

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON NOVEMBER 27, 2023 WITH PRESIDENT KEMP PRESIDING. COUNCILMAN HOLLAND 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  
MR. STEVE RIPPETH

EXCUSED ABSENCES: NONE

- MR. RICKLIC MOTIONED TO ADD ORDINANCE 28-2023 TO TONIGHT’S AGENDA  
MR. RIPPETH SECONDED THE MOTION  
7 YEAS  
ORDINANCE 28-2023 HAS BEEN ADDED TO TONIGHT’S AGENDA
  
- MR. RIPPETH MOTIONED TO ADD RESOLUTION 21, 2023, RESOLUTION 22-2023,  
AND RESOLUTION 23-2023 TO TONIGHT’S AGENDA  
MR. PACE SECONDED THE MOTION  
7 YEAS  
RESOLUTION 21-2023, RESOLUTION 22-2023, AND RESOLUTION 23-2023  
HAVE BEEN ADDED TO TONIGHT’S AGENDA
  
- MR. LANZER MOTIONED TO APPROVE THE AGENDA TONIGHT WITH THE  
ADDITIONS  
MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
TONIGHT’S AGENDA HAS BEEN APPROVED
  
- MRS. MAY MOTIONED TO APPROVE MINUTES FROM THE NOVEMBER 13, 2023  
REGULAR SESSION OF COUNCIL  
MR. RIPPETH SECONDED THE MOTION  
7 YEAS  
MINUTES FROM THE NOVEMBER 13, 2023 REGULAR SESSION BEEN APPROVED

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

1. *To Clerk of Council from Jen Boger with the Ohio Ethics Commission, dated November 13, 2023. This is a request for an updated list of City Elected Officials deadline of December 8, 2023. I replied to Ms. Boger’s request with an updated list on November 26, 2023.*
2. *To Council Clerk from the Ohio Division of Liquor Control, dated November 16, 2023. Response no later than December 18, 2023. This is a C2-C2X Liquor License Request for BDAMO LLC DBA Southside Drive Thru*

- located at 729 South Broadway New Philadelphia, Oh. I emailed the request to President Kemp and he assigned it to the Special and Contact Committee.
3. To President Kemp from Auditor Gundy, dated December 20, 2023. This is an email titled "Appropriation Ordinance" with that as the attachment. Mrs. Gundy asked President Kemp to assign the Ordinance to the Finance Committee, which he did.
  4. To Council and Administration from Mayor Day, dated November 27, 2023. The Mayor's Report.

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

Mayor Day had the following report:

### ***The City's 2024 CHIP Program Will Be Fully Funded***

Dale Hartle, the President and CEO of the Ohio Regional Development Corporation, informed me this past Friday that the City's 2024 Community Housing Improvement Program (CHIP) will be fully funded. With ORDC's help, the City applied for \$650,000.00 from the Federal program, which provides funding for housing rehabilitation and emergency home repairs to homes owned and occupied by low and moderate income households. The City will share the funding with the City of Uhrichsville.

### ***Now We Wait to Hear from the Governor's Office of Appalachia***

Completion of the Ohio and Erie Canal Towpath Trail to New Philadelphia was among the county projects submitted to the Governor's Office of Appalachia for construction funding from the Appalachian Community Development grant program. The Ohio Mid-Eastern Governments Association (OMEGA) developed the project list as the lead applicant to the program. The list included railway improvements to allow for more excursion trains to run from the Historic Dennison Railroad Depot to Newcomerstown. OMEGA should learn sometime in the first quarter of next year which projects in its application were selected for funding. Those who make the cut will have until October 2026 to have their projects completed. Governor DeWine set aside \$500 million dollars of Federal American Rescue Plan Act money to fund what he termed "transformational projects" in Ohio's 32 Appalachian counties.

### ***The Christmas Lights Are On. Next Up: The City's Annual Christmas Parade***

I want to thank everyone who braved the rain to attend the annual downtown Christmas Lighting Ceremony on November 17<sup>th</sup>. As expected, the LED Christmas tree on the House of Stones quadrant has been quite an attraction. Now it's time to get ready for the City's annual Christmas Parade, which steps off from Tuscora Park at 6:30pm this Friday, December 1<sup>st</sup>. After the parade, the Tuscarawas County Public Library will serve hot chocolate and cookies. Plus, Santa will be there to visit with the kids. There is still time to enter a unit in the parade. Contact my Executive Assistant Jami Bailey at [jbailey@newphilaoh.com](mailto:jbailey@newphilaoh.com).

### ***Shop Local for Christmas Gifts, and Vote for Your Favorite Window***

I encourage you to spend your Christmas shopping dollars with New Philadelphia's businesses as often as possible. Small businesses count on purchases by holiday season shoppers to have a profitable year. When you're visiting the downtown stores and restaurants don't forget to vote for your favorite Holiday Window Decorating Contest display at participating merchants. The contest ends on December 16<sup>th</sup>, with the winner announced the week of December 18<sup>th</sup>.

### ***The New Philadelphia Fire Department's Annual Toy Drive***

The City's firefighters will be collecting toys for local families in need at the fire station this coming Sunday, December 3<sup>rd</sup> from 11am to 1pm. Please bring new, unwrapped toys to the event. The fire house is located at 134 Front Avenue SE.

### ***City Hall is a Marine "Toys for Tots" Drop-off Location***

Again this year, the John Knisely Municipal Centre (City Hall) is a donation site for the Marine Corps annual "Toys for Tots" campaign. A drop box is located in the lower level of the building across from the Water Office window. Donations of new, unwrapped toys will be accepted through December 11<sup>th</sup>.

### ***Continue to pray for the Tusky Valley School District and for the families who lost loved ones.***

\*Mayor Day relinquished the remainder of his time to Tom Farbizo with the Quaker Digital Academy to share some good news.

Tom Farbizo of 936 3<sup>rd</sup> St. NW New Phila had the following report:

I'm here representing Dr. Varatti and the Quaker Digital Academy Educational Foundation. I'm here tonight to let you know that I'll be coming in two weeks with two checks for this year's payment. One will be for the sanitation trucks, which I'm happy to say that all the sanitation trucks have advertisers on them. I know that if you've been down by the airport hangar we have had a few windows vacant. I'm happy to say that we'll be filling one or two of those in the next month. I'm here right after Thanksgiving to say thank you for allowing us the opportunity to be able to do this. Last year we gave about \$5,800 in scholarship money for this program. You'll get a final figure when I come in two weeks of what we paid the City since the beginning of this program. Thank you very much.

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

Mr. McAbier had the following report:

Last week on the 250 Waterline Project, as I reported at the last Council Meeting, the pressure test came out fine. Superintendent Devault and Superintendent Osborne went out with Tucson's representative and did the final walk-through last week. I had a scheduling conflict so I was not able to make it. A couple of little things there, they've got to just do some restoration work. Nothing really on the line, just some more groundwork. That should be completed by the end of this week. On Franklin Square, as I reported last time, the line was installed. The final walk-through is scheduled for tomorrow at 9:30. Half of it has been done. The biggest part of it still has to go through Gradall, which they have a lot to do over there. We'll meet with Gradall's representative and finish that up tomorrow, so I'll report on the final walk through at our next Council Meeting. Also, Wednesday, the Small Cities Paving, as I reported at the last meeting, has been completed. Superintendent Grewell and I will go Wednesday afternoon. We have to drive and walk the path of the four streets that we have done. After that we write a report to ODOT. With that report engineers from ODOT and I go out and address those, and they also have a report to finish up and send to the Shelly Company with any things that we may have or issues we have project-wise. We'll do that Wednesday. On City paving, we still have to do 1<sup>st</sup> Drive and Ashwood over here on the Northeast side. It's been a long time coming. Newton Asphalt had to go to Dover this week. They expect to come in here Monday, grind it, and put it all back on Tuesday. I hope that is done by the next Council Meeting. On Friday, November 17<sup>th</sup> the Mayor and I went to the OPWC Meeting of the Tuscarawas County Water and Sewer Department. We had a grant ask in there for \$299,000 for Phase II of Glen Drive. I'm happy to report we were awarded that grant, so that will move forward next year. Also with that they granted us \$2,017 in a zero interest loan for 20 years. Not sure what we're going to do with it yet. Glen Drive will get completed, but probably not until 2025. Also, just a reminder on leaves, we went to do the parade route again on North Broadway today. The other truck is still down at the Southwest Side. Hopefully they'll be done there this week and then they'll be uptown and back to the main roads again.

Mr. Holland had the following question:

Are we in good shape with salt for this coming Winter?

Mr. McAbier:

Yes, we did receive 17 hundred tons of salt already this year. All the plows are ready to be put on the trucks in minutes.

Mrs. Ramos had the following question:

When do you start filling potholes?

Mr. McAbier:

We do cold mix right now. Hot mix will be March at the earliest.

Mrs. Ramos:

Is the traffic study finished on Union Avenue?

Mr. McAbier:

Not to my knowledge. We have it through ODOT so I don't know if it's really necessary.

Mrs. Ramos:

At the last Board Meeting for the Towpath Trail a man from Omega offered to pay for it.

Mr. McAbier:

We have that date, I think he was just throwing it out there to say he could do it.

Mayor Day mentioned that there's an Omega Executive Board Meeting next Tuesday and he'll ask him about it.

AUDITOR .....MS. BETH GUNDY

Mrs. Gundy had the following report:

I just hired a new Income Tax Administrator and she will be starting next Monday.

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

Mr. Popham had the following report:

Once again in the police department we're short in the dispatch area. We had one of our dispatchers quit, so we're in the process of going through applications to hire a new dispatcher. The auction took place a couple weeks and it went well. I don't have a final on that yet but the figure I was told is a pretty good number.

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete has the following report:

I'm going to be asking Council to pass tax legislation at our next Council Meeting. Mr. President, I would like you to assign that to either Finance or Special and Contact. Either one of them would be appropriate for changes to our local Income Tax. I would have had this to you sooner, but House Bill 33 which passed the State Legislature is 6,000 pages long, and RITA, which is the regional income tax agency that a lot of cities use to administer the income tax have been given cities on a city-by-city basis. We don't work with RITA. I have gotten what our Income Tax Administrator felt were necessary changes. I feel these changes are minor. Two changes that will affect us; minors under the age of 18 will be exempt from City Income Tax going forward; also the late filing fee has been capped at one \$25.00 payment. If it's your first time failing to file there is no penalty. The other thing I wanted to do, we have two of our three Council at Large electees today. I will not be available when we have our orientation for you because I have an appointment in Cleveland at that time. I will give you my information now and this will be a social studies lesson for anyone at home also. As the City Law Director, my position as it relates to your position is that I am available to you if you need a legal opinion or if you have specific legal questions that you want answered. I'm also available to draft legislation on your request. Most legislation that is assigned to you I will have done before it gets to your Committee. I'll make sure that each of you have my cell phone number and that you can contact me at any time. As a prosecutor I'm available to the police 24-7 so it's not a big deal to me how you choose to contact me.

***President Kemp assigned the City Income Tax issue to Mr. Rippeth's Committee.***

Mrs. Ramos had the following question:

We're familiar with RITA because years ago Council decided that they were not going to take over Income Tax Collection here. You mentioned them in this huge bill, so I was kind of lost in what they have to do with it.

Mr. Fete:

They're just an agency that's there because they do the income tax for various cities.

**BOARD/COMMISSION REPORTS:**

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

The Planning Commission will be meeting here in Council Chambers on Tuesday, December 12, 2023 At 1:00PM. We'll be continuing our discussion on the Zoning Revisions that Wendy Moehler is Working on. Also, we'll look at parceling City-owned canal land off of Commercial Ave. SE.

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

The Board of Zoning Appeals met here in Council Chambers on November 14, 2023 at 5:00 PM with Three variance requests to be heard. The first one was a property address of 1280 West High Ave. Which is Take 5 Oil Change. We had over the sign limit that was brought to a floor vote and was Okayed on a 4-0 vote. The second one was property address 1103 4<sup>th</sup> St. NW which is Ernie's Bicycle Shop. That was approved on a 4-0 vote. Finally, we had a variance request from 1426 Parrish Rd. NW over the 6 foot fence variance request. That was brought to the Board and that Was denied on a 4-0 vote.

**AIRPORT COMMISSION.....MR. DAN LANZER**

The Airport Commission will not have a meeting in December.

**PARK BOARD.....MR. MITCH PACE**

The November meeting was cancelled but I do have a couple updates within the park. The new Scoreboard in Field 1 is up and looks great. It will be powered up in the next two weeks. The New fence will be going up by the end of the year. Field 2 the backstop is going to be replaced By the end of the year. If you've been past the Waterworks, the Field 5 dug-outs have been Replaced thanks to contributions from New Phila Baseball and VFW Post 1445, hopefully By the end of the year as well. Christmas in the Park is December 17 from 4 to 8. I'd like To thank Jan McInturf and his team for putting on such a great event for the community.

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

**HEALTH BOARD ..... MR. DEAN HOLLAND**

The Health Board met here in Council Chambers on November 8, 2023. Some of the items Discussed; flu and Covid vaccines are available in the Health Department. They prefer that

You make an appointment but they will accept walk-ins. Also, for those of you who have not been following the Tire Drop-off Program, so far this year we've had 1,278 Tires dropped off to the City, which improves the overall appearance of the City and helps avoid water accumulation and the mosquito infestation. The Accreditation Board we've been working with for a few years had their virtual meeting and the next meeting will be here in Council Chambers on November 30<sup>th</sup>. For those of you who would like to attend that are City Council members, you will need to be here by 9:45am on the 30<sup>th</sup>. Typically those who will be attending have been invited and they're agencies that the Health Department directly interacts with. There's also some citizens invited, I think there's close to 50 that will be attending. Also a new business, Rosso's Pizza, they're connected with Lee's Chicken. They're moving into the pizza building that is across from the high school.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. KELLY RICKLIC

Mr. Ricklic had the following report:

The Finance Committee met this evening at 7:00 PM with one item on the Agenda, Proposed Ordinance 28-2023, an Ordinance to amend the permanent appropriations for 2023. The Auditor requested that the rules be suspended and the Ordinance be passed on 1<sup>st</sup> Reading to help her department. The motion was passed 3-0.

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

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. DEAN HOLLAND.....NO REPORT

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.....NO REPORT

SPECIAL AND CONTACT COMMITTEE.....MR. STEVE RIPPETH

Mr. Rippeth had the following report:

The Special and Contact Committee met tonight in Council Chambers at 6:45 PM where we discussed Resolutions 21-2023, 22-2023, and 23-2023, which were commendations on the service of

our outgoing at large Council persons. The Committee passed unanimously the recommendation to add this legislation to tonight's agenda. We adjourned at 6:50 PM. We'll be meeting again at the next Council meeting on December 11, 2023 to discuss a few issues we still need to get done before the end of the year.

**VISITOR'S COMMENTS** .....NONE

**COUNCIL COMMENTS**

Mr. Holland had the following comment:

I had the pleasure of being at the mall a couple days ago. There is a program called Jurassic Empire. If you've not been there it's truly something to see. They've got dinosaurs of every kind you can imagine. It was interesting while I was there talking to the manager to see the kiddos who were going through. It's actually a drive thru exhibit that has voice actuation as you drive through explaining about the different dinosaurs. It's really interesting. You can check them out at [jurassicempire.com](http://jurassicempire.com).

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

25-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ENACT SALARY RATE INCREASES FOR DESIGNATED NON BARGAINING UNIT EMPLOYEES AND ELECTED OFFICIALS FOR 2024 IN ACCORDANCE WITH THE ATTACHED NON BARGAINING WORKSHEET AS LISTED THEREIN, AND SUBJECT TO THE TERMS AND CONDITIONS LISTED THEREIN.  
2<sup>nd</sup> Reading

28-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2023  
1<sup>st</sup> Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 28-2023

MR. HOLLAND SECONDED THE MOTION  
7 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 28-2023

MR. RICKLIC MOTIONED FOR APPROVAL OF ORDINANCE 28-2023

MRS. MAY SECONDED THE MOTION

7 YEAS  
ORDINANCE 28-2023 HAS BEEN APPROVED

RESOLUTIONS:

19-2023        A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO ACT AS THE SIGNATURE DESIGNEE AND TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION IN THE AMOUNT OF \$144,606.00 FOR THE PARALLEL TAXIWAY A RELOCATION PROJECT AND ONCE THE GRANT OFFER IS RECEIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION, FURTHER AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE THE GRANT CONTRACT AND ALL RELATED DOCUMENTS AND TO MANAGE THE GRANT AS NECESSARY INCLUSIVE OF SUBMISSION OF APPLICATION FOR PAYMENT ASSOCIATED WITH THE GRANT AS REQUIRED BY THE OHIO DEPARTMENT OF TRANSPORTATION, OFFICE OF AVIATION.

2<sup>nd</sup> Reading

MR. LANZER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 19-2023

MR. PACE SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 19-2023

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 19-2023

MR. RIPPETH SECONDED THE MOTION

7 YEAS

RESOLUTION 19-2023 HAS BEEN APPROVED

21-2023        A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND KELLY RICKLIC FOR HIS THIRTY-THREE (33) YEARS OF SERVICE TO THE CITIZENS OF NEW PHILADELPHIA, SERVING EIGHT (8) AS THE CITY'S AT LARGE COUNCIL MEMBER, AND 25 YEARS SERVING IN THE NEW PHILADELPHIA WATER DEPARTMENT.

1<sup>st</sup> Reading

22-2023        A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND DEAN HOLLAND FOR HIS EIGHT (8) YEARS OF SERVICE AND DEDICATION TO THE CITIZENS OF NEW PHILADELPHIA AS THE CITY'S AT LARGE COUNCIL MEMBER.

1<sup>st</sup> Reading

23-2023        A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND AIMEE MAY FOR HER EIGHT (8) YEARS OF SERVICE AND DEDICATION TO THE CITIZENS OF NEW PHILADELPHIA AS THE CITY'S AT LARGE COUNCIL MEMBER.

1<sup>st</sup> Reading

**UNFINISHED OR OLD BUSINESS: NONE**



**NEW BUSINESS:**

President Kemp had the following comment:

Our second meeting in December falls on Christmas Day, so our rules are that we move it to Thursday of that week so it will be on Thursday, December 28, 2023.

With no other business to discuss Mr. Holland motioned to adjourn at 8:14 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Julie Courtright

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Don Kemp