

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 26TH, 2015 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:

MS. SANDY COX
MR. DAN LANZER
MR. DARRIN LAUTENSCHLEGER
MR. ROB MAURER
MRS. CHERYL RAMOS
MS. WINNIE WALKER
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MAYOR DAVID E. JOHNSON

- MS. COX MADE A MOTION TO ADD ORDINANCE 16-2015 TO TONIGHT'S AGENDA
MR. LAUTENSCHLEGER SECONDED THE MOTION.
ROLL CALL 7 YEARS
MOTION PASSED
ORDINANCE 16-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. ZUCAL MADE A MOTION TO ADD PROPOSED ORDINANCE 17-2015, WITH THE NECESSARY CHANGES AS WAS REFLECTED THROUGH THE COMMITTEE MEETING, TO TONIGHT'S AGENDA
MS. COX SECONDED THE MOTION.
ROLL CALL 7 YEARS
MOTION PASSED
ORDINANCE 17-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA AS AMENDED
MR. ZUCAL SECONDED THE MOTION
ROLL CALL 7 YEARS
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, OCTOBER 12TH, 2015
MR. LAUTENSCHLEGER SECONDED THE MOTION
ROLL CALL, 7 YEARS
THE MINUTES WERE APPROVED

CORRESPONDENCE CLERK, PATRICIA A. MCKAY

1. Mayors Report to Council dated October 26th, 2015
2. A flyer from Aultcare "**Get Ready for the Great American Smoke out !** Noon, November 2nd, 2015.
3. Resolution 01- 2015 In opposition to Marijuana Legalization (State Issue #3)
from the New Philadelphia City Health District.
It was moved by the Board Member Dr. Maureen May and seconded by Board of Health Member Fran Fantin all members were in favor. Resolution 01- 2015 was passed by the New Philadelphia Board of Health October 14th, 2015.
4. September 2015 New Philadelphia Fire Department Month End Summary Report dated October 1, 2015.
5. Special and Contact Committee Meeting Minutes from September 28th, 2015
6. Salary Committee Meeting Minutes from Monday September 28th, 2015
7. Finance Committee Meeting Minutes from Monday October 12th, 2015
8. Public Works and Economic Development Committee Meeting Notes, from October 12th, 2015
9. Safety Health and Service Committee Meeting Amended Minutes from September 28th, 2015 Amended October 12th, 2015.

MAYOR'S REPORT/REQUESTSMAYOR DAVID JOHNSON

The Service Director distributed a copy of the Mayor's Report to everyone.

The Mayor has an excused absence for tonight's meeting.

The Mayor attended the Dover-New Philadelphia Banquet at the Buckeye Career Center.

MAYOR'S WRITTEN REPORT:

THE MAYOR REPORTED THE FOLLOWING:

- October 13th, 2015 Attended Union Hospitals Healthy Tuscarawas Community Health Status Assessment Presentation at the Senior Center.
- October 14th, 2015 Attended Ohio Department of Transportation Meeting at the Tolloty Center to meet and talk with the New President of Team NEO.
- Attended the Health Board Meeting
- Service Director and the Mayor met with David Hollendonner with Energy 5 Gas Company.
- October 15th, 2015 Attended Business After Hours Reception at the Hampton Inn.
- October 19th, 2015 Met with various City Managers.
- October 20th, 2015 Attended Community Improvement Corporation Meeting At Union Hospital. Then attended Tuscarawas County Homeland Security Meeting at the Justice Center.
- October 21st, 2015 Met with the newly appointed, Director of the New Philadelphia Business & Community Association, Ms. Julie Levensood Stephon.
- Attended the Park Board Meeting at Tuscora Park.

The Mayor Requested the Service Director Report the Following:

Service Director reported:

NPBCA is going to have Holiday Dash Pass this year.

After the Meeting with the downtown merchants it was decided to offer free parking during the month of November and December for shoppers only.

This includes meter parking they will have a four hour time limit.

The Service Director passed around the new parking pass so everyone could see them.

Ms. Julie Levensood Stephon Director of the New Philadelphia Business and Community Association (NPBCA) will talk a little more about this when she gives her report.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported the following:

- The City has received another check in the Court Case Settlement at State level Cargill and Morton salt the check goes to the Water Department. The check was over \$16,000. Mr. Zucal reminded everyone of the check for \$13,000 for the City Street Department that was received we now have a total of nearly \$30,000 in money back from the State Level. Second highest in Tuscarawas County only the County received more than us.
- The Service Director than turned some of his report time over to Chris Bower, President of Diversified Engineer Incorporated he is going to talk to you about his new building he and his father as principals of the business on Ray Avenue NE are building next to Sherwin and Williams. It is a very exciting project he's going to share.
- The Service Director and the Mayor talked to a representative of Buffalo Wild Wings. There business is doing very well.
- The land next to that area Market Place Commons Kathy Pietro still has that for sale Expects some new businesses in there very soon.
- Talked to two local developers looking at some vacant commercial land on West High Avenue and one on Bluebell Avenue where we are quickly going to see three to five new retail businesses. Many good things are happening.

The Service Director turned some of his report time over to Chris Bower who talked about his new business:

Mr. Bower he said they looked at properties for their business around the same time the Fire Department was looking at properties around town for the Fire Station.

They were in the same market about the same thing as they were.

He could not decide what to do so he took a cross section of his employees and asked them where they would want to be.

Everybody wanted to be closer to downtown so they could walk uptown for lunch. That is how we arrived at the location we did.

It was big enough and close to downtown.

We have been doing more work thanks to the City; we are doing work for the City of New Philadelphia. In our business you can't beat that.

We travel an average of an hour to a lot of our projects so anything we can do in the City of New Philadelphia is awesome.

Mr. Bower thanked everyone for that.

Mr. Bower shared a couple of poster boards with Council (elevation view.)

That Showed what the building is going to look like, it will be a symbol of what we can do here in the City of New Philadelphia. It will be a first class operation.

Dark brown around the windows

Stone on the front

16,000 square foot facility

All sprinklered

Have an elevator

3 floors (5400 square feet on each floor)

Mr. Bower said right now their business is about a dozen Engineers, three Surveyors, two Geologists, and 10 CAD Designers in the office.

On the outside it is about 15 survey people and 10 inspection personnel right now we are setting about 50 people.

This facility will be big enough to house probably 75 office people.

It is going to have soils lab in basement,

Water lab in basement,

We are going to dispatch all our field people out of there,

We have about 1500 square feet in the basement that is set up for survey crews,

And about 2200 square feet in the other end we going to be able to have public meetings or training. (We do a lot of safety training with what we do)

It will probably open in May 2016.

We are going to have 56 parking spaces in the back (those are not storage units in the back)

We will be able to keep our trucks in those we have 25 trucks right now.

He said he has been Blessed to have a lot of good clients over the years.

Question from Ms. Cox:

How many rooms?

Reply from Mr. Bowers:

There are 6 offices and an internal meeting room on the second floor,

The first floor there is 12 offices, 2 restrooms on every floor,

Ms. Cox wanted to know if they were going to have an Open House.

Mr. Bower said yes especially for our clients.

We are on Ray Avenue in the old Social Security Building, we have out grown it.

Comment from Councilperson John Zucal:

A note of appreciation for investing in New Philadelphia

There is a sign of interest and it continues to grow.

It is a sign of the good things that are happening in our community.

It is going to be one of the State of the Art Facilities in our community.

Comment from Law Director:

Mr. Fete requested permission to take a picture of the facility for his four year old son who is very curious about the progress of the building.

Comment from Service Director:

Mr. Jim Zucal said he appreciated working with Mr. Bower.

His business is growing. Chris told Mr. Zucal that they do a lot of business with the Oil and Gas business. Jim said Chris helps them out with many projects for the City.
We appreciate all he does he has made a significant investment in our community.

Comment from Councilperson John Zucal:

Chris has been a big help in the City of New Philadelphia as a member of the Airport Commission that Mr. Zucal Chairs.

He brings a great deal of insight and expertise in that area, investing of his time to make our community a better place.

Comment from the President of Council, Sam Hitchcock:

“Thank you Chris.

It is a great addition to the City. We appreciate your decision to locate here it is a good partnership.”

The Service Director turned the floor over to the NPBCA Director:

Ms. Julie Levengood Stephon

Ms. Levengood Stephon informed Council of the Downtown Dash Pass

She said when NPBCA had their last meeting they talked about stimulating some traffic in the downtown area.

They came up with the Dash Pass that will let people know we have great stores in our downtown and bring people down for the Holiday Season.

The lights are going to be installed on November 7th, 2015.

The Lightening Ceremony will take place November 20th, 2015.

AUDITORMS. BETH GUNDYNO REPORT

SAFETY DIRECTOR..... MR. GREG POPHAMNO REPORT

TREASURER MR. TOM GERBERNO REPORT

LAW DIRECTOR MR. MARVIN FETE

The Law Director reported the following:

- Mr. Fete finalized today with Attorney Steven Domingo we are going to bring extra Tax Revenue for the City of \$37,000.
We still don't know the name of the business, we will find out within the next 3 days.
It was a business that self reported that had not paid taxes for a number of years.
We negotiated a settlement as to what should be owed.
Because they self reported we did not charge them the penalties just the interest and what was owed on the taxes. We appreciated the fact they self reported.
He presented the finalized agreement to the Income Tax Director today.
He signed off on it and the Law Director witnessed it, Mr. Fete faxed it to them this afternoon.
- The Law Director had two phone conferences with Shawn Lindsay at Alban Title with regard to the sale for the property where the new City Fire Station is going to be located after issue #36 passes. The Law Director is optimistic it is going to pass and urged everyone to vote for it.
The City will be buying the property the City cannot be a mortgage holder.
Alban Title drew up an agreement for a closing that gives the owner a secured interest. Their interest is only against the City not on the Real Estate it is backed by the City's finances not backed by the Real Estate. We own that property free and clear once the closing is completed.
On the down side that area is segmented with five different partials and they all have to be surveyed.
- Last week Mr. Fete spent two days in Columbus for a “Labor and Employment Law” Seminar.
He felt he learned a great deal and appreciated the City for enabling him to go to that.
- The Law Director was scheduled to have a meeting in his office with the Katie Seward, Director of the County Health Department the purpose of the meeting was to try and foster better communication and a more positive relationship between ourselves and the County Health Department so we can open a dialogue. The only agenda Mr. Fete had for the meeting was to introduce himself and explain what his goals were. Ms. Katie Seward cancelled the meeting.
- The Law Director had two different phone consultations with the Service Director, and Mayor Johnson.
- Phone call from Mr. Eugene Nemitz, who has a Real Estate gift he would like to make to the City there are some issues with the Treasurer's Office.

The Law Director is going to try to get hold of him and have a phone conversation with him Wednesday to try to iron that out.

- He commended and thanked the Service Director for coming up with the idea of the the Fall Festival along with Chase Hostetler who took the idea and ran with it.
- The Law Director and his Family loved it and he felt it was a great program.
- Lastly, as an old Quaker he said “Go Quakers Beat Dover.”

Comment from the Auditor:

“The business that self reported to us, they are a business that owned a lot of rental properties, and it is very possible we would have never found them had they not done that.”

Comment from Councilperson John Zucal:

“That was very honorable.”

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mr. Zucal announced the Planning Commission meeting is scheduled for Tuesday, November 10th, 2015 at 1:00 PM in Council Chambers pending and agenda.

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

Mr. Zucal announced the Board of Zoning Appeals meeting is scheduled for Tuesday, November 10th, 2015 at 5:00 PM in Council Chambers pending and agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced that the Airport Commission Meeting will meet Tuesday, November 10th, 2015 at 6:00 PM at the Airport Meeting Room.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board met Wednesday, October 21st, 2015 at noon at the Tuscora Park Office. There was a lack of a quorum so no business could be conducted, fortunately, there were not any items of business. There are a couple things just to bring you up to date.

Marsh Industry will be installing soon in the park pavilion the noise reduction product they have.

He will be able to report back to you when that is completed encouraged everyone to check that out Rod Miller Park Superintendent presented concerns, indicated some of the repairs that will be need it the Skate Park location by the Water Works need to be done in the off season. To get ready for next season

Mr. Fete mentioned we had a very successful Fall Festival and it is my pleasure to introduce to you Chase Hostetler who was the foot work behind the operation of the Fall Festival and requested Chase update us on that and talk about the reduction of the Canadian Geese.

Park Superintendent Rod Miller termed Chase Hostetler, Assistant Superintendent for Tuscora Park, the Bird Banger.

Chase explained the Bird Banger it is a simple gun it looks like a toy gun that shoots a fire work projection at the geese it is a loud bang.

The neighbors probably don't like it but they appreciate the reduction of geese droppings especially the side by the tennis courts that lead into the stadium.

As the geese fly in between 8:00 AM and 10:00 AM we shoot off the water as they come in. It's been very successful with no harm to the geese.

Chase walks around the area and informs everyone there is going to be a bang.

The First Fall Festival was a success; good turnout, paint the plow, Mayor Johnson and Mr. Zucal came up with that idea, students from Tuscarawas Central Catholic won that they had M & M surfing on snow on the plow.

We hope to build on the Fall Festival we hope to get additional sponsors. Utilize the park for what it is “Our Crown Jewel.”

Mr. Fete said he heard the bang.

Bright orange gun it sounds like gun, it scares the geese.

The Law Director noticed a difference in his allergies since the geese droppings are gone.

Chase pointed out there is bacteria in geese droppings also.

President of Council, Sam Hitchcock told Mr. Hostetler he appreciated his hard work and enthusiasm.

The Service Director said his enthusiasm, hard work, and dedication it was so great to see a young man that excited about what he does.

The Service Director Complimented the Mayor and the President of Council, Sam Hitchcock.

Paint a plow idea came from the ODOT Snow Plows.

We Sand blasted and primed in our garage, the paint was outstanding.

The paint of the snow plows there were four participants

Pumpkin carving contest

Food for the kids

The Service Director said when he arrived he said “**wow**” he was shocked there were well over a 1,000 people from what he understands. It went very well for the first year and we think we are going to do it every year.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next meeting for the Health Board is scheduled for Wednesday, November 11th, 2015 at 12:00 (Noon) at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMS. SANDY COX

Ms. Cox reported the Finance Committee met October 12th, 2015 at 6:46 PM in Council Chambers

To discuss the following one item:

Ordinance 16-2015 amending and adjusting the permanent appropriation Ordinance for the year 2015

GENERAL PROSECUTOR		
101-0800-5-1230	Medical Insurance	\$2,409.58
101-0800-5-2000	Travel	(\$2,409.58)
GENERAL PARK		
101-3100-5-3501	Maintenance	\$13,000
101-3100-5-1106	PT Pool	(\$9,000)
101-3100-5-4500	Program Supplies	(\$2,000)
101-3100-5-5200	Equipment	(\$2,000)
AMBULANCE		
715-5100-5-9000	Refunds	\$5,000
715-5100-5-5200	Equipment	(\$5,000)

Ordinance 16-2015 is on the agenda and the Committee is asking passage on the first reading.

Meeting adjourned at 6:49 PM

SALARY COMMITTEEMr. John Zucal

Mr. Zucal reported there was a Salary Committee Meeting tonight, October 26th, 2015 at 7:00 PM in Council Chambers with one issue the amendment of chapter 191 of the Codified Ordinances of the City of New Philadelphia compliant to the mandates of the State of Ohio in regard to Municipal Income Taxes we had a discussion about it noted by the Law Director it is bad legislation it does negatively impact villages and municipalities throughout the State of Ohio. We did have some minor clerical changes to the language and some correction within that we did have vote 3-0 to add proposed ordinance 17-2015 to the agenda for tonight maintain for three readings.

The meeting adjourned ant 7:19 PM

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

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE DARRIN LAUTENSCHLEGER

Mr. Darrin Lautenschleger announced Resolution 25-2015 is on the agenda for the first reading tonight and the Committee is recommending suspension of rules and passage on first reading to meet the grant application deadline of October 30th, 2015.

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

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

PARKS & CEMETERY COMMITTEEMS. WINNIE WALKER....NO REPORT

VISITOR'S COMMENTS:

NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

16-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2015 AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas
Rules for Ordinance 16-2015 have been suspended

Motion to vote on passage by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas
Ordinance 16-2015 has been passed.

17-2015 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 191 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA REGARDING MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY. (1ST READING)

RESOLUTIONS:

23-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE NEW PHILADELPHIA CITY AUDITOR TO ISSUE BLANKET FISCAL OFFICER CERTIFICATES, UP TO A MAXIMUM OF \$5,000.00 FOR EACH CERTIFICATE (PURCHASE ORDER) AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas
Rules for Resolution 23-2015 have been suspended

Motion to vote on passage by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas
Resolution 23-2015 has been passed.

24-2015 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE THE NEW PHILADELPHIA CITY AUDITOR TO ISSUE SUPER BLANKET FISCAL OFFICER CERTIFICATES, UP TO A MAXIMUM OF \$50,000.00 FOR EACH CERTIFICATE (PURCHASE ORDER) AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas
Rules for Resolution 24-2015 have been suspended

Motion to vote on passage by Ms. Cox
Seconded by Mr. Zucal
Roll call, 7 yeas
Resolution 24-2015 has been passed

25-2015 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Mr. Lautenschleger

Comment from Mr. Lautenschleger:

Mr. Lautenschleger pointed out there was a *typo* on tonight's agenda (25-2014)

Seconded by Mr. Lanzer

Roll call, 7 yeas

Rules for Resolution 25-2015 have been suspended

Motion to vote on passage by Mr. Lautenschleger

Seconded by Mr. Lanzer

Roll call, 7 yeas

Resolution 25-2015 has been passed

Mr. Zucal clarified Resolution 25-2015 has been passed

UNFINISHED OR OLD BUSINESS:

NEW BUSINESS:

Message from the Mayor:

The Service Director announced Mayor Johnson's message.

"Go Quakers."

All of Council echoed Mayor Johnson's message.

"Go Quakers."

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:26 PM

CLERK OF COUNCIL _____
Patricia A. McKay

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam R. Hitchcock