

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON DECEMBER 11, 2023 WITH PRESIDENT KEMP PRESIDING. COUNCILMAN RIPPETH OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DAN LANZER
MRS. AIMEE MAY
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. STEVE RIPPETH

EXCUSED ABSENCES: MR. DEAN HOLLAND
MR. KELLY RICKLIC

- MRS. MAY MOTIONED TO ADD ORDINANCE 29-2023 AND RESOLUTION 24-2023 TO TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
5 YEAS
ORDINANCE 29-2023 AND RESOLUTION 24-2023 HAVE BEEN ADDED TO TONIGHT’S AGENDA
- MR. LANZER MOTIONED TO ADD ORDINANCE 9-2023 TO TONIGHT’S AGENDA
MR. RIPPETH SECONDED THE MOTION
5 YEAS
ORDINANCE 9-2023 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. PACE MOTIONED TO ADD RESOLUTION 25-2023 TO TONIGHT’S AGENDA
MR. RIPPETH SECONDED THE MOTION
5 YEAS
RESOLUTION 25-2023 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. RIPPETH MOTIONED TO ADD ORDINANCE 30-2023 TO TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
5 YEAS
ORDINANCE 30-2023 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MRS. RAMOS MOTIONED TO APPROVE THE AGENDA WITH THE ADDITIONS
MR. LANZER SECONDED THE MOTION
5 YEAS
TONIGHT’S AGENDA HAS BEEN APPROVED
- MRS. MAY MOTIONED TO APPROVE MINUTES FROM THE NOVEMBER 27, 2023 REGULAR SESSION OF COUNCIL
MR. RIPPETH SECONDED THE MOTION
5 YEAS
MINUTES FROM THE NOVEMBER 27, 2023 REGULAR SESSION BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from Treasurer Tom Gerber, dated December 1, 2023. This is*

- the City of New Philadelphia Investment and Savings Report for November 2023.*
2. *To Council Clerk from Dominion Energy, dated November 30, 2023. This is a Notice of Filing new PIR Adjustment Case PUCO Case No. 23-1011-GA-RDR*
 3. *To Clerk of Council from the Ohio Division of Liquor Control, dated November 24, 2023. This is a Permit Class D5A Liquor License Request for Diamond Star Hospitality LLC DBA The Holiday Inn Express and Suites located at 145 Bluebell Dr. SW New Philadelphia, Oh. 44663. Response must be postmarked no later than December 25, 2023. I forwarded this to President Kemp to assign to Committee. This was assigned to the Special and Contact Committee.*
 4. *To Council and Administration from Jami Bailey, the Executive Administrative Assistant to the Mayor, dated December 6, 2023. This is the November 2023 End of Month Report.*
 5. *To Council and Administration from Vickie Daniels with the City of New Philadelphia Income Tax Department, dated December 5, 2023. The November 2023 Income Tax Report.*
 6. *To Council and Administration from Heather Denham with the Auditor's Office, dated December 5, 2023. The November 2023 End of Month Reports.*
 7. *To Council and Administration from Mayor Day, dated December 11, 2023. The Mayor's Report.*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

Thank You to the Kimble Foundation

Last week the Mayor's office received a check for \$50,000 from the Kimble Foundation to help pay for construction of Phase 2 of the Southside Community Park. I sent a "Thank You" letter to the Foundation that expressed the City's gratitude for its support of the project. Phase 2 of the Southside Community Park's development calls for completion of the lighted entrance road from Oldtown Valley Road to the high school soccer fields, construction of youth soccer fields, completion of a mile walking path around the circumference of the park, construction of two restroom/concession stands and parking lots. The City has also applied for construction grants from the Federal government through Senator Sherrod Brown's office and from the State's biennial budget through Representative Brett Hillyer's office. An application for a State NatureWorks grant was recently rejected.

The City's Department Heads Make It Happen

Much of what the City has achieved this year is the result of the leadership and skill of our department heads. They quietly carry out their daily duties of managing their offices, the workforce, and complete projects with not a lot of fanfare. But I want to take this time to thank them and ask that you do the same: Service Director Ron McAbier, Water Department Superintendent Scott DeVault, Wastewater and Sewer Department Superintendent Brian Myers, Cemetery Department Superintendent Kelly Herron, Parks and Recreation Department Superintendent Rod Miller, General Services Superintendent Ray Grewell, Safety Director Greg Popham, Fire Chief Jim Parrish, Police Chief Tessa Pohovey, Human Resources Director Lacey McKain, Income Tax Administrator Vicki Daniels, and Health Commissioner Vickie Ionno. And don't forget Mayor's Office Executive Assistant Jami Bailey and our Assistant Superintendents Chris Osborne, Adam Fulton, Mike Pyle, and Assistant Fire Chief Matt Tharp. The commitment to excellence by these individuals is why New Philadelphia is Tuscarawas County's leading city and why our services are second to none. They don't ask for recognition, but they deserve it.

Include Tuscora Park and Our Downtown in Your Christmas Celebration

If you're still not in the Christmas spirit, let me help you. McInturf Realty's annual Christmas in the Park celebration is on Sunday, December 17th from 4-8 pm at Tuscora Park. The Tuscora Park Foundation will be selling limited edition 3D printed Ferris wheel Christmas tree ornaments for \$20 each to help RTY purchase a new cotton candy machine.

The new LED Christmas tree on the House of Stones downtown quadrant is programmed to perform a musical light show every half hour between the hours of 5:30pm and 9:30pm. The shows run around nine minutes. So, include that in your plans to shop downtown and eat at our locally owned downtown restaurants. Don't forget to vote for your favorite Christmas window display. The contest runs through December 16th.

And I encourage you to read the real Christmas story to remember what we are celebrating: Luke 2 verses 1-20. Show love for one another and do your part to bring joy to the world. Merry Christmas New Philadelphia.

Mayor Day yielded the remainder of his time to Tom Farbizo with Quaker Digital Academy for a presentation.

Tom Farbizo had the following report:

I'm here as promised with a couple checks. If you look at page 5 of our Annual Report you can see we gave out \$5,825.00 in scholarship money last year. On behalf of Dr. Richard Veratti and the staff at Quaker Digital Academy, and the Quaker Digital Educational Foundation, we thank you for allowing us the opportunity to do a program. We worked with Law Director Fete and Mayor Day and Council about 6 years ago now. We have been able to sell advertising on the windows at the main hangar at the airport. I'm happy to say that we have most of those windows filled, and because of the advertisers we're able to take this money and give out scholarships. To date we've given out probably over \$15,000 in scholarship money. We base that on how many students we have that apply, that are worthy of it, and also how much money we've taken in. Some of the advertisers on the airport windows are Buckeye Career Center, Kennedy Insurance, Quaker Digital Academy, Ferris Chevrolet, Kimble Company, and many more. We have two vacant windows. The nice part of this program is the City received brand new energy efficient windows. Also, the City paid for the lights and wiring so the ads are seen at night. We have also sold ads on 4 of the City Sanitation Trucks. So, tonight I'm happy to be here and present to the Mayor and the City of New Philadelphia two checks, one is for the sanitation trucks for \$3,840.00, and one is for the Airport Windows is \$3,360.00. Over the past 5 years we've been in existence we've given the City \$30,580.00.

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

Mr. McAbier had the following report:

In the last three weeks three big projects have been completed. We did a final walk through of Franklin Square early last week. They'll take care of reseeded everything in the Spring, and some low areas that are retaining water, as well as some gravel areas. There's also an area that they have paved that is already sprawling and cracking, so we're going to put that under a warranty issue. Also, the Small Cities Paving, we did a final walk through with that with ODOT's engineers. They had several punch list items, especially down on 16th Street. There's some berm work how they spray it there, they need to put some more material in a couple places out there. There's some sealing that needs to be done around some of our catch basins, and a couple handicap ramps on Wabash Avenue. Also last week we finished up the City Paving. Everybody probably knows about the mess we had on First Drive and Ashwood. We're going to pave all of that starting on June 19th. All of our City Paving is completed as of last week. Park Village Hall on Commercial Avenue SE is set for demolition. It's our City building. Hopefully if the contractor is done on his part it should be down by the end of this year. Also, AEP has confirmed that all the material is in for South Broadway lights. They'll start on that next Monday. We're going to help them with some traffic control at South Broadway and Front Street. They're doing everything including the lights under 250. They think it will take 2 days to do, so hopefully the 18th and 19th, weather permitting.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM.....NO REPORT

Mr. Popham had the following comment:

Merry Christmas to everyone.

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete has the following report:

Ordinance 30-2023 needs to be passed before the end of the year. I was hoping we would have enough Councilmembers tonight to pass it on emergency, since we do not, I'm going to ask that we have a Special Session and pass it on December 28, 2023. If we do not have our tax code correct we might be prohibited from collecting income tax. In the past when the Mayor was our Income Tax Administrator we did a massive overhaul. Those two massive overhauls are referenced in the legislation that I did for today. Thank goodness for my assistant, Heidi Sanner, who I want to really give a lot of praise to. She is a "research guru" and she researched this. I reached out to other law directors to see what they were doing. I also want to thank Derek Conrad at Rea and Associates for his help.

President Kemp scheduled a Special Session of Council on Monday, December 18, 2023 at 6:30pm.

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. On the Agenda is a rezoning request from MPS Manufacturing, also Service Director McAbier will be giving the Commission an update on parceling City owned land on Commercial Ave. SE and SW. If we have time we'll discuss the latest information we received from Wendy Moehler with Compass Point Planning.

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

The Board of Zoning Appeals will meet tomorrow evening at 5:00 PM here in Council Chambers with Three variance requests to be heard.

AIRPORT COMMISSION.....MR. DAN LANZER

The Airport Commission will not have a meeting in December. We will be meeting on January 9th At 6:00 PM here in Council Chambers.

PARK BOARD.....MR. MITCH PACE

The Park and Cemetery Committee met this evening at 6:15. We discussed Resolution 25-2023. It Passed 3-0 to go on tonight's Agenda. It was a use agreement between the City and the School System for the tennis courts. We also discussed the money for the advertising that Mr. Farbizo Brought in this evening to be used toward park projects. That Meeting adjourned at 6:24. McInturf Realty's Annual Christmas in the Park is Sunday from 4pm to 8pm.

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

HEALTH BOARD MR. DEAN HOLLAND.....EXCUSED ABSENSE

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC.....EXCUSED ABSENSE

Mrs. May gave the following report:

The Finance Committee met this evening at 7:15 regarding Ordinance 29-2023, adjusting appropriations for Police and Fire pension. It was voted on to add Ordinance 29-2023 to tonight's Agenda. We adjourned at 7:16pm.

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

Mr. Lanzer had the following report:

The Public Works and Economic Development Committee met at 6:31pm this evening. We had one item to discuss and that was Ordinance 9-2023 which had to do with the vacant Property registration. After a short discussion it was voted unanimously to put it on tonight's Agenda for 1st Reading.

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

Mrs. May had the following report:

The Safety, Health, and Service Committee met this evening at 7:10 regarding Resolution 24-2023, the ambulance rate increase. The Committee voted to add this legislation to the Agenda for 1st Reading tonight. The meeting was adjourned at 7:14 PM.

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

Mr. Pace noted that there will be a Cemetery Committee Meeting this coming Thursday at 9:00am in Council Chambers.

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

Mr. Rippeth had the following report:

The Special and Contact Committee met tonight at 6:55 PM in Council Chambers with a few matters to discuss. The first was Ordinance 30-2023 dealing with the income tax changes that the Law Director discussed. It was voted unanimously to put that legislation on tonight's Agenda for 1st Reading. Additionally we had two Liquor License Renewal Issues. The Committee chose unanimously not to request a hearing on either of those; one at the Southside Drive Thru and the other at the Holiday Inn Express. I would ask for a voice vote at this time to authorize the Clerk of Council to mark both of those Liquor License Renewal Requests as not needing a hearing of any kind and forward them back to the Liquor Commission.

ROLL CALL VOTE

5 YEAS

BOTH REQUESTS ARE APPROVED NO HEARING NEEDED

VISITOR'S COMMENTSNONE

COUNCIL COMMENTSNONE

President Kemp wished everyone a Merry Christmas.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

- 9-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO ENACT CODIFIED ORDINANCE 1343 VACANT PROPERTY REGISTRATION, WITH REGARDS TO THE REGISTRATION AND MAINTENANCE OF VACANT RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PROPERTIES.
1st Reading

 - 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.
3rd Reading
- MRS. MAY MOTIONED FOR APPROVAL OF ORDINANCE 25-2023
MR. LANZER SECONDED THE MOTION
4 YEAS 1 NAY (MRS. RAMOS)
ORDINANCE 25-2023 HAS BEEN APPROVED

- 29-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2023.
1st Reading
- 30-2023 AN ORDINANCE TO AMEND CHAPTER 197 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA, OHIO REGARDING MUNICIPAL INCOME TAX FOR THE TAX YEARS AFTER DECEMBER 31, 2023 AND AFTER DECEMBER 31, 2022 OR AS OTHERWISE PROVIDED IN HOUSE BILL 33.
1st Reading

RESOLUTIONS:

- 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.
2nd 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.
2nd 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.
2nd Reading
- 24-2023 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO AUTHORIZE A RATE INCREASE FOR AMBULANCE SERVICES PROVIDED BY THE NEW PHILADELPHIA FIRE DEPARTMENT FOR THE CALENDAR YEAR 2024.
1st Reading
- 25-2023 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA TO AUTHORIZE THE MAYOR OF THE CITY TO ENTER INTO A USE AGREEMENT WITH THE BOARD OF EDUCATION OF THE NEW PHILADELPHIA CITY SCHOOL DISTRICT FOR USE OF THE TENNIS COURTS LOCATED AT TUSCORA PARK LOCATED AT 161 TUSCORA AVE. NW IN NEW PHILADELPHIA, OHIO FOR USE BY THE SCHOOL DISTRICT'S TENNIS TEAMS DURING THEIR ATHLETIC COMPETITIONS AND PRACTICES.
1st Reading

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

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

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp