

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 10, 2021 WITH PRESIDENT 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 ABSENCES

MR. ROB MAURER  
MR. JOHN ZUCAL  
AUDITOR BETH GUNDY

- MR. RICKLIC MOTIONED TO DELETE ORDINANCE 13-2021 FROM TONIGHT’S AGENDA UNTIL THE MAY 24, 2021 COUNCIL MEETING  
MR. HOLLAND SECONDED THE MOTION  
MR. LANZER MOTIONED TO ADD RESOLUTION 14-2021 AND RESOLUTION 19-2021 TO TONIGHT’S AGENDA  
MRS. RAMOS SECONDED THE MOTION  
5 YEAS  
ORDINANCE 13-2021 HAS BEEN DELETED FROM TONIGHT’S AGENDA AND RESOLUTION 14-2021 AND RESOLUTION 19-2021 HAVE BEEN ADDED TO TONIGHT’S AGENDA FOR 1<sup>st</sup> Reading
- MR. HOLLAND MOTIONED TO ACCEPT TONIGHT’S AGENDA AS AMENDED  
MRS. RAMOS SECONDED THE MOTION  
5 YEAS  
TONIGHT’S AGENDA HAS BEEN ACCEPTED
- MRS. RAMOS MOTIONED TO APPROVE THE MINUTES FROM THE APRIL 26, 2021 REGULAR SESSION OF COUNCIL  
MR. MAY SECONDED THE MOTION  
5 YEAS  
MINUTES FROM THE APRIL 26, 2021 REGULAR SESSION OF COUNCIL HAVE BEEN APPROVED

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

1. *To Clerk of Council from Rachel Dunfee, Attorney at Law, dated April 26, 2021. This is a letter with attached documents. It’s titled R. E. Hartrick Annexation. It states “Dear Julie, I represent James E. and Carrie Hartrick in the annexation of their Goshen Township property to New Philadelphia. Enclosed are the Annexation Petition, the company affidavit, the property deed, the surveyor’s map indicating the property to be annexed. This has been submitted on March 21, 2021 to the County Commissioner’s Office for approval.*
2. *To Clerk of Council from Department of Commerce Division of Liquor Control. This is dated April 20, 2021. This is a notice of legislative authority.*
3. *To Council and Administration from Service Director McAbier. This is dated April 29, 2021. This is an email with the 2021 Paving List attached.*
4. *To Council and Administration from Lacey McKain, Executive Administrative Assistant to the Mayor, dated April 30, 2021. This is the Mayor’s Month End Report.*
5. *To President Kemp from Law Director Fete, dated May 7, 2021. This is an email that states “Urgent, please assign to Dan Lanzer” It continues “Mr. President, attached is Resolution 14-2021 and Resolution 19-2021. Please assign to Mr. Lanzer’s Special and Contact Committee Meeting on Monday, May 10, 2021.*

6. *To Council Clerk from Treasurer Gerber, dated May 10, 2021. This is the City of New Philadelphia April 2021 Deposits.*
7. *To Council Clerk from Senator Jay Hottinger, dated May 10, 2021. This is a reply to an email that I sent Senator Hottinger on behalf of City Council. I sent him a copy of Approved Resolution 17-2021 concerning the City Health Department. Senator Hottinger wrote the following: Dear Julie, Thank you for sharing the Resolution passed by the New Philadelphia City Council regarding a provision in the state operating budget which would require a feasibility study for local health departments. I recently met with Mayor Day, Health Commissioner Ionno and others on this important topic. We discussed their concerns and they articulated the importance of the New Philadelphia City Health Department. As you may know, this language was inserted into the operating budget by the House of Representatives. I believe it is ill timing, especially given COVID-19, to be considering reducing the number of health departments in the state. I plan on submitting an amendment that would save health departments that are accredited or in the process of accreditation. Although I don't know what the final legislative outcome will be, I am hopeful that we can find a solution that will allow the New Philadelphia City Health Department to continue providing valuable services to the residents of Tuscarawas County. Again, thank you for sharing the Resolution. If you have questions about this or any other state issue in the future, please do not hesitate to let me know.*
8. *To Council and Administration from Mayor Day, dated May 10, 2021. The Mayor's Report.*

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

Mayor Day had the following report:

Optimism that our Health Department will Remain Following our testimony last week before the Ohio Senate's Health Committee, City Health Commissioner Vickie Ionno and myself remain optimistic that the Ohio House amendment that threatened the closure of our Health Department will be removed from the State budget. In its place will likely be an amendment crafted by Senator Jay Hottinger that would remove health departments in Ohio, both accredited and in the process of accreditation like ours, from the consolidation study called for in the House amendment. Prior to giving our testimony, our group – Commissioner Ionno, Health Department Director of Nursing Nichole Bache, City Law Director Marvin Fete, City Council president Don Kemp and myself – met with Senator and Senate president pro temp Hottinger to express our concerns about the House amendment. He agreed that being in the midst of the coronavirus pandemic is ill-timing to be looking at reducing the number of health departments in the state. I want to give my sincere thanks to City Council and members of our community who expressed to our representatives in Columbus their support of the New Philadelphia Health Department. This pandemic has shown us all the importance of public health services and why they should continue to be readily available to the residents and businesses of our City. The Ohio Legislature has to have the new state budget approved by June 30th . Hopefully the members see the wisdom of including Senator Hottinger's amendment in it.

ODOT Grants Funds for Construction of the Trail from the KSU-Tusc Campus The Ohio Department of Transportation has awarded the City a Transportation Alternative Program (TAP) grant of up to \$700,000, and an additional \$800,000 Safety Program grant to fund the first phase of the City's Bicycle and Pedestrian Connectivity Plan.

The project will build a bike and walking trail from the Kent State-Tuscarawas campus to downtown New Philadelphia. The ODOT TAP grant will utilize Toll Revenue Credit (TRC) to use Federal funds to pay for 95 percent of eligible costs, while the Safety portion will use Federal funds to pay for 90 percent of eligible costs, including engineering costs. The local share will be around \$115,000. The total cost of the project is estimated to be just over \$3 million. I am very grateful for Council's support of the project and the letters written to ODOT by other supporters in the community. My administration will now go to work to secure the funding necessary to complete the project.

Mayor's Office Awards Grants to Help Arts-Based Organizations Reopen The Mayor's office has awarded separate \$2000.00 grants to the Little Theatre of Tuscarawas County and Schoenbrunn Village to help them reopen from the coronavirus pandemic shutdown. Arts-based organizations and tourism attractions in the City were perhaps the hardest hit by closure over the past year. The grant money comes from the local lodging tax paid by hotels and motels. In its application Little Theatre said the grant will be used to help fund reopening costs, while Schoenbrunn Village will use its grant to pay employees wages during its reopening.

COVID-19 Vaccinations are Available from the City Health Department If you haven't received a coronavirus vaccination, and we urge you to do so, shots are available at the New Philadelphia Health Department. The department has both the Moderna two-shot vaccine and the Johnson and Johnson one-shot vaccine. Call 330-364-4491 extension 1208 to schedule an appointment. Tuscarawas County is now at the yellow, or lowest level in the Ohio Public Health Advisory color-coded system. More county residents with vaccinations will keep us in yellow and help stamp out the spread of COVID-19 altogether.

Garage Sale Season is Upon Us Just a reminder that the City requires a permit for any garage sales you plan to have now that the weather is improving. The cost of the permit is still one dollar, and you can get them at the Mayor's office window or at the third floor Service Department window at City Hall (150 East High Avenue).

SERVICE DIRECTOR.....MR. RON MCABIER

Mr. McAbier had the following report:

On the Cemetery Office we had just over a dozen items on the punch list go through. Now it's down to landing the fiber into the rack, and we're waiting for the wireless router for the office. The rack has been ordered and it should be there by the end of the week.

Southside Park if we can remember we had close to 80 items on that list. Happy to report it's down to 40 now. It's progress, not as quick as we'd like, but it's progress. I'll report back to Council on both of those items at the next Council meeting. Also I'd like to make Council aware that there will be a preconstruction meeting on the Lakeview Avenue Sidewalk Project. I will know a starting date after Thursday's Meeting and I'll be sure to update everybody at the next Meeting.

Mr. Holland had the following question:

Is there a signalized crosswalk on Wabash?

Mr. McAbier had the following response:

There's a push-button crosswalk, not signalized.

President Kemp had the following question:

Is there an update on the Dominion Gas Project?

Mr. McAbier had the following response:

It's been slow, they've run into a few snags. I know at the last meeting they had completed roughly 30 percent.

AUDITOR .....MS. BETH GUNDY.....EXCUSED ABSENSE

SAFETY DIRECTOR .....MR. GREG POPHAM

Mr. Popham had the following report:

First, I'd like the City Auction that will be in August to be put in a Committee. Second, on April 29 we gave a Civil Service Test for the Fire Department. We had nine people take that test. Last Thursday, May 6, we gave a Civil Service Test for police officers and we had 11 candidates take the test.

Law Director Fete had the following question:

What's the date of the City Auction?

Mr. Popham had the following response:

August 9 of this year.

*\*President Kemp asked Mr. Ricklic to take the City Auction into his Committee.*

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

LAW DIRECTOR . . . MR. MARVIN FETE

Mr. Fete had the following report:

We had a very productive time in Columbus. I want to thank the Mayor for his leadership as well as Vickie Ionno, Nichole Bache, and Council President Kemp. I want to personally thank Senator Jay Hottinger. He not only took time to listen to all of our concerns, but I believe he's somebody who's going to fight for us and help us to keep our Health Department. I'd like to thank him for his time and expressing his support, and offering to add an Amendment that would allow us to keep our local health department. When we spoke to the Senate Health Committee they seemed very responsive as well. I thought it was very productive.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will meet here in Council Chambers tomorrow at 1:00 PM. On our Agenda we'll have the Hartrick Annexation, also the Community Development Implementation Strategy will be discussed. We'll have further discussion on creating community entertainment districts. I'll also get comments from the Commission Members on the City's Master Vision Plan.

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

With no variance requests to be heard tomorrow the Meeting at 5:00 PM has been cancelled.

AIRPORT COMMISSION.....MR. JOHN ZUCAL.....EXCUSED ABSENSE  
The Airport Commission will be Meeting tomorrow at 6:00 PM in Council Chambers.

PARK BOARD.....MRS. AIMEE MAY  
The Park Board will meet May 19 at Noon at Tuscora Park.

CEMETERY BOARD.....MRS. AIMEE MAY  
The Cemetery Board meets this Thursday at 8:00 AM in Council Chambers.

HEALTH BOARD ..... MR. JOHN ZUCAL.....EXCUSED ABSENSE

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. ROB MAURER.....EXCUSED ABSENSE

SALARY COMMITTEE .....MR. JOHN ZUCAL.....EXCUSED ABSENSE

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 Services Committee met this evening at 6:02 PM. We had some lengthy discussion and some good discussion. A motion was made to add Ordinance 12-2021 to the Agenda on May 24, 2021. We had some discussion with the Nuisance Ordinance (Ordinance 13-2021). Councilwoman Ramos wanted to get some questions to the Mayor before we put it on to full Council on the May 24, 2021 Agenda. The Meeting was adjourned at 6:37 PM.

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

We will have a Public Hearing on May 24, 2021 at 7:00 PM. This will be the Public Hearing for Ordinance 8-2021 and Ordinance 9-2021 which are rezoning issues.

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

The Special and Contact Committee met tonight at 6:37 PM. The first things we discussed were Proposed Resolution 13-2021 and Proposed Resolution 19-2021, which are the CHIP Contract and CHIP Agreement with Uhrichsville. We voted unanimously to add those to the Agenda tonight. We also had a couple liquor license variance requests for Oak Shadows Golf Club and Tienda Esmerelda. We discussed those and we're asking to do a floor vote at this time from all of Council so we can get those signed and sent to Columbus.

ROLL CALL TO APPROVE LIQUOR LICENSE REQUESTS

5 YEAS

THE LIQUOR LICENSE REQUESTS ARE APPROVED

Mr. Lanzer continued:

The last thing we discussed was arts and what we could do as a Council to help them. The Mayor has some money in his budget to help them along the way with their project.

**VISITOR’S COMMENTS:**

Dave Frantz of 323 Aiden Ave., New Philadelphia had the following comment:

There have been 3 Readings here at City Council on that lease for Quaker Stadium. You took action at your last Council Meeting, by my count that’s eight weeks. When will the school district get a copy of the lease so we can move forward?

Law Director Fete had the following response:

Mr. Frantz, I apologize, I was under the impression that you had a copy. I’ll make sure it’s sent to you.

Mr. Frantz had the following reply:

The Treasurer’s Office would be the best place to take it.

Law Director Fete had the following response:

I’ll personally take it to the Treasurer’s Office.

Dr. Phillip Dixon, a dentist on Canal Ave, New Philadelphia had the following comment:

I don’t know where to turn I’m here to ask for your help. When you drive on Canal Ave. to go to my office it is just a disgrace. All those homes are in terrible shape. They have not mowed their grass. If you go further down there is a home that was torn down last year. They have not mowed the grass since last year. Those are things that I’m sure you have City Ordinances. I’d like to see those enforced. There are three homes on the South side of Canal Ave. All three are an eye sore.

\*Mr. Fete asked Dr. Dixon if he has the addresses. Dr. Dixon said he has the addresses and photographs and would like to share them with you.

Mr. Fete:

If you can give those addresses to myself or the Mayor we do have a Committee that deals with those particular issues.

Mr. Popham stated that he did go down to that area today to begin addressing the issue.

Dr. Dixon continued:

Another issue, if you go directly across the street from my office, the Martinelli Pool business, I’m not sure who runs it now. They have no less than six vehicles parked there all the time. The grass has not been mowed because you can’t mow around the vehicles.

**COUNCIL COMMENTS: NONE**

**READING OF ORDINANCES AND RESOLUTIONS**

**ORDINANCES:**

- 8-2021 AN ORDINANCE BY THE COUNCIL WOF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE THE FOLLOWING ADDRESSES IN THE CITY OF NEW PHILADELPHIA, OHIO FROM INDUSTRIAL TO BUSINESS ZONE.  
3<sup>rd</sup> Reading

- 9-2021 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE THE FOLLOWING ADDRESSES IN THE CITY OF NEW PHILADELPHIA, OHIO FROM RESIDENTIAL TO BUSINESS ZONE.  
3<sup>rd</sup> Reading
- 10-2021 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO CREATE A NEW FUND TO BE KNOWN AS THE LOCAL FISCAL RECOVERY FUND #275 TO MANAGE FUNDS ALLOCATED UNDER THE FEDERAL AMERICAN RESCUE ACT.  
3<sup>rd</sup> Reading
- MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 10-2021  
MRS. RAMOS SECONDED THE MOTION  
5 YEAS  
ORDINANCE 10-2021 HAS BEEN APPROVED

RESOLUTIONS:

- 14-2021 AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OHIO REGIONAL DEVELOPMENT CORPORATION FOR ADMINISTRATIVE SERVICES FOR THE PY 2021 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM AND AUTHORIZING ORDC TO SUBMIT APPLICATION TO THE PY 2021 CHIP ON BEHALF OF THE CITY OF NEW PHILADELPHIA  
1<sup>st</sup> Reading
- 15-2021 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE MAYOR OF THE SAID CITY OF NEW PHILADELPHIA TO ACT AS THE SIGNATURE DESIGNEE AND TO FILE AN APPLICATION FOR FINANCIAL ASSISTANCE UNDER TITLE 1 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (PL-93-383) TO THE OFFICE OF COMMUNITY DEVELOPMENT, DIVISION OF THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF LOCAL GOVERNMENT SERVICES, AND TO ACCEPT THE SAME UPON AWARD.  
3<sup>rd</sup> Reading
- MR. RICKLIC MOTIONED FOR APPROVAL OF RESOLUTION 15-2021  
MR. HOLLAND SECONDED THE MOTION  
5 YEAS  
RESOLUTION 15-2021 HAS BEEN APPROVED
- 19-2021 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE CITY OF UHRICHVILLE, OHIO FOR THE PY 2021 COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM  
1<sup>st</sup> Reading

**UNFINISHED OR OLD BUSINESS: NONE**



**NEW BUSINESS:**

Service Director McAbier had the following comment:

I would like to ask that you assign to the proper Committee a Resolution to adjust the budget for master capital.

President Kemp assigned that to Mr. Zucal's Salary Committee.

President Kemp assigned the Recovery Act and coming up with a plan on how New Philadelphia will use the money it will receive to Mr. Holland's Committee.

Mrs. Ramos motioned to adjourn at 8:07 PM.

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

APPROVED \_\_\_\_\_

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