

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 23, 2022 WITH PRESIDENT DON 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
MR. JIM SELDENRIGHT

EXCUSED ABSENCES

AUDITOR BETH GUNDY
MRS. AIMEE MAY
SAFETY DIRECTOR GREG POPHAM

- MRS. RICKLIC MOTIONED TO ADD RESOLUTION 20-2022 TO TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
MR. HOLLAND MOTIONED TO ADD RESOLUTION 19-2022 TO TONIGHT’S AGENDA
MR. PACE SECONDED THE MOTION
6 YEAS
RESOLUTION 19-2022 AND RESOLUTION 20-2022 HAVE BEEN ADDED TO TONIGHT’S AGENDA

- MR. LANZER MOTIONED TO APPROVE TONIGHT’S AGENDA AS AMENDED
MRS. RAMOA SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN APPROVED

- MR. SELDENRIGHT MOTIONED TO APPROVE THE MINUTES FROM THE MAY 9, 2022 REGULAR SESSION OF COUNCIL
MRS. RAMOS SECONDED THE MOTION
5 YEAS, 1 ABSTAINED (MR. RICKLIC)
MINUTES FROM THE MAY 9, 2022 COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Law Director Fete, dated May 19, 2022. This is an email titled “OneOhio Region 11 Update”.*
2. *To Councilman Holland from President Kemp, dated May 21, 2022. This is an email titled “Please assign to the Safety, Health, and Service Committee” with Resolution 19-2022 as the attachment.*
3. *To Council and Administration from Mayor Day, dated May 23, 2022. This is the Mayor’s Report.*

MAYOR’S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

Asking Council to Ratify the New Contract with the AFSCME-Clerical Unit: Tonight (Monday) I ask that Council add Resolution 20-2022 to its legislative agenda and pass it on its first reading. The resolution ratifies the three-year contract that the City administration has negotiated with the City's American Federation of State, County and Municipal Employees (AFSCME) - Clerical unit. If approved by Council, the City will have new three-year contracts with its police union and both AFSCME units. All three accepted the wage increases and higher health insurance contributions offered by the Administration. Negotiations with the City's remaining bargaining unit - International Association of Firefighters - are at an impasse and headed into the collective bargaining fact-finding process. Our presentation to the factfinder won't be held until July.

The OML Urges More Citizen Involvement in the Actions of State Government:

The Ohio Municipal League is asking for involvement by local elected officials and citizens to stop continued attempts by the Ohio Legislature to take away Home Rule. Article XVIII, Section 3 of the Ohio Constitution grants municipalities the authority to adopt laws and regulations for its own self-government. Specifically, Section 3 states:

“Municipalities shall have authority to exercise all powers of local self- government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.”

At the OML Summer Regional Conference I attended this past Friday in Athens, OML officials warned that legislation continues to be introduced in the Ohio House and Senate that threaten to remove New Philadelphia's home rule and put decisions that should be made locally into the hands of State government. One such measure being considered is House Bill 563, which would prohibit local regulation of short-term rentals like Airbnbs.

OML Executive Director Kent Scarrett told us that the lack of participation by local elected officials and citizens is giving special interest groups and lobbyists more say in writing legislation. To get involved, you can start by learning about the bills being considered by the Ohio Legislature by visiting this website: <https://www.legislature.ohio.gov/>. You can also find the contact information for State Representative Brett Hillyer and Ohio Senator Jay Hottinger on the website.

The City Could Still Use Some Summer Help:

A few City departments are still in need of summer help. The Street Department, Parks Department, Cemetery Department, Water and Wastewater Departments all depend on seasonal workers to help with the summer workload. The jobs are perfect for newly graduated high school seniors, and college and tech school students home for the summer. The pay is \$10 an hour. To apply, download an employment application from the City's website at <http://www.newphilaoh.com/Job-Opportunities>.

Commendations for City General Services Department Workers:

Everyone who works for the City of New Philadelphia knows that they are called to serve our citizens and businesses. Serving the public is what we do. And as Mayor, it brings me great joy when I can commend employees for going above their call of duty. Such is the case for General Services employees Triston Hunter, Donny Pettitt and Mike Brinkley.

On Tuesday, April 12th, at around 1:45 p.m., they were driving in a City vehicle on Park Avenue NW when they saw an elderly resident fall down the steps outside of her home. They stopped to check on her, called 911 and stayed with the resident until the paramedics arrived. Had they not responded so quickly, it's uncertain how long the woman would have gone without help. I ask Triston, Donny, and Mike to come forward, so I can present each of them with Certificates of Commendation and thank them on behalf of the citizens of New Philadelphia.

****Mayor Day presented Triston and Mike with their certificates of commendation (Donny was not present at the meeting.***

Don't Forget...

Tuscora Park officially opens for the summer on Saturday, May 28th. The renovation of the Ferris wheel probably won't be finished in time for Saturday's opening.

Experimental Aircraft Association Chapter 1077 is having its annual Memorial Day weekend pancake breakfast and fly-in on Sunday, May 29th from 7:30 a.m. to 1:30 p.m. at the EAA hanger at Harry Clever Field.

The City and County's Annual Memorial Day Ceremony is on Monday, May 30th at 11 a.m. on the County Courthouse Plaza.

HAVE A SAFE AND RESTFUL HOLIDAY WEEKEND!

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

I want to make a correction on what I said about the Omega Grant at the last Council Meeting when I thanked everyone for passing it on short notice. I said it was for \$210,000. It was actually for \$250,000. We got the letter the next day. \$210,000 was for preliminary engineering and the remaining \$40,000 is for construction. It makes that total in grant money \$2,250,000 for the Kent State Connector Trail. I think its 100% funded now so it shouldn't cost the tax payers anything. Next project is the runway lighting. They're starting next week and they'll continue to work until it's finished. Next Council Meeting I'll give an update on how far they got. Last week I talked with Dominion. That project was supposed to be in June but they moved it back to September. Once I know more about the gas line project I'll let everyone know.

AUDITORMS. BETH GUNDY.....EXCUSED ABSENSE

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

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I recently met with the Board of Housing Appeals and the reason I did this is to look at the Nuisance Abatement Legislation. What it did was it was kind of a 3 Strikes and You're Out Rule, meaning that if we were called to a specific location three or more times they would have to pay for our services. This came about from what was going on at the OYO Hotel when we were called multiple times within a year's period for drug overdoses and criminal activity. Council passed that overwhelmingly. That legislation calls for an appointment of a Board of Appeals. Whether they're appointing a new board. I've worked with the Board of Housing Appeals and there are some outstanding community leaders in that. It's a fantastic board to work with. They're instrumental in helping us tear down dilapidated houses. I asked them if they would be interested in taking over the role of overseeing nuisance abatement appeals. They voted unanimously to do that. Mr. President, we're going to have to amend our nuisance abatement legislation so if you could assign that to the respective committee.

Mr. Fete continued:

At the request of the Mayor I'm also researching recreational marijuana in the City, if that should also come to fruition in the State of Ohio.

Mrs. Ramos had the following question:

I have a question about the property on West High we're thinking of looking at. That's right beside New Phila parcels. Can you research or is there anything that prohibits those businesses, even though they're in townships, from being right next to a City parcel?

Law Director Fete had the following reply:

I don't believe we have any recourse. I think there's some legislation with regards to being close to schools and things of that nature, but this isn't anywhere close to a school, but I'll be happy to look into that for you.

Mrs. Ramos:

Thank you, that's my ward and also my neighborhood.

Mr. Holland had the following question:

Are we required to provide water and sewer services to that tract of land?

Law Director Fete:

We are not, but the question is if they're already receiving it I don't know that we can take it away, but that's something I'd be happy to research. We're not required to provide water and sewer services to anyone outside the City of New Philadelphia.

Mrs. Ramos said she concurs with that question from Mr. Holland.

- President Kemp asked Mr. Holland to take this issue into his Committee.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting on Tuesday, June 14 at 1:00 PM here in Council Chambers. We're still working on our Agenda.

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

The Board of Zoning Appeals met on May 10 here in Council Chambers with two variance Requests to be heard. One was the Springdale Health Center at 567 Wabash Ave. Non-compliant with the corner set back violation 1167.03A. The Board did not feel that There was enough information. They did not have a good idea of where that sign was Actually going to sit, so it was tabled. Since it's been tabled Mr. Mathias and Chief Good win have gone out and okayed the location for that sign. The Board had recommended They meet again in 10 days, so we will be meeting again tomorrow night at 5:00 PM here In Council Chambers to hear about that sign. The second variance request was for 1847 East High Ave. which was for a conditional use permit within the business district. That Was voted on and turned down in a 5-0 vote.

AIRPORT COMMISSION.....MR. JIM SELDENRIGHT

The Airport Commission met this past week. Mr. McAbier had explained that they were Getting ready to start work on some of the projects out there. We do, as a Council, need To approve the two new members of the Airport Commission. We are looking to add Mr. Bob Bedard and John Marsh.

ROLL CALL VOTE
6 YEAS
COUNCIL VOTED TO APPROVE THE ADDITIONS OF
MR. BEDARD AND MR. MARSH TO THE AIRPORT
COMMITTEE

PARK BOARD.....MR. MITCH PACE

Tuscora Park opens this Saturday, May 28. The Park's Department, RTY, and Rotary have Been working really hard getting the Park ready to go. I think it's going to be a nice Weekend so it's a good time to get out and go to Tuscora Park. On the Pickleball Courts, They're still set to go on August 1st. Our next meeting is June 15 at Noon at the Park Pavilion.

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

HEALTH BOARD MR. DEAN HOLLAND

The Health Board met in Council Chambers on Wednesday, May 11th at noon. The meeting was open To the public. The Board was advised by Commissioner Ionno that the State of Ohio would be sending A one time reimbursement of \$22,755.00. This reimbursement was to cover operational disruption Expenses, or to help cover those. The State created the formula. We had no input into it. The Grant Application has been approved for the State of Ohio in the amount of \$14,120.00. Also, concerning Covid 19, the Health Department has vaccines and test kits available. Please contact the Health Department for an appointment. Please note that the Covid 19 cases are on a rise here in Tuscarawas County and in the City of New Philadelphia. Mr. President, I would like to remind

Everyone that funeral assistance is still available through the Federal Emergency Management Agency. For information or to file for assistance anyone should contact FEMA at fema.gov. During the month of April there were 20 overdose cases, with 12 of those cases being in the City of New Philadelphia.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC

Mr. Ricklic made the following statement:

No formal report this evening, but I would like to ask for a meeting for the Finance Committee on June 13, 2022, and ask the Law Director to prepare a Proposed Ordinance for \$20,000.00 additional to be placed in the Park Line Item for the Stadium Project.

President Kemp made the following statement:

Also, I received a request today from Fire Chief Parrish for a possible ambulance, it's an 18-month window out to get one and so I'll send that to the Finance Committee For consideration.

SALARY COMMITTEEMR. JIM SELDENRIGHT.....NO REPORT

PUBLIC WORKS COMMITTEE.....MR. DAN LANZER.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE... MR. DEAN HOLLAND

Mr. Holland had the following report:

The Safety, Health, and Service Committee met at 7:00 PM tonight. We were reviewing Mayor Day's appointment of the Health Director Nicole Bache to the OneOhio Region 11 Governance Board of Directors, and to consider Resolution 19-2022. Mayor Day explained the need to have a representative on the Regional Board of Directors, and that this Board creates a mechanism to disperse settlement proceeds from Opioid litigation. The dispersed funds are to be used as an aid in abating the Opioid crisis we have here in New Philadelphia and across the State of Ohio. The Meeting concluded at 7:04.

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

SPECIAL & CONTACT COMMITTEEMRS. AIMEE MAY.....EXCUSED ABSENSE

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

VISITOR’S COMMENTS: NONE

COUNCIL COMMENTS:

Mr. Ricklic had the following comment:

I would like to just announce that the New Philadelphia baseball team won this evening and will be in the District finals this Wednesday. The final score of today’s game was 8 to 4.

President Kemp announced that the Memorial Day service will be on Monday at the courthouse at 11:00am. Mayor Day is the Key Note Speaker.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

4-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW

PHILADELPHIA, OHIO, TO INCREASE ALL SANITATION ACCOUNTS BY FIFTY CENTS (\$0.50)8 PER MONTH. SANITATION ACCOUNT BILLS MAILED IN THE MONTH OF JUNE 2022 SHALL REFLECT THE RATE INCREASE.
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 4-2022
MR. PACE SECONDED THE MOTION

Mrs. Ramos made the following comment:

I know everyone has been hit hard by high gas prices, and that includes the City paying high gas prices as well. I think this is a happy compromise. The 50 cents is better than the dollar that was originally proposed.

6 YEAS
ORDINANCE 4-2022 HAS BEEN APPROVED

8-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND AND CORRECT CERTAIN SPECIFIC SECTIONS OF THE HOUSING CODE IN CODIFIED ORDINANCE 1335 DUE TO APPARENT TYPOS WHEREIN IT APPEARS THE NUMBER 4 WAS IMPROPERLY INSERTED WHERE THERE SHOULD INSTEAD BE THE NUMBER 5
2nd Reading

9-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT A NEW SECTION IN THE CITY'S CURRENT ORDINANCES REGARDING FIRE DAMAGED STRUCTURES
1st Reading

RESOLUTIONS:

18-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO AUTHORIZING 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 LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS. EXECUTE CONTRACTS AS REQUIRED, AND UPON AWARD OF THE GRANT TO ACCEPT ANY GRANT MONEY AND TO AUTHORIZE AND DIRECT THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND AWARD BIDS FOR THE 4th St. SW STORM WATER IMPROVEMENT PROJECT- PHASE 2.
2nd Reading

19-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO APPROVING THE ONEOHIO REGION 11 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING
1st Reading

MR. HOLLAND MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 19-2022

MR. PACE SECONDED THE MOTION
6 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 19-2022

MR. HOLLAND MOTIONED FOR APPROVAL OF RESOLUTION 19-2022

MR. PACE SECONDED THE MOTION
6 YEAS

RESOLUTION 19-2022 HAS BEEN APPROVED

20-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO ADOPT AN AGREEMENT BETWEEN THE CITY OF NEW PHILADELPHIA, OHIO AND AFSCME LOCAL 1958, AND OHIO COUNCIL 8, CLERICAL CHAPTER TO BE EFFECTIVE JANUARY 1, 2022 THROUGH DECEMBER 31, 2024
1st Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 20-2022

MR. LANZER SECONDED THE MOTION
6 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 20-2022

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 20-2022

MR. LANZER SECONDED THE MOTION
6 YEAS

RESOLUTION 20-2022 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS:

Mr. Ricklic had the following question:

Is there any status on the land we're trying to sell on Bluebell?

Mr. McAbier stated that the prospective buyers are having trouble making contact with some of the land owners.

NEW BUSINESS: NONE

With no other business to discuss Mr. Holland motioned to adjourn at 8:08 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp