

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 23RD, 2013 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
MS. COLLEEN ESPENSCHIED
MR. DAN LANZER
MR. DARRIN LAUTENSCHLEGER
MS. WINNIE WALKER
MR. JOHN ZUCAL

COUNCIL MEMBER MR. ROB MAURER WAS EXCUSED FROM TONIGHT'S COUNCIL MEETING.

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

ROLL CALL 6 YEAS
MOTION PASSED.

MS. COX MADE A MOTION TO APPROVE THE MINUTES FROM PREVIOUS REGULAR SESSION OF COUNCIL HELD ON MONDAY, SEPTEMBER 9TH, 2013.
MS. WALKER SECONDED THE MOTION

ROLL CALL, 6 YEAS
MOTION PASSED

CORRESPONDENCE CLERK MARY JO FRAGASSE, PRO TEM

1. Minutes of the New Philadelphia Airport Commission dated August 13th, 2013
2. City of New Philadelphia Treasurer's Reports:
 - Reconciliation of Receipts and Expenditures with Huntington Account from January 2013 through August 2013
 - Payroll Account Reconciliations from January 2013 through August 2013
 - Reconciliation of Auditors Receipts and Expenditures with Main City Checking Account at Chase Bank from January 2013 through August 2013
 - Reconciliation of all Bank Accounts with Auditor from January 2013 through August 2013

ADMINISTRATIVE REPORTS:

MAYOR'S REPORT/REQUESTS TO COUNCIL DATED SEPTEMBER 23RD, 2013
MAYOR MICHAEL TAYLOR ADDRESSED THE FOLLOWING:

The Mayor and the Auditor held a voluntary after-hours employee meeting to present information to interested employees regarding the Income Tax Increase.

(A dozen or so employees came along with Councilwoman Sandy Cox.)

- o They are doing the best they can to get the information out and work with the media.
- o The public meeting for this evening was another effort to make time for interested citizens to come forward for information and to ask questions.
- o Today the Auditor and the Mayor spoke to the New Philadelphia Lions Club, tomorrow they will speak to the New Philadelphia Rotary and next month to the New Philadelphia Kiwanis.

The Mayor announced will be out of the office starting this Wednesday and return on October 2nd, 2013.

The Mayor reported Amy Gilland, Assistant Service Director, and he attended a session in Cambridge regarding:

- o General Aviation Airports in Ohio. (there are 104)

- Information was presented by staff of the consultant of the Ohio Department of Transportation Aviation Division. Representatives from the FAA were also present.
- General Aviation Airports are important to the Economic Development of areas and that 5000 feet of runway were the most attractive for commercial small business planes that are jet fueled.
- Those with runways of that length have an advantage from businesses who place value on aviation access to their business locations.

The Mayor reported that at the CIC meeting last week, he was asked to do a community report and he reviewed our current projects, our new businesses that are opening and also the Income Tax Issue on the November ballot.

The Mayor reminded citizens that the new rate for the City's Gas Aggregation Program through Constellation will be \$4.69 per Mcf.

- For residents and small businesses that are not currently on the program you have until September 30th, 2013 to contact Constellation to enroll for this December's billing. If you miss the deadline you can enroll any time for the balance of whatever is left in the one year billing period existing Gas Aggregation will automatically receive the new rate.
- Constellation may be contacted at 1-800-718-1493.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported on the following

1. An update on the Five Point Storm Sewer Project:
Two weeks ago the contractor, Tucson Inc. started at the river they are installing the 60 inch pipe moving north through Gradall property toward Bank Lane and 7th Street. The Service Director passed around photos that were taken of the project.
2. Paving: The Shelly Co. is due back in town. The Service Director talked to the representatives from the ODOT there is a contract. They have a dead line in October. We hope to see them soon. They will be doing the AVA Ramps and finishing the paving.
3. Ed Wilson informed the Service Director that there was a notice that went out that the City is doing fire hydrant flushing this week. (There might be a slight discoloration of water.)
4. The Service Director reported a water leak on North Broadway and Donahey Avenue.
The transition of weather we are having in extremes is really hard on the pipes we have in place whether it is water or wastewater or storm sewer.
(Mr. Zucal passed around some information on that)
5. The Service Director complemented the employees of the Water Department for doing a great job keeping up with the leaks and keeping our customers in service.

Question from the President:

“What is the anticipated completion date of the Storm Sewer Project?”

Reply from the Service Director:

Actual contract date is the end of November.

We are looking at some issues with Engineering Department they might stop through the winter months and then proceed again when the weather breaks. The Service Director will keep Council updated on the project.

AUDITORMS. BETH GUNDY

Ms. Gundy is requesting Council approve the Auditors Reports for this year through August 2013.

Ms. Cox made a motion to approve the Auditors Reports from January through August 2013.

Mr. Lanzer seconded the motion.

Roll Call 6 yeas

Motion passed

SAFETY DIRECTOR.....MR. GREG POPHAM

Mr. Popham reported: Fire Department received a grant of \$2,500.00 from the Department of EMS.

