

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 26, 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
MRS. AIMEE MAY
MR. ROB MAURER
MRS. CHERYL RAMOS
MR. JOHN ZUCAL

EXCUSED ABSENCE: MR. KELLY RICKLIC
SERVICE DIRECTOR MCABIER

- MR. MAURER MOTIONED TO ADD RESOLUTION-2019 TO TONIGHT'S AGENDA
MR. HOLLAND SECONDED THE MOTIONS
6 YEAS
RESOLUTION 19-2019 HAS BEEN ADDED TO TONIGHT'S AGENDA

- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT'S AGENDA
MRS. MAY SECONDED THE MOTION
6 YEAS
TONIGHT'S AGENDA HAS BEEN ACCEPTED

- MR. ZUCAL MOTIONED TO ACCEPT THE MINUTES FROM THE AUGUST 12, 2019
REGULAR SESSION OF CITY COUNCIL
MRS. MAY SECONDED THE MOTION
6 YEAS
MINUTES FROM THE AUGUST 12, 2019 REGULAR SESSION OF COUNCIL HAVE BEEN
APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from Treasurer Tom Gerber, dated August 13, 2019. This is the City of New Philadelphia July 2019 Investment and Savings Report.*
2. *To President of Council Sam Hitchcock from Service Director Ron McAbier, dated August 20, 2019. This is a letter and it states: Dear Sam, please accept my absense from Monday, August 26, 2019 Council Meeting as I will be out of town. I plan to attend the next scheduled Council Meeting.*

3. *To Councilwoman Ramos from President of New Philadelphia City Council Sam Hitchcock, dated August 26, 2019. This is an email titled "Assignment to the Zoning and Annexation Committee". It states "Cheryl, please take into Zoning and Annexation the issues recommended for assignment during the August 13 Planning Commission Meeting." The Minutes were attached. It was replied to by Mrs. Ramos.*
4. *To Council and Administration from Mayor Day, dated August 26, 2019. This is the Mayor's Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

- **Celebrate Summer's End in New Philadelphia:** The biggest food truck fest in Tuscarawas County headlines the Labor Day Weekend events in New Philadelphia. The annual Jammin' Food Truck Fest at the lower level of Schoenbrunn Village is on Saturday August 31st from 11am to 7pm. It features no less than 13 food trucks, an assortment of live bands, a beer garden and family activities. The event is a fundraiser to support the operations of the historic Schoenbrunn Village, the historic Dennison Railroad Depot Museum and the county's museum of Clay and Folk Art. In addition, the rides, concessions and swimming pool will be open at Tuscora Park throughout the holiday weekend. So take the kids on one more ride, one more taste of cotton candy and candied apples and one more dip in the pool before the summer season comes to a close.

- **City Planning Commission makes two rezoning recommendations:** The City Planning Commission has sent two rezoning recommendations to City Council's Zoning and Annexation committee to consider. The first is a recommendation to redone from industrial to business the former Zimmer manufacturing plant building on Kaderly Avenue Northwest. The recommendation also includes several other surrounding properties that are currently zoned industrial. The commission made the recommendation to protect the adjacent residential areas from industrial development and also to expand the businesses use of the former Zimmer plant to accommodate restaurant and retail growth. The second recommendation is to rezone two properties at 333 and 401 Canal Avenue SE from industrial to business. The owners requested the rezoning to allow for possible future business development in the area adjacent to Mark's Place and South Side Professional Building.

- Please Call the City Garage to order Special Pickups: If you are trimming trees, bushes or shrubs, or doing remodeling at your home, please remember to first call the City Garage to order a special pickup. The phone number is 330-339-2121. Otherwise work crews have no idea that you've put it on the curb, and it could sit there longer than it should. The General Services Department is making a concerted effort to keep up with the special pickup orders in order to keep our neighborhoods attractive. Please do your part by notifying the office anytime you have a special pickup. City ordinance allows residents to have three special pickups each year without extra fees.

- Cleveland Clinic Union Hospital Plans to Grow its Network in Tuscarawas County and Beyond: At today's County Chamber of Commerce "Lunch and Learn" event, Dr. Edward Sabenagh of the Cleveland Clinic told of the Clinic's plans to add doctors, nurse practitioners and programs to Union Hospital and its growing network in Tuscarawas County. Dr. Sabenagh is president of the Clinic's main campus in Cleveland and has been working closely with Union Hospital CEO Bruce James to integrate UH into the Cleveland Clinic system. He said the Clinic is bringing new technologies to Union Hospital that will make it easier for patients to communicate with their doctors and quickly learn the results of medical testing. I told Dr. Sabenagh that New Philadelphia will do all it can to help the Clinic recruit doctors and expand its services in our City.

- The Akron Canton Airport Welcomes a Stronger Tuscarawas County Relationship: During his presentation last week on the KSU-Tusc campus, Akron-Canton Airport president and CEO Ren Camacho told a group of county economic development and local government officials that the airport is encouraging a stronger relationship with Tuscarawas County. He updated the group on the airport's gate renovation and expansion projects and its marketing efforts to make Akron-Canton the preferred regional airport for manufacturers, healthcare and service industries. He also said there are plans to add additional airlines and flights to Dallas to serve the growing petrochemical industry in our region. In 2018 Akron-Canton served 930,000 customers in a region that has more population than that of Cleveland Hopkins Airport. Tuscarawas County will have a new exhibit at Akron-Canton that will showcase products that are made in our county.

Mr. Holland had the following comment:

The boat ramp, I sent you a picture. I happened to be driving by and the parking area was just filled with trucks with trailers. I just wanted to say thank you for your vision. Like we're told in Proverbs "where there is no vision people perish." I think you're moving in the right direction.

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

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

I received word last week from the Ohio Department of Public Safety Department of EMS that the Fire Department received their grant for training and equipment in the amount of \$2,765.

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

We're going to be making some changes in the Prosecutor's Office. Doug Jackson, who has been my chief prosecutor for years, has accepted a position with the County Prosecutor's Office. I wish him the very best. He did a fantastic job for the City. I never had to worry about that position. He played an instrumental role in helping me to bring somebody in here for the position of victim advocate, which has been a huge success in the Municipal Court. This is the first victim advocate that we've had in the history of the Municipal Court. I am promoting Lacey Felix. Lacey is a graduate of the University of Akron. She is a rising star in our Prosecutor's Office. While Lacey was in law school she actually interned in my office. She became very familiar with all the inner workings of not just the Prosecutor's Office but the Law Director's Office. She serves on the Board of the Good Neighbor Project as both Vice President and Legal Advisor. It's a Tuscarawas County based Humanitarian effort where we try to help people with neighborhood projects to clean up their neighborhoods or to help people build things. It's a 5013C and she actually helped start that and plays a significant role in it. She's very community oriented. The reason she's a rising star is she's very well liked by our police prosecutors. We had a repeat offender who has consistently slipped through the court system for many years. He was recently charged with domestic violence and we had a victim who did not want to cooperate and in fact did not show up for the subpoena. We sent the police there to get her and they waited outside her home for three hours and she never came out. That left Lacey in the most unenviable position of having to prosecute a full jury trial without a victim on a domestic violence charge. Not only did she do it but she actually won the case, so she's a fantastic person to put in this position. She's also played an instrumental role in the prosecutor's office in taking the files that go back long before my time and organizing them. I have also named Chris Rice to take her position as the Assistant Prosecutor. Chris has graduated in the top third of his class from the University of Akron. His wife was born and raised in Tuscarawas County so he has deep ties to the area. He

previously worked in the Cuyahoga County Prosecutor's Office which operates on a much larger base than we do so he certainly knows the ins and outs of the Prosecutor's Office. More importantly he has worked for the last four years in the New Philadelphia and Tuscarawas County Public Defender's Office where he was assigned exclusively to New Philadelphia Municipal Court. So he certainly knows the Municipal Court and having been a prosecutor it's an easy transition to switch from doing that being a prosecutor.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting on Tuesday September 10 here in Council Chambers at 1:00 PM. We have four items on the Agenda.

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

AIRPORT COMMISSION.....MR. JOHN ZUCAL

I join this evening and members of the Airport Commission to make a very positive announcement that we just received today from Kevin Siig who represents Michael Baker and Company and helps us in managing the airport and doing much of the legwork when it comes to grant applications. We were notified today that we did receive an ODOT Grant for the airport. It was for replacement of the Papi instruments on runways 15 and 33. Papis are landing devices that are very important for our pilots. We've had some issues with intensity levels of those Papis and it's been a long running problem. The Mayor and the Commission made an application for \$95,000 to ODOT. It is a 95% grant so we will be awarded \$90,250 from ODOT. The City's share will only be \$4,750 to remedy what has been a long standing problem at Harry Clever Field.

PARK BOARD.....MRS. AIMEE MAY.....NO REPORT

CEMETERY BOARD.....MRS. AIMEE MAY.....NO REPORT

HEALTH BOARD..... MR. KELLY RICKLIC.....EXCUSED ABSENSE

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER

Mr. Maurer had the following report:

The Committee met tonight and among items on the Agenda we gave our blessing on Resolution 19-2019 which creates a Hangar Debt Construction Fund. All the rent from the new hangar will be deposited into that fund to cover the loan expense. We added that Resolution to tonight's Agenda. We also looked at Resolution 20-2019 which accepts the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

Mr. Zucal said that the Salary Committee will be scheduling meetings to look into downtown enhancement.

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

Mr. Holland had the following statement:

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

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

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

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

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

11-2019 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO CODIFIED ORDINANCES.
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 11-2019
MRS. RAMOS SECONDED THE MOTION
6 YEAS
ORDINANCE 11-2019 HAS BEEN APPROVED

12-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE PARCEL NO. 43-03778-000 LOCATED ON 1226 KADERLY STREET NW AND PARCEL NO. 43-03780-000 LOCATED ON 1230 KADERLY STREET NW IN THE CITY OF NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO BUSINESS ZONE.
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 12-2019
MR. MAURER SECONDED THE MOTION

Mr. Zucal had the following comment:

I think it's always fair as a member of City Council to look at the lens from all the guests who come, whether it's the business sector or the public that are impacted by this. I think we've got to be very careful that we always be respectful to both parties involved. I see the benefit of the hard work that HRN has put into making this a reality that they have responded positively to the suggestions of the neighbors. At the same time as we move forward I would like to see us to be much more thoughtful and be very careful about encroaching on residential neighborhoods, especially many of those with folks who do not want to relocate to another area. Again recommending to the Planning Commission and take a look starting with myself how we respond to that. I do want to be respectful. That is in the back of my mind and will continue to be in the forefront as we move forward.

Mrs. Ramos had the following comment:

I just want to say that I concur with Mr. Zucal. I've been hearing from the residents throughout this whole process and again am too reluctant to encroach on residential neighborhoods. So I think going forward we have to be very careful about that. I really appreciate as I said before HRN's outreach and response to neighborhood concerns. I'm glad we had that original meeting. The neighbors were here to express our concerns so that everybody can hear that and we can be respectful of all parties concerned. I would just like to encourage everyone to go forward to consider staying a good neighbor.

6 YEAS
ORDINANCE 12-2019 HAS BEEN APPROVED

13-2019

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT CHAPTER 977 CITY CEMETERY BOARD OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA FOR PURPOSES OF CODIFYING THE NEW PHILADELPHIA CITY CEMETERY BOARD FOR PURPOSES OF ESTABLISHING ALL RULES AND REGULATIONS GOVERNING THE USE AND OPERATIONS OF THE CITY CEMETERIES.

2nd Reading

RESOLUTIONS:

16-2019

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, TO RATIFY AND APPROVE THE LEASE CONTRACT FOR CELL TOWER CONSTRUCTION BETWEEN THE CITY OF NEW PHILADELPHIA, OHIO AND TOWERCO LLC 2013 A DELAWARE LIMITED LIABILITY COMPANY, A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS IF FULLY REWRITTEN.

3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 16-2019
MRS. MAY SECONDED THE MOTION

Mr. Zucal had the following comment:

With this lease agreement and what we're able to reportedly acquire as far as revenue, that part of that be reinvested into our downtown area and some of our neighboring sites that could benefit from that. We passed a long time ago the lodging tax with the intent to help with some of those things. Over time that has been lost in the General Fund. This is an opportunity to maybe strengthen some of those commitments to our downtown tourism sites. Tonight as I cast my vote I do ask that that be given some consideration that some of those profits that we do receive from the cell tower be used to enhance our community in a very tangible way.

6 YEAS
RESOLUTION 16-2019 HAS BEEN APPROVED

19-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW
PHILADELPHIA, OHIO TO CREATE A NEW FUND TO BE KNOWN
AS THE HANGAR CONSTRUCTION DEBT FUND #375
1st Reading

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

Mr. Maurer motioned to adjourn at 8:02 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam Hitchcock