

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 10TH, 2014 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  
MRS. CHERYL RAMOS  
MS. WINNIE WALKER  
MR. JOHN ZUCAL

PRESIDENT OF COUNCIL, SAM HITCHCOCK ANNOUNCED THAT COUNCILPERSON ROB MAURER AND TREASURER AARON HILLYER ARE EXCUSED FROM TONIGHT'S MEETING.

MS. COX MADE A MOTION TO ACCEPT TONIGHT'S AGENDA.  
MR. LAUTENSCHLEGER SECONDED THE MOTION.

ROLL CALL 6 YEAS  
MOTION PASSED

MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON MONDAY, OCTOBER 27TH, 2014.  
MS. WALKER SECONDED THE MOTION.

ROLL CALL, 6 YEAS  
MINUTES WERE APPROVED.

**CORRESPONDENCE** . . . . . CLERK, PATRICIA A. MCKAY

1. Letter dated November 10th, 2014 from Treasurer, Aaron Hillyer announcing his resignation effective at the end of the day on November 11th, 2014.
2. Mayor's Report to Council dated November 10th, 2014
3. Letter dated November 6th, 2014 from Fire Chief Parrish to Council at Large and Health Board Representative, Ms. Cox commending our New Philadelphia Health Department under the leadership of Health Commissioner Vickie Ionno R.N., for the commendable action taken concerning the Ebola Virus Outbreak.
4. Ambulance Committee Meeting Minutes for October 13th, 2014
5. Safety, Health and Service Committee Meeting Minutes from October 13th, 2014 and October 27th, 2014
6. Public Works and Economic Development Committee Meeting Minutes for October 27th, 2014
7. Finance Committee Meeting Minutes for October 27th, 2014
8. October 2014 Month-End Summary, New Philadelphia Fire Department, dated November 3rd, 2014
9. Auditor's Financial Statement for the Month of October 2014
10. Auditor's Monthly Statement of 2014 Revenue for the General Fund for the Month of October 2014
11. City of New Philadelphia Statement of Cash Position with Month to Date as of October 31st, 2014
12. City of New Philadelphia Budget Report with Encumbrance Details as of October 31st, 2014
13. Mayor's Monthly Statement to Council for the Month of October 2014 dated November 3rd, 2014
14. New Philadelphia Police Department Report for the Month of October 2014
15. Notice from the NPBCA announcing:  
    The Christmas Tree Lighting Ceremony to be held Friday November 21st, 2014 at 6:00 PM at the Gazebo.  
    The Christmas Parade, Friday December 5th, 2014 kicks off at 6:00 PM at Tuscora Park.
16. A Notice from Ray Grewell Superintendent of General Services dated October 30th, 2014 in regard to City of New Philadelphia Leaf Pick Up Schedule.

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT/REQUESTS ....MAYOR DAVID JOHNSON

The Mayor reported the following:

- The Mayor attended the Annual New Philadelphia Dover Rotary Banquet at Buckeye Career Center.
- Mayor Johnson reported that Trick or Treat was observed in New Philadelphia.
- The Mayor attended several meetings with the Law Director, Ed Wilson, and other Superintendents.
- The Mayor represented the City at the Harcatus Senior Corps recognition luncheon.
- The Mayor interviewed and hired Megan Rittenhouse at our switchboard as a temporary part-time employee, our former Customer Service Representative; Vicki Daniels is now a full-time employee of the Income Tax Department as Jackie Draher is retiring at the end of the month.
- Mayor Johnson met with Auditor Gundy to discuss the budget.
- The Mayor met with Menards.
- The Mayor held a Labor Management Meeting.
- The Mayor interviewed and hired a part-time janitor for City Hall, Mr. Ted Polka. Bob Lipinski is retiring at the end of the month.
- The Mayor attended the monthly New Philadelphia Business & Community Association Board of Directors/ Regular Monthly Meeting.

Mayor Johnson requested an Executive Session for tonight to be held before Legislation.

The reason employees and salaries within the parameters of the law.

Mr. Lanzer made a motion for an Executive Session as the Mayors requested.

Ms. Cox asked Mr. Lanzer if his motion could include the Law Directors request for an Executive Session to be held before Legislation to discuss personnel and pending lawsuits.

Mr. Lanzer agreed.

Ms. Cox seconded the motion

Roll call 6-0

Motion passed.

President of Council Sam Hitchcock:

Be advised we will go into the Executive Session following Visitor's Comments and prior to Legislation Agenda.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

Service Director reported since our last meeting:

- Updated Council on the West High Widening Project: That is a major improvement to the City that's going on. The Service Director passed around some recent pictures for Council to look at that were taken October 31, 2014 of the project. Services Director talked with representatives from Shelly & Sand Inc. They are on schedule the sixty day closure will end up November 15th, 2014. They did receive in their contract; they are allowed for rain days from ODOT they don't expect more than a week of that. Hopefully by Thanksgiving West High Avenue will be widened and open for business. Keep in mind the base coat of asphalt will be down the final coat won't come until next spring along with some landscaping and clean up. Actually we are hoping within a week to ten days, traffic will be moving on West High Avenue in that section from five points to the railroad tracks.
- One of the Service Director's annual duties is to look into the rate increases for the Sanitation, Water, and Waste/Water. The Service Director did pass out a recommendation letter. The Service Director is asking the President to assign that to Committee. The Service Director is asking for an increase in Sanitation Rates, only.

*President of Council informed the Service Director that he will be assigning his request to the Safety, Health, and Service Committee.*

AUDITOR .....MS. BETH GUNDY

1. The Auditor reported the City received a rebate from Worker's Comp it's part of their Billion Dollars Back our total is \$134,646.74 that is about what we got last year.
2. The Auditor called attention to the attachment to ordinance 24-2014 She was given another request by the Service Director to make that transfer in order that they can pay for the salt they need to order.

SAFETY DIRECTOR.....MR. GREG POPHAM.....NO REPORT

TREASURER . . . . .MR. AARON HILLYER .....NO REPORT  
EXCUSED ABSENCE

LAW DIRECTOR . . . . .MR. MARVIN FETE

The Law Director reported the following:

- The Law Director reported that he worked on 16 different issues for the City. The Law Director said the big highlight is he has been working on the Community Reinvestment Area Program. The Law Director said he was prepared to give council an entire briefing on it instead he is going to put it in writing and submit that to Council. New Philadelphia has what is called Enterprise Zone. It helps spur economic growth in an area. Unfortunately, Enterprise Zone is limited and doesn't apply to retail areas. It is in regard to Menards we want to help them off set something because they are retail you have to create Community Reinvestment Area Zone.
- He has had conferences with three different Attorneys regarding City issues. Which he is has requested an executive session to discuss those matters with Council.
- The Law Director announced that he will be speaking at Sacred Heart Church November 11, 2014. Ms. Fragasse, Mayor Johnson's Executive Administrator on behalf of the LBCA at the Church invited the Law Director to Speak.
- The Law Director announced that he will be attending the Airport Commission Meeting November 11th, 2014, also.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mayor David Johnson announced that the Planning Commission Meeting has been cancelled for the Month of November. The Next Planning Commission Is Tentatively Set For December 9th, 2014.

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

Mr. James Zucal announced that the Board of Zoning Appeals will meet Tuesday, November 11th, 2014 at 5:00 PM in Council Chambers, there is one variance request.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced that the Airport Commission will meet Tuesday November 11th, 2014 at 6:00 PM in the Airport Meeting Room. Mr. Zucal reported that the Fixed Base Operator Mr. Hubbard will be out of town.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER.....NO REPORT

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, November 12th, 2014 at 12:00 (Noon) at the Health Department.

Ms. Cox reported she distributed to Council a copy of the letter she received from the Fire Chief Parrish.

The Fire Chief wrote:

“I want to commend our New Philadelphia Health Department concerning the Ebola Virus Outbreak. Under the leadership of Health Commissioner Vicki Ionno R. N., within minutes of the news that a passenger on a plane that had landed in Canton was being quarantined due to the Ebola Virus, Vicki was in contact with the Ohio Department of Health and was making plans to respond in case someone in our community was exposed.”

“I was especially impressed that she recognized that all of the first responders (EMS/Fire & Police) could be exposed without even knowing they were due to the nature of our services. Within a few days Vicki put on a continuing education class, three days in a row to communicate the signs and symptoms of Ebola to all City Employees.”

“It is comforting to know that our New Philadelphia Health Department is vigilant and staying on top of situations like this. Please pass along to the Health Board and members of our Council the commendable action taken by Vicki and the Health Department.”

Sincerely,  
Jim Parrish, Fire Chief.

Comment from President of Council Sam Hitchcock:

“I think our Health Commissioner is very responsive to requests such as this. As I mentioned at the last meeting I was present during all three sessions she had at the Teen Center, as I was the audio/video guy.

I have also asked her to do other presentations for the benefit of the young people of the community (tobacco/drug awareness things like that) she is always willing to come out and participate.

Today at a last minutes notice, she came to the Lions Club and gave that same presentation in regard to the Ebola Virus and it was very well received. I think we have someone good in that position.”

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

Ms. Cox reported that the Finance Committee met tonight, November 10th, 2014 at 6:15 PM in Council Chambers. The first item was Ordinance 24-2014 the Finance Committee received a memorandum from the Auditor to add the following items to Ordinance 24-2014.

General City Hall		
101-1700-5-3940	Razing of Unsafe Buildings	(\$18,000.00)
101-1700-5-4300	Materials	\$18,000.00

The Auditor had asked for the ordinance to be passed, the materials line item was for salt.

The Committee recommended to add the above information to Ordinance 24-2014 and recommended passage this evening.

The Second Item: the Committee revisited seven easy items in the handbook which we had discussed before and we made recommendations on that.

The Committee started to review Chapter Seven Employee Conduct pages 106 to 140

Several questions came up. The Law Director gave some additional information and

what we are going to do is the Administration along with the Law Director are going to get together and go through some of the issues before we look at it again.

The Meeting was adjourned at 6:58 PM.

SALARY COMMITTEE .....MR. JOHN ZUCAL....NO REPORT

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

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEE ...MR. DARRIN LAUTENSCHLEGER....NO REPORT

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

SPECIAL & CONTACT COMMITTEE ..... MR. DAN LANZER....NO REPORT

PARKS & CEMETERY COMMITTEE .....MS. WINNIE WALKER....NO REPORT

VISITOR’S COMMENTS:

NONE

AT 7:49 PM THE PRESIDENT OF COUNCIL EXCUSED THE MEDIA AND GUESTS  
COUNCIL WENT INTO AND EXECUTIVE SESSION AS THE MAYOR AND THE LAW  
DIRECTOR REQUESTED.  
COUNCIL RECONVENED AT 8:33 PM

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

AMENDED  
23-2014

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA,  
OHIO TO REPEAL ORDINANCE 39-97 AND RECOGNIZE THE CITY HANDBOOK  
APPROVED BY COUNCIL IN 2007 AS THE OFFICIAL POLICY GUIDE FOR ALL NON-  
BARGAINING EMPLOYEES AND DECLARING AN EMERGENCY. (3<sup>RD</sup> READING)

24-2014 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2014 AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

Motion to suspend the rules made by Ms. Cox  
Seconded by Mr. Lautenschleger,  
Roll call, 6 yeas  
Suspension of the rules has passed for Ordinance 24-2014

Motion to vote on passage by Ms. Cox  
And reminded Council that we  
added in Committee the following:

General City Hall		
101-1700-5-3940	Razing of Unsafe Buildings	(\$18,000.00)
101-1700-5-4300	Materials	\$18,000.00

Seconded by Mr. Lautenschleger  
Roll call, 6 yeas  
Ordinance 24-2014 has been passed

25-2014 AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW PHILADELPHIA, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

**RESOLUTIONS:**

34-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE NO RATE INCREASE FOR AMBULANCE SERVICES PROVIDED BY THE NEW PHILADELPHIA FIRE DEPARTMENT FOR THE CALENDAR YEAR 2015 AND DECLARING AN EMERGENCY. (1<sup>ST</sup> READING)

35-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND WILLIAM STEWART FOR HIS 20 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA POLICE DEPARTMENT FROM JULY 12, 1994 TO SEPTEMBER 1, 2014. (1<sup>ST</sup> READING)

36-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND SHELDON DEMATTIO FOR HIS 30 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA POLICE DEPARTMENT FROM NOVEMBER 27, 1983 TO SEPTEMBER 19, 2014. (1<sup>ST</sup> READING)

37-2014 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND BRIAN GRAHAM FOR HIS 35 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA FIRE DEPARTMENT FROM JULY 26, 1979 TO SEPTEMBER 23, 2014. (1<sup>ST</sup> READING)

**UNFINISHED OR OLD BUSINESS:**

Comment from the Law Director:

A while back an issue that the Safety, Health, and Service Committee was working on a gentleman had a dog that was attacked.  
Our Safety Director did some investigation into it.  
The police officer did a report on it  
and it is now before the prosecutors for possible charges.  
We concluded that there is the appropriate things on the book.

Safety Director, Mr. Greg Popham then explained how we changed the policy so if there is a prior dog bite everybody knows about it.

Originally when a person went to the hospital to be treated for a dog bite  
The hospital generated a dog bite form that form went to the Health Department  
That is far as it went. It was for quarantine purposes only.

Now when a person goes to the hospital to be treated for a dog bite  
The hospital generates a form that goes to the Health Department  
The Health Department will call the police and that will generate a complaint.  
In the future if there is another dog bite if it is either reported to the police and or the hospital  
The report comes back here the Police Department will see that is the second or third time that this specific  
dog has bitten somebody it than falls under the categories of dangerous or vicious dog.  
We have the proper ordinances on the book to handle those situations.  
The Health Department will call the Police Department and we should be able to track that so this won't  
happen again.

Comment from the Law Director:

The Dog in this particular incidence had bitten someone else previously.  
Mr. Popham reported December of 2012 that dog had bit someone all they did was go to the hospital  
The hospital generated a dog bite form that form went to the Health Department.  
We were able to get that information and put it together and it was the second time that dog had  
bitten someone it falls into the vicious dog category. That is what the prosecutors are looking at.  
All we did is changed the procedure the laws were already on the books to effectively prosecute for what  
occurred.  
The Health Department and the Police Department have a new process.  
They will look back to see if there has been a previous bite.  
It won't happen again.  
The Law Director thanked the Safety Director for investigating the issue.

**NEW BUSINESS:**

Comment from the Mayor:

The Mayor announced Mr. Ed Wilson will become our new Utilities Superintendent over both Water and  
Wastewater effective November 11, 2014.  
The Mayor requested the President of Council assign to Council funding for the new Office Manager for the  
Utilities Office and for the Human Resource.

President Sam Hitchcock said he will put that request in the Safety, Health, and Service Committee.

*(Retracted it was put in Salary Committee)*

The Mayor talked with Menards last week about the building itself and told them  
"if we are going to give you a Tax Abatement we want local workers."  
Menards said they will bid to three bidders and take the best bid.  
Now it's up to our people to come in with the best price.

Comment from Councilperson John Zucal:

Councilperson Zucal thanked our Veterans for all the work they do, have done in the past and continue to do,  
"to work hard to protect our freedoms of our country as we celebrate Veterans Day tomorrow."

Reminder from the Mayor:

The Veterans Day Parade and Program. (November 11th, 2014)  
Parade will assemble at 10:30 AM at New Philadelphia, Post Office.  
Leave the post office at 10:45 AM.  
The Parade will go south on North Broadway to East High Avenue then into Courthouse Plaza.  
Veterans Day Program will follow at 11:00 AM.

Comment from the President Sam Hitchcock:

I think that end of town would benefit greatly if we could somehow open up and access behind the  
old K-Mart Building. Not only would it benefit Menards but any other business that was in that area.

Comment from the Mayor:

We brought that up to Menards and the building won't fit the other way.

MS.COX MADE A MOTION TO ADJOURN THE MEETING AT 8:44 PM.

CLERK OF COUNCIL \_\_\_\_\_  
APPROVED \_\_\_\_\_  
PRESIDENT OF COUNCIL \_\_\_\_\_