

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 11, 2022 WITH PRESIDENT 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
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JIM SELDENRIGHT

EXCUSED ABSENSES

COUNCILWOMAN AIMEE MAY
AUDITOR BETH GUNDY

- MR. RICKLIC MOTIONED TO ADD RESOLUTION 24-2022 TO TONIGHT’S AGENDA
MR. HOLLAND SECONDED THE MOTION
MR. LANZER MOTIONED FOR AN EXECUTIVE SESSION FOR PERSONNEL REASONS
MR. PACE SECONDED THE MOTION
6 YEAS
RESOLUTION 24-2022 WILL BE ADDED TO TONIGHT’S AGENDA AND AN EXECUTIVE SESSION WILL BE ADDED TO TONIGHT’S AGENDA
- MR. RICKLIC MOTIONED TO ACCEPT TONIGHT’S AGENDA WITH THE ADDITIONS
MRS. RAMOS SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED
- MRS. RAMOS MOTIONED TO APPROVE THE MINUTES FROM THE JUNE 27, 2022 REGULAR SESSION OF COUNCIL
MR. SELDENRIGHT SECONDED THE MOTION
5 YEAS (MR. PACE ABSTAINED)
MINUTES FROM THE JUNE 27, 2022 COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Assistant to the Service Director Jonalee Fernatt, dated June 28, 2022. This is an email titled “2022 Material Bids for Pipes, Valves, Hydrants, and More.”*
2. *To Clerk of Council from Treasurer Tom Gerber, dated July 1, 2022. This is the City of New Philadelphia June 2022 Investment and Savings Report.*
3. *To Mayor Day, Josh Mathias, and all of Council and Administration from Councilwoman Ramos, dated July 8, 2022. This is an email titled “Multiple Trailers Parked in Front Lawn at 934 Kaderly Ave. NW.”*
4. *To Law Director Fete from Councilwoman Ramos, dated July 8, 2022. This is a forwarded email titled 934 Kaderly NW: Unlicensed trailers and junk vehicles and other issues.*
5. *To Fire Chief Parrish and Police Chief Goodwin from Councilwoman Ramos, dated July 8, 2022. This is an email titled “Fireworks on Bank Lane and 4th Dr. NW”.*
6. *To Council and Administration from Law Director Fete, dated July 8, 2022. This is an email titled “Urgent: Please assign to the Finance Committee for Monday” with Resolution 24-2022 as the attachment. President*

Kemp asked Mr. Ricklic to take this matter into his Committee.

7. *To Council President from City Resident Yvonne Cozart, dated July 10, 2022. This is an email titled "Fireworks".*
8. *To Council and Administration from Mayor Day, dated July 11, 2022. This is the Mayor's Report.*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

The Location of New Philadelphia's Love Tusc Sculpture Will Be Downtown:

At its monthly meeting last Thursday, the Downtown Design Standards Board of Review selected the Gavin's quadrant downtown as the location for the City's Love Tusc sculpture. Local artist Tony Contini will design the imagery on the sculpture. It will be included in the county-wide "Love Tusc Sculpture Tour" project by the Tuscarawas Arts Partnership. The sculpture itself is in the shape of Tuscarawas County.

According to TAP, the imagery painted on each sculpture will capture the spirit and cultural identity of its community. Donations are being accepted to cover the \$6,950.00 cost of the New Philadelphia sculpture. You can make a donation online by going to www.tuscarawasartspartnership.org/lovetusc-sculpture-tour. The year-long project will conclude in May of 2023 with a special preview night at the KSU-Tusc Performing Arts Center.

Meanwhile, the DDSBR members continue to work on developing design standards for façade improvements to downtown storefronts. Right now, they are exploring how other communities have used façade easement tax incentives to encourage property owners to restore the original look of their storefronts.

The Second Tranche of ARPA Money Is on Its Way: The Ohio Office of Budget and Management has notified me that the City's second tranche of American Rescue Plan Act funds should arrive by July 15th. It will be \$911,858.00, the same amount the City received in its first tranche. The money will be used to help pay for construction of a new storm sewer system to eliminate the high water problem at the West High Avenue/4th Street intersection and also some street paving. The money from the first tranche was used to move the water line under the Joy/Howden property to the right of way along Mill Avenue SW, and a few other smaller water line projects in the City.

A New Beacon Light Has Been Installed for Harry Clever Field: Aviators making nighttime flights to Harry Clever Field now have guidance from a new airport beacon light. Installation of the new beacon was recently completed by Perram Electric of Wadsworth, Ohio, the project's lowest bidder. Its new location is beside the City water reservoir at the top of Tech Park Drive NE. One hundred percent of the project's cost was paid for with a grant from the Federal Aviation Administration. The old beacon light is being stored at Harry Clever Field. The City's Airport Commission is considering repurposing it as a historic display at the airport.

Shout Out to the First Town Days Festival Committee Members: I want to give a big shout out to the members of the First Town Days Festival Committee for the hard work they put in to give the community another memorable celebration. The weather was great. The City Slickers pounded the County Terminators 24-3 in the annual festival softball game. The fireworks show still has people talking. And the quality of car show entries this year made it really hard to pick the winner of the Mayor's trophy. I went with the red 1953 Mercury. It was a beauty and as old as I am

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

The 2022 street paving is wrapping up. If you go out there now you'll see Tuscarawas Avenue from Five Points to Martin Street, and then you would go over to Union from Martin to Wabash, and Monroe Avenue from Wabash to the YMCA is ground, so now from there they'll top all those in the next three days probably. Once that's it they'll be done for the 2022 paving season. We're still waiting on the pricing for Phase 1 of the Storm Sewer project. We may use \$50,000 or \$60,000 if we have some pick-up. Also, last week we put the gravel walk-way in again. It's been a year since it's been gone and it's back around. We moved the rip-wrap back up out of the waterway so we can raise that water up because what's happening also getting the nutrients back in, it's flooding. Getting the rock back up it was bringing the stuff back into the water and just feeding that algae. That got finished right after First Town Days. They couldn't make it happen before that. Since the last meeting we had we got three more sidewalk applications, two have been approved. One came in on Friday. Josh and I went out and approved that one. Probably tomorrow we'll get that one done so there's three more for the last time so everybody keep the word out. Also, tomorrow at the wastewater plant, we had one of the 3 raw sewage pumps had failed. Probably about a month and a half ago. We have three raw sewage pumps, one's down. We'll do it all in one day to get the one that's not working back in service.

Mr. Ricklic asked who was doing the work at the wastewater plant. Mr McAbier said it will be subcontracted.

Mr. Holland asked if the paving included Orchard Ave. Mr. McAbier said they did Orchard from 6th St. down to Union and from Tusc. to Prospect.

AUDITORMS. BETH GUNDY.....NO REPORT

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

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

LAW DIRECTOR . . . MR. MARVIN FETE.....EXCUSED ABSENSE

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission’s next meeting will be on Tuesday, August 9 at 1:00 PM here in Council Chambers.

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

The Board of Zoning Appeals will meet tomorrow evening, July 12 at 5:00 PM here in Council Chambers with one variance request to be heard.

AIRPORT COMMISSION.....MR. JIM SELDENRIGHT.....NO REPORT

The next meeting will be tomorrow, July 12, at 6:00 PM in Council Chambers.

PARK BOARD.....MR. MITCH PACE

I want to thank the First Town Days Committee, the City Park employees and the administration on the Fantastic First Town Days Festival. The weather was great, the fireworks were great. I also want to Let everyone know that the New Philadelphia City Slickers defeated the Tuscarawas County Terminators. The next Park Board Meeting will be July 20 at 12:00 in the Park Pavilion.

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

HEALTH BOARD MR. DEAN HOLLAND.....No Report

Mr. Holland had the following comment:

The Health Board will be meeting in Council Chambers on July 13, 2022 at Noon.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC

Mr. Ricklic had the following comment:

The Finance Committee met this evening at 7:15 PM to discuss the proposed purchase of a used dump truck that the Village of Sherrodsville is going to auction off. After some good discussion we decided to allow the Service Director to perform that obligation to do that. We voted 3-0 to put that on the Agenda this evening and pass it on emergency. The meeting was adjourned at 7:31 PM.

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

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

SAFETY HEALTH & SERVICE COMMITTEE... MR. DEAN HOLLAND.....NO REPORT

Mr. Holland had the following comment:

No formal report but an item I'd like to bring to the Service Director's Attention, the fire hydrant at Five Points, I see no way it can be used because of the parking stanchions that have been placed there.

Mr. Pace had the following question for Mr. Holland:

Do we have a schedule for mosquito spraying? I've had multiple complaints.

Mr. Holland:

I asked that question at the last Health Board meeting and the response was that if a complaint response generated effort, rather than being scheduled.

Mayor Day told Mr. Pace that he could always contact Zach Phillips at the Health Department regarding a schedule for mosquito spraying.

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:

Mrs. Ramos had the following comment:

Mrs. Cozart sent me an email and she wanted me to mention this at Council. You can tell from my email that I sent everybody. This happened on Front Street and the police were called. They know that there were commercial grade fireworks being let off last Sunday. She thought they came from Bank Lane NW. She noted that people’s dogs were getting upset and frightened because of the very loud noises in that neighborhood from someone setting off fireworks. Chief Goodwin is aware of that as well as Chief Parrish. I don’t know if anyone was cited for setting off fireworks.

President Kemp had the following comment:

I talked to Chief Goodwin today. Past practice has been that they go out and talk to those folks and tell them to knock it off or quit and they do it, then they let it go.

Mayor Day had the following comment:

Mr. President, I’m looking at the GIS map and there are sections of Goshen Township along the river. They could be setting off the fireworks there.

President Kemp had the following comment:

I spoke to Marvin today about all the trailers parked at the house on Kaderly. Josh was out there today and talked to the resident. We can discuss with Marvin whether or not we need an Ordinance.

Mrs. Ramos:

I had asked Marvin about this in an email. I know there’s no way it could have been done but anyway one of my suggestions was looking into what home businesses are allowed in the area. Before I came tonight I got a call from one of the residents and long story short, the trailers are being moved by the rightful owners. Still, it was a big problem. I got another call today complaining about the trailers.

Mr. McAbier had the following comment:

Police Chief Goodwin, Josh, and I met late this afternoon. Not to say too much but it’s an ongoing thing that we were just brought aware of, it takes time, and we need to have patience.

Mr. Holland had the following comment:

We have a substantial population in the community that is deaf, and they have a significant difficulty in doing some of the things that they would like to do. One of those things is attending church. I can’t relate to that circumstance, but I do know that the Nazarene church on Fair NE recently has incorporated an individual who is capable of signing the service.

President Kemp mentioned that several area churches have someone dedicated to signing the service for deaf individuals. He noted that there is one at First Christian Church as well.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

11-2022

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND AND CORRECT CERTAIN SPECIFIED 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, AND TO AMEND THE SECTION 1335.62 TO INCLUDE DUTIES OF THE HOUSING APPEALS BOARD UNDER CHAPTER 510 OF THE NEW PHILADELPHIA CODIFIED ORDINANCES.
3rd Reading

MR. SELDENRIGHT MOTIONED FOR APPROVAL OF ORDINANCE 11-2022
MRS. RAMOS SECONDED THE MOTION
6 YEAS
ORDINANCE 11-2022 HAS BEEN APPROVED

12-2022

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 510 OF THE NEW PHILADELPHIA CODIFIED ORDINANCES REGARDING THE BOARD OF NUISANCE ABATEMENT APPEALS.
3rd Reading

MRS. RAMOS MOTIONED FOR APPROVAL OF ORDINANCE 12-2022
MR. SELDENRIGHT SECONDED THE MOTION
6 YEAS
ORDINANCE 12-2022 HAS BEEN APPROVED

13-2022

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2022.
2nd Reading

RESOLUTIONS:

21-2022

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, AUTHORIZING THE AUDITOR TO PAY \$20,000.00 TO THE NEW PHILADELPHIA CITY SCHOOL DISTRICT FOR THE REFURBISHING OF THE TRACK AT WOODY HAYES QUAKER STADIUM
3rd Reading

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 21-2022
MR. PACE SECONDED THE MOTION
6 YEAS
RESOLUTION 21-2022 HAS BEEN APPROVED

22-2022

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PURCHASE PARCEL NO. 25-02150-000, LOCATED AT 1450 RIDGE AVENUE NE, NEW PHILADELPHIA, OHIO, AT A COST OF \$16,500.00 AND AUTHORIZING THE AUDITOR TO ALLOCATE

FUNDING FOR THE SAME.

3rd Reading

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 22-2022

MR. PACE SECONDED THE MOTION

6 YEAS

RESOLUTION 22-2022 HAS BEEN APPROVED

23-2022

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 EXCELLANCE, INC. TO PURCHASE A NEW AMBULANCE AND NECESSARY EQUIPMENT AT A COST NOT TO EXCEED \$300,118.83.

2nd Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 23-2022

MR. HOLLAND SECONDED THE MOTION

6 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 23-2022

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 23-2022

MR. HOLLAND SECONDED THE MOTION

6 YEAS

RESOLUTION 23-2022 HAS BEEN APPROVED

24-2022

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SERVICE DIRECTOR TO BID ON PURCHASING A USED 2019 CHEVROLET SILVARADO 3500HD 4WD/ REG. CAB. DUMP TRUCK WITH 800 MILES ON THE VEHICLE FROM THE VILLAGE OF SHERRODSVILLE WITH A BID NOT TO EXCEED \$45,000.00 WITH FUNDS TO BE PAID FROM LINE ITEM 437-7700-5-5204.

1st Reading

MR. RICKLIC MOTIONED TO SUSPEND THE RULES ON RESOLUTION 24-2022

MRS. RAMOS SECONDED THE MOTION

6 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 24-2022

MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 24-2022

MRS. RAMOS SECONDED THE MOTION

Mr. Pace had the following comment:

I contacted Mr. Leggett, I know him through baseball. The reason they are selling this Silvarado is that they just don't get enough use out of it.

6 YEAS

RESOLUTION 24-2022 HAS BEEN APPROVED

**COUNCIL ADJOURNED INTO A 5 MINUTE RECESS AT 8:07 BEFORE
MOVING INTO AN EXECUTIVE SESSION AT 8:12. AT 8:17 COUNCIL
RECONVENED INTO REGULAR SESSION OF COUNCIL**

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

Mr. Fete had the following comment:

I do want to thank everyone who called and expressed concern for my father. It's a very challenging time for my family and we appreciate all your thoughts and prayers. What I want to talk to you about is Ohio Revised Code 731.06 requires us to do redistricting in accordance with the 10 year census. Dover voted not to do anything. I sent out an email. Courts have said that if you have a deviation of over 10 percent it's presumed to be imbalanced. We've got an 18.4 percent one. That doesn't mean that we have to change it, but what does have to be decided at some point in time is that Council has to make that decision. If Council decides not to that's not a problem. We just have to articulate a rational State policy that justifies the deviation, explain it, and demonstrate how the deviation does not exceed constitutional limits. This is a Rational Basis Test. Certainly cost is something to consider. Additionally it states that the Secretary of State could step in and propose his own boundaries if he sees fit. We need to get an answer to them by October as to what we want to do.

Mrs. Ramos asked why we would have to hire a professional. Mr. Fete said that to his knowledge the City doesn't have a person that has that knowledge or ability to redraw our districts.

President Kemp asked Council's opinion on which Committee should consider this issue. Mr. Seldenright stated that this issue should be for all of Council to discuss in a Committee of the Whole meeting.

Mr. Holland asked if the 18% deviation was a City-wide issue or in a particular ward. Mr. Fete stated that wards 1 and 3 are off.

Council agreed on a Committee of the Whole meeting on the 1st Council meeting in August.

With no other business to discuss Mr. Holland motioned to adjourn at 8:26 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp

