

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 14TH, 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

- MR. MAURER MADE A MOTION TO ADD \*RESOLUTION 25-2015 TO TONIGHT'S AGENDA  
*\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.*

***(IT SHOULD READ AS:  
A MOTION TO ADD RESOLUTION 26-2015 TO TONIGHT'S AGENDA)***

MS. COX SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED

\*RESOLUTION 25-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA  
*\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.*

***(IT SHOULD READ AS:  
RESOLUTION 26-2015 HAS BEEN ADDED TO TONIGHT'S AGENDA)***

- MS. COX MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED  
MR. ZUCAL SECONDED THE MOTION.  
ROLL CALL 7 YEAS  
MOTION PASSED
- MS. COX MADE A MOTION TO ACCEPT THE MINUTES  
FROM THE REGULAR COUNCIL MEETING HELD ON MONDAY, NOVEMBER 23RD, 2015  
AND THE MINUTES FROM THE SPECIAL COUNCIL MEETING HELD ON MONDAY,  
DECEMBER 7TH, 2015.  
MS. WALKER SECONDED THE MOTION  
ROLL CALL, 7 YEAS  
THE MINUTES WERE APPROVED

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

1. Request dated December 14th, 2015 from Fire Chief Parrish to the Council President Sam Hitchcock to assign the proposed purchase of the property, located at 146 Front Avenue SE to the appropriate Council Committee. This property is contiguous to the property we currently own for the site of the new fire station.
2. Request dated November 24th, 2015 to authorize the Service Director to advertise for bids, receive bids and award the FY 2016 Chip Grant and to administer and implement the City's portion and award the FY 2016 Chip Grant and to administer and implement the City's portion.
3. Notice from Dominion East Ohio  
Notice of filing of New PIR Adjustment Case  
PUCO Case No. 15-1987 –GA-RDR  
Dated November 30th, 2015 to Public Officials From  
Robert W. Varley, Managing Director State and Local Affairs.
4. A letter from the Ohio Department of Transportation dated November 30th, 2015  
To Mayor Johnson. In regard to PID 101529 TUS-416-13.14  
from Christopher C. Notz, PE, District 11 Geotech Engineer
5. Records Commission Report dated December 10th , 2015

6. Auditor's Financial Statement for the Month of November 2015
7. Auditor's Monthly Statement of 2015 Revenue for the General Fund for the Month of November 2015
8. City of New Philadelphia Statement of Cash Position with Month to Date as of November 30th, 2015
9. City of New Philadelphia Budget Report with Encumbrance Details as of November 30th, 2015.
10. City of New Philadelphia November 2015 Month End Summary for the Fire Department dated December 1st, 2015.
11. Finance Committee Meeting Minutes from Monday, November 23rd, 2015
12. City of New Philadelphia Income Tax Department November 2015 Report Month End Tax Revenue by Year from Joel B. Day, Income Tax Administrator
13. Mayor's Monthly Statement to Council dated November 30th, 2015 for the month of November 2015

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

The Mayor announced that he did not have a report.  
 The Mayor did point out the letter from the Department of Transportation (slippage of the road on Seven Mile Drive.) First we did not believe it was in the City. It has been proven it is within the City.  
 The State is paying for it all they will begin on that next summer.

***The Law Director wanted to know if that is in reference to the letter from November 30th, 2015 S.R. 151 wanted to know if legislation was required and Mayor said yes and pointed out three copies were attached to the letter.***

SERVICE DIRECTOR .....JAMES ZUCAL .....NO REPORT  
 EXCUSED ABSENCE

AUDITOR .....MS. BETH GUNDY.....NO REPORT  
 EXCUSED ABSENCE

SAFETY DIRECTOR .....GREG POPHAM .....NO REPORT  
 Mr. Popham did announced to resolve an issue that he has (with an approximately 30 Year Annuity) effective day Friday he is resigning at midnight from the position of Safety Director.

Request from Councilperson Ramos for the Safety Director:

***Mrs. Ramos pointed out for the last several months we have not gotten the Fire Department Overtime Report. The Safety Director told Mrs. Ramos they will get her the report.***

TREASURER . . . . . MR. TOM GERBER

Mr. Gerber announced he did not have a formal report but mentioned that the Investment Committee Meeting he had scheduled for Thursday December 10th, 2015 at 11:00 AM in the Treasurer's Office because of a miscommunication to the committee members they did not attend.

Mr. Gerber announced that after the first of the year he will schedule a meeting.

LAW DIRECTOR . . . . . MR. MARVIN FETE

The Law Director reported the following:

- Mr. Fete pointed out in the Council Packet there was a letter from Honorably Judge Nanette De Garmo Von Allman in regard to setting up a Special Fund where the court can draw upon for expenses that are court related.  
 She asked for the Law Director's assistance in having it put in the appropriate Committee Her Court Administrator will come to the Committee Meeting to address what she wants Specifically and explain how it will be utilized.  
 He is asking that be assigned to a committee at this point.
- Monday and Tuesday of last week he attended a Seminar in the City of Cleveland with regard to local issues for Law Directors. It was really informative and he was able to ask a lot of questions. It was comprehensive, well done, and an overall approach to about everything for a Law Director no matter how small. There were six different speakers that dealt with what he had dealt with, is dealing with, or will be dealing with.

- The Law Director thanked Council for letting him go and said he will put the information to good use.
- Last Wednesday he had to Prosecute, he filled-in on a case.  
That brings the total to about five hundred cases he has prosecuted in the last four years thereabouts.
- Mr. Fete received a call from a gentleman who is having a problem with squirrels.  
He wanted to know if he could trap squirrels because, we have an ordinance that prohibits the killing of animals. The Law Director said he could trap them, providing he traps them alive and lets them loose alive somewhere else.

Comment from the Mayor:

- Informed the Law Director that the Honorably Judge Nanette DeGarmo VonAllman brought this to his attention a month or so ago and he said they discussed the issue for the new officer and his office had no problem with it.

***The Law Director is asking passage on the 1st Reading of the ordinance with regards to issuing of the Bond.***

***He pointed out that the sooner we get that passed the sooner we can start Issuing Bonds.***

***It is just preliminary information that is mandatory and has to be done in order for us to begin issuing bonds.***

***The Fire Chief Parrish, the Law Director, and the Auditor had a phone conference with the Attorneys at Squire, Sanders & Dempsey in Cleveland who assisted us with the preparation of the bond work and for our time table to get things built and ready to go, we would like to suspend the rules on this and get it passed.***

***As you know it was passed overwhelmingly by the public.***

***Question from Mrs. Ramos:***

***Ordinance 21-2015 do you know what the fee for the Squire Patton Boggs will be and the interest rate?***

Reply from the Law Director:

Auditor Beth Gundy knows that.

Comment from Mr. John Zucal:

Mr. Zucal pointed out the legislation clearly states that the City Auditor, is the fiscal officer of New Philadelphia and that is her responsibility.

Therefore questions should be directed to the Auditor and she will answer those accordingly.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR DAVID JOHNSON

Mayor Johnson announced the Planning Commission Meeting is tentatively set for Tuesday, January 12th, 2016 at 1:00 PM in Council Chambers pending any agenda.

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

EXCUSED ABSENCE

Mayor Johnson announced the Board of Zoning Appeals Meeting is tentatively set for Tuesday, January 12th, 2016 at 5:00 PM in Council Chambers pending any agenda.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Mr. Zucal announced there was no meeting in December.

The next regular scheduled meeting will be held Tuesday, January 12th, 2016, 6:00 PM in the Airport Meeting Room. That will be our Organizational Meeting for the 2016 Calendar Year we will be doing the appropriate alignment with membership there as well.

PARK BOARD.....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced there is no meeting in December of the Park Board.

A January Meeting will be scheduled and announced.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next regular scheduled meeting for the Health Board is Wednesday, January 13th, 2016 at 12:00 (Noon) at the Health Department.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MS. SANDY COX

No report as such.

Ms. Cox announced the Finance Committee is asking for passage tonight of Ordinance 20-2015 Which is the Temporary Appropriations and also Amended Resolution 22-2015 which is updating the amounts and rates to the County Auditor’s Office.

SALARY COMMITTEE .....Mr. John Zucal

No formal report for this evening.

Mr. Zucal announced that he just wanted reiterate what the Law Director already stated we will recommend suspension of the rules and passage of Ordinance 21-2015 on first reading tonight the voters have already agreed to this it just allows us to start the sale of those bonds sooner than later.

Mr. Zucal reminded all if there are any specific questions as Mrs. Ramos asked fair questions he contended we should go through the Auditor Gundy to have those answered.

The President assigned to the Salary Committee the following:

1. The Fire Department’s request for Purposed Purchase of Property.
2. The Request from the Mayor-Elect for an Income Tax Review Board.  
(And for the record; the President had already contacted Mr. Zucal on this assignment)
3. And reminded Mr. Zucal of the Quaker Dome Assignment.

SAFETY HEALTH & SERVICE COMMITTEE.....MR. ROB MAURER

Mr. Maurer reported the Safety Health & Service Committee met this evening at 7:20 PM in Council Chambers To discuss \*Resolution 25-2015.

***\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.  
(It should read as  
To discuss Resolution 26-2015)***

A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF’S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS

Mr. Maurer said this is a carbon copy of the the contract for 2015 with the rate being \$60.00 a day.

The committee is going to ask this be passed at the December 28th, 2015 Council meeting.

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

Mr. Lautenschleger announced that he does not have a formal report this evening but there is at least one item he has to review prior to the end of the year. He has scheduled a Public Works & Economic Development Committee Meeting for December 28th, 2015 at 7:15 PM in Council Chambers.

President of Council Sam Hitchcock assigned to the Public Works & Economic Development

1. ODOT’s request for legislation
2. Chip Grant Program.
3. The request from the Law Director for the Municipal Court Request.

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:**

Julie Levengood Stephon  
440 3rd Street NW  
New Philadelphia, Ohio 44663

Ms. Julie Levengood Stephon, Director of the NPBCA reported the following:  
Lighting Ceremony was held November 20th, 2015

Christmas Parade held December 4th, 2015  
Light Contest for North Broadway Residents December 4th, 2015  
Parade after Party December 4th, 2015 at the Library;

Cookies and hot chocolate, games, crafts and Santa taking pictures with kids  
Ms. Julie Levengood Stephon announced that it was well attended and pointed out NPBCA is trying to get people downtown and get the community involved  
Ms. Julie Levengood Stephon thanked the Mayor's office,  
Mr. Grewell from the Street Department, the Street Department, and the Police Department for their support and hard work.

The President of Council commended Ms. Julie Levengood Stephon and NPBCA for a well organized event.

The Law Director stated the parade was fantastic and said it seems to get better every year.  
Mr. Fete commended the Mayor on our plow trucks he hopes it becomes an annual tradition.  
It was a fantastic idea.

Councilperson Mr. Zucal announced he will be the incoming President of NPBCA and he is looking forward to working with Ms. Levengood Stephon.

Councilperson Mr. Zucal encouraged Council to read an article in the "Cities and Villages" September/October issue.

Reviving Your Downtown.

Eight Questions to Ask. A neat article.

We are open for citizens' suggestions as to how we can improve our downtown.

It looks as good as it has ever been.

Councilperson Mr. Zucal thanked the Mayor for the all the hard work and cooperation.

There have been a lot of favorable comments.

Keep up the good work. We are looking forward to a great 2016.

## **READING OF ORDINANCES AND RESOLUTIONS**

### **ORDINANCES:**

19-2015 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, TO STRENGTHEN SECTION 505.01 WITH REGARDS TO PROPER LEASHING OF ANIMALS AND TO INCLUDE A PROHIBITION AGAINST MENACING AND AGGRESSIVE ANIMALS WITHIN THE CITY OF NEW PHILADELPHIA, AND DECLARING AN EMERGENCY. (3RD READING)

Motion to vote on passage by Mr. Maurer

Seconded by Mr. Lanzer

Roll call, 7 yeas

Ordinance 19-2015 has passed

20-2015 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, 2016 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 20-2015 have been suspended

Motion to vote on passage by Ms. Cox

Seconded by Mr. Lautenschleger

Roll call, 7 yeas,

Ordinance 20-2015 has passed

21-2015 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,000,000 FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A NEW FIRE STATION AND CLEARING, IMPROVING AND EQUIPPING THE SITE THEREOF, AND DECLARING AN EMERGENCY. (1ST READING)

Motion to suspend the rules made by Mr. Zucal  
Seconded by Mr. Lanzer  
Roll call, 7 yeas,  
Rules for Ordinance 21-2015 have been suspended

Motion for passage made by Mr. Zucal  
Seconded by Mr. Lanzer  
Roll call, 7 yeas,  
Ordinance 21-2015 has passed

#### RESOLUTIONS:

AMENDED  
22-2015

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR 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 Amended Resolution 22-2015 have been suspended

Motion for passage made by Ms. Cox  
Seconded by Mr. Lautenschleger  
Roll call, 7 yeas,  
Amended Resolution 22-2015 has passed

*(The following resolution should read as 26-2015)*

*\*This was a typo will be corrected by vote at the December 28th, 2015 Council Meeting.*

\*25-2015 A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF'S OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE TUSCARAWAS COUNTY COMMISSIONERS AND DECLARING AN EMERGENCY. (1ST READING)

#### **UNFINISHED OR OLD BUSINESS:**

Comment from the Law Director

Mr. Fete pointed out we assigned to Mr. Zucal's Committee the Quaker Dome

Since Mr Fete asked for that to be assigned

He is taking steps to gain public support

He met with NPBCA, Director, Ms. Julie Levengood Stephon she felt it was a wonderful idea

Tuesday December 1st, 2015 met with the Quaker Club said it is a great idea

Received a call from Mr. Farbizo who told the Superintendent who thought it was terrific, loved the idea, and added Mr. Fete to the agenda for the facilities Meeting in January 2016.

That consists of the Superintendent, a board member, Tom Farbizo in on that Mr. John Zucal added Building and Grounds, Mr. Rick Barker which will be held

7:00 AM to address any questions they might have.  
Everyone that the Law Director has spoken with thinks it is great idea. Mr. Fete said he is looking forward to working with Councilperson Zucal in 2016 to make this happen.

**NEW BUSINESS:**

**Mayor thanked Council, People he has worked with for years, the rest of the administration for the time he had.**

**His father taught him years ago, when you borrow something**

**Put it back in better condition than when you borrowed it.**

**And he said that is what he has done for the City.**

**I have seen a lot of improvements**

**I'm giving you back the City better than what it was when he came in.**

**Mayor Johnson said Thank you.**

**President of Council Sam Hitchcock said it was his job to wish you all a Merry Christmas.**

**MS. COX WISHED EVERYONE A MERRY CHRISTMAS, TOO.**

**SHE THEN MADE A MOTION TO ADJOURN THE MEETING AT 8:02 PM**

CLERK OF COUNCIL \_\_\_\_\_  
Patricia A. McKay

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Sam R. Hitchcock