

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 14, 2022 WITH PRESIDENT KEMP PRESIDING. PRESIDENT KEMP OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND
MR. DAN LANZER
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. KELLY RICKLIC

EXCUSED ABSENSES

MRS. AIMEE MAY
MR. JIM SELDENRIGHT

- MR. RICKLIC MOTIONED TO ADD ORDINANCE 22-2022 TO TONIGHT'S AGENDA
MR. PACE SECONDED THE MOTION
5 YEAS
ORDINANCE 22-2022 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. HOLLAND MOTIONED ADD RESOLUTION 28-2022, RESOLUTION 34-2022, AND RESOLUTION 35-2022 TO TONIGHT'S AGENDA
MR. PACE SECONDED THE MOTION
5 YEAS
RESOLUTION 28-2022, RESOLUTION 34-2022, AND RESOLUTION 35-2022 HAVE BEEN ADDED TO TONIGHT'S AGENDA
- MR. RICKLIC MOTIONED TO APPROVE THE AGENDA AS AMENDED
MRS. RAMOS SECONDED THE MOTION
5 YEAS
TONIGHTS AGENDA WITH THE ADDITIONS OF THE ORDINANCE AND RESOLUTIONS HAS BEEN APPROVED
- MR. LANZER MOTIONED TO APPROVE THE MINUTES FROM THE OCTOBER 24, 2022 REGULAR SESSION OF COUNCIL
MRS. RAMOS SECONDED THE MOTION
4 YEAS (MR. RICKLIC ABSTAINED)
MINUTES FROM THE OCTOBER 24, 2022 COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Mayor Day, dated October 27, 2022. This is an email titled "Compass Point Planning's Proposal" with an attachment of the agency's proposal for revising the City's zoning and signage codes.*
2. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated October 31, 2022. This is the Mayor's Month-end Report for October 2022.*
3. *To Council Clerk from Treasurer Gerber, dated November 1, 2022. This is the City of New Philadelphia Investment and Savings Report for October of 2022.*
4. *To Council Clerk from Treasurer Gerber, dated November 1, 2022. This is the City of New Philadelphia Deposits to the General Account for October 2022.*
5. *To Council and Administration from Administrative Assistant to the Auditor Heather Denham, dated November 9, 2022. This is an email with the attachments; The Statement of Cash Position from Revenue and Expense, and Expense Report with Encumbrance details, both from October of 2022.*
6. *To President Kemp from Auditor Gundy, dated November 9, 2022. This is an email titled "Appropriation Ordinance" and it states "Please assign to the Finance Committee". President Kemp assigned this matter to Mr. Ricklic's Committee.*

7. *To Council and Administration from Income Tax Administrator for the City Vickie Daniels, dated November 9, 2022. This is an email titled "October Income Tax Report" with that as the attachment.*
8. *To Council and Administration from Mayor Day, dated November 14, 2022. The Mayor's Report.*

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

- *Completing the Ohio & Erie Canal Towpath Trail to New Philadelphia: The City of New Philadelphia is partnering with the City of Dover, the Village of Zoar, the Tuscarawas County Parks Department and the Ohio and Erie Canal Coalition to apply for funding from the State's Appalachian Community Grant Program to complete the construction of the Towpath Trail in the county. Once completed, the trail would extend from Cleveland to its southern terminus in New Philadelphia and would have significant economic, and health and wellness impacts on our City and Tuscarawas County. It's possible that our project will be folded into a three to four county regional application to create what the Governor's Office of Appalachia terms a "transformational project." Our technical assistance application will be submitted to the Mid-Eastern Governments Association (OMEGA), as will applications from other groups in the county, to make a single "lead application" as required by the grant program's guidelines. Resolution 35-2022 would designate OMEGA as the lead applicant for funding. The process has been chaotic. The guidelines were released about a month ago, which gave all applicants little time to gather the information necessary to meet a December 9th deadline.*
- *The City's AMLER Grant Application is Rejected: In a related matter, the City received word this past Friday that it's application did not score high enough to receive funding to build a four-mile bicycle and walking path to Roswell. The funding would come from the Federal Abandoned Mine Land Revitalization (AMLER) grant program, which is administered by the Ohio Department of Natural Resources Division of Mineral Resources Management (DMRM). There were 17 applicants and \$17 million dollars available. The estimated cost of our Roswell project was \$3.2 million, so we knew there was a chance our application would be denied in the first round of funding. The City is likely to submit another application next year.*
- *A Fact-Finders Report Settles the Contract with the City's Firefighters Union: Recommendations by a factfinder have settled 10 months of contract negotiations with the City's Firefighters Union. Both City Council and Local 1501 of the International Association of Firefighters have accepted the fact-finders report, which recommended the union's wages be increased by 10 percent over the next three years, retroactive to the first of this year. The City offered a 9 percent increase over three years, which the City's other bargaining units had accepted. Local 1501 members will see their health benefit contribution increase from five percent to 6.5 percent per pay. The factfinder also recommended a one-time payment of \$600 in Hazard Pay for each member for working during the COVID-19 pandemic. Other proposals by the union were rejected by the factfinder.*
- *A New Merchant Joins the Growing Downtown Business Community: There is a new business at 261 West High Avenue in downtown New Philadelphia. Solace Relaxation Massage and Float Spa will have its grand opening and ribbon-cutting ceremony on December 2nd at 3 p.m. Owners Michael and Michelle Gossett told me that the float spa will be the first of its kind in this area. Visit the Solace website at www.solacerelax.com for more information. Please join me in welcoming the Gossett's and Solace Relaxation Massage and Float Spa to our growing downtown business community! Also, if you haven't heard the news, Modern Men's Wear has opened in the former Crete Clothing location at 130 West High Avenue.*
- *City Planning Commission Approves the Preliminary Plat in the Oak Shadows Subdivision: At its monthly meeting last Tuesday, the City Planning Commission gave unanimous approval to the preliminary plat of the Oak Shadows subdivision. During his presentation to the Commission, developer Bob Martinelli showed that the plat will have 11 lots for single-family homes. The Commission's recommendation will go to City Council for approval once the final plat is received by the Service Director's Office.*

- Christmas Lighting Ceremony and Christmas Parade: *The City's annual downtown Christmas Lighting Ceremony is coming up this Friday, November 18th at 6 p.m. on the gazebo square and the Christmas Parade will be held Friday, December 2nd at 6:30 p.m. Please bring your family and friends to join us.*

Service Director Ron McAbier:

An update on the Park Lane Waterline Project: by the end of Wednesday they should be down to Lakeview. Once they get down to Lakeview all the testing such as the pressure test will have to be done. We're scheduled to start our services on Monday. That was the critical part because they need to get that paved. Next they'll move up to Seven Mile Drive. Also, at the last Council Meeting when I updated we had a third of our salt in, since then we did receive our entire allotment of salt, so we will be ready for this season. Also, downtown in the Gazebo Quadrant, Buckeye Career Center's Natural Resources Class put all the field tile in. That quadrant should be finished by the end of this week for the Holiday Lighting Ceremony. Also, down at the end of Deer Park in that cul-de-sac, the top surface of the cul-de-sac was torn up. It was not put down entirely correctly when it was first done, they got that corrected. They went down to the end of 4th Drive and we just got some new curbing put in. We had some allotted money so we finished 4th Drive and did the cul-de-sac down at Deer Park today. Also, General Services as always has continued to do leaves. The southeast side from Commercial Avenue down to the City limits is completed so we'll move down to the southwest side. The last item I'd like to bring up, I know Councilman Pace has asked about the grant for the skate park. We received word last week from Natureworks that we did receive a \$16,194.00 grant. That was the entire amount for the County. So, that with the Gofundme gives a total of \$22,266.00 to start.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

A couple of Council Meetings ago I announced that the dog handler at the police department had resigned so they were going to retrain the dog to a second handler. In consulting with the dog trainer, we've been told that that dog is not a good candidate to be retrained. So Diesel will be retired, and we'll have to pick up another dog. We do have money in the budget for that from the funding and donations we had in the budget from last year. In the Fire Department today is the last day for Alex Gaskin. He is resigning to take a position in Canton, Ohio as a Firefighter/ Medic, so we're now another person short in the Fire Department. Sunday, December 4 from 11am to 1pm there's the drive-through Toy Drive. This is in conjunction with Job and Family Services. I would like to relinquish the rest of my time to Fire Captain Jim Sholtz. He has a training device and we would like to show everyone this device.

Fire Captain Jim Sholtz did a demonstration of a new, interactive technology the fire department has to teach workers at area companies how to use fire extinguishers properly. The system simulates a fire.

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

LAW DIRECTOR.....MR. MARVIN FETE

Effective December 1, 2022 there will be a change in my office. Lacey Felix, who has been my Chief Prosecutor, has accepted a position to replace the late Bob Stephenson at the County. I couldn't match the money she was offered for the position. I am promoting Chris Rice, one of my assistant prosecutors, to that position. He's a fantastic prosecutor, very well respected by the courts. I have great confidence in him. I have posted a position for Assistant Prosecutor. That will open his position up when he moves to Chief Prosecutor. Please help us to get the word out. It's a wonderful position for anyone who wants to learn trial work.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting on Tuesday, December 13 at 1:00 PM in Council Chambers.

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

The Board of Zoning Appeals meeting that was scheduled for November 8 was cancelled Due to no variance requests to be heard.

AIRPORT COMMISSION.....MR. JIM SELDENRIGHT.....EXCUSED ABSENSE

PARK BOARD.....MR. MITCH PACE

The Park Board will be Meeting on Wednesday, November 16 at the Park Pavillion at Noon.

CEMETERY BOARD.....MR. MITCH PACE.....NO REPORT

HEALTH BOARD MR. DEAN HOLLAND.....NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC

Mr. Ricklic had the following report:

The Finance Committee met this evening at 5:30 PM. The first item on the Agenda was Proposed Ordinance 22-2022 to adjust the Permanent Appropriations for 2022. After a brief discussion it was passed 3-0 to put on the Agenda for this evening. The rest of the time for the Meeting was used to review the budget appropriations for 2023. We got about ¾ of the way through but we still have time

left. The next meeting was scheduled to try to wrap up the appropriations is November 28th at 5:30 PM. The meeting was adjourned at 6:44 PM.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT COMMITTEE...MR. DAN LANZER...NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. DEAN HOLLAND

Mr. Holland had the following report:

The Safety, Health, and Service Committee met tonight at 6:45 to review Resolution 28-2022, the Hazard Mitigation Plan for the City of New Philadelphia. This is a resolution supporting Tuscarawas County Emergency Management and their efforts toward hazard mitigation throughout the County. That was discussed and passed by the Committee to move to full Council. We also discussed Resolution 34-2022 which is an update of the Stark-Tusc-Wayne County Operation, which is required by the Ohio Revised Code and Ohio EPA. This is an update to the Solid Waste Management Plan that we operate under. We also discussed Resolution 35-2022 which is a resolution to authorize the Ohio Mid-Eastern Government Association to represent the 32 County Appalachian Community and authorize OMEGA to represent us. The Ambulance Committee also met this evening and recommended that Resolution 36-2022 be passed to the full Council for their consideration. Those Meetings concluded at 7:19 PM.

ZONING AND ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS

Mrs. Ramos had the following report:

The Committee will meet on December 12, 2022 at 7:00 PM to consider an annexation request.

SALARY COMMITTEE.....MR. JIM SELDENRIGHT.....EXCUSED ABSENSE

PARKS AND CEMETERY COMMITTEE.....MR. MITCH PACE

Mr. Pace had the following report:

The Cemetery Board met last Thursday here in Council Chambers. Just a quick update on the Fair Avenue Cemetery. On the Ray Ave. side the fence was taken out by a tree that fell during a summer storm. That was repaired and it looks good. At the new cemetery Shoenbrunn Meadows the entrances were completed.

SPECIAL AND CONTACT COMMITTEE.....MRS. AIMEE MAY.....EXCUSED ABSENSE

VISITOR'S COMMENTS

Tod Carper, Chairperson of WDNP Dover-New Phila. Radio had the following comment:

We're a non-profit station, and I've been asked to come here and ask for your help. We're at risk of losing our station because someone is petitioning the FCC to have our frequency, 102.3 put up for auction for a high-powered station. If a high-powered station goes up our frequency will be gone. We're not asking for any money, just a letter. If any of you could send letters to the FCC. There's a link on our Facebook page that you can click on. We do a lot in the community as a non-profit. Our mission is to help other non-profits. To list a couple we've done remotes for the Red Cross, Coat Drives for the Salvation Army, PSAs for several other non-profits. We also participate in the festivals such as Canal Days and First Town Days.

Mr. Fete had the following comment:

It's a fantastic station I listen to it all the time. I like the different shows you have. Would a Resolution from Council be helpful as something that maybe we can consider and we can send that to the FCC? Speaking as the voice of New Philadelphia wanting to keep a local radio station in our community that benefits the community.

Mr. Carper commented:

I can only guess as to the workings of the mind of someone with the FCC. I'm sure anything you could do would help.

President Kemp asked Mr. Carper what the process is.

Mr. Carper:

It's been asked to be put up for bid and they want to build a 6000 watt station which will blur us out of existence. They're taking letters from the public until December 8, 2022. Then they'll make a decision. It could be a month, a day, three years before the decision is made.

Mayor Day had the following question:

Is it someone in this region that wants 102.3? Is it an Iheart station?

Mr. Carper:

No, but it could be once it goes up for bid. The station that has asked are the new owners of WBTC.

Mayor Day:

Would they put a tower up there?

Mr. Carper:

Yes, they've already purchased land.

President Kemp assigned this issue to the Special and Contact Committee.

COUNCIL COMMENTS

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

22-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2022
1st Reading

RESOLUTIONS:

28-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, ADOPTING THE TUSCARAWAS COUNTY 2022 HAZARD MITIGATION PLAN AS THE OFFICIAL HAZARD MITIGATION PLAN OF THE CITY OF NEW PHILADELPHIA, OHIO.
1st Reading

34-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO APPROVING THE STARK-TUSCARAWAS-WAYNE- JOINT SOLID WASTE MANAGEMENT DISTRICT'S 2023 SOLID WASTE MANAGEMENT PLAN UPDATE
1st Reading

35-2022 A RESOLUTION AUTHORIZING THE OHIO MID-EASTERN GOVERNMENT'S ASSOCIATION (OMEGA) TO SERVE AS THE LEAD TECHNICAL ASSISTANCE GRANT APPLICATION FOR THE APPALACHIAN COMMUNITY GRANT PROGRAM IN TUSCARAWAS COUNTY
1st Reading

UNFINISHED OR OLD BUSINESS:

Mr. McAbier had the following report:

The lighting for the airport is completed and it looks great.

NEW BUSINESS: NONE

With no other business to discuss Mr. Holland motioned to adjourn at 8:09 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp