

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JANUARY 27, 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. DAN LANZER
MR. ROB MAURER
MRS. AIMEE MAY
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. JOHN ZUCAL

EXCUSED ABSENCE:

MR. DEAN HOLLAND

- MR. ZUCAL MOTIONED TO ADD RESOLUTION 2-2020 TO TONIGHT’S AGENDA
MR. MAURER SECONDED THE MOTION
6 YEAS
RESOLUTION 2-2020 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. ZUCAL MOTIONED ADD ORDINANCE 2-2020 TO TONIGHT’S AGENDA
MR RICKLIC SECONDED THE MOTION
6 YEAS
ORDINANCE 2-2020 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MRS. RAMOS MOTIONED TO ADD RESOLUTION 1-2020 AND ORDINANCE 3-2020 TO TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
RESOLUTION 1-2020 AND ORDINANCE 3-2020 WILL BE ADDED TO TONIGHT’S AGENDA
- MR. ZUCAL MOTIONED TO APPROVE TONIGHT’S AGENDA
MR. RICKLIC SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN ACCEPTED

- MR. LANZER MOTIONED TO ACCEPT THE MINUTES FROM THE JANUARY 13, 2020 REGULAR SESSION OF COUNCIL
MR. LANZER SECONDED THE MOTION
5 YEAS, MRS. MAY ABSTAINED
MINUTES FROM THE JANUARY 13, 2020 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Clerk of Council from Jen Boger with the Ohio Ethics Commission, dated January 14, 2020. This is an Ohio Ethics Commission filing reminder for the 2019 Financial Disclosure Statement to be filed in 2020. It states “Dear City Official you’re receiving this letter because you are currently serving or have served at some point in 2019 or 2020 in a City Elected Office. Ohio Law requires that all individuals serving for any amount of time in 2019 or 2020 in such positions file a calendar year 2019 Financial Disclosure Statement. The filing deadline is Friday, May 15, 2020. I made copies for all of Council and Administration.*
2. *To Council Clerk from Treasurer Tom Gerber, dated January 14, 2020. This is the City of New Philadelphia December 2019 Investment and Savings Report.*
3. *To Councilman Maurer and Members of the Finance Committee from President of Council Kemp, dated January 16, 2020. This is an email with the Subject*

FWD: Material Bids for City. It has the attachment 2019 Letter Request for Legislation. It states Rob, please take this request into your Committee for appropriate action.

4. *To President of Council Kemp from Councilman Holland, dated January 18, 2020. This is an email that states President Kemp, I'm requesting an excused absence for the Council Meeting on January 27, 2020 as I will be out of State. Thank you for your consideration.*
5. *To Council and Administration from Mayor Day, dated January 19, 2020. This is an email titled New Philadelphia Bicycle and Pedestrian Connectivity Plan Public Meeting Number 2 February 19, 6:00PM.*
6. *To Mayor Day from Rebecca Hall with Hall Community Development LLC. This is an email with the subject Historic Preservation Agreement.*
7. *To Council and Administration from Mayor Day, dated January 27, 2020. This is the Mayor's Report.*

Administrative Reports.....

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

Mayor Day had the following report:

- **Downtown Design Standards Review Board Holds its Initial Meeting:** Last week the members of the Downtown Design Standards Review Board gathered in my office to be introduced and discuss the board's purpose as described in Chapter 1333 of the City's Codified Ordinances. The members are Jen Contini-Cunningham, a nationally recognized artist and the manager of Love's Gallery; Gary Lawver, a local builder and developer; Erika Metzger, a local designer and marketing expert with Sourdough LLC; Kathy Pietro, a downtown property and business owner and a local developer and Noel Poirier, the executive director of the Age of Steam Roundhouse Museum in Sugarcreek. His historical preservation experience includes work with the Colonial Williamsburg Foundation and Historic Bethlehem Partnership. Before the work of the board can officially get underway Chapter 1333 requires that the members be approved by City Council. I will send brief biographies of each member to Council members to review and ask for their formal approval during Council's February 10th meeting. The board members selected the first Wednesday of the month at 7:30 am as the Downtown Design Standards Review Board's regular meeting date. The meetings will be held in the Service Director's third floor conference room at City Hall.
- **Friday is the Deadline for Submitting RFP's to become the Airport's Fixed Base Operator:** As a reminder, this Friday January 31st is the deadline for submitting a Request for Proposal (RFP) to become the Fixed Base Operator (FBO) at Harry Clever Field. All RFPs should be sent to Service Director McAbier's attention. The City's Airport Commission will then assist the Administration in reviewing the RFPs and selecting a Fixed Base Operator for Harry Clever Field.
- **The Akron Canton Regional Airport Sets its Five Year Goals:** In order to learn where Harry Clever Field fits into the regional aviation picture, Service Director McAbier, City airport liaison Jeff Erb and myself attended Friday's press conference to learn about the Akron Canton Airport's five-year plan. CEO Ren Camacho said the plan will focus on strengthening the airport's partnerships with its current airlines and foster growth opportunities to attract new airlines. He said a new restaurant that overlooks the airfield will be built and said a business development manager will be hired to expand the air freight business at the airport. The number of people using Akron-Canton has been trending downward. The information we learned will help the City make improvements at Harry Clever Field that keep our existing based aircraft and expand our flight services.
- **Ohio First Lady Fran Dewine Launches the County's Imagination Library Program:** The Ohio Governor's Imagination Library program was officially opened in Tuscarawas County today (Monday) by First Lady Fran Dewine. During her remarks at the Tuscarawas County Main Library Ohio's First Lady thanked the local organizations and individuals who reacted quickly to support the reading program, which is modeled after Dolly Parton's Imagination Library. The goal of the

Imagination Libraries is to foster an early love for reading and prepare children for kindergarten. Every child under five years old in our county who is enrolled will receive a book to read each month. You can enroll a child online at www.ohioimaginationlibrary.org or contact The United Way of Tuscarawas County, which is coordinating and managing the local program.

➤ Tuscora Park Foundation's Annual Pancake Breakfast Fundraiser is on February 15th: The Tuscora Park Foundation's Board of Trustees will have its annual Pancake Breakfast Fundraiser on Saturday February 15th to raise money to help fund the dog park included in the first phase of the Southside Community Park construction. The Phase One state grant funding that the board has applied for will only cover the cost of fencing and waste disposal at the dog park. Other items needed are water fountains, benches, and agility or exercise equipment. The pancake breakfast will be held at Tuscora Park from 7am until 11am. Tickets are five dollars and are available in advance from any Foundation Board member or at the Mayor's office. The Foundation Board has set the dog park, as well as new basketball courts and restrooms on Maloney Drive at Tuscora Park as its top funding priorities for the next two years. Visit the Foundation's website at www.tuscoraparkfoundation.com for more information and to donate to its projects.

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

Requests for quotes for the new pole building at the Shoenbrunn Meadows Cemetery are out. We're hoping to award by the 19th. We also have the bid out for the Wabash Ave Storm Sewer and Waterline Upgrade. Before our next meeting we're open to bids February 7th and I will also update any news that I will have at that time.

AUDITORMS. BETH GUNDY.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

One of the firefighters that was hired under the SAFER Grant has turned in his resignation letter effective February 2nd. Josh Lanning will be leaving. We actually have a Civil Service Test scheduled for March 18th at the Fire Department. Also the Fire Chief in conjunction with the Fire Prevention Bureau has set out on a task for this year to be able to donate a smoke detector to every house in the City of New Phila. He has about \$1,600 in donations and the approximate number of residents is about 8,000.

Mr. Zucal had the following question:

What would we be looking at as far as donations?

Chief Parrish had the following response:

The smoke detectors are being sold to us at around \$5.00 a piece.

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

LAW DIRECTOR MR. MARVIN FETE

Mr. Fete had the following report:

As many of you know we have an Ordinance before us this evening which is Ordinance 23-2019. I want to give you a little bit of background on how that came to be. In the community I came across and individual who was complaining to me about the feral cat problem. I looked into it and I found this wonderful group called the Tuscarawas County TNR Project. TNR stands for Trap, Neuter, and Return. My office got in contact with their agency and I found that this is just a wonderful program and a great way to deal with our feral cat problem. I personally met with someone from their agency along with Councilman Ricklic this past week to discuss this issue. I was even more confident that he had made the right decision in bringing this to Council’s attention. Once I learned about this program it was assigned to Councilman Ricklic’s Committee. In our office tonight are several members in support of this legislation, in particular Sarah Keplinger and Marilyn Grafe who together have started the TNR Project. We believe this is going to be very successful. Both myself and Councilman Ricklic have researched what other cities are doing and larger cities are doing this. We’re very fortunate to have people in our community that are willing to step up and address this issue in a humane way that’s good for everyone. We believe that over a matter of years this will significantly curtail the feral cat problem that is in our community. When the legislation comes up for a vote this evening I would like to invite either Marilyn or Sarah to speak and address the issue and talk a little bit about what they do. I am asking for Ordinance 23-2019 to be passed this evening. Lastly, I am requesting an Executive Session this evening to discuss pending or threatened litigation and I would like the fire chief to stay for that to assist me in what I’m going to address you on.

MR. ZUCAL MOTIONED FOR AN EXECUTIVE SESSION FOLLOWING THE LEGISLATIVE AGENDA DURING TONIGHT’S COUNCIL MEETING
MR. LANZER SECONDED THE MOTION
6 YEAS
AN EXECUTIVE SESSION WILL TAKE PLACE DURING TONIGHT’S COUNCIL MEETING

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission Meeting for this month was cancelled and the next one will be February 11, 2020 at 1:00 PM in Council Chambers.

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

The Board of Zoning Appeals met January 14, 2020 at 5:00 PM in Council Chambers with two variance requests to be heard. The first one was residence 218 7th St. NW Rear noncompliance with 1161.04. It was voted to approve 4-0. Secondly 1216 West High Ave. which is the Verizon building which is a noncompliant with 1167.09 which is over signage. After a long discussion with the members of the Board of Zoning Appeals Verizon has decided to table their request and they will return again in February.

AIRPORT COMMISSION.....MR. JOHN ZUCAL

The Airport Commission and the City Administration’s request for RFPs RFQ for the fixed base operator at Harry Clever Field, that due date is coming up this Friday. Any of that information needs to go to Mr. McAbier at the Service Director’s Office. I also wanted to let Council know about some of the concerns we have in attempting to maintain flight safety with the PAPI Replacement Project. Many of those bids have come in much higher than we anticipated with the grant from ODOT which would be a 95/5 match, so there’s going to have to be further discussion at our February 11th Meeting along with our City Administration as to how we would like to progress with the PAPI Replacement Project. I do think it’s a very important initiative that we as an Airport Commission take on because it does provide for pilot safety coming to and from Harry Clever Field. The next meeting will be February 11th at 6:00 at the Harry Clever Field Meeting Room.

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

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

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

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. ROB MAURER

Mr. Maurer had the following report:

I would like input from my Committee members and Council in general, either email or call, on how you want to handle the Budget this year. It needs to be passed by March 31. I've been in a meeting with the Auditor and the Mayor weekly, and I think we can start having some meetings and I want your input.

SALARY COMMITTEEMR. JOHN ZUCAL

Mr. Zucal had the following report:

The Salary Committee met this evening at 6:15 in Council Chambers with three specific items to address. The first being Proposed Ordinance 2-2020 which just required a modification to a section of Ordinance 22-2019 that refers to the Safety Forces Secretary Pay. The second item was a request to have an honorary designation of a portion of Bank Lane SE in honor of Jim Locker for his many years of service to the City both as Police Chief and as a member of this body. We did discuss this evening and we will be renaming in an honorary way the portion of 3rd Street SE to Fourth Street SE, that portion of Bank Lane, as the honorary Jim Locker Lane. That does not change the actual physical residences. No homeowner will have to be impacted by changing their address. This will just be an honorary recognition. That will be up for further readings on behalf of Mr. Locker. The 3rd item was a recognition of former Part Time Police Officer John Zion and his 25 years of service. As our Safety Director Mr. Popham stated we have rarely seen employees who have served 25 years and have that dedication to the City of New Philadelphia. So again we'll be looking to recognize Mr. Zion in the future, and for Members of Council we do have that Ordinance 2-2020 on tonight's Agenda and I would like to recommend that we have suspension of rules and pass on 1st Reading to allow the Auditor to finalize the process of the new budget pieces with the non-bargaining raises.

PUBLIC WORKS COMMITTEE.....MR. DEAN HOLLAND.....EXCUSED ABSENSE

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

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

Mrs. Ramos had the following report:

We met tonight at 6:45 to discuss Resolution 1-2020 which is a Resolution to annex a certain portion of property located in Goshen Township. This was approved by the Planning Commission later last year, so that is on the Agenda tonight. The Committee voted to put that on the Agenda for 3 Readings as well as a rezone of certain area bounded by Front Street, 8th Street, 7th Street, and Bank Lane SW from Industrial to Business. We do have a list of that for the Community, minus certain properties which have already been deleted from that attachment. That also was added to the Agenda tonight for 3 Readings. At the 3rd Reading we'll have a Public Hearing to approve all those.

SPECIAL & CONTACT COMMITTEEMR DAN LANZER

Mr. Lanzer had the following report:

The Special and Contact Committee will be meeting February 10, 2020 at 7:15 PM to discuss a historic preservation agreement renewal.

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

VISITOR'S COMMENTS:

Mr. Adam Wilgus of 911 Lakeview Dr. Dover had the following statement:

I'm running for Judge in Juvenile and Probate Court, and before I say anything else I just want to tell you I'm extremely humbled to be here this evening. As a little boy running around Tuscora Park having picnics with my grandparents in the grass I would have never thought that I would be here at your City Council meeting let alone running for judge. Thank you very much for just giving me this opportunity this evening. I will be on the ballot March 17th I'm running for judge in Probate Court. I currently serve there as a magistrate. A magistrate is kind of a junior judge, one of the major differences is that magistrates are appointed and judges are elected. I'm a U.S. military veteran, I currently serve on the Board of Big Brothers Big Sisters here in Tuscarawas County, I'm also in the anti-drug coalition. I've been to almost 4,000 houses over Tuscarawas County the last couple months and one of the questions I receive quite often is "Why do you want to run for judge?" My answer is very similar to what President Kemp said earlier, it's to have an impact on the Community. More specifically to have a positive impact in my court on children and their families. I was campaigning at the Tuscarawas County Fair this past summer and I had a 20 year old boy come up to me and say "Mr. Wilgus you probably don't remember me but I was in your court a couple years ago. You weren't happy with me when I was in your courtroom but I'm proud to tell you that I got a job, I'm drug free, and I've got stable housing." That is why I'm running for judge.

COUNCIL COMMENTS:

Mr. Zucal had the following comment:

I just wanted to say how pleased I was to learn that First Lady Fran DeWine visited Tuscarawas County. She's very much a huge representative and a champion for children's literacy and developing strong readers. I can tell you as an elementary principal that is one of the most challenging parts of my job that I find each and every day is the number of young people who come to school who have not had an opportunity to engage with rich literature, to have someone read to them, to have a book in their possession. More and more we're seeing this and for Tuscarawas County to have that opportunity with the Imagination Library to be right in our community is a huge step. I hope the citizens and the parents of young children take advantage of that. I also want to recognize and say I'm looking very much forward to the Grand Opening of our own Tuscarawas County Public Library, with that taking place on the 30th. That will be a big event, and speaking with Mary Burns who heads that Board I know that's been a 10 year project.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

23-2019 AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 505 ANIMALS AND FOWL, OF THE CITY OF NEW PHILADELPHIA, OHIO, BY ADDING SECTION 505.18 MANAGEMENT OF CAT POPULATION.
4th Reading

MR. RICKLIC MOTIONED FOR PASSAGE OF ORDINANCE 23-2019
MR. LANZER SECONDED THE MOTION

Sarah Keplinger of 5143 Blacksnake Hill Dover had the following comment:

Mary Grafe and I have been doing this TNR Project for about a year. It was formed out of necessity in Dover. TNR stands for Trap, Neuter, and Return, so where the cat is trapped is where it's returned. We do not trap in the winter. Male cats bounce right back. A female that is spayed needs time to recover in an environment that's indoors and stress free. When we say Trap, Neuter, and Release we're working with people that it's not one of two cats there's 15 or 20 that they're taking care of. We can give guidance to someone that has one or two cats that need trapped but we're aiming toward the colonies. It's usually a two day process to trap the cats. We also do not disclose where we're trapping. None of our vehicles say TNR.

Mary Grafe of 4010 Blacksnake Hill Dover had the following comment:

When we concentrate on larger colonies we're trying to take a bigger bite of the apple. You won't notice a reduction in population right away. We've got to get it stable, but it takes a while. What we do is we stagger. We usually have two or three sites that we concentrate on. 75% of the cats are trapped in the first 15 minutes. We want to help our communities and get rid of the feral cat problem before it overwhelms us. Give us a chance.

Mr. Maurer asked how the public can get ahold of them and how they determine their sites.

Mary Grafe had the following response:

They can call me 330-340-6721 is my cell. Last summer in Dover each homeowner was paying for the spay and neuter treatments. Now that we have the funds coming in we'll be able to help reduce the cost. We do have donations for people who can't afford to have the feral cats spayed and neutered so no one will be turned away.

Mr. Ricklic asked where people can send donation to.

Sarah Keplinger had the following response:

I'm having them actually be sent to my home which is 5143 Blacksnake Hill in Dover. You can make the check out to Tuscarawas County TNR Project.

Law Director Fete asked Mrs. Grafe to share how low the cost was.

Mrs. Grafe had the following comment:

It's \$38.00 for these cats to get spayed, neutered, have a rabies shot and a flea treatment. Hopefully someday the Humane Society will have their own spay and neuter clinic.

Mr. David Grafe thanked Council for their diligence on the welfare of the animals in the City.

6 YEAS
ORDINANCE 23-2019 HAS BEEN APPROVED

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)
2nd Reading

2-2020 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO MODIFY ORDINANCE 22-2019 WITH REGARDS TO THE PAY RATE FOR THE SAFETY FORCES SECRETARY.
1st Reading

MR. ZUCAL MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 2-2020

MR. RICKLIC SECONDED THE MOTION
6 YEAS

RULES HAVE BEEN SUSPENDED ON ORDINANCE 2-2020

MR. ZUCAL MOTIONED FOR APPROVAL OF ORDINANCE 2-2020

MR. RICKLIC SECONDED THE MOTION
5 YEAS, 1 NAY (MRS. RAMOS)
ORDINANCE 2-2020 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
1st Reading

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.
1st 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.
1st Reading

**COUNCIL ADJOURNED INTO A 5 MINUTE RECESS AT 8:24 AND
RECONVENED BEFORE GOING INTO EXECUTIVE SESSION AT 8:29.
AT 8:43 PM COUNCIL RECONVENED INTO REGULAR SESSION OF COUNCIL**

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

Mrs. Ramos had the following comment:
The Clerk needs a new printer.

Mr. Maurer motioned to adjourn at 8:45 pm

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp