

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JUNE 24, 2024 WITH PRESIDENT DON KEMP PRESIDING. COUNCILMAN WALKER OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

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

EXCUSED ABSENSES: MR. MITCH PACE

**President Kemp welcomed Heather Denham as the new Auditor of the City of New Philadelphia.*

- SAFETY DIRECTOR POPHAM REQUESTED AN EXECUTIVE SESSION DURING TONIGHT’S MEETING REGARDING A PERSONNEL MATTER

MR. WALKER MOTIONED FOR AN EXECUTIVE SESSION
MR. RIPPETH SECONDED THE MOTION
6 YEAS
THERE WILL BE AN EXECUTIVE SESSION FOLLOWING THE LEGISLATIVE AGENDA TONIGHT

- MR. WALKER MOTIONED TO APPROVE TONIGHT’S AGENDA
MR. KREINBIHL SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN APPROVED

- MR. SIMMELINK MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR SESSION OF COUNCIL ON JUNE 10, 2024 AND THE SPECIAL SESSION ON JUNE 13, 2024
MR. KREINBIHL SECONDED THE MOTION
6 YEAS
MINUTES FROM THE JUNE 10, 2024 REGULAR COUNCIL MEETING AND THE JUNE 13, 2024 SPECIAL COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council Clerk and Law Director Fete from Hallie Safferin with the Ohio Department of Commerce Division of Liquor Control, dated June 14, 2024. This is an email titled “Sarai Petroleum No. 7740776-0010 June 21st Continuance/ Hearing Cancelled.*
2. *To Council Clerk and Law Director Fete dated June 21, 2024. This is an email from Hallie Safferin with the Ohio Department of Commerce Division of Liquor Control. This email is titled “Cancelled Hearing Sarai Petroleum” TRPO Objection.*
3. *To Council and Administration from Mayor Day, dated June 24, 2024. The Mayor’s Report.*

MAYOR’S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

City Park Board to Honor Retired Superintendent Rod Miller

The members of the City Parks and Recreation Board had been contemplating a way to honor retired Superintendent Rod Miller for his 52-year service to the City. So, at its monthly meeting last Wednesday, the board voted to name the main walkway through Tuscora Park as “Rod Miller Way”. The walkway starts at the park entrance at 2nd Street NW and Tuscora Avenue NW, runs through the kiddie rides area and turns right past the Ferris wheel to Al Maloney Drive NW. Signs will be posted along the route designating it as “Rod Miller Way”.

Applying to Other Grant Programs to Complete the Towpath Trail

The City and its partners will apply to a Federal grant program to try to get funding to complete the four-mile stretch of the Ohio and Erie Canal Towpath Trail from Zoarville to New Philadelphia. The Ohio Mideastern Governments Association (OMEGA) is assisting New Philadelphia, Dover, the Tuscarawas County Parks District and the Ohio and Erie Canalway Coalition in applying for an Active Transportation Infrastructure Investment Program grant, which is funded through the U.S. Department of Transportation. The grant program funds projects up to \$15 million in cost. The Towpath Trail completion project lost out on funding by the Appalachian Community Grant Program.

Meanwhile, New Philadelphia’s downtown quadrant renovation project that was funded by the ACGP is progressing, but not as quickly as we feel it could. Service Director McAbier has asked officials in the Ohio Department of Development and the Governor’s Office of Appalachia if the City can receive the funding to do the project on its own, rather than wait for the State to decide how to move forward with engineering and constructing the ACGP projects. If we can hire local engineering and construction companies, we can immediately get our project underway. All projects funded by the ACGP must be completed by October of 2026.

Getting Help from the State of Ohio to Develop the Joy/Howden Property

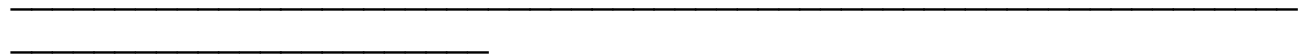
John Carey, the Director of the Governor’s Office of Appalachia and Scott Ryan, the Chief of Community Engagement at the Ohio Department of Development, recently came to New Philadelphia to visit the Joy/Howden property on South Broadway and discuss funding available to prepare the site for development. The property is owned by the County Economic Development and Finance Alliance (port authority). As I stated in a previous Mayor’s Report, I would like to see a year-round home for the Tuscarawas Valley Farmers Market located there. We will also be meeting with housing developers who are interested in the property.

Ideally, the site could have a mixed-use that provides much-needed housing and businesses which support downtown revitalization and recreational activities at Waterworks Park and boat ramp.

While they were in town, Director Carey and Chief Ryan also met with a group of local business owners and entrepreneurs to learn about State grant programs that could help their efforts to continue to invest in downtown New Philadelphia.

The First Town Days Festival is July 4-7th

The best four days of summer in New Philadelphia are right around the corner. I’m looking forward to seeing you next week at the 47th annual First Town Days Festival at Tuscora Park. The Opening Ceremony and Plate Auction is Thursday, July 4th at 4:30pm at the Al Maloney Midway stage. The Grand Parade steps off at 6:30 pm Friday. Long-time New Philadelphia teacher Bill Graham is the Grand Parade Marshal. The fireworks display is Saturday night, July 6th at 10pm. I want to thank Festival President Joe Croft and his fellow First Town Days Festival Committee members for volunteering to plan this annual celebration of our City.



Now I would like to call Police Officers Mitchell Gobley and David Morris forward to receive Letters of Commendation for their actions on February 12, 2024.

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

Mr. McAbier had the following report:

I’d like to start by doing an update on the Stadium Project. Dover Tank and Plate continues to fabricate the steel and getting it galvanized. They’re going to add resources to finish that and have it delivered to the Stadium on July 5th. Benchmark Construction will start erecting everything on July 8th. They’re hoping to have the project completed by August 5th with the possible exception of the siding.

The Paving for 2024 continues. We have the Courthouse Quadrant complete. We still have to do 1st Drive from Allen Lane to East High. They’ve had a construction issue in the alley behind Michael’s Restaurant that compromised the Visitor’s Bureau. They grinded Allen Lane to 1st Drive and they’re going to pave it tomorrow. From there they are going to grind to the quadrant with Museum Acrylics, from High to Fair and then from Ashwood to High to 2nd Street. They’ll finish this last leg by Friday and from there go to Kaderly.

Also, last week we had our final walk-through for the CDBG Project. Some punch-list things are cleanliness. Some of the curbs are marked up, and the hydroseeding needs done again due to the hot weather.

Also, the restrooms on Al Maloney Midway are complete.

AUDITORMRS. HEATHER DENHAM

Ms. Denham had the following report:

We are wrapping up our annual audit. I have an appointment tomorrow to go over those findings and hopefully get that finalized here soon.

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

A couple weeks ago I received a phone call from a Melanie Sopher who lives on Hillcrest NE. The reason she called is that she and her neighbors are having issues with an onset of coyotes to the point of the coyotes being a nuisance in the area. It's concerning for the people who have pets. A couple weeks ago we sent some information out on ways to scare the coyotes off. That temporarily scared them off but they came right back. The Police Chief contacted the Division of Wildlife and things are different now than they used to be. The Division of Wildlife referred us to a private contractor in the area. I made contact with that individual a couple weeks ago and he's going to have a meeting with the Mayor and myself to see if we can get these coyotes out of the neighborhood.

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete had the following comment:

I am waiting for a ruling from the United States Supreme Court on whether or not you can criminalize homelessness. This case was brought by homeless advocates in Portland, Oregon who want it criminalized because they can't get the homeless people off the streets and into a shelter without some type of rule in the books. The issue before the court is whether or not it's legal to camp on public lands. During oral arguments it appeared that the court was probably going to come down on the side of the folks in Portland who advocated for this. This has become a recent issue because we do have a problem with a homeless person who's camping out at The Waterworks. I've advised our Police Chief on what we can and can't do. We have a law that says you can't be there from dusk til dawn, so we can't have anybody sleeping there overnight. This ties into what I wanted to ask the President to address. Codified Ordinance 973 covers our park system. It has not been updated since 1960. I would like to have that assigned to Mr. Pace's Committee and I would like to open it to the floor and get input from the Community and Members of Council.

Mrs. Ramos had the following question:

Could you give an update on the Hearing we were supposed to have with the gas station? I heard the Clerk's Correspondence but I didn't quite understand that.

Mr. Fete:

The Hearing was cancelled because they determined that it was not right for justification. A case has to be ripe, meaning that it's ready for a hearing. The prior liquor license had lapsed. As a result of that you can't transfer it.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will next meet on Tuesday, July 9 at 1:00pm here in Council Chambers.

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

The Board of Zoning Appeals met on June 11th with one variance request to be heard. The property

Address was 257 Beaver Ave. NE with side set-back requirement in violation of 165.05C. After Making a case for a variance and hearing numerous neighbors around there it was taken to a vote And was approved 4-0.

AIRPORT COMMISSION.....MR. DAN LANZER
The Airport Commission will be meeting July 9th in the Airport Meeting Room at Harry Clever Field at 6:00 PM.

PARK BOARD.....MR. MITCH PACE.....EXCUSED ABSENSE

CEMETERY BOARD.....MR. MITCH PACE.....EXCUSED ABSENSE

HEALTH BOARD MR. TOM SIMMELINK
The Health Board met a couple weeks ago and last week honored Sue Geist, who had been the office Manager there for about 35 years.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. STEVE RIPPETH.....NO REPORT

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

Mr. Lanzer had the following report:

The Public Works and Economic Development Committee met tonight at 7:00pm to have a discussion on the 2024 Sanitation Rates. We will be meeting again July 8th here in Council Chambers at 7:00pm.

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

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

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

VISITOR'S COMMENTS

Katie Harper of 500 East 5th St. in Dover had the following comment:

I own a salon in New Phila, and I didn't realize we had paving down our alley. I've been unable to track when that's going to happen and I would have to close my business. I'm here to get an answer to that.

Mr. McAbier:

They have the issue that happened at the Visitor's Bureau, so they won't do the paving until Monday.

Brenda Dominick of New Philadelphia had the following comment:

I'm here to represent the Broadway Brewhouse with the DORA. We are in support of it. Our address is 127 South Broadway.

Kris Foster of New Philadelphia had the following comment:

I'm representing Rick Everett, the owner of Ricardo's. We fully support DORA. We believe it would be a great perk for the people who come to our City to enjoy our summer events. We have an outdoor bar that's directly across from Fresh the Market. We see the traffic that these events bring into our City and it's only going to get bigger. I've been a bartender for 30 years. People worry about intoxication on the streets. We're not asking for a permit for 365 days a year, it's 4 or 5 times a year. As a bartender your two main responsibilities are to never serve anyone over the age of 21 and never serve anyone who is visibly intoxicated. The same rules will apply for DORA.

Pastor Harley Wheeler of the Broadway United Methodist Church had the following comment:

I'm here to speak against the DORA. We have serious work going on with the recovery community. It is my feeling and my best judgment as a pastor and someone who works with people who are struggling that they need less exposure to alcohol, not more. It's pretty much the same thing with our young people. I moved from Minerva to here in 2020. When I told people I was moving to New Philadelphia everyone said "that's a nice place". I'm experienced enough with some small towns in Ohio that you would pay a great deal of money to get that kind of reputation. If I was at an event with my family and there was a lot of alcohol I wouldn't think it was a nice place. Of course the Council has some big decisions to make.

Connie Thornton of 324 West High Ave. had the following comment:

I'm totally against the DORA, me being in recovery almost two years sober. I think our downtown is safe, but if this passes it won't be.

Eric Zamudio of New Philadelphia had the following comment:

I'm the owner of Craft Bistro and Lounge at 104 Fair Ave. NE. I'm here to show support and solidarity with other business owners that showed up here tonight for the DORA. I do believe it's a positive impact on our community. I can understand and appreciate the arguments against it. I have analyzed both sides of the argument. I do believe it's something that could bring a lot of positive growth. From a business owner's perspective it can definitely be a lot more revenue. It could cause a more festive environment for a lot of our outdoor activities. I understand we got a grant to upgrade the downtown. It would work very well for something to be enacted at the same time. I can understand the complication of the arguments against it. My stance as a business owner at Craft has been to offer people a good dining experience. We are responsible and follow the rules.

Heather with Gavins at 110 S. Broadway had the following comment:

I fully support DORA and I do believe it will be a positive impact for the City. It will help bring the right people into town who will frequent our businesses. I do think that we'll handle things responsibly.

Don Whittingham of Delaware at 112 Fair Ave. NE had the following comment:

It's a new place we're going to open. I finalized my liquor permit last week. We're planning on bringing live music downtown, and I'm going to promise that we'll have a blues festival once DORA is passed. That will attract all kinds of people to come in and enjoy our town. Massillon passed it last week and 20 businesses are participating. Canton, Louisville, Minerva, and 150 communities in Ohio are DORA. This is sanctioned by the Ohio State Legislature. Our leadership has sanctioned this as a legitimate way to use public spaces with some legitimate area for refreshments. Please do not hold New Philadelphia back and let the entrepreneurs invest more money downtown to keep growing the City.

COUNCIL COMMENTS

Mr. Kreinbuhl had the following comment:

I wanted to make an update about the soccer fields in the park on behalf of Mr. Pace, who has had some family things going on. If you haven't been to Southside Community Park please go down. The project is 97.5% complete. The new bleachers, press box, player dugouts, netting is up. It looks fantastic. I think it's a great addition to the community and for the student athletes. This was projected to be an over 2-year project that I was able to complete in under 7 months. There has been no taxpayer money invested in it.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES: NONE

RESOLUTIONS: NONE

Council adjourned into a 4 minute recess at 8:09pm before going into an Executive Session which started at 8:13pm. Council reconvened into Regular Session at 8:16pm.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

With no other business to discuss Mr. Lanzer motioned to adjourn at 8:16 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp