

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 27, 2017 WITH PRESIDENT OF 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. DARRIN LAUTENSCHLEGER  
MR. ROB MAURER  
MRS. AIMEE MAY  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC  
MR. JOHN ZUCAL

- MR. HOLLAND MOTIONED TO ADD RESOLUTION 40-2017 TO TONIGHT’S AGENDA FOR 1<sup>ST</sup> Reading  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
RESOLUTION 40-2017 HAS BEEN ADDED TO TONIGHT’S AGENDA
  
- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT’S AGENDA AS AMENDED  
MRS. MAY SECONDED THE MOTION  
7 YEAS  
TONIGHT’S AGENDA HAS BEEN ACCEPTED
  
- MR. LAUTENSCHLEGER MOTIONED TO ACCEPT THE MINUTES FROM THE NOVEMBER 13, 2017 REGULAR SESSION OF CITY COUNCIL  
MR. MAURER SECONDED THE MOTION  
6 YEAS (MR. RICKLIC ABSTAINED FROM VOTING)  
MINUTES FROM THE NOVEMBER 13, 2017 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

**CORRESPONDENCE** . . . . . CLERK, JULIE COURTRIGHT

1. *To Mayor and Council from Mine-ding Midvale’s History, dated November 17, 2017. This is an invitation to a dedication ceremony for a memorial statue for Midvale’s Miners taking place on December 6, 2017 at 6:00pm at Midvale Park.*
2. *To President of New Philadelphia City Council Sam Hitchcock and Mayor Joel Day copied to City Council from Councilman Holland, dated November 21, 2017. This is an email with an attachment titled Computer Specifications for City Council.*
3. *To Councilman Holland, Law Director Fete and Members of Council from President Hitchcock, dated November 22, 2017. This is an email titled “Please assign to a Committee” with the attachment “Resolution 40-2017: Support for the Tuscarawas River Trail.*
4. *To Council and Administration from Mayor Day, dated November 27, 2017. This is the Mayor’s Report.*

**Administrative Reports.....**

MAYOR'S REPORT/REQUESTS ....MAYOR JOEL B. DAY

Mayor Day had the following report:

- Homeless Shelter Officials Search for Additional Space: Last Monday I met with Calvin White and Jack Reem of the county Friends of the Homeless organization to discuss the need for, what they called, a “drop in” facility. This is a place where transient people can find shelter and a hot meal for an overnight stay. They said there is a growing need for such a facility in the area, and that they are looking for any available buildings with adequate space. Mr. White said the local homeless shelter is full so it can't accommodate drop-ins.
  
- City Park Board Approves New Contracts with RTY, Inc. for Tuscora Park Operations: At its monthly meeting last Wednesday, the City Park Board approved new contracts with RTY, Inc to operate the rides, concessions and the teen center at Tuscora Park. Revisions were made to improve operations while keeping the cost of rides and concessions affordable. The City will continue to provide security and custodial services and be responsible for the upkeep of the buildings used by RTY. The new contracts also give RTY the opportunity to recoup losses from down years with the Park Board's approval. The intent there is to assure that enough money is available for necessary maintenance and repairs to the park rides.
  
- Annual Christmas Lighting Ceremony and Parade is on Friday: The annual Christmas lighting ceremony is scheduled to start at 6pm this Friday at the downtown gazebo. Following the ceremony Santa Claus will be coming to town in the annual City Christmas Parade, which will step off from Tuscora Park and end at the downtown square. One of the parade highlights will be the delivery of a new Santa house to the Courthouse Square. I thank Lowe's and all the volunteer workers who built the new Santa house and donated it to our community. Wait until you see it!
  
- Planning Commission Approves a Rezoning Request and Sends It to Council for Approval: At its November 15th meeting, the City Planning Commission approved a request by Pat Cooper to have his property at 1416 Kaderly Street NW rezoned from residential to business. He has been operating his accounting business and his wife her respite care for families of mentally and physically challenged individuals under a temporary variance for nearly a year. Mr. Cooper explained that the Board of Zoning Appeals granted the variance with the understanding that he would apply for rezoning. The matter has now been assigned to Council's Zoning and Annexation for consideration and final approval.

*\*President of New Philadelphia City Council Sam Hitchcock asked Mrs. Ramos to take the zoning request into her Committee.*

SERVICE DIRECTOR .....MR. RON MCABIER

Mr. McAbier had the following report:

All the salt has been delivered. We had 1200 tons delivered in the last month. All salt beds are on, plows are on, and getting ready for the wonderful winter season. Also, Ray wanted me to let everybody know that leaves are still being picked up. We'll go around the entire City once then go back to any areas that put them out after we already went through there so everyone will know, Councilmembers if you get a call, we'll go back and pick them up. We're supposed to be done with the entire city one time by the middle of December, I think we figured that around the 15<sup>th</sup>, that's on a Friday, so we're pretty close to trying to have the whole City done one time at that time. Also, we're going to replace roughly 600 foot of 12" of waterline from the reservoir so that's the Crider Ave. Rear side. We should start that in the next couple weeks. Watson Brothers Excavating will start that so if anybody gets called about anything

that's going on down there.

Mr. Ricklic had the following question for Mr. McAbier:  
What's the price per ton for the salt you had this year?

Mr. McAbier had the following reply:  
I'll look it up and let you know.

President Hitchcock had the following question for Mr. McAbier:  
What is the total length of that line?

Mr. McAbier had the following reply:  
It's roughly 600 foot of 12 inch and it will be done. All of that will be brand new from the reservoirs all the way out.

Mrs. Ramos had the following question for Mr. McAbier:  
Just to clarify about the leaf pickup. Do they need to call and let you guys know or are you guys going to go sweep everywhere.

Mr. McAbier had the following reply:  
I would say if they're on a side street I probably would, if we've been through there one time.

AUDITOR .....MS. BETH GUNDY.....NO REPORT

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

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

LAW DIRECTOR . . . . . MR. MARVIN FETE

Mr. Fete had the following report:

I would request that Council pass on emergency motion Ordinance 23-2017. This should have been up for its 3<sup>rd</sup> Reading but it fell through the cracks when it was approved by Committee and I didn't get it on the Agenda. If you recall from the Committee Meeting this was just an approval of a contract for indigent defense which we're required to provide by the 6<sup>th</sup> Amendment of the Constitution and the dollar amount is exactly the same as it was last year, actually the last 2 years. So there's no increase on it. It's a substantial bargain for the City and I have submitted paperwork to the Auditor's office to get this bill paid, so consequently I need to have the legislation passed, so I am requesting that Council suspend the rules and pass that this evening. Secondly, I want to brief Council on three threatened or pending litigation cases in

executive session. I am requesting an executive session for that purpose.

MR. RICKLIC MOTIONED FOR AN EXECUTIVE SESSION ON THE LAW  
DIRECTOR'S REQUEST  
MRS. RAMOS SECONDED THE MOTION  
7 YEAS  
AN EXECUTIVE SESSION WILL BE HELD AFTER THE READING OF  
LEGISLATION FOLLOWING A 5 MINUTE RECESS

**BOARD/COMMISSION REPORTS:**

**PLANNING COMMISSION.....MAYOR JOEL DAY**

The Planning Commission will meet on Tuesday, December 12, 2017 at 1:00 PM in Council Chambers. The Agenda is being developed.

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

The Board of Zoning Appeals met November 14, 2017 at 5:00 PM in Council Chambers. We had two variance requests, one for 243 2<sup>nd</sup> St. NE. After lengthy thoughts the homeowner realized that they are in a flood plain area and want to put a shed in. The cost of the flood plain study outweighed the shed so he withdrew his request for the variance. We also met with a homeowner at 714 4<sup>th</sup> St. SE on noncompliance with driveway setback. The variance was requested. It went in front of the Board and we voted 4-0 in approving the variance.

**AIRPORT COMMISSION.....MR. JOHN ZUCAL**

Following our last regularly scheduled meeting of City Council and the action was taken to approve Michael Baker Jr. as Airport Consultant. I did contact Kevin Sigg. Kevin is the young man who comes to our meetings and represents the firm. I did notify him that again we had accepted and are willing to work again with Michael Baker Jr. He was very excited about the opportunity and the firm was very appreciative of Council's faith in them so it's been a great working relationship. Our next meeting will be held on Tuesday, December 5<sup>th</sup> at 6:00 PM at the Harry Clever Field Meeting Room. This will be our meeting for both November and December since we did not have a quorum for the November meeting.

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

**HEALTH BOARD..... MR. KELLY RICKLIC**

The Health Board met in the Health Department on December 8, 2017 at noon. The educational topic was the vivitrol program that the City runs, which is a co-op with judge in municipal court to try to get to the opiod addicts. There is a 35 maximum client at a time but that program has been going very well, and from that program going well Nicole Bache has been asked to speak at the Ohio Public Nursing Conference on December 15, 2017. So she gave us all highlights of what she was going to present. I think it's a very good honor the program she's running with the judge, that she's being recognized to speak to everyone down there. We are doing something in our area to help with the epidemic.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. DARRIN LAUTENSCHLEGER

Mr. Lautenschleger had the following report:

The Finance Committee met this evening in Council Chambers to begin our work on the 2018 budget. Just to refresh everyone’s memory, last year for the 2017 budget it was the first time that we attempted to tackle approval of a budget by December 31 of the preceding year in order to have a budget in place and avoid temporary appropriations. We were successful, and that’s the goal again this year. So our goal will be to pass the 2018 budget by December 31 of this year. We did have some overall reviews from both the Auditor and the Mayor. In the line by line process we’ve got a few things to clean up, a few things to follow up on from our end. We have an additional meeting scheduled now. Our next meeting to review the process will be on December 11, 2017 at 6:00 PM in Council Chambers.

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

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

Mr. Holland had the following report:

The Public Works and Economic Development Committee met this evening here in Council Chambers at 7:15 PM to discuss computer specifications for City Council computers and Proposed Resolution 40-2017. After Committee discussion and information from Mayor Day and Mr. McAbier, no action was taken on Council computers, and the Committee voted to send Resolution 40-2017 to the full Council for consideration and passage on 1<sup>st</sup> Reading. There’s no further business to come before the Committee and we adjourned at 7:25.

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

ZONING & ANNEXATION COMMITTEE .....MRS. CHERYL RAMOS

Mrs. Ramos had the following report:

On December 11, 2017 we are going to have a Meeting at 7:15 PM to discuss

changing the zoning of 1416 Kaderly Ave NW from residential to business.

SPECIAL & CONTACT COMMITTEE .....MR KELLY RICKLIC.....NO REPORT

PARKS & CEMETERY COMMITTEE .....MRS. AIMEE MAY.....NO REPORT

**VISITOR'S COMMENTS: NONE**

**COUNCIL COMMENTS: NONE**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

23-2017 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NEW PHILADELPHIA, OHIO, TO ENTER INTO AN AGREEMENT WITH THE TUSCARAWAS COUNTY PUBLIC DEFENDER'S OFFICE FOR THE PROVISION OF LEGAL REPRESENTATION FOR INDIGENTS CHARGED WITH VIOLATIONS OF NEW PHILADELPHIA CITY ORDINANCES IN THE MUNICIPAL COURT WHERE SUCH OFFENSES CARRY A POSSIBLE LOSS OF LIBERTY, ESTABLISHING COMPENSATION AND TERMS THEREOF.

1<sup>st</sup> Reading

MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 23-2017

MR. RICKLIC SECONDED THE MOTION  
7 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 23-2017

MR. MAURER MOTIONED FOR PASSAGE OF ORDINANCE 23-2017

MR. RICKLIC SECONDED THE MOTION  
7 YEAS

ORDINANCE 23-2017 HAS BEEN APPROVED

**RESOLUTIONS:**

40-2017

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO SUPPORTING THE ESTABLISHMENT OF THE TUSCARAWAS RIVER WATER TRAIL AS A DESIGNATED WATER TRAIL BY THE OHIO DEPARTMENT OF NATURAL RESOURCES.

1<sup>st</sup> Reading

MR. HOLLAND MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 40-2017  
MRS. RAMOS SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 40-2017

Mr. Lautenschleger had the following comment:

I think one of the things that we can look at with this Resolution is that our neighbors in Dover have done an outstanding job of developing the riverfront and starting that process. This will allow us to start catching up and provide the area for this growing, outdoor recreational opportunities and for folks to have a reason to come to T-County and potentially stay longer than just for their visit on the water. This could be helping with overnight destinations. So this is potentially a good economic driver too.

MR. ZUCAL MOTIONED FOR PASSAGE OF RESOLUTION 40-2017

MRS. RAMOS SECONDED THE MOTION

7 YEAS

RESOLUTION 40-2017 HAS BEEN APPROVED

**COUNCIL ADJOURNED INTO A 5 MINUTE RECESS AT 7:51 AND  
RECONVENED BEFORE GOING INTO EXECUTIVE SESSION AT 7:56.  
AT 8:11 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL**

**UNFINISHED OR OLD BUSINESS: NONE**

**NEW BUSINESS: NONE**

Mr. Maurer motioned to adjourn at 8:12 pm

CLERK OF COUNCIL \_\_\_\_\_

Julie Courtright

APPROVED \_\_\_\_\_

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