

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 14, 2024 WITH PRESIDENT DON KEMP PRESIDING. COUNCILMAN RIPPETH OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. KRIS KREINBIHL
MR. DAN LANZER
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. STEVE RIPPETH
MR. TOM SIMMELINK
MR. MICHAEL WALKER

EXCUSED ABSENCES: NONE

- MR. RIPPETH MOTIONED AT ADD ORDINANCE 29-2024 TO TONIGHT'S AGENDA FOR 1st Reading
MR. LANZER SECONDED THE MOTION
7 YEAS
ORDINANCE 29-2024 WILL BE ADDED TO TONIGHT'S AGENDA
- MR. RIPPETH MOTIONED TO ADD RESOLUTION 15-2024 TO TONIGHT'S AGENDA FOR 1st Reading
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
RESOLUTION 15-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. RIPPETH MOTIONED TO ADD RESOLUTION 16-2024 TO TONIGHT'S AGENDA FOR 1st Reading
MR. LANZER SECONDED THE MOTION
7 YEAS
RESOLUTION 16-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MRS. RIPPETH MOTIONED TO ADD RESOLUTION 17-2024 TO TONIGHT'S AGENDA
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
RESOLUTION 17-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. RIPPETH MOTIONED TO ADD ORDINANCE 26-2024 TO TONIGHT'S AGENDA
MR. LANZER SECONDED THE MOTION
7 YEAS
ORDINANCE 26-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. RIPPETH MOTIONED TO ADD RESOLUTION 14-2024 TO TONIGHT'S AGENDA
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
RESOLUTION 14-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. RIPPETH MOTIONED TO ADD RESOLUTION 11-2024 TO TONIGHT'S AGENDA
MR. LANZER SECONDED THE MOTION
7 YEAS
RESOLUTION 11-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. LANZER MOTIONED TO ADD RESOLUTION 12-2024 TO TONIGHT'S AGENDA
MR. RIPPETH SECONDED THE MOTION

7 YEAS
RESOLUTION 12-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA

- MR. LANZER MOTIONED TO ADD RESOLUTION 13-2024 TO TONIGHT'S AGENDA
MRS. RAMOS SECONDED THE MOTION
7 YEAS
RESOLUTION 13-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA

- MR. SIMMELINK MOTIONED TO APPROVE TONIGHT'S AGENDA
MRS. RAMOS SECONDED THE MOTION
7 YEAS
TONIGHT'S AGENDA HAS BEEN APPROVED

- MR. SIMMELINK MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR SESSION OF COUNCIL ON SEPTEMBER 23, 2024
MR. PACE SECONDED THE MOTION
6 YEAS, 1 ABSTAINED (MR. WALKER)
MINUTES FROM THE SEPTEMBER 23, 2024 REGULAR COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council Clerk from Treasurer Gerber, dated October 1, 2024. This is the The City of New Philadelphia Investment and Savings Report for September of 2024. I forwarded it to Council and Administration.*
2. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated October 1, 2024. This is the Mayor's Month-end Report for September of 2024.*
3. *To Council and Administration from Danielle DeMattio with the Auditor's Office, dated October 3, 2024. This is the Statement of Cash Position from Revenue and Expense, the Month to Date Totals, The Expense Report with Encumbrance Details, and the detailed Trial Balance for September of 2024.*
4. *To Council Clerk and Law Director Fete from Hallie Saferin, dated October 8, 2024. This is an email titled "Hearing Titled Sarai Petroleum TRFO Objection. The email states that the hearing is scheduled on October 30, 2024 at 9am regarding New Philadelphia City Council's Objection to the transfer of the C1 Liquor Permit for Harv Petroleum LLC at 1219 East High Ave.*
5. *To Council and Administration from Auditor Heather Denham, dated October 11, 2024. This is an email titled "2025 budgets are due".*
6. *To President Kemp from Law Director Fete, dated October 11, 2024. This is an email titled "Please Assign to Finance Committee" with Ordinance 29-2024, Resolution 14-2024, Resolution 15-2024, Resolution 16-2024, and Resolution 17-2024 as attachments. President Kemp asked Councilman Rippeth to take these issues into his Committee.*
7. *To President Kemp from Law Director Fete dated, October 11, 2024. This is an email titled "Please Assign to Public Works" with Resolution 12-2024, and Resolution 13-2024 as attachments. President Kemp asked Mr. Lanzer to take these issues into his Committee.*
8. *To Council and Administration from Mayor Day, dated October 14, 2024. The Mayor's Report.*

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

The Art on the Alley Event Continues to Grow

Sunday's fall Art on the Alley event drew the largest crowd ever according to Wilma Mullet, the Executive Director of the Tuscarawas Arts Partnership. She told me yesterday (Sunday) that Art on the Alley is now rivaling Canton's First Friday in terms of attendance. Art on the Alley continues to attract people and vendors from surrounding counties. Sunday's event was the first to use the City's Designated Outdoor Refreshment Area or DORA.

Update on the Downtown Redesign ACGP Project

The renovation of three of the downtown quadrants is progressing through the design process. Last week, Community Development members of the Ironton - Lawrence (county) Community Action Organization (ILCAO) were in town to do a walking tour downtown and receive a progress report from Designing Local, the Columbus design firm working on the project. New Philadelphia's downtown project was among those ILCAO projects funded by Governor DeWine's Appalachian Community Grant Program. Also last week, Designing Local representatives met with members of the City's Downtown Design Review Board to receive input on the quadrant's redesign. Because our project is straight forward and will not require special permitting, the ILCAO officials predicted that it will be the first in its region to be completed before the ACGP's October 2026 deadline.

Dates and Times Have Been Set for the City's Christmas Celebrations

It's the time of the year when the Mayor's office begins receiving inquiries about the dates and times for the annual Christmas Lighting Ceremony and Christmas Parade. So here they are:

- Christmas Lighting Ceremony – Sunday, November 24th at 5pm
- City Christmas Parade – Friday, December 6th at 6:30pm

If you'd like more information about the events, contact my Executive Assistant Jami Bailey at jbailey@newphilaoh.com or call 330-364-4491 extension 1242.

Don't forget that this year's Trick or Treat Night in New Philadelphia is on Saturday, October 26th from 6-8pm. Police will be patrolling neighborhoods and stopping to pass out candy when they can. Please be aware of kids and parents crossing the street. Happy Halloween!

The Annual Rotary Club Sportsmanship Breakfast Is This Saturday

Wow. This year is flying by...

It's week nine of the high school football season. That means that the annual Rotary Club Sportsmanship Breakfast is this Saturday at 8am at Buckeye Career Center. Doors open at 7:30am. Tickets can be purchased at the door for \$20 per person. The Sportsmanship Breakfast is the kickoff event for Philly-Dover Week. The big game is next Friday night, October 25th, at Woody Hayes Quaker Stadium.

The Tuscora Park Foundation's Chicken BBQ Fundraiser Is On!

Now that the State Fire Marshal's outdoor burning ban has been lifted, the Tuscora Park Foundation can have its annual Chicken BBQ fundraiser on Al Maloney Drive. The event will be held on Saturday, November 2nd from 11am to 1pm. Tickets are \$15 each and are available from any Foundation board member or at the Mayor's office window at City Hall. The proceeds from the fundraiser help pay for improvements at all City parks. The BBQ will follow the first Fall Trout Derby at Tuscora Park, which will be held at 9am that morning.

RTY, Inc. Presentation

Now I'd like to yield the remainder of my time to Carey Gardner of RTY, Inc. At a Rotary Club meeting earlier this year, Carey gave a very informative presentation about the work of RTY and its support of Tuscora Park. I've asked him to give the same presentation to City Council.

Mrs. Ramos had the following comment:

Thank you. Tuscora Park is the premier jewel of Tuscarawas County.

Mrs. Ramos had the following question for Mayor Day:

Regarding the developers who have submitted proposals for the Howden Property, who are those developers and what are the proposals?

Mayor Day:

I have not seen the RFPs. I will let you know as soon as I have that information.

Mr. Pace had the following question:

Yesterday was the first event with DORA, where there any issues?

Mayor Day stated that there were no issues. He said the event was very well attended.

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

Mr. McAbier had the following report:

1. The Connector Trail on East High: They've moved to the Southside of the road to start the curbing. They did excavate everything on that side today and they did put the plates over each driveway. They'll continue that work. They believe it will take approximately 2 weeks. The 31st was their target completion date. They've thought about extending that.
2. Franklin Square: They did make it to Front Street. They've got three sections of pipe in. On Thursday they put a section in and two in today. They want to get down Fourth Street and get into Front by the end of the week. I don't think they'll make it because of the tie-in with the manhole that they'll have to set. It's moving along on schedule.
3. The Gas Company: on Miller between Tusc and Union they added 1,000 foot of 6 inch line. They look to be in and out of there in approximately 14 days.
4. The Tuscon Inc on North Ave on the northeast side between North Broadway and 2nd Street: They were supposed to come in tomorrow.
5. We got 506 tons of road salt in last week so we're ready for the season.

Mr. Simmelink had the following comment:

I noticed people working on the weekends on the East High Ave. Project.

Mr. Walker asked when leaf pickup will start. Mr. McAbier said it will be in November when they are allowed to bring seasonal help in. Mr. McAbier reminded residents to keep the leaves in the curb strip, not in the road.

AUDITORMRS. HEATHER DENHAM

Mrs. Denham has the following report:

Our 2025 Tax Budgets are due. For that reason there are a few items on the Agenda that need passed on the 1st Reading.

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

I have an announcement in the Fire Department. After 25 years, Paramedic and Firefighter Keith DeVault is retiring at the end of October.

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TREASURER . . . MR. TOM GERBER

Mr. Gerber had the following report:

I submitted the September 2024 Investment and Savings Report to the Council Clerk and she posted it and sent it to each one of you. One thing I wanted to say is we had a gain of \$27,981.77 in all of our investments.

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete had the following report:

I would like to reserve my comments for an Executive Session on a legal matter that has to be kept confidential because it involves attorney-client privilege.

MR. WALKER MOTIONED FOR AN EXECUTIVE SESSION TO BE HELD
DURING TONIGHT'S COUNCIL MEETING
MRS. RAMOS SECONDED THE MOTION
7 YEAS
THE EXECUTIVE SESSION WILL BE HELD TONIGHT FOLLOWING
THE LEGISLATIVE AGENDA

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY
The Planning Commission did not meet this month. We are scheduled to meet the 2nd Tuesday of November here in Council Chambers. We're still developing the Agenda.

BOARD OF ZONING APPEALS.....MR. RON MCABIER
With no variance requests to be heard the October 8th Meeting was cancelled.

AIRPORT COMMISSION.....MR. DAN LANZER.....NO REPORT

PARK BOARD.....MR. MITCH PACE.....NO REPORT

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

HEALTH BOARD MR. TOM SIMMELINK.....NO REPORT

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. STEVE RIPPETH

Mr. Rippeth had the following report:

The Finance Committee met tonight at 6:45 in Council Chambers. We discussed a total of 5 Resolutions and 3 Ordinances all of which have been placed on tonight's Agenda. We adjourned at 7:15.

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

Mr. Lanzer had the following report:

The Committee met this evening at 7:15 and we had two items added to tonight's Agenda: Resolution 12-2024 and Resolution 13-2024. We're asking for both of those to be passed on emergency. We adjourned at 7:30pm.

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. TOM SIMMELINK.....NO REPORT

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

SALARY COMMITTEE.....NO REPORT.....MR. KRIS KREINBIHL...NO REPORT

*Mr. Kreinbihl noted that there will be a meeting before the next scheduled City Council Meeting.

PARKS AND CEMETERY COMMITTEE.....MR. MITCH PACE.....NO REPORT

SPECIAL AND CONTACT COMMITTEE.....MR. MIKE WALKER.....NO REPORT

VISITOR'S COMMENTSNONE

Council CommentsNONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

22-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT A NEW ZONING CODE FOR THE CITY OF NEW PHILADELPHIA, OHIO, WHICH IS INDICATED HEREIN BY REFERENCE AS IF FULLY REWRITTEN, AND CAN BE VIEWED IN TOTALITY ON THE CITY’S WEBSITE.
2nd Reading

27-2024 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.
3rd Reading

MR WALKER MOTIONED FOR APPROVAL OF ORDINANCE 27-2024
MR. LANZER SECONDED THE MOTION
7 YEAS
ORDINANCE 27-2024 HAS BEEN APPROVED

29-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING THE AUDITOR TO ESTABLISH A NEW FUND CALLED THE “SELF INSURANCE FUND” NUMBER 880 TO COMPLY WITH THE OHIO REVISED CODE SECTION 9.833.
1st Reading

MR. RIPPETH MOTIONED TO SUSPEND THE RULES ON ORDINANCE 29-2024
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
RULES ARE SUSPENDED ON ORDINANCE 29-2024

MR. RIPPETH MOTIONED TO APPROVE ORDINANCE 29-2024
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
ORDINANCE 29-2024 HAS BEEN APPROVED

RESOLUTIONS:

- 11-2024 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, TO AMEND RESOLUTION 23-2022 REGARDING THE PURCHASE OF A NEW AMBULANCE AND NECESSARY EQUIPMENT AT A COST NOT TO EXCEED \$324, 450.01.
1st Reading
- MR. RIPPETH MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 11-2024
MR. LANZER SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 11-2024
- MR. RIPPETH MOTIONED FOR APPROVAL OF RESOLUTION 11-2024
MR. LANZER SECONDED THE MOTION
7 YEAS
RESOLUTION 11-2024 HAS BEEN APPROVED
- 12-2024 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPLY FOR FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES THROUGH THE LAND AND WATER CONSERVATION FUND FOR PURPOSES OF OBTAINING A PARK GRANT FOR IMPROVEMENTS AT THE SOUTH SIDE COMMUNITY PARK
1st Reading
- MR. LANZER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 12-2024
MR. PACE SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 12-2024
- MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 12-2024
MR. PACE SECONDED THE MOTION
7 YEAS
RESOLUTION 12-2024 HAS BEEN APPROVED
- 13-2024 A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/ OR LOAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.
1st Reading
- MR. LANZER MOTIONED TO SUSPEND THE RULES ON RESOLUTION 13-2024
MR. WALKER SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 13-2024
- MR. LANZER MOTIONED TO APPROVE RESOLUTION 13-2024
MR. WALKER SECONDED THE MOTION
7 YEAS
RESOLUTION 13-2024 HAS BEEN APPROVED
- 14-2024 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 MONTROSE FORD LLC AND HALL PUBLIC SAFETY TO PURCHASE A 2025 FORD EXPLORER AND NECESSARY EQUIPMENT FOR THE POLICE DEPARTMENT, AT A COST NOT TO EXCEED \$71,000.000.
1st Reading
- MR. RIPPETH MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 14-2024
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 14-2024
- MR. RIPPETH MOTIONED FOR APPROVAL OF RESOLUTION 14-2024
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
RESOLUTION 14-2024 HAS BEEN APPROVED
- 15-2024 RESOLUTION ACCEPTING THE ALTERNATE FORMULA FOR DISTRIBUTION OF LOCAL GOVERNMENT REVENUE FUNDS AS PROPOSED BY THE

TUSCARAWAS COUNTY BUDGET COMMISSION AND AS PRESCRIBED IN SECTION 5747.53 OF THE OHIO REVISED CODE.

1st Reading

MR. KREINBIHL MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 15-2024

MR. LANZER SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 15-2024

MR. KREINBIHL MOTIONED FOR APPROVAL OF RESOLUTION 15-2024

MR. LANZER SECONDED THE MOTION

7 YEAS

RESOLUTION 15-2024 HAS BEEN APPROVED

16-2024 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

1st Reading

MR. KREINBIHL MOTIONED TO SUSPEND THE RULES ON RESOLUTION 16-2024

MR. PACE SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 16-2024

MR. KREINBIHL MOTIONED FOR APPROVAL OF RESOLUTION 16-2024

MRS. RAMOS SECONDED THE MOTION

7 YEAS

RESOLUTION 16-2024 HAS BEEN APPROVED

17-2024 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

1st Reading

MR. RIPPETH MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 17-2024

MRS. RAMOS SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 17-2024

MR. RIPPETH MOTIONED FOR APPROVAL OF RESOLUTION 17-2024

MR. PACE SECONDED THE MOTION

7 YEAS

RESOLUTION 17-2024 HAS BEEN APPROVED

COUNCIL ADJOURNED INTO EXECUTIVE SESSION AT 8:09PM FOLLOWING A 5 MINUTE BREAK. AT 8:33PM COUNCIL RECONVENED INTO REGULAR SESSION.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

With no other business to discuss Mr. Lanzer motioned to adjourn at 8:34 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp