

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 8, 2021 WITH PRESIDENT DON KEMP. 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. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCES

NONE

- MR. LANZER MOTIONED TO ADD PROPOSED RESOLUTION 8-2021 TO TONIGHT'S AGENDA FOR 1st Reading
- MR. RICKLIC MOTIONED TO ADD PROPOSED RESOLUTION 12-2021 TO TONIGHT'S AGENDA FOR 1st Reading
- MR. MAURER MOTIONED TO ADD PROPOSED ORDINANCE 6-2021 AND PROPOSED RESOLUTION 11-2021 TO TONIGHT'S AGENDA FOR 1st Reading
MR. ZUCAL SECONDED THE MOTIONS
7 YEAS
ORDINANCES 6-2021, RESOLUTION 8-2021, RESOLUTION 11-2021, AND RESOLUTION 12-2021 WILL BE ADDED TO TONIGHT'S AGENDS

- MR. ZUCAL MOTIONED TO ACCEPT TONIGHT'S AGENDA WITH THE ADDITION OF THE EXECUTIVE SESSION
MRS. LANZER SECONDED THE MOTION
7 YEAS
TONIGHT'S AGENDA HAS BEEN ACCEPTED

- MR. MAURER MOTIONED TO APPROVE THE MINUTES FROM THE FEBRUARY 22, 2021 REGULAR SESSION OF COUNCIL
MRS. MAY SECONDED THE MOTION
7 YEAS
MINUTES FROM THE FEBRUARY 22, 2021 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Mayor Day, dated February 23, 2021. This is an email titled "Megan Wood's Letter". It states "Councilmembers, this is the letter that was written by Megan Woods with the Ohio History Connection. It was presented to me at last night's Meeting by Wendy Zucal.*
2. *To Council and Administration from Auditor Gundy, dated February 25, 2021. This is an email with the attachment "Permanent Budget"*
3. *To Council and Administration from Judy Dziel, Court Administrator with the New Philadelphia Municipal Court, dated March 1, 2021. This is the New Philadelphia Municipal Court 2020 Annual Report.*

4. *To Council and Administration from Mayor Day, dated March 1, 2021. This is the 2021 State of the City Report.*
5. *To Council and Administration from Vickie Daniels, Income Tax Administrator for the City, this is the February Income Tax Report*
6. *To Council and Administration from President Kemp, dated March 4, 2021. This is an email that was originally sent from Auditor Gundy to President Kemp asking if this could be assigned to a Committee. The email states "Mr. Zucal please take this into your Salary Committee. The subject is "wages".*
7. *To Council and Administration from Auditor Gundy, dated March 5, 2021. This is a copy of the 2021 Appropriations for the City.*
8. *To Council and Administration from Auditor Gundy, dated March 5, 2021. This is an email and the title is 2021 Appropriation Attachment.*
9. *To Council and Administration from Auditor Gundy dated March 8, 2021. This is an email titled 2020 Revenue Trend.*
10. *To Council and Administration from Administrative Assistant to the Auditor Tanya Dickey, dated March 8, 2021. This is the Expense Report with Encumbrance Detail for February 2021 and the Statement of Cash Position for February 2021.*
11. *To Council Clerk from Treasurer Tom Gerber dated March 8, 2021. This is the February 2021 Deposits.*
12. *To Council and Administration from Mayor Day, dated March 8, 2021. This is the Mayor's Report.*

Administrative Reports.....

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

Southside Community Park is still a Construction Area The Southside Community Park is not open for use. It remains a construction area until the project is completed this spring. On Sunday I drove by the new entrance to the park on Oldtown Valley Road and had to stop to rehang the chain across the entrance road that had been taken down. Over the past three months, the City has received reports of the entrance chain being removed and vehicles entering the park. Please don't. The park is still under construction. Bridges have yet to be inspected and the dog park and pollinator garden are not finished.

A Health Department Reminder: Easter Egg Hunts can spread COVID-19 City Health Commissioner Vickie Ionno is cautioning residents and businesses against having Easter egg hunts in large gatherings. She says that State Health Department COVID-19 orders prohibit public or private gatherings of greater than 10 people outside a single residence or the real estate on which it is located. Though reported cases are declining, the coronavirus is still active in our community and we must continue to follow the protocols to limit the spread. Also, the Health Commissioner wanted me to remind you that, if you are on one of the Health Department's lists to receive a vaccine, and you get a vaccine elsewhere, please call the Health Department at 330-364-4491 extension 1208 to let them know. Commissioner Ionno said there have been instances where people scheduled to receive the vaccine don't show up. And that forces the department staff to scramble to find replacements so that none of the vaccine doses goes to waste.

Two Appointments Made to Fill Vacancies on City Volunteer Boards I have appointed Tim Sidel to fill a vacancy on the City's Downtown Design Standards Board of Review. Mr. Sidel is the owner of Around the Corner Frames and Gallery on South Broadway. He will serve as the board's downtown business representative. Board members are working to create design guidelines that downtown property owners can use to improve the look of their storefronts and signage. And New Philadelphia resident Tom Simmelink has been appointed to fill a vacancy on the City Planning Commission. Mr. Simmelink recently retired as president of Whitemyer Advertising. He has extensive knowledge of marketing and industrial manufacturing. He serves on the Tuscarawas County Community

Improvement Corporation, was the co-founder of the County Senior Transportation Program, was a recipient of the Vic Marsh Community Service Award from the United Way of Tuscarawas County and served on the board of the Little Theatre of Tuscarawas County.

New Philadelphia Municipal Court Issues its Annual Report I would like to commend Judge Nan VonAllman and her staff at New Philadelphia Municipal Court for the measures they have taken to keep the court in operation during the pandemic. According to the Court's 2020 annual report, it handled 8,375 cases last year: nearly 39 percent fewer than in 2019. The sharp decline was the result of COVID-19's impact. By using grants from the Supreme Court and CARES Act funding, our Municipal Court was able to upgrade its computer network, video technology and security systems in order to stay in operation. The Court was also able to continue its Municipal Court Work Program in partnership with the City Service Director's office. The report states that in 2020, 107 defendants were ordered to serve a total of 515 days on the work program. If those days had been served in the county jail, the cost to taxpayers would have been \$58,195.00. The Court's annual report was issued on March 1st.

NACo Estimates \$17 million in Aid Could Come to Tuscarawas County This morning (Monday) I received a document from the County Mayors Association that indicates Tuscarawas County could receive an allocation of over \$17 million dollars from the American Rescue Plan Act of 2021, which has been passed by the U.S. Senate and returned to the House for further consideration. This estimate could change in the final version of the act. The document was an analysis of the legislation by the National Association of Counties. There was no indication of how much New Philadelphia would benefit from the legislation. If it's signed into law as is, the act would allocate \$120 billion to local governments, split evenly between municipalities and counties. According to the NACo document, the money may be used to respond to the negative economic impact the pandemic has had on households, small businesses and non-profits, or industries like tourism, travel and hospitality. It could also be used to offset revenue losses directly related to the public health emergency and make necessary investments in water, sewer or broadband infrastructure. More information can be found at State and Local Coronavirus Fiscal Recovery Funds (naco.org)

Mr. Ricklic asked who purchased the Mason building on West High. Mayor Day said the purchaser was Brian Mason, owner of Columbia Woodlands.

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

To follow up with the Mayor on Southside Park, we are getting there. The Dog Park is 95% complete, the Nature Trail is also 95% complete, the Walking Trail is also 95% complete. I think the biggest hang-up there in the pollinator garden is planting, I'd say it's 65%. We've got a crew five guys for ten days to go in there to get that done, so that part will be quick. The restrooms need paint. Superintendent Miller picked out the paint. Electrical work is about 80% complete, so we're getting there, just a bunch of odds and ends, we're moving around there quite well. A quick update on the Shoenbrunn Meadows Cemetery Office, the cabinets are installed now, the drywall is installed the painting is done. We still have to do some work on the road. Overall the building is 90% complete.

Mr. Holland had the following question:

In regards to the restrooms at Southside Park, are they going to be tied to City water and Sewer?

Mr. McAbier had the following reply:

It's set up with City water and sewer.

Mr. Holland had the following question:

At the Cemetery are the niches for sale at this time?

Mr. McAbier had the following reply:

It's going to be a grand opening, also on niches I think the only issue would be having something with all that construction going on.

Mr. Maurer had the following comment:

I don't know if everybody's been down there to see, that Southside Park is phenomenal. It's incredible how much work has been done down there.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

First off, over the past few Council Meetings the question had come up over how much money had been donated for the second canine. I checked with the Chief this morning and we're just shy of \$17,000.00. I think what we had put in the budget was around \$22,000.00. Secondly in the Fire Department in the next few weeks we are going to have two openings. We have two fire fighter/ medics that have turned in resignation letters, so we'll be in the process of replacing them. We tentatively have a civil service test scheduled for the 29th of April for those positions.

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

LAW DIRECTOR MR. MARVIN FETE.....EXCUSED ABSENSE

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will meet here in Council Chambers tomorrow at 1:00 PM. On the Agenda the Commission will be looking at the new cemetery land on Delaware Dr.

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

The Meeting that was scheduled tomorrow at 5:00PM in Council Chambers is cancelled due to no variance request to be heard.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

Pending a quorum the Airport Commission is scheduled to meet tomorrow evening at 6:00 PM in Council Chambers.

PARK BOARD.....MRS. AIMEE MAY
The Park Board meeting is next week on March 17 at Noon at Tuscora Park.

CEMETERY BOARD.....MRS. AIMEE MAY
The Cemetery Board meeting scheduled for March has been cancelled.

HEALTH BOARD MR. JOHN ZUCAL
The Health Board will meet on Wednesday at Noon in Council Chambers.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER

Mr. Maurer had the following report:

The Finance Committee met tonight at 6:02 PM to discuss three items. The first was the 2021 Budget that we are hoping to pass as an emergency tonight as it needs to be done by March 31st. It's a very lean budget. I'd like to thank Council, Department heads and Administration for making this an easy process. I'm hopeful for passage tonight. Secondly we discussed a much needed project to prevent flooding; sidewalks, curbs. The third thing we discussed was the Woody Hayes Quaker Stadium Lease. I think we have enough consensus among Council people involved to move forward with that. I will meet with the Law Director and we will draft up proposed legislation. We'll have a meeting prior to the next Council Meeting to make sure everybody's onboard with that.

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

No formal report for this evening. However I would ask that on March 22nd before the Council Meeting that a few moments be set aside for a Salary Committee Meeting to discuss the assignment presented to me. Speaking with the Auditor it should be a very brief meeting. We just need to do some authorization of what has already transpired.

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE... .MR. KELLY RICKLIC

Mr. Ricklic had the following report:

Safety, Health, and Services Committee met this evening at 6:54 PM to discuss the issue on our Agenda: The purchase of a new fire truck, Resolution 12-2021. The Fire Chief gave a presentation of the fire truck they're interested in purchasing. After a discussion with the Councilmembers we thought it was a good idea. The Resolution reads "not to exceed \$700,000.00 for the new fire truck. It takes a year to get it so we won't have it until 2022. After that a motion was made by Mr. Lanzer and seconded by Mr. Maurer. The motion passed to put it on the Agenda tonight and suspend the rules and pass on 1st Reading. The meeting was adjourned at 7:12 PM.

ZONING & ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS.....NO REPORT

SPECIAL & CONTACT COMMITTEEMR DAN LANZER

Mr. Lanzer had the following report:

The Special and Contact Committee met this evening at 6:00 PM to discuss Proposed Resolution 8-2021 authorizing the Service Director to advertise for a bid on the City owned airport beacon at Kent State New Philadelphia. After a very short discussion we voted unanimously to add Proposed Resolution 8-2021 to the Agenda tonight and be held for 3 Readings.

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

VISITOR'S COMMENTS: NONE

COUNCIL COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

2-2021 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CODIFIED ORDINANCE 1157.08 WITH REGARDS TO VIOLATIONS AND ENFORCEMENT OF SIGNS.
3rd Reading

MR. RICKLIC MOTIONED FOR APPROVAL OF ORDINANCE 2-2021
MR. LANZER SECONDED THE MOTION

Mrs. Ramos commented that she clarified with the Law Director's Office that this Ordinance is for commercial signs.

7 YEAS
ORDINANCE 2-2021 HAS BEEN APPROVED

6-2021 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NEW PHILADELPHIA, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021.
1st Reading

MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 6-2021
MR. ZUCAL SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON ORDINANCE 6-2021

MR. ZUCAL MOTIONED FOR APPROVAL OF ORDINANCE 6-2021
MR. MAURER SECONDED THE MOTION
7 YEAS
ORDINANCE 6-2021 HAS BEEN APPROVED

RESOLUTIONS:

1-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF CHRIS BOWER BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 1-2021
MR. ZUCAL SECONDED THE MOTION
6 YEAS, 1 ABSTAIN (MR. RICKLIC)
RESOLUTION 1-2021 HAS BEEN APPROVED

2-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF ALEX MCCARTHY BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 2-2021
MRS. MAY SECONDED THE MOTION
7 YEAS
RESOLUTION 2-2021 HAS BEEN APPROVED

- 3-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF JOSH LIMBACHER BY THE MAYOR TO THE AIRPORT COMMISSION FOR THE TERM OF THREE YEARS
3rd Reading
- MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 3-2021
MR. MAURER SECONDED THE MOTION
7 YEAS
RESOLUTION 3-2021 HAS BEEN APPROVED
- 4-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROVE THE APPOINTMENT OF JIM RANGE TO FILL THE UNEXPIRED FIVE YEAR TERM OF MIKE ERNEST BY THE MAYOR TO THE NEW PHILADELPHIA PARK AND RECREATION BOARD ENDING ON DECEMBER 31, 2024
3rd Reading
- MRS. MAY MOTIONED FOR APPROVAL OF RESOLUTION 4-2021
MR. LANZER SECONDED THE MOTION
7 YEAS
RESOLUTION 4-2021 HAS BEEN APPROVED
- 7-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO COMMEND DEBBIE LIEBOLD, VICTIM'S ADVOCATE AT THE NEW PHILADELPHIA PROSECUTOR'S OFFICE FOR GOING ABOVE AND BEYOND THE CALL OF DUTY FOR THE CITIZENS OF THE CITY OF NEW PHILADELPHIA
3rd Reading
- MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 7-2021
MRS. MAY SECONDED THE MOTION
7 YEAS
RESOLUTION 7-2021 HAS BEEN APPROVED
- 8-2021 A RESOLUTION BY THE COUCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO ADVERTISE FOR AND RECEIVE BIDS FOR THE PURPOSES OF LEASING TOWER SPACE LOCATED ON THE CITY OWNED AIRPORT BEACON TOWER AT KENT STATE UNIVERSITY, NEW PHILADELPHIA, OHIO
1st Reading
- 11-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO ACCEPT AND AWARD THE BID FOR THE LAKEVIEW AVENUE PROJECT TO D.L. SMITH CONCRETE LLC IN THE AMOUNT OF \$428,978,80.
1st Reading
- MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 11-2021
MR. RICKLIC SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 11-2021
- MR. ZUCAL MOTIONED FOR APPROVAL OF RESOLUTION 11-2021
MR. MAURER SECONDED THE MOTION
7 YEAS
RESOLUTION 11-2021 HAS PASSED

12-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH ATLANTIC EMERGENCY SOLUTIONS TO BEGIN THE PROCESS OF PURCHASING A PIERCE ENFORCER 1500 GPM PUMPER AND EQUIPMENT FOR THE SAME, AT A COST NOT TO EXCEED \$700,000,00 UNDER THE OHIO STATE TERM SCHEDULE PURCHASING PROGRAM
1st Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 12-2021
MR. LANZER SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 12-2021

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 12-2021
MR. ZUCAL SECONDED THE MOTION

Mr. Zucal had the following comment:

I would just like to extend my thanks to the members of the Fire Department that are here tonight. It gives me great confidence by what is presented to me by the Chief, by members of the Fire Department. They are always on top of what is best for this City and this community in so many ways. Their presence at meetings and their willingness to come out and be here and explain things. It really speaks volumes about our leadership in this community. I am truly honored to be sure that they have the best equipment to serve our City.

7 YEAS
RESOLUTION 12-2021 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

Mr. Maurer motioned to adjourn at 8:04 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp