

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 12, 2019 WITH PRESIDENT OF NEW PHILADELPHIA CITY COUNCIL SAM HITCHCOCK PRESIDING. PRESIDENT HITCHCOCK OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND
MR. DAN LANZER
MRS. AIMEE MAY
MR. ROB MAURER
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCE: NONE

- MRS. MAY MOTIONED TO ADD ORDINANCE 13-2019 TO TONIGHT'S AGENDA
- MR. HOLLAND MOTIONED TO ADD ORDINANCE 18-2019 TO TONIGHT'S AGENDA
- MR. ZUCAL MOTIONED TO ADD RESOLUTION 17-2019 TO TONIGHT'S AGENDA
MR. RICKLIC SECONDED THE MOTIONS
7 YEAS
ORDINANCE 13-2019, ORDINANCE 18-2019-2019, AND RESOLUTION 17-2019 HAVE BEEN ADDED TO TONIGHT'S AGENDA
- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT'S AGENDA
MR. HOLLAND SECONDED THE MOTION
7 YEAS
TONIGHT'S AGENDA HAS BEEN ACCEPTED
- MR. LANZER MOTIONED TO ACCEPT THE MINUTES FROM THE JULY 22, 2019 REGULAR SESSION OF CITY COUNCIL
MR. MAURER SECONDED THE MOTION
6 YEAS 1 ABSTAINED (Mr. Zucal)
MINUTES FROM THE JULY 22, 2019 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Councilman Holland copied to all of Council from President of New Philadelphia City Council Sam Hitchcock, dated July 25, 2019. This is a forwarded email with the subject "Municipal Bridge Inspection Program Renewal". It states: "Dean, please take the forwarded request into your Committee for*

- consideration. Also, please note the Mayor's request for standard procedure of three readings on any proposed legislation coming out of the Committee.*
- 2. To Members of Council from the Mayor's Executive Assistant Mary Ann Otte, dated July 26, 2019. This is an email with the subject "Invitation". It states "Good Morning, the Mayor is inviting you to view the property located at 1945 Delaware Dr. SE on Tuesday, July 30 anytime between the hours of Noon and 4:00 PM.*
 - 3. To Clerk of Council from Treasurer Tom Gerber, dated August 1, 2019. This is the City of New Philadelphia July 2019 Deposits.*
 - 4. To Councilwoman May, copied to All of Council, from President of New Philadelphia City Council Sam Hitchcock, dated August 1, 2019. This is an email titled "Purchase of Property" It states: Aimee, Please take into your Committee consideration on the Purchase of Property at 1945 Delaware Dr. NE for cemetery department use. It was replied to by Councilwoman May. To Council and Administration from Income Tax Administrator Vickie Daniels, dated August 5, 2019. This is an email with the subject "July Income Tax Report" and it has that as the attachment. To Council and Administration from Auditor Beth Gundy, dated August 6, 2019. This is an email with the subject "Check Report by Check Number July 2019, Check Report by Fund for July of 2019, Expense Report with Incumbrance Detail for July of 2019, Statement of Cash Position with MTD for July of 2019. It has all of those as the attachments.*
 - 5. To Councilman Zucal from President of New Philadelphia City Council Sam Hitchcock, dated August 6, 2019. This is an email with the subject "Forward, please assign the IAFF Tentative Contract Agreement to the Proper Council Committee." It states: "John, please take the Firefighter's Contract into your Committee for consideration. As the Mayor indicates the contract will be in our packets that we receive on Friday. Also please note that the Mayor would like to have Committee action on this prior to the Council Meeting on the 12th.*
 - 6. To Councilman Maurer from President of New Philadelphia City Council Sam Hitchcock, dated August 7, 2019. This is an email. The subject is "New Debt Fund". It states "Rob, please take into your Committee the attached email requesting the creation of a new debt fund for the repayment of a loan on the new airport hangars.*
 - 7. To Law Director Fete from Councilman Holland, dated August 7, 2019. This is an email with the subject "ODOT Bridge Inspection Legislation" It states "Marvin, ODOT is requesting an Ordinance recognizing bridge inspection services to be performed by ODOT and the City of New Philadelphia. We passed a similar ordinance in 2016, Ordinance 15-2016. The work to be performed includes bridge load, rating calculations, bridge inspections, scour assessments, and fracture critical plan development. Please prepare the necessary*

- legislation for the Public Works and Economic Development Committee on August 12.*
8. *To Council and Administration from Auditor Beth Gundy, dated August 8, 2019. This is an email. The subject is July 2019 and it has the attachments "SAFER" and "Auditor's Financial Statement for July of 2019".*
 9. *To Council and administration from Mayor Day, dated August 12, 2019. The Mayor's Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

- New Philadelphia's Boat Ramps are Officially Open: 20 canoeists and kayakers used Saturday's ribbon cutting ceremony as the occasion to become among the first persons to use the City's new boat ramps on the Tuscarawas River. All reported that it was a very relaxing hour long journey from the Waterworks Park ramp to the ramp on State Route 416. I would like to thank Horizons Incorporated for donating a van and driver to shuttle the floaters back to the Waterworks Park from the 416 ramp. The new locations will boost the county effort to have the Tuscarawas River listed as a designated waterway by the Ohio Department of Natural Resources. That designation will give more publicity to our new access to the river, which in turn will bring more tourism dollars and business opportunities to New Philadelphia.

- Up Next: Phase One of the Southside Community Park Project: Next week the City will be re-applying for State Natural Resources Department Clean Ohio grant funding to begin construction of phase one of the Southside Community Park. The application will be for just over \$1.8 million dollars. Phase one includes construction of a new entrance roadway from Oldtown Valley Road, a dog park, parking lots and a walking trail through the wooded area of the park. If the grant money is awarded, construction should begin by November of this year.

- Another Disappointment with the Vacant Howden Buffalo Plant: Last week I learned the disappointing news that another potential buyer decided not to purchase the Howden Buffalo property on Mill Avenue SW. Besides the number of structures on the site, potential liability issues from the site's chemical spill cleanup appear to be discouraging new ownership. I have reached out to the Ohio Mid-Eastern Governments Association for help in determining whether the site would be eligible for funding from the Ohio Brownfield Program, so additional remediation of the spill could be done to remove the fear of liability. The plant's buildings have sat vacant now for four years.

- The City will need your help to assure an Accurate 2020 U.S. Census Count: A representative of the Federal Census Bureau has come to New Philadelphia to begin laying the groundwork for the City's participation in the 2020 U. S. Census. The goal is to have as many residents as possible respond to the census questionnaire. The more accurate our census, the more Federal tax dollars the City can receive for neighborhood Community Development Block Grant projects, major

infrastructure projects, municipal airport maintenance and other eligible projects. The Mayor's office will soon be contacting groups from all sectors of our community to ask for their help in organizing and conducting the local census next year. Hispanic residents and residents under the age of five were under-counted in the last 10 year census. The Bureau wants to do a better job with those groups this time around.

➤ Where did the Summer go? Crossing Guards are Needed!: Motorists be aware that Buckeye Career Center will start classes on Monday August 19th, students of Tuscarawas Central Catholic High School begin their new school year on Wednesday August 21st and New Philadelphia City Schools students start their new year on Thursday August 22nd. The City Police Department is still in need of school crossing guards. It's a paid, part-time position. If you're interested, contact Captain Joe Skinner at the police department by calling 330-343-4488.

Mrs. Ramos had the following question:
Didn't we already get one grant for the Southside Park?

Mayor Day had the following reply:
No, we had to create the Tuscora Park Foundation in order to be the 3rd Party Easement Holder for the land that encompasses Phase 1. They didn't receive their federal nonprofit tax id in time. That's why they had to pull our grant award and told us to reapply this time. That was for \$1.66 Million. We added the cost of additional lighting and other things to push it up to \$1.8 Million.

SERVICE DIRECTORMR. RON MCABIER

Mr. McAbier had the following report:

Just a quick update on Bluebell and West High. I spoke with Nick Roth the ODOT Engineer. Right now we're waiting on some striping that needs done in the crosswalks and the lane that will be separated up West High heading eastbound. He assured me today it would be done in the next two weeks. They're having problems getting the hydro jet in there to sandblast everything. The cameras have been changed. That was a lot of what was going on. The cameras are picking up two cars instead of one. The system was rough at first but now I think it's running fine.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

There's a new employee in the Fire Department. Fire Fighter and Medic Kyle M. Rowland. He started on Monday, August 5. The Police Department Canine Unit Officer Pete retired and Canine Diesel was sworn in and is on the job.

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

LAW DIRECTOR MR. MARVIN FETE.....NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting on Tuesday, August 13 here in Council Chambers at 1:00 PM. We have four items on the Agenda.

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

The Board of Zoning Appeals will meet Tuesday, August 13 at 5:00 PM here in Council Chambers. One variance request to be heard.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet tomorrow evening at 6:00 PM at the Harry Clever Field Meeting Room. We will begin the discussion in regard to drafting a request for a proposal as we look at the Fixed Base Operator Position at Harry Clever Field. It's that time again when we will be looking at contract renewal at the request of the Mayor.

PARK BOARD.....MRS. AIMEE MAY

The Park Board meets August 22, 2019 at Noon in the Park Place Teen Center.

CEMETERY BOARD.....MRS. AIMEE MAY
The Cemetery Board meets August 15, 2019 at 8:00am in the Service Director’s Meeting Room.

HEALTH BOARD..... MR. KELLY RICKLIC
The Health Board will meet Wednesday, August 14, 2019 at Noon in the Health Department.

STANDING COMMITTEE REPORTS:

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

**President of New Philadelphia City Council Sam Hitchcock asked Mr. Maurer to take the 2020 local government allocation into his Committee for consideration.*

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

The Salary Committee met tonight at 6:00 PM to discuss the International Association of Firefighters Local 1501 tentative contract agreement. There was a great deal of positive discussion and presentation by those involved. The recommendation was made by Councilman Ricklic and seconded by Councilman Holland to include Resolution 17-2019 as part of tonight’s Agenda with recommended passage upon 1st Reading.

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND

Mr. Holland had the following report:

The Public Works and Economic Development Committee met this evening in Council Chambers at 6:30 to discuss Ordinance 18-2019 that was requested by the Ohio Department of Transportation for the Bridge Inspection Program for the years 2020, 2021, and 2022. The current legislation is under Ordinance 15-2016. It was authorized by Council in September of 2016. That Ordinance expired December 31 of this year. The Bridge Inspection Program is for municipalities with bridge inspection

responsibilities. Those municipalities have a population of 50,000 or less. The program is offered at no cost to the City of New Philadelphia. The program services include routine inspections of bridges, element level inspection and critical findings reports. After Committee discussion and a request from Director McAbier the Committee voted to add Ordinance 18-2019 to tonight's Agenda and pass upon 1st Reading. Also, the construction on the Dollar General on South Broadway has been completed and it's a very nice looking facility. The parking lot is completed and fully striped. AEP has completed the new power service to the building. The freezer units have been installed. The fixtures will be arriving on August 19. A soft opening is planned for August 26.

SAFETY HEALTH & SERVICE COMMITTEE... .MR. KELLY RICKLIC.....NO REPORT

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

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

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY

Mrs. May had the following report:

The Parks and Cemetery Committee met this evening regarding Ordinance 13-2019 to codify the New Philadelphia City Cemetery Board for purposes of establishing all rules and regulations governing the City use and operations of the City Cemeteries. The Committee voted to add Ordinance 13-2019 to tonight's Agenda and pass on 3rd Reading. The Cemetery Committee also reviewed the purchase of property for cemetery office use on Delaware Dr. The Cemetery Board decided not to move forward with that purchase of that property. The meeting was adjourned at 7:18 PM.

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS:

Mr. Holland had the following comment:

I have a young man who I would like to introduce to Council. Daniel Proctor a Sophomore at New Phila High School is a member of the Buckeye Chippewa Trap Shooting Team located in Akron, Oh. Buckeye Chippewa has 13 National Titles and is a very well known and respected youth trap shooting team both locally and nationally.

Daniel recently competed in Columbus at the Cardinal Center for the National Trap Shooting competition where 2,500 high school athletes and 241 teams competed from 35 states. Daniel's junior varsity team placed third in the nation in both Standard 16-yard and the 25-yard trap events.

Daniel broke 190 out of 200 clay targets. On his second day of competition he had his first ever 50 broken clay targets in a row and finished the day 98 for 100. Daniel will be moving on to the varsity division next year. He is extremely proud to represent the city of New Philadelphia and his school at a national level competition.

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

I'd like to join everyone in congratulating you on your accomplishments. I'm sure your family is very proud of you as we are.

Mr. Zucal made the following statement:

I'd like to take a moment in congratulating the Mayor and all those involved for the successful boat launch grand opening. It was a great event to see. I think it brings greater awareness to the wonderful community that we have and how we're continuing to grow the quality of life for all the citizens. At the same time right after that took place my wife and I like to go up to Peninsula and to ride bikes in the National Park and just enjoy ourselves with some of the beauty of nature up there. As we were talking Wendy is lucky enough to be part of the Mayor's task force trying to bring rail into New Philadelphia. As we looked around she said "we could have this in New Philadelphia. There are only three things that we really need: water, trails, and trains to come into New Philadelphia." On Saturday there were hundreds if not thousands of people using the recreational area of Peninsula. If we could bring a passenger excursion train from Dennison to New Philadelphia that would just add to the recreational use of our area.

Mr. Ricklic had the following comment:

I'd like to thank the National Guard, The Tuscarawas County Health Department, and the New Philadelphia Health Department. This past Saturday and Sunday they processed 551 clients through Buckeye Career Center with the National Guard with free Health Care. Vaccination, blood work, hearing, vision, women health, E.K.G.s. It was all handled free by the National Guard at Buckeye Career Center. It was an outstanding performance by them as an operation of training and with the health departments of both

Tuscarawas County and New Philadelphia I think it was a complete success. We had two generals on site. A two star general on Sunday flew in on a Black Hawk helicopter with the head of the health department. He toured the building and was very impressed by it.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

- 11-2019 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO CODIFIED ORDINANCES.
2nd Reading
- 12-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE PARCEL NO. 43-03778-000 LOCATED ON 1226 KADERLY STREET NW AND PARCEL NO. 43-0378L0-000 LOCATED ON 1230 KADERLY STREET NW IN THE CITY OF NEW PHILADELPHIA, OHIO, FROM RESIDENTIAL TO BUSINESS ZONE.
2nd Reading
- 13-2019 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT CHAPTER 977 CITY CEMETERY BOARD OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA FOR PURPOSES OF CODIFYING THE NEW PHILADELPHIA CITY CEMETERY BOARD FOR PURPOSES OF ESTABLISHING ALL RULES AND REGULATIONS GOVERNING THE USE AND OPERATIONS OF THE CITY CEMETERIES.
1st Reading
- 18-2019 THE FOLLOWING IS AN ORDINANCE ENACTED BY THE CITY OF NEW PHILADELPHIA OF TUSCARAWAS COUNTY, OHIO HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), WHEREAS, THE (LPA) HAS DETERMINED THE NEED FOR THE DESCRIBED PROJECT: BRIDGE INSPECTION PROGRAM SERVICES, INCLUDING, BUT NOT LIMITED TO ROUTINE INSPECTIONS, ELEMENT LEVEL INSPECTIONS, AND FRACTURE CRITICAL MEMBER INSPECTIONS.
1st Reading
- MR. HOLLAND MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 18-2019
MR. RICKLIC SECONDED THE MOTION
7 YEAS
RULES ARE SUSPENDED ON ORDINANCE 18-2019

