

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON AUGUST 26, 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
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. STEVE RIPPETH
MR. TOM SIMMELINK
MR. MICHAEL WALKER

EXCUSED ABSENCES: NONE (MR. KREINBIHL WAS LATE)

- MR. WALKER MOTIONED TO APPROVE TONIGHT’S AGENDA
MRS. RIPPETH SECONDED THE MOTION
6 YEAS (MR. KREINBIHL WASN’T IN ATTENDANCE FOR THE VOTE)
TONIGHT’S AGENDA HAS BEEN APPROVED
- MR. WALKER MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR
SESSION OF COUNCIL ON AUGUST 12 , 2024
MR. RIPPETH SECONDED THE MOTION
5 YEAS (MR. KREINBIHL WASN’T IN ATTENDANCE FOR THE VOTE, MRS.
RAMOS ABSTAINED)
MINUTES FROM THE AUGUST 12, 2024 REGULAR COUNCIL MEETING HAVE
BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from Connie Limbacher dated August 16, 2024. This is an email titled “DORA Statement from May Council Meeting”.*
2. *To Clerk of Council from Darrin Lautenschleger dated August 18, 2024. This is an email it support of DORA.*
3. *To Clerk of Council from Harley Wheeler, dated August 19, 2024. This is an email stating opposition to DORA.*
4. *To Clerk of Council from Marsha Bryan dated August 19, 2024. This is an email in opposition of DORA*
5. *To Clerk of Council from Jami Cunningham, dated August 19, 2024. This is an email in opposition of DORA.*
6. *To Clerk of Council from the Ohio Division of Liquor Control, dated August 22, 2024. This is a C1 C2 Permit Class Liquor License Request from NPEASTDT LLC Storage Barn at 260 Beaver Ave. NE DBA East Side Drive Thru. Response must be postmarked no later than September 24, 2024.*
7. *To Clerk of Council from the Ohio Division of Liquor Control dated August 22, 2024. This is a C1 Permit Class Liquor License Request from Family Dollar Store at 1450 St. Rt. 39. I forwarded both requests to the President of Council to place in the Proper Committee.*
8. *To Council and Administration from Mayor Day, dated August 26, 2024. The Mayor’s Report.*

**President Kemp assigned the Liquor License Requests to Mr. Walker’s Committee.*

9. MAYOR’S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

The T-34 Warbirds to Make Their Return to Harry Clever Field

New Philadelphia’s aviation history will again be celebrated when the pilots of the T-34 Association bring their planes to Harry Clever Field on Saturday, September 7th. According to event organizer Don Whittingham, the aircraft will start appearing over the skies of downtown New Philadelphia at 10:30am, then land at the airport at 11am. The pilots will have lunch and welcome the public to view their historic Air Force training aircraft. Then around noon, the T-34 pilots will depart, doing runway fly-bys as they leave.

You can learn more about the T-34 Association and the aircraft here: <https://t-34.com>. This is the same group that visited Harry Clever Field last year.

City Planning Commission Recommends Adoption of the New Zoning Code

At its August 13th monthly meeting, members of the City Planning Commission voted unanimously to recommend that City Council adopt the new zoning code written by Wendy Moeller of Compass Point Planning. The recommendation included minor changes to the new City zoning map. The next step in the adoption process is a public hearing within the coming weeks, when Ms. Moeller will present the new code and answer questions. Then Council’s Zoning and Annexation committee will meet to consider the public input and make a recommendation to the entire Council to accept or reject the new code. It took just over a year to have meetings and do the necessary research to develop the new code, which I feel is essential to properly manage the City’s growth and future land uses. The last time the zoning code was updated was in 1987.

Wrapping Up Another Successful Season at Tuscora Park

With the Labor Day holiday weekend upon us, that means the summer season at Tuscora Park is coming to a close. This Sunday, September 1st, the Tuscarawas Philharmonic Orchestra will perform at RTY’s Summer Showcase. Then on Monday, September 2nd, the popular band “La Flavor” will perform to close out the Summer Showcase season. Also, Monday will be the last day that the park pool will be open. The following weekend, September 7th and 8th, will be the last days that RTY’s concession stands and rides will be open. This has been a summer to remember thanks to RTY’s commitment to improvements at Tuscora Park. The organization completed the repair and restoration of the Ferris wheel, purchased a new passenger train and added a mini-Ferris wheel kiddie ride. RTY has been a blessing to Tuscora Park and the City of New Philadelphia. The members ability to rally community financial support of its projects is second to none. And I know that they have their eyes on obtaining more kiddie rides to add to the park over the next few years.

