

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 24, 2019 WITH PRESIDENT OF NEW PHILADELPHIA CITY COUNCIL SAM HITCHCOCK PRESIDING. COUNCILMAN HOLLAND OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND
MR. DAN LANZER
MR. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCE:

AUDITOR GUNDY
SERVICE DIRECTOR MCABIER

- MR. RICKLIC MOTIONED TO ADD ORDINANCE 10-2019 AND RESOLUTION 12-2019 TO TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
7 YEAS
ORDINANCE 10-2019 AND RESOLUTION 12-2019 HAVE BEEN ADDED TO TONIGHT’S AGENDA
- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT’S AGENDA
MR. RICKLIC SECONDED THE MOTION
7 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED
- MR. ZUCAL MOTIONED TO ACCEPT THE MINUTES FROM THE JUNE 10, 2019 REGULAR SESSION OF CITY COUNCIL
MRS. MAY SECONDED THE MOTION
7 YEAS
MINUTES FROM THE JUNE 10, 2019 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Councilman Ricklic from President of New Philadelphia City Council Sam Hitchcock, dated June 14, 2019. This is an email with the subject FWD: Proposed Amendment to Ordinance 37-2002. It states: Kelly, please take the attached proposed amendment into your Committee for consideration.*
2. *To Council and Administration from Service Director McAbier, dated June 19, 2019. This is an email and it has the subject “Vacation” and it states “I will be on vacation from June 20, 2019 returning July 1st. I will be checking emails periodically.*
3. *To Councilman Ricklic from President of Council Hitchcock, dated June 20, 2019. This is a forwarded email with the subject “New Quote”. It states “Kelly, please take this into your Committee and schedule a meeting on Monday noting the time essence.”*
4. *To Councilmembers from Mayor Day, dated June 20, 2019. This is an email titled “Signing a letter of support for ODOT District 11 BUILD Federal Grant Application. It states “Councilmembers, ODOT District 11 Officials are seeking public and private support for their effort to receive a \$45 Million Federal Grant to replace the bridges along Interstate 77 between New Philadelphia and Dover. Included in the project is the I-77 bridge on West High Ave. which would be replaced with a wider and safer bridge and a bike lane. To help*

ODOT's efforts I thought it would be a good idea to have Councilmembers sign a letter of support which would be included in the federal grant application. It was replied to by Councilman Zucal.

5. *To Council and Administration from Mayor Day, dated June 21, 2019. This is an email with the titled "Presentation by Jamie Johnson of the US Census Bureau Rescheduled for Monday, July 22."*
6. *To Council and Administration from Mayor Day, dated June 21, 2019. This is a forwarded email with the subject "Update to HB 49 Net Profits Tax Case". It says "All, below is the latest news on the municipality's net profits tax lawsuit against the state".*
7. *To Council and Administration Mayor's Executive Assistant Mary Ann Otte, dated June 24, 2019. The subject is "Tonight's Cancellation". It states "Good Morning, Michael McInturf sends his appologies. He had to reschedule his presentation for another day. His father is having some health issues he needs to tend to. We will let you know when he can return to present his first draft of the City's Master Plan.*
8. *To Becky Giague from Mayor Day, dated June 24, 2019. It is copied to members of Council. The Subject is "Letter of Support from Mayor Day". It states "attached is a letter of support for the BUILD Grant Application. I'll continue to contact others to ask for their letters".*
9. *To Council and Administration from Mayor Day, dated June 24, 2019. This is the Mayor's Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

- **Alerting Contractors to Avoid Putting Materials on Curb Strips:** To help improve the attraction of our neighborhoods in the City, I'm asking contractors, landlords and home owner do-it-yourselfers to avoid putting refuse materials on curb strips. Instead, please haul the materials away yourself or place it where it cannot be seen from the street. If you call the City Garage for a special pickup, tell us where the refuse is located. City ordinance allows for three special pickups per year without extra charges.
- **Lightning Signs Ribbon Cutting and Downtown Events on the Side Lot:** This past Friday I had the honor of participating in a ribbon-cutting ceremony to welcome Lightning Signs to its new downtown location at the corner of Front Avenue and South Broadway. Lightning owner Chris Call says he intends to expand his business and utilize the large side lot to host downtown events this summer. It's exciting to see the number of small businesses that are choosing to locate or relocate in downtown New Philadelphia.
- **Boat Ramp Ribbon Cutting Ceremony on Saturday July 20th :** Plans are underway to officially open the City's new boat ramps into the Tuscarawas River. On Saturday July 20th at Noon we will have a ribbon-cutting ceremony at Waterworks Fields Park to officially open the ramp at that location and also the second location on State Route 416 at the former Carlisle Canoe Livery. Officials from the Ohio Department of Natural Resources, Rural Ohio, the Muskingum Watershed Conservancy District, Rural Ohio and the Ohio chapter of the American Canoe Association are helping me organize the event. Having easier access to river recreation should attract more tourism dollars into the City.
- **Ohio Mayors Association members are still Skeptical that Local Government Funding Cut will be Restored:** At the recent Ohio Mayors Association Conference I attended in Columbus, Lt. Governor John Husted told members that he and Governor Dewine intend to strengthen the state's relationships with local governments. But he made no commitment that any of the \$450 million in local government funding cuts made by the previous administration would be restored. The loss of

the funding has hit Ohio's smaller municipalities and villages particularly hard. New Philadelphia has lost approximately \$3million over the past five years. These are tax dollars we all pay to the state that could be used to pay for city services. Last week the Ohio Senate passed a budget bill that restores \$5million of the cuts. But there is no guarantee that it will remain in the final compromise budget worked out between the Ohio House and Senate.

➤ A Pledge to Help Fund the East High Avenue Trail Corridor Master Plan: I have pledged \$4000.00 from the Mayor's budget to help fund a master plan to connect bicycle trails coming from the south and north to trails being developed in New Philadelphia. The plan would focus on using East High Avenue as the main connection corridor, bringing together trails from SR 416, the KSU-Tusc campus and Schoenbrunn, and connecting them to downtown New Philadelphia. The Ohio and Erie Canal Towpath Trail would come from Dover along Tuscarawas Avenue, through the Five Points intersection and onto Waterworks Fields Park. Several manufacturers in the Reiser Avenue Industrial Park area have pledged funds to the study, as well as local tourist attractions and the Ohio and Erie Canal Coalition.

Mayor Day made the following statement:

Mr. President, I would like to request an Executive Session tonight to discuss the tentative contract agreement that the Administration has reached with the firefighters union.

MR. MAURER MOTIONED FOR AN EXECUTIVE SESSION ON THE
MAYOR'S REQUEST
MR. HOLLAND SECONDED THE MOTION
7 YEAS
THERE WILL BE AN EXECUTIVE SESSION FOLLOWING THE
LEGISLATIVE AGENDA AND A 10 MINUTE RECESS TONIGHT.

SERVICE DIRECTORMR. RON MCABIER.....EXCUSED ABSENCE

AUDITORMS. BETH GUNDY.....EXCUSED ABSENCE

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

As the fire chief mentioned earlier one of the new hires on the fire department turned in his notice and his last day is Saturday. In the police department Pete's replacement is here. He'll be going through approximately two months of training and then he has to certify with the state and then he'll be able to take on his patrol duties at that time.

Mr. Ricklic had the following question:

What is Pete's replacement's name?

Mr. Popham had the following reply:

Diesel

Mrs. Ramos clarified that Pete is the Canine Officer.

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I would like to piggyback on the Mayor’s request for an Executive Session. I have three issues that I need to discuss with Council under the subject of threatened or pending litigation. I will reserve my comments for that time.

MR. MAURER MOTIONED TO TAG ON AN EXECUTIVE SESSION FOR THE LAW DIRECTOR
MR. RICKLIC SECONDED THE MOTION
7 YEAS
A SECOND EXECUTIVE SESSION WILL BE HELD DURING TONIGHT’S MEETING FOLLOWING THE FIRST ONE

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR JOEL DAY

The Planning Commission will meet on Tuesday, July 9, 2019 at 1:00 PM here in Council Chambers. The Agenda is being developed.

BOARD OF ZONING APPEALS MR. RON MCABIER EXCUSED ABSENCE

AIRPORT COMMISSION MR. JOHN ZUCAL

The Airport Commission will meet on Tuesday, July 9, 2019 at 6:00 PM in the Harry Clever Field Meeting Room. We were unable to attain a quorum for our June Meeting. Therefore we were not able to conduct any official business so my hope is that at the July meeting we’ll be able to address many of the issues that we still had scheduled for June.

PARK BOARD MRS. AIMEE MAY NO REPORT

CEMETERY BOARD MRS. AIMEE MAY NO REPORT

HEALTH BOARD MR. KELLY RICKLIC

The Health Board met on June 12, 2019 at 12:00 PM in the Health Department. The Monthly topic was Hepatitis A and the outbreak throughout the state. Since January 5th 3,039 positive cases have been confirmed in 79 of 88 counties. Tuscarawas County is one of the counties that does not have a positive case, but a resident that was in New Philadelphia has moved to Coshocton County and is one of those positives. Hepatitis A is a disease that affects people ages 1 to 89, 1,821 people have been hospitalized by it and 10 deaths. 61% of cases are male. The number 1 cause of it is drug use and sexual contact in jail is a high risk area. Our Health Department is going to do some inoculations in the area where it’s at and in the jails throughout our Community. If you have any other questions about Hepatitis A please contact our Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER.....NO REPORT

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

No formal report, but I would like to welcome our special guests again as we move through the Legislative Agenda. We're very excited here in Council to have them with us and to be able to honor and recognize them this evening.

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

SAFETY HEALTH & SERVICE COMMITTEE... .MR. KELLY RICKLIC

Mr. Ricklic had the following report:

The Safety, Health and Service Committee did meet tonight and we had two topics to discuss. The Meeting was called to order at 6:30 PM to address Ordinance 10-2019 that replaces the section in Ordinance 37-2002. It was recommended to add to the Agenda tonight and pass on 1st Reading for emergency to replace the individual that is leaving the City Fire Department. It passed 3-0 to be added to the Agenda and passed on 1st Reading. Our second topic was to deal with Resolution 12-2019 which is the additional purchase of a garbage truck for the sanitation department in General Services. Mr. Grewell and Mr. Marcaletti gave their report of a need for this truck. The Resolution states also the cost of the vehicle will be \$141,653. We'll be able to get a \$1500 deduction if we purchase it very soon. We also have a \$75,000 grant that would be pushed against that vehicle that we could possibly lose if we don't do this resolution tonight. There was a motion made by Mr. Maurer and seconded by Mr. Lanzer. The motion passed 3-0 and the Meeting adjourned at 6:58PM.

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

Mrs. Ramos had the following report:

No formal report but I would like to just remind residents that we are having a Committee Meeting on July 8, 2019 at 6:30 PM regarding the rezoning of what's commonly known as the HRN properties on Kaderly Ave. from residential to business.

SPECIAL & CONTACT COMMITTEEMR DAN LANZER.....NO REPORT

VISITOR'S COMMENTS:

Ruth King of 1171 Lakeview Rd. had the following comment:

I'm here because I wanted to talk to you about a concern about water when it rains. When I moved in 17 years ago I was there about two weeks and when I walked out my front door the water was up there. I asked my neighbor if this happens all the time and they said it did every so often. I put my stuff up on cinder blocks and haven't said much since then, but I know that we're going to be looking at sidewalks and some work down in that area and my hope is that we can start to maybe think about some solutions to that problem. We have a lot of pictures and videos if you would want to see it. It's a lot of water, like swimming amount of water, and so I just want to make sure that you are aware of it, and would hope that maybe there could be some considerations for some type of a solution. I understand that storm drains and everything is very expensive. Maybe when the pavement is put in maybe there are some ways to put it in that could just alleviate some of it.

Mayor Day had the following question:

Could you send to me the photographs and videos that you have? That will help us study that area.

Mr. Zucal had the following comment:

Representing Ward II where the majority of the folks out here this evening had the concerns regarding the water. I would like to thank Mrs. King she emailed me several days ago regarding the issue. I did respond back to her and I did forward it to the Mayor as the Service Director is out of town. I think it's only fair what they're asking. I have seen the pictures, I saw more pictures this evening. I think any of us sitting in the seats we sit in tonight would express the same concern that they have with water draining down into their basements. In one of the photos it looked like a stream had started down the cinder block walls in the home. I think that they're being very proactive in recognizing the fact that we do have the project coming out on Lakeview. Is there a chance to deal with that in a way that helps eliminate some of the situation they're experiencing. I know it's a trying time. There is plenty of water that does come off in some cases neighbor's water is draining in some folk's homes. So again I appreciate them coming forward. I know the Mayor is on top of it. I would encourage the Service Director and his team to be in contact with the citizens out there and to be on the forefront of the action we need to take when we're dealing with the sidewalk. Thank you again.

COUNCIL COMMENTS:

Mr. Ricklic had the following comment:

I would like to say that tonight is the 2 year anniversary of the opening of the fire station. I want to commend the fire department on maintaining that building and taking care of that area and putting it to good use. Thank you.

Mrs. Ramos had the following comment:

With all the growth in the area as far as businesses and zoning changes that are coming in the future, I would like for Council to consider foreseeing how we could look at some zoning designations and put some good neighbor qualifications in there for businesses adjacent to residential areas because we want to maintain a residential area. Many of them are old and we don't want to lose them. Change can happen naturally but I would like from the experience we've had with some recent rezoning I'd like to see some good neighbor protections in there for residents that are adjacent to business areas.

**President of New Philadelphia City Council Sam Hitchcock asked Mrs. Ramos to take that topic into her Committee.*

Mr. Zucal had the following comment:

I would have reserved these questions for the Service Director who is not here this evening. Recognizing some of the information I've been able to research from the Ohio Department of Health, given the great deal of rain we've had, that has created a lot of standing water. The Ohio Department of Health is predicting that we'll have a tremendous mosquito issue that will be happening later on because of the amount of standing water which you can't really reduce in a lot of ways. Just thinking about that as a City, what are we going to do as far as spraying for those mosquitos?

Mr. Ricklic had the following reply:

Lee Finley of the Health Department has been proactive. He's already started putting pellets out in standing water areas. He also has planned an extensive spraying of the areas and testing. We did change the formula of the spray this year because they're saying all the mosquitos are getting immune from the spray that we've used, but it comes with a cost. It's three to four times the cost but we'll have a better result.

Mayor Day had the following comment:

He's also brought the Ohio EPA into town and they go around to people who have tires stacked around their businesses and are telling them they have to get rid of those because they take on water and breed mosquitos.

Mr. Zucal had the following comment:

The second item I would like to discuss is an issue that we should be aware of. I had the opportunity to be at the Ohio History Connection this past week, and where we're doing our cemetery it was shared with me that at one point Historic Shoenbrunn Village encompassed much of what we do have as an area that is going to be used for the cemetery. I know that that's been plowed and farmed for a number of years and used in different ways. They're still looking at the fact that there might be some artifacts or even potential human remains that could still be brought up. There's no intent at all to stand in the way of our progress. All they're asking maybe, and we could address this with the Cemetery Board, if human remains are found, the Indian Nation would like to be made aware of that.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

9-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2019 AND DECLARING AN EMERGENCY.

3rd Reading

MR. MAURER MOTIONED FOR APPROVAL OF ORDINANCE 9-2019

MR. ZUCAL SECONDED THE MOTION

7 YEAS

ORDINANCE 9-2019 HAS BEEN APPROVED

10-2019 AN ORDINANCE TO REPEAL CODIFIED ORDINANCE 143.03- CERTIFICATION OF AMBULANCE PERSONNEL AND TO ENACT NEW CODIFIED ORDINANCE SECTION 143.03-CERTIFICATION OF FIRE DEPARTMENT PERSONNEL.

1st Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 10-2019

MR. LANZER SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 10-2019

MR. RICKLIC MOTIONED FOR PASSAGE OF ORDINANCE
10-2019
MR. HOLLAND SECONDED THE MOTION
7 YEAS
ORDINANCE 10-2019 HAS BEEN PASSED

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

The next three pieces of legislation are all associated with some awards that we're going to be giving tonight. So we are going to read and pass all three of these before we issue those awards. After the third one is done by our bylaws the Administration has access to the floor at any time during the meeting so following the awards that were given for the Resolutions by City Council on behalf of City Council I am going to ask the Mayor to address the floor and address the audience with some additional awards that he will give on behalf of the City.

RESOLUTIONS:

7-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND BRODY FERRIS FOR HIS HEROIC ACTIONS HE TOOK WHILE WORKING AS AN EMPLOYEE OF LITTLE CAESAR'S PIZZA IN NEW PHILADELPHIA, WHICH SAVED THE LIFE OF HIS CO-WORKER GIL GAYNESBLOOM.
4th Reading

MR. ZUCAL MOTIONED FOR PASSAGE OF RESOLUTION 7-2019
MR. RICKLIC SECONDED THE MOTION
7 YEAS
RESOLUTION 7-2019 HAS BEEN APPROVED

8-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND KERALYN SONGER FOR THE HEROIC ACTIONS SHE TOOK WHILE WORKING AS AN EMPLOYEE OF LITTLE CAESAR'S PIZZA IN NEW PHILADELPHIA, WHICH SAVED THE LIFE OF HER CO-WORKER GIL GAYNESBLOOM.
4th Reading

MR. ZUCAL MOTIONED FOR PASSAGE OF RESOLUTION 8-2019
MRS. RAMOS SECONDED THE MOTION
7 YEAS
RESOLUTION 8-2019 HAS BEEN APPROVED

9-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND NICOLE STRONG FOR THE HEROIC ACTIONS SHE TOOK WHILE WORKING AS AN EMPLOYEE OF LITTLE CAESAR'S PIZZA IN NEW PHILADELPHIA, WHICH SAVED THE LIFE OF HER CO-WORKER GIL GAYNESBLOOM.
4th Reading

MR. ZUCAL MOTIONED FOR PASSAGE OF RESOLUTION 9-2019
MR. HOLLAND SECONDED THE MOTION
7 YEAS
RESOLUTION 9-2019 HAS BEEN APPROVED

*Brody Ferris and Keralyn Songer were told to come before Council where President of New Philadelphia City Council Sam Hitchcock presented them with framed Commendations (Nicole Strong was not present).

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

Heroic actions such as we are recognizing tonight are certainly heartwarming for anyone to read about or hear about. I'm sure Mr. Gaynesbloom is grateful to these young people we are recognizing tonight who not only knew what needed to be done, but had the courage and willingness to take quick life-saving action. How easy it would have been to just call 911 and stand by waiting for the ambulance to arrive. Their decision to take action and become involved is what has given this story a happy ending. Being President of New Philadelphia City Council affords me the honor of presenting these resolutions to each of you on behalf of the City Council.

*Following the presentation of Commendations Mayor Day presented Ms. Songer and Mr. Ferris a Key to the City of New Philadelphia.

12-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO PURCHASE A NEW GARBAGE TRUCK.
1st Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 12-2019
MR. LANZER SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 12-2019

MR. RICKLIC MOTION FOR PASSAGE OF RESOLUTION 12-2019
MR. MAURER SECONDED THE MOTION
7 YEAS
RESOLUTION 12-2019 HAS BEEN APPROVED

COUNCIL ADJOURNED INTO A 10 MINUTE RECESS AT 8:16 AND RECONVENED BEFORE GOING INTO EXECUTIVE SESSION AT 8:26. AT 9:46 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

Mr. Maurer motioned to adjourn at 9:46 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam Hitchcock