MR. HOLLAND MOTIONED FOR PASSAGE OF ORDINANCE
18-2019
MR. ZUCAL SECONDED THE MOTION
7 YEAS
ORDINANCE 18-2019 HAS BEEN APPROVED

RESOLUTIONS:

13-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW
PHILADELPHIA, OHIO TO COMMEND EUGENE GRASSELLI FOR HIS
30 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW
PHILADELPHIA, WHICH INCLUDED THREE YEARS IN GENERAL
SERVICES, 24 YEARS IN THE WATER DEPARTMENT, AND THREE
YEARS AS ASSISTANT SUPERINTENDANT IN THE WATER AND
WASTEWATER DEPARTMENT
3rd Reading

MR. RICKLIC MOTIONED FOR PASSAGE ON RESOLUTION 13-2019
MR. ZUCAL SECONDED THE MOTION
7 YEAS
RESOLUTION 13-2019 HAS BEEN APPROVED

- President of New Philadelphia City Council Sam Hitchcock asked Mr. Grasselli to come before Council to accept the honor.

Mr. Grasselli was presented a framed Resolution and thanked everyone for the honor.

16-2019 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW
PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, TO RATIFY
AND APPROVE THE LEASE CONTRACT FOR CELL TOWER
CONSTRUCTION BETWEEN THE CITY OF NEW PHILADELPHIA,
OHIO AND TOWERCO LLC 2013 A DELAWARE LIMITED
LIABILITY COMPANY, A COPY OF WHICH IS ATTACHED
HERETO AND INCORPORATED HEREIN BY REFERENCE AS IF
FULLY REWRITTEN.
2nd Reading

17-2019

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT AN AGREEMENT BETWEEN THE CITY OF NEW PHILADELPHIA, OHIO AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1501 TO BE EFFECTIVE JANUARY 1, 2019 THROUGH DECEMBER 31, 2021.

1st Reading

MR. ZUCAL MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 17-2019

MR. RICKLIC SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 17-2019

MR. ZUCAL MOTIONED FOR APPROVAL OF RESOLUTION 17-2019

MR. HOLLAND SECONDED THE MOTION

Mrs. Ramos had the following comment:

I just wanted to acknowledge the negotiations and the great effort that went into that, on behalf of the citizens of the City. I also want to note that for the last 6 years I have heard a lot about minimum manning and the overtime rate of 195% as the cause of overtime. I realize that we have this SAFER grant now which is going to be expiring. Even the emergency services consultation service that we had in last year said that the overtime rate of 195% was an expensive option. The minimum manning was not addressed and the overtime rate was not addressed nor the staffing on the ambulances.

Mr. Zucal had the following comment:

I do want to recognize that negotiations are in fact what they are. It's trying to find a happy medium between two entities who come to the table with different interests, different concerns. I think that has been thoughtfully presented. I applaud the union, the IAFF for its willingness to concede in some areas that they brought to the table. I applaud the negotiating team for the city of New Philadelphia in doing the same. I believe we as a Council took the first step towards controlling overtime with the recommendation with us moving forward with the SAFER Grant. Although it's set to expire it's not probably going to be in a position where that will expire before we enter into negotiations with the IAFF for the next round.

Mr. Maurer had the following comment:

The SAFER Grant is not about to expire. We're barely 6 months into a 36 month agreement.

6 YEAS 1 NAY (MRS. RAMOS)

RESOLUTION 17-2019 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

Mr. Maurer motioned to adjourn at 8:13 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Sam Hitchcock