TREASURERMS. LORI STATLER

Ms. Statler reported that her Treasurer's Reports January through August 2013 are balanced.

(She provided copies of the reports to Council)

The Treasurer requested Council approve the Treasurer's Reports January through August 2013.

- Reconciliation of Receipts and Expenditures with Huntington Account from January 2013 through August 2013
- Payroll Account Reconciliations from January 2013 through August 2013
- Reconciliation of Auditors Receipts and Expenditures with Main City Checking Account at Chase Bank from January 2013 through August 2013
- Reconciliation of all Bank Accounts of Auditor from January 2013 through August 2013

Mr. Zucal made a motion to approve the Treasurers Reports from January through August 2013.

Ms. Cox seconded the motion. Council Member Ms. Cox thanked the Treasurer for her hard work

Roll Call 6 yeas

Motion passed

LAW DIRECTORMR. MARVIN FETE

The Law Director reported the following:

The Law Director is currently working on two tax issues:

The Tax Department and the Auditor's Office

In regard to City Income Tax Refunds

Had a meeting on the September 12th, 2013 with the Mayor and the Service Director on some ODOT filings that have to be done in preparation of the Expansion Project on West High.

Filed a motion for continuance, for a pretrial that was set with the New Philadelphia Municipal Court for October 2nd, 2013 for River Gas Station vs. the City of New Philadelphia Water Department.

The Law Director requested the Ad hoc Committee remove from the Non- Bargaining Group Tier A category the Chief Prosecutor.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

The Mayor announced pending an agenda; it will meet Tuesday, October 8th, 2013 at 1:00 PM in Council Chambers.

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

Mr. Zucal announced providing there is an agenda the Board of Zoning Appeals will meet Tuesday, October 8th, 2013 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... MR. JOHN ZUCAL

Mr. John Zucal announced that the Airport Commission did meet last Tuesday and each of you should have received a copy of the Minutes of the New Philadelphia Airport Commission dated August 13th, 2013. We did hear from the Airport Commission Chair, Mr. Tom Farbizo tonight as part of the Special /Contact Committee Meeting.

Mr. John Zucal announced that the Airport Commission will meet Tuesday, October 8th, 2013 at 6:00 PM in the Airport Meeting Room.

PARK BOARD..... MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced the Park Board will meet Wednesday, October 9th, 2013, 7:00 PM at the Tuscora Park Office.

HEALTH BOARD..... MS. SANDY COX

Ms. Cox announced that the next scheduled meeting for the Health Board is Wednesday, October 16th, 2013 at 12:00 Noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE. MS. SANDY COX.....NO REPORT

SALARY COMMITTEEMR. JOHN ZUCAL.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEEMR. ROB MAURER.....NO REPORT
EXCUSED ABSENCE

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

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIED.....NO REPORT

CONTACT & SPECIAL COMMITTEE MR. DAN LANZER

Mr. Lanzer reported the Special/Contact Committee met tonight at 6:30 in Council Chambers with four items on the agenda.

The first 3 items were notices to Council from the Ohio Division of Liquor Control:

1. A notice to Council from the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43068-9005. Dated August 30th, 2013
To DLC Venture LLC DBA The Back Alley 110 Ashwood Ln NW, New Philadelphia, Ohio 44663 for Type STCK Permit. Asking that objections be made no later than September 30, 2013.
2. A notice to Council from the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43068-9005. Dated September 6th, 2013
To Primo Hospitality LLC DBA Uncle Primo’s Restaurant & Patio 435 Minnich Avenue NW, New Philadelphia, Ohio 44663 for Type TRFO.
From Primo’s Restaurant Inc. DBA Uncle Primo’s Restaurant and Patio
Asking that objections be made no later than October 7th, 2013.
3. A notice to Council from the Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43068-9005. Dated September 5th, 2013
To Front Street Tavern of New Philadelphia LLC DBA Front Street Tavern & Patio, 126 Front Avenue SW, New Philadelphia, Ohio 44663 for type TRFO.
From Robert Lance & Patio 126 Front Avenue SW, New Philadelphia, Ohio 44663.
Asking that objections be made no later than October 7th, 2013.

Mr. Lanzer the Committee did look into the businesses and did not find any reason to request hearings for any of the three notices.

The Committee:

Requested the clerk sign her name and title, date and designate we do not request a hearing for each of the three notices and mail to Ohio Division of Liquor Control, 6606 Tussing Road, P. O. Box 4005, Reynoldsburg, Ohio 43068-9005. Before the due date.

Mr. Zucal made a motion to vote on the committee’s recommendation

Mr. Lanzer seconded the motion.

Roll Call 6 yeas

Motion passed.

Mr. Lanzer reported the fourth item:

Airport Commission Chair, Mr. Tom Farbizo gave an informational session on the window replacement at the airport by private advertising. (Energy efficient window costing around a thousand dollars each with screens private advertising.) Mr. Lanzer stated his committee is going to do a little more nuts and bolts on this issue and another meeting will be scheduled for this at a further date.

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

AD HOC COMMITTEEMR. JOHN ZUCAL

Mr. John Zucal announced the Ad hoc Committee will meet tonight immediately following the regular scheduled meeting of Council.

VISITOR’S COMMENTS:

Cheryl Ramos
759 Ray Avenue NW
New Philadelphia, Ohio

Ms. Ramos’ Concern and Comments:

At the September 9th, 2013 Council Meeting, Mayor Taylor reported to Council that the City’s share for the West High Widening Project around 500-600 thousand dollars, was being held in reserve to pay for the project. The Auditor Ms. Gundy had recommended that the money be borrowed from the State Infrastructure Bank instead of paying cash. The cash could be kept in the General Fund.

Mayor Taylor requested that this be assigned to the Finance Committee with the goal of beginning another application for another loan from SIB.

This could be the second loan application in the past few months for a major project.

Cheryl Ramos question was “if the City has the money for the West High Widening Project, why borrow the money?”

Ms. Ramos’ concern and comments regarding the proposed increased City Income Tax:

An increase in the Income Tax Rate would mean less money the taxpayer will have to spend on food, gasoline, housing, healthcare and to plan for the future. Ms. Ramos felt the City, is asking the taxpayers of New Philadelphia and those who do not live here but work here, to give more money out of their paychecks to fix this administration and councils budgeting mistakes.

Ms. Ramos urged Council to get the City’s financial house in order.

Ms. Ramos thanked Council for their time.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

15-2013 AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY. (3rd READING)

Motion to vote on passage made by Ms. Cox, seconded by Ms. Winnie Walker
Roll call, 6 yeas, ordinance passed.

16-2013 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE CERTAIN LAND LOCATED ON PARCEL NO. 43-03496-000 AT THE CORNER OF TUSCARAWAS AVE. NW. AND 7TH STREET NW (MILLER STUDIO, INC.) IN NEW PHILADELPHIA, OHIO FROM RESIDENTIAL TO BUSINESS, AND DECLARING AN EMERGENCY. (1st READING)

RESOLUTIONS:

27-2013 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO COMMEND DEAN E. MILLER FOR HIS 21 YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA AS A PART-TIME SANITARIAN WITH THE NEW PHILADELPHIA HEALTH DEPARTMENT. (3rd READING)

Motion to vote on passage made by Ms. Cox, seconded by Mr. Lanzer

Comments from Council Member Lanzer:

Over the years in the restaurant industry Mr. Miller and Mr. Lanzer have crossed paths on several occasions.

Mr. Lanzer extended a warm thank you to Mr. Miller for his dedication and hard work for the City for the past 21 years and stated that we all appreciate what he has done to help ensure the highest standards for cleanliness and sanitation for our local food service businesses.

Comments from Mayor Taylor:

As Mayor he has heard only positive comments about Mr. Miller in the Health Department.

The Mayor thanked Mr. Miller for his services and wished him the best of luck in his retirement.

Comments from Lee Finley, Director of Environmental Health for the City:

Mr. Finley appreciated the time he had with him and remarked that he was one of the hardest working people that he has ever worked with.

Mr. Finley considered it a privilege to have worked with Mr. Miller.

Comments from Council Member Ms. Cox:

Ms. Cox thanked Mr. Miller for his dedication, perseverance and years of service.

Roll call, 6 yeas, resolution passed

Comments from the President of Council Sam Hitchcock:

Thanked Mr. Miller for his 21 years of service and dedication to the City of New Philadelphia, as a part-time sanitarian with the New Philadelphia Health Department.

President of Council Sam Hitchcock stated that “Mr. Miller is a very pleasant and a good Representative of the City and it has been a pleasure to be associated with him.”

President of Council Sam Hitchcock read Resolution 27-2013 in its entirety
Mr. Hitchcock then presented Mr. Miller with a framed signed copy of Resolution 27-2013.
Mr. Miller received a standing ovation.
Mr. Miller, who was accompanied by his wife Flora, said he has enjoyed his years working for the City. Mr. Miller thanked everyone.

29-2013

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE TRANSFER OF \$50,000.00 FROM THE SANITATION FUND (#219) TO BE TRANSFERRED \$25,000.00 TO THE WATER OPERATING FUND (#711) AND \$25,000.00 TO THE SEWER OPERATING FUND (#713) FOR THE 2013 FISCAL YEAR.
(3rd READING)

Motion to vote on passage made by Ms. Cox,
seconded by Mr. Lautenschleger
Roll call, 6 yeas, resolution passed

UNFINISHED OR OLD BUSINESS:

NEW BUSINESS:

President of Council Sam Hitchcock commended the Mayor and the Auditor for their presentation explaining the financial conditions and needs of the City both at the Lions Club today and tonight at the Public Hearing.

President of Council Sam Hitchcock felt they did a thorough job.

The President reminded all of the scheduled Ad hoc Committee / Council as a Whole to meet next to discuss the Non-Bargaining Employee Categories.

MS. COX MADE A MOTION TO ADJOURN THE MEETING AT 8:02 PM.

CLERK OF COUNCIL _____

APPROVED _____

PRESIDENT OF COUNCIL _____