

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 27, 2020 WITH PRESIDENT OF NEW PHILADELPHIA CITY COUNCIL DON KEMP PRESIDING. COUNCILMAN ZUCAL OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

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

EXCUSED ABSENCES

MR. TOM GERBER

- MR. MAURER MOTIONED TO ADD ORDINANCE 12-2020 AND RESOLUTION 19-2020 TO TONIGHT'S AGENDA FOR 1<sup>st</sup> Reading  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
ORDINANCE 12-2020 AND RESOLUTION 19-2020 HAVE BEEN ADDED TO TONIGHT'S AGENDA FOR 1<sup>st</sup> Reading
- MR. ZUCAL MOTIONED TO ADD RESOLUTION 20-2020 TO TONIGHT'S AGENDA FOR 1<sup>st</sup> Reading  
MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
RESOLUTION 20-2020 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MRS. RAMOS MOTIONED TO ADD RESOLUTION 13-2020 TO TONIGHT'S AGENDA FOR 1<sup>st</sup> Reading  
MR. LANZER SECONDED THE MOTION  
3 YEAS  
RESOLUTION 13-2020 HAS BEEN ADDED TO TONIGHT'S AGENDA FOR 1<sup>st</sup> Reading
- MR. ZUCAL MOTIONED TO ACCEPT THE AGENDA ALL OF THE ADDITIONS  
MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
TONIGHT'S AGENDA HAS BEEN ACCEPTED
- MR0. LANZER MOTIONED TO ACCEPT THE MINUTES FROM THE JULY 13, 2020 REGULAR SESSION OF COUNCIL  
MRS. MAY SECONDED THE MOTION  
7 YEAS  
MINUTES FROM THE JULY 13, 2020 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

**CORRESPONDENCE** . . . . . CLERK, JULIE COURTRIGHT

1. *To Councilman Rob Maurer and all of Council from President Kemp, dated July 14, 2020. This is an email titled "Remount of Ambulance" and it states "Rob, please take this request into the Finance Committee for review."*
2. *To Councilman Rob Maurer and Finance Committee from Don Kemp, dated July 24, 2020. This is an email titled "Stadium Lease" and it states "Rob, please take into your Committee to review the stadium lease with New Phila schools."*
3. *To Clerk of Council from Treasurer Tom Gerber, dated July 27, 2020. This is the June 2020 Deposit.*
4. *To Clerk of Council from Treasurer Tom Gerber, dated July 27, 2020. This is a note that says "Don, please excuse my absence tonight at Council."*
5. *To Council and Administration from Mayor Day, dated July 27, 2020. This is the Mayor's Report*

**Administrative Reports.....**

**MAYOR’S REPORT/REQUESTS ....MAYOR JOEL B. DAY**

Mayor Day had the following report:

- There is another Health Emergency in New Philadelphia: Drug Overdoses: Last Thursday I received from alarming statistics in a report from Wes Halter, the Fire Department’s Emergency Medical Services Coordinator. He is also a member of the Tuscarawas County Quick Response Team. Included in his QRT report was a report from the Tuscarawas County Coroner that showed a 283% increase in drug overdose deaths in our county since 2017. This year alone there have been 17 reported deaths in the county. Our City Health Department says that 10 of those deaths occurred here. Also, The QRT report showed that New Philadelphia leads Tuscarawas County in the number of reported drug overdoses. Over the past two years New Philadelphia has had 97 drug overdoses, Uhrichsville 30 and Dover 26. The Quick Response Team was created to try to steer drug abusers and overdose victims into treatment programs. The report indicated that the synthetic opioids fentanyl and carfentanil were the leading cause of the drug overdose deaths. And methamphetamine was the drug of choice for abusers in New Philadelphia and Tuscarawas County. The COVID-19 pandemic is likely playing a role in creating rise in drug overdose deaths this year. People are turning to drugs to cope with the stress and uncertainty. But the fact is that this problem has been plaguing our community for several years. And it’s time to confront it. I’m asking for help from all New Philadelphia residents and businesses. If you know of someone suffering from drug addiction and abuse, contact the City Health Department to learn how to get them on a path to recovery. If you know of drug dealers or places where drug dealing is occurring, contact the New Philadelphia Police Department. One step that the City can take to fight this battle is to hire additional police officers. According to Chief Goodwin, the level of staffing in the Police Department has not increased in at least 20 years. We need a detective that is dedicated solely to drug cases. I’ll ask Council president Kemp to assign this need to the Finance Committee for study. We can no longer think that solving this is somebody else’s problem. It’s our problem. And it’s up to us to solve it.
  
- Governor Dewine’s Mandate to Wear Facial Coverings in Public: I encourage all New Philadelphians to follow Governor Dewine’s statewide mandate that requires all of us to wear a facial covering in public places. If simply wearing a mask while shopping and in crowded places helps bring this pandemic to an end sooner than later, let’s do it. Any complaints about the mask mandate should be directed to the City Health Department, not the Police Department.
  
- Alley Cats “Starry Night” Mural Adds to the Downtown Arts Movement :If you haven’t done so already, stop by Alley Cats Marketplace on Allen Lane SW downtown to view “Starry Night”, the latest work in progress by local mural artist Jon Stucky. He was commissioned by Alley Cats owner Debbie Knisely to paint the mural on the south wall of the building. The mural is a spinoff of Vincent Van Gogh’s famous “Starry Night” painting. Stucky has included several local twists to the mural. Visual art helps enhance the appearance of our downtown area and is something I will continue to encourage.
  
- Have You Completed your U.S. Census Form? : Please do. The data it provides helps send federal dollars back to New Philadelphia to fund projects that strengthen our community.

*\*President Kemp asked Mr. Maurer to take the Mayor’s request into his Committee.*

**SERVICE DIRECTOR.....MR. RON MCABIER**

Mr. McAbier had the following report:

Newton’s Asphalt started paving last week. University Drive and Robinson was completed on Friday. They will continue throughout the first phase and be done by the end of next week. They will return as the gas tax continues to come in and the funding will be available. They’ll be out at the end of next week and back in late October. I want to talk about the paving on State Route 39 because probably before we meet August 10<sup>th</sup> the night paving will begin. I believe that will be a three week project. We had a preconstruction meeting last week for the CDBG Project with Mid Ohio Contracting. He will be in August 5<sup>th</sup>. He believes it will take four weeks to complete that project.

Mr. Ricklic had the following question:

Is the project on 39 at the west end coming to the railroad tracks?

Mr. McAbier had the following reply:

Yes.

AUDITOR .....MS. BETH GUNDY

Ms. Gundy had the following report:

The email that I sent out today that had the spreadsheet about the Coronavirus Relief Fund and where we'll be spending that. I just want to give you an idea of what kind of money we already account for.

President Kemp had the following question:

I can understand the Health Department's cost to get a reimbursement. For the Muni Court the numbers seemed awful high to me.

Ms. Gundy had the following reply:

It's for computer equipment.

SAFETY DIRECTOR .....MR. GREG POPHAM

Mr. Popham had the following report:

In the police department they have received official notice from the New Philadelphia Civil Service Commission on a Sergeant's promotional test that was given several months ago. Tomorrow the Mayor will be swearing in Tessa Pohovey as the Police Department's new Sergeant. In the fire department I would like to turn over the rest of my time to Chief Parrish to talk about the Pulse Point Program.

Fire Chief Jim Parrish had the following report:

As you remember last Council Meeting I talked to you a little bit about the Pulse Point Program. The program costs approximately \$10,000 and we had received a \$5,000 grant from the Marsh Foundation. Since then, on Friday I had received a phone call and an anonymous donor came and donated \$3,000 and Saturday I had received a donation of \$2,000 in memory of Raymond and Patricia Ricklic from the Ricklic family. It will be probably about 4 to 6 weeks before we implement it and I'll have more information for you at that time.

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

LAW DIRECTOR . . . . . MR. MARVIN FETE

Mr. Fete had the following report:

I'd like to spend my time this evening elaborating on the City's policy on mask enforcement. As everyone is aware Governor DeWine issued a statewide mandate on July 23, 2020 that everyone wear masks while at a public place. The City is unique because we have our own Health Department. I know many of us are thankful for that. I've consulted with both Vickie Ionno and the New Philadelphia Police Chief and I've reviewed the order myself. Health orders are enforced by the local Health Department. They are also the body that is responsible for dealing with statewide health orders. The New Philadelphia Police Department and our local Sheriff's Office are not the "mask police". Law Enforcement officials in our area have more than enough to deal with in crime and the very real threat of drugs in our community. Please do not call your local law enforcement offices to register a complaint regarding masks., instead direct complaints to your local Health Department. Our Health Department has done an outstanding job at the height of this pandemic to reduce the curve to allow us to reopen safely. I am fully confident they will handle complaints regarding masks and find the best solutions for everyone involved to keep our citizens safe and healthy during these challenging times. Law Enforcement Officers will be involved in situations where there are altercations due to masks, as businesses have the right to deny entrance to a private property if you are not wearing one. Should someone become belligerent or refuse to leave in that type of situation. Then it is elevated beyond the issue of simply wearing a mask to possible criminal disorderly conduct or trespass. That is something that would require the attention of the police. Having lived in this community my entire life and witnessed how we have responded in this crisis so far I'm hopeful that will not be necessary. I also want to echo what the Mayor said. I want to encourage people to wear masks and be good citizens so we can keep our businesses and schools open. These days all of us need to rely on what Abraham Lincoln called the "better angels of our nature". No one thinks twice about covering their mouth when they cough or turning their head when they sneeze. As the President has said wearing a mask is patriotic. It is also temporary and our best defense until there is a vaccine. Each of us has a duty to protect our elderly and vulnerable populations during these challenging times, and I ask that we do that as citizens.

Mr. Maurer had the following question:

I ran past a house earlier today that had a sign on their front door that said "Quarantined". If people are quarantined do they put signs like that up or is that just

somebody's sign?

Mr. Fete had the following reply:

To my knowledge that's not something that we're doing. Actually we go out of our way to avoid that because you don't want to single people out. Our goal in alerting the individual that's been quarantined is to make sure that their privacy is protected. So that would be something that the individual homeowner would choose to put on their door.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission's next meeting will be on Tuesday, August 11, 2020 at 1:00 PM here in Council Chambers. We're still working on the Agenda.

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

The Board of Zoning Appeals met July 14, 2020 here in Council Chambers at 5:00 PM with three variance requests to be heard. The first one was a resident at 564 Miller Ave. noncompliance with 1161.04 lot coverage. That was voted on and approved on a 5-0 vote. The next one was 260 Beaver Ave. NE noncompliance with 1161.18 over signage. That was heard and denied on a 5-0 vote. The last one was Walmart 231 Bluebell Dr. NW, noncompliance with 1167.09 which is over signage. After a lengthy phone conversation it was approved by a vote of 5-0.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission will meet on Tuesday, August 11, 2020 at 6:00 PM. Again we're looking to meet here in Council Chambers. I also do remind the members of Council that we do have Resolution 20-2020 on the Agenda for this evening. I would recommend suspension of rules and passage on 1<sup>st</sup> Reading.

PARK BOARD.....MRS. AIMEE MAY.....NO REPORT

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

HEALTH BOARD ..... MR. KELLY RICKLIC

The next Health Board Meeting is August 12 at 12:00 PM in Council Chambers.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. ROB MAURER

Mr. Maurer had the following report:

The Finance Committee met tonight at 6:15 PM to discuss Resolution 19-2020 which is a remodel of an ambulance box on our current 2012 Chassis to our current 2020 Ford F550 Chassis at a cost not to exceed \$116,000.00. We also discussed the appropriations in order to accept a couple grants in the Coronavirus Relief Fund which will amount to over a half million dollars. We're asking that both Resolution 12-2020 and Resolution 19-2020 be passed tonight as an emergency.

SALARY COMMITTEE .....MR. JOHN ZUCAL

Mr. Zucal had the following report:

The Salary Committee met this evening at 6:45 here in Council Chambers. We had two items that we discussed as part of our evening's agenda. The first was a lengthy discussion regarding the retire/rehire process. We did come to a consensus that moving forward that would be a topic that the Mayor would share with us very quickly and could be discussed in detail during an executive session. We're thankful for all the input we received from members of the Committee as well as the Administration as well as the additional members of City Council. We also discussed this evening the importance of passing Resolution 20-2020 which is an ODOT Transportation/ Aviation Grant in the amount of \$448,875 which would be 100% funded through ODOT. It does provide for the replacement of lights along Runway 1533. Currently we're still using incandescent lighting and this would move us to using LED made for a more efficient and highly protected area. We adjourned at 7:17 PM.

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

SAFETY HEALTH & SERVICE COMMITTEE... .MR. KELLY RICKLIC.....NO REPORT

ZONING & ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS.....NO REPORT

SPECIAL & CONTACT COMMITTEE .....MR DAN LANZER

Mr. Lanzer had the following report:

The Special and Contact Committee met this evening at 7:18 PM to discuss replacement pages for the Codified Ordinances at a cost of \$3,089.74. We voted unanimously 3-0 to add Proposed Ordinance 13-2020 to tonight's Agenda for 1<sup>st</sup> Reading.

PARKS & CEMETERY COMMITTEE.....MRS. AIMEE MAY.....NO REPORT

**VISITOR’S COMMENTS:**

Stephen Cameron of Glen Dr. New Phila Oh. had the following comment:

We’ve been dealing with water issues up on the hill. It seems as though the City has allowed too many houses to be built. We were told several years ago that there was never enough drainage. I don’t know if there’s anyway to block the building of any more houses until they actually address the issue of the drainage. We did get some information from the district director of ODOT and he did inform us that the best way for the City to get funding for storm sewers is the Ohio Public Works Commission.

Mr. Zucal had the following reply:

The OPWC typically goes through the Mayor’s Office and the Service Director would contact someone there rather than members of Council. Mr. McAbier or someone from his office will handle that.

Terry Everett of P.O. Box 1084 New Phila. had the following comment:

I own a property at 132 Poplar Ave. NW. Back at the end of March the Water Department took a backhoe and a pickup truck and pulled up on my property without permission. They left big ruts because the ground was soft. I asked Scott the Water Supt. why they did it without my permission. He said he doesn’t have time to find out who owns the property. The project they were doing had nothing to do with my property. They could have dug the hole on the street by parking on the street. I turned an invoice in 3 months ago and have never been paid. I expect to be reimbursed.

**COUNCIL COMMENTS:**

Mr. Zucal had the following comment:

Based on what the Mayor had said earlier and the pandemic with the drug overdose situations taking place. I thank you Mayor Day for continuing to bring that to light. I also thank you for making a plea for ways of which this can be handled. The Covid virus should not stop us from taking proactive action to help reduce this in our community. Across our county the numbers are startling. 17 fatal overdoses in our county through June compared to just 13 in 2019. Also I just want to commend Marty Miller for the project that has been ongoing at Miller’s Clothing. What a fabulous job he has done.

President Kemp asked the following question:

Do we have a task force of Community members to brainstorm solutions to the drug problem?

Mrs. Ramos had the following reply:

The Anti Drug Coalition is comprised of members of the Community. I actually go to those meetings. There’s a number of sectors that they have to have represented such as businesses, churches, and professionals that work in the field.

Mr. Maurer had the following comment:

I had the chance to represent the City because the Mayor was out of town and President Kemp had an obligation. I got to represent the City for Buckeye Boys and Girls State. I was warned to dress cool, no air conditioning that I know of and we were wearing masks during this 2 hour program. I got to listen to the speakers from American Legion. One guy was hit by a SCUD missile in Iran and one guy was a Vietnam veteran. It really put into perspective what a small gesture wearing a mask is.

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

- 12-2020 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2020.  
1<sup>st</sup> Reading
- MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 12-2020  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
RULES HAVE BEEN SUSPENDED ON ORDINANCE 12-2020
- MR. MAURER MOTIONED FOR PASSAGE OF ORDINANCE 12-2020  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
ORDINANCE 12-2020 HAS BEEN APPROVED
- 13-2020 AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES  
1<sup>st</sup> Reading
- MR. ZUCAL MOTIONED FOR RULES TO BE SUSPENDED ON ORDINANCE 13-2020  
MR. LANZER SECONDED THE MOTION  
6 YEAS 1 NAY (MRS. RAMOS)  
RULES HAVE BEEN SUSPENDED ON ORDINANCE 13-2020
- MR. LANZER MOTIONED FOR PASSAGE OF ORDINANCE 13-2020  
MR. RICKLIC SECONDED THE MOTION  
7 YEAS  
ORDINANCE 13-2020 HAS BEEN PASSED

RESOLUTIONS:

- 19-2020 A RESOLUTION BY THE COUCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH EXCELLANCE, INC. FOR THE PURPOSES OF REMOUNTING THE AMBULANCE BOX THAT IS CURRENTLY ON THE 2012 INTERNATIONAL 4300 ONTO THE NEW 2020 FORD 550 CHASSIS THAT WAS PURCHASED IN 2019 AT A COST NOT TO EXCEED \$115,155.47, THE SPECIFICS OF WHICH ARE ATTACHED HERETO AS AN EXHIBIT AND INCORPORATED HEREIN BY REFERENCE AS IF FULLY REWRITTEN.  
1<sup>st</sup> Reading
- MR. MAURER MOTIONED FOR SUSPENSION OF RULES FOR RESOLUTION 19-2020  
MR. RICKLIC SECONDED THE MOTION  
7 YEAS  
RULES HAVE BEEN SUSPENDED ON RESOLUTION 19-2020
- MR. MAURER MOTIONED FOR APPROVED OF RESOLUTION 19-2020  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
RESOLUTION 19-2020 HAS BEEN PASSED
- 20-2020 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEW PHILADELPHIA TO ACT AS SIGNATURE DESIGNEE AND TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$448,875.00 FOR THE RUNWAY 15-33 LIGHT REPLACEMENT PROJECT AND ONCE THE GRANT OFFER IS RECEIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION FURTHER AUTHORIZING THE MAYOR TO EXECUTE

THE GRANT CONTRACT AND ALL RELATED DOCUMENTS AND TO  
MANAGE THE GRANT AS NECESSARY INCLUSIVE OF SUBMISSION  
OF APPLICATION FOR PAYMENT ASSOCIATED WITH THE GRANT  
AS REQUIRED BY THE OHIO DEPARTMENT OF TRANSPORTATION.  
1<sup>st</sup> Reading

MR. ZUCAL MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION  
20-2020  
MR. RICKLIC SECONDED THE MOTION  
7 YEAS  
RULES HAVE BEEN SUSPENDED ON RESOLUTION 20-2020

MR. ZUCAL MOTIONED FOR APPROVAL OF RESOLUTION 20-2020  
MR. RICKLIC SECONDED THE MOTION  
7 YEAS  
RESOLUTION 20-2020 HAS BEEN APPROVED

**UNFINISHED OR OLD BUSINESS:**

Mr. Zucal had the following comment:

Mr. McAbier, do we have an update on Glen Dr.?

Mr. McAbier had the following response:

No, not at this time.

**NEW BUSINESS:**

Mrs. Ramos had the following comment:

I'm really concerned that this is the fourth meeting that we've passed all the  
Legislation on the Agenda by suspending the rules. My question is, why can't we get this stuff done earlier so we  
don't have to suspend the rules?

Mr. Fete had the following response:

Part of the problem is dealing with ODOT or any type of government entity. They get it to us  
and tell us they need it passed right away. When government mandates come in they're very late and they have to be  
done right away.

Mrs. Ramos had the following comment:

Can't we discuss it sooner? We know it's in the works, right?

Mayor Day had the following response:

In these instances we don't know it's in the works. We get a notification from  
ODOT for instance that says "you need to pass this resolution in order to apply for funding or a project." They don't  
give us two months notice. They give us in some cases three week's notice, and if that three weeks doesn't fall within  
a Council meeting that's the reason why there's a sense of urgency to suspend the rules.

Mrs. Ramos had the following question:

Do we know ahead of time what projects we'll be working on?

Mayor Day had the following response:

Sometimes in a timely fashion, because of procedures that they have.

Mrs. Ramos had the following question:

What about appropriations, you know those are coming?

Auditor Gundy had the following response:

No, not really.

Mr. Maurer motioned to adjourn at 8:17 pm



CLERK OF COUNCIL \_\_\_\_\_  
Julie Courtright

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Don Kemp