

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 8, 2016 WITH PRESIDENT OF COUNCIL, SAM HITCHCOCK, PRESIDING. MR. HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE:

MR. DEAN HOLLAND
MR. DARRIN LAUTENSCHLEGER
MR. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

- MR. RICKLIC MOTIONED TO ADD ORDINANCE 12-2016 TO TONIGHT’S AGENDA
MR. HOLLAND SECONDED THE MOTION
7 YEAS
ORDINANCE 12-2016 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. RICKLIC MOTIONED TO ADD RESOLUTION 37-2016 TO TONIGHT’S AGENDA
MR. ZUCAL SECONDED THE MOTION
7 YEAS
- MR. RICKLIC MOTIONED TO ACCEPT THE AGENDA AS AMENDED
MR. LAUTENSCHLEGER SECONDED THE MOTION
7 YEAS
THE AGENDA HAS BEEN ACCEPTED
- MRS. MAY MOTIONED TO ACCEPT THE MINUTES FROM THE JULY 25, 2016 REGULAR MEETING OF COUNCIL
MR. MAURER SECONDED THE MOTION
7 YEAS
THE MINUTES FROM THE JULY 25, 2016 COUNCIL MEETING HAVE BEEN ACCEPTED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of New Philadelphia City Council from Mary Kurtz, Director of Human Resources for the City of New Philadelphia, dated July 28, 2016. Ms. Kurtz wrote the following: “Hello Julie, the Mayor asked I contact you to see if you would be able to draft a Resolution to present to Council recognizing the retirement of the following employee, Terry L. Brick. Terry will have 31 years with the City. His hire date was July 10, 1985. Terry is a Street Sweeper in General Services. Please let me know any information you might need. Thank you.” I have passed the information on to President of New Philadelphia City Council Sam Hitchcock and he will assign it to a Committee.*
2. *To New Philadelphia City Council and Administration from City Income Tax Administrator Vicki Daniels, dated August 1, 2016. This is the July 2016 Month End Tax Revenue by Year.*
3. *To New Philadelphia City Council and Administration from Auditor Beth Gundy, dated August 5, 2016. This is the City of New Philadelphia Statement of Cash Position with MTD.*
4. *To New Philadelphia City Council and Administration from Auditor Beth Gundy, dated August 25, 2016. The Auditor’s Monthly Statement of 2016 Revenue for the General Fund.*
5. *To New Philadelphia City Council and Administration from Auditor Beth Gundy, dated August 5, 2016. The City of New Philadelphia Budget Report with Encumbrance Details.*
6. *To Clerk of Council Julie Courtright Captain Paul Rossi with the New Philadelphia Police Department. Captain Rossi contacted me by phone on August 5, 2016 and*

asked for a copy of Ordinance 9-2016. I sent a copy of the Ordinance to Captain Rossi via email.

7. *To New Philadelphia City Council and Administration from Mayor Joel Day, dated August 8, 2016. The Mayor's Report to Council.*
8. *To Councilman Darrin Lautenschleger from Auditor Beth Gundy, dated August 8, 2016, This is a forwarded letter from County Auditor Larry Lindberg. This is to all Taxing Authorities. The Subject: Local Government Budgets and Resolutions Accepting the Amounts and Rates. Ms. Gundy asked Mr. Lautenschleger to make sure Mr. Fete prepares this Resolution.*
9. *To Mayor Joel Day from Councilman John Zucal, dated August 8, 2016. This is a letter. The purpose of the letter is for Mr. Zucal to state his position regarding the repair of the air conditioning compressor at Magoo's Restaurant.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

The Mayor reported the following:

- Participating in AEP's Community Energy Savers Program :American Electric Power has asked the city to participate in its Community Energy Savers pilot program. The purpose of the program is to encourage residential and business customers to lower their energy costs in exchange for financial and technical awards from AEP to implement a community energy saving project. New Philadelphia's project will be upgrading the downtown street lighting to energy saving LED lights. The project's goal is to earn 773 points, which are earned by participating in online energy surveys, residential and business energy audits and by purchasing energy efficient appliances. The goal was determined based on New Philadelphia's annual baseline electricity usage. Tom Farbizo will lead the team assembled to promote this effort. The other team members include Julie Leavengood Stephon of the New Philadelphia Business and Community Association, Scott Robinson of the Chamber of Commerce, Councilman Dean Holland, Alison Kerns of HARCATUS and Al Ledrich of Wood Electric. If the goal is reached, AEP will give the city \$35,000 and the technical assistance needed for the downtown LED lighting upgrade. The four month project will officially get underway on September 1st. But promotion of the project will begin this month, starting with a booth at this Saturday's Second Saturday event downtown. There is no cost to the city for partnering with AEP in this program, which has been successful in other communities, like Wooster, Athens, and Louisville. The program will also help us learn how city-owned buildings can become more energy efficient and lower the city's electricity costs.
- Working with the Ohio Mideastern Governments Association and ODOT to Fund Improvement of the Bluebell Drive – West High Avenue Intersection :Last week Service Director McAbier and I met with OMEGA and Ohio Department of Transportation officials to determine the best way to fund improvement of the Bluebell Drive – West High Avenue Intersection. Civil Design Associates has done the engineering work on the project and estimated the cost at \$237,000.00. The officials felt the majority, and perhaps all, of the cost could come from ODOT and Ohio Public Works Commission funding sources. The work would entail installing two cross walks, curb ramps, traffic light poles, signalization and creation of left turn only lanes at the intersection. One cross walk would cross West High from the Burger King corner to the Denny's corner. The second cross walk would cross Bluebell Drive from the Denny's corner to the El San Jose restaurant corner. The officials told us the earliest the project would be funded for construction is in 2018.

SERVICE DIRECTORMR. RON MCABIER

Mr. McAbier had the following report:

- The 2016 Paving List is complete. We're waiting on the final numbers to see where they come in at. In May there were a couple spots on the radar. Also with that being said, in Old Business before, I know Mr. Ricklic brought it up, the top coat at Kent Cove 1 was finished. Slabaugh Builders came in and they did that when they did the

base coat on Kent Cove 2, Bob Martinelli's project down there.

Mr. Lautenschleger had the following question for Mr. McAbier:

Are you aware of what may have occurred, I assume there was a waterline break or some other utility on Fair Avenue NE where some of the paving had just occurred?

Mr. McAbier had the following response:

Yes, it was a waterline.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORGREG POPHAM.....NO REPORT

TREASURER MR. TOM GERBER

Mr. Gerber had the following report:

- Ms. Gundy and I met with a representative from Meeder Investments, whom we have an investment with. Our projected return of \$64,000 for the year is on track. That was reduced basically in these economic times. I will have my two reports for the next Council meeting.

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

- I corresponded with Councilwoman Ramos in regards to some issues she wanted to address in regards to medical marijuana. I drafted legislation for that for her to review and consult with me, which I think will probably be forwarded over to Council at some point in time along with my suggestions as to what direction to go with that. I also had a phone consultation with Councilman Dean Holland. It was in regards to how our court system works in terms of how much money they receive when a person is convicted in Municipal Court. I explained if it's cited under local Ordinance, for those of you who don't know how it works, that may be a lot because I didn't know until I got into this job. If it's cited under "statutory ordinance" under the Ohio Revised Code it goes straight to the State. If you think about it that makes sense. Local comes here, State goes there. One of the things, to our police officer's credit, they always try to set it under a local ordinance, and my prosecutors are instructed in terms of plea negotiations that we don't get rid of anything set under a local ordinance. In fact sometimes as part of plea negotiations we have amended a local ordinance to make sure that some funding comes back to the City, so it's not under the State Statute. In addition to that I am in the process of reviewing a proposed Worker's Comp settlement. I filed an answer in a foreclosure action that dealt with one of the City's recipients of the CHIP grant funding. I received and reviewed today a notice of a jury trial on another CHIP grant recipient that's being foreclosed on. I also found out that I have to file a continuance on yet a third CHIP foreclosure that's set for a jury trial in October when I'm going to be out of the State. I also met with the Fire Chief and he provided me with the lease purchase agreement to review and approve the City's new tanker truck lease. This is with JP Morgan and it also requires an opinion of Council. So, I'll have to draft a letter for that in accordance with the lease agreement. That's been kind of standard in these types of agreements. I also corresponded with the Mayor on a new hangar lease.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will not meet this month. Our next meeting will be on Tuesday, September 13, 2016 at 1:00pm in Council Chambers.

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

The Board of Zoning Appeals will meet Tuesday, August 9, 2016 at 5pm in Council Chambers.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet Tuesday, August 9, 2016 at 6pm at the Airport Meeting Room at Harry Clever Field. I do also want to clarify the correspondence that was shared earlier this evening by Ms. Courtright regarding the letter to Mayor Day. I think it's important for the members of our Commission to understand where we're at with some of this, and also to allow Council to understand what the issue is among the Airport Commission Members as well. The letter is addressed to Mr. Day, it is addressed from my position as Ward II City Councilman but more exclusively as the Chair of the Airport Commission. I do ask as a member of City Council and a representative of the Finance Committee and the Chairperson of the New Philadelphia Airport Commission, I would like to state my position regarding the repair of the air conditioning compressor at Magoo's Restaurant. "Given that my concerns and those of the Airport Commission were not fully addressed at the July Budget Review Meeting, or in the interim, I am compelled to affirm my beliefs regarding this matter.

1) That the members of the Airport Commission, we do not contest the fact that the air conditioning compressor at Magoo's Restaurant needed to be repaired. 2) The Commission agrees that the expense for replacement and repair rests with the City of New Philadelphia. 3) There is a great deal though of displeasure with the fact that the H.V.A.C contractor resides outside of the City of New Philadelphia and the Tuscarawas County Boundaries. 4) There are no less than five fully licensed and bonded contractors in our City who are highly qualified to do this type of work. It is my firm belief and that of members of the Commission that we as a City should be contracting with our local businesses on these types of projects. These are the same companies that pay real estate and income taxes that benefit our community. These businesses employ our citizens, neighbors, and friends. 5) The Administration should be doing all that it can to recruit, retain, and sustain businesses in New Philadelphia. The failure by (cont) the Administration to do so on the Magoo's project raises questions as to the level of commitment by the Mayor. 6) Members of the Airport Commission should be provided copies of invoices related to major repairs that take place at Harry Clever Field and/or Magoo's Restaurant. In addition the Mayor or his appointee to the Commission should be able to provide timely detailed information as part of the Commission agenda entitled Airport Restaurant Report. 7) The Airport Commission requests that 2 to 3 estimates be provided for such type of repair. Such a practice allows us to be fiscally responsible good stewards of taxpayer funds. We realize that the failure of the compressor and the need for immediate repair may not have allowed for this process to be followed. However, at the same July Budget Review Meeting it was expressed by you that the obtainment of such estimates is no longer an expectation. I strongly encourage, Mr. Mayor that you revisit this decision. In closing I ask that members of City Council be provided response to concerns as noted in my letter. As a legislative authority for the City including the responsibility for expenditure of taxpayer dollars City Council is entitled to an explanation and I look forward to your response." I did include with that a copy of the invoice from L&D Sales, a copy of the purchase order as provided by Auditor Beth Gundy, and a copy of the W9 Form which is a request for taxpayer identification number and certification that authorizes them to conduct the work as a legal entity in the State of Ohio.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

The Park Board will meet on Wednesday, August 17 at Noon at the Tuscora Park Pavillion

HEALTH BOARD..... MR. KELLY RICKLIC

The Health Board will meet Wednesday, August 10 at Noon in the Health Department

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

The Finance Committee met this evening in Council Chambers at 6:30pm. We had a Public Hearing that was held on an unrelated matter and then reconvened briefly. We had three items on the Agenda. One was Proposed Ordinance 10-2016 which deals with some increases in the current appropriations for this year. On a vote of the Committee it was determined that Proposed Ordinance 10-2016 will be placed on the Agenda for 1st Reading at the August 22, 2016 session of Council. Rules will need to be suspended and the recommendation will be to pass that pending some information that the Committee is going to request from Municipal Court regarding use of some of the funds, for some clarification. Second item was a mid-year budget review. Auditor Beth Gundy presented all members of the Committee and all members of Council and

Administration with a review of the budget for 2016 through July 31st. A couple of notes: one, income tax revenue is actually running about 7.2 % over the same time period in 2015 and about 6.3 % ahead of the 2014 collection. One of the concerns though that the Auditor has is that because of changes in State code that took effect this year she's not sure if that's timing issues, what the final effect will be, and so they're continuing to monitor that closely. Basically in the General Fund about 62% total revenue has been collected to date. From the expense side about 42 % of the amount budgeted has been spent to date. The Auditor did inform us that she's not really prepared to present a more detailed forecast for the upcoming time period. The Administration is meeting with department heads and managers in upcoming weeks. They hope to have that in September and they hope to have a forecast somewhere in 3 to 5 year range that we can look forward to seeing at that point. The other item was Proposed Resolution 34-2016. This would of course enact a pay increase for designated non-bargaining unit employees for a 3 year period effective January 1, 2016. As a reminder Council did approve increases for non-bargaining employees in the 2016 Budget and this is the piece of legislation that would enact that. Without getting in to every issue point to point, by and large there are a number of questions that Committee members and other members of Council still have. I pledge to meet with the Law Director to determine the effect of some previous legislation I approved, making some adjustments in proposed legislation and bring that back to Committee for review at a Meeting on August 22, 2016 at 6:15pm here in Council Chambers. With that our Meeting was adjourned at 7:17pm.

**President of New Philadelphia City Council Sam Hitchcock asked Mr. Lautenschleger to take into his Committee the report from the County Auditor on local government annual rates and amounts, also the transfer of funds from the Cemetery Endowment Fund to the Cemetery Operating Fund also the transfer of money from the General Fund to the Sidewalk Improvement Fund.*

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

I would like to bring to attention to members of Council and the Administration that you do have in front of you this evening Proposed Resolution 36-2016. It states at the bottom that it's sponsored by the Salary Committee. It's recognizing Terry Brick for his 31 years of New Philadelphia as a Street Sweeper. I'm sure Mr. Brick had a very long and distinguished career with the City of New Philadelphia and is deserving of the Commendation and Recognition that would be granted to him. However from a Point of Procedure this has not been assigned to Committee yet. It's not the first time that we have had legislation appear before us. So, from a Point of Procedure if I understand correctly, requests are made to you (President Hitchcock) consideration of Commendations or anything that requires legislation is addressed to the President of Council, the Council President then assigns it to the appropriate Committee. After that the Committee holds hearings and makes a determination. Right now we're putting the cart before the horse. Like I said it's not the first time it has happened. For a Point of Procedure I would ask that we respect the rules that we operate under as a city council when it comes to drafting legislation. I understand Ms. Kurtz is directed from the Mayor. I understand it may have just been a misunderstanding. I don't think we can continue to go this route. We should honor and respect the rules by which we conduct business.

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

I respond to your Point of Procedure. I am not authorized to rule on any Point of Procedure that is outside of Council operations. That is something that would have to be ruled on by the Administration or the Chief Administrator which of course would be the Mayor. As you mentioned Ms. Kurtz is fairly new to her position and I think this is just a minor oversight. Along with your request I would request that the Mayor inform other members of the Administration of the proper process of suggesting or moving legislation into Committee or issues into Committee for possible proposed legislation.

**President of New Philadelphia City Council Sam Hitchcock asked Mr. Zucal to take into his Committee Proposed Resolution 36-2016.*

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

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

ZONING & ANNEXATION COMMITTEEMRS. CHERYL RAMOS

Mrs. Ramos had the following report:

I would like to just remind everyone that we are having a Committee meeting on August 22, 2016 at 7pm. One of the items to discuss is the rezoning of Residential District to Central Business. That would be on Fair Avenue NW from 2nd Drive and Ray Avenue

NW to 3rd Street NW and a residential area on 3rd Street SW to Bank Lane SW and 2nd Drive SW to the railroad tracks. This has been approved by the Planning Commission . Also there is a Public Hearing on Ordinance 9-2016 on September 7th. That is the medical marijuana issue. That is a Wednesday, it's a special meeting. It starts at 7pm.

SPECIAL & CONTACT COMMITTEEMR KELLY RICKLIC

Mr. Ricklic had the following report:

Tonight the Special and Contact Committee met at 6pm with three items on the Agenda: The first was the requested name change of McDonald Drive to Garland Drive. There was no representative present who requested the change. Council spoke and came up with a lot of the reasons to not change it. I will take care of contacting that individual with a letter and explaining that we have our concerns. The second item on the list was Ordinance 12-2016 which is the Ordinance to accept Walter Drane 2016 replacement pages of the Codified Ordinances of New Philadelphia Ohio books. The third item is the change of liquor permit from Robert Lance to Rosenthal Investment Now LLC operating at 126 Front Avenue SW. It's a name change but would you please call roll call of Council to approve the change?

**ROLL CALL TO APPROVE THE CHANGE OF LIQUOR PERMIT FOR ROSENTHAL INVESTMENTS LLC
7 YEAS
THE REQUEST FOR A CHANGE OF LIQUOR PERMIT HAS BEEN APPROVED**

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY

Mrs. May had the following report:

The Cemetery Board meets on August 11, 2016 at 9am in the Service Director's Conference Room. There will be a Parks and Cemetery Committee Meeting next Council meeting at 6pm. I would like to request an Executive Session after Legislation for an update on pending litigation from the Law Director.

**MRS. MAY MOTIONED FOR AN EXECUTIVE SESSION FOLLOWING THE LEGISLATIVE AGENDA THIS EVENING
MR. LAUTENSCHLEGER SECONDED THE MOTION
7 YEAS
THERE WILL BE AN EXECUTIVE SESSION AFTER LEGISLATION DURING TONIGHT'S REGULAR COUNCIL MEETING**

**President of New Philadelphia City Council Sam Hitchcock announced that the Executive Session will take place after the Legislative Agenda and a 10 minute recess.*

VISITOR'S COMMENTS:

Carl Russo who resides at 630 Jordan Dr. NW made the following comment:

I am President of the Overcoming Blindness Organization that operates from his home. I am here to invite Administration, Councilmembers and others to our 5th Annual White Cane Walk which will be at the Tuscarawas County Senior Center on August 21, 2016 from 1pm until 3pm. (Carl's wife Karen handed flyers to all members of Council, Administration, and audience) I would like to see a good attendance this year. The purpose of the event is to give a little understanding of what it is to live as a blind person. Of course we have a little fun with this too. Not only do you wear a blindfold and you use a white cane through this small track, we also have challenge tables. One challenge will be pouring water into a glass while you're blindfolded. This year we're adding something new which I think Mayor Day will enjoy and that will be gobbling down some jello blindfolded. Hopefully I will get to see plenty of you there.

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

Thank you, Mr. Russo, a very worthwhile thing that you do every year and we appreciate you coming and issuing that invitation. I have not been able to attend this yet. I always have concert responsibility at the amphitheater in the evening but earlier in the day I'm going to try to make it this year.

Director of the New Philadelphia Business and Community Association Julie Levengood Stephon made the following statement:

This Saturday is our 3rd and final Second Saturday of the year. I'm hoping to make

this a long-standing tradition for New Philadelphia. I just want to thank the City Council for the tremendous support that we have been given this summer. I've been very pleased with the turn out from our citizens and also just the comments and feedback and positive attitude from the Administration and Council. It's very much appreciated. Later this month on August 27, 2016 we have our annual car show. That's always a fun time downtown. So we've got two more big events coming this summer and we hope to see everyone out. We're getting started on our fall schedule so many more things to come. NPBCA has been very busy and that's a good thing. People are taking notice of what we're doing downtown.

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

Your tireless efforts are for the betterment of the community as well as the downtown business district.

COUNCIL COMMENTS:

Mr. Holland made the following comment:

Thank you, Mr. Russo. I had the opportunity to attend the White Cane Walk last year. What a tremendous learning experience. In being in a situation where your sight is impaired it's a real learning opportunity to go through this course. It was also enjoyable. I almost filled up my shoe rather than a glass with water. I would certainly encourage everyone if possible to attend this 5th annual event. As a second item I wanted to recognize our fire department. There's a national publication in the fire service and in 2006 the University of Cincinnati published a study covering 37 years of research in the fire service. It showed firefighters have a much higher incidence of multiple myeloma, prostate and testicular cancers, and non-hodgkin's lymphoma. Today experts have identified more than a dozen cancers that firefighters are more likely to get than the general population. The World Health Organization has designated firefighting as a possibly carcinogenic occupation. In response to these concerns our fire department is the first fire department in the United States to provide fire personnel with a medical grade infrared sauna exercise unit. This was acquired with a grant and we're the first fire department in the nation to have this specialized equipment to help reduce the potential of the spread of these cancers. I just wanted to acknowledge our fire department and thank you, Mr. Popham for your leadership.

Mr. Maurer had the following question:

Did you say a sauna?

Mr. Popham had the following response:

It's a small sauna unit that also has a stationary bike in it. After the firefighters come back from a fire where they've been exposed to the hazardous materials they will one at a time go into this sauna. There's a program that they follow to sweat the hazardous materials out of their body. It rids the body of poisons. This was provided by a grant that right when the publication came out that cancer was one of the number 1 issues for firefighters.

Mr. Ricklic made the following comment:

I'd like to make a comment about the manufacturing camp that was held at Buckeye Career Center and Kent State University Tuscarawas on July 19 through the 22nd. It involved approximately 35 students that spent half of the day at Buckeye Career Center with speakers coming in from different companies. The Fire Chief also did a presentation with fire extinguishers, exposed those children to how to put a fire out properly. Each one got to experience that. In the afternoons they would go out and visit the businesses; Marsh Industry, Allied, several different companies. On Saturday they built gliders and they were able to go to Kent State in the big, open area and they flew their gliders and they had a great time with Lauren Manufacturing heading up this whole event. It was a very enjoyable event for the students and children. I think they really got a lot out of it. I know the Mayor was there on Saturday. Mr. McAbier showed up, I was there late. I just want to recognize that children, students of our community are getting exposed to a lot more things than other children are able to get.

Mr. Zucal had the following comment:

I would like to take the opportunity to thank Ray Grewell, our General Services leader, as well as his crew. There were some different needs that we had in Ward II most recently with the extreme heat wave along sections of North Broadway. Some of the neighbors had newly planted trees that were stressing under the extreme heat. I know that Ray responded immediately whenever I spoke with him about that. He sent out some of the help to individually water those and utilize what we have at our disposal as a City to hopefully make them able to make it through that extreme heat. The kids came out every day and were great about that and I'm looking at those trees and I know the neighbors truly appreciate it. It looks like the trees are going to make it. Again, there

were just a lot of different needs we've had recently and they've been very, very responsive to that so I'm very appreciative, especially in the high heat with some of the things they were able to do to help keep our ward looking good. I also would like to take the opportunity to thank Julie Levensgood Stephon for her work. The Sidewalk Sales I believe were another success. Lots of folks downtown for those along with vendors. I'm hearing nothing but positive feedback. The only thing she didn't have quite control over was the weather. It decided to try and challenge us with rain. After 45 days of non-measurable rain we had to do our little battle against it, but Mrs. Stephon was very, very well organized with that, doing her best to bring people downtown to our shops.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

- 7-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE 233 FAIR AVENUE FROM RESIDENTIAL TO CENTRAL BUSINESS.
5th Reading
- MRS. RAMOS MOTIONED FOR PASSAGE OF ORDINANCE 7-2016
MR. HOLLAND SECONDED THE MOTION
7 YEAS
ORDINANCE 7-2016 IS PASSED
- 8-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO MODIFY CHAPTER 313.01 TO ADDRESS DRIVING UPON PRIVATE PROPERTY TO AVOID TRAFFIC CONTROL DEVICES.
3rd Reading
- Mr. Holland made the following comment:
I was fueling my vehicle at Front and South Broadway when a vehicle came through and right on its heels was a motorcycle, both nearly ran over me and another customer. That said, I would certainly encourage this being passed.
- MR. MAURER MOTIONS FOR PASSAGE OF ORDINANCE 8-2016
MR. RICKLIC SECONDS THE MOTION
7 YEAS
ORDINANCE 8-2016 IS PASSED
- 9-2016 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PROHIBIT MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES FROM BEING OPERATED ANYWHERE WITHIN THE CORPORATION LIMITS OF THE CITY OF NEW PHILADELPHIA.
2nd Reading
- 12-2016 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES.
1st Reading

RESOLUTIONS:

- 30-2016 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO EXECUTE AND FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE CLEAN OHIO TRAILS FUND FINANCIAL ASSISTANCE PROGRAM FOR THE CRIDER AVENUE NATUREWORKS.
3rd Reading

MR. RICKLIC MOTIONED FOR PASSAGE OF RESOLUTION 30-2016
MRS. MAY SECONDED THE MOTION
7 YEAS
RESOLUTION 30-2016 IS PASSED

37-2016

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 THE AIRPORT IMPROVEMENT
PROGRAM (AIP) PROJECT GRANT NO. 3-39-0060-013-2016 AT HARRY CLEVER
FIELD AIRPORT IN NEW PHILADELPHIA, OHIO.
1st Reading

MR. RICKLIC MOTIONED TO SUSPEND THE RULES ON RESOLUTION 37-2016
MR. ZUCAL SECONDED THE MOTION
7 YEAS
RULES ARE SUSPENDED ON RESOLUTION 37-2016

MR. RICKLIC MOTIONED FOR PASSAGE OF RESOLUTION 37-2016
MR. ZUCAL SECONDED THE MOTION
7 YEAS
RESOLUTION 37-2016 IS PASSED

**COUNCIL WENT INTO A 10 MINUTE RECESS AT 8:18PM
AT 8:28 PM COUNCIL RECONVENED INTO REGULAR SESSION AND ADJOURNED INTO
EXECUTIVE SESSION
AT 8:41 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL**

UNFINISHED OR OLD BUSINESS:

Mr. McAbier had the following comment:

I would ask to put into Committee the land lease of farmland down Skinner Lane and Delaware Drive. The last time it was sponsored it was in the Zoning and Annexation Committee.

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

Mr. Fete had the following comment:

What we're doing is we're expanding the ground that's covered by the lease to bring in some more revenue. We lease some ground out for farming purposes that we own and we're expanding that.

Mr. McAbier had the following comment:

When I first came into office I looked at the overview and we already did the increase because of the fact that we looked at what he bid out in the 1st place and what he was farming. We went with almost 12 acres more. He was farming and not paying for it.

Mrs. Ramos had the following question:

This is by the cemetery, right?

Mr. McAbier had the following response:

Yes

Mrs. Ramos had the following question:

So, you're asking to increase the lease amount?

Mr. McAbier had the following response:

No, the amount of ground covered.

NEW BUSINESS: NONE

MR. MAURER MADE A MOTION TO ADJOURN AT 8:43 PM

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock