

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 24TH, 2012 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
- MR. ROB MAURER
- MS. WINNIE WALKER
- MR. JOHN ZUCAL

MS. COX MADE A MOTION TO ADD ORDINANCE 13-2012 TO THE AGENDA FOR TONIGHT MR. LAUTENSCHLEGER SECONDED THE MOTION. ROLL CALL, 7 YEAS, MOTION PASSED.

MS. COX MADE A MOTION TO ACCEPT TONIGHT’S AGENDA AS AMENDED. MR. ZUCAL SECONDED THE MOTION ROLL CALL, 7 YEAS, MOTION PASSED.

MS. WALKER MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS REGULAR SESSION OF COUNCIL HELD ON SEPTEMBER 10TH, 2012. MR. MAURER SECONDED THE MOTION ROLL CALL, 7 YEAS, MOTION PASSED.

CORRESPONDENCE CLERK, PATRICIA MCKAY

1. Mayor’s Report/ Request to Council dated September 24th, 2012
2. New Philadelphia Treasurer’s Reconciliation for the period ending August 2012
3. New Philadelphia Treasurer’s, August 2012 Summary of Transactions for the General Checking Account
4. Salary Committee Meeting Minutes from September 10th, 2012
5. New Philadelphia Fire Department August 2012 Month End Summary
6. Notice dated September 21st, 2012 from Tony Danzo, Municipal Services Corp. to Administration and Council the FY 2012 (CHIP) Community Housing Improvement Program, Public Meeting to be held October 22nd, 2012 at 7:00 PM in Council Chambers.
7. Finance Committee Meeting Minutes from Monday, September 10th , 2012
8. Meeting Minutes from the New Philadelphia Airport Commission for January 10th, 2012, March 13th, 2012, April 10th, 2012, May 8th, 2012, June 12th, 2012 and July 11th, 2012.
There were no minutes for February 14th, 2012 there was no quorum therefore there are no minutes.

ADMINISTRATIVE REPORTS:

MAYOR’S REPORT/REQUEST.....MAYOR MICHAEL TAYLOR

Mayor Taylor addressed the following:

- Mayor Taylor requested the Council President Sam Hitchcock assign to a committee for consideration the approval of an income tax credit for Select Energy Services at 50% of employee payroll withholding for a period of three years.
The Mayor announced that Select Energy Services are looking at a site on the west end of the City for a gas and oil servicing location.
Mayor Taylor requested that the Committee who receives this assignment hold a meeting prior to the regular Council Session on October 8th, 2012.
The Mayor announced representatives from Select Energy Services can be available for the Committee to interview as part of their decision process.
Select Energy estimates excess of 100 new jobs working out of this location over time servicing the surrounding areas.
The Mayor announced that time is of the essence in moving forward with this request so that “Select Energy can firm up that New Philadelphia will be their new service location and put their planning in place as soon as possible.”

- Mayor Taylor announced the appointment of Carla Barker to the New Philadelphia Board of Zoning Appeals. She will fill an unexpired term through 12/31/12 with the intentions of re-appointment for full 3 year term. Carla is the Executive Secretary to the Dean at Kent State Tuscarawas and holds an Associate's Degree from Kent State.
- Mayor Taylor reported that the Records Commission held its first meeting of the year last week. Approved were an amended RC-2 and a onetime destruction request of obsolete forms by the Auditor.
- Several Administrative Staff and the Finance Committee Chair met with the City's Health Insurance Consultants from Pipes Insurance regarding changes coming due to the affordable Health Care Act that take effect January 1, 2014.
- Mayor Taylor reported that last week he called a meeting with Diversified Engineering, OMEGA and our staff about the Five Points Storm Sewer Project. Mayor Taylor wanted to be sure that all were on the same page and it was clear what issues and assignments needed completed and who was responsible. OMEGA staff will make our OPWC application and administer the grant. Applications are done at no charge to the City because we are members of OMEGA.
- Mayor Taylor reported last Friday he attended the one required CEO meeting of the Tuscarawas County Safety Council. His attendance at the meeting is one requirement to continue to receive a BWC dismount on our premiums.

SERVICE DIRECTOR.....MR. JAMES ZUCAL

The Service Director reported on the following:

- The Service Director reported that he met several times with the representative from Dominion East Ohio Gas Co. on the North Broadway (Phase I Project) gas line project. The Service Director reported they are trying to address all the constituent complaints.
- The Service Director reported that he sat in on the AFSCME Union negotiations last week.
- The Service Director reported he attended the OMEGA Annual Membership Meeting last Wednesday
- The Service Director reported the infrastructure project; Blake Avenue Water Line Replacement Project a local company in New Philadelphia, Ohio, Tucson Inc., was given the bid..
- The Service Director announced that when the project on Al Maloney Midway (new curb, gutter and catch basins) is completed paving of that street will take place in the month of October 2012.

AUDITORMS. BETH GUNDY

The Auditor reported that last Council Meeting she was asked about income tax. The consolidation of laws, forms and etc. at that time, she said that legislation was probably not going to be introduced for a while but she was at a conference this past week and an OML representative was there and stated that legislation may be imminent, however there are two factions that are fighting over what would be in the legislation so hopefully if something gets introduced and it's too far reaching it won't go anywhere.

Next meeting, Ms. Gundy announced she will go over the Projections for Major Funds with Council.

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

TREASURERMR. DAVE JOHNSON

Mr. Johnson reported that he distributed to Council his report for August 2012 which included Huntington and Chase reconciliation.

LAW DIRECTORMR. MARVIN FETE..... NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR MICHAEL TAYLOR

Mayor Taylor announced the Planning Commission did not meet in the month of September there was no agenda. The next Planning Commission Meeting will be Tuesday, October 9th, 2012 at 1:00 PM in Council Chambers pending an agenda.

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

Mr. Zucal announced pending an agenda the Board of Zoning Appeals will meet Tuesday, October 9th, 2012 at 5:00 PM in Council Chambers.

AIRPORT COMMISSION..... MR. JOHN ZUCAL NO REPORT

PARK BOARD..... MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger announced that the next meeting of the Park Board is scheduled for Wednesday, September 26th, 2012 at 7:00 PM in the Tuscora Park Office.

HEALTH BOARD.....MS. SANDY COX

Ms. Cox announced that the Health Board will meet Wednesday, October 17th, 2012 at 12:00 Noon at the Health Department.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEE.....MS. SANDY COX

Ms. Cox reported the Finance Committee met after the Regular Session of Council on September 10th, 2012 at 8:00 PM with several items to discuss:

- Item 1. Resolution 21-2012 New Philadelphia Municipal Court hiring someone to collect their debt and asking for the resolution be passed September 24th, 2012 Council Meeting.
- Item 2. Resolution 23-2012 Accepting the amounts and rates for the Budget Commission. This will be put on the agenda for September 24th, 2012 ask that it be read for 3 readings. (It has to be passed before October 31, 2012)
- Item 3. Ms. Cox reported the Auditor distributed a Memorandum Dated August 30th, 2012- Non Bargaining Salary Increase Comparison. The list displayed wage rates and/or salaries, post raise increase legislation. It was suggested by the Auditors that new wages be seen and entered in Council record each time a change occurs also the update will put in the individual employee's file, so the information will be easier to track. This is something the Auditors would like Council to pass. The Law Director recommended this request only needed to be approved by the Finance Committee. The Finance Committee unanimously approved Memorandum Dated August 30th, 2012- Non Bargaining Salary Increase Comparison.
- Item 4. Ms. Cox requested the Auditor update the Financial Projection Forecast. (The Budget Commission has shown a reduction in local Government Fund Allocation for 2013). The Auditor informed all she presently was working on updating the projections.

Ms. Cox reported the Finance Committee met this evening, September 24th, 2012 6:50 PM in the Council Chambers with several items to discuss:

- Item 1. The correction on the Finance Committee Minutes dated Monday, September 10th, 2012

Under the motion "moved to add resolution 21-2012 to the agenda on September 17th, 2012 should read September 24th, 2012.

Under the motion "moved to add resolution 23-2012 to the agenda on September 17th, 2012 should read September 24th, 2012.

Reminder: Resolution 21-2012 should be approved this evening this resolution is the terms of the Debt Collection Agreement between the New Philadelphia Municipal Court and Capital Recovery Systems Inc.

- Item 2. Ordinance 13-2012 Amending and adjusting the permanent appropriations for the year 2012. This was for the Health Department for Shingle Vaccine syringes and supplies.
Ordinance 13-2012 is to be added to the agenda and be passed this evening.

Meeting adjourned at 6:53PM

SALARY COMMITTEEMR. JOHN ZUCALNO REPORT

Council President Sam Hitchcock assigned to the Salary Committee for consideration the approval of an income tax credit for Select Energy Services at 50% of employee payroll withholding for a period of three years as the Mayor requested.

SAFETY HEALTH & SERVICE COMMITTEEMR. ROB MAURERNO REPORT

PUBLIC WORKS & ECONOMIC DEVELOPMENT COMMITTEEMR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger reported that the Public Works & Economic Development Committee met this evening at 7:00 PM with one issue to discuss on the agenda and that was an update on Oil/Gas Leasing on City owned parcels. Previously the Committee had worked with the Service Director Jim Zucal and provided some direction that the City was going to contact an attorney or leasing firm to review the Cities options. After some research Mr. Zucal invited Attorney Brad L. Hillyer from Uhrichsville to come and update the Committee on potential Oil/Gas Leasing of City Parcels. Attorney Brad L. Hillyer was here this evening and basically provided an over view of his experience. He has spent more than 30 years representing property owners, Oil/Gas Leasing and state of the leasing industry in Tuscarawas County. Over the past 6 months activity has dwindled but at this point he sees some evidence that it has started to rise. Attorney Brad L. Hillyer explains there are 3 types of land owners

1. owner that owns the surface and the minerals; does not have a lease in place.
2. owner that owns the surface but does have a lease in place for the minerals.
3. owner owns surface has no right to the minerals.

Base on what he has been told he believes the City belong in the first two categories which means leasing could occur if the City identifies parcels that are available. Over all recommendation that the City not hold a public bid process but collect all data and details and consider a request for proposals to be presented for the City to review. Mr. Zucal said he was comfortable with this process and they will be identifying City parcels especial those with royalties that may have already been made and paid through the tradition Clinton Wells and will consider them the next step and report back to the Committee in appropriate time .

No action was required.

Adjourned 7:28 PM

ZONING & ANNEXATION COMMITTEEMS. COLLEEN ESPENSCHIEDNO REPORT

CONTACT & SPECIAL COMMITTEE MR. DAN LANZER

Mr. Lanzer reminded all of the Contact & Special Committee 7:00 PM meeting on October 8th, 2012 in Council Chambers the purpose to discuss the Airport Consultant Contract and any other matter that may come before the Committee.

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

VISITOR’S COMMENTS:

VISITOR’S COMMENTS

Diane Lautenschleger, 250 Lewis Avenue NW, New Philadelphia, OH 44663

New Philadelphia Business and Community Association, 126 East High Avenue, New Philadelphia, Ohio 44663

Diane Lautenschleger, Administrative Director, of New Philadelphia Business and Community Association

Ms. Lautenschleger distributed to council a 2 page report on NPBCA and a flyer (Special Presentation Promoting a Drug Free Work Place) She reported to council the accomplishments and the recent activities of the New Philadelphia Business and Community Association for the past two months and upcoming plans:

Ms. Lautenschleger thanked everyone for their support the City of New Philadelphia Administration and City Employees for the support given to NPBCA during the past two months.

- **Special Presentation:**

Invited all to attend a special presentation Promotion a Drug Free Work Place and signs of employee drug abuse on Thursday October 4th, 2012 at 8:00 AM to be held at the Tuscarawas County Convention & Visitors Bureau. Presented by Detectives from the Tuscarawas County Sheriff Dept. and the New Philadelphia Police Dept.

- **Christmas Parade**

Ms. Lautenschleger reported this year the Christmas Parade will be held Friday, December 7th, 2012 and will step off from line up area at Tuscora Park at 6:00 PM.

Ms. Lautenschleger reported new to the parade will be a Marching Band Contest. Participating bands will have two minutes to show off their best Christmas talent. The winner will receive a \$500 cash prize and an iPad.

The cash and iPad are sponsored by NPBCA new member, Authentic Church.

The parade will be preceded with Holiday Lights Contest on North Broadway the rules for this contest are residents decorate the exterior of their homes and illuminate their exterior lights by 5:00 PM on December 7, 2012. The contest will be judged by the staff at Barnett Realtors and the winner will receive a gift bag sponsored by local businesses.

- **Christmas Lightning**

Ms. Lautenschleger New Philadelphia will share in the annual Christmas lighting Ceremony Friday, November 16th, at 6:00 PM on the gazebo quadrant. In preparation of this tradition, NPBCA and our volunteers will host two work sessions Wednesday, October 17th, 2012 at 5:00 pm and Saturday, November 3rd, 2012 .

- **Grants Pending**

Ms. Lautenschleger announced that on August 30th she submitted several grant applications in support of the NPBCA mission

“Growing Small Business to Strengthen our Community” was submitted to

Haman Foundation in the amount of \$3,500 proceeds for this grant will be used for a program by Cinda Baxter The 3/50 Project who inspires us to support small business. Cinda further empowers small business owners to grow as she provides them with knowledge.

“Welcoming Business to New Philadelphia” was presented to the Moomaw Foundation Trust. This grant request is for \$1,200 which will allow our Lease /Rent Subsidy Program to continue.

- **Car Show Merchants and Artists Walk and Sidewalk Sale.**

Ms. Lautenschleger reported New Philadelphia welcomed many guests into the downtown area for special events on three occasions during the past two months as NPBCA hosted the Classic Glass Corvette Club Car Show, the Mid Summer Merchants and Artist Walk and the Sidewalk Sale.

Council member Mr. John Zucal commented on the two new businesses that have located in the City.

Ms. Lautenschleger announced O/V Harvest has opened in the downtown last week and Island Palm Winery, LLC will have their opening in October 2012..

Ms. Lautenschleger thanked Council for their support and their time.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

13-2012 An ordinance amending and adjusting the permanent appropriations ordinance for the year 2012 and declaring an emergency. (1st Reading)

Motion to suspend the rules made by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas, rules suspended

Motion to vote on passage made by Ms. Cox
Seconded by Mr. Lautenschleger
Roll call, 7 yeas Ordinance passed

RESOLUTIONS:

21-2012 A resolution by the Council of the City of New Philadelphia, Ohio to approve the terms of the Municipal Court Debt Collection Agreement between the New Philadelphia Municipal Court and Capital Recovery Systems, Inc. for the purposes of collecting delinquent fines, court costs, and Judgments (“claims”) as may be assigned by the New Philadelphia Municipal Court. (1st Reading)

Motion to suspend the rules made by Ms. Cox
Seconded by Mr. Lanzer
Roll call, 7 yeas, rules suspended

Motion to vote on passage made by Ms. Cox
Seconded by Mr. Lanzer
Roll call, 7 yeas resolution passed

22-2012 A resolution authorizing the Mayor of the City of New Philadelphia, Ohio, to participate in the FY 2013 Ohio Public Works Commission State Capital Improvement and /or local Transportation Improvement Program(s) and to execute contracts as required, and declaring an emergency. (1st Reading)

23-2012 A 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)

25-2012 A resolution by the Council of the City of New Philadelphia, Ohio to request that the process of evaluation be undertaken to formally reclassify the New Philadelphia Municipal Airport (Harry Clever Field) as a B-I Airport in accordance with the Federal Aviation Administration (FAA) guidelines. (1st Reading)

UNFINISHED OR OLD BUSINESS:NONE

NEW BUSINESS:NONE

MOTION TO ADJOURN MADE BY MS. COX AT 7:58 PM