOHN ZUCAL:**

I do respect the opinion of Mrs. Ramos and the fact that she shares that. I do believe; I don't think anyone on the Committee is saying we expect the citizens of New Philadelphia to issue us a blank check.

What we have done is factored into the scenario what a projected cost would be including potential contingencies for over run.

We have said repeatedly, the Chief is well as myself, we will do all that we can to insure two things;

We build a safe efficient fire station

With an eye for the future.

Please remember we are building a station for 50 years down the road. Not knowing what apparatus is going to look like.

Many citizens of New Philadelphia don't realize how highly trained the membership is in that group. We have people well equipped to handle almost any emergency in the City of New Philadelphia and surrounding areas.

*We are trying to build a safe efficient model that will meet our current needs as well the needs of our firefighters fifty years down the road. There is no blank check, we will be as frugal and responsible as possible I can assure the Administration feels the same way. Thank you.*

**COUNCILPERSON LAUTENSCHLEGER  
JOINED TONIGHT'S SPECIAL COUNCIL MEETING AT 7:07 PM**

Roll call,  
4 yeas, and 3 nays (Ms. Cox, Mrs. Ramos and Ms. Walker)  
Resolution 21-2015 has passed.

**UNFINISHED OR OLD BUSINESS:**

**NONE**

**NEW BUSINESS:**

**NONE**

MOTION BY MS. COX TO ADJOURN AT 7: 12 PM

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

APPROVED \_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 10TH, 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

PRESIDENT OF COUNCIL, SAM HITCHCOCK ANNOUNCED:  
BE ADVISED THE LAW DIRECTOR IS HERE; HE HAD TO STEP OUT BUT WILL BE BACK SOON.

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA  
MRS. RAMOS SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MR. LANZER MADE A MOTION TO APPROVE THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, JULY 27TH, 2015  
FROM THE SPECIAL COUNCIL MEETING HELD ON TUESDAY, JULY 28TH, 2015 AND  
FROM THE SPECIAL COUNCIL MEETING HELD ON THURSDAY, JULY 30TH, 2015  
MS. COX SECONDED THE MOTION.  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Special and Contact Committee Meeting Minutes from Monday July 13th, 2015
2. Auditor's Monthly Statement of 2015 Revenue for the General Fund for July 2015
3. Auditor's Financial Statement for the Month of July 2015
4. City of New Philadelphia Budget Report with Encumbrance Details as of July 31st, 2015
5. City of New Philadelphia Statement of Cash Position with Month to Date as of July 31st, 2015
6. Mayor's Monthly Statement to Council for the Month of July 2015
7. City of New Philadelphia Income Tax Department July 2015 Report Month End Tax Revenue by Year by Joel Day Income Tax Administrator

**MAYOR'S REPORT/REQUESTS** ....MAYOR DAVID JOHNSON

Mayor Johnson announced that he did not have a report for tonight  
Mayor Johnson did mention that everything is running smoothly.

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

Service Director reported the following:

- We are again doing some more paving. The Contractor from Newton Asphalt Company was out today working on our projects. We are about 60 to 70% complete. We will get done here in the month of August. I think you will notice the paving is going exceptionally well.
- Service Director thanked our Service Crews.  
As you know, we have about 55 Service Employees.  
I can tell you they have been busy, if you have been to  
The park it looks really nice.  
The Cemetery the upkeep is exceptional.  
The Water Department continually with this weather cycle we have with wet, dry, freezing and thawing in the winter they continue battle an aging infrastructure.  
We have pipe in the ground that is 70 to 80 years old.

Our Wastewater Division has never been busier. They are upgrading some of the design and compatibility issues that we have at the plant. (The plant is over ten years old)  
We are battling some storm sewer issues. I feel we are going to get an answer soon on the Franklin Square Problems.  
The Sanitation guys are out every day picking up garbage.  
As you know that is the hardest job in New Philadelphia. I admire them when they go out when it is hot and working off the back of those trucks they do an outstanding job.  
I want to thank our Service Crews as the Mayor has said we are doing the best we can for our constituents.

Question from Ms. Cox:

Joe Baughman has reported about the salt and the law suit.  
Is there a possibility we might get a refund from that too?

Reply from the Service Director:

We already submitted all that prior to the deadline.  
We were one of the government entities to put our application in  
We are not so sure on the salt we used at the water plant but the salt that we used on the street. Mr. Zucal said he has already mentioned that one time and he will continue to watch that. If we do get a rebate he will certainly let everyone know about it.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy did not have a formal report.  
Ms. Gundy announced that she will not be here for the next Council Meeting she will be on vacation.

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported there was an issue that arose in the Fire Department about two weeks ago.  
They started to notice a sewer smell; last week they had a company come in they did some type of a smoke test.  
There was smoke coming from places that smoke was not supposed to come to in the sewer.  
It was literally coming behind the bad spot in probably the oldest part of the station of over 100 years old.  
They have another company coming in supposedly in the next week or so to try to camera that to see if that can be fixed.  
Once again it is just another issue that is now starting to come about because of the aging facility.

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

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director was not back.  
The President of Council Mr. Sam Hitchcock announced that Mr. Fete will give his report when he returns.  
\*\*The Law Director gave his report following Mayor Johnson's reminder under New Business.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced the Planning Commission meeting scheduled for Tuesday, August 11th, 2015 at 1:00 PM in Council Chambers was cancelled due to lack of an agenda.  
The next Planning Commission meeting will be held tentatively September 8th, 2015 at 1:00 PM pending any agenda.

BOARD OF ZONING APPEAL .....JAMES ZUCAL

Mr. Zucal announced the Board of Zoning Appeals will meet Tuesday, August 11th, 2015 at 5:00 PM in Council Chambers there are four variance requests.

AIRPORT COMMISSION.....MR. JOHN ZUCAL....

Mr. Zucal announced that the Airport Commission Meeting for the month of August has been cancelled we will reconvene September 8th, 2015 at 6:00 PM in the Airport Meeting Room.

Mr. Zucal reported that one of the really neat things that has been going on at the Airport, that we continue to explore, is the private/ public partnership with the development of more hangar space at the Airport. Again if we can get more pilots to secure hangar space and make the Airport more valuable, we are certainly looking to do that.

We have a great group working on that Board right now and moving things ahead at the Airport.

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

Mr. Lautenschleger announced that the next Park Board Meeting will be Wednesday, August 19th, 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, August 12th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

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

Ms. Cox reported the Finance Committee met tonight at 7:15 PM in the Council Chambers with one item to discuss Ordinance 15-2015.

There was an increase in appropriations we added Police Prosecutor 101-0800-5-1230

Medical Insurance \$10,000.

General Court Maintenance \$5,700 (paying off a copier lease).

Income Tax was Travel \$100.

Master Capital increase of \$38,000 from the (CDBG Grant)

We are asking this Ordinance be put on the Agenda for the next Council Meeting and passed.

Meeting adjourned at 7:19 PM.

**SALARY COMMITTEE .....Mr. John Zucal**

Mr Zucal deferred some of his time to introduce Mr. David Brand, Superintendent of the New Philadelphia Schools, to allow him to speak more freely.

The President of Council, Mr. Sam Hitchcock welcomed Mr. Brand and mentioned that he had the pleasure of meeting Mr. Brand earlier at the Lions Club today.

Mr. Brand thanked everyone and said

he appreciated Mr. Zucal giving him the opportunity by inviting him here tonight so he could formally introduce himself and to touch base a little on New Philadelphia City Schools.

He mentioned he is getting to know the community of New Philadelphia and the staff of New Philadelphia City Schools.

I want to take this time to say how welcoming the Mayor’s office and his staff were.

We moved into the east side of town and how easy they made the transition utilities etc. for us.

The Mayor’s office treated his family very well and made the process easy.

We as a school honor the traditions of New Philadelphia and what the Quakers stand for. We will continue to grow on that and improve for the 3,144 students that walk in the hall way every day.

That is our focus we will do right by them, continue to grow and improve, as a district and Mr. Brand looks forward to getting to know the community, staff, and students better.

If you have any questions his office is always open to you.

Mr. Brand said he appreciated the relationship the City has built with the School District as a unique wonderful partnership. (Mr. Brand did mention the recent project at the West Elementary School)

**Comment from Mr. Sam Hitchcock President of Council:**

Thank you Mr. Brand

We welcome you to the community and also to one of the greatest school districts in the State of Ohio.

Congratulations on your new position and we look forward to working with you.

**Comment from Mr. John Zucal:**

Thank you Mr. Brand the City recognizes the wonderful partnership between the schools and the community.

Mr. Zucal mentioned the staff reports officially Monday August 17th, 2015 with three days of service training.

Then the students head into the buildings the 20th of August 2015.

**SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT**

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER

MR. Lanzer reported that the Special & Contact Committee met this evening at 7:00 PM to discuss one item the transfer

TO:

Garland N P LLC.  
DBA Schoebrunn Catering  
Executive Conference Center  
143-49 McDonalds Drive SW  
New Philadelphia OH 44663

FROM:

F & L Realty Investments LTD  
McDonalds Marlite  
Executive Conference Center  
143-49 McDonalds Drive SW  
New Philadelphia OH 44663

For Type TRFO  
D1 D2 D3 and D3A Permit Class  
And asking that objections be made no later than August 13th, 2015

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 postmarked no later than August 13th, 2015.

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

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

*Comments and Concerns:*

Carl Russo, President of Overcoming Blindness  
630 Jordan Drive NW  
New Philadelphia, Ohio 44663

Mr. Russo informed Council the American Council of the Blind of Tuscarawas Valley  
Will have their 4th Annual White Cane Walk  
Sunday, August 23rd, 2015 at the Tuscarawas Senior Center,  
425 Prospect Street, Dover, Ohio 44622 from 1:00 to 3:00 PM.

Judy Harpley, Mobility Specialist, will provide instruction on the use of the white cane.  
All residents, Council and Guests are invited to participate in the 4th Annual White Cane Walk.  
The event will provide you with an understanding of what it is like to function as a blind or visually impaired person.

Mr. Russo encouraged everyone to attend. Mr. Russo thanked everyone for their time.

President of Council Mr. Sam Hitchcock thanked Mr. Russo for coming and for all his efforts.

*Comments and Concerns*

Mr. Dean Holland  
335 Springbrook Drive SE  
New Philadelphia, Ohio 44663

Mr. Holland informed Council his dog (Yorkie) had been attacked by a vicious dog (American Bulldog 90% Pit Bull) and killed.

Mr. Holland has spoken with the Law Director, Police Department, Safety Director and Safety Health and Service Committee Chair Mr. Maurer.

He also presented and distributed a Statement to Council from Craig and Patti Tolloti.

August 6, 2015

Statement to New Philadelphia City Council from Craig & Patty Tolloti

We have lived on Springbrook Drive SE for the past twenty years. During this time, we have NEVER had an issue with any neighbor or any pets. In the last month there have been 3 incidents with dogs on our street. A neighbor behind us has two dogs that are not leashed when their owner brings them outside. One of the dogs aggressively confronted Dean Holland in Dean's own backyard and had to be physically removed from the yard by the neighbor. These same dogs tried to attack our dog and the dog of the Proctor family that we were watching while they were away. As we walked both dogs on leashes in our own backyard, the neighbor's dogs ran in attack mode to our two dogs and tried to bite them on the back of the neck. As both dogs yelped continuously, the neighbor stood on his back porch simply calling for his dogs and made no attempt to come get them until we pushed the attacking dogs away. He proceeded to yell at us as if it were our fault and told us to never touch his dogs again.

The Holland's have informed you of the manner in which their dog, Theodore, was violently killed by a pit bull. I was a witness to this attack and am haunted by what I saw. I thank God there were no children on the street at the time to see this brutal attack. The images of what I saw will never be forgotten. I understand that Theodore slipped out of his leash and was not in the owner's control at the time of the attack. However, I watched the pit bull owner, Brian Rabis, repeatedly punch his dog in an effort to get him to let go of Theodore. At one point in time, the attacking dog knocked Brian to the ground. Nothing Brian did worked effectively in stopping the attack. It was plain to see that although Brian's dog was on a leash, it was not in Brian's control. Clearly a leash does not equal control. All pet owners can relate to an occasional accident where a pet slips off its leash or escapes briefly through an open door. It should never end in a violent death!

We are concerned for other dogs and especially for all the small children in the neighborhood. Four days after the pit bull attack, a four year old little boy got off his tricycle while I was walking my dog, Sophie, and ran to Sophie yelling "I want to see the puppy!" His mother was a few yards behind pushing a stroller and would have had no chance to catch her child if he had been running toward that pit bull.

In the span of one month, we no longer feel safe in our neighborhood and sadly, not even in our own backyard. We now carry mace or a weapon when walking our dog and even while mowing the lawn. We never thought we would feel this way in New Philadelphia. No one should be afraid in their own backyard!

We urge city council to require all vicious animals as defined in city ordinance #505.14 be muzzled as well as leashed when they are not on the owner's property. Please give this serious consideration before another New Philadelphia family loses a beloved pet or God forbid a child.

Sincerely,  
Craig & Patty Tolloti

Mr. Holland would like Council to look into the ordinances to make our code stronger that relates to vicious and dangerous dogs, as WE NEED TO PROTECT OUR COMMUNITY.

(Right now a vicious dog does not have to wear a muzzle but a dangerous dog does.)

At the request of Safety Health and Service Committee Chair Mr. Maurer, the President of Council Mr. Sam Hitchcock assigned this back to his Committee.

President of Council Mr. Sam Hitchcock and Councilperson Mr. John Zucal expressed their condolences to Mr. Holland for the loss of their beloved pet and thanked him for coming.

Concern and Comments from  
Mr. Paul Beitzel  
3616 Crooked Run Road  
New Philadelphia Ohio 44663

Mr. Beitzel thanked Council and Administration for all they are doing for the City of New Philadelphia. The cracking down on junk cars some of the things that have been an eye sore around the community. They are taking action to clean up the City and that is what a lot of people are looking for.

Mr. Beitzel mentioned the note in the Times Reporter this is not his comment but he agrees with it.

“The Intersection at Bluebell and W. High Avenue is a terrible bottleneck, and now we’re getting Menard’s. It is time New Philadelphia Council and the Safety Department to get on the ball and get another entrance and exit to that area. They have had two or three years to do it. Come on, let’s get that straightened out.”

Mr. Beitzel reported that he has talked with the Mayor and the Service Director ODOT was contacted. It has to start right in this room. It is a real concern and others agree. It can only get worse.

Comment from the Mayor:

1. The turning lane is State Property and they will have to look at that
2. We are in contact with the railroad  
I will get a written report from them on their feelings on the whole matter.
3. The problem we have with it is money.

We are looking into this:

Before we spend money on plans we want to make sure we can get the right a ways and make sure we can cross the railroad tracks.

We work on this weekly.

### **READING OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCES:**

12-2015 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY. (2ND READING)

13-2015 AN ORDINANCE AUTHORIZING THE ADOPTION OF A LAND REUTILIZATION PROGRAM AND IMPLEMENTING THE PROVISIONS OF CHAPTER 5722 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. (1ST READING)

#### **RESOLUTIONS:**

17-2015 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 \$10,000.00 FROM THE GENERAL FUND #101 TO THE SIDEWALK PROGRAM FUND #285, AND DECLARING AN EMERGENCY. (2ND READING)

18-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF \$50,000.00 FROM THE SANITATION FUND (#219) TO BE TRANSFERRED \$25,000.00 TO THE WATER OPERATING FUND (#711) AND \$25,000.00 TO THE SEWER OPERATING FUND (#713) FOR THE 2015 FISCAL YEAR. (2ND READING)

19-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF UP TO \$3,500.00 FROM THE CEMETERY ENDOWMENT FUND (#812) TO THE CEMETERY OPERATING FUND (#209) FOR THE 2015 FISCAL YEAR. (2ND READING)

### **UNFINISHED OR OLD BUSINESS:**

NONE

### **NEW BUSINESS:**

Reminder from Mayor Johnson:

Thursday night City Park  
Annual Employee Picnic  
From 4-9 PM in the Tuscora Park Pavilion  
Dinner will begin at 5:45 PM  
The Mayor encouraged everyone to attend  
We would appreciate it if you would

Call Mary Ann to let us know how many will be attending

LAW DIRECTOR . . . . .MR. MARVIN FETE

\*\*Mr. Marvin Fete reported the following:

- The Law Director spoke with a number of individuals on the new Fire Station. Helped film a Commercial in support of the new Fire Station at his Law Office. They came in talked to him to get his opinion.
- He spoke with someone in regard to a right away he has been working with the Service Director on that.
- Met with individuals on the development of the apartment structure. Met with school member who approached him on it. Met with the Service Director met and with people involved with the investment process of that.
- He is working to cut through some red tape on annexing the Rosenberry property. Council has been trying to do that for a long time. Their Attorney did everything that was necessary there seems to be one person. That one person in the bureaucratic hierarchy at the county that is holding things up. Try to go to the boss and get this done. (Short version)
- Prepared all the documents for the Fire Station. Made sure everything was filed and done appropriately so that what Council voted on will be on the ballot.
- Had a conference with somebody regarding a sidewalk issue. The roots of a tree were pushing up the sidewalk if someone slips and falls would they be legally liable for it. This is not their liability; they were fine after they heard that.
- Had two meetings with Vickie Ionno, City Health Commissioner. The Law Director will be attending the next Health Board Meeting On August 12th, 2015 to discuss some issues. What we are looking at right now is the ORC jurisdiction. Where you have a City Health Department and a County Health Department. What are Our Jurisdictional Boundaries when it comes to health emergencies. Versus the County Jurisdictional Boundaries and how we can better work together? After 911, a large amount of grant money goes to each county. It is supposed to be divided up among the Health Departments. For Example Stark County has four the grant money gets divided among the four. It does not have to be divided equal only that it is shared. New Philadelphia City Health Department has not been getting their cut. Normally everyone works together and just kind of come to an agreement. What the Law Director is looking into is to make sure that we are included and make Sure everyone is protected evenly and our citizens are protected appropriately.

Comment from Mrs. Ramos:

You mentioned the Apartment Complex.

Are you referencing the one on East High or the one in Goshen Township?

The Law Director replied the Goshen Township.

The Law Director pointed out:

You have companies that want to locate just outside of town so they don't have to pay taxes for our schools,

Even though that is where their kids are going to be going.

They don't have to pay taxes for our services even though they are going to be using them.

The way we are looking at it is what kind of control we have in terms of how much we charge for our services.

To provide services we could be going an extra mile.

People that don't want to contribute to the community even though they want to benefit. That is one of the issues we are looking at in terms of the apartment complex.

There are issues that the schools are struggling with the influx of students without the cash to back it up.

It is a tough situation.

President of Council, Mr. Sam Hitchcock thanked all of our guests for being here tonight.  
Mr. Hitchcock thanked Mr. Brand for coming in and visiting with us.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:13 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 24TH, 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  
CITY AUDITOR, MS. BETH GUNDY.

- 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, AUGUST 10TH, 2015  
MS. WALKER SECONDED THE MOTION  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayor's Report to Council August 24th, 2015
2. Salary Committee Meeting Minutes from Monday July 27th, 2015
3. Special and Contact Committee Meeting Minutes from Monday August 10th, 2015
4. New Philadelphia Police Monthly Activity Report for the Month of July 2015
5. Finance Committee Meeting Minutes from Monday August 10th, 2015
6. City of New Philadelphia Tuscarawas County Ohio Management Letter for the Fiscal Year Ending December 31st, 2014 from the Auditor of the State Dave Yost prepared by Rea & Associates dated June 4th, 2015
7. City of New Philadelphia Tuscarawas County Ohio Audited Financial Statements for the Fiscal Year Ending December 31st, 2014 from the Auditor of the State Dave Yost prepared by Rea & Associates dated August 6th, 2015
8. Tuscora Park Board Meeting Minutes from July 22nd, 2015
9. A letter August 20th, 2015 to Sam Hitchcock President of New Philadelphia City Council in regard to the request from TCHD to raise the legal age to 21 for sale of tobacco products.

Dear President Hitchcock,  
Back on June 11th 2015 you had received a letter from Health Commissioner, Katie Seward from the Tuscarawas County Health Department, requesting a change in the ordinance to raise the legal minimum age for sale of tobacco products to age 21. That letter was passed on to our Board of Health for review on June 23rd.  
The Board of Health first reviewed the letter during their July meeting on July 8th. After some discussion the decision was made to table the discussion until the August 12th board meeting. After much discussion at the August meeting, the Board voted to not recommend a change in the city ordinance or legislation limiting the sale of tobacco products to under 21 aged residents. The Board feels changing the age limit in New Philadelphia will not prevent an individual from driving to a neighboring city or township to purchase their tobacco/nicotine products elsewhere or to ask someone over the age of 21 to purchase it for them.

We will continue to educate clients on the adverse health effects of tobacco and nicotine by offering verbal and written education and assist with referrals to tobacco cessation classes in the area. When presenting to community partners and groups we include education regarding the use of tobacco/nicotine products that cause preventable diseases. Although adolescent smoking rates have been on a decline, we are concerned by the introduction of e-cigarettes and other newer methods that may appeal to youths. Due to this we have developed new presentations addressing these methods and are targeting our area youths to expand our educational outreach. After 161 years, the New Philadelphia City Health Department continues to work hard to provide a safe environment and provide education to raise awareness of preventable diseases

Sincerely,  
Vickie Ionno RN, Health Commissioner  
And the New Philadelphia Board of Health

President of Council, Sam Hitchcock reminded everyone that the deadline for down loading the Audit is only going to be available for a short time.

**MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON**

Mayor Johnson had a written report for tonight s meeting:

August 9th, 2015 spent the day interviewing four (4) Architects for the Fire Station.

Those were the 4 that we deemed best out of the original 16.

August 11th, 2015 attended Rotary and discussed City affairs and fielded questions.

August 13th, 2015 held Records Commission Meeting.

Attended the City Picnic at the Park. It was a great turnout probably best attendance ever. The Mayor Thanked Ms. Fragasse and Mr. Rod Miller and many others for all their hard work.

August 18th, 2015 Attended Community Improvement Corporation Meeting

August 19th, 2015 Attended grand opening of What's Cooking Café.

wished them well and pointed out that these young people are our future.

Attended the Park Board Meeting.

August 20th, 2015 met with our Labor Attorney, Matt Baker.

August 21st, 2015 Attended Stark-Tuscarawas-Wayne Recycling District Meeting.

August 22nd, 2015 Went to the Art Walk in downtown New Phila

Where artists displayed their work.

It was a wonderful evening in downtown New Phila.

August 25th, 2015 the Mayor and his Wife Nancy will be celebrating 42 years of Marriage.

Question for the Mayor from Ms. Cox:

Did you pick someone for the Fire Station Ms. Cox thought they would be picked on the August 19th, 2015?

Mayor Johnson replied:

Yes we did he will report that at the next meeting.

Question for the Mayor from Mr. Maurer:

Someone from the Police Department (13 year employee but they are part time) wanted to know if the Employee Picnic was for full timers?

Mayor Johnson replied:

No it wasn't. Someone accidently didn't get something sent to their home and they were upset.

It was not anything intentional it was for everybody it was for retirees and that was explained.

Mr. Hitchcock wished the Mayor and his wife a Happy Anniversary.

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

Assistant Service Director Amy Gilland had a written report, *Council Update for August 24th, 2015* to the Mayor and the Mayor reported the following:

- The paving has been completed for 2015.  
we paved different areas all through the City.  
We paved the worst.

Front Street you will see where it was paved down the middle but not the sides. There are no pot holes or problems in any of the parking areas. So we were able to take that asphalt and use it in another area. You will see some new asphalt on Wabash one side but the other side is still bad. We are going to tear that up next year and put in a new waterline so we should not pave it. You will find around town places we did not pave because we know construction is coming in those areas.

- The FY14 CDBG Community Block Grant and NRG (Neighborhood Revitalization Grant) Project has been completed and looks great. The Mayor suggested everyone check it out the bus lane at West Elementary is wonderful. They did a very nice job they took care of every aspect they could think of. The Mayor pointed out the parking lot at the side (the right side as you are facing the school) was not paved; originally it was not in the plans. The City did not have it in their Paving Budget and the school said they had other parking lots that needed more attention. The two contractors paid for it and paved that lot. They took it up on themselves to go ahead and pave it at no charge to anyone.

There have been numerous intersection violations addressed in the last couple weeks. There must be a clear and unobstructed view of traffic from all directions. Any endangerment to life, health, safety, etc. is a public nuisance.

The Bistro Restaurant that was located on Bluebell Drive SW is in the process of being demolished the new building that will be constructed is proposed as Restaurant/Retail, no specifics at this time.

An FYI for Council Members and residents The New Philadelphia Park Village being constructed on South Broadway and Sibley Mart being constructed on East High Avenue are in Goshen Township not in the City Corporation. All we can do is give them water and sewer and restrict some of the travel.

The Park Village themselves wanted to come in the back way to deliver. The roads going in there were not made for truck traffic so we are protecting our own. This was signed by Amy Gilland, Assistant Service Director who has been working on this.

Question from Ms. Cox:

What is going on Ray and Second Street NE by Sherwin –Williams Co.?

Reply from the Mayor:

Diversified Engineer Inc. is building a new building the Mayor added at one time it was railroad property with buildings on it.

Question from Mrs. Ramos:

Part of the project for West Elementary part of the City share was going to be new Fire Hydrants.

Mrs. Ramos asked if they had been installed.

The Mayor replied:

They have been installed that is our in-kind contribution.

AUDITOR .....MS. BETH GUNDY .....NO REPORT  
EXCUSED ABSENCE

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

TREASURER . . . . . TOM GERBER

Mr. Gerber reported he is currently working on monthly reconciliations.

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director reported since his last meeting:

- He had meetings with two Attorneys from Akron along with our Auditor and our Income Tax Administrator.  
Turns out there were some rental properties that had not paid taxes in a number of years. They have self reported to us.  
We are in the process of negotiating what would be a fair settlement.  
We are in the process of confirming their numbers. We have asked for copies of their Federal Tax Returns. When the Attorneys met with us they just brought us print outs of what they estimated that would be owed to the City. We want to confirm those on our own by verifying what their numbers were.  
We want to work closely with the Auditor and Income Tax Administrator to determine what would be a fair and reasonable amount that should be paid to the City for that.
- The Law Director had a follow up meeting with the Tax Administrator regarding the overhaul of our Income Tax Ordinance. I believe that this has been assigned to the Salary Committee. Mr. Fete said he should have that legislation soon for Council to look at. It is very comprehensive and complex.  
There are 63 pages to explain what it is for and what it does  
The actual sample ordinances were only about 10 pages.  
He met with all consecutively, the Fire Chief, Captain Sholtz from the Fire Department, and Lee Finley from the Health Department and Police Chief Mike Goodwin from the Police Department.
- We have a citizen in our community that was a Veteran.  
He is not living in very good conditions. We are trying to get this individual some help. and wanted to know what was available from a legal standpoint.  
This person was calling 911 every time he had to use rest room facilities in his own home. We took care of that by telling him if he continues to do that he was warned by the Police Chief if he reported this again he would be charged with misusing the 911 system. That has not happened since then.  
A number of Home Health Aids that have gone in there that have been government paid to assist the individual. He really needs to be in some sort of assisted living because this individual is not 60 years old. Mr. Fete had a phone conference with Jeff Kiggans at Job and Family Services. They cannot come in until a person is 60 years old.  
So we are also looking as to what can be done from a veteran's standpoint.  
Part of the problem is the individual does not want help even though it is clear that he needs it. One of the things we are looking at is having his home condemned.  
Our ordinance does allow us to condemn a home if it is not suitable for human living. It is a very sad situation.  
To let you know we had that many people come in to speak to the Law Director over just one person. That shows you the level of care we have in our community for our citizens.
- Received a court filing on another BWC case.  
When you file a BWC case they rarely go to trial usually keep pushing it.  
When it close to trial civil rules allows you to withdraw your complaint and re file it.  
The Law Director is constantly refilling answers to BWC claims.
- Reviewed an Architect Agreement provided by the Fire Chief for a Fire Station  
Reviewed and approved that as to form and then returned to the Fire Chief.
- Communicated with Tony Danzo regarding one of the homes we had worked on that regarding People were no longer living in it we are basically going to call in the promissory note on that and have the people make payments on that
- Receive d a call from one of our citizens who was concerned about what her liability role was with regard to a tree that was planted by the City in front of her house that was causing the sidewalk to move causing a hazardous condition. I told her she personally would not be liable for that.

- The Law Director received a call from a Council Member wanting to know whether or not smoking was permitted at the park  
The Law Director confirmed it is not permitted. And told the Council Member what steps could be taken to make sure it was enforced.
- The Law Director said he attended the City Picnic and it was fantastic.  
He reported that 24 were in attendance last year and over 96 for this year.

Comment from the Mayor:

There is no smoking on all of the Park Land. The Park Board deemed that last year  
The Mayor said it is posted.  
Mr. Gerber said he has not seen any non smoking signs at the Park.

Comment from Council Member John Zucal

Mr. Zucal said he has seen the posting and any time an event is held in the venue Quaker Stadium  
An announcement is made stating that Tuscora Park and Quaker Stadium is a no- smoking facility. Please abide by those rules. At the pool before every 10 minute break it is announced there is no smoking allowed.

Comment from Council Member Mrs. Ramos

Does that include electronic cigarettes?  
The Mayor replied:  
“That was not determined.”

Comment from Council Member Ms. Cox:

Is it going to be costly to do the update?

Law Director replied:

No, the Income Tax Director did not mention any thing in terms of cost, he just wanted to make sure the Law Director was aware of the what legislation changes that had to be made.

Mr. Fete said we have to create a whole new section it is not like we can replace it.

We will still be collecting taxes under the old section. So we will have to have 2 sections for Income Tax.

There is also a big belief that this might be over-turned eventually because it is being challenged in the courts currently.

Comment from Council Member Mr. Lautenschleger:

Pointed out the Ohio Municipal League is concerned for the long term effects of what this will mean and how it will negatively impact income tax collection for Municipalities.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced the Planning Commission meeting is tentatively set for Tuesday, September 8th, 2015 at 1:00 PM in Council Chambers pending any agenda.

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

The Mayor announced the Board of Zoning Appeals will meet Tuesday, September 8th, 2015 at 5:00 PM in Council Chambers pending any agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced that the Airport Commission Meeting will meet September 8th, 2015 at 6:00 PM in the Airport Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported the Park Board had a meeting Wednesday August 19th, 2015 at noon at the Tuscora Park Office with two items to discuss:

1. Some sound improvements are being made in the pavilion as far as being able to hear. There is a product being installed by Marsh Industries sometime in the late Fall. Mr. Lautenschleger will keep us posted when the Park Board reports that.
2. Last Week was the James Short Memorial event at the Skate Park at the Water Works facility.

The facility is becoming a concern for members of the Park Board and the Park Board Administrative Staff several of the facilities there the infrastructure is starting to deteriorate. The Park staff is going to contact a contractor to get the scope of the improvements that need to be made and what the potential cost would be. There will be a report in an upcoming meeting.

Mr. Lautenschleger reported

The Park is planning an October Festival to be held Sunday, October 18th, 2015 sometime in the afternoon there are a number of items that are being planned:

They expect to have a Hayride, Face Painting, Pumpkin Carving, and maybe a Movie To have the concessions open and some of the rides open.

As it develops with more details a formal announcement will be made, Mr. Lautenschleger said he will pass that on as well.

Mr. Lautenschleger announced that the next Park Board Meeting will be held Wednesday, September 16th, 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, September 9h, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported the Finance Committee met tonight at 7:19 PM in the Council Chambers with two items to discuss

1. Resolution 22-2015 which is accepting the amounts amounts and rates as was determined by the Budget Commission the deadline to be submitted is October 30th, 2015. The Committee did approve it and recommend it go for three readings.
2. Request for Cemetery Department Superintendent an increase in his medical Insurance due to the fact we use to be a single plan and they did not include the family plan this year so it needs to increase by \$8,000.

Meeting adjourned at 7:22 PM.

*The Finance Committee is asking Ordinance 15-2015 be passed this evening as an emergency.*

SALARY COMMITTEE .....Mr. John Zucal

Mr. Zucal announced that he did not have a formal report for this evening but he did mention the legislation we need to address with the Income Tax.

We will have Mr. Day Income Tax Administrator and hopefully the Auditor being able to way in on those as well.

He anticipates that during the month of September until we are able to finalize that working with the Law Director for the appropriate legislation.

Mr. Zucal did speak with Mr. Day earlier this summer we did have some other issues in committee we wanted to resolve. Since those have been taken care of we will move forward with the Income Tax discussion.

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

Mr. Maurer reported that the Safety Health & Service Committee met tonight at 6:45 PM

For the purpose to discuss the request from Mr. Dean Holland to re check chapter 505 which deals with Animals and Fowl. He suggested a few things in order to strengthen the current chapter and to allow Citizens to feel safe in their own back yards.

A few of the suggestions were to create a dog category of menacing dogs, display a vicious dog sign in a window or yard, disallowing vicious dogs on porches patios and etc., vicious/dangerous dogs must be muzzled anytime they are outside their pen, yard or holding area, and increase penalties for violations.

Recommendations were taken from citizens and Council members. No action was taken at this time.

Mr. Maurer announced there will another meeting in the near future on this issue.

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE .... DARRIN LAUTENSCHLEGER .NO REPORT  
ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT  
SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER ....NO REPORT  
PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

*Comments and Concerns*

Mr. Dean Holland  
335 Springbrook Drive SE  
New Philadelphia, Ohio 44663

Mr. Holland mentioned the abandoned Eagle Service Station at Front and South Broadway that was previously discussed at a Council Meeting that through the division of the State Fire Marshal Office, which is a division of Ohio Department of Commerce, there are approximately 20 million dollars set aside this year to handle such service stations that have abandoned underground storage tanks, if the City can in fact prove that every step has been taken to contact the previous owner unsuccessfully. The State Fire Marshal Office has a unit that will move forward and remove those underground storage tanks. Realize that is a different question concerning ownership of the property, however there are funds available.

Comment from the Mayor:

We talked about this several weeks ago we are we are working on it we are waiting for the rules to come out. As soon as the rules come out we are applying "post haste". Mayor Johnson said the City, County as well as others were unable to locate the owner.  
The Mayor thanked Mr. Holland for his concern.

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

12-2015 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Mr. Lanzer  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Ordinance 12-2015 has been passed.

13-2015 AN ORDINANCE AUTHORIZING THE ADOPTION OF A LAND REUTILIZATION PROGRAM AND IMPLEMENTING THE PROVISIONS OF CHAPTER 5722 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. (2ND READING)

15-2015 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 Ms. Walker  
Roll call, 7 yeas  
Rules for Ordinance 15-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Ordinance 15-2015 has been passed.

RESOLUTIONS:

17-2015 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 \$10,000.00 FROM THE GENERAL FUND #101 TO THE SIDEWALK PROGRAM FUND #285, AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Lanzer  
Roll call, 7 yeas  
Resolution 17-2015 has been passed

18-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF \$50,000.00 FROM THE SANITATION FUND (#219) TO BE TRANSFERRED \$25,000.00 TO THE WATER OPERATING FUND (#711) AND \$25,000.00 TO THE SEWER OPERATING FUND (#713) FOR THE 2015 FISCAL YEAR. (3RD READING)

Motion to vote on passage by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Resolution 18-2015 has been passed

19-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF UP TO \$3,500.00 FROM THE CEMETERY ENDOWMENT FUND (#812) TO THE CEMETERY OPERATING FUND (#209) FOR THE 2015 FISCAL YEAR. (3RD READING)

Motion to vote on passage by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 7 yeas  
Resolution 19-2015 has been passed

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

NONE

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:11 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 14TH, 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  
MRS. RAMOS 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, AUGUST 24TH, 2015  
MS. WALKER SECONDED THE MOTION  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. An overview from Mike DeWine, Ohio Attorney General (provided by Mr. Gerber)  
The Ohio Sunshine Laws 2015, a spirit of open government by promoting:  
The Ohio Public Records Act  
The Ohio Open Meetings Act
2. FOR IMMEDIATE RELEASE dated September 11th, 2015:  
“New Phila Mayor Welcomes Calls About Potholes.”  
Mayor Dave Johnson announced today (Friday September 11th, 2015) that he is welcoming calls from City residents who are aware of potholes that need repaired in streets in their neighborhoods and throughout the City.
3. Council Update dated September 14th, 2015 from Amy Gilland, Assistant Service Director
4. Certificate, from the Auditor of State Dave Yost, for Sam Hitchcock who has successfully completed the August 26th, 2015 Certified Public Records Training fulfilling the requirements under Ohio Revised Code Section 109.43(B) effective September 29th 2007.
5. New Philadelphia Police Monthly Activity Report for the Month of August 2015
6. A Notice to Council from the Ohio Division of Liquor Control  
Notice dated August 25th, 2015:  
***Armitts Trax LLC DBA Kent Café Science Tech/ Founders Performing Arts  
300 330 360 University Drive & Patios  
New Philadelphia, Ohio 44663***  
Notice dated August 31st, 2015:  
***B2 Management LLC  
601 W High Av & Patio  
New Philadelphia, Ohio 44663***
7. Tuscarawas County Board of Developmental Disabilities had their Grand Opening, Saturday September 12th, 2015 they are located at 223 Fair Ave NW, New Philadelphia, Ohio 44663.
8. Bulletin 2015-005 from the Auditor of State’s Office date issued September 1st, 2015 from Dave Yost, Ohio Auditor of State  
Subject: Estimating Historical Costs of Capital Assets Using the Consumer Price.
9. Safety, Health, and Service Committee Minutes from August 24th, 2015

10. Correspondence from Councilperson Darrin Lautenschleger dated Thursday August 27th, 2015  
In regard to Dog Ordinance  
From Mr. Michael Strimbu  
Asking that City Council take a look at the Proposed Dog Ordinance and  
Stating it is Mr. Strimbu's opinion that some of the measures mentioned are not needed.
11. August 2015 Month End Summary for the New Philadelphia Fire Department.
12. Request from Councilperson Mrs. Cheryl Ramos dated September 8th, 2015 opportunity  
For Council to stand to protect our youth and families  
Model resolution in opposition to Marijuana legalization to be assigned to a Committee.
13. Finance Committee Meeting Minutes from Monday, August 24th, 2015
14. Mayor's Monthly Statement to Council for the Month of August 2015
15. City of New Philadelphia Income Tax Department August 2015 Report Month End  
Tax Revenue by Year submitted by Joel B. Day Income Tax Administrator
16. Ohio Municipal League Memorandum dated August 2015  
To City and Village Clerks of Council, Village Clerks and Clerk Treasurers  
Subject Ohio Municipal Leagues 64th Annual Conference Registration Information.
17. Salary Committee Meeting Minutes from Wednesday, July 15th, 2015
18. Auditor's Financial Statement for the Month of August 2015
19. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the  
Month of August 2015
20. City of New Philadelphia Budget Report with Encumbrance Details as of August 31st, 2015
21. City of New Philadelphia Statement of Cash Position with Month to Date as of  
August 31st, 2015.

**MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON**

Mayor Johnson announced he did not have a formal report for tonight's meeting  
The Mayor did confirm, as the clerk announced, we are asking the citizens of New Philadelphia  
to inform us of any pot holes in the City of New Philadelphia "we want to know where they are."  
So we can repair them as quickly as we can. Just call the Mayor's office.

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

Assistant Service Director Amy Gilland had a written report, Council Update for September 14th, 2015 to the Mayor  
and the Mayor reported the following:

- Working on the drop off site for yard disposal, hopefully we have that later this fall at the  
City Garage.
- Ms. Gilland has been working with Utility Supervisors Health and Environmentalist  
Updating the City's Storm Management Plan this is an EPA requirement.  
This is something we have been working on; each year the EPA gives us certain sections to do.  
(We are on it and ready to go.)

**AUDITOR .....MS. BETH GUNDY**

Ms. Gundy reported it is not a done deal yet; but we are going to extend our Audit Service Contract with  
Rea & Associates for another four years.

The State Auditor's Office is going to allow us to do that.

Ms. Gundy said she had requested that because the contract provision said we could extend it  
another year if we wanted to.

Ms. Gundy wrote a letter to the State Auditor saying we wanted to.

There are a lot of benefits having an IPA come in versus the State.

The State Auditor's Office called today and said the law changed, since it was originally a four  
year contract we can extend it for another four years and that is what she is looking to do.

The IPA, Rea & Associates, has been cheaper than the State and they are not here for six months,  
etc. Ms. Gundy said she just wanted Council to know that.

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

TREASURER . . . . . TOM GERBER

Mr. Gerber reported he along with Mayor Johnson, President of Council Sam Hitchcock, and some Managers from the City of New Philadelphia recently attended a seminar in Newcomerstown on the Ohio Sunshine Law 2015. Mr. Gerber gave all a copy of a highlight of what was covered at the seminar.

First Page: was a letter from the Ohio Attorney General Mike DeWine  
a copy was also given to our Law Director. He says the manual is intended as a guide because most open Law comes from interpretation of the Ohio Sunshine Law by the courts. They encourage local government to seek guidance from their legal Counsel when specific questions arise. That would be to our Law Director.  
It was a very good informative meeting.

Second Page was an overview of the Ohio Public Records Act.  
The act details how to request public records the act also includes  
Certain records from disclosure and enforces production when an office denies a proper public records request.  
The pages that follow will explain the details of this process.

Third Page was the Ohio Open Meetings Act.  
Ohio Open Meetings Act requires public bodies in Ohio to take official action  
To conduct all deliberations upon official business only  
in open meetings where the public may attend and observe.  
It went on to executive session  
it defines some of the questions.

Coming in as a Treasurer he received a request it referenced the Treasurer and what investment companies we utilized. He went to the Law Director and asked "what should he do" the Law Director said act now.

The people that were giving this course were two Attorneys out of Columbus.

Comment from Mr. Sam Hitchcock:

Mr. Hitchcock said the seminar was very informative this was his third time he has attended one of these sessions.  
Each time it gets better and is more informative. Mr. Hitchcock said it is probably because he is absorbing a little more. (Building on information from previous times.) There is a lot of information that is given at one of these sessions, there is no way you are going to remember all of it. That is why they give us a booklet to go through.  
"as you know, Mr. Gerber, the Law changes all the time" that is why they call it the Revised Code the Administrative Code and sections are no different.  
I think this is why we are required for public officials to attend these sessions. It helps us do our jobs better and serve the people we are serving better  
**"Good Comments Well Taken."**

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director reported since his last meeting:  
He attended a Steering Committee Meeting as their guest along with the City Auditor  
He was asked whether or not he was willing to participate in interest base bargaining.  
Mr. Fete signed up for 2 seminars; one is General Information Updates for City Law Directors and Solicitors  
And the other one is directly related to Unions and Collective Bargaining.  
One is October and the other is in December.  
Had a meeting with Craig Barnett and the Fire Chief on the land we drew up, a sales contract for the new Fire Station.  
I am working with Alban Title to try to figure out a way to transfer the title of that and still have some type of interest with the City not having a mortgagee there are some legal problems with that. The owner is interested in getting it out of his name because he does not want to maintain the property he does not want to cut grass pay or for utilities for a property that is not being used. We will work on that to make sure that happens.

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR DAVID JOHNSON**

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

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

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

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

Mr. Zucal reported on the Harry Clever Field held on the Labor Day Holiday

Mr. Zucal mentioned the beautiful weather we had for the Labor Day Holiday.

There were a lot of activities at the Airport

The EAA was excited

President Hitchcock mentioned the DC-3 flying over

Mr. Zucal mentioned a lot of rides were given out.

Mr. Zucal announced if you are going down Delaware Drive towards historical Schoenbrunn Village if you look over you can see the newly painted lettering on the Airport.

Mr. Zucal publically thanked Mr. Don Kennedy from the Airport Commission for his efforts on behalf of the beautiful sign.

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

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

Mr. Lautenschleger announced that the next Park Board Meeting will be held Wednesday, September 16th, 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 COMMITTEE .....MS. SANDY COX**

Ms. Cox reported the Finance Committee met tonight at 6:30 PM in the Council Chambers.

Item 1: Ordinance 14-2015

Amending and Adjusting the Permanent Appropriations Ordinance for the year 2015.

***Increase (Decrease) In Appropriations***

General – Law Director

101-0700-5-2000      Travel      \$500

(Attending meetings/seminars in regard to Law Director’s duties and union interest based bargaining)

Cemetery

209-4500-5-1230      Medical Insurance      \$8,000

(Discussed and approved at the Finance Meeting held on August 24th, 2015 the difference in funding was due to the current superintendent being enrolled in a family plan; whereas the former superintendent was enrolled in a single plan)

Master Capital

437-7708-5-5200      Court      \$25,000

(The court wishes to purchase a new vehicle, the old vehicle is being retired. The money will be advanced from Master Capital and will be paid back to the City at the rate of \$500 a month.)

The committee recommends Ordinance 14-2015 added to the agenda for September 28th, 2015, suspension of rules and passed on the first reading.

Item 2: Resolution 23-2015:

A resolution by the Council of the City of New Philadelphia, Ohio to authorize the New Philadelphia City Auditor to issue Blanket Fiscal Officer Certificates, up to a maximum of \$5,000 for each certificate (Purchase Order) and declaring an emergency.

The Auditor informed the Committee this was prompted by The Management Letter from our last Audit. This resolution authorizes the Auditor to issue blanket certificates for a sum not exceeding an amount established by this resolution for these two or three months appropriations.

The committee recommends:

Resolution 23-2015 be added to the agenda for September 28th, 2015 suspension of rules and passed on the first reading.

Item 3: Auditor Gundy discussion of upgrading the Payroll and Accounting Software in the Auditor’s Office

Ms. Gundy is going to take three years to pay for it

We haven’t upgraded for the last 17-18 years

Ms. Cox thinks it is time we do something

This will be an ongoing discussion.

Meeting adjourned at 6:46 PM.

SALARY COMMITTEE .....Mr. John Zucal

Mr. Zucal announced he did not have a formal report.

Mr. Zucal did remind Council Administration and guests the Salary Committee will be meeting on Monday, September 28th, 2015 at 6:30 PM in Council Chambers.

Mr. Zucal said he is looking forward in hearing from Mr. Day and Ms. Gundy in regard to updates and any information they can share with us regarding the new legislation pertaining to the Income Tax Codes.

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

Mr. Maurer reported that the Safety Health & Service Committee met tonight at 7:00 PM to discuss chapter 505 which is Animals and Fowl Ordinance

Mr. Maurer summarized what took place three weeks ago.

The Committee discussed Mr. Holland’s proposal from Springbrook Drive as far as what he was looking to do.

We are looking to mirror vicious and dangerous animals to make them somewhat uniform

And he also added a menacing at the end of the chapter which we briefly discussed.

The committee is going to digest this over the next few weeks and we will have another meeting and try to come to some conclusion.

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS

Mrs. Ramos as per your request: the email I sent to you I would like it to be assigned to Committee.

A possible resolution against Issue 3 which will be on the November ballot.

For Council to take a stand for our families, youth and workforce.

To promote a healthy lifestyle and a safe community.

Comment from the President:

***Request is well taken. Mr. Hitchcock assigned it to Safety Health & Service Committee Mr. Maurer Chair for consideration.***

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER

Mr. Lanzer reported that the Special & Contact Committee met this evening at 6:46 PM to discuss (2 notices) to Council from the Ohio Division of Liquor Control

Armitts Trax LLC

DBA Kent Cafe

Science Tech/ Founders Performing Arts.

300 330 360 University Dr. & Patios

New Philadelphia OH 44663

Notice dated 8/25/15 responses must be postmarked no later than 9/25/15

Type Stck  
D5l D6 Permit Class

B2 Management LLC  
601 W. High Av & Patio  
New Philadelphia OH 44663

For Type New  
D5 Permit Class

Notice dated 8/31/15 responses must be postmarked and asking that objections be made no later than October 1st, 2015.

After a brief discussion the Committee recommended, by a 3-0 vote to move forward, to have these 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  
Ms. Cox Seconded the Motion  
Roll Call 7-0  
Motion Passed.

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**  
**NONE**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

13-2015 AN ORDINANCE AUTHORIZING THE ADOPTION OF A LAND REUTILIZATION PROGRAM AND IMPLEMENTING THE PROVISIONS OF CHAPTER 5722 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Mr. Maurer  
Seconded by Ms. Cox  
Roll call, 7 yeas  
Ordinance 13-2015 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. (1ST READING)

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Councilperson Zucal commented on some of the improvements he has noticed in downtown New Philadelphia That Mayor Johnson had shared with us earlier.

One of the buildings being painted is in the quadrant of the square.

Mr. Zucal welcomed the new State Farm Agency he saw new signage today.

Mr. Zucal said it is always great to see improvements being made toward City Centers.

It reflects who we are as a community.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 7:57 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

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 McMorro 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/REQUESTS ....MAYOR 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.

AUDITOR .....MS. 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

TREASURER . . . . .TOM 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 DIRECTOR . . . . .MR. 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 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 COMMITTEE .....MS. 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 COMMITTEE .....Mr. 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 COMMITTEE .....MRS. CHERYL RAMOS .....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. 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 COMMITTEE .....MS. 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. (1<sup>ST</sup> 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. (2<sup>ND</sup> 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

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 12TH, 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

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA  
MRS. RAMOS SECONDED THE MOTION  
ROLL CALL 7 YEARS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, SEPTEMBER 28TH, 2015  
MR. ZUCAL SECONDED THE MOTION  
ROLL CALL, 7 YEARS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Announcement from City of New Philadelphia Mayor David E. Johnson for immediate release dated October 12th, 2015  
**“NEW PHILA MAYOR, CITY MANAGERS OPPOSE MARIJUANA LEGALIZATION”**  
City Managers prepared a signed declaration in opposition to the legalization of marijuana and the ballot issue at the November General Election.
2. Safety, Health, and Service Committee Meeting Minutes from September 28th, 2015
3. City of New Philadelphia Income Tax Department September 2015 Report Month End Tax Revenue By Year dated October 2nd, 2015 Submitted by Joel B. Day, Income Tax Administrator.
4. Mayor’s Monthly Statement to Council for the Month of September 2015
5. Auditor’s Monthly Statement of 2015 Revenue for the General Fund for the Month of September 2015.
6. Auditor’s Financial Statement for the Month of September 2015.
7. City of New Philadelphia Statement of Cash Position with Month to Date as of September 30th, 2015
8. City of New Philadelphia Budget Report with Encumbrance Details as of September 30th, 2015
9. Tuscora Park Board Meeting Minutes for August 19th, 2015
10. Reminder from the Ohio Municipal League Dated October 8th, 2015  
The 64th Annual Conference will be held at the Renaissance Hotel in Columbus, Ohio October 21st–23rd 2015

**MAYOR’S REPORT/REQUESTS** . . . . .MAYOR DAVID JOHNSON

Mayor Johnson announced he did not have a formal report.  
The Mayor did report on the following two items:

1. Press Release from the Managers Meeting  
The Mayor, all of his appointees and all the managers voted against the Marijuana Bill  
The Mayor said we want that known for the safety of our citizens.  
We thought that was the right thing to do.
2. In attendance were two young men from the New Philadelphia Elks Mr. Jeff Warner and Mr. David Johnson who presented to the Police Chief Michael Goodwin on behalf of the New Philadelphia Elks Lodge a check in the amount of \$749 to the New Philadelphia Police

Department The contribution is to go for the purchase of a radar unit for one of the Police Cruisers.

Mr. Warner announced that this is an:

Expression of our commitment to serving our community.

Our emphasis is on conducting the youth programs, serving our veterans, and doing charitable work for the community where we live and work.

Last year alone our lodge gave \$52,000 to the community.

Last year the lodge awarded (15) \$1, 000 scholarships.

One of the other things they do is have Community Service Grants once a year; this is the result of one of the Community Service Grants.

Police Chief, Michael Goodwin, on behalf of the Police Department, expressed appreciation and thanked the New Philadelphia Elks, Mr. Jeff Warner, and Mr. David Johnson.

The Chief stated the Police Department will use the funds to purchase a refurbished radar unit for one of our cruisers.

The Police Chief said he was excited when they contacted him and he announced "It will go a long way in helping to keep members of our community safe."

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Mr. Zucal reported the following:

- Mr. Zucal announced he will meet twice this week with ODOT (There are several major road repairs that are going to happen in the area within the corporation limits.)

The Mayor and the Service Director have talked to them:

We are planning ahead for next year and the following years to look at Budgeting for asphalt paving.

There will be quite a bit of asphalt paving on State Route 800 (which is North Broadway and South Broadway) we need to plan ahead for that.

There is also a slip repair that is going to be on State Route 800 (which is North Broadway near the corporation limits going out of town.

ODOT is working to partner with us on that.

- Mr. Zucal had a meeting this week with Dominion East Ohio Representatives regarding the Gas Company Project in town to see where they are with their production and the cleanup crew.
- As Mr. Zucal does every year, he will present at the first meeting in November the rates for water, sewer sanitation and his recommendation will be forth coming.

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

SAFETY DIRECTOR.....MR. GREG POPHAM

The Safety Director Mr. Greg Popham reported the following:

Commended the Police Chief, the Fire Chief all the members of both Departments and the countless number of volunteers that helped make the Safety Day a huge success on Thursday evening and that along with the other people who donated.

There will be a list coming out later of those who made contributions towards that.

It was a success and Mr. Popham just wanted to thank all of them for their hard work.

Comment from the Council President:

Mr. Hitchcock said he was there.

The weather was great. It was well attended.

Lot of information was available.

The Council President congratulated the Safety Forces for a successful event.

Comment from Councilperson Mr. John Zucal:

He echoed the Presidents comment and Mr. Zucal thanked the Safety Forces.

Mr. Popham said it is all on them, they put this on the the hard work of the men and women in the Departments and the volunteers.

Councilperson Mr. John Zucal said the kids look forward to going to that.  
It is the highlight of Fire Safety and Prevention Week.  
Mr. Zucal again thanked the Safety Forces.

Comment from Councilperson Lanzer:

Mr. Lanzer reported that his family really enjoyed it and said he was glad the Safety Forces were able to put that on for the community.

Comment from the Law Director:

Mr. Fete thanked the Police Chief, and the Fire Chief for a great job.  
This is the first year his family had an opportunity to attend.  
He mentioned you really try to raise your kids to have respect for Law Enforcement as well as our Fire Department and the work that they do.  
What a great opportunity this was for kids and families.  
Mr. Fete said, "It was fantastic."  
His boys really enjoyed it.

Comment from the Mayor:

It was a phenomenal evening.  
He thanked the Fire Department, Police Department, and Lowe's.  
Lowe's came in with volunteers they helped with the cooking,  
the serving ,the balloons, and all kind of things.  
The kids and their parents loved it.  
The Mayor said he heard great reviews for the event.  
The Mayor said he appreciates everything that was done.  
This was the Tenth Anniversary for this event.

Comment from President of Council:

He thinks this is one of the greatest things we do in this community.  
It is an opportunity for people to come in and actually see the inner workings of  
Two of the most important departments in the City.  
The safety forces are always there when needed.  
Mr. Hitchcock said he hopes the event continues for many years to come.

TREASURER . . . . . TOM GERBER

Mr. Gerber reported the following:

The Ohio Association of Public Treasurers had its Fall Conference at the McKinley/Grant Hotel in Canton September 30th through October 2nd 2015.  
Mr. Gerber attended along with our Auditor Beth Gundy. They attended all three sessions.  
He said all the areas they covered were very informative.  
Mr. Gerber commented on the Last Session "Banks Working Together with Municipalities"  
They had three representatives from different banks  
They said since 911 and the meltdown in 2008 things have changed in the Banking Industry.  
They had to close branches and lay off people but they said work with us and we will work with you.

When it comes time for a contract:

The Bank says "give us one page on how you want to work with us and we will work with you."  
They are cutting costs however they can with modernization.

Mr. Gerber said we have to do the same in our municipality.

Cut our costs however we can with modernization.

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director reported since his last meeting:

- He addressed a couple legal issues

Whether or not the City could overtly advocate the passage of Issue 36.  
His research indicated, and he expressed this to our website operator,  
The City was able to provide information on it;  
For example we can show what's not working with the the Fire Department and how it going to be improved and why it needs changed.  
We cannot come out and ask them to vote for Issue 36.  
That was another thing that was great about the Fire Safety Day  
People were able to see what the conditions of the Fire Station were for themselves.  
Mr. Fete said his mother and others could not believe the condition of the barracks.  
The Law Director conversed with an Attorney in the Secretary of State's Office to confirm that the way he was reading the law was correct.

- The Law Director informed candidates you cannot put signs in a Public Right Away you can only put them on Private Property. Any signs that are on a Pubic Right Away the police will remove them.
- He arranged a private meeting in his office October 19th, 2015 with Katie Seward Health Commissioner For the County Health Department on how we can better work with that agency to make sure that we maintain our own independence as a Health Department in the City of New Philadelphia.
- He requested President Hitchcock assign to Committee the 2015 the Indigent Defense Services Contract From the Public Defender's Office. To have the legislation passed and to the Public Defender's office by December 15, 2015 as it is due January 1st, 2016. Mr. Fete said he has already reviewed it and approved as form.
- Mr. Fete settled an issue regarding back taxes that were owed to the City from a Private company. We negotiated a settlement on that.
- Received and responded to a foreclosure notice regarding one of the homes we invested into our program to help improve low income housing in the area . Mr. Fete had to file an answer to that to make sure our interests are protected.
- Sent a four page letter to Rick Hinig who represents a couple different people that have issues with the City. I can brief council privately on that or if they wish to request an Executive Session for more details on what he is addressing there.  
We have a business in an area that is not zoned, and is currently operating.
- Mr. Fete announced that he had the pleasure of attending the New Philadelphia football game last Friday. Coach Matt Dennison and New Philadelphia Football Staff have a program where They take people from the community that have contributed to the school in one form or another and ask them to serve as honorary coaches.

Mr. Fete's father was invited to serve as an Honorary Coach this past Friday.  
Mr. Fete's father spent 44 years in local education.  
He was born and raised a Quaker he graduated from New Philadelphia in 1957.  
The program recognized and expressed appreciation for Mr. Fete's service.  
The Law Director stated his father was equally impressed with the coaching staff as they were happy for him to be honored in this capacity.  
The Law Director stated his father said he was blown away by how thorough and organized and the support structure Coach Dennison runs for the Quakers.  
As you know, New Philadelphia beat Zanesville 13 to 10 in overtime.  
His father said all of us should be proud of that school and the character of those young men that is being produced by Coach Dennison.  
Mr. Fete said he just wanted everyone to be aware of the program.  
Mr. Fete expressed appreciation for Coach Matt Dennison and New Philadelphia Football Staff.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

The Mayor announced the Planning Commission meeting tentatively set for Tuesday, October 13th, 2015 at 1:00 PM in Council Chambers has been cancelled the next Planning Commission meeting is tentatively set for Tuesday, November 10th, 2015.

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

Mr. Zucal announced the Board of Zoning Appeals meeting for Tuesday, October 13th, 2015 at 5:00 PM in Council Chambers was cancelled due to a lack of an agenda.

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 Airport Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board met Wednesday, September 30th, 2015 at noon at the Tuscora Park Office.

A couple of finance reports in general were provided:

One by Carey Gardner, the Executive Director of RTY Inc., who oversees Rides and Concessions at the Park. After a wet June, Concessions and Rides rebounded even with the Ferris Wheel and the condition it was in It will be fixed and ready for next season. Over all there should be some type of profit return final numbers should be coming in the upcoming weeks.

Same with the General Park Operations the Park Superintendent Rod Miler reported that it there was a tremendous bounce back after the wet June. They were very please as to what they saw. Attendance numbers were outstanding.

Mr. Lautenschleger reminded all of the Fall Festival at Tuscora Park from 2:00 PM to 7:00 PM Sunday October 18th, 2015. There will be free rides and a lot of other activities will be available. The President of Council, Sam Hitchcock will be showing a movie. It should be a fun time.

Please go to the Tuscora Park Facebook Page where the Fall Festival has already been viewed by 25,000 people.

Mr. Lautenschleger announced that the next Park Board Meeting will be held Wednesday, October 21st, 2015 at noon at the Tuscora Park Office.

Comment from the President:

The name of the movie is “Hotel Transylvania” to be shown in the amphitheater.

Comment from the Mayor:

Pumpkins for the contest should be carved in advance.

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 COMMITTEE .....MS. SANDY COX

Ms. Cox reported the Finance Committee met October 12th, 2015 at 7:15 PM in Council Chambers To discuss the following three items:

1. The Law Director’s request for expenditures above the IRS Per Diem. In October and December, Mr. Fete is attending two seminars; The first will be held in Columbus for the “Labor and Employment Law” The second seminar will be held in Cleveland on “Local Government Law”. He is requesting an additional \$364.62. The Committee approved that.
2. Resolution 23-2015 to authorize the City Auditor to issue Blanket Fiscal Officer Certificates, up to a maximum of \$5,000. Committee is requesting this be on the agenda at the next meeting and passed.

3. Resolution 24-2015 which is the Super Blanket that is for \$50,000.  
Committee is requesting this be on the agenda at the next meeting and passed.

Meeting adjourned at 7:25 PM

SALARY COMMITTEE .....Mr. John Zucal

Mr. Zucal announced he did not have a formal report for this evening but he did have a notification to members of Council, our Administration, and Guests that he is requesting a Salary Committee Meeting for Monday, October 26th, 2015 at 7:00 PM in Council Chambers.

The Law Director will have the required legislation in place as it pertains to the new requirements for Income Tax Collection as proposed by the State of Ohio.

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

Mr. Maurer reported that the Safety Health & Service Committee met tonight at 6:45 PM in Council Chambers to once again discuss the Animal and Fowl Ordinance .

Mr. Maurer apologized for the length of time this took and mentioned the Committee did meet three out of the last four Council Meetings. The bottom line was to get it right.

The Committee came to the conclusion

1. We are going to combine the term vicious and dangerous into one to make it clear.
2. Add a Menacing Section
3. Strengthen the Leash Law, emphasizing the words under **Control**.

The Law Director will draw up the legislation

Mr. Maurer is going to follow Senate Bill 151 as it progresses along

The Chair, Mr. Maurer, stated he will keep Council apprised of anything on that.

Comment from Committee Member Mr. Lanzer:

He thought the Committee's recommendation was:

Add a **Menacing Section**

**Strengthen the Leash Law** Emphasizing the words under **Control**

It did not include:

We are going to combine the term vicious and dangerous into one.

Comment from Committee Member Mrs. Cheryl Ramos:

Mrs. Cheryl Ramos agreed with Mr. Lanzer.

Mr. Maurer said he stands corrected.

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

Mr. Darrin Lautenschleger reported the Public Works & Economic Development Committee met this evening at 6:15 PM in Council Chambers to discuss Proposed Resolution 25-2015. That resolution would permit the City to apply for Grant Funds through the Ohio Public Works Commission to correct some safety and performance issues at the City's Wastewater Treatment Plant specifically a project estimated to cost \$480,000.

It is for some very severe safety concerns with some antiquated operational operations at the head works; basically the first area where the raw sewage enters our Wastewater Treatment Facility.

Our workers are exposed to some safety issues there the performance is poor and this would correct those safety issues as well as correct some of the performance issues there.

Our Wastewater Superintendent Ed Wilson as well as representatives from W.E. Quicksall who are helping to design the project as well as develop the grant funding.

The grant proposal will be for roughly half the cost with the other half coming from some of the budgeted funds that have been set aside by Mr. Wilson in the budget as well as potential other grants and loans if necessary.

On a motion by Ms. Cox seconded by Mr. Maurer the Committee agreed to place Resolution 25-2015 on the agenda for the next regular scheduled Council Meeting October 26th, 2015.

Recommended suspension of rules and passage on first reading.

Deadline for this application is October 30th, 2015.

Meeting was adjourned at 6:40 PM

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS

Mrs. Ramos thanked the Mayor and City Managers for having the courage and foresight to oppose Issue (3) three which is an Amendment to the Ohio Constitution.

Reading over this they have some zoning issues in here.

If you go on the Secretary of State's Website you will see that the Amendment is 16 pages long with lots of details.

1. The Ohio Marijuana Control Commission is composed of Seven Members appointed by The Governor.  
Providing for Commission Licensed Retail Marijuana Stores to sell marijuana and marijuana-infused products to individual 21 years of age or older for personal use and that marijuana Infused products for personal use may be sold by such state licensed and regulated stores
2. The commission would determine the number of Retail Marijuana Stores (RMS) that may be within any political subdivision.
3. However the number of stores statewide would be limited by the ratio one to 10 thousand based on the state's population. The location of such stores must first be approved by electors of the precinct where the store would be located at a special election similar to elections for sale of alcohol at a particular location in a precinct.
4. Provides that the marijuana establishments shall be subject to all applicable State and Local Laws and regulation related to health, safety and building codes, including signage, but providing that no zoning land use law, subdivision or agricultural regulation shall prohibit the development or operation of marijuana establishments provided that no such establishment shall be located in a district zoned exclusively residential as of January 1, 2015. Marijuana Growth Cultivation Extraction Facility or the date that a license application is First filed for a Marijuana Product Manufacturer, a Marijuana Medical Dispensary Or a Retail Marijuana Store.

***MRS. RAMOS SAID "THAT IS AFFECTING OUR ABILITY TO GOVERN HERE."***

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

Ms. Julie Levensgood Stephon  
440 3rd Street NW  
New Philadelphia, Ohio 44663

Ms. Levensgood Stephon reported that she is our newly appointed Director, of New Philadelphia Business and Community Association (NPBCA)

Ms. Levensgood Stephon said she had the opportunity to meet with the Mayor and the Service Director She said she looks forward to working with Council and the downtown businesses and the Community.

The Mayor requested the Ms. Levensgood Stephon be put on the agenda so she would have an opportunity to give a report on the New Philadelphia Business and Community Association (NPBCA)

The President Sam Hitchcock welcomed Ms. Levensgood Stephon and said he was looking forward to hearing her reports.

Mr. Laurantenschleger suggested that Ms. Levensgood Stephon give Council a little bit of her back ground as she has an quite an educational background that will help us.

Ms. Levensgood Stephon Reported she graduated from Kent State University and is currently working on her Masters in Liberal Studies which is focusing on Public Administration.

Julie works at the Performing Arts Center at Kent State as well.

She is looking forward to working with everyone and promoting the City of New Philadelphia.

Councilperson, Member, and Vice President presently of the New Philadelphia Business and Community Association, Mr. John Zucal welcomed Julie to the position he said she is very eager, energetic and enthusiastic about our City and in helping to revitalize our downtown.

As Mr Laurantenschleger shared, she does have a very extensive background in education and we can utilize those skills for the betterment of our community.

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

NONE

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. (3<sup>RD</sup> READING)

Motion to vote on passage by Mr. Lanzer  
Seconded by Ms. Cox  
Roll call, 7 yeas  
Resolution 22-2015 has been passed.

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from Mayor Johnson:

1. The Mayor said City of New Philadelphia will have its First Fall Festival Sunday, October 18th 2015 at Tuscora Park.  
The Mayor pointed out this was the Mayor's and the Service Director's idea to utilize the Park for a Fall Festival. The Mayor said they turned the idea over to Chase Hostetler, Assistant Superintendent at Tuscora Park who has done a phenomenal job of putting it together. Mayor Johnson said it is really nice to have young ideas.
2. The Salt Law Suit has been settled.  
We were one of the first participants. We received a check for approximately \$13,000.

Comment from Councilperson John Zucal:

Councilperson John Zucal shared with Council that a Representative from the New Philadelphia Elks will be visiting all Third Grade Classes in the City of New Philadelphia schools and presenting and distributing a dictionary to every one of the students.  
Mr. Zucal said it is the type of dictionary that they can take with them to Middle School, High School and on into College maybe keep for the rest of their life.  
We are fortunate to have those types of groups that care about our kids.

Comment from President Hitchcock:

Mr. Hitchcock said he didn't think there was anything more important than helping young people further their education.

The President then shared with Council  
The start of the First Town Days Festival

The purpose for the first one was to raise enough money to repair the aging Carousel.  
The organizers thought it was fun doing the festival they decided to keep the festival going,  
We just completed the 38th year out at the park  
The plan after the Carousel was repaired was to add or refurbish something out at the park.  
The fountain that set outside the main office was dormant for many years the festival contributed to that to put it back in service.  
With the passing of previous chair Mr. Al Maloney, we created a scholarship in his name  
Two years ago we were able to give (5) \$1,000 scholarships away.  
We should be able to continue that and even maybe increase that.

The Elks gave a great gift not only to the Police Department but for the students.  
The President congratulated the Chief.

At the request of the Clerk of Council President Hitchcock read the correspondence he received from the Clerk dated October 12, 2015 announcing her resignation from the position of Clerk of Council as of December 31, 2015. The Clerk has held the position since January of 2010.

The President and Council were very kind and understanding of her decision.

Council will immediately start taking applications to fill the position.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:20 PM  
CLERK OF COUNCIL \_\_\_\_\_

Patricia A. McKay

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

Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 26TH, 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:

MAYOR DAVID E. JOHNSON

- MS. COX MADE A MOTION TO ADD ORDINANCE 16-2015 TO TONIGHT'S AGENDA  
MR. LAUTENSCHLEGER SECONDED THE MOTION.  
ROLL CALL 7 YEARS  
MOTION PASSED  
ORDINANCE 16-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. ZUCAL MADE A MOTION TO ADD PROPOSED ORDINANCE 17-2015, WITH THE NECESSARY CHANGES AS WAS REFLECTED THROUGH THE COMMITTEE MEETING, TO TONIGHT'S AGENDA  
MS. COX SECONDED THE MOTION.  
ROLL CALL 7 YEARS  
MOTION PASSED  
ORDINANCE 17-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA AS AMENDED  
MR. ZUCAL SECONDED THE MOTION  
ROLL CALL 7 YEARS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, OCTOBER 12TH, 2015  
MR. LAUTENSCHLEGER SECONDED THE MOTION  
ROLL CALL, 7 YEARS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Mayors Report to Council dated October 26th, 2015
2. A flyer from Aultcare "**Get Ready for the Great American Smoke out !** Noon, November 2nd, 2015.
3. Resolution 01- 2015 In opposition to Marijuana Legalization (State Issue #3)  
from the New Philadelphia City Health District.  
It was moved by the Board Member Dr. Maureen May and seconded by Board of Health Member Fran Fantin all members were in favor. Resolution 01- 2015 was passed by the New Philadelphia Board of Health October 14th, 2015.
4. September 2015 New Philadelphia Fire Department Month End Summary Report dated October 1, 2015.
5. Special and Contact Committee Meeting Minutes from September 28th, 2015
6. Salary Committee Meeting Minutes from Monday September 28th, 2015
7. Finance Committee Meeting Minutes from Monday October 12th, 2015
8. Public Works and Economic Development Committee Meeting Notes, from October 12th, 2015
9. Safety Health and Service Committee Meeting Amended Minutes from September 28th, 2015 Amended October 12th, 2015.

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

The Service Director distributed a copy of the Mayor's Report to everyone.

The Mayor has an excused absence for tonight's meeting.

The Mayor attended the Dover-New Philadelphia Banquet at the Buckeye Career Center.

MAYOR'S WRITTEN REPORT:

THE MAYOR REPORTED THE FOLLOWING:

- October 13th, 2015 Attended Union Hospitals Healthy Tuscarawas Community Health Status Assessment Presentation at the Senior Center.
- October 14th, 2015 Attended Ohio Department of Transportation Meeting at the Tolloty Center to meet and talk with the New President of Team NEO.
- Attended the Health Board Meeting
- Service Director and the Mayor met with David Hollendonner with Energy 5 Gas Company.
- October 15th, 2015 Attended Business After Hours Reception at the Hampton Inn.
- October 19th, 2015 Met with various City Managers.
- October 20th, 2015 Attended Community Improvement Corporation Meeting At Union Hospital. Then attended Tuscarawas County Homeland Security Meeting at the Justice Center.
- October 21st, 2015 Met with the newly appointed, Director of the New Philadelphia Business & Community Association, Ms. Julie Levensood Stephon.
- Attended the Park Board Meeting at Tuscora Park.

***The Mayor Requested the Service Director Report the Following:***

***Service Director reported:***

NPBCA is going to have Holiday Dash Pass this year.

After the Meeting with the downtown merchants it was decided to offer free parking during the month of November and December for shoppers only.

This includes meter parking they will have a four hour time limit.

The Service Director passed around the new parking pass so everyone could see them.

Ms. Julie Levensood Stephon Director of the New Philadelphia Business and Community Association (NPBCA) will talk a little more about this when she gives her report.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported the following:

- The City has received another check in the Court Case Settlement at State level Cargill and Morton salt the check goes to the Water Department. The check was over \$16,000. Mr. Zucal reminded everyone of the check for \$13,000 for the City Street Department that was received we now have a total of nearly \$30,000 in money back from the State Level. Second highest in Tuscarawas County only the County received more than us.
- The Service Director than turned some of his report time over to Chris Bower, President of Diversified Engineer Incorporated he is going to talk to you about his new building he and his father as principals of the business on Ray Avenue NE are building next to Sherwin and Williams. It is a very exciting project he's going to share.
- The Service Director and the Mayor talked to a representative of Buffalo Wild Wings. There business is doing very well.
- The land next to that area Market Place Commons Kathy Pietro still has that for sale Expects some new businesses in there very soon.
- Talked to two local developers looking at some vacant commercial land on West High Avenue and one on Bluebell Avenue where we are quickly going to see three to five new retail businesses. Many good things are happening.

The Service Director turned some of his report time over to Chris Bower who talked about his new business:

Mr. Bower he said they looked at properties for their business around the same time the Fire Department was looking at properties around town for the Fire Station.

They were in the same market about the same thing as they were.

He could not decide what to do so he took a cross section of his employees and asked them where they would want to be.

Everybody wanted to be closer to downtown so they could walk uptown for lunch. That is how we arrived at the location we did.

It was big enough and close to downtown.

We have been doing more work thanks to the City; we are doing work for the City of New Philadelphia. In our business you can't beat that.

We travel an average of an hour to a lot of our projects so anything we can do in the City of New Philadelphia is awesome.

Mr. Bower thanked everyone for that.

Mr. Bower shared a couple of poster boards with Council (elevation view.)

That Showed what the building is going to look like, it will be a symbol of what we can do here in the City of New Philadelphia. It will be a first class operation.

Dark brown around the windows

Stone on the front

16,000 square foot facility

All sprinklered

Have an elevator

3 floors (5400 square feet on each floor)

Mr. Bower said right now their business is about a dozen Engineers, three Surveyors, two Geologists, and 10 CAD Designers in the office.

On the outside it is about 15 survey people and 10 inspection personnel right now we are setting about 50 people.

This facility will be big enough to house probably 75 office people.

It is going to have soils lab in basement,

Water lab in basement,

We are going to dispatch all our field people out of there,

We have about 1500 square feet in the basement that is set up for survey crews,

And about 2200 square feet in the other end we going to be able to have public meetings or training. (We do a lot of safety training with what we do)

It will probably open in May 2016.

We are going to have 56 parking spaces in the back (those are not storage units in the back)

We will be able to keep our trucks in those we have 25 trucks right now.

He said he has been Blessed to have a lot of good clients over the years.

Question from Ms. Cox:

How many rooms?

Reply from Mr. Bowers:

There are 6 offices and an internal meeting room on the second floor,

The first floor there is 12 offices, 2 restrooms on every floor,

Ms. Cox wanted to know if they were going to have an Open House.

Mr. Bower said yes especially for our clients.

We are on Ray Avenue in the old Social Security Building, we have out grown it.

Comment from Councilperson John Zucal:

A note of appreciation for investing in New Philadelphia

There is a sign of interest and it continues to grow.

It is a sign of the good things that are happening in our community.

It is going to be one of the State of the Art Facilities in our community.

Comment from Law Director:

Mr. Fete requested permission to take a picture of the facility for his four year old son who is very curious about the progress of the building.

Comment from Service Director:

Mr. Jim Zucal said he appreciated working with Mr. Bower.

His business is growing. Chris told Mr. Zucal that they do a lot of business with the Oil and Gas business. Jim said Chris helps them out with many projects for the City.  
We appreciate all he does he has made a significant investment in our community.

Comment from Councilperson John Zucal:

Chris has been a big help in the City of New Philadelphia as a member of the Airport Commission that Mr. Zucal Chairs.

He brings a great deal of insight and expertise in that area, investing of his time to make our community a better place.

Comment from the President of Council, Sam Hitchcock:

“Thank you Chris.

It is a great addition to the City. We appreciate your decision to locate here it is a good partnership.”

The Service Director turned the floor over to the NPBCA Director:

Ms. Julie Levensgood Stephon

Ms. Levensgood Stephon informed Council of the Downtown Dash Pass

She said when NPBCA had their last meeting they talked about stimulating some traffic in the downtown area.

They came up with the Dash Pass that will let people know we have great stores in our downtown and bring people down for the Holiday Season.

The lights are going to be installed on November 7th, 2015.

The Lightening Ceremony will take place November 20th, 2015.

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

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

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

LAW DIRECTOR . . . . . MR. MARVIN FETE

The Law Director reported the following:

- Mr. Fete finalized today with Attorney Steven Domingo we are going to bring extra Tax Revenue for the City of \$37,000.  
We still don't know the name of the business, we will find out within the next 3 days.  
It was a business that self reported that had not paid taxes for a number of years.  
We negotiated a settlement as to what should be owed.  
Because they self reported we did not charge them the penalties just the interest and what was owed on the taxes. We appreciated the fact they self reported.  
He presented the finalized agreement to the Income Tax Director today.  
He signed off on it and the Law Director witnessed it, Mr. Fete faxed it to them this afternoon.
- The Law Director had two phone conferences with Shawn Lindsay at Alban Title with regard to the sale for the property where the new City Fire Station is going to be located after issue #36 passes. The Law Director is optimistic it is going to pass and urged everyone to vote for it.  
The City will be buying the property the City cannot be a mortgage holder.  
Alban Title drew up an agreement for a closing that gives the owner a secured interest. Their interest is only against the City not on the Real Estate it is backed by the City's finances not backed by the Real Estate. We own that property free and clear once the closing is completed.  
On the down side that area is segmented with five different partials and they all have to be surveyed.
- Last week Mr. Fete spent two days in Columbus for a “Labor and Employment Law” Seminar.  
He felt he learned a great deal and appreciated the City for enabling him to go to that.
- The Law Director was scheduled to have a meeting in his office with the Katie Seward, Director of the County Health Department the purpose of the meeting was to try and foster better communication and a more positive relationship between ourselves and the County Health Department so we can open a dialogue. The only agenda Mr. Fete had for the meeting was to introduce himself and explain what his goals were. Ms. Katie Seward cancelled the meeting.
- The Law Director had two different phone consultations with the Service Director, and Mayor Johnson.
- Phone call from Mr. Eugene Nemitz, who has a Real Estate gift he would like to make to the City there are some issues with the Treasurer's Office.

The Law Director is going to try to get hold of him and have a phone conversation with him Wednesday to try to iron that out.

- He commended and thanked the Service Director for coming up with the idea of the the Fall Festival along with Chase Hostetler who took the idea and ran with it.
- The Law Director and his Family loved it and he felt it was a great program.
- Lastly, as an old Quaker he said “Go Quakers Beat Dover.”

Comment from the Auditor:

“The business that self reported to us, they are a business that owned a lot of rental properties, and it is very possible we would have never found them had they not done that.”

Comment from Councilperson John Zucal:

“That was very honorable.”

### **BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mr. Zucal announced the Planning Commission meeting is scheduled for Tuesday, November 10th, 2015 at 1:00 PM in Council Chambers pending and agenda.

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

Mr. Zucal announced the Board of Zoning Appeals meeting is scheduled for Tuesday, November 10th, 2015 at 5:00 PM in Council Chambers pending and agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced that the Airport Commission Meeting will meet Tuesday, November 10th, 2015 at 6:00 PM at the Airport Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board met Wednesday, October 21st, 2015 at noon at the Tuscora Park Office. There was a lack of a quorum so no business could be conducted, fortunately, there were not any items of business. There are a couple things just to bring you up to date.

Marsh Industry will be installing soon in the park pavilion the noise reduction product they have.

He will be able to report back to you when that is completed encouraged everyone to check that out Rod Miller Park Superintendent presented concerns, indicated some of the repairs that will be need it the Skate Park location by the Water Works need to be done in the off season. To get ready for next season

Mr. Fete mentioned we had a very successful Fall Festival and it is my pleasure to introduce to you Chase Hostetler who was the foot work behind the operation of the Fall Festival and requested Chase update us on that and talk about the reduction of the Canadian Geese.

Park Superintendent Rod Miller termed Chase Hostetler, Assistant Superintendent for Tuscora Park, the Bird Banger.

Chase explained the Bird Banger it is a simple gun it looks like a toy gun that shoots a fire work projection at the geese it is a loud bang.

The neighbors probably don't like it but they appreciate the reduction of geese droppings especially the side by the tennis courts that lead into the stadium.

As the geese fly in between 8:00 AM and 10:00 AM we shoot off the water as they come in. It's been very successful with no harm to the geese.

Chase walks around the area and informs everyone there is going to be a bang.

The First Fall Festival was a success; good turnout, paint the plow, Mayor Johnson and Mr. Zucal came up with that idea, students from Tuscarawas Central Catholic won that they had M & M surfing on snow on the plow.

We hope to build on the Fall Festival we hope to get additional sponsors. Utilize the park for what it is “Our Crown Jewel.”

Mr. Fete said he heard the bang.

Bright orange gun it sounds like gun, it scares the geese.

The Law Director noticed a difference in his allergies since the geese droppings are gone.

Chase pointed out there is bacteria in geese droppings also.

President of Council, Sam Hitchcock told Mr. Hostetler he appreciated his hard work and enthusiasm.

The Service Director said his enthusiasm, hard work, and dedication it was so great to see a young man that excited about what he does.

The Service Director Complimented the Mayor and the President of Council, Sam Hitchcock.

Paint a plow idea came from the ODOT Snow Plows.

We Sand blasted and primed in our garage, the paint was outstanding.

The paint of the snow plows there were four participants

Pumpkin carving contest

Food for the kids

The Service Director said when he arrived he said “**wow**” he was shocked there were well over a 1,000 people from what he understands. It went very well for the first year and we think we are going to do it every year.

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

Ms. Cox announced that the next meeting for the Health Board is scheduled for Wednesday, November 11th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

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

Ms. Cox reported the Finance Committee met October 12th, 2015 at 6:46 PM in Council Chambers

To discuss the following one item:

Ordinance 16-2015 amending and adjusting the permanent appropriation Ordinance for the year 2015

<b>GENERAL PROSECUTOR</b>		
101-0800-5-1230	Medical Insurance	\$2,409.58
101-0800-5-2000	Travel	(\$2,409.58)
<b>GENERAL PARK</b>		
101-3100-5-3501	Maintenance	\$13,000
101-3100-5-1106	PT Pool	(\$9,000)
101-3100-5-4500	Program Supplies	(\$2,000)
101-3100-5-5200	Equipment	(\$2,000)
<b>AMBULANCE</b>		
715-5100-5-9000	Refunds	\$5,000
715-5100-5-5200	Equipment	(\$5,000)

Ordinance 16-2015 is on the agenda and the Committee is asking passage on the first reading.

Meeting adjourned at 6:49 PM

**SALARY COMMITTEE .....Mr. John Zucal**

Mr. Zucal reported there was a Salary Committee Meeting tonight, October 26th, 2015 at 7:00 PM in Council Chambers with one issue the amendment of chapter 191 of the Codified Ordinances of the City of New Philadelphia compliant to the mandates of the State of Ohio in regard to Municipal Income Taxes we had a discussion about it noted by the Law Director it is bad legislation it does negatively impact villages and municipalities throughout the State of Ohio. We did have some minor clerical changes to the language and some correction within that we did have vote 3-0 to add proposed ordinance 17-2015 to the agenda for tonight maintain for three readings.

The meeting adjourned ant 7:19 PM

**SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT**

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

Mr. Darrin Lautenschleger announced Resolution 25-2015 is on the agenda for the first reading tonight and the Committee is recommending suspension of rules and passage on first reading to meet the grant application deadline of October 30th, 2015.

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT**

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR'S COMMENTS:**

NONE

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

16-2015 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. (1<sup>ST</sup> READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas  
Rules for Ordinance 16-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas  
Ordinance 16-2015 has been passed.

17-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 191 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA REGARDING MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

**RESOLUTIONS:**

23-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE NEW PHILADELPHIA CITY AUDITOR TO ISSUE BLANKET FISCAL OFFICER CERTIFICATES, UP TO A MAXIMUM OF \$5,000.00 FOR EACH CERTIFICATE (PURCHASE ORDER) 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 for Resolution 23-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas  
Resolution 23-2015 has been passed.

24-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE NEW PHILADELPHIA CITY AUDITOR TO ISSUE SUPER BLANKET FISCAL OFFICER CERTIFICATES, UP TO A MAXIMUM OF \$50,000.00 FOR EACH CERTIFICATE (PURCHASE ORDER) 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 for Resolution 24-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Mr. Zucal  
Roll call, 7 yeas  
Resolution 24-2015 has been passed

25-2015 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

Motion to suspend the rules made by Mr. Lautenschleger

Comment from Mr. Lautenschleger:

Mr. Lautenschleger pointed out there was a *typo* on tonight's agenda (25-2014)

Seconded by Mr. Lanzer

Roll call, 7 yeas

Rules for Resolution 25-2015 have been suspended

Motion to vote on passage by Mr. Lautenschleger

Seconded by Mr. Lanzer

Roll call, 7 yeas

Resolution 25-2015 has been passed

Mr. Zucal clarified Resolution 25-2015 has been passed

**UNFINISHED OR OLD BUSINESS:**

**NEW BUSINESS:**

Message from the Mayor:

The Service Director announced Mayor Johnson's message.

**"Go Quakers."**

All of Council echoed Mayor Johnson's message.

**"Go Quakers."**

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:26 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 9TH, 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. ROB MAURER  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MAYOR DAVID E. JOHNSON  
COUNCILPERSON DARRIN LAUTENSCHLEGER

- MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA  
MR. ZUCAL SECONDED THE MOTION  
ROLL CALL 6 YEAS  
MOTION PASSED
  
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, OCTOBER 26TH, 2015  
MS. WALKER SECONDED THE MOTION  
ROLL CALL, 6 YEAS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. A Notice from Department of Commerce Division of Liquor Control to Legislative Authorities With regard to Permit Renewal Objections dated November 6th, 2015  
All permits to sell alcoholic beverages in our political subdivision will expire on February 1st, 2016 in order to maintain privileges every permit holder must file a renewal application.  
Ohio Revised Code Section 4303.27 1(B) provides the Legislative Authority with the right to object to the renewal of a permit and to request a hearing.
2. As required by Ordinance; a Recommendation to the City of New Philadelphia Council President Sam Hitchcock from James Zucal, Service Director With regard to rate increase proposals for Water Sewer and Sanitation dated November 9th, 2015 to be considered and studied by Council Committee.
3. Salary Committee Meeting Minutes from October 26th, 2015.
4. New Philadelphia Airport Commission Meeting Minutes from September 8th, 2015
5. Finance Committee Meeting Minutes from Monday, October 26th, 2015
6. Mayor's Report to Council November 9th, 2015
7. City of New Philadelphia Budget Report with Encumbrance Details as of October 31st, 2015
8. Statement of Cash Position With Month to Date as of October 31st, 2015
9. Auditor's Financial Statement for the Month of October 2015
10. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of October 2015.
11. A copy of Resolution Number 10-21-15-2 Goshen Township Trustees  
Tuscarawas County, Ohio  
A Resolution of Support for the New Philadelphia Fire Department Levy number 36 on the November 3rd, 2015 Ballot.  
Goshen Township Board of Trustees: Joe Ginnetti, Sam Wise, and Bill Miller
12. City of New Philadelphia Income Tax Department October 2015 Report Month End Tax Revenue by Year submitted by Joel B. Day Income Tax Administrator
13. Mayor's Monthly Statement to Council for the Month of October 2015, submitted November 2nd, 2015

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON  
EXCUSED ABSENCE

The Service Director announced that he did not have a Report for Mayor Johnson but added the Law Director is the acting Mayor and maybe the acting Mayor Fete had a report.

November 6th, 2015 the Mayor and his wife Nancy departed on vacation.  
November 17th, 2015 will return from his vacation to his job as Mayor of the City of New Philadelphia.

When the Mayor is out of the Country pursuant to Ohio Revised Code 705.81  
The Law Director, Marvin Fete, is next in line.

Mayor Johnson could have designated someone in writing prior to leaving but did not do so according to Ohio Revised Code 705.81 the Law Director is the acting Mayor.

Anyone wishing to reach the acting Mayor call him on his cell phone or call his office and his secretary will get hold of him.

Mr. Fete, as acting Mayor, had one issue he wanted to bring up and wanted President Hitchcock to consider assigning it.

The acting Mayor Mr. Fete informed everyone that he works out every morning about 6:00 AM. Because of cold weather he went to the YMCA the cost is \$55.00 per month. They have an inside track.

The Law Director called Tom Farbizo in regard to the amount owing on the Quaker Dome. The amount is about \$240,000

The Law Director suggested to Mr. Farbizo they should consider opening this up To the members of the public for a fee.  
You could get that paid off a lot faster.

Mr. Farbizo replied:

They have been trying to do a City School Community Partnership with the Quaker Dome. Darrin Lautenschleger and the Park Board are interested in this.

We can help pay off some of the cost

(The Law Director said he would much rather pay \$55 a month to pay that off for our students then give it to Dover.)

Students should have priority, no different than the YMCA.

Mr. Fete thought that would be wonderful, if we could do something like that even a partnership with the schools making that some sort of Community Center.

Mr. Fete made that suggestion as acting Mayor:

Mr. Fete informed all as acting Mayor his door is always open if there are any issues just call him on his cell or stop by his office.

The President of Council assigned this issue to the Salary Committee Mr. John Zucal.

SERVICE DIRECTOR .....MR. JAMES ZUCAL

Mr. James Zucal informed Council and guests about the Water, Sewer, and Sanitation rates every year in November by Ordinance 937.04 he is required in November to report on water, sewer, and sanitation rates.

He pointed out to go back in time he did pass out to Council Members

The 2010 study that was performed by the W.E. Quicksall Company.

Regarding our water and sewer, rates.

In his letter to Council President Hitchcock and copied Council Members you will notice the following

2009 Water Rates were raised

2012 Sewer rates

2014 Sanitation.

It is Mr. Zucal's opinion:

He would be glad to work with the Council Committee.  
We need to increase those rates especially for Sanitation.  
If we are looking at a truck (we haven't purchased a new truck for four years.)  
He has checked on line  
We buy the cab and chassis and we put on a packer body.  
It's all done through the State Purchasing and Contracts  
They are about a \$200,000 item.

Each dollar we increase the rates generates about \$92,000.

We are on thin ice in Sanitation, Water and Sewer are holding their own,  
providing we don't have anything that is catastrophic;

The Service Director does think it needs to be raised.

The Service Director reported that is his recommendation at this time.

Mr. Zucal said he will be glad to work with committee closely on that and mentioned  
attached to his letter were all the previous ordinances for the increases and the ordinance for the required  
recommendation for the Service Director.

Mr. Zucal reminded everyone:

With our Performance Audit of 2008 the Ohio EPA sends us a letter every year stating  
our rates are significant low and that hinders our Grant Application Process.

To follow the guidelines of the Ohio EPA we will have to raise our rates.

Mr. Zucal said he is working with a lady in the Logan office. She is going to send the Service Director some  
documentation on that. He will provide that for Council at the next meeting.

He talked to Councilperson Maurer on the extra trash pick-up. Our tonnage is increasing as he mentioned this  
goes back in time to 2014 when we were looking at possible front load or rear load containers that the property  
owners would have to have.

Mr. Zucal told Councilperson Maurer there is a property on Kaderly Avenue (he'll bring pictures for the next  
meeting) right now the gentleman is entitled to the extra trash pickup it has over 100 pieces; sofas appliances,  
television sets.

For our crews to do that is a big task and on top of that is the tonnage that goes to the landfill.

Serious consideration should be given to both.

Mr. Zucal will keep Council updated.

The packet clearly spells out what we have to do. Again this is something he does in November.

He thinks Council really has to look at that closely.

Comment from Mrs. Ramos:

For every dollar you raise the trash rate we get \$92,000.

In the letter you do not say how much the trash rate should go up.

Reply from the Service Director:

We get together as a group if we have Council Committee which is open to the public we will dig into that  
a little more. Your question is how much is it going to raise.

Mr. Zucal said he was not prepared to give an actual amount it is typically around a dollar for each account.

Comment from Mrs. Ramos:

It would be about four years before you could get a new truck

Reply from the Service Director:

For sanitation that is correct, there is some money in sanitation that is available it is dependent on the bid and  
contract amount.

***President of Council Sam Hitchcock assigned the water rate increase to Mr. Maurer Safety Health and Service  
Committee.***

***President of Council Sam Hitchcock asked Mr. Maurer if he would be having a meeting on the trash pickup.***

***Mr. Maurer pointed out that Mr. Zucal asked that it be put on hold until we talked tonight.***

Comment from Mr. Zucal:

We have been reviewing the extra trash pickup

Mr. Grewell came to the Service Director and wanted to know what to do about the 100 pieces of junk appliances

Mr. Zucal replied this would be a good time to start to talk about this again.

AUDITOR .....MS. BETH GUNDY

Over a week ago she was contacted by a Trust Officer from Huntington Bank one of our Cemeteries Evergreen Cemetery and East Avenue Cemetery both have Trust Accounts. The Evergreen Cemetery is actually held by Huntington Trust, East Avenue is actually kind of part of our General Checking Account it is not in a Special Trust Account. The Trust Officer from Huntington alerted Ms. Gundy to the fact; according to a section in the Ohio Revised Code a Municipality does not fall under the requirement to maintain trusts for cemeteries. The Law Director and the Auditor are going to be looking into that. If that is actually the case and we can get that money released we have over \$300,000 between the two trust funds that can be used for Operation Cemetery.

Comment from Councilperson Mr. John Zucal:

For a while Ms. Gundy you were giving us Lodging Tax Reports the status of each of those. Would it be possible to get the Year-End Report sometime in early January 2016?

*The President of Council, Mr. Sam Hitchcock requested Ms. Gundy e-mail that to everyone.*

SAFETY DIRECTOR... ..... MR. GREG POPHAM

Mr. Popham did not have a report; however, he wanted to personally thank everyone that was in support of Issue #36 on the Ballot last week. Mr. Popham pointed out that will be a major improvement over what has been happening over the last 10 to 15 years. The Safety Director than said "**THANK YOU.**"

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

LAW DIRECTOR . . . ..... MR. MARVIN FETE

The Law Director reported the following:

- Mr. Fete reported Mr. Hitchcock called him late Friday and informed the Law Director that he was acting Mayor.
- The Law Director received a check from Attorney Steven Domingo with regard to Income Tax that you have heard him brief the City on from the company that self reported to us that owned a number of rental businesses and that has been turned over to the Auditor.
- Had a phone conference with Mr. Ed Wilson regarding Sewer Line Extensions and that lead to A phone conference with Attorney Rick Hinig. We were on the same page with that It concerned Public Right A Way and whether or not there were proper permits issued. A private company can go ahead and start digging where a public right away is. My opinion was they could Attorney Hinig agreed with that and as far as he knows everything went smoothly with that.
- Received a call from somebody with regard to a Park Bench collapsing and wanted to know about liability issues. (There was an 82 year old woman sitting in it) the Law Director is looking into that issue presently.
- The Law Director had two conferences recently with our Bond Counsel at Squire Sanders with regard to passage of Issue #36 and he prepared the first half of the legislation. There is a schedule that has to come with that. There is something they do it is called Bond Schedule they said it would take them about a week they thought they could have it done before the next meeting.
- On Thursday of this week the Law Director and the Fire Chief will be meeting in Beth Gundy's office doing a phone conference with our Bond Consultant from Cleveland to lay out our strategy and to know everything to go forward.
- Mr. Fete echoed Mr. Popham's thanks as well. One time he was a broken person and and he wouldn't be here if it would not have been for the New Philadelphia Fire Department. He is grateful to all the citizens who helped pass this. A wonderful addition to our community Mr. Fete thinks the reason it passed is because of the caliber of individuals we have working in the Fire Department.
- Had a couple consultations with the President of Council, Sam Hitchcock

On the process of interviewing for our next Council Clerk.  
He determined the person is hired by the entire Council  
Mr. Fete requested an Executive Session this evening after legislation for Personnel,  
specifically to discuss applicants and procedures for hiring Clerk of Council.

Comment from Mr. Maurer:

Mr. Maurer said he just got the information this evening and did not have time to review.

Comment from the President:

Mr. Hitchcock said we are just going to talk about the process.

Comment from the Law Director:

We are just going to talk about the process and determining how we want to go about the interview.

Do you want to have a Special Council Meeting? As you don't want to talk about people that applied for the position in open session.

Comment from Mr. Maurer:

Since we have three new members should they be part of the process.

Comment from the Law Director:

The three new members can be invited in as a courtesy and get their input.

They will not have any authority to hire or vote on the person.

Tonight is dealing with procedure.

Request from the Law Director:

Mr. Fete requested an Executive Session this evening after legislation for Personnel,  
Specifically to discuss applicants and procedures for hiring Clerk of Council.

Question from Ms. Cox:

The Company that self-reported did that money go in the General Fund?

Reply from the Auditor:

More than half of it was actually penalty and that goes into the General Fund. Divided by the years according to our Income Tax Ordinance as to where it should go.

Mr. Lanzer made a motion to go into an Executive Session this evening after Executive Session for Personnel, specifically to discuss applicants and procedures for hiring Clerk of Council  
Ms. Cox seconded the motion

Roll Call 6 Yeas

Motion Passed

President of Council announced that after legislation there will be a five minute recess after which we will come back into regular Council Session and at that time we will go into the Executive Session.

#### **BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

EXCUSED ABSENCE

Mr. Zucal announced that he is not aware of any meeting for the Planning Commission for this month.

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

Mr. Zucal announced the Board of Zoning Appeals meeting will be held Tuesday, November 10th, 2015 at 5:00 PM in Council Chambers there is one variance request.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced that the Airport Commission Meeting will meet Tuesday, November 10th, 2015 at 6:00 PM for its *last regular scheduled meeting for the 2015 year* at the Airport Meeting Room.

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

EXCUSED ABSENCE

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next regular scheduled meeting for the Health Board is Wednesday, November 11th, 2015 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported the Finance Committee met November 9th, 2015 at 7:15 PM in Council Chambers

To discuss the following one item:

Ordinance 18-2015

To enter into an agreement with the Tuscarawas County Public Defender’s Office for the provision Of legal representation for indigents charged with violations by New Philadelphia City Ordinance in the Municipal Court.

The cost of the agreement of legal representation for indigents charged with violations increased from \$24,750 to \$27,225.

Law Director Fete informed everyone the Public Defender’s Agreement was not only increased due to the caseload but it included the hiring of an additional lawyer( the Public Defender’s Office now has 3 lawyers for for the three courtrooms).

The case load for Municipal Court as of November 5th, 2015 is 1,026 cases. The 10% increase works out to be approximately \$30.00 per case.

We are planning to putting that on the agenda and passed at the next meeting November 23rd, 2015 so we can get that to them.

Finance Committee will meet November 23rd, 2015 at 7:15 PM in Council Chambers in regards to the 2016 Temporary Appropriations.

SALARY COMMITTEE .....Mr. John Zucal

Mr. Zucal reminded everyone that he chaired the legislation that led to issue #36 being placed on the November ballot and he would like to echo the kind words expressed by Mr. Fete and Mr. Popham in regard to the citizens of New Philadelphia so overwhelming supported issue 36. He said he didn’t think there is a greater initiative that we have had on the ballot that has allowed for voter participation to make a difference in the City’s safety for all of our citizens.

He said he is very grateful to all the citizens that supported issue #36 and all of the Salary Committee Members for their efforts on behalf of that.

Mr. Zucal announced that the Salary Committee will have a meeting November 23rd, 2015 at 6:30 PM.

We will have a special guest with us Fire Chief has invited Ed McCall. Ed is the partner in McCall Sharp firm which is working on the design of our Fire Station and he will be here to give us an update.

It will be a very positive and enlightening presentation.

Mr. Zucal requested that everyone try to be in attendance for that.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR’S COMMENTS:**

Ms. Julie Levengood Stephon  
440 3rd Street NW  
New Philadelphia, Ohio 44663

Ms. Julie Levengood Stephon with the New Philadelphia Business and Community Association.

Ms. Levengood Stephon pointed out to Council there are some Christmas decorations up in the square the decorations will continue to go up.

The annual Lightening Ceremony will take place November 20th, 2015 at 6:00 PM

We are preparing for the Annual Christmas Parade which will take place on December 4th, 2015.

Ms. Levengood Stephon reported that we have a lot of things going on down town and she encouraged people to visit us and take part in our upcoming events.

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

17-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 191 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA REGARDING MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY. (2ND READING)

19-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, TO STRENGTHEN SECTION 505.01 WITH REGARDS TO PROPER LEASHING OF ANIMALS AND TO INCLUDE A PROHIBITION AGAINST MENACING AND AGGRESSIVE ANIMALS WITHIN THE CITY OF NEW PHILADELPHIA AND DECLARING AN EMERGENCY. (1ST READING)

***AT 8:04 PM COUNCIL ADJOURNED FOR A FIVE MINUTE RECESS  
AT 8:09 PM COUNCIL RECONVENED INTO REGULAR SESSION  
COUNCIL ADJOURNED FROM REGULAR SESSION  
INTO EXECUTIVE SESSION AT 8:09 PM.***

***EXECUTIVE SESSION FOR PERSONNEL,  
SPECIFICALLY TO DISCUSS APPLICANTS AND PROCEDURES FOR HIRING  
CLERK OF COUNCIL.***

***AT 8:50 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL***

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from Councilperson Mr. John Zucal:

*“Thank you to all those men and women who serve in Our Country Past and Present to Protect the Freedoms we enjoy.  
As we celebrate Veterans Day, Wednesday, we are reminded of that every time we come into Council Chambers what a Great County we have;  
Opening with a Prayer saying the Pledge and being able to meet like this.  
It does not happen everywhere.  
Thank You Veterans, thank you to the armed service today it is very much appreciated.”*

*Comment from the President of Council, Mr. Sam Hitchcock:*

*Well said, Mr. Zucal,  
President of Council, Mr. Sam Hitchcock announced our Veterans Day Ceremony is Wednesday at 11:00 AM at the Courthouse Plaza.  
Mr. Zucal announced:  
A Veterans Day Ceremony will also be held at 2:00 PM Central Elementary back playground.*

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:52 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN SPECIAL SESSION IN COUNCIL CHAMBERS ON NOVEMBER 19TH, 2015 AT 6:30 PM 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. LAUTENSCHLEGER  
MRS. CHERYL RAMOS  
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MS. WINNIE WALKER  
MR. ROB MAURER

COUNCIL AT LARGE ELECT IN ATTENDANCE:

MS. AIMEE MAY  
MR. DEAN HOLLAND  
MR. KELLY RICKLIC

THE PRESIDENT REQUESTED COUNCIL FORGO THE SECTION:  
MINUTES FROM THE PREVIOUS SESSION, CORRESPONDENCE, ADMINISTRATIVE REPORTS,  
BOARD/COMMISSION REPORTS, STANDING COMMITTEE REPORTS, VISITORS COMMENTS,  
UNFINISHED OR OLD BUSINESS, AND NEW BUSINESS FROM TONIGHT'S AGENDA.

MS. COX MADE A MOTION TO ACCEPT THE AGENDA  
MR. ZUCAL SECONDED THE MOTION  
ROLL CALL 5 YEAS  
MOTION PASSED

MS. COX MOVED TO GO INTO EXECUTIVE SESSION  
FOR PERSONNEL, SPECIFICALLY TO INTERVIEW APPLICANTS  
FOR THE HIRING OF NEW CLERK OF COUNCIL.  
THE MOTION WAS SECONDED BY MR. LANZER.  
ROLL CALL, 5 YEAS  
THE MOTION PASSED

COUNCIL ADJOURNED FROM REGULAR SESSION  
INTO EXECUTIVE SESSION AT 6:32 PM.

AT 8:59 PM COUNCIL RECONVENED INTO THE REGULAR SESSION OF COUNCIL

MOTION BY MS. COX TO ADJOURN AT 8:59 P.M.

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

APPROVED \_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 23RD, 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. ROB MAURER  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

EXCUSED ABSENCE:

DARRIN LAUTENSCHLEGER

- MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA  
MS. WALKER SECONDED THE MOTION  
ROLL CALL 6 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, NOVEMBER 9TH, 2015  
AND THE MINUTES FROM THE SPECIAL COUNCIL MEETING HELD ON THURSDAY  
NOVEMBER 19TH, 2015  
MR. ZUCAL SECONDED THE MOTION  
ROLL CALL, 6 YEAS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. New Philadelphia Airport Commission Meeting Minutes from October 13th, 2015
2. New Philadelphia Fire Department October 2015 Report dated November 17th, 2015
3. Finance Committee Meeting Minutes from Monday, November 9th, 2015

***President of Council Mr. Sam Hitchcock requested and executive meeting:  
Mr. Hitchcock requested an Executive Session to be held after Legislation to discuss the  
Personnel of hiring the new Council Clerk.***

Ms. Cox made a motion to go into an Executive Session after Legislation  
***For Personnel of hiring the new Council Clerk***  
The motion was seconded by Mr. Lanzer  
6 Yeas  
Motion Passed

President of Council announced that after legislation there will be a five minute recess before going into the Executive Session.

**MAYOR'S REPORT/REQUESTS . . .MAYOR DAVID JOHNSON**

The Mayor did not have a written report so he gave a verbal report on the following.

- The Mayor announced that the ***Christmas Parade*** will be held ***December 4th, 2015.***
- The Mayor reported that cemetery land we have identified an area for Cemetery Land.  
We have worked on testing and worked on a Topographic Survey the Mayor hopes is that this Council and the next Council will find a way to make it work.
- Mayor Johnson suggestion to Council:  
Mayor Johnson suggested Council should consider an ordinance when you are displaced by an election that they are paid for their vacation, sick time, and comp time.  
When you let someone know at the last minute they don't have time to use it.  
The Mayor felt it was not fair and it is not the way we should treat the employees of New Philadelphia.

SERVICE DIRECTOR .....MR. JAMES ZUCAL

The Service Director reported since our last meeting:

We recently completed three nice projects.

1. Storm sewer, catch basins, concrete replacement of a fire hydrant out at Third Street NW and Ohio Avenue. (Next to the Midtown Dry Cleaners).  
The Mayor and the Service Director talked with the Duda Family, owners of the Midtown Dry Cleaners they were happy about the project. The Service Director said it has been a long time coming but it is finally finished.  
The Service Director encouraged everyone to take a look at it and said, "It looks nice and is very functional."
2. We also did a Phase II of a Storm Water Project on 2nd Drive NE. (A portion of a small alley that is up there west of Summit Avenue.( we know that it is an ongoing problem especially in the winter water coming out of the hill and storm pipes from the home owners houses.)  
We did Phase II up there and he hopes that is completed.  
We have always had a plan to get all the way down to Minnich Ave. NE that is something we are working on.
3. Recently we had a water line issue.  
There was a pipe that burst under Beaver Dam Creek which was a main feed line to the City. Through emergency repairs we did put in new high density pipe (plastic pipe that was bored and fused) put under the creek and finished that. The price tag on that (we did have three quotes) was \$93,000 just to go a mere 280 feet. That is fixed that is key component of the dynamics of our Water System. Tucson Inc. was actually the low bidder on that project.
4. Last Thursday November 19th, 2015  
The Service Director reported the Mayor Elect Joel Day did notify the Service Director in a casual meeting in the parking lot that his services will no longer be needed as of the first of the year.

Mr. Zucal said he will not be here for the next meeting in December he will be out west in *Colorado* on his *Western Adventure*.

He announced he will only be here for one more Council Meeting.

As Mayor Johnson mentioned he does have a lot of accumulated time and he does want to use that.

Mr. Zucal thanked the City, the Administration the Legislative Body and everybody he has worked for, and he will continue to work for the City he does care about.

He said he still has several County appointments and State appointments. He said he will continue to be an active voice in our community.

he then said "**Thank You Very Much**".

The Service Director asked the Law Director for a follow up:

A paper copy from Mayor Elect Joel Day to that effect.

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

Question from Councilperson John Zucal for the Auditor or Income Tax Administrator.

I know we passed legislation that leads us to being compliant with the new Ohio Revised Code in regard to the Collection of Income Tax.

Mr. Zucal was just checking to see where we stand on that as it is his understanding we have to be fully compliant by January 1st, 2016 on that.

He was hoping to receive an update or report on that.

Reply from Mr. Day:

You have the 3rd reading of that Ordinance tonight.

Mr. Zucal requested an update on what has been transpiring.

Mr. Day replied that no action has taken place in Columbus.

Mr. Zucal just wanted to know where we stand he knew we had talked about developing some type of a plan. Working with the County Chambers of Commerce to educate people on that.

Mr. Zucal the presumption right now there is nothing happening in Columbus in regard to the change.

Do we have any written plan as to how we are going to deal with that

in the transition of your position to Income Tax Administrator to Mayor?

We spoke about the need to have that taken care of.  
Mr. Zucal requested an update and further discussion.  
So we are fully compliant for January 1st, 2016 and ready to go.  
Mr. Day said, "We will be fully compliant for January 1, 2016"  
Mr. Zucal Thanked Mr. Day.

SAFETY DIRECTOR... ..... MR. GREG POPHAM

Mr. Popham reported the following:

Back on November 11th the New Philadelphia Fire Department was called on for assistance on an accident. This was one of those accidents you see on television. Leaking hazardous gas, individuals trapped in vehicle  
Our firefighters led by Captain Sholtz, Lieutenant Robert Snyder, Firefighters Jeff Parks, Brandon Winnie, and Firefighter Scott Torchik.  
They responded to the call for assistance. Mr. Popham passed the letter around that was prepared by Captain Sholtz to the Chief and passed on to Mr. Popham along with a picture of the tractor trailer that was involved in this.  
"These Firefighters train weekly on different kinds of scenarios."  
There was a hazardous gas leaking.  
They were not only in their turnout gear they were in their hazmat gear.  
For a considerable amount of time they worked to remove the the driver from the truck.  
Mr. Popham said it just goes to show the type of professionalism that we have available for the citizens not only for New Philadelphia but basically the whole county.  
You are not going to find this kind of qualified individuals basically anywhere.  
Mr. Popham passed along the letter that you can read what the material was and a picture of the truck.  
They need to be commended for a job they train for everyday you hope they don't have use it. But when they are called on they have the expertise to do it.

Comment from President Hitchcock:

President Hitchcock thanked Mr. Popham for his report and mentioned how fortunate we are to live in a community with the safety forces we have. Professionalism like you said not just New Philadelphia but the entire area and the cooperation they have among each other.

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

Mr. Gerber announced that he will have an Investment Committee Meeting on Thursday December 10th at 11:00 AM in the Treasurer's Office.

LAW DIRECTOR . . . . . MR. MARVIN FETE

The Law Director reported the following:

- Mr. Fete announced that on the agenda for tonight is the first reading of the Indigent Contract. In committee it was recommended that it would be read for one reading and passed. The reason for the increase we had to add another attorney because of the case load. The fact is they are operating 3 courtrooms. The Law Director requested that it be passed this evening so as to get that contract signed.  
Mr. Fete requested the Clerk return that to the Law Director so he can get it to the Public Defender's Office. They are requesting that be done prior to December so that is the reason he would like to have it passed this evening.
- The Law Director is asking on the third reading the ordinance that overhauls, our Income Tax be passed this evening for some of the reasons that were discussed earlier by Mr. Zucal. The Law Director anticipates there will be a lot of legal challenges to this new legislation. The problem is until it takes affect. You can't challenge it. The case has to be judicially right. You can't file in anticipation of a bad law.  
You have to wait until the law takes effect so you can challenge it.  
Mr. Fete anticipates there will be challenges to that.  
We are maintaining the original one we have to collect under that.

Still that is what we have in the event this gets thrown out by the Ohio Supreme Court or the Federal Court.

- Mr. Fete requested an Executive Session after Legislation for the Purpose possible contract which is being discussed and negotiated at this time. Reason it is a very sensitive nature it is still in early discussion stages and that does qualify for and Executive Session. The Law Director asked Captain Sholtz and the Fire Chief to stay and all the Elected Officials that will be taking office to also be included in the Executive Session also.

The Law Director said he has been an advocate for 4 years that people take their vacation time when they leave.

Comment from Ms. Gundy:

(Sick pay is not paid unless somebody retires.)

The Law Director said it is something you earn when you leave you should be able cash it in rather than have the use it or lose it standard. He feels it should apply to everyone across the board. This is something he has been pushing for for four years and he still supports that idea.

President Hitchcock asked for a motion to extend the Executive Session.

Mr. Lanzer made the motion for the Executive Session

Ms. Cox seconded the motion

Roll Call 6 Yeas

Motion Passed

President of Council announced that after legislation there will be a five minute recess. This request will be included in the Executive Session that has already been approved.

#### **BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mayor Johnson announced the Planning Commission Meeting is tentatively set for Tuesday, December 8th, 2015 at 1:00 in Council Chambers pending any agenda.

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

Mr. Zucal announced pending an agenda the Board of Zoning Appeals will meet Tuesday, December 8th, 2015 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced there is no Airport Commission Meeting in the month of December 2015. The organizational meeting will reconvene in January 2016.

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

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next regular scheduled meeting for the Health Board is Wednesday, December 9th, 2015 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. The committee recommended passage of Ordinance 18-2015 which is the indigent ordinance. The meeting tonight was in regard to ordinance 20-2015 Temporary Appropriations for 2016 (first three months of the year). We are putting this on the agenda for the next meeting and recommending passage. Resolution 22-2015 has already been passed.

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.

The Committee is asking that Resolution 22-2015 be amended

We need to add the Fire Station Construction Bond Fund which is \$317,671 per year  
It is outside the 10 mil limit.  
The Committee is asking it be put on the agenda for the next meeting and passed.  
The meeting adjourned at 7:20 PM.

**SALARY COMMITTEE .....Mr. John Zucal**

The Salary Committee met this evening at 6:30 PM in Council Chambers. The one item we had was a presentation by representatives from McCall Sharp the Architecture Firm for our New Fire Station as well as representatives from Diversified Engineer Civil Engineer for that matter as well.  
It was a very nice presentation by Mr. Ed McCall stating some of the changes that will be taking place in the City of New Philadelphia with the building of the new Fire Station.  
We had the opportunity to see a schematic fly through on that and learn a little about the previous work of his firm out of Springfield has done.  
Chris Bowers, Diversified Engineer is a 50/50 partnership providing the Engineering support to the Architectural Firm. Discussion and the presentation went well  
The meeting adjourned at 7:14PM.

Mr. Zucal reminded Council Ordinance 17-2015 is on the agenda which is to Amend Chapter 191 of the Codified Ordinances of the City of New Philadelphia regarding Municipal Income Tax this is the 3rd Reading and the Committee is recommending passage.

**SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER....NO REPORT**

*President assigned the Contract for Housing Prisoners at the County jail.*

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

**ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT**

**SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER....NO REPORT**

**PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT**

**VISITOR'S COMMENTS:**

NONE

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

17-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 191 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA REGARDING MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Mr. Zucal  
Seconded by Ms. Cox  
Roll call, 6 yeas  
Ordinance 17-2015 has been passed.

18-2015 AN ORDINANCE AUTHORIZING G THE MAYOR OF THE CITY OF NEW PHILADELPHIA, OHIO, TO ENTER INTO AN AGREEMENT WITH THE TUSCARAWAS COUNTY PUBLIC DEFENDER'S OFFICE FOR THE PROVISION OF LEGAL REPRESENTATION FOR INDIGENTS CHARGED WITH VIOLATIONS OF NEW PHILADELPHIA CITY ORDINANCES IN THE MUNICIPAL COURT WHERE SUCH OFFENSES CARRY A POSSIBLE LOSS OF LIBERTY, ESTABLISHING COMPENSATION AND TERMS THEREOF, AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 6 yeas,  
Rules for Ordinance 18-2015 have been suspended

Motion to vote on passage by Ms. Cox  
Seconded by Ms. Walker  
Roll call, 6 yeas  
Ordinance 18-2015 has passed

19-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, TO STRENGTHEN SECTION 505.01 WITH REGARDS TO PROPER LEASHING OF ANIMALS AND TO INCLUDE A PROHIBITION AGAINST MENACING AND AGGRESSIVE ANIMALS WITHIN THE CITY OF NEW PHILADELPHIA AND DECLARING AN EMERGENCY. (2ND READING)

**AT 7:55 PM COUNCIL ADJOURNED FOR A FIVE MINUTE RECESS  
AT 8:02 PM COUNCIL RECONVENED INTO REGULAR SESSION  
COUNCIL ADJOURNED FROM REGULAR SESSION  
INTO EXECUTIVE SESSION AT 8:02 PM.  
THE PRESIDENT'S REQUEST  
TO DISCUSS FOR PERSONNEL MATTERS THE HIRING OF A NEW COUNCIL CLERK.  
THE LAW DIRECTOR'S REQUEST:  
POSSIBLE CONTRACT WHICH IS BEING DISCUSSED AND NEGOTIATED AT THIS TIME.  
REASON IT IS A VERY SENSITIVE NATURE.  
COUNCIL RECONVENED INTO THE REGULAR SESSION OF COUNCIL AT 8:16 PM**

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comment from Councilperson Mr. John Zucal:

*“Happy Thanksgiving everybody enjoy the Holiday with all your family and friends and God Bless America.”*

*Comment from the President of Council, Mr. Sam Hitchcock:*

*President of Council, Mr. Sam Hitchcock echoed Councilperson Mr. John Zucal's Comments.*

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:17 PM

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN SPECIAL SESSION IN COUNCIL CHAMBERS ON MONDAY, DECEMBER 7TH, 2015 AT 6:00 PM 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. LAUTENSCHLEGER  
MR. ROB MAURER  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

MRS. CHERYL RAMOS WAS IN ATTENDANCE  
SHE ARRIVED AT 6:04 PM

MRS. CHERYL RAMOS

COUNCIL AT LARGE-ELECT IN ATTENDANCE:

MS. AIMEE MAY  
MR. DEAN HOLLAND  
MR. KELLY RICKLIC

EXCUSED ABSENCE:

LAW DIRECTOR, MR. MARVIN FETE  
SAFETY DIRECTOR, MR. GREG POPHAM

THE PRESIDENT REQUESTED COUNCIL FORGO THE SECTION:  
MINUTES FROM THE PREVIOUS SESSION, CORRESPONDENCE, ADMINISTRATIVE REPORTS,  
BOARD/COMMISSION REPORTS, STANDING COMMITTEE REPORTS, VISITORS COMMENTS,  
UNFINISHED OR OLD BUSINESS, AND NEW BUSINESS  
FROM TONIGHT'S AGENDA.

MS. COX MADE A MOTION TO ACCEPT THE AGENDA  
MR. MAURER SECONDED THE MOTION  
ROLL CALL 6 YEAS

(MRS. CHERYL RAMOS WAS IN ATTENDANCE SHE ARRIVED AT 6:04 PM)

MOTION PASSED

MS. COX MOVED TO GO INTO EXECUTIVE SESSION  
FOR PERSONNEL, SPECIFICALLY TO INTERVIEW APPLICANTS  
FOR THE HIRING OF NEW CLERK OF COUNCIL.

THE MOTION WAS SECONDED BY MR. ZUCAL.

ROLL CALL, 6 YEAS

(MRS. CHERYL RAMOS WAS IN ATTENDANCE SHE ARRIVED AT 6:04 PM)

THE MOTION PASSED

COUNCIL ADJOURNED FROM REGULAR SESSION  
INTO EXECUTIVE SESSION AT 6:02 PM.

(MRS. CHERYL RAMOS WAS IN ATTENDANCE FOR THE EXECUTIVE SESSION SHE  
ARRIVED AT 6:04 PM)

THE MOTION PASSED

AT 7:01 PM COUNCIL RECONVENED INTO THE REGULAR SESSION OF COUNCIL

MOTION BY MS. COX TO ADJOURN AT 7:02 P.M.

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

APPROVED\_\_\_\_\_

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

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 14TH, 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

- MR. MAURER MADE A MOTION TO ADD \*RESOLUTION 25-2015 TO TONIGHT'S AGENDA  
*\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.*

***(IT SHOULD READ AS:  
A MOTION TO ADD RESOLUTION 26-2015 TO TONIGHT'S AGENDA)***

MS. COX SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED

\*RESOLUTION 25-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA  
*\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.*

***(IT SHOULD READ AS:  
RESOLUTION 26-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA)***

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. ZUCAL 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, NOVEMBER 23RD, 2015  
AND THE MINUTES FROM THE SPECIAL COUNCIL MEETING HELD ON MONDAY,  
DECEMBER 7TH, 2015.  
MS. WALKER SECONDED THE MOTION  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Request dated December 14th, 2015 from Fire Chief Parrish to the Council President Sam Hitchcock to assign the proposed purchase of the property, located at 146 Front Avenue SE to the appropriate Council Committee. This property is contiguous to the property we currently own for the site of the new fire station.
2. Request dated November 24th, 2015 to authorize the Service Director to advertise for bids, receive bids and award the FY 2016 Chip Grant and to administer and implement the City's portion and award the FY 2016 Chip Grant and to administer and implement the City's portion.
3. Notice from Dominion East Ohio  
Notice of filing of New PIR Adjustment Case  
PUCO Case No. 15-1987 –GA-RDR  
Dated November 30th, 2015 to Public Officials From  
Robert W. Varley, Managing Director State and Local Affairs.
4. A letter from the Ohio Department of Transportation dated November 30th, 2015  
To Mayor Johnson. In regard to PID 101529 TUS-416-13.14  
from Christopher C. Notz, PE, District 11 Geotech Engineer
5. Records Commission Report dated December 10th , 2015

6. Auditor's Financial Statement for the Month of November 2015
7. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of November 2015
8. City of New Philadelphia Statement of Cash Position with Month to Date as of November 30th, 2015
9. City of New Philadelphia Budget Report with Encumbrance Details as of November 30th, 2015.
10. City of New Philadelphia November 2015 Month End Summary for the Fire Department dated December 1st, 2015.
11. Finance Committee Meeting Minutes from Monday, November 23rd, 2015
12. City of New Philadelphia Income Tax Department November 2015 Report Month End Tax Revenue by Year from Joel B. Day, Income Tax Administrator
13. Mayor's Monthly Statement to Council dated November 30th, 2015 for the month of November 2015

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

The Mayor announced that he did not have a report.

The Mayor did point out the letter from the Department of Transportation (slippage of the road on Seven Mile Drive.) First we did not believe it was in the City. It has been proven it is within the City.

The State is paying for it all they will begin on that next summer.

***The Law Director wanted to know if that is in reference to the letter from November 30th, 2015 S.R. 151 wanted to know if legislation was required and Mayor said yes and pointed out three copies were attached to the letter.***

SERVICE DIRECTOR .....JAMES ZUCAL .....NO REPORT  
EXCUSED ABSENCE

AUDITOR .....MS. BETH GUNDY.....NO REPORT  
EXCUSED ABSENCE

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

Mr. Popham did announced to resolve an issue that he has (with an approximately 30 Year Annuity) effective day Friday he is resigning at midnight from the position of Safety Director.

Request from Councilperson Ramos for the Safety Director:

***Mrs. Ramos pointed out for the last several months we have not gotten the Fire Department Overtime Report. The Safety Director told Mrs. Ramos they will get her the report.***

TREASURER . . . . . MR. TOM GERBER

Mr. Gerber announced he did not have a formal report but mentioned that the Investment Committee Meeting he had scheduled for Thursday December 10th, 2015 at 11:00 AM in the Treasurer's Office because of a miscommunication to the committee members they did not attend.

Mr. Gerber announced that after the first of the year he will schedule a meeting.

LAW DIRECTOR . . . . . MR. MARVIN FETE

The Law Director reported the following:

- Mr. Fete pointed out in the Council Packet there was a letter from Honorably Judge Nanette De Garmo Von Allman in regard to setting up a Special Fund where the court can draw upon for expenses that are court related.  
She asked for the Law Director's assistance in having it put in the appropriate Committee Her Court Administrator will come to the Committee Meeting to address what she wants Specifically and explain how it will be utilized.  
He is asking that be assigned to a committee at this point.
- Monday and Tuesday of last week he attended a Seminar in the City of Cleveland with regard to local issues for Law Directors. It was really informative and he was able to ask a lot of questions. It was comprehensive, well done, and an overall approach to about everything for a Law Director no matter how small. There were six different speakers that dealt with what he had dealt with, is dealing with, or will be dealing with.

- The Law Director thanked Council for letting him go and said he will put the information to good use.
- Last Wednesday he had to Prosecute, he filled-in on a case. That brings the total to about five hundred cases he has prosecuted in the last four years thereabouts.
- Mr. Fete received a call from a gentleman who is having a problem with squirrels. He wanted to know if he could trap squirrels because, we have an ordinance that prohibits the killing of animals. The Law Director said he could trap them, providing he traps them alive and lets them loose alive somewhere else.

Comment from the Mayor:

- Informed the Law Director that the Honorably Judge Nanette DeGarmo VonAllman brought this to his attention a month or so ago and he said they discussed the issue for the new officer and his office had no problem with it.

***The Law Director is asking passage on the 1st Reading of the ordinance with regards to issuing of the Bond.***

***He pointed out that the sooner we get that passed the sooner we can start Issuing Bonds.***

***It is just preliminary information that is mandatory and has to be done in order for us to begin issuing bonds.***

***The Fire Chief Parrish, the Law Director, and the Auditor had a phone conference with the Attorneys at Squire, Sanders & Dempsey in Cleveland who assisted us with the preparation of the bond work and for our time table to get things built and ready to go, we would like to suspend the rules on this and get it passed.***

***As you know it was passed overwhelmingly by the public.***

***Question from Mrs. Ramos:***

***Ordinance 21-2015 do you know what the fee for the Squire Patton Boggs will be and the interest rate?***

Reply from the Law Director:

Auditor Beth Gundy knows that.

Comment from Mr. John Zucal:

Mr. Zucal pointed out the legislation clearly states that the City Auditor, is the fiscal officer of New Philadelphia and that is her responsibility.

Therefore questions should be directed to the Auditor and she will answer those accordingly.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mayor Johnson announced the Planning Commission Meeting is tentatively set for Tuesday, January 12th, 2016 at 1:00 PM in Council Chambers pending any agenda.

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

EXCUSED ABSENCE

Mayor Johnson announced the Board of Zoning Appeals Meeting is tentatively set for Tuesday, January 12th, 2016 at 5:00 PM in Council Chambers pending any agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced there was no meeting in December.

The next regular scheduled meeting will be held Tuesday, January 12th, 2016, 6:00 PM in the Airport Meeting Room. That will be our Organizational Meeting for the 2016 Calendar Year we will be doing the appropriate alignment with membership there as well.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced there is no meeting in December of the Park Board.

A January Meeting will be scheduled and announced.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next regular scheduled meeting for the Health Board is Wednesday, January 13th, 2016 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

No report as such.

Ms. Cox announced the Finance Committee is asking for passage tonight of Ordinance 20-2015 Which is the Temporary Appropriations and also Amended Resolution 22-2015 which is updating the amounts and rates to the County Auditor’s Office.

SALARY COMMITTEE .....Mr. John Zucal

No formal report for this evening.

Mr. Zucal announced that he just wanted reiterate what the Law Director already stated we will recommend suspension of the rules and passage of Ordinance 21-2015 on first reading tonight the voters have already agreed to this it just allows us to start the sale of those bonds sooner than later.

Mr. Zucal reminded all if there are any specific questions as Mrs. Ramos asked fair questions he contended we should go through the Auditor Gundy to have those answered.

The President assigned to the Salary Committee the following:

- 1. The Fire Department’s request for Purposed Purchase of Property.
- 2. The Request from the Mayor-Elect for an Income Tax Review Board.  
(And for the record; the President had already contacted Mr. Zucal on this assignment)
- 3. And reminded Mr. Zucal of the Quaker Dome Assignment.

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

Mr. Maurer reported the Safety Health & Service Committee met this evening at 7:20 PM in Council Chambers To discuss \*Resolution 25-2015.

***\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.  
(It should read as  
To discuss Resolution 26-2015)***

A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF’S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS

Mr. Maurer said this is a carbon copy of the the contract for 2015 with the rate being \$60.00 a day.

The committee is going to ask this be passed at the December 28th, 2015 Council meeting.

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

Mr. Lautenschleger announced that he does not have a formal report this evening but there is at least one item he has to review prior to the end of the year. He has scheduled a Public Works & Economic Development Committee Meeting for December 28th, 2015 at 7:15 PM in Council Chambers.

President of Council Sam Hitchcock assigned to the Public Works & Economic Development

- 1. ODOT’s request for legislation
- 2. Chip Grant Program.
- 3. The request from the Law Director for the Municipal Court Request.

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

**VISITOR’S COMMENTS:**

Julie Levengood Stephon  
440 3rd Street NW  
New Philadelphia, Ohio 44663

Ms. Julie Levengood Stephon, Director of the NPBCA reported the following:  
Lighting Ceremony was held November 20th, 2015

Christmas Parade held December 4th, 2015  
Light Contest for North Broadway Residents December 4th, 2015  
Parade after Party December 4th, 2015 at the Library;

Cookies and hot chocolate, games, crafts and Santa taking pictures with kids  
Ms. Julie Levengood Stephon announced that it was well attended and pointed out NPBCA is trying to get people downtown and get the community involved  
Ms. Julie Levengood Stephon thanked the Mayor's office,  
Mr. Grewell from the Street Department, the Street Department, and the Police Department for their support and hard work.

The President of Council commended Ms. Julie Levengood Stephon and NPBCA for a well organized event.

The Law Director stated the parade was fantastic and said it seems to get better every year.  
Mr. Fete commended the Mayor on our plow trucks he hopes it becomes an annual tradition.  
It was a fantastic idea.

Councilperson Mr. Zucal announced he will be the incoming President of NPBCA and he is looking forward to working with Ms. Levengood Stephon.

Councilperson Mr. Zucal encouraged Council to read an article in the "Cities and Villages" September/October issue.

Reviving Your Downtown.

Eight Questions to Ask. A neat article.

We are open for citizens' suggestions as to how we can improve our downtown.

It looks as good as it has ever been.

Councilperson Mr. Zucal thanked the Mayor for the all the hard work and cooperation.

There have been a lot of favorable comments.

Keep up the good work. We are looking forward to a great 2016.

## **READING OF ORDINANCES AND RESOLUTIONS**

### **ORDINANCES:**

19-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, TO STRENGTHEN SECTION 505.01 WITH REGARDS TO PROPER LEASHING OF ANIMALS AND TO INCLUDE A PROHIBITION AGAINST MENACING AND AGGRESSIVE ANIMALS WITHIN THE CITY OF NEW PHILADELPHIA, AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Mr. Maurer

Seconded by Mr. Lanzer

Roll call, 7 yeas

Ordinance 19-2015 has passed

20-2015 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, 2016 AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox

Seconded by Mr. Lautenschleger

Roll call, 7 yeas,

Rules for Ordinance 20-2015 have been suspended

Motion to vote on passage by Ms. Cox

Seconded by Mr. Lautenschleger

Roll call, 7 yeas,

Ordinance 20-2015 has passed

21-2015 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,000,000 FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A NEW FIRE STATION AND CLEARING, IMPROVING AND EQUIPPING THE SITE THEREOF, AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Mr. Zucal  
Seconded by Mr. Lanzer  
Roll call, 7 yeas,  
Rules for Ordinance 21-2015 have been suspended

Motion for passage made by Mr. Zucal  
Seconded by Mr. Lanzer  
Roll call, 7 yeas,  
Ordinance 21-2015 has passed

#### RESOLUTIONS:

AMENDED  
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. (1ST READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas,  
Rules for Amended Resolution 22-2015 have been suspended

Motion for passage made by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas,  
Amended Resolution 22-2015 has passed

*(The following resolution should read as 26-2015)*

*\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.*

\*25-2015 A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY. (1ST READING)

#### **UNFINISHED OR OLD BUSINESS:**

Comment from the Law Director

Mr. Fete pointed out we assigned to Mr. Zucal's Committee the Quaker Dome

Since Mr Fete asked for that to be assigned

He is taking steps to gain public support

He met with NPBCA, Director, Ms. Julie Levengood Stephon she felt it was a wonderful idea

Tuesday December 1st, 2015 met with the Quaker Club said it is a great idea

Received a call from Mr. Farbizo who told the Superintendent who thought it was terrific, loved the idea, and added Mr. Fete to the agenda for the facilities Meeting in January 2016.

That consists of the Superintendent, a board member, Tom Farbizo in on that Mr. John Zucal added Building and Grounds, Mr. Rick Barker which will be held

7:00 AM to address any questions they might have.  
Everyone that the Law Director has spoken with thinks it is great idea. Mr. Fete said he is looking forward to working with Councilperson Zucal in 2016 to make this happen.

**NEW BUSINESS:**

**Mayor thanked Council, People he has worked with for years, the rest of the administration for the time he had.**

**His father taught him years ago, when you borrow something**

**Put it back in better condition than when you borrowed it.**

**And he said that is what he has done for the City.**

**I have seen a lot of improvements**

**I'm giving you back the City better than what it was when he came in.**

**Mayor Johnson said Thank you.**

**President of Council Sam Hitchcock said it was his job to wish you all a Merry Christmas.**

**MS. COX WISHED EVERYONE A MERRY CHRISTMAS, TOO.**

**SHE THEN MADE A MOTION TO ADJOURN THE MEETING AT 8:02 PM**

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 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

- MR. LAUTENSCHLEGER MADE A MOTION TO ADD ORDINANCE 22-2015 AND RESOLUTION 27-2015 TO TONIGHT'S AGENDA.

MS. COX SECONDED THE MOTION.

ROLL CALL 7 YEARS

MOTION PASSED

\*ORDINANCE 22-2015 AND RESOLUTION 27-2015 HAVE BEEN ADDED TO TONIGHT'S AGENDA

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MS. WALKER SECONDED THE MOTION.  
ROLL CALL 7 YEARS  
MOTION PASSED

- MS. COX MADE A MOTION TO ACCEPT THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, DECEMBER 14TH, 2015  
MS. WALKER SECONDED THE MOTION  
ROLL CALL, 7 YEARS  
THE MINUTES WERE APPROVED

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

- 1.A Note From The Court of Common Pleas Honorable Judge Edward Emmett O'Farrell regarding the Swearing-In Ceremony January 7<sup>th</sup>, 2016 at 6:00pm in Council Chambers, dated December 18<sup>th</sup>, 2015. Judge O'Farrell wrote "I am honored by the invitation to participate in this important ceremony, and look forward to seeing you and others on that evening."
2. Salary Committee Meeting Minutes for November 23<sup>rd</sup>, 2015 in the Council Chambers of the Knisely Centre.

**ADMINISTRATIVE REPORTS**

**MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON**

Mayor Johnson had no report but said he wanted to thank council for "working with me" Mayor Johnson continued by saying "I want to thank Mary Jo Fragasse, Amy Gilland and Jim Zucal (who is) sitting beside me. They were a great asset to the city and they will be missed."

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

Mr. Zucal reported on the Headworks Project at the Wastewater Treatment Plant. He said he received an email from Lars Johnson, Project Manager and Engineer for the W.E. Quicksall and Associates Company. Johnson notified council in the email that they did not receive the grant. Zucal says Johnson writes in the email that the level of the city of New Philadelphia's water and sewer rates has hurt the ranking. Zucal said "we did not receive the grant because of the ranking based on rates". "This is a serious matter and needs to be dealt with. It is going to effect all the grants we apply for"

AUDITOR.....MS. BETH GUNDY

Ms. Gundy reported “Tonight I’ve given two requests to the law director for new resolutions. They both deal with the new fire station. One will be to receive the bond issue money to pay for the construction and the other one will be to receive the property tax income to service the debt.”

TREASURER.....MR. TOM GERBER

Mr. Gerber had no formal report. “We’re looking forward to the first part of next year (2016) we’ll be getting everything in order for our auditing. I want to thank personally the 4,115 voters of the City of New Philadelphia that have entrusted me to be Treasurer of the City of New Philadelphia.

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete: “Respectfully I will waive my comments tonight in consideration for some closing remarks under new business”

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mayor Johnson announced the Planning Commission Meeting is tentatively set for Tuesday, January 12th, 2016 at 1:00 PM in Council Chambers pending any agenda.

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

Mr. Zucal announced the Board of Zoning Appeals Meeting is tentatively set for Tuesday, January 12th, 2016 at 5:00 PM in Council Chambers pending any agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced the next regular scheduled meeting will be held Tuesday, January 12th, 2016, 6:00 PM in the Harry Clever Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced there is no meeting in December of the Park Board. A January Meeting will be scheduled and announced.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next regular scheduled meeting for the Health Board is Wednesday, January 13th, 2016 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

No report as such.

Ms. Cox made the following comment: “I’m so grateful that I was given the honor of serving our residents of our city for at least 24 years. I was given a wonderful opportunity to meet so many residents, employees, and officials and council members over the years. I really enjoyed serving the residents in our city. This position has been so gratifying and I have gained so much internally from this experience. The residents in our city will always hold a special place within my heart.”

SALARY COMMITTEE .....Mr. John Zucal

No formal report for this evening.

Mr. Zucal announced that in the “very near future” the incoming members of city council as well as those that have been retained will be receiving information from the law director pertinent to the acquisition of property adjacent to the area that is being developed for the new fire station. Mr. Zucal continued by saying that because of the purchase agreement we are “bound by a timeframe”. Mr Zucal said a committee meeting will be planned in the new year.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER.....NO REPORT

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE MR. DARRIN LAUTENSCHLEGER ....NO REPORT  
Mr. Lautenschleger announced that the Public Works and Economic Development Committee met on December 28th at 7:15pm to discuss three items. Discussed were the following:

1. Ordinance 22-2015, 1<sup>st</sup> Reading: This ordinance involves landslide repairs along Rt. 416 (Seven Mile Drive). The project identified by the Ohio Department of Transportation. Engineers at ODOT contacted Mayor Johnson. Mr. Lautenschleger says this work will be done at no cost to the city, but an agreement was required to allow ODOT to do the work. The deadline on the agreement requires council to pass the ordinance before the end of the year. The Public Works and Economic Development Committee voted 3-0 to place Ordinance 22-2015 on the December 28th, 2015 agenda, suspend the rules and pass it on 1<sup>st</sup> reading.
2. Ordinance 23-2015: Involves the city's annual application for CHIP Grant funding and to enter into an agreement with an administrator to handle that process and administration of that program. On a motion by Mr. Maurer seconded by Ms. Cox the committee voted 3-0 to place Ordinance 23-2015 on the agenda for 1<sup>st</sup> Reading at the January 11th, 2016 regular meeting of council and to pass the ordinance upon 3<sup>rd</sup> reading.
3. Resolution 27-2015: Mr. Lautenschleger said "really we owe a debt of gratitude to OMEGA for bringing to our attention a funding program that we could take advantage of". The program had been recommended by New Philadelphia Water Superintendent Ed Wilson for some work to the water plant. The program needed to be approved and presented by the end of the year. The resolution involves work on the backwash line at the water plant. Mr. Lautenschleger said there have been some concerns that have been identified by the EPA, as pointed out by Jim Zucal. Mr. Lautenschleger says Ms. Cox did ask the question "If we can't get the funding by traditional means, will our rates be an issue when it comes to GOA funds?" Mr. Zucal felt that this may be not as big of a qualifier as it is for some other state funding programs. On a motion by Ms. Cox seconded by Mr. Maurer, in order to beat the deadline, the committee voted 3-0 to pass Resolution 27-2015 on tonight's agenda, suspend the rules and pass.

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

However, Ms. Walker said the following: "It has been my pleasure to have the chance to serve the citizens of our city as Council at Large for 15 years. It has also been an adventure. Remember, we cannot seek achievement for ourselves and forget about progress and prosperity to our community. Again, thank you for this opportunity to everyone."

**VISITOR'S COMMENTS:**

NONE

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCE:

22-2015: *PID No. 101529 County/ Route/ Section TUS-416-13.14*

The following Ordinance is enacted by the city of New Philadelphia, Tuscarawas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project and declaring an emergency. [1<sup>st</sup> Reading]

*Project Description: This landslide repair will consist of a 50' long retaining wall along the west embankment of S.R. 416, associated drainage improvements, and associated pavement repairs.*

Motion to suspend the rules made by Mr. Lautenschleger  
Seconded by Ms. Cox  
Roll call, 7 yeas,  
Rules for Ordinance 22-2015 have been suspended

Motion for passage made by Mr. Lautenschleger  
Seconded by Ms. Cox  
Roll call, 7 yeas,  
Ordinance 22-2015 has passed

RESOLUTIONS:

\*26-2015 A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY. (2ND READING)

\*This was a typo will be corrected by vote at the January 11th, 2016 Council Meeting.

27-2015 A RESOLUTION TO APPLY TO THE GOVERNOR'S OFFICE OF APPALACHIA/OHIO DEVELOPMENT SERVICES AGENCY (GOA/ODSA) GRANT FUNDING FOR THE NEW PHILADELPHIA WATER TREATMENT PLANT FILTER BACKWASH LINE PROJECT, AND DECLARING AN EMERGENCY. [1<sup>st</sup> Reading]

Motioned to suspend rules made by Mr. Lautenschleger,  
Seconded by Ms. Cox  
Roll call, 7 yeas,  
Rules for Resolution 27-2015 have been suspended

Motion for passage made by Mr. Lautenschleger  
Seconded by Ms. Cox  
Roll call, 7 yeas,  
Resolution 27-2015 has passed

**UNFINISHED OR OLD BUSINESS:**

NONE

**NEW BUSINESS:**

Comments from Law Director Marvin Fete

Mr. Fete reported: "We've got a lot of faces that will be leaving us, and a lot of new faces we're going to be welcoming. I would just like to say a few words about those who are going to be leaving us this evening. First up I'd like to talk about Mayor David Johnson. Mayor I came across a quote that made me think of you and I want to share that with you now." Mr. Fete Reading the Quote: "It is not the critic who counts, not the man who points out how the strong man stumbles, or the doer of deeds that could have done them better. The credit belongs to the man who is actually in the arena, who's face is marked by dust and sweat and blood, who strives violently, who errors and comes up short again and again, because there is no effort without error and shortcoming, but who does actually strive to do the deeds, who knows the great enthusiasms, the great devotions, who spends himself on a worthy cause, who at the best knows in the end the triumphs at high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat." Mr. Fete continues "These words were said by Teddy Roosevelt over a century ago, and I think they are as true today as they were back then." "The mayor came in at a difficult time. We had a previous mayor who quit while we were facing some very difficult budgetary times, and Mayor Dave Johnson stepped in and took those reigns." "I can't tell you how many times but probably every time I met with him I think the words that came out of my mouth were "why do you want this job?" "because I would not have wanted to do it. There are not many people who would have stepped forward under those circumstances and wanted to take over that position. He came in on a promise that he wasn't going to allow anybody to lose their jobs because of budget concerns, and to do that he made a lot of choice and decisions to help people keep their jobs, and anytime you make decisions like that, anytime you take a position, there's somebody on the other side that doesn't like that opinion or decision. The leader is not called on to do what's popular, they're called on to do what they feel is right, and is in their hearts in the best interest of their city or their community. I've come to respect the mayor and consider myself to have had a new friend through this experience, and I want to thank you for your service and working with me in a difficult time."

Mr Fete continues "For Jim Zucal, I have known Jim Zucal since winter of 1988. I was a freshman at Ohio University and got hired to work for UPS washing trucks. The person that I washed trucks with and we probably did 30 or 40 trucks a night was Jim Zucal. He taught me how to wash a truck really fast in the cold, and also how to

change oil on trucks that were so large that I had to stand on the bumper and push up on the hatch to get it high enough to lock because I was so short, and I've been friends with him ever since. I've known him through a lot of different positions, he's always been very dedicated to his community, and he's been in a difficult position. Prior to going to law school I spent several years working for other elected officials, and it's a difficult job because you're not the one who gets to make the calls, you have to be the one who enforces the will of the people you're working for, and that's not always a popular position to be in. So when you are having to enforce what other people want you to do sometimes you're in a tough spot, and it's almost a no win scenario I found when I worked there, but I found that Jim's heart was always in the right place. He put his community first, sometimes ahead of his own health, and ahead of his own family, and I want to especially thank him for making my first years here much easier than it would have been, in working with me helping my position to get easier, and having somebody that I could go to for advice and difficult issues, and I know that our friendship will endure and I just want to thank him for his service to the community and friendship through the years."

Mr. Fete continues: "Dan Lanzer, of all the council members I have to say Dan was the easiest one to work with. Everybody was always very respectful of my position, but he would call up even when he had something for me to do and would say "let me know when you can work on this, I'll work with you on it. I don't want to put too much on your plate." And was just a joy to work with. He has the distinct honor of being the first democrat who's sign I ever put in my yard, when he ran for office in both the primary and general election, that's a first maybe in our family. I feel I've become good friends with Dan and I know his heart is in the right place when it comes to serving the community and taking care of others and I hope that this is not the last we'll see of him and I think that he's got a bright future ahead of him and he really puts community first and he's a really good man and a good person to work with and I want to thank you for your service."

Mr Fete continues "Now, I want to talk about the beautiful people on council, and to commemorate them with the help of my sons, we got a few things for them. I want to first talk about Patti McKay. Patti, I had to buy a new cell phone today because my phone was automatically set to call you every Thursday and Friday before council meetings to find out what legislation is due, what number we're on and make sure that I'm on the same page that you are because you kept me on track from day 1 knowing what legislation had to be there and I don't know how I'm going to get by without you but it has been a privilege to work with somebody who has been as distinguished as you in serving this community for as long as you have, and I love you, I'm going to miss you terribly, and if your phone rings on Thursday or Friday and it's me, say Marvin, I'm not the clerk anymore and here's the name of the appropriate person, but I wanted to thank you for everything and as a token I want you to have this rose."

Mr. Fete continues: "I want to next talk about Winnie Walker. Winnie and I have been friends even though at the time we became we were on complete opposite political parties. She had called, I was working as a runner at a congressional office, fresh out of college, more or less green as green could be and she had called to speak with the congressman, and I had read about her. At the time she had just started as a councilwoman for the City of New Philadelphia. I read that she talked about having polio and Franklin Roosevelt, and she said "hi, this is Winnie Walker" and I said "aren't you the one that likes Franklin Roosevelt?" We instantly became friends over a mutual love and admiration of Franklin Roosevelt, however, unlike myself, Winnie Walker had the pleasure of meeting Franklin Roosevelt. Franklin Roosevelt who lead our nation through the most difficult times in our history, the depression, and a world war that virtually destroyed this country and the world as we know it. The only people that he would allow to see him in his wheelchair was people who had Polio, and even though Winnie had trouble standing up, she never had trouble standing up for what she believed in and for the people of New Philadelphia, and it has been a privilege to not only serve with you but to know you and your dedication and I love you Winnie and I know we're going to be friends for a long, long time, and for you I also brought a rose."

Mr. Fete continues: "Last but certainly not least, Sandy Cox, of all people that I knew I was going to be serving with when I first took office 4 years ago, the one that concerned me the most was Mrs. Cox. My dad who talks a lot about national politics, but not so much about local politics, she's the only one I ever heard mentioned by my dad who said "I like her, she seems like a watchdog and really knows her stuff." Myself, I always read about her democratic circles, so I was kind of terrified thinking she was this real serious, political, dogmatic type person, but I could not have found anything less true in my entire life. Of all the people that I have worked with, this woman welcomed me the most. Fortunately she lives 2 blocks from me, and even if she changes her number I still know where she lives in case I have to get advice, maybe to ask for an increase in my professional consultant budget, because she's probably worth a lot of money if she charged for those services in the future, though I doubt it because she cares too much for her community, but I have come to not only respect this woman but to love and appreciate her. There have been many times that I've come to her home in the night, before a council meeting, after a council meeting, call just to get her advice, and I have tremendous respect for her because she never hesitated to challenge me or call me on

something and she always did it in a respectful manor. Frankly, I don't know how she's not in congress at this point because with her knowledge of budget and process she'd of made a fantastic law director if nothing else, and I love her and appreciate her and on behalf of myself and the citizens of New Philadelphia who you have served for all these years, I just want to thank you and tell you that I love you and appreciate everything that you've done and I hope you allow me to come to you with advice in the future. I just want to share this with you, and tell you thank you, and that concludes my remarks." (Mr. Fete presented Ms. Cox with a rose also)

Comments from Councilperson Darrin Lautenschleger:

Mr. Lautenschleger reported: "It's a hard act to follow, as Mr. Zucal says, my comments will be about 15 minutes longer than Mr. Fete. Actually I'm joking but I do want to thank the folks that will be leaving us. I think we've got quite a bit of knowledge walking out the door, quite a bit of dedication, and excellent examples to follow, and we should all remember that. I'm going to make an announcement even though he might not want it and I don't care. I found out today that another person who spent a lot of time in these chambers is also retiring at the end of the year. Joe Mizer from the Times Reporter is retiring effective at the end of the year, and I think it's proper for us to thank him as well, for imparting a lot of wisdom for residents throughout the years.

Mr. Lautenschleger continues: "I want to thank Dan, Winnie, and Sandy for everything that they did. Dan's been an excellent addition, he's taken council and it's business very seriously. I knew that from the start when he called me up and wanted to sit down and just talk, so that was great. Winnie I've known since I worked at the Times Reporter and she came in and brought a news release from the Polio survivor's group, and when I went down the steps, the newsroom at the TR at the time was upstairs and she met me downstairs, and the first thing she did was rap my knuckles about why on earth do you not have an elevator in this building and what's going on." "I'm not an engineer, I don't know what to tell you, ma'am, but I appreciated spending a lot of time with her."

Mr. Lautenschleger continues: "Sandy was somebody who encouraged me along right from the start, and because I, for a lot of people who may not know I didn't want to run when I originally did. She encouraged me to consider that when Art Cicconetti was retiring and I told her it would be a hard act to follow and she said "yes it will but give it a shot anyway." I still think it's a hard act to follow. He's an outstanding person and I think anybody who would sit in that seat at the end there will understand that because Sandy will be a hard act to follow.

Mr. Lautenschleger continues: Patti has been more of a friend than I think a coworker or a clerk of council. I think most people think the clerk of council just schedules meetings that come up, now she's been an outstanding person to work with on a regular basis and I'm happy to call her my friend as well.

Mr. Lautenschleger continues: "I've enjoyed my experience working with Mayor Johnson on a couple different terms and a couple different levels. He served the residents well. I know he's dedicated to the community. I see his family here and I know that they may feel bad right now but they've got a lot of good things to feel good about. He took a hard task and took it on, head on, and probably some of you paid the price for some of that, because there were probably some times he came home and through a few things against the refrigerator. Jim, of course, I beat Jim up a lot at family dinners, we wrestle a lot, he always loses, but in all seriousness, Jim is an outstanding public servant. I don't want him to know this but I'm proud to be associated with him. He'll get a big head if he hears that. I've been amazed when I could call him and just say "hey, I was thinking about X" and not only did he know about X, he had all kinds of background about it. He would tell me, "here's how you could find out more, here's who's phone you could call, here's a phone number, and here's who else knows about it, and get back to me if you need more". And he usually knew that. So I think we're going to be in for some challenges ahead. Thank you all, and thanks for the time.

Comments from Councilperson John Zucal

Mr. Zucal reported: "Thank you, again I would be remiss if I didn't take the opportunity to share my thoughts with those who will be leaving us this evening, and I do that with a little bit of mixed emotions as well, in a lot of different ways. Patti, I'm going to begin with you, and I promise not to be as long as Marvin, I'll try to even be shorter than Darrin. Thank you so much for what you've done for me on a personal level as ward 2 city councilman and taking those notes and taking notes with such diligence, putting up with my harassment, most times teasing you quite a bit, but Patti you've been truly an asset to New Philadelphia City Council. You're a wonderful person, and will be missed in a lot of different levels. I thank you for all that you've done for all of us and especially for me. It will not be forgotten. For the three councilmembers across the room from me, I have the highest respect for each and every one of you and I mean that from the bottom of my heart. There were times when we didn't always see eye to eye, but I guess that's the nature of politics. If we all agreed we wouldn't have serious debate, we wouldn't have opportunities to reflect upon other's positions. Two things I want to say, the first one is, in those debates it forced me to think about things differently. To view a city councilman at Ward 2 through through a different lens. It forced me

to refocus and sometimes, no, maybe not so much, but again without that I would not be able to grow in my position and I thank all three of you for that opportunity. Sometimes it challenged me. I deeply appreciate that. The one thing I know we all have in common is the deep commitment we have to the citizens of New Philadelphia and those who support it on a daily basis. You've made a lifetime contribution, Sandy and Winnie you've been here through the tough times, and the city has grown because of it, and Dan, you and I are the relatively newer ones to council. I enjoyed working with you on Special and Contact and again talking a little football from time to time. All 3 of you are going to be missed, and I know the citizens, I would hope, certainly appreciate all that you contribute, and you have made New Philadelphia a better place because of that.

Mr. Zucal continues "Mayor Johnson, sitting next to you, we love our Buckeyes, and we love the City of New Philadelphia, and again I just would want to echo Dave took on a tough task, a challenge that not everybody would want to take, and stepping back and looking at the body of work that you've done. I heard you say many times here in council chambers, "I left the City in a better condition than I found it". Mr. Zucal continues "and you're absolutely right about that. The biggest thing that I can say about Dave, what means most to me in my heart, is that you care deeply about people. You made a commitment to people, at every single level you did what was best for people, not what was best for politics, and not what was best sometimes for material things in this world, but you care deeply for them, that will always be something you can look in the mirror and say "I'm proud of what I've done". You can never turn away from that, no one can ever take that from you, Mayor Johnson.

Mr. Zucal continues " (Speaking to Law Director Marvin Fete) I've known the guy at the end of the table for a little longer than you have. I think it's probably September 5th 1964 that I first met him. I always thought he was a lot younger than me. Honestly as family members we haven't always seen eye to eye. We have differences of opinion about things, but when you talk about some of the things that he knows, I can tell you he knows far more than I ever would about any of those things, and I sat there many times and continue to sit here, and his wealth and knowledge about so many things that have made the city of New Philadelphia better shocks me. Because of his expertise in dealing with people, knowing the government entities, the grant writing process, the infrastructure, all those different things, and as Darrin said, not because he's my brother, but because he's the most versatile, knowledgeable people I would ever want to meet. He always had an answer, had multiple answers, multiple ways to address it, and if that wasn't good enough, he could give me the resources I could talk to and make an informed decision. Jim, because of your hard work I know too the City of New Philadelphia is a far better place than it was many years ago, and I look around and there's been great great progress made. I hear that from the citizens, I see with my own eyes and I deeply appreciate all the work that's gone in by all those members who are here tonight. Thank you very much, I wish you all the best and I know you'll all be successful, and again, thank you again."

Comments from President of City of New Philadelphia Council, Sam Hitchcock:

"One of the bad parts about sitting in this position in this chair is everyone else has the opportunity to say all the good stuff first, and I'm left with less. I agree with everything that was said and I definitely endorse all the statements that were made and all the heartfelt comments were certainly well taken, and as Marvin mentioned, there's quite a few people who will be going out of public service here in just a few days and a lot of expertise and talents are going to be going with them. As Mayor Johnson said at the last meeting, if someone entrusted him with something, he always felt he should give it back in better condition than he received it in. That's something that made an impression on me, and I think it's safe to say that people who are leaving, some by choice and some by chance, I think it's safe to say that the city is in much better shape as they leave it than it was when they received it. I think they have given of themselves and their expertise, and their talents and their devotion and their dedication to public service, and I think the city is better off having received that service, and not as a public official, and not as President of Council, and not as an elected official, but as a citizen of this community, I appreciate everything that you've done for me as a citizen. I think you've all distinguished yourselves in public service and I'm going to miss you. The most important thing that I gained from all of you is your friendship.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:13PM.

A RECEPTION WAS HELD WITH COOKIES AND PUNCH AND A BEAUTIFUL CAKE DECORATED WITH THE NAMES OF THE OUTGOING COUNCILPEOPLE AND ADMINISTRATION, PROVIDED BY COUNCIL AND SERVED BY JULIE COURTRIGHT AND MARY ANN OTTE.

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

APPROVED \_\_\_\_\_

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

Sam R. Hitchcock