Young Dads, Who Happen to Be City Councilmen, Are Doing It for the Kids

I want to thank and commend Kris Kreinbihl and Mitch Pace, a couple of young dads who are also City Council members, for their efforts to improve sports facilities in the City for our kids. If you didn’t see the recent Facebook post by the New Philadelphia Youth Soccer Association, Mr. Kreinbihl led the organization’s campaign that raised \$255,935.17 to pay for major improvement to the high school soccer fields at the Southside Community Park. And have you noticed that nearly every baseball and softball field at Waterworks Park has new playing surfaces and dugouts, and a concession stand? How about the improvements at Field #2 on the hill at Tuscora Park? They are the result of the work of Mr. Pace, who secured grants and annual sponsorships of each field to pay for the upgrades and ongoing maintenance. Both fathers don’t expect recognition, but they deserve it. Our kids are benefiting from their leadership. And I’m grateful that they chose to serve our community as City Council members.

City Hall will be closed on Monday for the Labor Day holiday. In 1894 President Grover Cleveland signed a law making the first Monday in September each year a national holiday to recognize all workers who contribute to America’s prosperity. Have a safe and restful holiday weekend. Go Quakers, Saints and Buckeyes!!!!

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

Mr. McAbier had the following report:

I was visiting both sites today that have the ongoing projects. For the Franklin Square Phase 2 Project last Monday they would have liked to have gotten to the storm sewer the 5 foot line. They’re still working on the sanitary sewer, but as we know as I said earlier that got lowered approximately 3 feet. So hooking all the services back up. They’re approximately six days behind where they would have liked to have been. I met with ODOT and some Shelly and Sands folks today

about the KSU Connector Trail. We had a couple issues, it called for concrete from the Founder's Hall to the Hangar on East High. It's all blacktop there so we're going to go blacktop. There were a couple issues with some service boxes for the water. We're connecting them to a road box so we can keep it flushed with the trail being right there. Also, with that project the mail is refusing to drop off mail there because that's not safe. We're still working through that with contractors. Also, at the last meeting we talked about having bid openings for the North Avenue Project. We had that on the 13th and it was awarded to Tucson in New Philadelphia for a bid of \$266,677.00. That went from North Broadway to North Ave. NE to 2nd Street NE. Also, last week the Mayor and I were informed that through OMEGA we were awarded a grant for \$250,000.00 to help with the 21st Street Waterline. It's right along Rt. 250 it comes on the side of Freeport Press. It's a line that's been a problem too, so that will be done next year.

Mr. Simmelink had the following comment:

The KSU Connector Trail Project was started on a week that school started so there's a lot of traffic in the area. It would have been nice to do it before kids were back in school.

Mr. McAbier said they were hoping to pave that area on Thursday so mail delivery should resume after that.

Mr. Rippeth asked if the widening could possibly lengthen the turn lane that goes into the University.

Mrs. Ramos had the following comment:

I drive that way to work and I agree that it is a mess already. Are the lanes going to stay narrow?

Mr. McAbier:

No, all they did was widen the edge for the bike lane.

Mrs. Ramos:

Will the bike lane be on both sides? Is it six feet per bike lane?

Mr. McAbier:

I can't remember if it's five or six but I'll get that information for you.

Mr. Pace:

With the stadium project there's a lot of moisture underneath the bottom section. Are they doing anything about that?

Mr. McAbier:

They put in a vapor barrier then they stoned all that, similar to what they do on trails.

Mr. Walker:

I just noticed yesterday that the fence near the drainage pond is open.

Mr. McAbier noted that the fence is not supposed to be open and he'll make sure to close it.

AUDITORMRS. HEATHER DENHAM.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following question:

A couple items in the Police Department. Back when we got a new Police Chief one of her updates she wanted to do is to the outside of the Police Station. Originally when it was built "New Phila Police" was on the building and they had can lights. She came up with a new sign and I'd like to thank the

VFW because they donated toward the sign. A couple meetings ago you heard from the Chair of the Civil Service Department about how it was hard to get candidates for the Police Department and he had been talking to the police chief. We had posted a notice for a Civil Service exam on the 29th and we had to cancel that because we only had one applicant.

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

LAW DIRECTOR.....MR. MARVIN FETE.....ABSENT FOR REPORT (MARVIN WAS IN ATTENDANCE LATER)

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY
The Planning Commission will be meeting the 2nd Tuesday of the month at 1:00 PM in Council Chambers.

BOARD OF ZONING APPEALS.....MR. RON MCABIER
The Board of Zoning Appeals met in Council Chambers on August 13th at 5:00 PM with one variance Request to be heard. The variance was for 1161.04 which was the lot coverage limits. Right now We're at 33%. The new code will have accessories where you're allowed to be over 33%. I had Josh come and explain that to the members, and once they heard that they voted unanimously for That increase at a vote of 3-0.

.
.

AIRPORT COMMISSION.....MR. DAN LANZER
The Airport Commission will be meeting on September 10th at 6:00pm at the Harry Clever Field Meeting Room.

PARK BOARD.....MR. MITCH PACE.....NO REPORT

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

HEALTH BOARD MR. TOM SIMMELINK

The Health Board met last week and their was a report that Covid cases are on the rise in the City. The FDA has just approved a new Covid vaccine with new variants that will be available in the City sometime soon. The frequency for administration of vaccine for kids going back to school is On the rise. They've been doing a lot of promotion on that and it's been successful.

STANDING COMMITTEE REPORTS:

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

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

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.....NO REPORT

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

Mr. Walker noted that we need to schedule a meeting before the next Council meeting.

VISITOR’S COMMENTS

Conning Thornton of 324 West High Ave. in New Phila had the following comment:

I come in front of City Council as a Member of ACE. We are having our 30 year anniversary on September 10th. ACE (Advocacy, Choices, and Empowerment) helps with addiction counseling and also mental health. I have been going there just about 3 years and it has helped me a lot. We are inviting you all to see what ACE does for our community.

Carl Russo of 324 West High Ave. had the following comment:

When it comes to Dora, for me and my household we are opposed. Also, the last few nights we’ve had quite a bit of drag racing going down West High. One of these days someone is going to pull out and there will be a wreck.

J.P. Huston of New Philadelphia had the following comment:

I am here to complete a requirement for my Boy Scouts Merit Badge. Thank you for giving me a chance to see how City Council can debate issues without getting angry at each other.

Council Comments

Mr. Walker had the following comment:

My wife runs Tuff Bags which provides food for food insecure kids across Tuscarawas County. Her building is down on Cookson Avenue. They are having their annual Gala on September 5th. If anyone is interested they can go to the Facebook page or the website to purchase tickets. Tickets are \$70.00 a piece and that will feed one child for the entire school year.

Mr. Simmelink had the following question for the Law Director:

The gas station on East High Ave. that has been involved in litigation in the City is open. Have they resolved their legal issues and are they meeting all their requirements?

Mr. Fete had the following reply:

They have resolved their obligations but they still violated our City Ordinance and that still has to be resolved. It’s set for a hearing with Judge Earnest. I have offered a resolution to that so we’ll see where it stands.

Mr. Simmelink continued:

Is it a safe operation. The gas has been underground for a long time.

Mr. Fete:

I can assure you that it is safe. Our Fire Department has deemed it safe.

President Kemp asked if the Liquor License issue has been resolved and Mr. Fete stated he does not know that status. Mrs. Ramos asked him to find out the status and he said he has not heard anything from the Board of Liquor Control.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

21-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO INCREASE ALL SANITATION ACCOUNTS BY THREE DOLLARS (\$3.00) PER MONTH, SANITATION ACCOUNT BILLS MAILED IN THE MONTH OF NOVEMBER 2024 SHALL REFLECT THE RATE INCREASE
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 21-2024
MR. SIMMELINK SECONDED THE MOTION
6 YEAS 1 NAY (MRS. RAMOS)
ORDINANCE 21-2024 HAS BEEN APPROVED

23-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING THE AUDITOR TO ESTABLISH A NEW FUND, CALLED THE DOWNTOWN QUADRANT MAINTENANCE FUND NUMBER 282
1st Reading

24-2024 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 24-2024
MR. SIMMELINK SECONDED THE MOTION
7 YAYS
ORDINANCE 24-2024 HAS BEEN APPROVED

RESOLUTIONS:

10-2024 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, APPROVING THE CREATION OF A DESIGNATED OUTDOOR REFRESHMENT AREA FOR THE CONSUMPTION OF ALCOHOL IN SPECIFIED PUBLIC AREAS OF NEW PHILADELPHIA, ENACTING REGULATIONS THEREOF.
1st Reading

MR. LANZER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 10-2024
MR. KREINBIHL SECONDED THE MOTION
6 YEAS, 1 NAY (MRS. RAMOS)

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 10-2024
MR. KREINBIHL SECONDED THE MOTION
5 YEAS, 1 NAY (MRS. RAMOS), 1 ABSTAINED (MR. WALKER)
RESOLUTION 10-2024 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

With no other business to discuss Mr. Lanzer motioned to adjourn at 8:07 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp