

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 12, 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
MRS. AIMEE MAY
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JIM SELDENRIGHT

EXCUSED ABSENCES

- MRS. MAY MOTIONED TO ADD RESOLUTION 25-2022, RESOLUTION 29-2022, AND ORDINANCE 17-2022 TO TONIGHT’S AGENDA FOR 1st Reading
MR. LANZER SECONDED THE MOTION
- MR. LANZER MOTIONED TO ADD RESOLUTION 26-2022 TO TONIGHT’S AGENDA FOR 1st Reading
MRS. MAY SECONDED THE MOTION
- MRS. RAMOS MOTIONED TO ADD ORDINANCE 16-2022 TO TONIGHT’S AGENDA FOR 1st Reading
MR. SELDENRIGHT SECONDED THE MOTION
- MRS. RAMOS MOTIONED TO ACCEPT THE AGENDA WITH THE ADDITIONS
MRS. MAY SECONDED THE MOTION
7 YEAS
THE AGENDA WITH THE INCLUSION OF THE ADDITIONS HAS BEEN ACCEPTED

- MR. LANZER MOTIONED TO APPROVE THE MINUTES FROM THE AUGUST 22, 2022 REGULAR SESSION OF COUNCIL
MRS. RAMOS SECONDED THE MOTION
7 YEAS
MINUTES FROM THE AUGUST 22, 2022 COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE..... CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from Treasurer Tom Gerber, dated September 1, 2022. This is the Investment and Savings Report for August of 2022*
2. *To Council, Administration, Chief Goodwin and Chief Parrish from Councilwoman Ramos, dated August 23, 2022. This is an email entitled “Response to Art District Liquor Licenses”.*
3. *To Council and Administration from Mayor Day, dated August 29, 2022. This is an email titled “Objections to locating the Homeless Shelter at 205 South Broadway”. This email was replied to by Councilwoman Ramos.*
4. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated September 1, 2022. This is the Mayor’s Office End of Month Report.*
5. *To Council and Administration from Law Director Fete, dated September 7, 2022. This is an email titled “Response to Friends of the Homeless”.*
6. *To Council and Administration from Income Tax Administrator Vickie Daniels, dated September 9, 2022. This is the Income Tax End of Month Report for August of 2022.*
7. *To President Kemp and Law Director Fete dated September 9, 2022. This is an email titled “Please Assign to Public Works Committee” with Resolution 26-2022 as the attachment. President*

- Kemp asked Mr. Lanzer to take this issue into his Committee.*
8. *To President Kemp and Law Director Fete dated September 9, 2022. This is an email titled "Please assign to the Finance Committee" with Resolution 29-2022 as the attachment. President Kemp asked Mr. Ricklic to take this matter into his Committee.*
 9. *To President Kemp from Law Director Fete, dated September 9, 2022. This is an email titled "Please assign to the Special and Contact Committee" with Ordinance 17-2022 as the attachment. President Kemp asked Councilwoman May to take this matter into her Committee.*
 10. *To Council Clerk from Administrative Assistant to the Auditor Heather Denham, dated August 12, 2022. This is the August 2022 Expense Report with Encumbrance Detail and the Statement of Cash Position from Revenue and Expense.*
 11. *To Council and Administration from Mayor Day, dated September 12, 2022. The Mayor's Report*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

- *City Planning Commission Pursues Revisions of the City's Zoning Code: During its regular monthly meeting tomorrow (Tuesday), the City Planning Commission will interview a second company that specializes in making municipal zoning code revisions. Many of the regulations in the City's existing zoning code have not been updated since 1987. Since then, there have been changes in the types of signage and property uses. The Commission members and I agree that revisions are necessary to fit the City's Master/Vision Plan and to try to remove gray areas of zoning code enforcement. The first interview of a company took place last week. Only two firms answered the request for proposal that I issued in July.*

- *Two More Murals are Completed in the Downtown Area: Have you seen the newest public art in downtown New Philadelphia? This past week, local mural artists Sarah Dugger and Jon Stucky completed their latest works. Ms. Dugger's "Greetings from New Philadelphia" mural was painted on the west side of the J.I.M.S. Place building on West High Avenue. Mr. Stucky painted a new mural on the east side of the building on 1st Drive SW behind the Mini-Shop Drive Thru. I want to thank the property owners and financial contributors for their support of public art in our downtown area. The murals give visual artists the opportunity to display their creativity and talent, while drawing more residents and visitors to our downtown to support local businesses. These new murals join the county high school art students' traffic box wraps as the newest additions to the downtown public art gallery.*

- *City Fire Inspector Initiates Public Nuisance Action Against Days Inn: The City's Fire Inspector has served a Notice of Initiation of Nuisance Declaration Process letter to the owners of the Days Inn, formerly the OYO Motel, at 181 Bluebell Drive SW. The notice said that criminal and drug activity has occurred at the motel, stating: "Over the past 12 months, the New Philadelphia Police Department and/or Fire Department have responded to complaints at the above-address at least 51 times." Under the nuisance ordinance adopted by City Council earlier this year, the letter is the first step toward declaring the motel as a nuisance property if it does not comply with the corrective actions listed by the Fire Inspector. The notice states that if additional nuisance activities or any additional felony occurs over the next year on the property, or within a thousand feet of the property, the motel will be declared a "Nuisance Property", and the owners would be responsible for the cost of the response of all Safety Force Personnel. Under the ordinance, the owners can appeal the notice to the City's Housing Board of Appeals.*

- Miller's Creamery will Move to a New Location on East High Avenue: *Over the weekend on social media, the owners of Miller's Creamery announced that they had purchased the former Arby's restaurant building at 2337 East High Avenue. The owners said that the new location will allow Miller's Creamery to be open year-round with a drive-thru, dine in seating and a large patio out front. So, this will be the last year for their seasonal location by the airport. Thank you, Miller's Creamery, for growing your business in New Philadelphia!*
- Runway Lighting Construction is Delayed at Harry Clever Field: *The City's Airport Commission received word last week that the installation of new runway lighting at Harry Clever Field is being delayed because the construction contractor is awaiting parts from a supplier. The contractor is hoping the boards for the lights and lighting package arrive by mid-October. When the project does get underway, Harry Clever Field will be periodically closed because of the construction schedule. Once that's known, notices will be sent out to the aviation community.*
- Pickleball Courts Ribbon-Cutting Ceremony is Scheduled: *The City Park Board and the Tuscora Park Foundation have set the ribbon-cutting and dedication ceremony to officially open the new pickleball courts at Tuscora Park for Sunday, October 16th at 1pm. The Foundation will have a Chicken BBQ fundraiser on Al Maloney Drive prior to the event from 11am to 1pm. Tickets are available from any Tuscora Park Foundation board trustee or at McInturf Realty's office on Tuscarawas Avenue NW. The construction of the four new courts is progressing on schedule. The project should be completed by the end of this month.*
- Halloween Trick-or-Treat Night in New Philadelphia is on Saturday, October 29th from 6pm to 8pm.

Service Director Ron McAbier:

Mr. McAbier had the following report:

Since we met a few weeks ago the Parklane Waterline Project has been awarded to Tucson Incorporated out of New Philadelphia in the amount of \$489,196.00. That includes that alternate bid which is going to run some 6" waterline into 416 and loop that system in. There's an area that has no service. That will be done probably at the beginning of next month. Also, 2nd and Ashwood has the sanitary and storm manholes. That was completed and done and paved all in the same week. With the complexity of that project I don't know how it could have gone any better. There was plenty of opportunity for things to go wrong and it did not. Also, since the last meeting the CDBG Project has been completed. That was some curbing on 2nd Street NW up to Minnich on the north side then we did all the sidewalks on the west side from North Ave. up to Minnich. Also, it's Fair Season so that means hydrant flushing time. That will start this Sunday the 18th at 8pm to 6am. That will go through Sunday night. If you get some dirty water run it on through, don't run the hot. Also, the Small Cities Grant that we were awarded a couple years ago, that was going to happen in 2023, the \$1.4 million grant, we were fortunate enough to put out for another one for 2026 and were awarded another \$1.3 million grant. That one will get us Union Ave. done from Martin Street to Ray Avenue. We'll do Reiser Ave. from East High Ave. to 21st Street, 2nd St. NW from Fair over to Front; Fair Ave from 2nd to 2nd Northwest to Northeast.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

Mark your calendars for October 13th between the hours of 5:00pm to 8:00pm in the Fire Department. It's their Fire Prevention Open House. Also in the Fire Department currently they're approximately 300 calls up from last year. The other item I have, on August 29th at East High and 2nd Street a police cruiser was involved in an accident. We are currently working with the insurance company to determine what's going to happen with the cruiser.

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I would like to piggyback on something the Mayor said and I would like to thank Council for the actions they're taking on the nuisance abatement Ordinance. It was actually passed last year. What Council did this year was to modify it so that the Housing Board of Appeals could work with it. When I first came on board I was always asked "we're getting called (here) all the time because of drugs and crime, is there any way we could make them pay for it?" I found a way and the Nuisance Abatement Ordinance is the only way to do it. It's basically three strikes and you're out, but if it's a felony it could be even less. The reason they've been sited this time is because of a felony that occurred at the OYO Hotel. They're on the clock, I'm fairly confident that given their past history that they're going to have more than three offenses. This is designed to deter that type of behavior. This hits in the pocketbooks which is where it counts. If you're not going to be good stewards in the City of New Philadelphia we're going to come after you to protect our community. The drug overdose problem in Tuscarawas County is ranked 18th in the State of Ohio. I'm really proud that New Philadelphia is being proactive in attacking that issue head on with the Nuisance Abatement Ordinance as well as the actions we've taken to get rid of the dilapidated properties which have become havens for drug activities.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting here at 1:00 PM tomorrow.

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

Tomorrow evening's meeting at 5:00 has been cancelled due to no variance requests to be heard.

AIRPORT COMMISSION.....MR. JIM SELDENRIGHT.....NO REPORT
We will be meeting tomorrow at 6:00 PM in Council Chambers.

PARK BOARD.....MR. MITCH PACE.....NO REPORT
We will be meeting on Wednesday at noon at the Park Pavilion.

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

HEALTH BOARD MR. DEAN HOLLAND

Mr. Holland had the following report:

No formal report this evening, but you had asked me to take into my Committee the Hazard Mitigation Plan. I have not called a meeting I'm waiting on additional information from the County. Also, Project Hope has been launched here in Tuscarawas County. I have asked Jodi Salvo to speak to Council briefly. We're looking at this September as being National Recovery Month.

Coordinator of Empower Tusc Jodi Salvo had the following report:

Project Hope is an effort each year to help do a couple things; to decrease stigma around addiction, as well as to provide an opportunity to promote the Hope Line in Tuscarawas County because of all the issues we had with drug overdoses and deaths. In 2020 we launched the Hope Line with Federal Funding. Prior to the Hope Line people who struggled with addiction didn't know where to turn to get help. In 2021 we lost 25 people to overdose deaths and we had 236 recorded overdoses. In 2022 we have had 9 deaths in the first 6 months. We have seen a decrease of recorded overdoses in the first 6 months, 47 were here in New Phila. The Addition Task Force is working on how do we address the problems we have, but we need to raise awareness of the drug issue. August 31 is a stop and remember and the month of September is to raise awareness. Project Hope is only as effective as people understanding the silhouettes and

the numbers they see. We held a press conference at the beginning of the month. My other request is to share that information.

Mrs. Ramos had the following question:
Could you tell us more about Hope Sunday?

Ms. Salvo:
Hope Sunday is where we reach out to the faith community and this year it's around the marijuana issue. We created a video and we have some community leaders take part. The video explains about the efforts in Ohio to expand the medical marijuana industry. It's a really complicated issue. When people talk about expanding the medical marijuana program I wouldn't have a problem if they moved it as it exists, but it's not. We're letting the church know this isn't expanding the medical program, this is expanding the recreational program and increases advertising and normalizes marijuana use. We have 120 churches participating as of today.

Mr. Fete had the following question:
Years ago we had a component at the Tuscarawas County Health Department for drug and alcohol addiction. When I first started as an attorney that was a wonderful tool. You could also get an anger management assessment and treatment for that. Is there any chance that's going to come back because that seemed to really help?

Ms. Salvo:
That's a place that the recovery courts are stepping into right now, and our recovery courts are very effective. The Help Line is that other mechanism to get people to the right level of care. We also have great counseling agencies that are working phenomenally on this issue.

Mr. Fete:
Are any of those programs free? In the Prosecutor's Office we represent a lot of indigent people and that's a great asset in the Community.

Ms. Salvo:
There are a lot of federal dollars that help to pay for the programs for people who can't afford them. The Hope Line number is 330-663-6812. I will put a post on Empower Tusc that you can share.

Mr. Holland had the following comment:
Mr. President, I'm sure that you're well aware that this body is quite concerned about the drug problem in this community. We certainly appreciate Ms. Salvo and her ongoing efforts. The Health Board will be meeting this Wednesday, September 14, at Noon in Council Chambers.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC

Mr. Ricklic had the following report:
There will be a Finance Committee Meeting on Monday, September 26, 2022 at 7:00pm. I would like to ask the Mayor, have you gotten your budgets together?

Mayor Day:

I will have a rough version done in time for the Meeting, as well as the Project

List.

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

PUBLIC WORKS COMMITTEE.....MR. DAN LANZER

Mr. Lanzer had the following report:

The Public Works and Economic Development Committee met this evening at 6:51 for a brief discussion on Proposed Resolution 26-2022 involving the Municipal Bridge Inspection Program. After a brief discussion we voted to add the Legislation to the Agenda and the Committee is asking to pass it on 1st Reading.

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

ZONING & ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS

Mrs. Ramos had the following report:

The Zoning and Annexation Committee met tonight at 7:00 o'clock to discuss Proposed Ordinance 16-2022 which is on the Agenda tonight for 3 Readings. This is to permanently rezone a piece of property owned by the County Commissioners from Industrial to Business. This is on the corner of East High Ave. and 10th St. NE.

+

SPECIAL & CONTACT COMMITTEEMRS. AIMEE MAY

Mrs. May had the following report:

The Special and Contact Committee met tonight at 6:45 where we reviewed Resolution 25-2022 which was to review amounts and rates for tax levies, and Resolution 29-2022 regarding the formula for distribution of local government funds. We also reviewed Ordinance 17-2022 which was the agreement for Indigent Defense Services for 2023. It was voted on to add all of those Resolutions to the Agenda and to pass Resolution 25-2022 and Resolution 29-2022 this evening by suspending the rules. We adjourned the Meeting at 6:51.

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

VISITOR’S COMMENTS: NONE

COUNCIL COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

16-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE PARCEL 43-04799-000 IN THE CITY OF NEW PHILADELPHIA, OHIO FROM INDUSTRIAL TO BUSINESS ZONE.
1st Reading

17-2022 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NEW PHILADELPHIA, OHIO, TO ENTER INTO AN AGREEMENT WITH THE TUSCARAWAS COUNTY PUBLIC DEFENDER’S OFFICE FOR THE PROVISION OF LEGAL REPRESENTATION FOR INDIGENTS CHARGED WITH VIOLATIONS OF NEW PHILADELPHIA CITY ORDINANCES IN THE MUNICIPAL COURT WHERE SUCH OFFENSES CARRY A POSSIBLE

LOSS OF LIBERTY, ESTABLISHING COMPENSATION AND TERMS TEREOF.
1st Reading

RESOLUTIONS:

25-2022 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
1st Reading

MRS. MAY MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 25-2022

MR. SELDENRIGHT SECONDED THE MOTION
7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 25-2022

MRS. MAY MOTIONED FOR APPROVAL OF RESOLUTION 25-2022

MR. SELDENRIGHT SECONDED THE MOTION
7 YEAS

RESOLUTION 25-2022 HAS BEEN APPROVED

26-2022 THE FOLLOWING IS A RESOLUTION ENACTED BY THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA) HAS DETERMINED THE NEED FOR THE DESCRIBED PROJECT: BRIDGE INSPECTION PROGRAM SERVICES, INCLUDING, BUT NOT LIMITED TO ROUTINE INSPECTIONS, ELEMENT LEVEL INSPECTIONS, CRITICAL FINDINGS REPORT, FRACTURE CRITICAL MEMBER INSPECTIONS, LOAD RATING CALCULATIONS AND REPORTS, WEIGHT LIMITS POSTING SIGN RECOMMENDATIONS, SCOUR ASSESSMENTS, SCOUR PLAN OF ACTIONS, DEVELOPMENT OF FRACTURE CRITICAL PLANS, AND UNDERWATER DIVE INSPECTION REPORTS IF NEEDED.
1st Reading

MR. LANZER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 26-2022

MR. PACE SECONDED THE MOTION
7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 26-2022

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 26-2022

MR. PACE SECONDED THE MOTION
7 YEAS

RESOLUTION 26-2022 HAS BEEN APPROVED

29-2022 A RESOLUTION ACCEPTING THE ALTERNATE FORMULA FOR DISTRIBUTION OF LOCAL GOVERNMENT AND LOCAL GOVERNMENT REVENUE ASSISTANCE FUNDS AS PROPOSED BY THE TUSCARAWAS COUNTY BUDGET COMMISSION AND PRESCRIBED IN SECTION 5747.53 OF THE OHIO REVISED CODE.
1st Reading

MRS. MAY MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 29-2022

MR. SELDENRIGHT SECONDED THE MOTION
7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 29-2022

MRS. MAY MOTIONED FOR APPROVAL OF RESOLUTION 29-2022
MR. SELDENRIGHT SECONDED THE MOTION
7 YEAS
RESOLUTION 29-2022 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

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

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp