

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON FEBRUARY 10, 2020 WITH PRESIDENT OF NEW PHILADELPHIA CITY COUNCIL DON KEMP PRESIDING. REVEREND STUBBS OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

*In recognition of Valentine’s Day members of New Philadelphia High School’s Delphian Chorale sang “Let Me Call You Sweetheart” and gave each member of Council and Administration a carnation.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND
MR. DAN LANZER
MR. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

- MR. LANZER MOTIONED TO ADD RESOLUTION 4-2020 TO TONIGHT’S AGENDA
MR. ZUCAL SECONDED THE MOTION
- MR. MAURER MOTIONED TO ADD ORDINANCE 4-2020 TO TONIGHT’S AGENDA
MRS. MAY SECONDED THE MOTION
- MR. RICKLIC MOTIONED TO ADD RESOLUTION 3-2020 TO TONIGHT’S AGENDA
MR. ZUCAL SECONDED THE MOTION
7 YEAS
RESOLUTION 4-2020, ORDINANCE 4-2020, AND RESOLUTION 3-2020 HAVE BEEN ADDED TO TONIGHT’S AGENDA

- MR. LANZER MOTIONED TO APPROVE TONIGHT’S AGENDA
MR. ZUCAL SECONDED THE MOTION
7 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED

- MR. RICKLIC MOTIONED TO ACCEPT THE MINUTES FROM THE JANUARY 27, 2020 REGULAR SESSION OF COUNCIL
MRS. MAY SECONDED THE MOTION
6 YEAS, MR. HOLLAND ABSTAINED
MINUTES FROM THE JANUARY 27, 2020 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from the Ohio Division of Liquor Control, dated February 4, 2020. Response to be postmarked no later than March 6, 2020. This is an important notice. Please complete and deliver this*

form to the Division of Liquor Control whether or not there is a request for a hearing. This is a D5 Liquor License request to Mauer's Time Warp LLC dba Mauer Time Warp 648 West High Ave. New Philadelphia, Ohio, from Raymond Hill dba Mauer Grill 648 West High Ave. New Philadelphia, Oh. I forwarded this to the President of Council who forwarded it to Mr. Lanzer.

- 2. To Clerk of Council from Alex McCarthy with the Tuscarawas County Homeland Security and Emergency Management Agency, dated February 3, 2020. This is an invoice that states "Please find enclosed an invoice for \$4,322.00 for your 2020 Contractual Agreement with the Tuscarawas County Homeland Security and Emergency Management Agency.*
- 3. To Council and Administration from Income Tax Administrator for the City Vicki Daniels, dated February 3, 2020. This is the January Report and it has the Income Tax Report for 2020 as the Attachment.*
- 4. To Council and Administration from Mayor Day dated February 3, 2020. This is Bios of the Members of the Downtown Design Standards Review Board. It has as attachments the bio for Erica Metzger, Jennifer Contini, Kathy Pietro, and Noel Poirier. The email states that the Mayor is still awaiting Gary Lawver's bio.*
- 5. To Council and Administration and Members of the Downtown Standards and Review Board, dated February 3, 2020. This is an email with the subject "Diagram of the Downtown Area as Defined by Resolution 14-86 and referenced by Chapter 1333 of the Codified Ordinances" and it has the attachment Outline of the area described in Resolution 14-86*
- 6. To Council and Administration from Auditor Gundy, dated February 4, 2020. This is the 2020 Budget 1st Draft.*
- 7. To Council and Administration from Auditor Gundy, dated February 6, 2020. This is an email with the Statement of Cash Position from Revenue and Expense for January 2020, the Check Report by Check Number for January 2020, Check Report by Fund for January 2020, The Bank Report for January of 2020, the Expense Report With Encumbrance Detail for January of 2020, and the Statement of Cash Position with MTD for January of 2020.*
- 8. To Council and Administration from Auditor Gundy, dated February 7, 2020. This is the 2020 Budget and it has that as the attachment.*
- 9. To Council and Administration from Mayor Day, dated February 7, 2020. This is Gary Lawver's Bio.*
- 10. To Council and Administration from Mayor Day, dated February 10, 2020. The Mayor's Report*

Administrative Reports.....

MAYOR'S REPORT/REQUESTS ...MAYOR JOEL B. DAY

Mayor Day had the following report:

- **Tuscora Park Foundation Clean Ohio Grant Application is Finally Approved:** This past Thursday, the Ohio Public Works Commission District Natural Resources Assistance Council approved the Tuscora Park Foundation's application for a Clean Ohio grant to begin construction of phase one of the Southside Community Park. The grant award was reduced from its original amount of \$2.2 million dollars to \$1.4 million dollars to take into account the required shortening of a new entrance road into the park and a reappraisal of the park's conservation easement being transferred from the City to the Foundation. But before the money will be released by the OPWC to begin construction, a bench review of the reappraisal has to be conducted as well as the certification of City matching funds. Once these final hurdles are cleared, construction will get underway. Barring any other obstacles, the completion of phase one – which includes a new entrance road off of Oldtown Valley Road, a dog park, pollinator garden and trail with pedestrian bridges – should come by the end of the year. Phase one does not include construction of additional ballfields.

- **JobsOhio and TeamNEO Partners with the City to find a new use for the Howden Buffalo Property:** Also last Thursday, Service Director McAbier, Building and Zoning Code Administrator Scolati and myself traveled to Columbus to meet with officials from JobsOhio and TeamNEO (Northeast Ohio) to learn how they could help the City find a buyer and a new use of the vacant Howden Buffalo plant. Officials from Hull Environmental of Dublin were also invited by JobsOhio to attend the meeting. As a result, they committed to dig deeper to determine the shortfalls of the property and construct a plan to develop more interest in it. I am grateful to Glenda Bumgarner of JobsOhio and Shawn Starlin of TeamNEO for their interest in helping New Philadelphia. We will meet again in six weeks to learn the results of the research and the next steps that need to be taken in the development plan.

- **Downtown Design Standards Review Board Organizes to Begin its Work:** I'm asking Council to confirm my appointments to the Downtown Design Standards Board of Review as soon as possible so that the board's work can officially get underway. The members met again last week to elect officers – Noel Poirier is the chairman and Kathy Pietro vice-chairman – and review the design standards adopted by the cities of Wooster and Zanesville to get ideas of what downtown New Philadelphia's standards should be. The members also discussed ways to inform downtown property and business owners that the board intends to help them be successful while encouraging storefront design improvements.

- **The Newly Renovated County Public Library is a Huge Asset to Our Community:** If you haven't already, please take the time to tour the newly renovated Tuscarawas County Main Public Library on Fair Avenue NW. The new design and technology in the library makes it one of the finest public libraries in Eastern Ohio and assures that it will serve as a center for knowledge and a comfortable gathering place for our community for years to come. At its recent grand reopening I was excited to see the new technology for using library resources and for making group presentations. The children's department also has a fresh new look and design. This past Saturday I was invited to sit in the new second floor presentation area and read a book named "Llama Llama

Red Pajamas” to a group of children with a real, live llama named Rusty standing beside me. So there’s no end to the special events that can now happen at the library for kids, adults and llamas alike!

➤ Congratulations to Cleveland Clinic Union Hospital! : The City of New Philadelphia congratulates Cleveland Clinic Union Hospital for receiving a 5-Star rating from the federal government’s Centers for Medicare and Medicaid Services. It’s the highest possible rating in the CMS ranking system. We are so fortunate that CEO Bruce James and his administration, and the hospital’s professional and support staffs are committed to providing the finest quality healthcare possible to the members of our community.

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

I want to talk about the Deerfield Subdivision, the new allotment on the corner of 2nd and Carrie Ave. NW. All the infrastructure has been in place. Curbs are around, the basecoat is on. Soon you will have legislation come before you to accept the new plat from Gary Lawver. Bids were open this past Friday, February 7th for Wabash Avenue Improvement Project. That’s stormwater improvements. They came in under Engineer Estimate, which is always a good thing. So the next couple weeks we’ll go over those with a fine tooth comb and go to the Board of Control and award that to the appropriate contractor. I will give you updates on who we award it to at the next Council meeting.

Mr. Zucal had the following question:

Do you have timeframes on that Wabash Ave. Project yet.

Service Director McAbier had the following reply:

No I don’t. I’ll know that after we meet. We had 8 packs go out and 7 came in.

**President Kemp asked Mrs. Ramos to take that issue into her Committee.*

AUDITORMS. BETH GUNDY.....NO REPORT

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

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

I'm reviewing 14-86 to see if it needs updated. One of the things I had trouble with is it seemed like all of that references a code section and all that code section seems to deal with housing. I'm trying to figure out how that applies to the improvement of the downtown area. I'm also working to update the fixed base operator contract because it's up for renewal. I'm working with the Health Department and the Health Inspector regarding an issue we have with somebody who is operating a tattoo parlor without a license. We've taken criminal action in regards to that and the gentleman has an upcoming hearing scheduled in March.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION MAYOR JOEL DAY

The Planning Commission will meet in Council Chambers tomorrow at 1:00 PM. The only thing on the Agenda is a presentation by the consultants hired by the New Philadelphia School Board to do preliminary design work on the Oak Shadows Golf Course Property.

BOARD OF ZONING APPEALS MR. RON MCABIER

The regular Board of Zoning Appeals Meeting scheduled for tomorrow night at 5:00 PM in Council Chambers will move to February 18th due to lack of a quorum. We'll have enough on the 18th with three variance requests to be heard on that night.

AIRPORT COMMISSION MR. JOHN ZUCAL

The Airport Commission is scheduled to meet tomorrow evening at 6:00 PM at the Harry Clever Field Meeting Room. I did want to bring you up to speed with what's transpiring with the Airport Commission. Per Mayor Day's request we have submitted RFQs and RFPs for a new fixed base operator. We just had one from Mr. Hubbard. We will continue to vet out his proposal. I've spoken with Don Kennedy also from the Airport Commission and we discussed at length some of the provisions in the contract. Don is going to approach Mr. Hubbard and we expect to have more of a discussion at length in regards to what we need to see as both optimal for him as well as optimal for the City. Hopefully we can come to a common ground in regard to that. PAPIs continue to come up. I've become more of an expert on PAPI lights all the time. We had a bid that was submitted for the PAPIs which again are the devices that help our pilots land and provides them with the best safety

procedures possible. When that bid was submitted by Michael Baker, our airport consultant, the bid was submitted with previous numbers and data being used as to what that would look like from a cost perspective. Unbeknownst to us there's fewer companies doing that so the price has now gone up so what was originally our match has increased. They are necessary because they provide safety for the pilots.

Mr. McAbier had the following comment:

It is in the budget and also the fuel farm is in there. Both of those things will get done this year.

PARK BOARD.....MRS. AIMEE MAY
The Park Board will meet February 19 at noon at Tuscora Park.

CEMETERY BOARD.....MRS. AIMEE MAY.....NO REPORT

HEALTH BOARD..... MR. KELLY RICKLIC
The Meeting is scheduled for Wednesday, February 12 at noon in the Health Department office.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER

Mr. Maurer had the following report:

The Finance Committee met tonight at 6:00 PM to get through the Health Department Budget. We did get through the general fund portion of the budget and so far it's pretty similar to 2019. There are a few items to review and come back to. We plan on meeting here in two weeks on February 24 to continue going through it.

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

The Salary Committee met this evening in Council Chambers. We began our discussion regarding the Downtown Design Construction Review Board. The Committee reviewed Chapter 1333 of the Codified Ordinances pertaining to downtown design standards as well as Chapter 1165 the central business district and Chapter 1167 of the business district. This all applies to the work that the Mayor has asked us to continue to support with the newly formed Design Review Board. This was actually created as part of Resolution 14-86. He has asked for ratification of the members which we have received biographies. I would ask that the Clerk of Council please conduct the roll for ratification of Gary Lawver, Kathy Pietro, Erica Metzger, and Jennifer Contini as well as Noel Poirier.

ROLL CALL

7 YEAS

COUNCIL HAS APPROVED THE RATIFICATION OF MEMBERS
OF THE DOWNTOWN DESIGN REVIEW BOARD

Mr. Zucal continued:

One of the areas we continue to move forward with is to learn more about the potential opportunities this presents to the City of New Philadelphia as we expand beyond just a Downtown Design and Review Board to a historical setting that would present grant opportunities.

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE... .MR. KELLY RICKLIC

Mr. Ricklic had the following report:

The Safety, Health, and Service Committee met this evening at 7:23 PM to discuss one item, Proposed Resolution 3-2020, which is a Resolution for an ODOT project of resurfacing State Route 39 from the corporation to the West High railroad crossing. There was a motion made to add that to the Agenda tonight and pass it as an emergency and pass 3-0. The meeting was adjourned at 7:25 PM.

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

Mrs. Ramos had the following report:

Just a reminder that on March 9, 2020 there will be a Public Hearing and this will be the 3rd Reading for Ordinance 2-2020 and also Resolution 1-2020.

SPECIAL & CONTACT COMMITTEEMR DAN LANZER

Mr. Lanzer had the following report:

The Special and Contact Committee met at 7:15 PM to discuss Proposed Resolution 4-2020 which Committee passed unanimously to have added to the Agenda tonight and we're asking for Council to pass it on 1st Reading.

PARKS & CEMETERY COMMITTEEMRS. AIMEE MAY.....NO REPORT

VISITOR'S COMMENTS:

Sean Lindsay of 1348 Whispering Pines Drive had the following comment:

My concern is with the planned removal of the High School, Middle School, and Central Elementary and that area, has Council or the City given any thought to what problems that may cause for an already dilapidated part of town? I don't know if there are any grants out there that could help.

Councilman Zucal had the following comment:

That represents a large portion of my ward. I do hear what you're saying. Given the fact that if passage of the initiative to build a new school does pass part of what happens is those buildings are actually razed so they no longer exist where they're at. I know in speaking with members of my ward that's one of the areas that consistently comes up. We would have to have some strong collaboration taking place with the City and the School District as to what happens to that land. Hopefully we can come up with a good answer as to how to maintain the integrity of the neighborhoods and only make them better.

COUNCIL COMMENTS: NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

1-2020 AN ORDINANCE TO MODIFY PORTIONS OF CODIFIED ORDINANCE CHAPTER 939, SEWAGE PRETREATMENT OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMPLY WITH NEW REGULATIONS AS MANDATED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA)
3rd Reading

MR. RICKLIC MOTIONED FOR APPROVAL OF ORDINANCE 1-2020
MR. HOLLAND SECONDED THE MOTION
7 YEAS
ORDINANCE 1-2020 HAS BEEN APPROVED

3-2020 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE THE ATTACHED ADDRESSES AND PARCEL NUMBERS IN THE CITY OF NEW PHILADELPHIA, OHIO FROM INDUSTRIAL TO BUSINESS ZONE
2nd Reading

4-2020 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA DIRECTING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO CONTRACTS WITH THE LOWEST AND BEST BIDDER FOR THE CITY'S REQUIREMENTS OF VARIOUS MATERIALS AND SUPPLIES FOR 2020.
1st Reading

MR. ZUCAL MOTIONED FOR SUSPENSION OF RULES ON
ORDINANCE 4-2020
MR. RICKLIC SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON ORDINANCE 4-2020

MR. ZUCAL MOTIONED FOR APPROVAL OF ORDINANCE 4-2020
MR. RICKLIC SECONDED THE MOTION
7 YEAS
ORDINANCE 4-2020 HAS BEEN APPROVED

RESOLUTIONS:

- 1-2020 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW
PHILADELPHIA, OHIO AUTHORIZING THE ANNEXATION OF AN
ADJACENT 0.459 ACRE TRACT OF REAL ESTATE LOCATED IN
GOSHEN TOWNSHIP AS DESCRIBED IN THE ATTACHED EXHIBIT A.
2nd Reading
- 2-2020 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW
PHILADELPHIA, OHIO, TO COMMEND JOHN ZION FOR 25 YEARS
OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA.
2nd Reading
- 3-2020 THE FOLLOWING FINAL RESOLUTION ENACTED BY THE CITY OF
NEW PHILADELPHIA, OHIO, HERINAFTER REFERRED TO AS THE
LEGISLATIVE AUTHORITY/ LOCAL PUBLIC AGENCY OR “LPA”, IN
THE MANNER OF THE DESCRIBED PROJECT. THE PROJECT CONSISTS
OF RESURFACING THOSE PORTIONS OF S.R. 39 BETWEEN THE DOVER
PARK AND RIDE (SLM 10.24) AND THE WEST HIGH AVENUE RAILROAD
CROSSING IN THE CITY OF NEW PHILADELPHIA (SLM 13.55),
INCLUDING PAVEMENT MARKINGS, LYING WITHIN THE CITY OF
NEW PHILADELPHIA.
1st Reading
- MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON
RESOLUTION 3-2020
MR. MAURER SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON RESOLUTION 3-2020
- MR. RICKLIC MOTIONED TO APPROVE RESOLUTION 3-2020
MR. MAURER SECONDED THE MOTION
7 YEAS
RESOLUTION 3-2020 HAS BEEN APPROVED
- 4-2020 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW
PHILADELPHIA, TUSCARAWAS COUNTY, OHIO AUTHORIZING
THE MAYOR TO SIGN ON THE BEHALF OF THE CITY, THE
AMENDED RENEWAL OF THE PROGRAMMATIC AGREEMENT
WITH THE OHIO STATE HISTORIC PRESERVATION OFFICE FOR

THE ADMINISTRATION OF PROGRAMS USING HUD ALLOCATED FUNDS WITH DELEGATED REVIEW RESPONSIBILITIES AS AUTHORIZED UNDER 24 CFR PART 58.

1st Reading

MR. LANZER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 4-2020

MRS. MAY SECONDED THE MOTION

7 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 4-2020

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 4-2020

MRS. MAY SECONDED THE MOTION

7 YEAS

RESOLUTION 4-2020 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

Mr. Maurer motioned to adjourn at 8:09 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp