

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 27TH, 2011 WITH PRESIDENT OF COUNCIL JOEL DAY PRESIDING. MR. DAY OFFERED A PRAYER AND THANKED THE LORD FOR GIVING JIM LOCKER THE DESIRE TO SERVE OUR CITY FOR NEARLY FIVE DECADES AND ASKED THAT THE LORD BLESS HIM WITH GOOD HEALTH IN HIS RETIREMENT AND WITH MANY OPPORTUNITIES TO ENJOY THE COMPANY OF HIS FAMILY AND FRIENDS AND HE ASKED FOR A BLESSINGS UPON THIS MEETING AND ALL WHO ARE WITH US TONIGHT. ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

PRESIDENT OF COUNCIL JOEL DAY WELCOMED EVERYONE AND STATED IT WAS WONDERFUL TO SEE SO MANY VISITORS, TONIGHT.

COUNCIL MEMBERS IN ATTENDANCE:

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

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL, 7 YEAS, MOTION PASSED

MS.ESPENSCHIED MADE A MOTION TO APPROVE THE MINUTES OF THE PREVIOUS SESSION HELD DECEMBER 12TH, 2011 AND MS. COX SECONDED THE MOTION.  
ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE . . . . . CLERK, PATRICIA MCKAY

1. Salary Committee Meeting Minutes from December 12, 2011
2. Finance Committee Meeting Minutes from Monday, December 12th, 2011
3. A notice to Council from the Ohio Division of Liquor Control mailed December 19th, 2011 to C. S. Ross Company, dba Big Lots 815, 408 Bluebell Drive NW, New Philadelphia, Ohio 44663 for a New C1 C2 permit asking objections be made no later than January 19<sup>th</sup>, 2012.
4. A notice to Council from the Ohio Division of Liquor Control mailed December 21<sup>st</sup>, 2011 to Robert Lance, 126 Front Avenue, SW, New Philadelphia, Ohio 44663 from Dee's Restaurant LLC dba Dee's Restaurant 1109 Bowers Avenue Suite C & Patio, New Philadelphia, Ohio 44663 for type TFOL D-5 permit asking objections be made no later than January 23<sup>rd</sup>, 2012.
5. Invitation for the Swearing-In Ceremony of the Elected City Officials to be held January 4<sup>th</sup>, 2012 at 6:00 PM in Council Chambers with Honorable Judge O'Farrell presiding. Light refreshments will be served.

ADMINISTRATIVE REPORTS:

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

- The Mayor congratulated and thanked McInturf Realty for another successful Christmas in the Park event. The Mayor stated that Jan McInturf has truly created a great New Philadelphia Tuscora Park Christmas tradition. Mayor Taylor thanked all participants and our park employees for all their efforts in the preparations and following day duties for this event.
- Mayor Taylor announced that we will begin the 2012 budgeting process soon. All departments are beginning to formulate their budgets for next year and to identify areas of need and concern within their budgets. The Mayor's goal is to be able to meet with the Finance Committee in very early February for budget presentation.
- The Mayor announced officer Rich Calderon will be retiring as of January 8<sup>th</sup>, 2012 after 22 years of service to the City. The Mayor thanked him for his service and wished him well. The city has an active current eligibility list to choose his replacement from and that process will begin in January.
- The Mayor personally thanked Mr. Locker for his many years of service to the City of New Philadelphia. The Mayor announced that a wonderful article and picture of Mr. Locker appeared in today's paper. The Mayor told Mr. Locker that he should be proud of always holding his head up high and doing what he thought was best for the citizens whom he served and who elected him to represent them. The Mayor thank Mr. Locker for a job well done and stated that he enjoyed working with him for the last nine years

- Mayor Taylor acknowledged the Law Director, Michael Johnson and Council President, Joel Day for their many years of dedicated service to City administrations, councils and the public.  
The Mayor stated that experience is the most difficult thing to replace and the individuals that will be assuming their positions will learn quickly the importance of the positions and the amount of time that it takes to function as admirable as you gentleman have done. The Mayor wished all three good luck and stated that he is looking forward to retaining their friendships as he values that the most.
- Mayor Taylor wished everyone a Happy New Year and stated that he is looking forward to 2012 to be a better year than 2011 and that economically the City of New Philadelphia is slowly but surely heading in the right direction.

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

The Service Director reported on activities within the Street Department in the General Service Division.

- The City wide leaf pickup from this fall is complete. The Service Director complimented Fred Neff and all the employees of the street department for doing a fine job.
- Mr. Zucal reported that we are preparing the equipment for pot hole patching.
- We are also prepared and ready for any snow or ice event that may come our way.

**AUDITOR . . . . .MS. BETH GUNDY**

The Auditor informed Council that the State will not be doing the audits. The bid for audit is out and the Auditor has received notice that Rea & Associates won that bid and will be doing the audit for the next 4 years.

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

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

**LAW DIRECTOR . . . . .MR. MICHAEL JOHNSON**

The Law Director, Michael Johnson reported:

This was his final report as Law Director for the City of New Philadelphia.

Today Fred Neff coordinated with members of the Street Department to pick up not only the current files but old files from his office and transfer them to the new Law Director. Mr. Johnson thanked Mr. Neff and Mr. Jim Zucal for coordinating this move. The remaining items will go the end this week.

The Law Director advised the Courts that he will no longer be representing the City in the current pending legal cases. That notice has gone out and that has taken place.

Items that he did not get finished this year will be marked and placed in a box for review next year.

Mr. Johnson encouraged any Committee Chairman that has something pending or something that needs to get done will have to get with the new Law Director and start that process.

The Law Director stated that he believes that this Council and this administration will be able to keep things moving along in a proper way.

The Law Director stated that he always held his head up high as he always tried to do his best as Law Director for the City of New Philadelphia.

The Law Director thanked all of the City Employees he has had the opportunity to work with over the past 24 years and stated that he is enriched by the people of New Philadelphia especially those who hold offices and are dedicated to trying to keep our City moving forward.

The Law Director thanked his family especially his wife.

The Law Director then stated “to all of you thank you very much the City has been good to me.”

The Law Director wished all a “Happy New Year.”

**BOARD/COMMISSION REPORTS:**

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

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

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

Mr. Zucal announced pending and agenda the Board of Zoning Appeals Meeting will be held Tuesday, January 10th, 2012, at 5:00 PM in Council Chambers.

**AIRPORT COMMISSION..... MR. JAMES LOCKER**

Mr. Locker announced the next Airport Commission Meeting will be held in January 2012.

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

Mr. Lautenschleger announced the Park Board met on December 14th, 2011 at 7:00 PM at the Tuscora Park Office. There were a couple of items to report.

1. A discussion was held about planning for a future development of the South Side Community Park. (Taking some of the steps forward in developing that plan.) More work on that in upcoming meetings.
2. The city has received a \$28,000.00 from an insurance settlement claim to replace the heaters for both the swimming pool and the diving tank at the City pool that were damaged last year they have been purchased and will be installed in time for the upcoming season.
3. The Mayor is working on the recruiting a new person to take over one open seat on the Park Board.

The January meeting will be held on January 18<sup>th</sup>, 2012 at the Tuscora Park Office at 7:00 PM.

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

Ms. Cox announced that the Health Board will meet Wednesday, January 18, 2012 at 12:00 Noon at the Health Department. Ms. Cox reported that Resolution 36-2011 commends Guido Civiello for 31 years in the Health Department is on tonight's agenda. On behalf of the Health Department Ms. Cox thanked Guido for his service and dedication. And stated that we appreciated everything he has done.

**STANDING COMMITTEE REPORTS:**

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

Ms. Cox reported the Finance Committee met this evening at 7:00 PM in Council Chambers with two items on the agenda. Ms. Cox reported the following:

Item 1: To discuss Resolution 51-2011 there was a correction and Ms. Cox reminded everyone they received a new and corrected version of Resolution 51-2011 Note: Section 1. The amount needed to be changed to \$25,000.00.

Item 2: To discuss O.D.O.T. paving projects. The Mayor reviewed all the O.D.O.T. paving projects recommended for the next couple of years. The committee recommended the Mayor to move forward with the process of funding the paving projects and working with the State (O.D.O.T.)

Meeting adjourned at 7:19 PM

Council President Joel Day assigned to the Finance Committee

The 2012 CHIP Program

Chief Urban's request for police cruiser replacement.

**SALARY COMMITTEE .....JAMES LOCKER.....NO REPORT**

President Joel Day assigned to the Salary Committee the commendation for years of service for Jay Stein who served on the City of New Philadelphia Park Board.

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

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

Mr. Lautenschleger reported that the Public works & Economic Development Committee will meet January 9<sup>th</sup>, 2012 at 6:45 PM in Council Chambers prior to the next regular session of Council to discuss Utility Rates and the Service Director's recommendation for 2012.

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

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

Mr. Zucal did not have a formal report but did thank Council President, Mr. Joel Day for all the guidance he provided for him as the newest member of Council he stated that he appreciated the opportunity to work with him and the leadership he provided for the City of New Philadelphia.

Mr. Zucal gave thanks to the Law Director and expressed gratitude for all his insight and help in making sure the Contact & Special Committee and the Legislation they tried to get adopted was handled properly and thanked him for all his years of service.

Mr. Zucal stated on behalf of his committee that he could not begin to thank Mr. Locker, his good friend, for serving on his committee and to thank him for all the many years he dedicated his life to the City of New Philadelphia.

President Joel Day assigned to the Contact & Special Committee

1. A notice to Council from the Ohio Division of Liquor Control mailed December 19th, 2011 to C. S. Ross Company, dba Big Lots 815, 408 Bluebell Drive NW, New Philadelphia, Ohio 44663 for a New C1 C2 permit asking objections be made no later than January 19<sup>th</sup>, 2012.
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PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER.....NO REPORT

VISITOR’S COMMENTS:

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

Ms. Lautenschleger greeted everyone and thanked Council for their time thanked Council President Joel Day, Law Director, Michael Johnson and Council Member, Jim Locker for their years of service and support they have given to NPBCA. Commented on the Law Director, Mr. Johnson choice of words “ENRICHED” and stated that her life has been enriched because of having the opportunity to work with all of you. Ms. Lautenschleger stated that she felt honored to have had the opportunity to know them so on behalf of NPBCA she thanked Joel, Mike and Jim. Ms. Lautenschleger reminded them that the NPBCA met the first Thursday of the month at 8:00 AM in the Convention and Visitors Bureau. Ms. Lautenschleger welcomed their suggestions and stated” together we can make anything stronger.”

President Joel Day stated “we are all about to be witnesses to history; this is probably the longest agenda for the City of New Philadelphia Council in our collective memory.”

READING OF ORDINANCES AND RESOLUTIONS:

ORDINANCE:

- 17-2011 An Ordinance to make temporary appropriations for current expenses and other expenditures of the City of New Philadelphia, State of Ohio, during the fiscal year ending December 31, 2012 and declaring an emergency. (3<sup>rd</sup>Reading)  
Motion to vote on passage made by Mr. Locker, seconded by Ms. Cox  
Roll call, 7 yeas Ordinance passed.
- 18-2011 An Ordinance by the Council of the City of New Philadelphia, Ohio to create a permanent part time position to be known as the Safety Forces Clerk which will remain a non-union position and to set compensation for part time employees working more than 30 hours per week, and declaring an emergency. (1<sup>st</sup> Reading)  
Motion to suspend the rules made by Ms. Cox, seconded by Ms. Walker.  
Roll call, 7 yeas, rules suspended.  
Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker  
Roll call, 7 yeas Ordinance passed
- 20-2011 An Ordinance by the Council of the City of New Philadelphia authorizing distribution from income tax proceeds for 2012 and thereafter to the Cemetery Fund 7%, to the Street Fund 16%, to the Police/Fire Pension 10%, the Master Capital 20% and the General Fund 47%, and declaring an emergency. (1<sup>st</sup> Reading)

RESOLUTION:

- 32-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Lawrence J. Kopp. Jr. for his years of service and dedication to the City of New Philadelphia during his 30

years serving the City of New Philadelphia as Police Officer including 17 years serving as Captain with the New Philadelphia Police Department. (3<sup>rd</sup>Reading)

Motion to vote on passage made by Mr. Locker, seconded by Ms. Walker.  
Roll call, 7 yeas Resolution passed.

Mr. Kopp or a representative was not present. The framed Resolution will be forwarded to him.

36-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Guido A. Civiello for his 31 years of Service as Health Board Member for the City of New Philadelphia.  
(3<sup>rd</sup>Reading)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lautenschleger.  
Roll call, 7 yeas Resolution passed.

Mr. Civiello was not present but his daughters (Ms. Patty Taylor, Ms. Mary Ann Hicks) were present to accept the framed Resolution on his behalf. Also present at council on the behalf of Mr. Civiello was Fran Fantin.

The framed copy of the Resolution was initiated by Mayor Taylor. It is a copy of the Resolution that was assigned to a committee approved and brought before Council and passed by Council signed by all Council members, the President of Council, the Mayor and the Clerk to commend those receiving it for their years of service and dedication to the City of New Philadelphia.

President of Council Joel Day presented the framed copy of Resolution 36-2011 to Guido Civiello's Family on behalf of the City of New Philadelphia and extended appreciation for the years of service Mr. Civiello has given to the City.

38-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Michael A. Scolati for his years of service and dedication to the City of New Philadelphia during his 37 years serving the City of New Philadelphia including 3 years as Assistant Superintendent for the Waste Water Treatment Plant.  
(3<sup>rd</sup>Reading)

Motion to vote on passage made by Mr. Lautenschleger, seconded by Ms. Cox.  
Roll call, 7 yeas Resolution passed.

Mr. Scolati or a representative was not present. The framed Resolution will be forwarded to him.

39-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize the Mayor to enter into an agreement with the Goshen Township Trustees for Fire Protection Services from the City of New Philadelphia within Goshen Township, Ohio for the Calendar years 2012, 2013, 2014, 2015, & 2016, and declaring an emergency. (2<sup>nd</sup>Reading)

Motion to suspend the rules made by Mr. Maurer, seconded by Ms. Espenschied.  
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied  
Roll call, 7 yeas Resolution passed.

#### AMENDED

40-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to authorize the rate increase for services provided by Smith Ambulance Billing for the Calendar year 2012 and to adopt changes in the Ambulance Service Fees charged by the City of New Philadelphia for 2012, and declaring an emergency.  
(3<sup>rd</sup>Reading)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Zucal.  
Roll call, 7 yeas Resolution passed.

41-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend James Locker for his service of over twenty nine (29) years in the Police Department including nineteen ( 19) years as Police Chief and 20 years as Councilman for the City of New Philadelphia. (3<sup>rd</sup> Reading)

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

Ms. Cox told Mr. Locker that she really enjoyed working with him for the past 18 years. She thanked Mr. Locker and wished him luck. Ms. Espenschied thanked Mr. Locker for his encouragement and his help. Mr. Lautenschleger thanked Mr. Locker for his time and good advice and stated that he appreciated his wisdom and his guidance, and everything he did for our city. Ms. Walker stated that she really enjoyed working with Mr. Locker and wished him the very best and asked that God Bless him. Mr. Maurer stated that it has been an honor working with a legend within our City.

Roll call, 7 yeas Resolution passed.

Council President Joel Day requested that Mr. Locker along with his family step forward. Council President Joel Day presented to Mr. Locker on behalf of the Citizens of New Philadelphia and Council a framed resolution to commend and honor him and to show appreciation for his dedication and years of service to the City of New Philadelphia. Mr. Locker thanked everyone and wished Council the best of luck.

42-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Joel B. Day for his four (4) years of service and dedications as Council President and eight (8) plus years as Councilman for the City of New Philadelphia. (3<sup>rd</sup>Reading)  
Motion to vote on passage made by Mr. Zucal, seconded by Ms. Cox.

Ms. Cox thanked Joel for his years of service and dedication and wished him the best and stated that it has always been nice to talk and work with him and that she really appreciated all his input and honest responses. Mr. Locker thanked Mr. Day for all the years he has served the City of New Philadelphia and stated that Mr. Day was a good President of Council. Winnie Walker told Mr. Day that she really enjoyed working with him and thanked him for all the rides home. Mr. Maurer told Mr. Day that it has been an honor working with him and that Mr. Day ran a tight ship. Mr. Lautenschleger thanked Mr. Day for his years of service and dedication to the City and thanked him for moving us all forward. Ms. Espenschied stated that there was an incident she needed encouragement. She called Mr. Day and he gave her advice, support and the encouragement that she needed. Ms. Espenschied thanked Mr. Day for his trust and believing in her.

Roll call, 7 yeas Resolution passed.

The Law Director requested the President of Council Joel Day to stand and presented the framed copy of Resolution 42-2011 to him to show appreciation of his dedication and years of service to the City of New Philadelphia. President of Council Joel Day thanked everyone.

43-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Michael C. Johnson for his twenty four (24) years of service and dedication as Law Director for the City of New Philadelphia. (3<sup>rd</sup>Reading)  
Motion to vote on passage made by Ms. Cox, seconded by Ms. Walker.

Honorable Judge Mary E Wade Space told Mr. Johnson that he was someone that everyone has taken for granite. He put out all the fires and she commended him for this. Ms. Cox stated that she has worked with Mr. Johnson for 20 years and that he has always encouraged her and he has always been above board. Ms. Cox said she would always remember how she would frequently use the word illegal and Mr. Johnson told her not to say illegal say it is improper. Ms. Cox thanked Mr. Johnson for everything and told him he will be missed. Mr. Locker said he worked with the Law Director for twenty years and thanked Mr. Johnson for doing a good job for the city and wished Mr. Johnson the best of luck. Ms. Walker thanked Mr. Johnson for all his work and said she appreciated him putting out the fires and stated that he did a wonderful job and will be missed. Mr. Maurer thanked the Law Director and said Mr. Johnson has been a great wealth of information for him. Mr. Maurer commented that when you have 24-49-12 years, nearly a century of experience with three people they will be missed. Mr. Lautenschleger thanked the Law Director, for burning the midnight oil on many occasions to take our ideas and put them into a workable framework and thanked him for coming through for all of us one time or another. Ms. Espenschied thanked and expressed her appreciation for all the help Law Director has given to her.

Roll call, 7 yeas Resolution passed.

The President of Council requested the Law Director to stand and his family to come forward. On behalf of City Council and the Citizens of New Philadelphia Mr. Day presented the framed resolution a copy of Resolution 43-2011 to the Law Director to show appreciation for his dedication

and years of service to the City of New Philadelphia. President of Council Joel Day stated the Law Director is a voice of reason and Mr. Johnson's legal knowledge is second to none and next to Mr. Day's son Ethan Mr. Johnson is his favorite Buckeye fan. "Congratulations."

The Law Director said public service is something that runs in his family and thanked and expressed his appreciation for the recognition.

44-2011 A Resolution to authorize the City of New Philadelphia to enter into a contract with the Tuscarawas County Commissioners and the Tuscarawas County Sheriffs Office for the Housing of Inmates in the Tuscarawas County Jail and payment of housing costs to the Tuscarawas County Commissioners, and declaring it an emergency. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Mr. Maurer, seconded by Ms. Cox.  
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Ms. Espenschied  
Roll call, 7 yeas Resolution passed.

46-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Michael R. (Boots) Fragasse for his eleven (11) years of service and dedication in Water Maintenance and thirteen (13) years as a Water Operator/Maintenance Manager for the City of New Philadelphia. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Zucal.  
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Locker  
Roll call, 7 yeas Resolution passed.

Mr. Fragasse or a representative was not present. The framed Resolution will be forwarded to him.

47-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Ray D. Irwin for his thirty (30) years of service and dedication as a laborer in the Sanitation Department for the City of New Philadelphia. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Ms. Walker  
Roll call, 7 yeas, rules suspended

Motion to vote on passage made by Ms. Cox, seconded by Mr. Zucal  
Roll call, 7 yeas Resolution passed.

Mr. Irwin or a representative was not present. The framed Resolution will be forwarded to him.

48-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend James A. Range for his thirty two (32) years of service and dedication as Prosecutor for the City of New Philadelphia. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Ms. Walker  
Roll call, 7 yeas, rules suspended.

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

Honorable Mary Wade E. Space stated on behalf of herself and the court Mr. Range has been very capable, good and reasonable prosecutor. If Mr. Range came to her to have a case amended she would not have to go back and read the whole police report, the whole case file herself Jim asking made legitimate, and it was a pleasure. Mr. Hitchcock stated he has known Mr. Range for quite a number of years. When Mr. Hitchcock became a policeman Jim was not only a prosecutor, he was good in the courtroom and with advice. He gave valuable advice to all. Mr. Hitchcock stated he and Mr. Range are good personal friends and wished him the best of luck. Law Director, Michael Johnson said when he became Law Director 24 years ago Mr. Range had been on the job for 8 years as a police prosecutor, he made the Law Director's job easier, running the prosecutor's office putting out those fire before Mr. Johnson ever knew about them, making sure that from the criminal standpoint all the

townships and all places the city had state agencies the city prosecuted for were properly represented and properly handled. His retirement will be felt deeply by the City of New Philadelphia. The Law Director thanked Mr. Range for everything and wished him luck. Ms. Cox thanked Mr. Range for his years of service. Ms. Cox said Mr. Range is a quiet person. The Finance Committee never invited him to the budget hearing because he ran his office so efficient he never complained about the funds he received. Ms. Cox thanked Mr. Range and expressed her appreciation for his dedication and years of service.

Roll call, 7 yeas Resolution passed.

The President of Council requested Mr. Range to come forward with his wife Peggy and presented the framed Resolution 48-2011 to him on behalf of the Citizens of New Philadelphia and the City Council. President of Council Joel Day thanked Mr. Range for his many years of service and his leadership.

Mr. Range replied thank you and stated he was fortunate to be in the position he was in. Mr. Range said he sent a letter out today to 3 major law enforcement agencies that he represented State Patrol, Sheriff 's Department and the City Police Department saying that it was his privilege to serve with them to enforce Ohio's Misdemeanor Traffic and Criminal Laws. It was his opportunity to have that camaraderie to prosecute cases in the Municipal Courts he told the Honorable Judge Mary E. Wade Space that he appreciated her comments and thanked her. He offered his thanks to Mike Johnson and said he has only been under 2 Law Directors, Mike Johnson and Trevor Buehler. Trevor was kind enough to give him an opportunity when he was still in Law School. Eugene Nemitz was Trevor's prosecutor at that time and needed an assistant and they hired Jim. They stuck with him having an unfortunate experience with the first bar examine. He thanked and expressed his appreciation to Eugene, Trevor and Mike for the opportunity they gave to him to do his own thing.

49-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Ronald L. Collins for his six (6) years of service and dedication as Assistant Prosecutor for the City of New Philadelphia. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Zucal  
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Cox, seconded by Mr. Maurer  
Roll call, 7 yeas Resolution passed.

Mr. Collins was not able to attend tonight but was appreciative of Councils action.  
The framed Resolution will be forwarded to him.

50-2011 A Resolution by the Council of the City of New Philadelphia, Ohio to commend Mary E. Wade Space for her twenty (20) years of service and dedication as Judge for the New Philadelphia Municipal Court for the City of New Philadelphia. (1<sup>st</sup> Reading)

Motion to suspend the rules made by Ms. Espenschied., seconded by Mr. Lautenschleger  
Roll call, 7 yeas, rules suspended.

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

Sam Hitchcock said all the years Honorable Judge Mary E. Wade Space was on the Bench she ran a very fair and effective court Mr. Hitchcock expressed his Best Wishes.

Mike Johnson congratulated Honorable Judge Mary E. Wade Space for 20 years of doing an excellent job and for having set a very high standard to be followed by the next Judge.

The Law Director said while they have not always agreed they came to a consensus and everything was handled efficiently, effectively and fair to everyone involved. It could have only been done with an open mind and willing to work with him so we could get those things done.

The Law Director said that we appreciate all her assistance and the opportunity to serve and work with her.

Ms. Cox thanked Honorable Judge Mary E. Wade Space for 20 years of service. When the Judge first came to a budget hearing it was kind of rocky because the city didn't have the money to give her for what she needed. She started charging a fee to people who used the courts so this is why we have all the different court funds in the budget which has helped the City tremendously. Ms. Cox stated that she can't thank the Judge enough for that and said working with her and her court has been great.

Mr. Lautenschleger addressed the Judge and said he was working for Times Reporter news room, working the announcements for the appointment of the new Judge for the Municipal Court and that day he said the correct appointment was made the voters made the correct appointment than and for several terms after that. Thank you Honorable Judge Mary E. Wade Space for 20 years of service. Sitting on this side watching how you conducted your court. Thank you with the finances and your



commitment not only to the court but the Citizens of New Philadelphia which it has funded and the way you have set that up it is a high bar. Thank you

Ms. Espenschied said it is hard to believe 20 years has passed we were out campaigning for you and I was a lot younger Mary I learned a lot when I came to council with everything you have done with the court and I really appreciate you. I just want to say Lisa Zimmerman would be very pleased, that's hard for me to bring up I really miss her; she would be so proud of you.

Roll call, 7 yeas Resolution passed

President of Council Joel Day requested that the Honorable Judge come forward with her Family.

Mr. Day presented the framed Resolution 50-2011 to the Judge with these words

“This comes with our greatest appreciations Judge for a wonderful job.

Innovation is a word that comes to mind when I think about you and what you have done with the court.

You will certainly be missed. You are a Legend in your own way thank you.”

The Judges responded “I want to remember Lisa Zimmerman, my Clerk and Les Earley my Magistrate who passed away during my 20 years, thank my family, husband, daughter and son for their sacrifices and thank council. I had a rough start but I took a lot of my pointers from Mike Johnson I think I felt like I had the legal experience I knew what to do on the bench I took advice and used Mike Johnson as a model. It's been a pleasure to work with Mr. Range and Mike Johnson's office and I will miss it. Thank you all and I'm honored.”

51-2011 A Resolution by the Council of the City of New Philadelphia, Ohio, to authorize and direct the Auditor of the City of New Philadelphia to transfer up to \$25,000.00 from the General Fund #101 to the CDBG Fund #287, and declaring an emergency.

Motion to suspend the rules made by Ms. Cox, seconded by Mr. Zucal  
Roll call, 7 yeas, rules suspended.

Motion to vote on passage made by Ms. Espenschied, seconded by Ms. Cox  
Roll call, 7 yeas Resolution passed

UNFINISHED OR OLD BUSINESS:

Mayor stated that in summarizing tonight he pointed out this is an excellent example of all the people that have been recognized and what it takes and how many different people it takes to run a City. How many facets there are and how it is so important for everyone to work together and the last several years we have really done a good job.

The Mayor stated that he has had little contact with Judge Mary E. Wade Space and little contact with Mr. Jim Range; but they ran a good department and they really don't need to deal with a Mayor. The Mayor thanked everyone and mentioned Ray Irwin who was recognized who spent about 28 years on the back of a garbage truck not many people would want to do that. He did have the opportunity over time to transfer out once and transferred back, it is hard work. It's all part of operating the City the services provided for our Citizens that's what we are here for. All these people are to be commended for doing a great job.

The Treasurer Dave Johnson thanked everyone who is leaving the City and thanked the rest of the people in this room; you have heard the baby crying in the hallway “it is up to everyone of you to work very hard to provide a good future for the little one.” Amen

NEW BUSINESS:

Mr. Johnson told President of Council, Joel Day you did an excellent job tonight of getting us through this and he thanked him.

President of Council, Joel Day's final words to Council “REMEMBER WHY YOU ARE HERE.”

MOTION TO ADJOURN MADE BY MS COX, MEETING ADJOURNED AT 8:39 PM

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

APPROVED \_\_\_\_\_

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