

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 23, 2023 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
MRS. AIMEE MAY
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. KELLY RICKLIC

EXCUSED ABSENSES

- MR. LANZER MOTIONED TO ADD ORDINANCE 1-2023 TO TONIGHT’S AGENDA
MR. RICKLIC SECONDED THE MOTION
6 YEAS
ORDINANCE 1-2023 WILL BE ADDED TO TONIGHT’S AGENDA FOR 1st Reading
- MR. RICKLIC MOTIONED TO ADD RESOLUTION 1-2023 TO TONIGHT’S AGENDA
MRS. MAY SECONDED THE MOTION
6 YEAS
RESOLUTION 1-2023 WILL BE ADDED TO TONIGHT’S AGENDA FOR 1st Reading
- MR. RICKLIC MOTIONED TO APPROVE TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN APPROVED
- MRS. MAY MOTIONED TO APPROVE THE MINUTES FROM THE JANUARY 9, 2023 REGULAR SESSION OF COUNCIL
MRS. RAMOS SECONDED THE MOTION
6 YEAS,
MINUTES FROM THE JANUARY 9, 2023 COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Mr. Lanzer from President Kemp, dated January 10, 2023. This is a forwarded letter from the Service Director regarding 2023 material bids. Mr. Kemp asked Mr. Lanzer to take this issue into the Public Works Committee for consideration.*
2. *To Councilmembers from Auditor Gundy, dated January 12, 2023. This is an email titled “2022 ending budget” with that as the attachment.*
3. *To City Council from Mayor Day, dated January 17, 2023. This is a forwarded email from Mary Hvisdos regarding the proposed new location of the Friends of the Homeless Shelter.*
4. *To Council from Mayor Day, dated January 18, 2023. This is an email titled “Compass Point Planning’s Zoning Survey”.*
5. *To Councilman Ricklic from President Kemp, dated January 19, 2023. This is a forwarded email from Law Director Fete entitled “Please assign to the Finance Committee” with Ordinance 1-2023 and Resolution 1-2023 as the attachments.*
6. *To Councilman Holland from President Kemp, dated January 20, 2023. This is a forwarded email from Law Director Fete titled “Please assign to the Safety, Health, and Service Committee” with Ordinance 2-2023 as the attachment.*
7. *To Council and Administration from Mayor Day, dated January 23, 2023. This is the Mayor’s Report.*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY
Mayor Day had the following report:

➤ Archeological Survey at Harry Clever Field is Completed:

Ohio Valley Archaeology, Inc. of Columbus has issued its report of the magnetometer survey conducted last November on the parcels located on the southeastern end of the runway at Harry Clever Field. The 4.85-acre survey focused on locating the presence of possible archaeological features related to nearby Schoenbrunn Village and concluded that no further work is recommended unless there is further development on the runway land. The magnetometer revealed iron objects that could be related to the removal of 19th century fences or other outbuildings on the former farmland. The property was transferred by ODOT-Aviation and the Ohio History Connection to the City in August of 2021. The survey was required by OHC. It was delayed because of the coronavirus pandemic.

➤ Towpath Trail Public Forum Scheduled for Monday, February 13th :

The City and the Ohio and Erie Canalway Coalition will host a public forum on Monday, February 13th at 6pm to gather feedback on the planning study to determine the ideal route of the Towpath Trail through the City. The forum will be held in City Council Chambers prior to Council's February 13th regular meeting. The study is being conducted by Envision Group of Cleveland, the same company that developed the City's plan for bicycle and pedestrian trails. The proposed Towpath Trail route would link its southern terminus at Waterworks Park to the trail section in Dover. Look for a flyer with more information to be posted on the City's social media.

➤ City Zoning Survey Is Now Online. Your Input Is Needed.:

Your thoughts are also needed for a study underway to revise the City's zoning and signage code. The online survey by Compass Point Planning is located here: <https://www.surveymonkey.com/r/NewPhiladelphiaZoning>

The update of the code is intended to modernize the City's land use regulations. The responses to the survey will be used to lay out an approach to updating the code. Public meetings will be held later this year to gather more feedback on the revisions.



Congratulations to Don Kemp:

Congratulations are in order to Council President and New Philadelphia businessman Don Kemp, who has been named to the Tuscarawas County Chamber of Commerce's Hall of Fame. He will receive his well-deserved award at the Chamber's annual awards banquet on Wednesday, February 1st at the Performing Arts Center at KSU-Tuscarawas.

We also want to congratulate Buckeye Career Center for being named as the Chamber's Large Business of the Year and Custom Needle-Print of New Philadelphia as the Chamber's Small Business of the Year.

SERVICE DIRECTOR..... Service Director Ron McAbier:

Mr. McAbier had the following report:

We did a final walk-through for Park Lane on Friday, January 20 with representatives from Diversified and Tucson. They had some housekeeping items for sure. Reseeding will have to be done again in the Spring. Right now they put the straw down basically to keep the soil there. There's a driveway that was high that needs grinded down. It's letting some water get into some of the lower driveways. That will be done within the next few months. The seeding will be done, and the permanent patch will be done on North Broadway, they'll grind off the top and blacktop that. I also want to report on the sewer department. The new jetter they were supposed to get last year is coming on Thursday from Gradall. It's a new jetter and a vac.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM.....EXCUSED ABSENSE

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete had the following report:

Tonight, I wanted to address Proposed Ordinance 2-2023. That is an update on the Loitering Ordinance. As you know it's been a goal of the Mayor's as well as mine to update all of our current Ordinances. I looked at our loitering Ordinance and of course this is a key to maintaining our downtown businesses. Our loitering Ordinance only dealt with solicitation and drug use. I thought it was time to update that, and that will be in Mr. Holland's committee. Another thing I'm working on is something I worked on for months, and that is rental registration, and one of the things that concerned me in that is the penalty section. The penalty section called for criminal penalties, and that's the way it's done in different communities. It occurred to me that that's going to be difficult to enforce that against a liability company, it occurred to me that I need to tweak that to include criminal and civil penalties. Further down the line I'm working on vacant property registration. I'm working on it to see if it's going to fit our community. It's one of the things the administration and I have been involved in with regards to tearing down abandoned properties that property owners have not maintained, and they become safe houses for drugs and crime. I also have an interview coming up that I just lined up today for the Assistant Prosecutor's job.

Mr. Holland had the following comment:

I had contacted the Council Clerk and she is setting time for our next Meeting on February 13 to review Ordinance 2-2023.

Mrs. Ramos had the following question:

On Ordinance 2-2023, would this address loitering in public places or private property?

Mr. Fete:

We don't have any authority to regulate private property in that way.

Mrs. Ramos:

The Square downtown isn't all sidewalk, so that was my and does this include downtown businesses?

Mr Fete:

Certainly, if you're obstructing the walkway in and out of a business that could be lots of things. Our current Ordinance deals with drug solicitation but you could have somebody that's a danger to themselves that's there on drugs and maybe act in a manner that could obstruct going in and out of that business.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be Meeting the second Tuesday of February here in Council Chambers At 1:00 PM. We're still developing the Agenda.

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

The Board of Zoning Appeals will meet February 14th at 5:00 PM in Council Chambers. At this time There's no variance request to be heard. I will give an update at the Meeting on the 13th.

AIRPORT COMMISSION.....MR. DAN LANZER

The Airport Commission will be Meeting Tuesday, February 14th at 6:00 PM here in Council Chambers.

PARK BOARD.....MR. MITCH PACE

The Park Board met Wednesday, January 18th and we had a couple updates on the baseball projects. For the High School Field 1 Project the scoreboard that's currently out there is in pretty bad shape, So we're looking for a scoreboard to be installed in May. The Field 2 Dugouts should have the roof Installed and the dugout will be wrapped, hopefully in the next few weeks. Lastly, we have the Trout Day. We're still waiting on the ODNR to give us the date for the 800 trout to be put in the Park pond and we can catch them and keep them.

President Kemp:

Will this Trout Day be for kids or adults?

Mr. Pace:

We're going to have a Trout Derby Day. It will be on a Saturday after we put the trout in on Friday. Over the next week my guess is the trout will be fished out. We're working now on making it special for kids with give aways and all that fun stuff.

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

HEALTH BOARD MR. DEAN HOLLAND

The Health Board will be meeting on February 8th at Noon in Council Chambers.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC

Mr. Ricklic had the following report:

The Finance Committee met this evening at 7:00 with one item on the Agenda this evening, Resolution 1-2023, which deals with the jail contract. It was discussed a little bit and was recommended to add it to the Agenda this evening and pass as an emergency. We had a discussion about the budget and we'll have a Meeting in the future, in February, to discuss the budget. The Meeting adjourned at 7:19 PM.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT COMMITTEE...MR. DAN LANZER

Mr. Lanzer had the following report:

The Public Works and Economic Development Committee met at 6:45 with one item on the Agenda, Proposed Ordinance 1-2023. It was voted unanimously to put the Ordinance on the Agenda tonight and the Service Director is asking that we pass it on 1st Reading.

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

Mr. Holland had the following report:

The Safety, Health, and Service Committee will be meeting on February 13, 2023 and a time will be announced.

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

SALARY COMMITTEE.....NO REPORT.....MRS. AIMEE MAY.....NO REPORT

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

Mr. Pace had the following comment:

We met on January 12th here in Council Chambers. We had a quorum but the Service Director updated us that the two mismatched trees at Shoenbrunn Meadows Cemetery have been removed with ten additional trees planted, so they're making some head-way down there with adding trees to the cemetery.

SPECIAL AND CONTACT COMMITTEE.....NO REPORT

VISITOR'S COMMENTS

Mary Hvidos of New Philadelphia had the following comment:

I have a lot of real concerns regarding the proposed site of the Homeless Shelter. I feel like this shelter is going to be a problem. The proposed site is right across from my house that I bought in 1996. At that time it was a quiet, dead-end street. If this shelter is built there it will no longer be a quiet, dead-end street. I personally think it's way too close to the elementary school. I don't think the shelter should be in anybody's neighborhood. I don't care where it's at. I do believe that we do need a shelter somewhere, but I don't think it should be in a residential neighborhood.

Mr. Hvidos of New Philadelphia had the following comment:

I believe that the Homeless Shelter is doing good work but it should not be placed in the middle of a residential area. I know that nobody is perfect. Everybody deserves a second chance. To put this shelter in the middle of a neighborhood it's effecting a lot of the residents that live there.

Mr. Pace had the following comment:

A couple of the residents in that general area had passed around a petition. I have it here if you want to sign it.

Lynn Sorvini of 516 Crider NE said that that she is a widow and would not feel safe with the homeless shelter in her neighborhood. She said she is afraid of the people who can't stay in the homeless shelter camping in her yard.

Law Director Fete had the following comment:

Thank you everyone for coming. I want to make clear that our current zoning would not permit that type of shelter to be built in a residential neighborhood. It's currently illegal in the City of New Philadelphia. Council has been asked to amend that and to spot zone that area. Council certainly has the authority to do that. Part of doing that is to listen to all sides and to hear the residents in that area. This is a democracy and thank you for coming and exercising your right to speak. Certainly the Clerk will inform you when there's a meeting on that.

Mr. Hvisdos pointed out that the area of the proposed homeless shelter site on Beaver Ave. is also in a flood zone.

Reverend Joe Svencara of 144 South Broadway New Philadelphia had the following comment:

Distinguished members of Council, I stand before you tonight as somebody who cares very deeply about people. The people of my church, the residents and staff of Friends of the Homeless, the people of New Philadelphia and Dover. We try to attempt to understand everybody on either side of the debate. The issue of the new shelter project has brought about opinions for and against it. At everyone of our properties we have tried to help with any of the concerns people have. We recently had a Community Meeting to listen to the concerns and address questions concerning the proposed Beaver Ave. property. We appreciate everyone willing to stand and give their opinions. Everything that was brought up in our meeting we do hold in consideration. There are some things we did not know about the property that are making us consider if this is the right choice. Our committee wants to do good for everybody, but we know we're never going to make everybody truly happy. The art of compromise is not one party getting 100% of what it wants. We're not an organization that wants to burden the City and it's resources with our mission. We want to be allies in a common issue that we all face, and we want to be a community where all people feel safe. We want people to be free of substance abuse and addiction, of alcoholism, of domestic abuse. We are a registered 501 C3 business, but we were recently told we were not that. I call on the members of Council and the Community to help us understand our place in this community. Perhaps a redevelopment of the City code would help us create a better defined classification of this shelter, to help us better ingratiate the vision that you all have for this City, and to help us appreciate our loving staff to know that everything they do is appreciated.

Carl Russo of 324 West High Ave. New Phila had the following comment:

I am very for the Homeless Shelter. I do have my reservations about the spot. A flood plain would definitely not be advisable. The issue of where it's located is not so much my concern. A couple of people had mentioned about "tent city" and this and that, and others maybe being attracted to the homeless shelter so they can do their drugs. I don't see that. What I'm looking at in the homeless residents is two groups of general people. The one group are people who want help, they've fallen on hard times and they're serious about their recovery. Our church Legacy helps people with recovery. We see drug activity right outside the alley next to my house. We see drug activity all over the place. These people don't want help. The ones who don't want help are not attracted to a homeless shelter. They're not attracted to anything except somewhere where they can hide and do drugs. We're praying for the ones who want help and we're active in trying to help them.

COUNCIL COMMENTS NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

1-2023	AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA DIRECTING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS WITH THE LOWEST AND BEST BIDDER FOR THE CITY'S
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REQUIREMENTS OF VARIOUS MATERIALS AND SUPPLIES
FOR 2023

1st Reading

MR. LANZER MOTIONED FOR SUSPENSION OF RULES
ON ORDINANCE 1-2023

MR. RICKLIC SECONDED THE MOTION

6 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 1-2023

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE
1-2023

MR. RICKLIC SECONDED THE MOTION

6 YEAS

ORDINANCE 1-2023 HAS BEEN APPROVED

RESOLUTIONS:

1-2023

A RESOLUTION TO AUTHORIZE THE CITY OF NEW PHILADELPHIA
TO ENTER INTO A CONTRACT WITH THE TUSCARAWAS COUNTY
COMMISSIONERS AND THE TUSCARAWAS COUNTY SHERIFF'S
OFFICE FOR THE HOUSING OF INMATES IN THE TUSCARAWAS
COUNTY JAIL AND PAYMENT OF HOUSING COSTS TO THE
TUSCARAWAS COUNTY COMMISSIONERS

1st Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON
RESOLUTION 1-2023

MRS. MAY SECONDED THE MOTION

6 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 1-2023

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION
1-2023

MRS. MAY SECONDED THE MOTION

6 YEAS

RESOLUTION 1-2023 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

With no other business to discuss Mr. Holland motioned to adjourn at 8:13 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp