

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON SEPTEMBER 28, 2020 WITH PRESIDENT OF NEW PHILADELPHIA CITY COUNCIL DON 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. ROB MAURER  
MRS. AIMEE MAY  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC  
MR. JOHN ZUCAL

EXCUSED ABSENSES

TREASURER TOM GERBER

- MR. MAURER MOTIONED TO ADD RESOLUTION 22-2020 TO TONIGHT’S AGENDA  
MR. ZUCAL SECONDED THE MOTION  
MR. HOLLAND MOTIONED TO ADD RESOLUTION 23-2020 TO TONIGHT’S AGENDA  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
RESOLUTION 22-2020 AND RESOLUTION 23-2020 HAVE BEEN ADDED TO TONIGHT’S AGENDA
  
- MR. MAURER MOTIONED TO ACCEPT TONIGHT’S AGENDA  
MR. LANZER SECONDED THE MOTION  
7 YEAS  
THE AGENDA WAS ACCEPTED
  
- MR. ZUCAL MOTIONED TO ACCEPT THE MINUTES FROM THE SEPTEMBER 14 , 2020 REGULAR SESSION OF COUNCIL WITH A SMALL TYPOGRAPHICAL ERROR CORRECTED THAT MR. HOLLAND POINTED OUT ON PAGE 7.  
MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
MINUTES FROM THE SEPTEMBER 14, 2020 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

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

1. *To Council and Service Director McAbier and Law Director Fete, dated September 22, 2020. This is an email, the subject is Ordinance 14-2020.*
  2. *To Council and Administration from Health Director Vickie Ionno, dated September 24, 2020. This is an email with the subject “Tuscarawas County is Elevated to Level 2 (Orange) with the attachment Ohio Health Advisory Map.*
  3. *To Council Clerk from Marynette Holmes, dated September 28, 2020. This is an email with the subject “New Philadelphia Skate Park” . I forwarded this to Councilmembers.*
  4. *To Council President Kemp dated September 28, 2020. This is from Treasurer Tom Gerber, it’s a handwritten note that states “please excuse my absence to tonight’s meeting”.*
  5. *To Council and Administration from Mayor Day, dated September 28, 2020. This is the Mayor’s Report.*
- Administrative Reports.....**

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

Mayor Day had the following report:

Halloween Trick or Treat will be held here in the City on Saturday, October 31, 2020 from 6:00pm until 8:00pm. Covid-19 protection guidelines will be posted on the City’s website as well as on the City’s Facebook and I encourage you to go there and read them. They’re also available as fliers at the City’s Health Department window. If you plan to hand out candy please have your porchlight on so the kids know. The Mayors of Tuscarawas County are planning to have trick or treat on the same night in order to minimize travel between communities. City Police Chief Mike Goodwin and J. J. Boroski, the Executive Director of Community Mental Healthcare, are finalizing plans to embed behavioral health counselors/ social workers within the operations of the police department. This is in response to my call for greater collaboration between community partners to address the local problems of homelessness, drug abuse, and overdose deaths. This amounts to a pilot program that comes at no cost to the City. In addition the County’s antidrug coalition, opiate task force, and ADAHMS Board will have a joint press conference this Thursday, October 1, 2020 at 1:00 PM on the courthouse steps to address Project Hope. Project hope is a month long effort to address overdose deaths that have occurred in Tuscarawas County this year, and the services available to prevent any more from occurring . Finally, because of the pandemic, unfortunately no sportsmanship breakfast this year, Rally in the Alley, Spaghetti Dinner or Community Pep Rally, but the game will be played on Friday night when our Quakers welcome the Dover Tornados to Woody Hayes Quaker Stadium. I wish the seniors participating in their final rivalry game the best of luck. Make this the best performance in your high school career. Attendance inside the stadium is limited so check the New Phila. school’s website and social media for details on that.

Mr. Zucal had the following comment:

I’m very much encouraged when I hear that we’re having a collaboration taking place between so many community organizations recognizing the fact that our drug issue has many different layers , and those layers require different levels of expertise. I think as a community and county we’re heading the right direction.

Mayor Day had the following reply:

I agree. This is our problem and it’s up to us to solve it.

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

The CDBG Project on Poplar Ave. and also the North Ave. sidewalks and curbs have been completed. We may be under budget, we’re waiting for the numbers to come in from Mid Ohio. We may be able to continue curbing on 2<sup>nd</sup> Street from Poplar to 5<sup>th</sup>. After that is completed we will be upgrading the 2 inch waterline on Poplar. We still need to get the waterline installed. I don’t know if it will be this year or early next year that project will be completed. The Cemetery Maintenance Garage the final electrical and plumbing will be completed soon. Next week you should start seeing the office taking shape. At Southside Community Park, York Bridge came in Monday. We have two pedestrian bridges and one vehicular bridge. It’s been seven and a half weeks before they could get on site. The sewer and sanitary lines are being put in. They want to get it paved this year.

AUDITOR .....MS. BETH GUNDY .....NO REPORT

SAFETY DIRECTOR .....MR. GREG POPHAM.....NO REPORT

TREASURER . . . MR. TOM GERBER.....EXCUSED ABSENSE

LAW DIRECTOR . . . . . MR. MARVIN FETE

Mr. Fete had the following report:

This evening I rise to discuss the Cemetery Endowment Fund, It was an effort by Council and myself to be able to spend money that we already had by transferring it into a fund that would allow us to do that in following proper legal procedures. We got a letter from the State Auditor’s Office approving that fund over a year ago. In reliance on that we started the process of construction on our new cemetery. I was taken quite aback to receive notice from the State Auditor’s Office that they were rescinding approval of our fund. I promptly told the auditor that I needed a contact in the legal department of the

auditor's office because we definitely relied on your approval of this fund. I said if this isn't resolved I'm suing the State Auditor's Office. I got off the phone and called representative Brett Hillyer. Within an hour of talking to Brett Hillyer about the issue I got an email from the State Auditor's Office saying "we are reconsidering our position on that. By the end of the day they had reversed themselves. I want to thank representative Hillyer for his efforts on this. Our community has a wonderful friend in Representative Hillyer, who was also instrumental in getting the initial approval letter that we got the funds approved. They have requested that we get further approval from the Ohio Tax Commissioner. I'm asking that be assigned to a Committee and we will have to do another Resolution.

\* *President Kemp asked Mr. Maurer to take this matter into his Committee.*

Mr. Fete says this legislation would have to be passed by close of business in 2021.

Mr. Zucal thanked Mr. Fete for being proactive in response to that and for getting the support from Representative Hillyer's Office.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission's will be meeting in Council Chambers on Tuesday, October 13, 2020 at 1:00 PM in Council Chambers.

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

Our next meeting will be Tuesday, October 13 at 5:00 PM in Council Chambers. At this point we have one variance request.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

We'll be meeting Tuesday, October 13, 2020 at 6:00pm in Council Chambers.

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

CEMETERY BOARD.....MRS. AIMEE MAY

Our next Meeting is October 8 at 8:00am.

HEALTH BOARD ..... MR. KELLY RICKLIC.....NO REPORT

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. ROB MAURER

Mr. Maurer had the following report:

The Finance Committee met tonight at 7:15 to discuss two items. The first was an increase in appropriations on an Airport grant. The Committee is recommending that we amend Ordinance 14-2020 this evening and add this item to it for approval. We also discussed a resolution by the County discussing the tax estimates, Resolution 22-2020. We are recommending passage at the next Council Meeting.

SALARY COMMITTEE .....MR. JOHN ZUCAL.....NO REPORT

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND

Mr. Holland had the following report:

The Public Works and Economic Development Committee met this evening, here in council chambers, at 7:00 PM to discuss entering into a contract with Ohio Regional Development Corporation (ORDC) for funding through the State Capital Improvement and/or the Local Transportation Improvement Program(s) for capital improvements to Glenn Drive NE. The State Capital Improvement Program and the Local Transportation Improvement Program provide financial assistance to local political subdivisions for capital improvements to public infrastructure. The resolution would authorize Mayor Day to enter into any agreements necessary and appropriate for obtaining this financial assistance.

After committee discussion and information from Service Director McAbier the Committee voted to send the Resolution to the full Council with Resolution 23-2020 being placed on tonight’s Agenda for First Reading and passage to expedite the project due to infrastructure condition and the necessary lead time to plan and design a project such as this.

There being no further business to come before the Committee the meeting was adjourned at 7:07 PM.

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

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

SPECIAL & CONTACT COMMITTEE .....MR DAN LANZER.....NO REPORT

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

**VISITOR'S COMMENTS: None**

**COUNCIL COMMENTS:**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

14-2020 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2020.  
2<sup>nd</sup> Reading

MR. ZUCAL MOTIONED TO AMEND ORDINANCE 14-2020 TO REFLECT THE AUDITOR'S REQUEST TO INCLUDE THE 2019 AIRPORT FEDERAL GRANT IN THE AMOUNT OF \$36,000  
MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
ORDINANCE 14-2020 HAS BEEN AMENDED

MR. MAURER MOTIONED FOR SUSPENSION OF RULES ON AMENDED ORDINANCE 14-2020  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
RULES HAVE BEEN SUSPENDED ON AMENDED ORDINANCE 14-2020

MR. ZUCAL MOTIONED FOR APPROVAL OF AMENDED ORDINANCE 14-2020  
MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
AMENDED ORDINANCE 14-2020 HAS BEEN APPROVED

**RESOLUTIONS:**

22-2020 A RESOLUTION ACCELPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR  
1<sup>st</sup> Reading

23-2020 A RESOLUTION AUTHORIZING THE CITY OF NEW PHILADELPHIA TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/ OR LOCAL TRANSPORATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.  
1<sup>st</sup> Reading

MR. ZUCAL MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 23-2020

MR. HOLLAND SECONDED THE MOTION  
7 YEAS  
RULES HAVE BEEN SUSPENDED ON RESOLUTION 23-2020

MR. HOLLAND MOTIONED FOR APPROVAL OF RESOLUTION 23-2020  
MR. ZUCAL SECONDED THE MOTION  
7 YEAS  
RESOLUTION 23-2020 HAS BEEN APPROVED

**UNFINISHED OR OLD BUSINESS:**

Mr. Ricklic asked Mayor Day to contact Mr. Jeff Erb about the status of the laptops for Council and Administration.

**NEW BUSINESS:**

Mr. Zucal had the following comment:

After consulting with the chairman of the Public Works and Economic Development Committee I would ask that that you consider placing in that Committee Legislation that would require the approval and vetting of any public event taking place on City property.

*\*President Kemp asked Mr. Holland to take that matter into his Committee.*

Mr. Maurer motioned to adjourn at 7:59pm

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

APPROVED \_\_\_\_\_

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