

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 12, 2018 WITH PRESIDENT OF COUNCIL SAM HITCHCOCK PRESIDING. COUNCIL PRESIDENT HITCHCOCK 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 ABSENSE

SERVICE DIRECTOR RON MCABIER

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

- MRS. RAMOS MOTIONED TO ACCEPT THE MINUTES FROM THE JANUARY 22, 2018 REGULAR SESSION OF CITY COUNCIL
MRS. MAY SECONDED THE MOTION
7 YEAS
MINUTES FROM THE JANUARY 22, 2018 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE JULIE COURTRIGHT

1. *To New Philadelphia City Council and Safety Director Popham from Fire Chief Parrish dated February 1, 2018. This is the New Philadelphia Fire Report Summary.*
2. *To President of New Philadelphia City Council Sam Hitchcock from Service Director McAbier, dated February 1, 2018. This is an email that states the following: “Dear Sam, Please accept my absence from the Monday, February 12, 2018 Council Meeting as I will be out of town. I will return Monday, February 26, 2018. Sincerely, Ron McAbier Service Director.”*
3. *To New Philadelphia City Council from Mayor Day, dated February 1, 2018. This is a forwarded letter from the Freedom of Religion Foundation regarding the City’s Nativity scene. This was replied to by Councilpersons Ramos and Zucal.*
4. *To Clerk of New Philadelphia City Council from Treasurer Tom Gerber, dated February 6, 2018. This is the City of New Philadelphia January of 2018 Deposit.*
5. *To Clerk of New Philadelphia City Council from the Ohio Division of Liquor Control, dated February 7, 2018. This is a notice of Legislative Authority C1 Permit Class for Tienda Esmeralda LLC at 654 West High Avenue New Philadelphia, Ohio. It was mailed on January 30, 2018. Please complete and return this form to the Division of Liquor Control whether or not there is a request for a hearing, postmarked no later than March 2, 2018.*
6. *To New Philadelphia City Council and Administration from Auditor Beth Gundy, dated February 8, 2018. This is the January 2018 Expense Report and Revenue Report.*

7. *To New Philadelphia City Council and Administration from Mayor Day, dated February 12, 2018. This is the Mayor's Report.*
8. *To Clerk of New Philadelphia City Council from Treasurer Tom Gerber, dated February 12, 2018. This is the City of New Philadelphia January 2018 Investment and Savings Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTS ...MAYOR JOEL B. DAY

Mayor Day had the following report:

- **Clarifying how the City Learned of Construction of a Multi-Unit Apartment Complex in Goshen Township:** I want to clarify the misinformation that has been spread on social media regarding the City's involvement in the proposed construction of a multi-unit apartment complex on Goshen Hill Road. Last November, Service Director McAbier received a letter from land owner, Joe Marsh requesting water and sewer service for the project. Because little detail was given, Mr. McAbier responded asking for a preliminary plat, information on any storm water issues and infrastructure plans: the typical details the Service Director needs to know before putting a project before the Planning Commission and City Council for approval. He never received a response from Mr. Marsh, so there was never a discussion of annexation or the City extending water and sewer services into the township for the development. From a city planning standpoint, I am concerned about the impact this project could have on the Southside neighborhoods, our city streets and our safety forces. Unless the Goshen trustees can clearly show how this development will benefit New Philadelphia, we will oppose it.
- **Progress is Being Made on Developing the City's Master Plan:** On February 2nd University of Cincinnati professor Michael McInturf and his team of School of Architecture graduate students returned to New Philadelphia to conduct another data gathering session with members of the City Planning Commission and interested business owners. To develop the master plan, the students have divided the City into four zones: the Central Business District and New Towne Mall, the West High/Bluebell Drive area which they term the "Big Box" zone, the areas that border the Tuscarawas River including the Southside and Industrial Park, and the East High Avenue area which includes the KSU-Tusc campus, the Tech Park, Schoenbrunn Village and Harry Clever Field. These are areas of the City where growth is occurring and should continue into the future. Those who attended the session were divided into groups to share their ideas and opinions of each zone. It was a very productive work session and I am grateful to all who attended. Professor McInturf said he and his team plan to return to New Philadelphia in April to present the first draft of the master plan.
- **The Art Community in Downtown New Philadelphia Continues to Grow :**With the grand opening of Loves Gallery this past weekend the arts community in downtown New Philadelphia continues to grow. Love's is located at the gazebo quadrant on North Broadway. It's exciting to see more businesses being created from the wealth of artistic talent we have in the New Philadelphia

community. The Ezekiel Project on Ashwood Lane is looking to expand its business downtown and is planning to host an art festival on Ashwood Lane in the late spring or early summer.

➤ Free Flu Shots are Still Available at the City Health Department for those Residents Without Insurance : City Health Commissioner Vickie Ionno wanted me to remind you that the Health Department still has free flu shots available for residents without insurance. If you have insurance, the cost of the shot will be billed to it. The flu epidemic has not subsided. Commissioner Ionno said while the flu shot may not prevent you from getting the flu, it should lessen the effects and lead to a faster recovery.

➤ Reminders if another Deep Snow Storm Hits the City: If another deep snow storm occurs this winter, please try to avoid parking on the City’s main streets until they have been plowed clear. Our main thoroughfares and hills are top priority for snow plow crews when they are first called out. Then secondary streets and alleys are plowed. If you know of someone who has a medical condition that requires regular visits from nurses or other caregivers, please call the City Garage or Police Department if their street is snowbound.

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

AUDITORMS. BETH GUNDY

Ms. Gundy had the following report:

I’ve sent everybody a lot of reports over the last week or so. I just want to know if you have any questions. I also want to let Council know that I will not be in attendance next Meeting. I will be on vacation.

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

In the fire department the consulting firm, which would be Emergency Services Consulting International, they have given the Fire Chief information basically saying that they have all the information they need and they are now in the process of compiling all of the information received by both Uhrichsville and New Phila and a report is forthcoming.

TREASURER MR. TOM GERBER

Mr. Gerber made the following statement:

I want to welcome Ms. Courtright back home again. She went on this vacation to London with high expectations. She had a fun time, however, she was taken down with the flu. So she was stuck in London with the flu, and welcome back.

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I spent all of last week covering cases. We have three full-time prosecutors, one of the prosecutors was down with the flu after her daughter was in the hospital with the flu. Our other prosecutor, normally if it’s a short period we can cover and the court will work with us if we’re

short handed, but we can't be down two out of three prosecutors. That's really the reason that I'm bringing this up. What I wanted to report was we sent one of our prosecutors to get what's called CIT training last week. That's a 40 hour course. The CIT stands for Crisis Intervention Team. There's a big movement in Ohio. This came out of a task force through the Attorney General's Office to better equip law enforcement officials with how to deal with mental health issues, which are frequently an issue when you're dealing with law enforcement issues. This was a 40 hour course on how to recognize, how to make sure that people get help in a timely fashion. It's important for prosecutors to be there because prosecutors, our job doesn't end just because we're not in court. The law enforcement officials all have our private cell phone numbers and frequently we'll call on the weekends or right in the evening if they need assistance with getting a warrant or if they need to know whether or not they actually need a warrant and how to respond in these situations so we're all a part of the same team. It's really driven home the fact that we're dealing with mental health issues when you see law enforcement officials being killed so close to home recently in Westerville. We think this is a fantastic program. Lacey Felix is the one from our office who went, and she's going to brief the rest of us on what she learned and we have access to all the materials. I just think it's a really good program and wanted to let the citizens of New Philadelphia know that our prosecution team is actively involved as part of the crisis intervention team for the City of New Philadelphia.

Mr. Zucal had the following question:

I think all of us were taken aback by what happened in Westerville. You see a community, not a whole lot different than New Philadelphia. To the Mayor, to the Safety Director, I think again it's time that we revisit and examine what we can do in case of an active shooter situation, how are we going to respond, what is our plan, are we following some of those best practices that come from the NIMS research, so that we can respond effectively at what we have as far as a written plan in place to deal with those type of scenarios I think is critical.

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

We did have a refresher course for active shooter training not long ago.

Mr. Zucal made the following statement:

I think actually a scenario situation. I'm a big proponent of the written plan piece of it that Council and the stake holders should know so that we would have something. It's happened in Steubenville, it happened in Columbus, God forbid it ever happens in New Philadelphia. As a member of Council I just feel compelled that we have a true written plan, not to create public panic, but if we engage in some of those best practices to ensure we know how to respond. I know Cheryl, and Kelly, and I, being in education, that's always something that we're dealing with year in and year out through the state as what are you doing to keep your buildings and your students safe, so I think again it's just critical.

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

Would you be interested in working on something like that?

Mr. Zucal had the following reply:

I would absolutely be thrilled to do that. I know Mr. Holland and his expertise working in city management for years, we could all work together on that I'm sure.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will meet February 13, 2018 at 1:00 PM here in Council Chambers. The commission will give some of their final thoughts on the wind turbine regulations that we've been looking at to make a recommendation for legislation for Council to consider.

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

When is that supposed to start spinning?

Mayor Day had the following reply:

They weren't going to unlock it until they were fully hooked in to AEP's system. That's a requirement for AEP. I don't know if that's been done yet. I'm assuming it has because of the time that's passed. I think it's probably unlocked.

Mr. Zucal had the following comment:

A lot of the legislation in Ohio deals with wind farms, not a single wind turbine. It seems to me we may be one of the first to deal with a single one and not a wind farm.

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

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet tomorrow evening 6:00 PM at the Harry Clever Field Meeting Room.

PARK BOARD.....MR. DEAN HOLLAND

The next Park Board meeting will be Wednesday, February 21, 2018 at Noon at Tuscora Park Pavilion.

HEALTH BOARD..... MR. KELLY RICKLIC

The Health Board meeting is scheduled for February 14, 2018 at Noon in the Health Department.

STANDING COMMITTEE REPORTS:

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

SALARY COMMITTEEMR. JOHN ZUCAL.....NO REPORT

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

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

Mr. Ricklic had the following report:

We'll be having a Safety, Health and Service Committee Meeting at 7:00 PM on Monday, February 26, 2018. The purpose of the Meeting will be to discuss Resolution 13-2016.

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

SPECIAL & CONTACT COMMITTEEMR DAN LANZER

Mr. Lanzer had the following report:

We will be meeting February 26, 2018 at 6:45 PM to discuss a liquor license variance request.

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

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS:

Mr. Holland made the following comment:

Mr. Mayor I'll thank you for publicly taking a position on the proposed apartment construction on the southeast side of town. The reality is, if in fact it were constructed, the impact on our roadways is going to be quite significant. To what would be a residential area, adversely impacting that residential area, and recognizing that the safety forces and their responses to that size complex would be significantly impacted. So I'm greatly appreciative that the mayor took the position, that if there's no benefit to the City of New Philadelphia, we're not going to support it.

Law Director Fete had the following comment:

I wanted to point out to make sure Council was aware that the people developing this are the same ones who took us to court last year. They tried to have the court order us to provide water and sewer to them.

Mr. Zucal had the following comment:

I just wanted to again commend Chief Parrish for his work within the fire department. The Chief and I have met on a couple different occasions since our last meeting. I'm always very, very pleased with the vision he carries for what the fire station can be as far as a resource and asset to the community and how actually some of his visionary thought is. It can also generate an additional funding stream to help support some of that, the growth and some of the vision that he has for where it will be down the road as well. Something I value greatly in Jim is he does try to think well into the future and he does try to look at what he can do whether it's a grant, or thinking about how he can develop some type of funding stream to help accomplish the goals and not necessarily putting the burden on the City and upon the tax payers. I'm always pleased when I sit down with him and we talk about how he works through things and has a plan in place that he'd like to share with Council so we're very fortunate to have him in that capacity.

Mr. Maurer had the following comment:

I'd just like to add another comment to Mr. Holland's comment. Not to mention fire, EMS, roads, but also the school that's already at capacity. We've got two modular class rooms as is, and I don't think they can accept five more students let alone however many could potentially end up there. It's hard to fathom this thing coming to fruition, It could, but I don't see that at this point.

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

I think I'd like to take the opportunity to comment on the recent tragedy in Westerville. There have been shootings all over the country or police officers, but for some reason this one strikes a little closer to home, because it is geographically a little closer to home. I think most in the room here are parents. In addition to the pride that we have for our children and their accomplishments, once we push them out into the world there's concern for their safety and what may happen to them once they're out in the world. My son soon after he graduated got a job with Hilltop Energy. They make explosives. I thought to myself that this is a dangerous job for my son and I'd like to get him into something a little bit safer. So I got him into police work. With this call in Westerville, I think one of the things that made it a little closer to home is the pictures that appeared. When you see the looks on those officer's faces and knowing that they're never going to look like that again. It was reported as a domestic. There was a lot of information that still will be coming out regarding what this call involved, but domestic situations, I know I've got people in the room who understand that they're some of the most dangerous calls a police officer can go on because you can't duck behind a barricade with weapons drawn, you have to walk up to the door and knock, not knowing what's on the other side. I don't know how many domestic calls that I answered during my tour of duty but I know it

was a lot. Fortunately I know I was able to go home after my career was over at the end of every shift. Unfortunately these two officers weren't able to do that. I join with many others in sending prayers and sympathy for comfort to the family and friends of these officers.

Treasurer Tom Gerber made the following comment:

I agree with everything President of Council Hitchcock had said. We were talking earlier about how things have changed. After this happened my son lives near Delaware and he's a Sergeant at the Marion post. In a discussion with him I said "things have changed". I told him that you have to watch everything that you do now. You can't trust anybody or anything. You've got to feel things out. You had two seasoned officers here. One with 30 years from Massillon, and the other 17 years on, and they knock at the door, the door opens, and this guy is firing. He's a felon. He wasn't supposed to have a gun, but he got one. He got it very easily. I feel bad for the families of those two fallen officers.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES: NONE

RESOLUTIONS:

44-2017 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE REAPPOINTMENT OF TOM FARBIZO BY THE MAYOR TO THE NEW PHILADELPHIA PARK AND RECREATION BOARD FOR THE TERM OF FIVE YEARS.
3rd Reading

MRS. MAY MOTIONED FOR APPROVAL OF RESOLUTION 44-2017
MR. RICKLIC SECONDED THE MOTION
7 YEAS
RESOLUTION 44-2017 HAS BEEN APPROVED

45-2017 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE REAPPOINTMENT OF JAN MCINTURF BY THE MAYOR TO THE NEW PHILADELPHIA PARK AND RECREATION BOARD FOR THE TERM OF FIVE YEARS.
3rd Reading

MRS. MAY MOTIONED FOR PASSAGE OF RESOLUTION 45-2017
MR. LANZER SECONDED THE MOTION
7 YEAS
RESOLUTION 45-2017 HAS BEEN APPROVED

2-2018 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,
OHIO TO APPROVE THE APPOINTMENT OF DR. RICHARD VARRATI BY THE
MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS.
2nd Reading

3-2018 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,
OHIO TO APPROVE THE APPOINTMENT OF CHRIS BOWER BY THE MAYOR
TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS.
2nd Reading

5-2018 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, DIVISION OF THE OHIO DEVELOPMENT SERVICES
AGENCY, OFFICE OF LOCAL GOVERNMENT SERVICES.
3rd Reading

MR. ZUCAL MOTIONED FOR PASSAGE OF RESOLUTION 5-2018
MRS. RAMOS SECONDED THE MOTION
7 YEAS
RESOLUTION 5-2018 HAS BEEN APPROVED

6-2018 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,
OHIO, TO COMMEND DARRIN LAUTENSCHLEGER FOR HIS 14 YEARS OF
SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA AS
WARD III COUNCILMAN.
2nd Reading

7-2018 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

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 R. Hitchcock